

ONTARIO LAND TRIBUNAL

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Huntingwood Trails (Collingwood) Ltd
Subject:	Application to amend Zoning By-law No. 2010-040 – Refusal or neglect of Town of Collingwood to make a decision
Existing Zoning:	Rural, Environmental Protection
Proposed Zoning:	Residential R2, Residential R3, Environmental Protection, Recreational, Commercial
Purpose:	To permit a 170-unit subdivision development
Property	Part of Lots 47, 48 and 49, Concession 12
Address/Description:	
Municipality:	Town of Collingwood
Municipal File No.:	D14211
OLT Case No.:	OLT-22-002301
OLT Case Name:	Huntingwood Trails (Collingwood) Ltd v. Collingwood (Town)

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Huntingwood Trails (Collingwood) Ltd
Subject:	Proposed Plan of Subdivision - Failure of Town of Collingwood to make a decision
Purpose:	To permit a 170-unit subdivision development
Property	Part of Lots 47, 48 and 49, Concession 12
Address/Description:	
Municipality:	Town of Collingwood
Municipal File No.:	D14211
OLT Case No.:	OLT-22-002301
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JOINT DOCUMENT BOOK

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TAB 1

- (a) to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;
- (b) to provide for a land use planning system led by provincial policy;
- (c) to integrate matters of provincial interest in provincial and municipal planning decisions;
- (d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;
- (e) to encourage co-operation and co-ordination among various interests;
- (f) to recognize the decision-making authority and accountability of municipal councils in planning. 1994, c. 23, s. 4.

Section Amendments with date in force (d/m/y) [+]

Not-for-Profit Corporations Act, 2010

1.2 The *Not-for-Profit Corporations Act, 2010* does not apply to a body corporate established under this Act. 2017, c. 20, Sched. 8, s. 119.

Section Amendments with date in force (d/m/y) [+]

PART I PROVINCIAL ADMINISTRATION

Provincial interest

2 The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- (a) the protection of ecological systems, including natural areas, features and functions;
- (b) the protection of the agricultural resources of the Province;
- (c) the conservation and management of natural resources and the mineral resource base;
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (e) the supply, efficient use and conservation of energy and water;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (g) the minimization of waste;
- (h) the orderly development of safe and healthy communities;
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (k) the adequate provision of employment opportunities;
- (l) the protection of the financial and economic well-being of the Province and its municipalities;
- (m) the co-ordination of planning activities of public bodies;
- (n) the resolution of planning conflicts involving public and private interests;
- (o) the protection of public health and safety;
- (p) the appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- (r) the promotion of built form that,
 - (i) is well-designed,

(ii) encourages a sense of place, and

(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.

Section Amendments with date in force (d/m/y) [+]

Approval authorities and Tribunal to have regard to certain matters

2.1 (1) When an approval authority or the Tribunal makes a decision under this Act that relates to a planning matter, it shall have regard to,

(a) any decision that is made under this Act by a municipal council or by an approval authority and relates to the same planning matter; and

(b) any information and material that the municipal council or approval authority considered in making the decision described in clause (a). 2015, c. 26, s. 13; 2017, c. 23, Sched. 3, s. 2 (1); 2019, c. 9, Sched. 12, s. 1 (1).

Same, Tribunal

(2) When the Tribunal makes a decision under this Act that relates to a planning matter that is appealed because of the failure of a municipal council or approval authority to make a decision, the Tribunal shall have regard to any information and material that the municipal council or approval authority received in relation to the matter. 2019, c. 9, Sched. 12, s. 1 (2).

Same

(3) For greater certainty, references to information and material in subsections (1) and (2) include, without limitation, written and oral submissions from the public relating to the planning matter. 2015, c. 26, s. 13.

Section Amendments with date in force (d/m/y) [+]

Policy statements

3 (1) The Minister, or the Minister together with any other minister of the Crown, may from time to time issue policy statements that have been approved by the Lieutenant Governor in Council on matters relating to municipal planning that in the opinion of the Minister are of provincial interest. R.S.O. 1990, c. P.13, s. 3 (1).

Approval of Minister, etc.

(1.1) A policy statement may require an approval or determination by the Minister, any other minister of the Crown or multiple ministers of the Crown for any of the matters provided for in the policy statement. 2017, c. 23, Sched. 3, s. 3.

Minister to confer

(2) Before issuing a policy statement, the Minister shall confer with such persons or public bodies that the Minister considers have an interest in the proposed statement. 1994, c. 23, s. 6 (1).

Notice

(3) If a policy statement is issued under subsection (1), the Minister shall cause it to be published in *The Ontario Gazette* and shall give such further notice of it, in such manner as the Minister considers appropriate, to all members of the Assembly and to any other persons or public bodies that the Minister considers have an interest in the statement. 1994, c. 23, s. 6 (1).

Idem

(4) Each municipality that receives notice of a policy statement under subsection (3) shall in turn give notice of the statement to each local board of the municipality that it considers has an interest in the statement. R.S.O. 1990, c. P.13, s. 3 (4).

Policy statements and provincial plans

(5) A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter,

(a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and

(b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be. 2006, c. 23, s. 5; 2017, c. 23, Sched. 5, s. 80.

Same

(6) Comments, submissions or advice affecting a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government,

(a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date the comments, submissions or advice are provided; and

(b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be. 2006, c. 23, s. 5.

Duties of Minister unaffected

(7) Except as provided in subsections (5) and (6), nothing in this section affects nor restricts the Minister in carrying out the Minister's duties and responsibilities under this Act. 1996, c. 4, s. 3.

Deemed policy statements

(8) Each of the following is deemed to be a policy statement issued under subsection (1):

1. A policy statement issued under section 31.1 of the *Metrolinx Act, 2006*.

2. A policy statement issued under section 11 of the *Resource Recovery and Circular Economy Act, 2016*.

3. A policy or statement that is prescribed for the purpose of this subsection. 2017, c. 23, Sched. 3, s. 3.

Exceptions

(9) Subsections (1.1), (2), (3) and (10) do not apply to a policy or statement that is deemed by subsection (8) to be a policy statement issued under subsection (1). 2017, c. 23, Sched. 3, s. 3.

Review

(10) The Minister shall, at least every 10 years from the date that a policy statement is issued under subsection (1), ensure that a review of the policy statement is undertaken for the purpose of determining the need for a revision of the policy statement. 1994, c. 23, s. 6 (3); 2015, c. 26, s. 14.

Section Amendments with date in force (d/m/y) [+]

Delegation of Minister's powers

4 (1) The Minister, on the request of the council of any municipality, may, by order, delegate to the council any of the Minister's authority under this Act, other than the authority to approve or the authority to exempt from approval the official plan or amendments to the official plan of the municipality of which it is the council and, where the Minister has delegated any such authority, the council has, in lieu of the Minister, all the powers and rights of the Minister in respect thereof and the council shall be responsible for all matters pertaining thereto. R.S.O. 1990, c. P.13, s. 4 (1); 1996, c. 4, s. 4 (1); 1999, c. 12, Sched. M, s. 21; 2006, c. 23, s. 6; 2015, c. 26, s. 15 (1).

Same

(16) Every person who demolishes a residential property, or any portion thereof, in contravention of subsection (2) is guilty of an offence and on conviction is liable to a fine of not more than \$50,000 for each dwelling unit contained in the residential property, the whole or any portion of which residential property has been demolished.

Standards for health and safety remain in force

(17) The provisions of any general or special Act and any by-law passed thereunder respecting standards relating to the health or safety of the occupants of buildings and structures remain in full force and effect in respect of residential property situate within an area of demolition control. R.S.O. 1990, c. P.13, s. 33 (3-17).

Certain proceedings stayed

(18) Subject to subsection (17), an application to the council for a permit to demolish any residential property operates as a stay to any proceedings that may have been initiated under any by-law under section 15.1 of the *Building Code Act, 1992* or a predecessor thereof or under any special Act respecting maintenance or occupancy standards in respect of the residential property sought to be demolished, until the council disposes of the application, or where an appeal is taken under subsection (4), until the Tribunal has heard the appeal and issued its order thereon. R.S.O. 1990, c. P.13, s. 33 (18); 1997, c. 24, s. 226 (5); 2017, c. 23, Sched. 5, s. 80.

Exemption re Building Code

(19) Where a permit to demolish residential property is obtained under this section, it is not necessary for the holder thereof to obtain the permit mentioned in subsection 8 (1) of the *Building Code Act, 1992*. R.S.O. 1990, c. P.13, s. 33 (19); 1997, c. 24, s. 226 (6).

Section Amendments with date in force (d/m/y) [+]

PART V LAND USE CONTROLS AND RELATED ADMINISTRATION

Zoning by-laws

34 (1) Zoning by-laws may be passed by the councils of local municipalities:

Restricting use of land

1. For prohibiting the use of land, for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway.

Restricting erecting, locating or using of buildings

2. For prohibiting the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway.

Marshy lands, etc.

3. For prohibiting the erection of any class or classes of buildings or structures on land that is subject to flooding or on land with steep slopes, or that is rocky, low-lying, marshy, unstable, hazardous, subject to erosion or to natural or artificial perils.

Contaminated lands; sensitive or vulnerable areas

- 3.1 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land,
 - i. that is contaminated,
 - ii. that contains a sensitive groundwater feature or a sensitive surface water feature, or
 - iii. that is within an area identified as a vulnerable area in a drinking water source protection plan that has taken effect under the *Clean Water Act, 2006*.

Natural features and areas

- 3.2 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures within any defined area or areas,

- i. that is a significant wildlife habitat, wetland, woodland, ravine, valley or area of natural and scientific interest,
- ii. that is a significant corridor or shoreline of a lake, river or stream, or
- iii. that is a significant natural corridor, feature or area.

Significant archaeological resources

3.3 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land that is the site of a significant archaeological resource.

Construction of buildings or structures

4. For regulating the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy.

Minimum elevation of doors, etc.

5. For regulating the minimum elevation of doors, windows or other openings in buildings or structures or in any class or classes of buildings or structures to be erected or located within the municipality or within any defined area or areas of the municipality.

Loading or parking facilities

6. For requiring the owners or occupants of buildings or structures to be erected or used for a purpose named in the by-law to provide and maintain loading or parking facilities on land that is not part of a highway. R.S.O. 1990, c. P.13, s. 34 (1); 1994, c. 23, s. 21 (1, 2); 1996, c. 4, s. 20 (1-3); 2006, c. 22, s. 115.

Pits and quarries

(2) The making, establishment or operation of a pit or quarry shall be deemed to be a use of land for the purposes of paragraph 1 of subsection (1). R.S.O. 1990, c. P.13, s. 34 (2).

Area, density and height

(3) The authority to regulate provided in paragraph 4 of subsection (1) includes and, despite the decision of any court, shall be deemed always to have included the authority to regulate the minimum area of the parcel of land mentioned therein and to regulate the minimum and maximum density and the minimum and maximum height of development in the municipality or in the area or areas defined in the by-law. 2006, c. 23, s. 15 (1).

City of Toronto

(3.1) Subsection (3) does not apply with respect to the City of Toronto. 2006, c. 23, s. 15 (2).

Interpretation

(4) A trailer as defined in subsection 164 (4) of the *Municipal Act, 2001* or subsection 3 (1) of the *City of Toronto Act, 2006*, as the case may be, and a mobile home as defined in subsection 46 (1) of this Act are deemed to be buildings or structures for the purpose of this section. 2006, c. 32, Sched. C, s. 47 (5).

Prohibition of use of land, etc., availability of municipal services

(5) A by-law passed under paragraph 1 or 2 of subsection (1) or a predecessor of that paragraph may prohibit the use of land or the erection or use of buildings or structures unless such municipal services as may be set out in the by-law are available to service the land, buildings or structures, as the case may be. R.S.O. 1990, c. P.13, s. 34 (5).

Loading or parking facilities – by-law provisions

(5.1) A by-law passed under paragraph 6 of subsection (1) shall include the prescribed provisions and provisions about the prescribed matters. 2016, c. 25, Sched. 4, s. 3 (1).

Certificates of occupancy

(6) A by-law passed under this section may provide for the issue of certificates of occupancy without which no change may be made in the type of use of any land covered by the by-law or of any building or structure on any such land, but no such certificate shall be refused if the proposed use is not prohibited by the by-law. R.S.O. 1990, c. P.13, s. 34 (6).

Use of maps

(7) Land within any area or areas or abutting on any highway or part of a highway may be defined by the use of maps to be attached to the by-law and the information shown on such maps shall form part of the by-law to the same extent as if included therein. R.S.O. 1990, c. P.13, s. 34 (7).

Acquisition and disposition of non-conforming lands

(8) The council may acquire any land, building or structure used or erected for a purpose that does not conform with a by-law passed under this section and any vacant land having a frontage or depth less than the minimum established for the erection of a building or structure in the defined area in which such land is situate, and the council may dispose of any of such land, building or structure or may exchange any of such land for other land within the municipality. R.S.O. 1990, c. P.13, s. 34 (8); 1996, c. 4, s. 20 (4).

Excepted lands and buildings

(9) No by-law passed under this section applies,

- (a) to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose; or
- (b) to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under subsection 8 (1) of the *Building Code Act, 1992*, prior to the day of the passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8 (10) of that Act. R.S.O. 1990, c. P.13, s. 34 (9); 2009, c. 33, Sched. 21, s. 10 (1).

By-law may be amended

(10) Despite any other provision of this section, any by-law passed under this section or a predecessor of this section may be amended so as to permit the extension or enlargement of any land, building or structure used for any purpose prohibited by the by-law if such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed. R.S.O. 1990, c. P.13, s. 34 (10).

Two-year period, no application for amendment

(10.0.0.1) If the council carries out the requirements of subsection 26 (9) by simultaneously repealing and replacing all the zoning by-laws in effect in the municipality, no person or public body shall submit an application for an amendment to any of the by-laws before the second anniversary of the day on which the council repeals and replaces them. 2015, c. 26, s. 26 (1).

Exception

(10.0.0.2) Subsection (10.0.0.1) does not apply in respect of an application if the council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally. 2015, c. 26, s. 26 (2).

Consultation

(10.0.1) The council,

- (a) shall permit applicants to consult with the municipality before submitting applications to amend by-laws passed under this section; and
- (b) may, by by-law, require applicants to consult with the municipality as described in clause (a). 2006, c. 23, s. 15 (3).

Prescribed information

(10.1) A person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section shall provide the prescribed information and material to the council. 1996, c. 4, s. 20 (5).

Other information

(10.2) A council may require that a person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section provide any other information or material that the council considers it may need, but only if the official plan contains provisions relating to requirements under this subsection. 2006, c. 23, s. 15 (4).

Refusal and timing

(10.3) Until the council has received the information and material required under subsections (10.1) and (10.2), if any, and any fee under section 69,

- (a) the council may refuse to accept or further consider the application for an amendment to the by-law; and
- (b) the time period referred to in subsection (11) or (11.0.0.1), as the case may be, does not begin. 2006, c. 23, s. 15 (4); 2022, c. 12, Sched. 5, s. 4 (1).

Response re completeness of application

(10.4) Within 30 days after the person or public body that makes the application for an amendment to a by-law pays any fee under section 69, the council shall notify the person or public body that the information and material required under subsections (10.1) and (10.2), if any, have been provided, or that they have not been provided, as the case may be. 2006, c. 23, s. 15 (4).

Motion re dispute

(10.5) Within 30 days after a negative notice is given under subsection (10.4), the person or public body or the council may make a motion for directions to have the Tribunal determine,

- (a) whether the information and material have in fact been provided; or
- (b) whether a requirement made under subsection (10.2) is reasonable. 2017, c. 23, Sched. 5, s. 93 (1).

Same

(10.6) If the council does not give any notice under subsection (10.4), the person or public body may make a motion under subsection (10.5) at any time after the 30-day period described in subsection (10.4) has elapsed. 2006, c. 23, s. 15 (4).

Notice of particulars and public access

(10.7) Within 15 days after the council gives an affirmative notice under subsection (10.4), or within 15 days after the Tribunal advises the clerk of its affirmative decision under subsection (10.5), as the case may be, the council shall,

- (a) give the prescribed persons and public bodies, in the prescribed manner, notice of the application for an amendment to a by-law, accompanied by the prescribed information; and
- (b) make the information and material provided under subsections (10.1) and (10.2) available to the public. 2006, c. 23, s. 15 (4); 2017, c. 23, Sched. 5, s. 80.

Final determination

(10.8) The Tribunal's determination under subsection (10.5) is not subject to appeal or review. 2006, c. 23, s. 15 (4); 2017, c. 23, Sched. 5, s. 80.

Notice of refusal

(10.9) When a council refuses an application to amend its by-law, it shall ensure that written notice of the refusal is given in the prescribed manner, no later than 15 days after the day of the refusal,

- (a) to the person or public body that made the application;
- (b) to each person and public body that filed a written request to be notified of a refusal; and
- (c) to any prescribed person or public body. 2015, c. 26, s. 26 (3).

Contents

(10.10) The notice under subsection (10.9) shall contain,

- (a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (10.11) had on the decision; and
- (b) any other information that is prescribed. 2015, c. 26, s. 26 (3).

Written and oral submissions

(10.11) Clause (10.10) (a) applies to,

- (a) any written submissions relating to the application that were made to the council before its decision; and
- (b) any oral submissions relating to the application that were made at a public meeting. 2015, c. 26, s. 26 (3).

Note: On January 1, 2023, section 34 of the Act is amended by adding the following subsection: (See: 2022, c. 12, Sched. 5, s. 4 (2))

Refund of fee

(10.12) With respect to an application received on or after the day subsection 4 (2) of Schedule 5 to the *More Homes for Everyone Act*, 2022 comes into force, the municipality shall refund any fee paid pursuant to section 69 in respect of the application in accordance with the following rules:

1. If the municipality makes a decision on the application within the time period referred to in subsection (11) or (11.0.0.0.1), as the case may be, the municipality shall not refund the fee.
2. If the municipality fails to make a decision on the application within the time period referred to in subsection (11) or (11.0.0.0.1), as the case may be, the municipality shall refund 50 per cent of the fee.
3. If the municipality fails to make a decision on the application within the time period that is 60 days longer than the time period referred to in subsection (11) or (11.0.0.0.1), as the case may be, the municipality shall refund 75 per cent of the fee.
4. If the municipality fails to make a decision on the application within the time period that is 120 days longer than the time period referred to in subsection (11) or (11.0.0.0.1), as the case may be, the municipality shall refund all of the fee. 2022, c. 12, Sched. 5, s. 4 (2).

Appeal to Tribunal

(11) Subject to subsection (11.0.0.0.1), where an application to the council for an amendment to a by-law passed under this section or a predecessor of this section is refused or the council fails to make a decision on it within 90 days after the receipt by the clerk of the application, any of the following may appeal to the Tribunal by filing with the clerk of the municipality a notice of appeal, accompanied by the fee charged by the Tribunal:

1. The applicant.
2. The Minister. 2017, c. 23, Sched. 3, s. 10 (1); 2019, c. 9, Sched. 12, s. 6 (1); 2021, c. 4, Sched. 6, s. 80 (1).

Same, where amendment to official plan required

(11.0.0.0.1) If an amendment to a by-law passed under this section or a predecessor of this section in respect of which an application to the council is made would also require an amendment to the official plan of the local municipality and the application is made on the same day as the request to amend the official plan, an appeal to the Tribunal under subsection (11) may be made only if the application is refused or the council fails to make a decision on it within 120 days after the receipt by the clerk of the application. 2017, c. 23, Sched. 3, s. 10 (1); 2019, c. 9, Sched. 12, s. 6 (2).

(11.0.0.0.2)-(11.0.0.0.5) REPEALED: 2019, c. 9, Sched. 12, s. 6 (3).

Use of dispute resolution techniques

(11.0.0.1) If an application for an amendment is refused as described in subsection (11) and a notice of appeal is filed under that subsection, the council may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute. 2015, c. 26, s. 26 (5).

Notice and invitation

(11.0.0.2) If the council decides to act under subsection (11.0.0.1),

- (a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and
- (b) it shall give an invitation to participate in the dispute resolution process to,
 - (i) as many of the appellants as the council considers appropriate,
 - (ii) the applicant, if the applicant is not an appellant, and
 - (iii) any other persons or public bodies that the council considers appropriate. 2015, c. 26, s. 26 (5).

Extension of time

(11.0.0.3) When the council gives a notice under clause (11.0.0.2) (a), the 15-day period mentioned in clause (23) (b) is extended to 75 days. 2015, c. 26, s. 26 (5).

Participation voluntary

(11.0.0.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (11.0.0.2) (b) is voluntary. 2015, c. 26, s. 26 (5).

Consolidated hearing

(11.0.1) Despite section 21 of the *Ontario Land Tribunal Act, 2021*, the proponent of an undertaking, as those terms are defined in that section, shall not give notice to the Tribunal in respect of an application for an amendment to a by-law unless the council has made a decision on the application or the time period referred to in subsection (11) has expired. 2021, c. 4, Sched. 6, s. 80 (4).

(11.0.2) REPEALED: 2017, c. 23, Sched. 3, s. 10 (2).

Time for filing certain appeals

(11.0.3) A notice of appeal under subsection (11) with respect to the refusal of an application shall be filed no later than 20 days after the day that the giving of notice under subsection (10.9) is completed. 2006, c. 23, s. 15 (5).

Restricted appeals, areas of settlement

(11.0.4) Despite subsection (11), there is no appeal in respect of all or any part of an application for an amendment to a by-law if the amendment or part of the amendment proposes to implement,

- (a) an alteration to all or any part of the boundary of an area of settlement; or
- (b) a new area of settlement. 2006, c. 23, s. 15 (5).

Restricted appeals, areas of employment

(11.0.5) Despite subsection (11), if the official plan contains policies dealing with the removal of land from areas of employment, there is no appeal in respect of all or any part of an application for an amendment to a by-law if the amendment or part of the amendment proposes to remove any land from an area of employment, even if other land is proposed to be added. 2006, c. 23, s. 15 (5).

No appeal re inclusionary zoning policies

(11.0.6) Despite subsection (11), there is no appeal in respect of all or any part of an application for an amendment to a by-law if the amendment or part of the amendment proposes to amend or repeal a part of the by-law that gives effect to policies described in subsection 16 (4). 2016, c. 25, Sched. 4, s. 3 (2).

No appeal re renewable energy undertakings

(11.0.7) Despite subsection (11), there is no appeal in respect of all or any part of an application for an amendment to a by-law if the amendment or part of the amendment proposes to permit a renewable energy undertaking. 2018, c. 16, s. 8 (6).

Exception re Minister

(11.0.8) Subsection (11.0.7) does not apply to an appeal by the Minister. 2018, c. 16, s. 8 (6).

Withdrawal of appeal

(11.1) If all appeals under subsection (11) are withdrawn, the Tribunal shall notify the clerk of the municipality and the decision of the council is final and binding or the council may proceed to give notice of the public meeting or pass or refuse to pass the by-law, as the case may be. 1999, c. 12, Sched. M, s. 25 (1); 2017, c. 23, Sched. 5, s. 82.

Information and public meeting; open house in certain circumstances

(12) Before passing a by-law under this section, except a by-law passed pursuant to an order of the Tribunal made under subsection (26),

(a) the council shall ensure that,

(i) sufficient information and material is made available to enable the public to understand generally the zoning proposal that is being considered by the council, and

(ii) at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the proposed by-law; and

(b) in the case of a by-law that is required by subsection 26 (9) or is related to a development permit system, the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the information and material made available under subclause (a) (i). 2006, c. 23, s. 15 (6); 2009, c. 33, Sched. 21, s. 10 (2); 2017, c. 23, Sched. 3, s. 10 (3).

Notice

(13) Notice of the public meeting required under subclause (12) (a) (ii) and of the open house, if any, required by clause (12) (b),

(a) shall be given to the prescribed persons and public bodies, in the prescribed manner; and

(b) shall be accompanied by the prescribed information. 2006, c. 23, s. 15 (6).

Timing of open house

(14) The open house required by clause (12) (b) shall be held no later than seven days before the public meeting required under subclause (12) (a) (ii) is held. 2006, c. 23, s. 15 (6).

Timing of public meeting

(14.1) The public meeting required under subclause (12) (a) (ii) shall be held no earlier than 20 days after the requirements for giving notice have been complied with. 2006, c. 23, s. 15 (6).

Participation in public meeting

(14.2) Every person who attends a public meeting required under subclause (12) (a) (ii) shall be given an opportunity to make representations in respect of the proposed by-law. 2006, c. 23, s. 15 (6).

Alternative measures

(14.3) If an official plan sets out alternative measures for informing and obtaining the views of the public in respect of proposed zoning by-laws, and if the measures are complied with, clause (10.7) (a) and subsections (12) to (14.2) do not apply to the proposed by-laws, but subsection (14.6) does apply. 2015, c. 26, s. 26 (6).

Same

(14.4) In the course of preparing the official plan, before including alternative measures described in subsection (14.3), the council shall consider whether it would be desirable for the measures to allow for notice of the proposed by-laws to the prescribed persons and public bodies mentioned in clause (13) (a). 2015, c. 26, s. 26 (6).

Transition

(14.4.1) For greater certainty, subsection (14.4) does not apply with respect to alternative measures that were included in an official plan before the day subsection 26 (6) of the *Smart Growth for Our Communities Act, 2015* comes into force. 2015, c. 26, s. 26 (6).

Information

(14.5) At a public meeting under subclause (12) (a) (ii), the council shall ensure that information is made available to the public regarding who is entitled to appeal under subsections (11) and (19). 2006, c. 23, s. 15 (6).

Where alternative procedures followed

(14.6) If subsection (14.3) applies, the information required under subsection (14.5) shall be made available to the public at a public meeting or in the manner set out in the official plan for informing and obtaining the views of the public in respect of proposed zoning by-laws. 2006, c. 23, s. 15 (6); 2015, c. 26, s. 26 (7).

Information to public bodies

(15) The council shall forward to such public bodies as the council considers may have an interest in the zoning proposal sufficient information to enable them to understand it generally and such information shall be forwarded not less than twenty days before passing a by-law implementing the proposal. R.S.O. 1990, c. P.13, s. 34 (15); 1994, c. 23, s. 21 (5).

Conditions

(16) If the official plan in effect in a municipality contains policies relating to zoning with conditions, the council of the municipality may, in a by-law passed under this section, permit a use of land or the erection, location or use of buildings or structures and impose one or more prescribed conditions on the use, erection or location. 2006, c. 23, s. 15 (7).

Same

(16.1) The prescribed conditions referred to in subsection (16) may be made subject to such limitations as may be prescribed. 2006, c. 23, s. 15 (7).

Same

(16.2) When a prescribed condition is imposed under subsection (16),

- (a) the municipality may require an owner of land to which the by-law applies to enter into an agreement with the municipality relating to the condition;
- (b) the agreement may be registered against the land to which it applies; and
- (c) the municipality may enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land. 2006, c. 23, s. 15 (7).

City of Toronto

(16.3) Subsections (16), (16.1) and (16.2) do not apply with respect to the City of Toronto. 2006, c. 23, s. 15 (8).

Further notice

(17) Where a change is made in a proposed by-law after the holding of the public meeting mentioned in subclause (12) (a) (ii), the council shall determine whether any further notice is to be given in respect of the proposed by-law and the determination of the council as to the giving of further notice is final and not subject to review in any court irrespective of the extent of the change made in the proposed by-law. R.S.O. 1990, c. P.13, s. 34 (17); 2006, c. 23, s. 15 (9).

Notice of passing of by-law

(18) If the council passes a by-law under this section, except a by-law passed pursuant to an order of the Tribunal made under subsection (11.0.2) or (26), the council shall ensure that written notice of the passing of the by-law is given in the prescribed manner, no later than 15 days after the day the by-law is passed,

- (a) to the person or public body that made the application, if any;
- (b) to each person and public body that filed a written request to be notified of the decision; and
- (c) to any prescribed person or public body. 2015, c. 26, s. 26 (8); 2017, c. 23, Sched. 5, s. 93 (2).

Contents

(18.1) The notice under subsection (18) shall contain,

- (a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (18.2) had on the decision; and
- (b) any other information that is prescribed. 2015, c. 26, s. 26 (8).

Written and oral submissions

(18.2) Clause (18.1) (a) applies to,

- (a) any written submissions relating to the by-law that were made to the council before its decision; and
- (b) any oral submissions relating to the by-law that were made at a public meeting. 2015, c. 26, s. 26 (8).

Appeal to Tribunal

(19) Not later than 20 days after the day that the giving of notice as required by subsection (18) is completed, any of the following may appeal to the Tribunal by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee charged by the Tribunal:

1. The applicant.
2. A person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council.
3. The Minister. 2006, c. 23, s. 15 (10); 2017, c. 23, Sched. 3, s. 10 (4); 2019, c. 9, Sched. 12, s. 6 (4); 2021, c. 4, Sched. 6, s. 80 (1).

Same

(19.0.1) If the appellant intends to argue that the by-law is inconsistent with a policy statement issued under subsection 3 (1), fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan, the notice of appeal must also explain how the by-law is inconsistent with, fails to conform with or conflicts with the other document. 2019, c. 9, Sched. 12, s. 6 (5).

(19.0.2) REPEALED: 2019, c. 9, Sched. 12, s. 6 (5).

No appeal re additional residential unit policies

(19.1) Despite subsection (19), there is no appeal in respect of the parts of a by-law that give effect to policies described in subsection 16 (3), including, for greater certainty, no appeal in respect of any requirement or standard relating to such policies. 2016, c. 25, Sched. 4, s. 3 (3).

Exception re Minister

(19.2) Subsection (19.1) does not apply to an appeal by the Minister. 2016, c. 25, Sched. 4, s. 3 (3).

No appeal re inclusionary zoning policies

(19.3) Despite subsection (19), there is no appeal in respect of the parts of a by-law that give effect to policies described in subsection 16 (4), including, for greater certainty, no appeal in respect of any condition, requirement or standard relating to such policies. 2016, c. 25, Sched. 4, s. 3 (4).

Matters referred to in s. 34 (1)

(19.3.1) Despite subsection (19.3), there is an appeal in respect of any matter referred to in subsection (1) even if such matter is included in the by-law as a measure or incentive in support of the policies described in subsection 16 (4). 2016, c. 25, Sched. 4, s. 3 (5); 2017, c. 23, Sched. 3, s. 10 (6).

Exception re Minister

(19.4) Subsection (19.3) does not apply to an appeal by the Minister. 2016, c. 25, Sched. 4, s. 3 (4).

No appeal re protected major transit station area – permitted uses, etc.

(19.5) Despite subsections (19) and (19.3.1), and subject to subsections (19.6) to (19.8), there is no appeal in respect of,

- (a) the parts of a by-law that establish permitted uses or the minimum or maximum densities with respect to buildings and structures on lands in a protected major transit station area that is identified in accordance with subsection 16 (15) or (16); or
- (b) the parts of a by-law that establish minimum or maximum heights with respect to buildings and structures on lands in a protected major transit station area that is identified in accordance with subsection 16 (15) or (16). 2017, c. 23, Sched. 3, s. 10 (7).

Same, by-law of a lower-tier municipality

(19.6) Subsection (19.5) applies to a by-law of a lower-tier municipality only if the municipality's official plan contains all of the policies described in subclauses 16 (16) (b) (i) and (ii) with respect to the protected major transit station area. 2017, c. 23, Sched. 3, s. 10 (7).

Exception

(19.7) Clause (19.5) (b) does not apply in circumstances where the maximum height that is permitted with respect to a building or structure on a particular parcel of land would result in the building or structure not satisfying the minimum density that is required in respect of that parcel. 2017, c. 23, Sched. 3, s. 10 (7).

Exception re Minister

(19.8) Subsection (19.5) does not apply to an appeal by the Minister. 2017, c. 23, Sched. 3, s. 10 (7).

When giving of notice deemed completed

(20) For the purposes of subsections (11.0.3) and (19), the giving of written notice shall be deemed to be completed,

- (a) where notice is given by publication in a newspaper, on the day that such publication occurs;
- (a.1) where notice is given by e-mail, on the day that the sending by e-mail of all required notices is completed;
- (b) where notice is given by personal service, on the day that the serving of all required notices is completed;
- (c) where notice is given by mail, on the day that the mailing of all required notices is completed; and
- (d) where notice is given by telephone transmission of a facsimile of the notice, on the day that the transmission of all required notices is completed. R.S.O. 1990, c. P.13, s. 34 (20); 1994, c. 23, s. 21 (9); 2015, c. 26, s. 26 (10).

Use of dispute resolution techniques

(20.1) When a notice of appeal is filed under subsection (19), the council may use mediation, conciliation or other dispute resolution techniques to attempt to resolve the dispute. 2015, c. 26, s. 26 (11).

Notice and invitation

(20.2) If the council decides to act under subsection (20.1),

- (a) it shall give a notice of its intention to use dispute resolution techniques to all the appellants; and
- (b) it shall give an invitation to participate in the dispute resolution process to,
 - (i) as many of the appellants as the council considers appropriate,
 - (ii) the applicant, if there is an applicant who is not an appellant, and

(iii) any other persons or public bodies that the council considers appropriate. 2015, c. 26, s. 26 (11).

Extension of time

(20.3) When the council gives a notice under clause (20.2) (a), the 15-day period mentioned in clause (23) (b) and subsections (23.2) and (23.3) is extended to 75 days. 2015, c. 26, s. 26 (11).

Participation voluntary

(20.4) Participation in the dispute resolution process by the persons and public bodies who receive invitations under clause (20.2) (b) is voluntary. 2015, c. 26, s. 26 (11).

When by-law deemed to have come into force

(21) When no notice of appeal is filed under subsection (19), the by-law shall be deemed to have come into force on the day it was passed except that where the by-law is passed under circumstances mentioned in subsection 24 (2) the by-law shall not be deemed to have come into force on the day it was passed until the amendment to the official plan comes into effect. R.S.O. 1990, c. P.13, s. 34 (21); 1994, c. 23, s. 21 (10); 1996, c. 4, s. 20 (8).

Affidavit re no appeal, etc.

(22) An affidavit or declaration of an employee of the municipality that notice was given as required by subsection (18) or that no notice of appeal was filed under subsection (19) within the time allowed for appeal shall be conclusive evidence of the facts stated therein. R.S.O. 1990, c. P.13, s. 34 (22); 1996, c. 4, s. 20 (9).

Record

(23) The clerk of a municipality who receives a notice of appeal under subsection (11) or (19) shall ensure that,

(a) a record that includes the prescribed information and material is compiled;

(b) the notice of appeal, record and fee are forwarded to the Tribunal,

(i) within 15 days after the last day for filing a notice of appeal under subsection (11.0.3) or (19), as the case may be, or

(ii) within 15 days after a notice of appeal is filed under subsection (11) with respect to the failure to make a decision; and

(c) such other information or material as the Tribunal may require in respect of the appeal is forwarded to the Tribunal. 2017, c. 23, Sched. 3, s. 10 (8).

Withdrawal of appeals

(23.1) If all appeals to the Tribunal under subsection (19) are withdrawn and the time for appealing has expired, the Tribunal shall notify the clerk of the municipality and the decision of the council is final and binding. 2017, c. 23, Sched. 5, s. 93 (3).

Exception

(23.2) Despite clause (23) (b), if all appeals under subsection (19) are withdrawn within 15 days after the last day for filing a notice of appeal, the municipality is not required to forward the materials described under clauses (23) (b) and (c) to the Tribunal. 1999, c. 12, Sched. M, s. 25 (2); 2017, c. 23, Sched. 5, s. 93 (4).

Decision final

(23.3) If all appeals to the Tribunal under subsection (19) are withdrawn within 15 days after the last day for filing a notice of appeal, the decision of the council is final and binding. 1999, c. 12, Sched. M, s. 25 (2); 2017, c. 23, Sched. 5, s. 93 (5).

Hearing and notice thereof

(24) On an appeal to the Tribunal, the Tribunal shall hold a hearing of which notice shall be given to such persons or bodies and in such manner as the Tribunal may determine. 2017, c. 23, Sched. 5, s. 93 (6).

Restriction re adding parties

(24.1) Despite subsection (24), in the case of an appeal under subsection (11) that relates to all or part of an application for an amendment to a by-law that is refused, or in the case of an appeal under subsection (19), only the following may be added as parties:

1. A person or public body who satisfies one of the conditions set out in subsection (24.2).
2. The Minister. 2006, c. 23, s. 15 (12).

Same

(24.2) The conditions mentioned in paragraph 1 of subsection (24.1) are:

1. Before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council.
2. The Tribunal is of the opinion that there are reasonable grounds to add the person or public body as a party. 2006, c. 23, s. 15 (12); 2017, c. 23, Sched. 5, s. 80.

New information and material at hearing

(24.3) This subsection applies if information and material that is presented at the hearing of an appeal described in subsection (24.1) was not provided to the municipality before the council made the decision that is the subject of the appeal. 2019, c. 9, Sched. 12, s. 6 (6).

Same

(24.4) When subsection (24.3) applies, the Tribunal may, on its own initiative or on a motion by the municipality or any party, consider whether the information and material could have materially affected the council's decision and, if the Tribunal determines that it could have done so, it shall not be admitted into evidence until subsection (24.5) has been complied with and the prescribed time period has elapsed. 2019, c. 9, Sched. 12, s. 6 (6).

Notice to council

(24.5) The Tribunal shall notify the council that it is being given an opportunity to,

- (a) reconsider its decision in light of the information and material; and
- (b) make a written recommendation to the Tribunal. 2019, c. 9, Sched. 12, s. 6 (6).

Council's recommendation

(24.6) The Tribunal shall have regard to the council's recommendation if it is received within the time period referred to in subsection (24.4), and may, but is not required to, do so if it is received afterwards. 2019, c. 9, Sched. 12, s. 6 (6).

Conflict with SPPA

(24.7) Subsections (24.1) to (24.6) apply despite the *Statutory Powers Procedure Act*. 2019, c. 9, Sched. 12, s. 6 (7).

Dismissal without hearing

(25) Despite the *Statutory Powers Procedure Act* and subsection (24), the Tribunal may, on its own initiative or on the motion of any party, dismiss all or part of an appeal without holding a hearing if any of the following apply:

1. The Tribunal is of the opinion that,
 - i. the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Tribunal could allow all or part of the appeal,
 - ii. the appeal is not made in good faith or is frivolous or vexatious,
 - iii. the appeal is made only for the purpose of delay, or

iv. the appellant has persistently and without reasonable grounds commenced before the Tribunal proceedings that constitute an abuse of process.

2. The appellant has not provided written reasons for the appeal.
3. The appellant intends to argue a matter mentioned in subsection (19.0.1) but has not provided the explanations required by that subsection.
4. The appellant has not paid the fee charged by the Tribunal.
5. The appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal. 2019, c. 9, Sched. 12, s. 6 (8); 2021, c. 4, Sched. 6, s. 80 (1).

Representation

(25.1) Before dismissing all or part of an appeal, the Tribunal shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under paragraph 5 of subsection (25). 2000, c. 26, Sched. K, s. 5 (2); 2017, c. 23, Sched. 3, s. 10 (12); 2019, c. 9, Sched. 12, s. 6 (9).

Same

(25.1.1) Despite the *Statutory Powers Procedure Act* and subsection (24), the Tribunal may, on its own initiative or on the motion of the municipality or the Minister, dismiss all or part of an appeal without holding a hearing if, in the Tribunal's opinion, the application to which the appeal relates is substantially different from the application that was before council at the time of its decision. 2017, c. 23, Sched. 3, s. 10 (13).

Dismissal

(25.2) Despite the *Statutory Powers Procedure Act*, the Tribunal may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under subsection (25) or (25.1.1), as it considers appropriate. 2017, c. 23, Sched. 5, s. 93 (7).

Powers of Tribunal

(26) The Tribunal may,

- (a) on an appeal under subsection (11) or (19), dismiss the appeal;
- (b) on an appeal under subsection (11) or (19), amend the by-law in such manner as the Tribunal may determine or direct the council of the municipality to amend the by-law in accordance with the Tribunal's order; or
- (c) on an appeal under subsection (19), repeal the by-law in whole or in part or direct the council of the municipality to repeal the by-law in whole or in part in accordance with the Tribunal's order. 2019, c. 9, Sched. 12, s. 6 (10).

(26.1)-(26.13) REPEALED: 2019, c. 9, Sched. 12, s. 6 (10).

Matters of provincial interest

(27) Where an appeal is made to the Tribunal under subsection (11) or (19), the Minister, if he or she is of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the by-law, may so advise the Tribunal in writing not later than 30 days before the day fixed by the Tribunal for the hearing of the appeal and the Minister shall identify,

- (a) the part or parts of the by-law by which the provincial interest is, or is likely to be, adversely affected; and
- (b) the general basis for the opinion that a matter of provincial interest is, or is likely to be, adversely affected. 2017, c. 23, Sched. 3, s. 10 (15); 2019, c. 9, Sched. 12, s. 6 (11).

No hearing or notice required

(28) The Minister is not required to give notice or to hold a hearing before taking any action under subsection (27). 2004, c. 18, s. 6 (3).

No order to be made

(29) If the Tribunal has received a notice from the Minister under subsection (27) and has made a decision on the by-law, the Tribunal shall not make an order under subsection (26) in respect of the part or parts of the by-law identified in the notice. 2019, c. 9, Sched. 12, s. 6 (12).

Action of L.G. in C.

(29.1) The Lieutenant Governor in Council may confirm, vary or rescind the decision of the Tribunal in respect of the part or parts of the by-law identified in the notice and in doing so may repeal the by-law in whole or in part or amend the by-law in such a manner as the Lieutenant Governor in Council may determine. 2004, c. 18, s. 6 (3); 2017, c. 23, Sched. 5, s. 93 (8).

Coming into force

(30) If one or more appeals have been filed under subsection (19), the by-law does not come into force until all of such appeals have been withdrawn or finally disposed of, whereupon the by-law, except for those parts of it repealed or amended under subsection (26) or as are repealed or amended by the Lieutenant Governor in Council under subsection (29.1), shall be deemed to have come into force on the day it was passed. 1996, c. 4, s. 20 (13); 2004, c. 18, s. 6 (4); 2017, c. 23, Sched. 3, s. 10 (17); 2019, c. 9, Sched. 12, s. 6 (13).

Unappealed portions

(31) Despite subsection (30), before all of the appeals have been finally disposed of, the Tribunal may make an order providing that any part of the by-law not in issue in the appeal shall be deemed to have come into force on the day the by-law was passed. 1993, c. 26, s. 53 (5); 2017, c. 23, Sched. 5, s. 80.

Method

(32) The Tribunal may make an order under subsection (31) on its own initiative or on the motion of any person or public body. 1993, c. 26, s. 53 (5); 1996, c. 4, s. 20 (14); 2006, c. 23, s. 15 (18); 2017, c. 23, Sched. 5, s. 80.

Notice and hearing

(33) The Tribunal may,

- (a) dispense with giving notice of a motion under subsection (32) or require the giving of such notice of the motion as it considers appropriate; and
- (b) make an order under subsection (31) after holding a hearing or without holding a hearing on the motion, as it considers appropriate. 2017, c. 23, Sched. 5, s. 93 (9).

Notice

(34) Despite clause (33) (a), the Tribunal shall give notice of a motion under subsection (32) to any person or public body who filed with the Tribunal a written request to be notified if a motion is made. 2017, c. 23, Sched. 5, s. 93 (9).

Section Amendments with date in force (d/m/y) [+]

Minister's order at request of municipality

Request for order

34.1 (1) The council of a municipality may pass a resolution requesting that the Minister,

- (a) make an order that involves the exercise of the municipality's powers under section 34, or that may be exercised in a development permit by-law; or
- (b) amend an order made under subsection (9) of this section. 2022, c. 12, Sched. 5, s. 5.

No delegation

(2) A council may not delegate its powers under subsection (1). 2022, c. 12, Sched. 5, s. 5.

Content of resolution

(3) A resolution referred to in clause (1) (a) shall identify,

(30) The council shall hear in person or by an agent any person to whom a notice was sent under subsection (29), who within twenty days of the mailing of the notice gives notice to the clerk of the municipality that the person desires to make representations respecting the amendment or repeal of the by-law. R.S.O. 1990, c. P.13, s. 50 (30).

Section Amendments with date in force (d/m/y) [+]

Division of land by will

50.1 (1) No provision in a will that purports to subdivide land is of any effect to subdivide that land unless, irrespective of that provision, each part of the land divided could be conveyed without contravening section 50.

Retroactive effect

(2) Subsection (1) applies even though the will was made before the 26th day of July, 1990 unless the person who made the will died on or before that date.

Tenants in common

(3) If a provision in a will is of no effect to subdivide land under subsection (1), the beneficiaries that would have been entitled to the land if the provision had been effective shall hold the undivided land as tenants in common. 1991, c. 9, s. 1.

(4)-(6) Repealed: 1991, c. 9, s. 1.

Section Amendments with date in force (d/m/y) [+]

Plan of subdivision approvals

51 (1), (2) REPEALED: 2002, c. 17, Sched. B, s. 19 (1).

Minister is approval authority

(3) Except as otherwise provided in this section, the Minister is the approval authority for the purposes of this section and section 51.1. 1999, c. 12, Sched. M, s. 28 (1).

Deemed approval authority

(3.1) If the Minister has delegated any authority under this section to a council or planning board, in accordance with section 4, the council or planning board is deemed to be the approval authority in respect of the land to which the delegation applies for the purposes of this section and section 51.1. 2009, c. 33, Sched. 21, s. 10 (12).

Single-tier municipality

(4) If land is in a single-tier municipality that is not in a territorial district, the single-tier municipality is the approval authority for the purposes of this section and section 51.1, except as otherwise prescribed. 2002, c. 17, Sched. B, s. 19 (2).

Upper-tier municipality

(5) Subject to subsection (6), if land is in an upper-tier municipality with an approved official plan, the upper-tier municipality is the approval authority for the purposes of this section and section 51.1. 2002, c. 17, Sched. B, s. 19 (3).

Timing, upper-tier as approval authority

(5.1) On the day that all or part of a plan that covers all of an upper-tier municipality comes into effect as the official plan of the municipality, the upper-tier municipality is the approval authority under subsection (5). 2002, c. 17, Sched. B, s. 19 (3).

Prescribed lower-tier municipality

(6) If land is in a prescribed lower-tier municipality, the lower-tier municipality is the approval authority for the purposes of this section and section 51.1. 2002, c. 17, Sched. B, s. 19 (3).

Prescribed single-tier municipality in a territorial district

(7) If land is in a prescribed single-tier municipality that is in a territorial district, the municipality is the approval authority for the purposes of this section and section 51.1. 2002, c. 17, Sched. B, s. 19 (3).

(8)-(10) REPEALED: 2002, c. 17, Sched. B, s. 19 (4).

Removal of power

(11) The Minister may by order, accompanied by a written explanation for it, remove the power given under subsection (3.1), (4), (5), (6) or (7) and the order may be in respect of the applications specified in the order or in respect of any or all applications made after the order is made. 1994, c. 23, s. 30; 1996, c. 4, s. 28 (2); 2002, c. 17, Sched. B, s. 19 (5); 2009, c. 33, Sched. 21, s. 10 (13).

Minister to be approval authority

(12) If an order is made under subsection (11), the Minister becomes the approval authority in respect of the applications to which the order relates and the council of the former approval authority shall forward to the Minister all papers, plans, documents and other material that relate to any matter in respect of which the power was removed and of which a final disposition was not made by the council before the power was removed. 1994, c. 23, s. 30.

Revocation

(13) If the Minister revokes the order or part of the order made under subsection (11), the council reverts back to being the approval authority in respect of all applications to which the revoked order or revoked part of the order applied. 1994, c. 23, s. 30; 2021, c. 25, Sched. 24, s. 3 (1).

Delegation

(14) If an order is made under subsection (11) in respect of land that is located in a municipal planning area, the Minister may by order delegate to the municipal planning authority the power to approve proposed plans of subdivision which was removed from the council and the municipal planning authority becomes the approval authority in respect of the applications to which the order made under this subsection relates and the delegation may be subject to such conditions as the order provides. 1994, c. 23, s. 30.

Effect of revocation

(15) If the Minister revokes the order or part of the order made under subsection (14), the Minister reverts back to being the approval authority in respect of all applications to which the revoked order or revoked part of the order applies and the municipal planning authority shall forward to the Minister all papers, plans, documents and other material that relate to any matter to which the revoked order or part of the order applies and of which a final disposition was not made by the municipal planning authority before the order or part of the order was revoked. 1994, c. 23, s. 30.

Application

(16) An owner of land or the owner's agent duly authorized in writing may apply to the approval authority for approval of a plan of subdivision of the land or part of it. 1994, c. 23, s. 30.

Consultation

(16.1) The approval authority,

- (a) shall permit applicants to consult with it before submitting applications under subsection (16); and
- (b) in the case of an approval authority that is a municipality, may, by by-law, require applicants to consult with it as described in clause (a). 2006, c. 23, s. 22 (1).

Contents

(17) The applicant shall provide the approval authority with the prescribed information and material and as many copies as may be required by the approval authority of a draft plan of the proposed subdivision drawn to scale and showing,

- (a) the boundaries of the land proposed to be subdivided, certified by an Ontario land surveyor;

- (b) the locations, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts;
- (c) on a small key plan, on a scale of not less than one centimetre to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which the applicant has an interest, every subdivision adjacent to the proposed subdivision and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which the land forms the whole or part;
- (d) the purpose for which the proposed lots are to be used;
- (e) the existing uses of all adjoining lands;
- (f) the approximate dimensions and layout of the proposed lots;
 - (f.1) if any affordable housing units are being proposed, the shape and dimensions of each proposed affordable housing unit and the approximate location of each proposed affordable housing unit in relation to other proposed residential units;
- (g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, wetlands and wooded areas within or adjacent to the land proposed to be subdivided;
- (h) the availability and nature of domestic water supplies;
- (i) the nature and porosity of the soil;
- (j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land proposed to be subdivided;
- (k) the municipal services available or to be available to the land proposed to be subdivided; and
- (l) the nature and extent of any restrictions affecting the land proposed to be subdivided, including restrictive covenants or easements. 1994, c. 23, s. 30; 1996, c. 4, s. 28 (3); 2016, c. 25, Sched. 4, s. 8 (1).

Other information

(18) An approval authority may require that an applicant provide any other information or material that the approval authority considers it may need, but only if the official plan contains provisions relating to requirements under this subsection. 2006, c. 23, s. 22 (2).

Refusal and timing

(19) Until the approval authority has received the information and material required under subsections (17) and (18), if any, and any fee under section 69 or 69.1,

- (a) the approval authority may refuse to accept or further consider the application; and
- (b) the time period referred to in subsection (34) does not begin. 2006, c. 23, s. 22 (2).

Response re completeness of application

(19.1) Within 30 days after the applicant pays any fee under section 69 or 69.1, the approval authority shall notify the applicant and the clerk of the local municipality in which the land is located or the secretary-treasurer of the planning board in whose planning area the land is located that the information and material required under subsections (17) and (18), if any, have been provided, or that they have not been provided, as the case may be. 2006, c. 23, s. 22 (2); 2021, c. 25, Sched. 24, s. 3 (2).

Motion re dispute

(19.2) Within 30 days after a negative notice is given under subsection (19.1), the applicant or the approval authority may make a motion for directions to have the Tribunal determine,

- (a) whether the information and material have in fact been provided; or
- (b) whether a requirement made under subsection (18) is reasonable. 2017, c. 23, Sched. 5, s. 99 (1).

Same

(19.3) If the approval authority does not give any notice under subsection (19.1), the applicant may make a motion under subsection (19.2) at any time after the 30-day period described in subsection (19.1) has elapsed. 2006, c. 23, s. 22 (2).

Alternative measures

(19.3.1) Subject to subsection (19.3.3), if the official plan sets out alternative measures for informing and obtaining the views of the public in respect of proposed plans of subdivision and if the measures are complied with, clause (19.4) (a) and subsections (19.4.1) and (20) to (21) do not apply. 2015, c. 26, s. 31 (1); 2021, c. 25, Sched. 24, s. 3 (3).

Same

(19.3.2) In the course of preparing the official plan, before including alternative measures described in subsection (19.3.1), the council shall consider whether it would be desirable for the measures to allow for notice of the proposed plans of subdivision to the prescribed persons and public bodies mentioned in clause (19.4) (a). 2015, c. 26, s. 31 (1).

Restriction

(19.3.3) Subsection (19.3.1) applies only in the case of an application for approval that is made to an approval authority other than the Minister. 2015, c. 26, s. 31 (1).

Notice of particulars and public access

(19.4) Subject to subsection (19.4.1), within 15 days after the approval authority gives an affirmative notice under subsection (19.1), or within 15 days after the Tribunal advises the approval authority and the clerk or secretary-treasurer of its affirmative decision under subsection (19.2), the approval authority shall ensure that,

- (a) the prescribed persons and public bodies are given notice of the application, in the prescribed manner, and that the notice is accompanied by the prescribed information; and
- (b) the information and material provided under subsections (17) and (18) are made available to the public. 2021, c. 25, Sched. 24, s. 3 (4).

Exception

(19.4.1) Subsection (19.4) does not apply if the land that is the subject of the application is not located in a municipality or in the planning area of a planning board. 2021, c. 25, Sched. 24, s. 3 (4).

Request by approval authority

(19.4.2) An approval authority may request that a local municipality or a planning board having jurisdiction over the land that is proposed to be subdivided give the notice of the application referred to in clause (19.4) (a) and make the information and material referred to in clause (19.4) (b) available to the public. 2021, c. 25, Sched. 24, s. 3 (4).

Responsibilities

(19.4.3) A local municipality or planning board that is requested under subsection (19.4.2) to give notice of the application shall ensure that the notice is given in accordance with clause (19.4) (a). 2021, c. 25, Sched. 24, s. 3 (4).

Final determination

(19.5) The Tribunal's determination under subsection (19.2) is not subject to appeal or review. 2017, c. 23, Sched. 5, s. 99 (1).

Public meeting

(20) Before a decision is made by an approval authority under subsection (31), the approval authority shall ensure that a public meeting is held, if required by regulation, for the purpose of giving the public an opportunity to make representations in respect of the proposed subdivision. 2021, c. 25, Sched. 24, s. 3 (5).

Notice of meeting

(20.1) Notice of the public meeting required under subsection (20),

- (a) shall be given to the prescribed persons and public bodies, in the prescribed manner; and
- (b) shall be accompanied by the prescribed information. 2021, c. 25, Sched. 24, s. 3 (5).

Participation in public meeting

(20.2) Every person who attends a public meeting referred to in subsection (20) shall be given an opportunity to make representations in respect of the proposed subdivision. 2021, c. 25, Sched. 24, s. 3 (5).

Information

(20.3) At a public meeting referred to in subsection (20), the approval authority shall ensure that information is made available to the public regarding who is entitled to appeal under subsections (34), (39), (43) and (48). 2021, c. 25, Sched. 24, s. 3 (5).

Transition

(20.4) For clarity, subsections (20.2) and (20.3) do not apply with respect to a public meeting held before the day those subsections came into force. 2021, c. 25, Sched. 24, s. 3 (5).

Request

(21) An approval authority may request that a local municipality or a planning board having jurisdiction over the land that is proposed to be subdivided hold the public meeting referred to in subsection (20). 2019, c. 9, Sched. 12, s. 14 (1).

Responsibilities

(21.1) A local municipality or planning board that is requested to hold the public meeting referred to in subsection (20) shall ensure that,

- (a) notice of the meeting is given in accordance with subsection (20.1);
- (b) the public meeting is held in accordance with subsections (20), (20.2) and (20.3); and
- (c) the prescribed information and material are submitted to the approval authority within 15 days after the meeting is held. 2019, c. 9, Sched. 12, s. 14 (1); 2021, c. 25, Sched. 24, s. 3 (6).

(21.2) REPEALED: 2019, c. 9, Sched. 12, s. 14 (1).

Written submissions

(22) Any person or public body may make written submissions to the approval authority before the approval authority makes its decision under subsection (31). 1994, c. 23, s. 30.

Consultation

(23) The approval authority may confer with the persons or public bodies that the approval authority considers may have an interest in the approval of the proposed subdivision. 1994, c. 23, s. 30.

Criteria

(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- (d) the suitability of the land for the purposes for which it is to be subdivided;
- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- (f) the dimensions and shapes of the proposed lots;
- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- (h) conservation of natural resources and flood control;

- (i) the adequacy of utilities and municipal services;
- (j) the adequacy of school sites;
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

Conditions

(25) The approval authority may impose such conditions to the approval of a plan of subdivision as in the opinion of the approval authority are reasonable, having regard to the nature of the development proposed for the subdivision, including a requirement,

- (a) that land be dedicated or other requirements met for park or other public recreational purposes under section 51.1;
- (b) that such highways, including pedestrian pathways, bicycle pathways and public transit rights of way, be dedicated as the approval authority considers necessary;
- (b.1) that such land be dedicated for commuter parking lots, transit stations and related infrastructure for the use of the general public using highways, as the approval authority considers necessary;
- (c) when the proposed subdivision abuts on an existing highway, that sufficient land, other than land occupied by buildings or structures, be dedicated to provide for the widening of the highway to such width as the approval authority considers necessary;
- (d) that the owner of the land proposed to be subdivided enter into one or more agreements with a municipality, or where the land is in territory without municipal organization, with any minister of the Crown in right of Ontario or planning board dealing with such matters as the approval authority may consider necessary, including the provision of municipal or other services; and
- (e) in the case of an application for approval of a description or an amendment to a description, as referred to in subsection 9 (2) of the *Condominium Act, 1998*, if the condominium will contain affordable housing units and if a shared facilities agreement will be entered into with respect to the condominium, whether under section 21.1 of that Act or otherwise, that the shared facilities agreement be satisfactory to the approval authority. 1994, c. 23, s. 30; 2005, c. 26, Sched. B, s. 1; 2006, c. 23, s. 22 (5); 2016, c. 25, Sched. 4, s. 8 (3).

Same, exception

(25.1) With respect to an application made on or after the day a regulation made pursuant to this subsection comes into force, despite subsection (25), the approval authority may not impose conditions respecting any prescribed matters. 2022, c. 12, Sched. 5, s. 9 (1).

Agreements

(26) A municipality or approval authority, or both, may enter into agreements imposed as a condition to the approval of a plan of subdivision and the agreements may be registered against the land to which it applies and the municipality or the approval authority, as the case may be, is entitled to enforce the provisions of it against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land. 1994, c. 23, s. 30.

Land outside municipalities

(27) If the land proposed to be subdivided is located in territory without municipal organization, any minister of the Crown in right of Ontario or planning board may enter into agreements imposed as a condition to the approval of a plan of subdivision and the agreement may be registered against the land to which it applies and the minister or the planning board is entitled to enforce the provisions of it against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of land. 1994, c. 23, s. 30.

TAB 2

“growth plan area” means an area of land designated by the Lieutenant Governor in Council as a growth plan area under clause 3 (a); (“zone de croissance planifiée”)

“Minister” means the Minister of Infrastructure or such other member of the Executive Council to whom the administration of this Act is assigned under the *Executive Council Act*; (“ministre”)

“municipal planning authority” means a municipal planning authority established under section 14.1 of the *Planning Act*; (“office d’aménagement municipal”)

“prescribed” means prescribed by regulations made under this Act; (“prescrit”)

“public body” means a municipality, local board, conservation authority, ministry, department, board, commission, agency or official of a provincial or federal government or a First Nation. (“organisme public”) 2005, c. 13, s. 2; 2012, c. 8, Sched. 46, s. 1.

Section Amendments with date in force (d/m/y) [+]

Designation of area

3 The Lieutenant Governor in Council may, by regulation,

- (a) designate an area of land as a growth plan area; and
- (b) amend or revoke a designation made under clause (a). 2005, c. 13, s. 3.

Growth plan

4 The Minister shall prepare a proposed growth plan for all or part of an area designated under clause 3 (a). 2005, c. 13, s. 4.

Advice to Minister

5 The Minister may appoint one or more persons and establish one or more advisory committees, consisting of such persons as the Minister appoints, to,

- (a) carry out such consultations as the Minister directs;
- (b) advise and make recommendations to the Minister in respect of,
 - (i) the preparation and implementation of growth plans, amendments to growth plans and revisions of growth plans, and
 - (ii) facilitating the resolution of issues arising out of the implementation of growth plans, amendments to growth plans and revisions of growth plans; and
- (c) perform such other functions as the Minister directs. 2005, c. 13, s. 5.

Contents of plan

6 A growth plan may contain,

- (a) population projections and allocations;
- (b) an assessment and identification of priority growth areas, emerging growth areas and future growth areas, over specified time periods;
- (c) growth strategies for all or part of the growth plan area;
- (d) policies, goals and criteria in relation to,
 - (i) intensification and density,

TAB 3

3.0 Protecting Public Health and Safety

Ontario's long-term prosperity, environmental health and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards.

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Accordingly:

3.1 Natural Hazards

3.1.1 Development shall generally be directed to areas outside of:

- a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
- b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
- c) *hazardous sites*.

3.1.2 *Development* and *site alteration* shall not be permitted within:

- a) the *dynamic beach hazard*;
- b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
- c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
- d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.3 Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.

- 3.1.4 Despite policy 3.1.2, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems*:
- a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or
 - b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
- 3.1.5 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
- a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
 - c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.
- 3.1.6 Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources.
- 3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
- a) *development* and *site alteration* is carried out in accordance with *floodproofing standards, protection works standards, and access standards*;
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c) new hazards are not created and existing hazards are not aggravated; and
 - d) no adverse environmental impacts will result.

- 3.1.8 *Development* shall generally be directed to areas outside of lands that are unsafe for *development* due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

3.2 Human-Made Hazards

- 3.2.1 Development on, abutting or adjacent to lands affected by *mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
- 3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

6.0 Definitions

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

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adjacent lands: means

- a) for the purposes of policy 1.6.8.3, those lands contiguous to existing or planned corridors and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development or site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;
- c) for the purposes of policies 2.4.2.2 and 2.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.

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

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

- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

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

Agricultural condition: means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored.

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals

for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

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

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

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The *Ontario Heritage Act* requires archaeological potential to be confirmed through archaeological fieldwork.

Areas of mineral potential: means areas favourable to the discovery of *mineral deposits*

due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

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

Coastal wetland: means

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

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

Comprehensive review: means

- a) for the purposes of policies 1.1.3.8 and 1.3.2.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:

1. is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and *provincial plans*, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
 2. utilizes opportunities to accommodate projected growth or development through *intensification* and *redevelopment*; and considers physical constraints to accommodating the proposed development within existing *settlement area* boundaries;
 3. is integrated with planning for *infrastructure* and *public service facilities*, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
 4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
 5. confirms that sewage and water services can be provided in accordance with policy 1.6.6; and
 6. considers cross-jurisdictional issues.
- b) for the purposes of policy 1.1.6, means a review undertaken by a planning authority or comparable body which:
1. addresses long-term population projections, *infrastructure* requirements and related matters;
 2. confirms that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2; and
 3. considers cross-jurisdictional issues.

In undertaking a *comprehensive review* the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

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

approaches can be included in these plans and assessments.

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

Defined portions of the flooding hazard along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated growth areas: means lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet

been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

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

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flood hazard* limit plus a dynamic beach allowance.

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

Employment area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Endangered species: means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official Species at Risk list, as updated and amended from time to time.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish: means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

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

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flood hazard* limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the *floodway*.

Flood plain: for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flood hazards*.

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

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flood hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *flood hazard* limit is the greater of:
 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions,

where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;

2. the *one hundred year flood*; and
3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

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

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

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

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the Province or based on

municipal approaches that achieve the same objectives.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

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

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

Habitat of endangered species and threatened species: means

- a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the *Endangered Species Act, 2007* is in force, the area prescribed by that regulation as the habitat of the species; or
- b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and

places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

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

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

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

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

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

High quality: means primary and secondary sand and gravel resources and bedrock resources as defined in the Aggregate Resource Inventory Papers (ARIP).

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

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

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

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

Institutional use: for the purposes of policy 3.1.5, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

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

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

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

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

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or
- b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, transportation infrastructure and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight-supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals

(e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

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

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

Mineral aggregate resource conservation: means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

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

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

Municipal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*.

Natural heritage features and areas: means features and areas, including *significant wetlands*, *significant coastal wetlands*, other *coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat*, *significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species*, *significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

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

Negative impacts: means

- a) in regard to policy 1.6.6.4 and 1.6.6.5, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 2.2, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development or site alteration* activities;
- c) in regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
- d) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development or site alteration* activities.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

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

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

One hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave uprush* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

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

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through *provincial plans*, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation is actively pursuing the identification of a corridor. Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

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

Portable concrete plant: means a building or structure

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

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or

more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

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

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

Provincial and federal requirements: means

- a) in regard to policy 1.6.11.2, legislation, regulations, policies and standards administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy systems and ensuring that the necessary approvals are obtained;
- b) in regard to policy 2.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- c) in regard to policy 2.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Provincial plan: means a provincial plan within the meaning of section 1 of the *Planning Act*.

Public service facilities: means land, buildings and structures for the provision of programs and services provided or subsidized by a government

or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services.

Public service facilities do not include *infrastructure*.

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

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

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

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.6.6, reserve capacity for

private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the *Nutrient Management Act*, or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

Reserve water system capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

Residence surplus to a farming operation: means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of *brownfield sites*;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, second units and rooming houses.

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive: in regard to *surface water features* and *ground water features*, means areas that are

particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

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

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

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means

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

- c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;
- d) in regard to *mineral* potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and
- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(e) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

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

For the purposes of policy 2.1.4(a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Special needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs* housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Special Policy Area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

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

Threatened species: means a species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official Species at Risk list, as updated and amended from time to time.

Transit-supportive: in regard to land use patterns, means development that makes transit viable and improves the quality of the experience of using

transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

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

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Watershed: means an area that is drained by a river and its tributaries.

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular

project or contract of road construction and not located on the road right-of-way.

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

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

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

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

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

TAB 4

Part I: Preamble

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The policies of the Provincial Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Municipal official plans are the most important vehicle for implementation of this Provincial Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans shall identify provincial interests and set out appropriate land use designations and policies.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas. In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement.

Zoning and development permit by-laws are also important for implementation of this Provincial Policy Statement. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Provincial Policy Statement.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may apply to decisions with respect to *Planning Act* applications and affect planning matters, and assist in implementing these interests.

Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

Part II: Legislative Authority

The Provincial Policy Statement is issued under the authority of section 3 of the *Planning Act* and came into effect on May 1, 2020.

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government “shall be consistent with” this Provincial Policy Statement.

Part III: How to Read the Provincial Policy Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

Read the Entire Provincial Policy Statement

The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Policy Statement as a whole.

There is no implied priority in the order in which the policies appear.

Consider Specific Policy Language

When applying the Provincial Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Provincial Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

Geographic Scale of Policies

The Provincial Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

Policies Represent Minimum Standards

The policies of the Provincial Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement.

Defined Terms and Meanings

Except for references to legislation which are italicized, other italicized terms in the Provincial Policy Statement are defined in the Definitions section. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions section are intended to capture both singular and plural forms of these terms in the policies.

Guidance Material

Guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Provincial Policy Statement. Information, technical criteria and approaches outlined in guidance material are meant to support but not add to or detract from the policies of the Provincial Policy Statement.

Relationship with Provincial Plans

The Provincial Policy Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this policy statement or another provincial plan provides otherwise.

Provincial plans, such as the Greenbelt Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Growth Plan for Northern Ontario, build upon the policy foundation provided by the Provincial Policy Statement. They provide additional land use planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with the Provincial Policy Statement. They take precedence over the policies of the Provincial Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of the Provincial Policy Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of the Provincial Policy Statement. In contrast, where matters addressed in the Provincial Policy Statement do not overlap with policies in provincial plans, the policies in the Provincial Policy Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the Provincial Policy Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

Part IV: Vision for Ontario's Land Use Planning System

The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

Ontario is a vast province with diverse urban, rural and northern communities which may face different challenges related to diversity in population, economic activity, pace of growth and physical and natural conditions. Some areas face challenges related to maintaining population and diversifying their economy, while other areas face challenges related to accommodating and managing the development and population growth which is occurring, while protecting important resources and the quality of the natural environment.

The Province's rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights. Planning authorities are encouraged to build constructive, cooperative relationships through meaningful engagement with Indigenous communities to facilitate knowledge-sharing in land use planning processes and inform decision-making.

The Provincial Policy Statement focuses growth and development within urban and rural settlement areas while supporting the viability of rural areas. It recognizes that the wise management of land use change may involve directing, promoting or sustaining development. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety. Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region.

Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.

The Province's natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for the production of food and fibre, minimize environmental and social impacts, provide for recreational opportunities (e.g. fishing, hunting and hiking) and meet its long-term needs.

It is equally important to protect the overall health and safety of the population, including preparing for the impacts of a changing climate. The Provincial Policy Statement directs development away from areas of natural and human-made hazards. This preventative approach supports provincial and municipal financial well-being over the long term, protects public health and safety, and minimizes cost, risk and social disruption.

Taking action to conserve land and resources avoids the need for costly remedial measures to correct problems and supports economic and environmental principles.

Strong communities, a clean and healthy environment and a strong economy are inextricably linked. Long-term prosperity, human and environmental health and social well-being should take precedence over short-term considerations.

The fundamental principles set out in the Provincial Policy Statement apply throughout Ontario. To support our collective well-being, now and in the future, all land use must be well managed.

Part V: Policies

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.

- 1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*.

Nothing in policy 1.1.2 limits the planning for *infrastructure*, *public service facilities* and *employment areas* beyond a 25-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

- 1.1.3.1 *Settlement areas* shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:
- a) efficiently use land and resources;
 - b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - d) prepare for the *impacts of a changing climate*;
 - e) support *active transportation*;
 - f) are *transit-supportive*, where transit is planned, exists or may be developed; and
 - g) are *freight-supportive*.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.
- 1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:
 - a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
 - b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.
- 1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:
 - a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
 - b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
 - c) in *prime agricultural areas*:
 - 1. the lands do not comprise *specialty crop areas*;
 - 2. alternative locations have been evaluated, and

- i. there are no reasonable alternatives which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
- d) the new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*; and
- e) impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

In undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.

1.1.3.9 Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of *settlement area* boundaries outside a *comprehensive review* provided:

- a) there would be no net increase in land within the *settlement areas*;
- b) the adjustment would support the municipality's ability to meet *intensification* and *redevelopment* targets established by the municipality;
- c) *prime agricultural areas* are addressed in accordance with 1.1.3.8 (c), (d) and (e); and
- d) the *settlement area* to which lands would be added is appropriately serviced and there is sufficient reserve *infrastructure* capacity to service the lands.

1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of *brownfield sites*;
- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
- d) encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
- e) using rural *infrastructure* and *public service facilities* efficiently;

- 1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.
- 1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
- 1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

1.1.6 Territory Without Municipal Organization

- 1.1.6.1 On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings).
- 1.1.6.2 Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.
- 1.1.6.3 The establishment of new permanent townsites shall not be permitted.
- 1.1.6.4 In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings) shall be permitted. Other uses may only be permitted if:
 - a) the area forms part of a planning area;
 - b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
 - c) it has been determined, as part of a *comprehensive review*, that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

1.2 Coordination

- 1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:
 - a) managing and/or promoting growth and development that is integrated with *infrastructure* planning;
 - b) economic development strategies;

- c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - d) *infrastructure, multimodal transportation systems, public service facilities and waste management systems*;
 - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
 - f) natural and human-made hazards;
 - g) population, housing and employment projections, based on *regional market areas*; and
 - h) addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans.
- 1.2.2 Planning authorities shall engage with Indigenous communities and coordinate on land use planning matters.
- 1.2.3 Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.
- 1.2.4 Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:
- a) identify and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect *provincial plans* where these exist and informed by provincial guidelines;
 - b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;
 - c) identify targets for *intensification* and *redevelopment* within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.8;
 - d) where major transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors and stations, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.8; and
 - e) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.
- 1.2.5 Where there is no upper-tier municipality, planning authorities shall ensure that policy 1.2.4 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

1.2.6 Land Use Compatibility

- 1.2.6.1 *Major facilities and sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.
- 1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:
- a) there is an identified need for the proposed use;
 - b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - c) *adverse effects* to the proposed *sensitive land use* are minimized and mitigated; and
 - d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

1.3 Employment

- 1.3.1 Planning authorities shall promote economic development and competitiveness by:
- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
 - d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
 - e) ensuring the necessary *infrastructure* is provided to support current and projected needs.

1.4 Housing

1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
 2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;

- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

1.6 Infrastructure and Public Service Facilities

1.6.1 *Infrastructure* and *public service facilities* shall be provided in an efficient manner that prepares for the *impacts of a changing climate* while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b) available to meet current and projected needs.

1.6.2 Planning authorities should promote *green infrastructure* to complement *infrastructure*.

- 1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:
- a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
 - b) opportunities for adaptive re-use should be considered, wherever feasible.
- 1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.
- 1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

1.6.6 Sewage, Water and Stormwater

- 1.6.6.1 Planning for *sewage and water services* shall:
- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
 - 1. *municipal sewage services* and *municipal water services*; and
 - 2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available or feasible;
 - b) ensure that these systems are provided in a manner that:
 - 1. can be sustained by the water resources upon which such services rely;
 - 2. prepares for the *impacts of a changing climate*;
 - 3. is feasible and financially viable over their lifecycle; and
 - 4. protects human health and safety, and the natural environment;
 - c) promote water conservation and water use efficiency;
 - d) integrate servicing and land use considerations at all stages of the planning process; and
 - e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where *municipal sewage services* and *municipal water services* are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.
- 1.6.6.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. Within *settlement areas* with existing *municipal sewage services* and *municipal water services*, *intensification* and *redevelopment* shall be promoted wherever feasible to optimize the use of the services.

1.6.6.3 Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, *individual on-site sewage services* and *individual on-site water services* may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the character of rural *settlement areas*. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the desired character of rural *settlement areas* and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

1.6.6.5 *Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
- b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

Where *partial services* have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in *rural areas* in municipalities may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In accordance with subsection (a), the extension of *partial services* into *rural areas* is only permitted to address failed *individual on-site sewage* and *individual on-site water services* for existing development.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of

sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and prepare for the *impacts of a changing climate* through the effective management of stormwater, including the use of *green infrastructure*;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

1.6.7 Transportation Systems

- 1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.
- 1.6.7.2 Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.
- 1.6.7.3 As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.
- 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

1.6.8 Transportation and Infrastructure Corridors

- 1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.
- 1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.
- 1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

- 1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
- 1.6.8.5 The co-location of linear *infrastructure* should be promoted, where appropriate.
- 1.6.8.6 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

1.6.9 Airports, Rail and Marine Facilities

- 1.6.9.1 Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:
 - a) their long-term operation and economic role is protected; and
 - b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.
- 1.6.9.2 *Airports* shall be protected from incompatible land uses and development by:
 - a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
 - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
 - c) discouraging land uses which may cause a potential aviation safety hazard.

1.6.10 Waste Management

- 1.6.10.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.

Waste management systems shall be located and designed in accordance with provincial legislation and standards.

1.6.11 Energy Supply

- 1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

1.7 Long-Term Economic Prosperity

- 1.7.1 Long-term economic prosperity should be supported by:
- a) promoting opportunities for economic development and community investment-readiness;
 - b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
 - c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
 - d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
 - e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;
 - f) promoting the redevelopment of *brownfield sites*;
 - g) providing for an efficient, cost-effective, reliable *multimodal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
 - h) providing opportunities for sustainable tourism development;
 - i) sustaining and enhancing the viability of the *agricultural system* through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the *agri-food network*;
 - j) promoting energy conservation and providing opportunities for increased energy supply;
 - k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
 - l) encouraging efficient and coordinated communications and telecommunications infrastructure.

1.8 Energy Conservation, Air Quality and Climate Change

- 1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the *impacts of a changing climate* through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
- d) focus freight-intensive land uses to areas well served by major highways, *airports, rail facilities and marine facilities*;
- e) encourage *transit-supportive* development and *intensification* to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
- f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and *green infrastructure*; and
- g) maximize vegetation within *settlement areas*, where feasible.

2.0 Wise Use and Management of Resources

Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

Accordingly:

2.1 Natural Heritage

- 2.1.1 Natural features and areas shall be protected for the long term.
- 2.1.2 The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas*, *surface water features* and *ground water features*.
- 2.1.3 *Natural heritage systems* shall be identified in Ecoregions 6E & 7E¹, recognizing that *natural heritage systems* will vary in size and form in *settlement areas*, *rural areas*, and *prime agricultural areas*.
- 2.1.4 *Development and site alteration* shall not be permitted in:
 - a) *significant wetlands* in Ecoregions 5E, 6E and 7E¹; and
 - b) *significant coastal wetlands*.
- 2.1.5 *Development and site alteration* shall not be permitted in:
 - a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
 - b) *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
 - c) *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
 - d) *significant wildlife habitat*;
 - e) *significant areas of natural and scientific interest*; and
 - f) *coastal wetlands* in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 2.1.4(b)

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

¹ Ecoregions 5E, 6E and 7E are shown on Figure 1.

- 2.1.6 *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*
- 2.1.7 *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*
- 2.1.8 *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*
- 2.1.9 Nothing in policy 2.1 is intended to limit the ability of *agricultural uses* to continue.

2.2 Water

- 2.2.1 Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
- a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
 - b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
 - c) evaluating and preparing for the *impacts of a changing climate* to water resource systems at the watershed level;
 - d) identifying water resource systems consisting of *ground water features, hydrologic functions, natural heritage features and areas, and surface water features* including shoreline areas, which are necessary for the ecological and hydrological integrity of the *watershed*;
 - e) maintaining linkages and related functions among *ground water features, hydrologic functions, natural heritage features and areas, and surface water features* including shoreline areas;
 - f) implementing necessary restrictions on *development and site alteration* to:
 - 1. protect all municipal drinking water supplies and *designated vulnerable areas*; and
 - 2. protect, improve or restore *vulnerable* surface and ground water, *sensitive surface water features* and *sensitive ground water features*, and their *hydrologic functions*;
 - g) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;
 - h) ensuring consideration of environmental lake capacity, where applicable; and
 - i) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

- 2.2.2 *Development and site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore *sensitive surface water features*, *sensitive ground water features*, and their *hydrologic functions*.

2.3 Agriculture

- 2.3.1 *Prime agricultural areas* shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

- 2.3.2 Planning authorities shall designate *prime agricultural areas* and *specialty crop areas* in accordance with guidelines developed by the Province, as amended from time to time.

Planning authorities are encouraged to use an *agricultural system* approach to maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the *agri-food network*.

2.3.3 Permitted Uses

- 2.3.3.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses*.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

- 2.3.3.2 In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.

- 2.3.3.3 New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

2.6 Cultural Heritage and Archaeology

- 2.6.1 *Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*
- 2.6.2 *Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.*
- 2.6.3 Planning authorities shall not permit *development and site alteration on adjacent lands to protected heritage property* except where the proposed *development and site alteration* has been evaluated and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be conserved.
- 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.
- 2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

3.0 Protecting Public Health and Safety

Ontario's long-term prosperity, environmental health and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards.

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Mitigating potential risk to public health or safety or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities, and conservation authorities to work together.

Accordingly:

3.1 Natural Hazards

3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

- a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*;
- b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
- c) *hazardous sites*.

3.1.2 *Development* and *site alteration* shall not be permitted within:

- a) the *dynamic beach hazard*;
- b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
- c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
- d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.3 Planning authorities shall prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.

3.1.4 Despite policy 3.1.2, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard along river, stream and small inland lake systems*:

- a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
- b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

3.1.5 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
- c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

3.1.6 Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources and Forestry.

3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a) *development* and *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and *access standards*;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result.

3.1.8 *Development* shall generally be directed to areas outside of lands that are unsafe for *development* due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

3.2 Human-Made Hazards

- 3.2.1 Development on, abutting or adjacent to lands affected by *mine hazards; oil, gas and salt hazards*; or former *mineral mining operations, mineral aggregate operations* or *petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
- 3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.
- 3.2.3 Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment.

4.0 Implementation and Interpretation

- 4.1 This Provincial Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after May 1, 2020.
- 4.2 This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.
- 4.3 This Provincial Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.
- 4.4 This Provincial Policy Statement shall be implemented in a manner that is consistent with Ontario *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.
- 4.5 In implementing the Provincial Policy Statement, the Minister of Municipal Affairs and Housing may take into account other considerations when making decisions to support strong communities, a clean and healthy environment and the economic vitality of the Province.
- 4.6 The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

- 4.7 In addition to land use approvals under the *Planning Act*, *infrastructure* may also require approval under other legislation and regulations. An environmental assessment process may be required for new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.

Wherever possible and practical, approvals under the *Planning Act* and other legislation or regulations should be integrated provided the intent and requirements of both processes are met.

- 4.8 The Province, in consultation with municipalities, Indigenous communities, other public bodies and stakeholders shall identify performance indicators for measuring the effectiveness of some or all of the policies. The Province shall monitor their implementation, including reviewing performance indicators concurrent with any review of this Provincial Policy Statement.

- 4.9 Municipalities are encouraged to monitor and report on the implementation of the policies in their official plans, in accordance with any reporting requirements, data standards and any other guidelines that may be issued by the Minister.

6.0 Definitions

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

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adjacent lands: means

- a) for the purposes of policy 1.6.8.3, those lands contiguous to existing or planned corridors and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;
- c) for the purposes of policies 2.4.2.2 and 2.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.

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

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

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

Agricultural condition: means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where

applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and

- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored.

Agricultural System: A system comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components:

- a) An agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes *infrastructure*, services, and assets important to the viability of the agri-food sector.

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agri-food network: Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

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

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

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*. Criteria to identify archaeological potential are established by the Province. The *Ontario Heritage Act* requires archaeological potential to be confirmed by a licensed archaeologist.

Areas of mineral potential: means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be

contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. *Built heritage resources* are located on property that may be designated under Parts IV or V of the *Ontario Heritage Act*, or that may be included on local, provincial, federal and/or international registers.

Coastal wetland: means

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

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

Comprehensive review: means

- a) for the purposes of policies 1.1.3.8, 1.1.3.9 and 1.3.2.4, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
 1. is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and *provincial plans*, where applicable; considers alternative directions for growth or development; and determines how best

- to accommodate the development while protecting provincial interests;
2. utilizes opportunities to accommodate projected growth or development through *intensification* and *redevelopment*; and considers physical constraints to accommodating the proposed development within existing *settlement area* boundaries;
3. is integrated with planning for *infrastructure* and *public service facilities*, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
5. confirms that sewage and water services can be provided in accordance with policy 1.6.6; and
6. considers cross-jurisdictional issues.
- b) for the purposes of policy 1.1.6, means a review undertaken by a planning authority or comparable body which:
 1. addresses long-term population projections, *infrastructure* requirements and related matters;
 2. confirms that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2; and
 3. considers cross-jurisdictional issues.

In undertaking a *comprehensive review* the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

Conserved: means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-

maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. *Cultural heritage landscapes* may be properties that have been determined to have cultural heritage value or interest under the *Ontario Heritage Act*, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

Defined portions of the flooding hazard along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development or site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be

designated and available for the purposes of this definition.

Designated growth areas: means lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

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

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

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

Employment area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Endangered species: means a species that is classified as “Endangered Species” on the Species at Risk in Ontario List, as updated and amended from time to time.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish: means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

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

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the *floodway*.

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

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

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 2. the *one hundred year flood*; and
 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

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

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

Floodway: for *river, stream and small inland lake systems*, means the portion of the *flood*

plain where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

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

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

Habitat of endangered species and threatened species: means habitat within the meaning of Section 2 of the *Endangered Species Act, 2007*.

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time.

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

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

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

Heritage attributes: means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the

property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a *protected heritage property*).

High quality: means primary and secondary sand and gravel resources and bedrock resources as defined in the Aggregate Resource Inventory Papers (ARIP).

Housing options: means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, multi-residential buildings. The term can also refer to a variety of housing arrangements and forms such as, but not limited to life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *affordable* housing, housing for people with *special needs*, and housing related to employment, institutional or educational uses.

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

Impacts of a changing climate: means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

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

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

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

Institutional use: for the purposes of policy 3.1.5, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

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

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

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

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

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or

- b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are *freight-supportive* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the

minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

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

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

Mineral aggregate resource conservation: means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

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

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

Municipal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality, including centralized and decentralized systems.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*, including centralized and decentralized systems.

Natural heritage features and areas: means features and areas, including *significant wetlands, significant coastal wetlands, other coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat, significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species, significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of *natural heritage features and areas*,

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

Negative impacts: means

- a) in regard to policy 1.6.6.4 and 1.6.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 2.2, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities;
- c) in regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
- d) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in *prime agricultural areas*, including *specialty crop areas*, only as *on-farm diversified uses*.

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

One hundred year flood level: means

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

equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave uprush* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a) *municipal sewage services* or *private communal sewage services* combined with *individual on-site water services*; or
- b) *municipal water services* or *private communal water services* combined with *individual on-site sewage services*.

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through *provincial plans*, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy, Northern Development and Mines or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing the identification of a corridor.

Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

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

Portable concrete plant: means a building or structure

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

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

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

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

Provincial and federal requirements: means

- a) in regard to policy 2.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- b) in regard to policy 2.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Provincial plan: means a provincial plan within the meaning of section 1 of the *Planning Act*.

Public service facilities: means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services, and cultural services.

Public service facilities do not include *infrastructure*.

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

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

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

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.6.6, reserve capacity for *private communal sewage services* and *individual on-site sewage services* is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the *Nutrient Management Act*, or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

Reserve water system capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

Residence surplus to a farming operation: means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of *brownfield sites*;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) development and introduction of new *housing options* within previously developed areas;
- e) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- f) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, additional residential units, rooming houses, and other *housing options*.

River, stream and small inland lake systems: means all watercourses, rivers, streams, and

small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive: in regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

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

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

- a) built-up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means

- a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources and Forestry;
- c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;
- d) in regard to *mineral* potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and
- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.

Criteria for determining significance for the resources identified in sections (c)-(d) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources,

the significance of others can only be determined after evaluation.

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

For the purposes of policy 2.1.4(a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Special needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs* housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Special Policy Area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

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

Threatened species: means a species that is classified as "Threatened Species" on the Species at Risk in Ontario List, as updated and amended from time to time.

Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the *transportation system*. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day,

frequency, trip length, regulation, route, or cost.

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

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Watershed: means an area that is drained by a river and its tributaries.

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

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

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well

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

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

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

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

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

TAB 5

1 Introduction

1.1 The Greater Golden Horseshoe

The *Greater Golden Horseshoe* (GGH) is one of the most dynamic and fast-growing regions in North America. It is the destination of choice for many people and businesses relocating from other parts of Canada and around the world. They settle here because of the high quality of life and the economic opportunities. This is a place of prosperity where, through their skills and talents, people are building a greater future for themselves.

The GGH has one of the world's most vibrant and diverse economies – generating upwards of 25 per cent of Canada's Gross Domestic Product (GDP)¹, it is the economic engine of Ontario. While the GGH's competitive advantage has historically been its location in the heart of the Great Lakes region with close proximity to major United States markets, today the region is widely recognized for its highly-educated workforce and uniquely multicultural population, whose social and economic diversity are critical factors for success in a knowledge-based economy.

The GGH contains many of Ontario's most significant ecological and hydrologic natural environments and scenic landscapes, including the Oak Ridges Moraine, the Niagara Escarpment and the other natural areas in the *Greenbelt Area* and beyond. These natural areas support biodiversity, provide drinking water for the region's inhabitants, sustain its many resource-based industries, support recreational activities that benefit public health and overall quality of life, and help moderate the *impacts of a changing climate*.

The region also has some of Canada's most important and productive farmland. Its fertile soil, moderate climate, abundant water resources, and proximity to markets support agricultural production that cannot be duplicated elsewhere in the country.

The First Nations and Métis communities within the Great Lakes region have a unique relationship with the land and its resources, which continues to shape the history and economy of the area today. Ontario, including the area covered by A Place to Grow: Growth Plan for the Greater Golden Horseshoe, is largely covered by a number of Treaties that provide for treaty rights. In addition, Aboriginal communities may have Aboriginal rights within the Plan area. Ontario

¹ Calculated from Statistics Canada (Metropolitan Gross Domestic Product, 2014) and Conference Board of Canada (Metropolitan Outlook 1 & 2, 2014)

recognizes the unique role that Indigenous peoples have had and will continue to have in the growth and development of this region.

As the *GGH* grows and changes, we must continue to value what makes this region unique to ensure the sustained prosperity of Ontario, its people, and future generations. While growth is an important part of vibrant, diversified urban and rural communities and economies, the magnitude of growth that is expected over the coming decades for the *GGH* presents several challenges:

- Increased demand for major *infrastructure* investments driven by population growth, the need to renew aging *infrastructure* and continuing *infrastructure* deficits associated with unmanaged growth, combined with relatively scarce financial resources, means an ever greater imperative to plan to optimize existing assets and make the best use of limited resources by considering full life cycle costs.
- Increased traffic congestion, and the resulting delays in the movement of people and goods in the *GGH*, is costing billions of dollars in lost GDP every year.
- Unmanaged growth can degrade the region's air quality; water resources; natural heritage resources, such as rivers, lakes, *woodlands*, and *wetlands*; and *cultural heritage resources*.
- The impacts of globalization are transforming the regional economy at a rapid pace, which makes long-term planning for employment more uncertain.
- Rates of obesity, diabetes and cardiovascular illnesses are on the rise in the region, in part due to growing rates of inactivity linked to low-density and automobile dependent development patterns.²
- People over the age of 60 are expected to comprise over 25% of the population by 2041³, which will result in the need for more age-friendly development that can address their unique needs and circumstances. This will include a more appropriate range and mix of housing options, easier access to health care and other amenities, walkable built environments, and an age-friendly approach to community design that will meet the needs of people of all ages.

² "Improving Health by Design in the Greater Toronto-Hamilton Area. A Report of Medical Officers of Health in the GTHA", Mowat, D. et al., 2014

³ "Greater Golden Horseshoe Growth Forecasts to 2041: Technical Report (November 2012) Addendum", Hemson Consulting Ltd., 2013

- The finite supply of quality agricultural lands that feed the region and beyond must be protected to ensure a vibrant rural and productive agricultural economy and a secure food supply for future generations.
- The *impacts of a changing climate* are already being felt. Communities and *infrastructure* must be adapted to be more resilient, greenhouse gas emissions across all sectors of the economy need to be reduced, and valuable water resources and natural areas need to be protected.

To address these challenges and ensure the protection and effective use of finite resources, A Place to Grow Plan, together with the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan, builds on the Provincial Policy Statement (PPS) to establish a unique land use planning framework for the *GGH* that supports the achievement of *complete communities*, a thriving economy, a clean and healthy environment, and social equity.

In implementing these provincial plans, the Province recognizes the importance of consulting with First Nations and Métis communities on planning matters that may affect their rights and interests. Provincial plans must be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights under section 35 of the Constitution Act, 1982.

1.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe

A Place to Grow is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Places to Grow Act, 2005 enables the development of regional growth plans that guide government investments and land use planning policies.

The Growth Plan for the Greater Golden Horseshoe, 2006 (Growth Plan, 2006) was the first growth plan to provide a framework for implementing Ontario's vision for building stronger, prosperous communities by better managing growth in this region. It established the long-term framework for where and how the region will grow, while recognizing the realities facing our cities and smaller communities and acknowledging what governments can and cannot influence. It also demonstrated leadership for improving the ways in which our cities, suburbs, towns, and villages will grow over the long-term.

Vision for the GGH

More than anything, the *Greater Golden Horseshoe (GGH)* will continue to be a great place to live, work and play. Its communities will be supported by a strong economy and an approach that puts people first. This approach protects the Greenbelt and will ensure a cleaner environment is passed on to future generations. A Place to Grow will support the achievement of *complete communities* with access to transit networks, protected employment zones and an increase in the amount and variety of housing available.

The *GGH* will have sufficient housing supply that reflects market demand and what is needed in local communities. Thriving, livable, vibrant, and productive urban and rural areas will foster community health and individual well-being. The region will be supported by modern, well-maintained, sustainable, and resilient *infrastructure* built in accordance with a broad plan for managing growth. Residents will have easy access to food, shelter, education, health care, arts and recreation, and information technology. Public services will be co-located in community hubs that are broadly accessible.

Getting around will be easy. An integrated transportation network will allow people choices for easy travel both within and between urban centres throughout the region. Public transit will be fast, convenient, and affordable. Automobiles will be only one of a variety of effective and well-used choices for transportation. Transit and *active transportation* will be practical elements of our urban *transportation systems*.

A healthy natural environment with clean air, land, and water will characterize the *GGH*. The Greenbelt, including significant natural features, such as the Oak Ridges Moraine and the Niagara Escarpment, will continue to be enhanced and protected in perpetuity. The *GGH's* rivers and streams, forests and natural areas will be accessible for residents to enjoy their beauty. Our *cultural heritage resources* and open spaces in our cities, towns, and countryside will provide people with a sense of place.

Natural areas and agricultural lands will provide a significant contribution to the region's resilience and our ability to adapt to a changing climate. Unique and high quality agricultural lands will be protected for the provision of healthy, local food for future generations. Farming will be productive, diverse, and sustainable.

Urban centres will be vibrant and characterized by more compact development patterns that support climate change mitigation and adaptation, and provide a diversity of opportunities for living, working, and enjoying culture.

The evolving regional economy of the *GGH* will continue to mature into an economic powerhouse of global significance. It will function as Canada's principal international gateway.

The Greater Toronto and Hamilton Area (GTHA) will be a thriving metropolis with an extraordinary waterfront. The urban areas of the region, including Toronto, will be celebrated centres of influence for commerce, culture, and innovation.

All of this will translate into a place where residents enjoy a high standard of living and an exceptional quality of life.

The implementation of A Place to Grow is supported by Metrolinx (an agency of the Government of Ontario created to improve coordination and integration of all modes of transportation in the GTHA) and The Big Move (the GTHA's first regional transportation plan). The Province has made significant investments in transit projects in the GTHA and beyond, and continues to invest in rapid transit projects to support the regional transit network.

Since the introduction of the Growth Plan for the Greater Golden Horseshoe in 2006, the region has seen a shift to more compact development patterns, a greater variety of housing options, more mixed-use development in *urban growth centres* and other *strategic growth areas*, and greater integration of transit and land use planning.

Despite these early successes, there is still more work to do. Now is the time to build on the progress that has been made towards the achievement of *complete communities* that are compact, *transit-supportive*, and make effective use of investments in *infrastructure* and *public service facilities*. At the same time, A Place to Grow will continue to ensure protection of our agricultural and natural areas and support climate change mitigation and adaptation as Ontario moves towards the goal of environmentally sustainable communities.

A Place to Grow ("this Plan"), builds upon the success of the initial Growth Plan, 2006 and responds to the key challenges that the region continues to face over the coming decades with enhanced policy directions.

1.2.1 Guiding Principles

The successful realization of this vision for the *GGH* centres on effective collaboration amongst the Province, other levels of government, First Nations and Métis communities, residents, private and non-profit sectors across all industries, and other stakeholders. The policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested are based on the following principles:

- Support the achievement of *complete communities* that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.

- Prioritize *intensification* and higher densities in *strategic growth areas* to make efficient use of land and *infrastructure* and support transit viability.
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.
- Support a range and mix of housing options, including additional residential units and *affordable* housing, to serve all sizes, incomes, and ages of households.
- Improve the integration of land use planning with planning and investment in *infrastructure* and *public service facilities*, including integrated service delivery through community hubs, by all levels of government.
- Provide for different approaches to manage growth that recognize the diversity of communities in the *GGH*.
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.
- Support and enhance the long-term viability and productivity of agriculture by protecting *prime agricultural areas* and the *agri-food network*.
- Conserve and promote *cultural heritage resources* to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and *infrastructure* – that are adaptive to the *impacts of a changing climate* – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

1.2.2 Legislative Authority

This Plan is issued under the authority of section 7 of the Places to Grow Act, 2005. It was approved through an Order in Council under that Act to come into effect on May 16, 2019. It was most recently amended through an Order in Council under that Act that came into effect on August 28, 2020. This Plan replaces the Growth Plan for the Greater Golden Horseshoe, 2017 that took effect on July 1, 2017.

This Plan applies to the area designated by Ontario Regulation 416/05 as the Greater Golden Horseshoe growth plan area. All decisions in respect of the

exercise of any authority that affects a planning matter will conform with this Plan, subject to any legislative or regulatory provisions providing otherwise.

1.2.3 How to Read this Plan

This Plan informs decision-making regarding growth management and environmental protection in the *GGH*. It consists of policies, schedules, definitions, and appendices. It also includes non-policy contextual commentary to provide background and describe the purpose of the policies.

Relationship with the Provincial Policy Statement (PPS)

The PPS provides overall policy directions on matters of provincial interest related to land use and *development* in Ontario, and applies to the *GGH*, except where this Plan or another provincial plan provides otherwise.

Like other provincial plans, this Plan builds upon the policy foundation provided by the PPS and provides additional and more specific land use planning policies to address issues facing specific geographic areas in Ontario. This Plan is to be read in conjunction with the PPS. The policies of this Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. Where the policies of this Plan address the same, similar, related, or overlapping matters as policies in the PPS, applying the more specific policies of this Plan satisfies the requirements of the more general policies in the PPS. In contrast, where matters addressed in the PPS do not overlap with policies in this Plan, those PPS policies must be independently satisfied.

As provided for in the Places to Grow Act, 2005, this Plan prevails where there is a conflict between this Plan and the PPS. The only exception is where the conflict is between policies relating to the natural environment or human health. In that case, the direction that provides more protection to the natural environment or human health prevails.

Relationship with Other Provincial Plans

This Plan must also be read in conjunction with other provincial plans as defined in the Planning Act that may apply within the same geography. Within the *GGH*, this includes the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan. Other provincial plans, including the Parkway Belt West Plan and Central Pickering Development Plan under the Ontario Planning and Development Act, 1994, the Lake Simcoe Protection Plan under the Lake Simcoe Protection Act, 2008 and some source protection plans under the Clean Water Act, 2006, also apply within the *GGH*. Each of these plans applies to certain defined parts of the *GGH* and provides specific policy on certain matters.

Within the *Greenbelt Area*, policies of this Plan that address the same, similar, related, or overlapping matters as the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, or the Niagara Escarpment Plan do not apply within that part of the *Greenbelt Area* covered by the relevant plan except where the policies of this Plan, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan, or the Niagara Escarpment Plan provide otherwise.

As provided in the Places to Grow Act, 2005, where there is a conflict between the Greenbelt, Oak Ridges Moraine Conservation, or Niagara Escarpment Plans and this Plan regarding the natural environment or human health, the direction that provides more protection to the natural environment or human health prevails. Detailed conflict provisions are set out in the Places to Grow Act, 2005.

Horizon of this Plan

While the PPS, 2020 provides for a time horizon of up to 25 years for making sufficient land available to meet projected needs, policy 1.1.2 of the PPS, 2020 provides that a provincial plan may provide an alternate time horizon for specific areas of the province. Within the *GGH*, this Plan provides that the applicable time horizon for land use planning is 2051. While certain policies have specific target dates, the goals and policies of this Plan are intended to be achieved within the horizon of this Plan.

Nothing in this Plan limits the planning for *infrastructure* and *public service facilities* beyond the horizon of this Plan. However, planning for *infrastructure* will not predetermine the form, pattern, or extent of *settlement area* boundary expansions. Planning authorities may also plan for the long-term protection of *employment areas* provided lands are not designated beyond the horizon of this Plan.

Read the Entire Plan

This Plan is to be read in its entirety and the relevant policies are to be applied to each situation. The language of each policy, including the policies in Section 5, will assist decision-makers in understanding how the policies are to be implemented.

While some policies refer to other policies for ease of use, these cross-references do not take away from the need to read the Plan as a whole. There is no implied priority in the order in which the policies appear.

Consider Specific Policy Language

Each policy provides direction on how it is to be implemented, how it is situated within this Plan, and how it relates to other policies. The choice of language in the policies is intended to distinguish between the types of policies and the

nature of implementation. For example, "will" and "shall" are used interchangeably for policies that indicate positive directives in the same way that just "shall" is generally used in other provincial plans. Similarly, expressions like "is not" and "will not be" are used for policies that set out limitations and prohibitions in the same way as "shall not" is generally used in other plans.

Policies Represent Minimum Standards

The policies of this Plan represent minimum standards. Within the framework of the provincial policy-led planning system, decision-makers are encouraged to go beyond these minimum standards to address matters of importance, unless doing so would conflict with any policy of this Plan.

Defined Terms and Meanings

Italicized terms in this Plan are defined in Section 7. For non-italicized terms, the normal meaning of the word applies. Defined terms are intended to capture both singular and plural forms of these terms in the policies.

Supplementary Direction

Supplementary Direction may be issued by the Minister or by other ministers of the Crown, where appropriate, in accordance with the policies of this Plan to provide technical information and criteria to facilitate the implementation of this Plan.

Guidance Material

Guidance material may be issued to assist decision-makers with implementing the policies of this Plan. Information, technical criteria, and approaches outlined in guidance material are meant to support, but not add to or detract from, the policies of this Plan.

2 Where and How to Grow

2.1 Context

The *GGH* is a dynamic and diverse area, and one of the fastest growing regions in North America. By 2051, this area is forecast to grow to, at a minimum, 14.8 million people and 7.0 million jobs. The magnitude and pace of this growth necessitates a plan for building healthy and balanced communities and maintaining and improving our quality of life while adapting to the demographic shift underway.

To better co-ordinate planning for growth across the region, this Plan provides population and employment forecasts for all upper- and single-tier municipalities in the *GGH*. These growth forecasts are a foundational component of this Plan. They are to be reviewed in consultation with municipalities at least every five years.

This Plan is about accommodating forecasted growth in *complete communities*. These are communities that are well designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, *public service facilities*, and a full range of housing to accommodate a range of incomes and household sizes. *Complete communities* support quality of life and human health by encouraging the use of *active transportation* and providing high quality public open space, adequate parkland, opportunities for recreation, and access to local and healthy food. They provide for a balance of jobs and housing in communities across the *GGH* to reduce the need for long distance commuting. They also support climate change mitigation by increasing the *modal share* for transit and *active transportation* and by minimizing land consumption through *compact built form*.

To support the achievement of *complete communities*, this Plan establishes minimum intensification and density targets that recognize the diversity of communities across the *GGH*. Some larger urban centres, such as Toronto, have already met some of the minimum targets established in this Plan, while other communities are growing and intensifying at a different pace that reflects their local context.

Building compact and *complete communities*, and protecting agricultural lands, water resources and natural areas will help reduce greenhouse gas emissions and ensure communities are more resilient to the *impacts of a changing climate*. Ontario has recently affirmed its commitment to reduce greenhouse gas emissions by 30 per cent below 2005 levels by 2030 in Preserving and Protecting our Environment for Future Generations: A Made-in-Ontario Environment Plan. This target aligns Ontario with Canada's 2030 target under the Paris Agreement.

To support the achievement of *complete communities* that are healthier, safer, and more equitable, choices about where and how growth occurs in the *GGH* need to be made carefully. Better use of land and *infrastructure* can be made by directing growth to *settlement areas* and prioritizing *intensification*, with a focus on *strategic growth areas*, including *urban growth centres* and *major transit station areas*, as well as *brownfield sites* and *greyfields*. Concentrating new development in these areas provides a focus for investments in transit as well as other types of *infrastructure* and *public service facilities* to support forecasted growth, while also supporting a more diverse range and mix of housing options. However, to protect public safety and prevent future flood risks, growth should generally be directed away from hazardous areas, including those that have been identified as Special Policy Areas in accordance with the PPS.

The Growth Plan, 2006 identified 25 *urban growth centres* and this Plan continues to recognize those *urban growth centres* as regional focal points for accommodating population and employment growth. The continued revitalization of *urban growth centres* as meeting places, locations for cultural facilities, public institutions, and major services and transit hubs with the potential to become more vibrant, mixed-use, *transit-supportive* communities is particularly important.

This Plan recognizes transit as a first priority for major transportation investments. It sets out a regional vision for transit, and seeks to align transit with growth by directing growth to *major transit station areas* and other *strategic growth areas*, including *urban growth centres*, and promoting transit investments in these areas. To optimize provincial investments in *higher order transit*, this Plan also identifies *priority transit corridors* and the Province expects municipalities to complete detailed planning for *major transit station areas* on these corridors to support planned service levels.

The region is experiencing a dramatic economic change. Traditional industries, such as manufacturing and agri-food businesses, continue to play an important role, but globalization and technology are also transforming the *GGH's* economy. There has been a shift towards knowledge-intensive, high value-added activities that is increasing the significance of the service and knowledge-based sectors and spurring innovation in other segments of the economy. This change is providing opportunities for a variety of types of businesses to locate and grow in the *GGH*, which is fundamental to ensuring a more prosperous economic future. Therefore, it is important to ensure an adequate supply of land within *employment areas* – both for traditional industries and for service sector and knowledge-based businesses that warrant such locations – and sites for a broad range of other employment uses.

It is important that we maximize the benefits of land use planning as well as existing and future investments in *infrastructure* so that our communities are

well-positioned to leverage economic change. It is also critical that we understand the importance of *provincially significant employment zones* and consider opportunities to better co-ordinate our collective efforts across municipalities to support their contribution to economic growth and improve access to transit.

As in many thriving metropolitan regions, many communities in the *GGH* are facing issues of housing affordability, which are being driven primarily by sustained population growth and factors such as a lack of housing supply with record low vacancy rates. This Plan helps to address this challenge by providing direction to plan for a range and mix of housing options, including additional residential units and *affordable* housing and, in particular, higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities. There is also a need for stakeholders to work collaboratively to find opportunities to redevelop sites using more age-friendly community design.

Building more compact greenfield communities reduces the rate at which land is consumed. Communities in larger urban centres need to grow at *transit-supportive* densities, with walkable street configurations. *Compact built form* and *intensification* efforts go together with more effective transit and *active transportation* networks and are fundamental to where and how we grow. They are necessary to ensure the viability of transit; connect people to homes, jobs and other aspects of daily living for people of all ages; and meet climate change mitigation and adaptation objectives. Moreover, an increased *modal share* for *active transportation* and transit, including convenient, *multimodal* options for intra- and inter-municipal travel, supports reduced air pollution and improved public health outcomes.

It is important to optimize the use of the existing urban land supply as well as the existing building and housing stock to avoid over-designating land for future urban development while also providing flexibility for local decision-makers to respond to housing need and market demand. This Plan's emphasis on optimizing the use of the existing urban land supply represents an *intensification* first approach to development and city-building, one which focuses on making better use of our existing *infrastructure* and *public service facilities*, and less on continuously expanding the urban area.

Strong, healthy and prosperous rural communities are also vital to the economic success of the *GGH* and contribute to our quality of life. This Plan recognizes and promotes the important role of rural towns and villages as a focus of economic, cultural and social activities that support surrounding rural and agricultural areas across the *GGH*. Opportunities to support a diversified rural economy should be promoted by protecting farmland and the viability of the agri-food sector in rural

areas. Healthy rural communities are important to the vitality and well-being of the larger region.

2.2 Policies for Where and How to Grow

2.2.1 Managing Growth

1. Population and employment forecasts contained in Schedule 3 or such higher forecasts as established by the applicable upper- or single-tier municipality through its *municipal comprehensive review* will be used for planning and managing growth in the *GGH* to the horizon of this Plan in accordance with the policies in subsection 5.2.4.
2. Forecasted growth to the horizon of this Plan will be allocated based on the following:
 - a) the vast majority of growth will be directed to *settlement areas* that:
 - i. have a *delineated built boundary*;
 - ii. have existing or planned *municipal water and wastewater systems*; and
 - iii. can support the achievement of *complete communities*;
 - b) growth will be limited in *settlement areas* that:
 - i. are *rural settlements*;
 - ii. are not serviced by existing or planned *municipal water and wastewater systems*; or
 - iii. are in the *Greenbelt Area*;
 - c) within *settlement areas*, growth will be focused in:
 - i. *delineated built-up areas*;
 - ii. *strategic growth areas*;
 - iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
 - iv. areas with existing or planned *public service facilities*;
 - d) development will be directed to *settlement areas*, except where the policies of this Plan permit otherwise;
 - e) development will be generally directed away from *hazardous lands*; and
 - f) the establishment of new *settlement areas* is prohibited.
3. Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:

- a) establish a hierarchy of *settlement areas*, and of areas within *settlement areas*, in accordance with policy 2.2.1.2;
 - b) be supported by planning for *infrastructure* and *public service facilities* by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term;
 - c) provide direction for an urban form that will optimize *infrastructure*, particularly along transit and transportation corridors, to support the achievement of *complete communities* through a more *compact built form*;
 - d) support the environmental and agricultural protection and conservation objectives of this Plan; and
 - e) be implemented through a *municipal comprehensive review* and, where applicable, include direction to lower-tier municipalities.
4. Applying the policies of this Plan will support the achievement of *complete communities* that:
- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
 - b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
 - c) provide a diverse range and mix of housing options, including additional residential units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
 - d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;
 - ii. *public service facilities*, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
 - e) provide for a more *compact built form* and a vibrant *public realm*, including public open spaces;
 - f) mitigate and adapt to the *impacts of a changing climate*, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and

- g) integrate *green infrastructure* and appropriate *low impact development*.
- 5. The Minister will establish a methodology for assessing land needs to implement this Plan, including relevant assumptions and other direction as required. This methodology will be used by upper- and single-tier municipalities to assess the quantity of land required to accommodate forecasted growth to the horizon of this Plan.
- 6. Based on a land needs assessment undertaken in accordance with policy 2.2.1.5, some upper- and single-tier municipalities in the *outer ring* will determine that they have *excess lands*. These municipalities will:
 - a) determine which lands will be identified as *excess lands* based on the hierarchy of *settlement areas* established in accordance with policy 2.2.1.3;
 - b) prohibit *development* on all *excess lands* to the horizon of this Plan; and
 - c) where appropriate, use additional tools to reduce the land that is available for *development*, such as those set out in policies 5.2.8.3 and 5.2.8.4.

2.2.2 Delineated Built-up Areas

- 1. By the time the next *municipal comprehensive review* is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:
 - a) A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the *delineated built-up area*; and
 - b) The City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and Wellington will, through the next *municipal comprehensive review*, each establish the minimum percentage of all residential development occurring annually that will be within the *delineated built-up area*, based on maintaining or improving upon the minimum intensification target contained in the applicable upper- or single-tier official plan.
- 2. Until the next *municipal comprehensive review* is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply.

- e) approaches to *transportation demand management* that reduce reliance on single-occupancy vehicle use.
- 17. Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, are encouraged to undertake a co-ordinated approach to planning for large areas with high concentrations of employment that cross municipal boundaries and are *major trip generators*, on matters such as *transportation demand management* and economic development. If necessary, the Minister may identify certain areas that meet these criteria and provide direction for a co-ordinated approach to planning.
- 18. In recognition of the importance of cross-border trade with the United States, this Plan recognizes a *Gateway Economic Zone* and *Gateway Economic Centre* near the Niagara-United States border. Planning and economic development in these areas will support economic diversity and promote increased opportunities for cross-border trade, movement of goods, and tourism.

2.2.6 Housing

- 1. Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:
 - a) support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
 - i. identifying a diverse range and mix of housing options and densities, including additional residential units and *affordable* housing to meet projected needs of current and future residents; and
 - ii. establishing targets for *affordable* ownership housing and rental housing;
 - b) identify mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);
 - c) align land use planning with applicable housing and homelessness plans required under the Housing Services Act, 2011;
 - d) address housing needs in accordance with provincial policy statements such as the Policy Statement: “Service Manager Housing and Homelessness Plans”; and
 - e) implement policy 2.2.6.1 a), b), c) and d) through official plan policies and designations and zoning by-laws.

2. Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of *complete communities* by:
 - a) planning to accommodate forecasted growth to the horizon of this Plan;
 - b) planning to achieve the minimum intensification and density targets in this Plan;
 - c) considering the range and mix of housing options and densities of the existing housing stock; and
 - d) planning to diversify their overall housing stock across the municipality.
3. To support the achievement of *complete communities*, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.
4. Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for *intensification* and *redevelopment*.
5. When a *settlement area* boundary has been expanded in accordance with the policies in subsection 2.2.8, the new *designated greenfield area* will be planned in accordance with policies 2.2.6.1 and 2.2.6.2.

2.2.7 Designated Greenfield Areas

1. New *development* taking place in *designated greenfield areas* will be planned, designated, zoned and designed in a manner that:
 - a) supports the achievement of *complete communities*;
 - b) supports *active transportation*; and
 - c) encourages the integration and sustained viability of transit services.
2. The minimum density target applicable to the *designated greenfield area* of each upper- and single-tier municipality is as follows:
 - a) The Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will plan to achieve within the horizon of this Plan a minimum density target that is not less than 50 residents and jobs combined per hectare; and
 - b) The City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and Wellington will plan to achieve within the horizon of this Plan a minimum density

- target that is not less than 40 residents and jobs combined per hectare.
3. The minimum density target will be measured over the entire *designated greenfield area* of each upper- or single-tier municipality, excluding the following:
 - a) *natural heritage features and areas, natural heritage systems* and floodplains, provided *development* is prohibited in these areas;
 - b) rights-of-way for:
 - i. electricity transmission lines;
 - ii. *energy transmission pipelines*;
 - iii. freeways, as defined by and mapped as part of the Ontario Road Network; and
 - iv. railways;
 - c) *employment areas*; and
 - d) cemeteries.
 4. Councils of upper- and single-tier municipalities may request an alternative to the target established in policy 2.2.7.2 where it is demonstrated that the target cannot be achieved and that the alternative target will support the diversification of the total range and mix of housing options and the achievement of a more *compact built form* in *designated greenfield areas* to the horizon of this Plan in a manner that is appropriate given the characteristics of the municipality and adjacent communities.
 5. The Minister may permit an alternative to the target established in policy 2.2.7.2. If council does not make a request or the Minister does not permit an alternative target, the target established in policy 2.2.7.2 will apply.

2.2.8 Settlement Area Boundary Expansions

1. *Settlement area* boundaries will be delineated in official plans.
2. A *settlement area* boundary expansion may only occur through a *municipal comprehensive review* where it is demonstrated that:
 - a) based on the minimum intensification and density targets in this Plan and a land needs assessment undertaken in accordance with policy 2.2.1.5, sufficient opportunities to accommodate forecasted growth to the horizon of this Plan are not available through *intensification* and in the *designated greenfield area*:
 - i. within the upper- or single-tier municipality, and

3 Infrastructure to Support Growth

3.1 Context

Well planned *infrastructure* is essential to the viability of Ontario’s communities and critical to economic competitiveness, quality of life, and the delivery of public services. This Plan provides the framework to guide and prioritize *infrastructure* planning and investments in the *GGH* to support and accommodate forecasted growth to the horizon of this Plan and beyond.

The *infrastructure* framework in this Plan requires that municipalities undertake an integrated approach to land use planning, *infrastructure* investments, and environmental protection to achieve the outcomes of the Plan. Co-ordination of these different dimensions of planning allows municipalities to identify the most cost-effective options for sustainably accommodating forecasted growth to the horizon of this Plan to support the achievement of *complete communities*. It is estimated that over 30 per cent of *infrastructure* capital costs, and 15 per cent of operating costs⁴, could be saved by moving from unmanaged growth to a more *compact built form*.

This Plan is aligned with the Province’s approach to long-term *infrastructure* planning as enshrined in the Infrastructure for Jobs and Prosperity Act, 2015, which established mechanisms to encourage principled, evidence-based and strategic long-term *infrastructure* planning.

This Plan is also aligned with the Province’s municipal asset management regulation. The purpose of the regulation is to improve the way municipalities plan for their *infrastructure* and includes requirements that promote alignment of planning for land use and *infrastructure*. Significant cost savings can be achieved by ensuring that existing *infrastructure* is optimized before new *infrastructure* is built. This principle is integrated into the policies of this Plan and applies to all forms of *infrastructure*.

The *transportation system* for the *GGH* must be planned and managed for the safe and efficient movement of goods and people, and to reduce greenhouse gas emissions and other negative environmental impacts.

Transit is the first priority for transportation planning and investment. The transit network will support and facilitate improved linkages between *strategic growth areas* and other areas planned for a mix of uses and *transit-supportive* densities.

⁴ “Building Together: Guide for Municipal Asset Management Plans”, Ministry of Infrastructure, 2012

System users will benefit from improved linkages between and within municipalities as well as *transit service integration*.

A comprehensive and continuous *active transportation* network will offer a viable alternative to the private automobile for personal travel. Using a *complete streets* approach to roadway design, reconstruction, and refurbishment will ensure that the needs and safety of all road users are considered when planning and building the street network.

To support goods movement, this Plan calls for a co-ordinated goods movement network that links *major goods movement facilities and corridors* to the provincial highway network and areas of significant commercial activity. This Plan also calls for the long-term protection of *planned corridors* and the co-location of *infrastructure* in these corridors where appropriate.

A clean and sustainable supply of water is essential to the long-term health and prosperity of the region. There is a need to co-ordinate investment in water, wastewater, and stormwater *infrastructure* to service future growth in ways that are fiscally sustainable and linked to decisions about how these systems are paid for and administered. Water *infrastructure* planning will be informed by *watershed planning* to ensure that the *quality and quantity of water* is maintained.

The importance of the Great Lakes is reflected in many provincial initiatives, including the Great Lakes Protection Act, 2015 and Ontario's Great Lakes Strategy. This Plan supports these initiatives by providing direction on *watershed*-based, integrated water, wastewater, and stormwater master planning and by restricting future extensions of water and wastewater servicing from the Great Lakes.

Climate change poses a serious challenge for maintaining existing *infrastructure* and planning for new *infrastructure*, however, vulnerability assessments can help to identify risks and options for enhancing resilience. Similarly, comprehensive stormwater management planning, including the use of appropriate *low impact development* and *green infrastructure*, can increase the resiliency of our communities.

Investment in *public service facilities* – such as hospitals, long-term care facilities, libraries and schools – should be planned and located to keep pace with changing needs, maximize existing *infrastructure* and to support the achievement of *complete communities*, co-locating services in community hubs and prioritizing *strategic growth areas* as appropriate.

3.2 Policies for Infrastructure to Support Growth

3.2.1 Integrated Planning

1. *Infrastructure* planning, land use planning, and *infrastructure* investment will be co-ordinated to implement this Plan.
2. Planning for new or expanded *infrastructure* will occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental planning and financial planning, and will be supported by relevant studies and should involve:
 - a) leveraging *infrastructure* investment to direct growth and development in accordance with the policies and schedules of this Plan, including the achievement of the minimum intensification and density targets in this Plan;
 - b) providing sufficient *infrastructure* capacity in *strategic growth areas*;
 - c) identifying the full life cycle costs of *infrastructure* and developing options to pay for these costs over the long-term; and
 - d) considering the *impacts of a changing climate*.
3. *Infrastructure* investment and other implementation tools and mechanisms will be used to facilitate *intensification* and higher density development in *strategic growth areas*. Priority will be given to *infrastructure* investments made by the Province that support the policies and schedules of this Plan.
4. Municipalities will assess *infrastructure* risks and vulnerabilities, including those caused by the *impacts of a changing climate*, and identify actions and investments to address these challenges, which could be identified as part of municipal asset management planning.
5. The Province will work with public sector partners, including Metrolinx, to identify strategic *infrastructure* needs to support the implementation of this Plan through multi-year *infrastructure* planning for the *transportation system* and *public service facilities*.

3.2.2 Transportation – General

1. *Transportation system* planning, land use planning, and transportation investment will be co-ordinated to implement this Plan.
2. The *transportation system* within the *GGH* will be planned and managed to:

commercial activity and to provide alternate routes connecting to the provincial network.

3.2.5 Infrastructure Corridors

1. In planning for the development, optimization, or expansion of existing and *planned corridors* and supporting facilities, the Province, other public agencies and upper- and single-tier municipalities will:
 - a) encourage the co-location of linear *infrastructure* where appropriate;
 - b) ensure that existing and *planned corridors* are protected to meet current and projected needs in accordance with the transportation and *infrastructure* corridor protection policies in the PPS;
 - c) where applicable, demonstrate through an *agricultural impact assessment* or equivalent analysis as part of an environmental assessment, that any impacts on the *Agricultural System* have been avoided or, if avoidance is not possible, minimized and to the extent feasible mitigated;
 - d) where applicable, demonstrate through an environmental assessment, that any impacts on *key natural heritage features* in the *Natural Heritage System for the Growth Plan*, *key hydrologic features* and *key hydrologic areas* have been avoided or, if avoidance is not possible, minimized and to the extent feasible mitigated; and
 - e) for existing or *planned corridors* for transportation:
 - i. consider increased opportunities for moving people and goods by rail;
 - ii. consider separation of modes within corridors; and
 - iii. provide opportunities for inter-modal linkages.
2. The planning, location, and design of *planned corridors* and the land use designations along these corridors will support the policies of this Plan, in particular that development is directed to *settlement areas*.

3.2.6 Water and Wastewater Systems

1. Municipalities should generate sufficient revenue to recover the full cost of providing and maintaining *municipal water and wastewater systems*.
2. *Municipal water and wastewater systems* and *private communal water and wastewater systems* will be planned, designed, constructed, or expanded in accordance with the following:
 - a) opportunities for optimization and improved efficiency within existing systems will be prioritized and supported by strategies for energy and water conservation and water demand management;

- b) the system will serve growth in a manner that supports achievement of the minimum intensification and density targets in this Plan;
 - c) a comprehensive water or wastewater master plan or equivalent, informed by *watershed planning* or equivalent has been prepared to:
 - i. demonstrate that the effluent discharges and water takings associated with the system will not negatively impact the *quality and quantity of water*;
 - ii. identify the preferred option for servicing growth and development, subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5 of the PPS, 2020, which must not exceed the assimilative capacity of the effluent receivers and sustainable water supply for servicing, ecological, and other needs; and
 - iii. identify the full life cycle costs of the system and develop options to pay for these costs over the long-term.
 - d) in the case of *large subsurface sewage disposal systems*, the proponent has demonstrated attenuation capacity; and
 - e) plans have been considered in the context of applicable inter-provincial, national, bi-national, or state-provincial Great Lakes Basin agreements or provincial legislation or strategies.
3. For *settlement areas* that are serviced by rivers, inland lakes, or groundwater, municipalities will not be permitted to extend water or wastewater services from a Great Lakes source unless:
- a) the extension is required for reasons of public health and safety, in which case, the capacity of the water or wastewater services provided in these circumstances will be limited to that required to service the affected *settlement area*, including capacity for planned development within the approved *settlement area* boundary;
 - b) in the case of an upper- or single-tier municipality with an *urban growth centre* outside of the *Greenbelt Area*:
 - i. the need for the extension has been demonstrated;
 - ii. the increased servicing capacity will only be allocated to *settlement areas* with *urban growth centres*; and
 - iii. the municipality has completed the applicable environmental assessment process in accordance with the Ontario Environmental Assessment Act; or
 - c) the extension had all necessary approvals as of July 1, 2017 and is only to service growth within the *settlement area* boundary

delineated in the official plan that is approved and in effect as of that date.

4. Municipalities that share an inland water source or receiving water body will co-ordinate their planning for potable water, stormwater, and wastewater systems based on *watershed planning* or equivalent to ensure that the *quality and quantity of water* is protected, improved, or restored.

3.2.7 Stormwater Management

1. Municipalities will develop *stormwater master plans* or equivalent for serviced *settlement areas* that:
 - a) are informed by *watershed planning* or equivalent;
 - b) protect the *quality and quantity of water* by assessing existing stormwater facilities and systems;
 - c) characterize existing environmental conditions;
 - d) examine the cumulative environmental impacts of stormwater from existing and planned development, including an assessment of how extreme weather events will exacerbate these impacts and the identification of appropriate adaptation strategies;
 - e) incorporate appropriate *low impact development* and *green infrastructure*;
 - f) identify the need for stormwater retrofits, where appropriate;
 - g) identify the full life cycle costs of the stormwater *infrastructure*, including maintenance costs, and develop options to pay for these costs over the long-term; and
 - h) include an implementation and maintenance plan.
2. Proposals for large-scale *development* proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a *stormwater management plan* or equivalent, that:
 - a) is informed by a *subwatershed plan* or equivalent;
 - b) incorporates an integrated treatment approach to minimize stormwater flows and reliance on stormwater ponds, which includes appropriate *low impact development* and *green infrastructure*;
 - c) establishes planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces; and
 - d) aligns with the *stormwater master plan* or equivalent for the *settlement area*, where applicable.

4 Protecting What is Valuable

4.1 Context

The *GGH* contains a broad array of important hydrologic and *natural heritage features and areas*, a vibrant and diverse agricultural land base, irreplaceable *cultural heritage resources*, and valuable renewable and non-renewable resources. These lands, features and resources are essential for the long-term quality of life, economic prosperity, environmental health, and *ecological integrity* of the region. They collectively provide essential ecosystem services, including water storage and filtration, cleaner air and habitats, and support pollinators, carbon storage, adaptation and resilience to climate change.

These valuable assets must be wisely protected and managed as part of planning for future growth. This is of particular importance in the fast-growing *GGH*, which supports some of the most diverse vegetation and wildlife in Canada, including the Niagara Escarpment (a UNESCO World Biosphere Reserve) and the Oak Ridges Moraine – two of Ontario's most significant landforms – as well as the Rouge National Urban Park. There are existing legislation and policies in place to identify and protect these features, areas, and sites, including the Ontario Heritage Act, statements of provincial policy such as the PPS, and provincial plans such as the Greenbelt, Oak Ridges Moraine Conservation, Niagara Escarpment, and Lake Simcoe Protection Plans.

Through their historic relationship with the lands and resources in this region, Indigenous communities have gained traditional knowledge that is of value to the planning decisions being made today. A balanced approach to the wise use and management of all resources, including those related to water, natural heritage, agriculture, cultural heritage, and mineral aggregates, will be implemented in the *GGH*.

This Plan recognizes and supports the role of municipal policy in providing leadership and innovation in developing a culture of conservation and addressing climate change. As the *GGH* grows, so will the overall demand for water, energy, air, and land. The ongoing availability of these natural resources is essential for the sustainability of all communities.

This Plan requires the identification of *water resource systems* and the protection of *key hydrologic features* and *key hydrologic areas*, similar to the level of protection provided in the Greenbelt. This provides a consistent framework for water protection across the *GGH*, and builds on existing plans and policies, including the Lake Simcoe Protection Plan and source protection plans developed under the Clean Water Act, 2006. Recognizing that *watersheds* are the most important scale for protecting the *quality and quantity of water*,

municipalities are required to undertake *watershed planning* to inform the protection of *water resource systems* and decisions related to planning for growth.

This Plan also provides for the identification and protection of a *Natural Heritage System for the Growth Plan* outside of the *Greenbelt Area* and *settlement areas*, and applies protections similar to those in the Greenbelt Plan to provide consistent and long-term protection throughout the *GGH*.

The *GGH* is home to some of Canada's most important and productive farmland, which is a finite, non-renewable resource. The region's fertile soil, favourable climate, and access to water make it significant on both a national and international scale. This Plan provides for the identification and protection of the *Agricultural System* in the *GGH*. The *Agricultural System* includes a continuous and productive land base, comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands*, as well as a complementary *agri-food network* that together enable the agri-food sector to thrive. Many farms within the *Agricultural System* also contain important natural heritage and hydrologic features, and farmers play a vital role in their stewardship. Protecting the *Agricultural System* will support the viability of the agricultural sector as the region grows.

The *GGH* also contains important *cultural heritage resources* that contribute to a sense of identity, support a vibrant tourism industry, and attract investment based on cultural amenities. Accommodating growth can put pressure on these resources through *development* and *site alteration*. It is necessary to plan in a way that protects and maximizes the benefits of these resources that make our communities unique and attractive places to live.

Building compact communities and the *infrastructure* needed to support growth requires significant *mineral aggregate resources*. The Aggregate Resources Act establishes the overall process for the management of *mineral aggregate operations*, and this Plan works within this framework to provide guidance on where and how aggregate resource extraction can occur, while balancing other planning priorities. The *GGH* contains significant deposits of *mineral aggregate resources*, which require long-term management, including aggregate reuse and recycling. Ensuring *mineral aggregate resources* are available in proximity to demand can support the timely provision of *infrastructure* and reduce transportation-related greenhouse gas emissions.

The *water resource systems*, *Natural Heritage System for the Growth Plan*, and *Agricultural System* for the *GGH* also play an important role in addressing climate change and building resilience. Greenhouse gas emissions can be offset by natural areas that act as carbon sinks. Municipalities play a crucial role in managing and reducing Ontario's greenhouse gas emissions and supporting

adaptation to the changing climate. The Province will work with municipalities to develop approaches to inventory, reduce, and offset greenhouse gas emissions in support of provincial targets as we move towards environmentally sustainable communities.

4.2 Policies for Protecting What is Valuable

4.2.1 Water Resource Systems

1. Upper- and single-tier municipalities, partnering with lower-tier municipalities and conservation authorities as appropriate, will ensure that *watershed planning* is undertaken to support a comprehensive, integrated, and long-term approach to the protection, enhancement, or restoration of the *quality and quantity of water* within a *watershed*.
2. *Water resource systems* will be identified to provide for the long-term protection of *key hydrologic features, key hydrologic areas*, and their functions.
3. *Watershed planning* or equivalent will inform:
 - a) the identification of *water resource systems*;
 - b) the protection, enhancement, or restoration of the *quality and quantity of water*;
 - c) decisions on allocation of growth; and
 - d) planning for water, wastewater, and stormwater *infrastructure*.
4. Planning for large-scale *development* in *designated greenfield areas*, including secondary plans, will be informed by a *subwatershed plan* or equivalent.
5. Municipalities will consider the Great Lakes Strategy, the targets and goals of the Great Lakes Protection Act, 2015, and any applicable Great Lakes agreements as part of *watershed planning* and coastal or waterfront planning initiatives.

4.2.2 Natural Heritage System

1. A *Natural Heritage System for the Growth Plan* has been mapped by the Province to support a comprehensive, integrated, and long-term approach to planning for the protection of the region's natural heritage and biodiversity. The *Natural Heritage System for the Growth Plan* excludes lands within *settlement area* boundaries that were approved and in effect as of July 1, 2017.

2. Municipalities will incorporate the *Natural Heritage System for the Growth Plan* as an overlay in official plans, and will apply appropriate policies to maintain, restore, or enhance the diversity and connectivity of the system and the long-term ecological or *hydrologic functions* of the features and areas as set out in the policies in this subsection and the policies in subsections 4.2.3 and 4.2.4.
3. Within the *Natural Heritage System for the Growth Plan*:
 - a) new *development* or *site alteration* will demonstrate that:
 - i. there are no *negative impacts* on *key natural heritage features* or *key hydrologic features* or their functions;
 - ii. connectivity along the system and between *key natural heritage features* and *key hydrologic features* located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;
 - iii. the removal of other natural features not identified as *key natural heritage features* and *key hydrologic features* is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;
 - iv. except for uses described in and governed by the policies in subsection 4.2.8, the disturbed area, including any buildings and structures, will not exceed 25 per cent of the *total developable area*, and the impervious surface will not exceed 10 per cent of the *total developable area*;
 - v. with respect to golf courses, the disturbed area will not exceed 40 per cent of the *total developable area*; and
 - vi. at least 30 per cent of the *total developable area* will remain or be returned to *natural self-sustaining vegetation*, except where specified in accordance with the policies in subsection 4.2.8; and
 - b) the full range of existing and new *agricultural uses*, *agriculture-related uses*, *on-farm diversified uses*, and *normal farm practices* are permitted. However, new buildings or structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* are not subject to policy 4.2.2.3 a), but are subject to the policies in subsections 4.2.3 and 4.2.4.
4. Provincial mapping of the *Natural Heritage System for the Growth Plan* does not apply until it has been implemented in the applicable upper- or single-tier official plan. Until that time, the policies in this Plan that refer

to the *Natural Heritage System for the Growth Plan* will apply outside *settlement areas* to the *natural heritage systems* identified in official plans that were approved and in effect as of July 1, 2017.

5. Upper- and single-tier municipalities may refine provincial mapping of the *Natural Heritage System for the Growth Plan* at the time of initial implementation in their official plans. For upper-tier municipalities, the initial implementation of provincial mapping may be done separately for each lower-tier municipality. After the *Natural Heritage System for the Growth Plan* has been implemented in official plans, further refinements may only occur through a *municipal comprehensive review*.
6. Beyond the *Natural Heritage System for the Growth Plan*, including within *settlement areas*, the municipality:
 - a) will continue to protect any other *natural heritage features and areas* in a manner that is consistent with the PPS; and
 - b) may continue to protect any other *natural heritage system* or identify new systems in a manner that is consistent with the PPS.
7. If a *settlement area* is expanded to include the *Natural Heritage System for the Growth Plan* in accordance with the policies in subsection 2.2.8, the portion that is within the revised *settlement area* boundary will:
 - a) be designated in official plans;
 - b) no longer be subject to policy 4.2.2.3; and
 - c) continue to be protected in a manner that ensures that the connectivity between, and diversity and functions of, the *natural heritage features and areas* will be maintained, restored, or enhanced.

4.2.3 Key Hydrologic Features, Key Hydrologic Areas and Key Natural Heritage Features

1. Outside of *settlement areas*, *development* or *site alteration* is not permitted in *key natural heritage features* that are part of the *Natural Heritage System for the Growth Plan* or in *key hydrologic features*, except for:
 - a) forest, fish, and wildlife management;
 - b) conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;
 - c) activities that create or maintain *infrastructure* authorized under an environmental assessment process;
 - d) *mineral aggregate operations* and wayside pits and quarries;

- e) expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses which bring the use more into conformity with this Plan, subject to demonstration that the use does not expand into the *key hydrologic feature* or *key natural heritage feature* or *vegetative protection zone* unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;
 - f) expansions or alterations to existing buildings and structures for *agricultural uses, agriculture-related uses, or on-farm diversified uses* and expansions to existing residential dwellings if it is demonstrated that:
 - i. there is no alternative, and the expansion or alteration in the feature is minimized and, in the *vegetation protection zone*, is directed away from the feature to the maximum extent possible; and
 - ii. the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible; and
 - g) small-scale structures for recreational uses, including boardwalks, footbridges, fences, docks, and picnic facilities, if measures are taken to minimize the number of such structures and their *negative impacts*.
2. Outside of *settlement areas*, proposals for large-scale *development* proceeding by way of plan of subdivision, vacant land plan of condominium or site plan may be permitted within a *key hydrologic area* where it is demonstrated that the *hydrologic functions*, including the *quality and quantity of water*, of these areas will be protected and, where possible, enhanced or restored through:
- a) the identification of planning, design, and construction practices and techniques;
 - b) meeting other criteria and direction set out in the applicable *watershed planning or subwatershed plans*; and
 - c) meeting any applicable provincial standards, guidelines, and procedures.

4.2.4 **Lands Adjacent to Key Hydrologic Features and Key Natural Heritage Features**

1. Outside *settlement areas*, a proposal for new *development* or *site alteration* within 120 metres of a *key natural heritage feature* within the

Natural Heritage System for the Growth Plan or a *key hydrologic feature* will require a natural heritage evaluation or hydrologic evaluation that identifies a *vegetation protection zone*, which:

- a) is of sufficient width to protect the *key natural heritage feature* or *key hydrologic feature* and its functions from the impacts of the proposed change;
 - b) is established to achieve and be maintained as *natural self-sustaining vegetation*; and
 - c) for *key hydrologic features*, *fish habitat*, and *significant woodlands*, is no less than 30 metres measured from the outside boundary of the *key natural heritage feature* or *key hydrologic feature*.
2. Evaluations undertaken in accordance with policy 4.2.4.1 will identify any additional restrictions to be applied before, during, and after *development* to protect the *hydrologic functions* and *ecological functions* of the feature.
 3. *Development* or *site alteration* is not permitted in the *vegetation protection zone*, with the exception of that described in policy 4.2.3.1 or shoreline *development* as permitted in accordance with policy 4.2.4.5.
 4. Notwithstanding policies 4.2.4.1, 4.2.4.2 and 4.2.4.3:
 - a) a natural heritage or hydrologic evaluation will not be required for a proposal for *development* or *site alteration* on a site where the only *key natural heritage feature* is the *habitat of endangered species and threatened species*;
 - b) new buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* will not be required to undertake a natural heritage or hydrologic evaluation if a minimum 30 metre *vegetation protection zone* is provided from a *key natural heritage feature* or *key hydrologic feature*; and
 - c) uses permitted in accordance with policy 4.2.4.4 b):
 - i. are exempt from the requirement of establishing a condition of *natural self-sustaining vegetation* if the land is, and will continue to be, used for agricultural purposes; and
 - ii. will pursue best management practices to protect and restore *key natural heritage features*, *key hydrologic features*, and their functions.
 5. Outside of *settlement areas*, in developed shoreline areas of inland lakes that are designated or zoned for concentrations of *development* as of July 1, 2017, *infill development*, *redevelopment* and *resort development* is permitted, subject to municipal and agency planning and regulatory requirements, if the *development* will:

- a) be integrated with existing or proposed parks and trails, and will not constrain ongoing or planned stewardship and remediation efforts;
- b) restore, to the maximum extent possible, the ecological features and functions in developed shoreline areas; and
- c) in the case of *redevelopment* and resort *development*:
 - i. establish, or increase the extent and width of, a *vegetation protection zone* along the shoreline to a minimum of 30 metres;
 - ii. increase the extent of *fish habitat* in the littoral zone;
 - iii. be planned, designed, and constructed to protect *hydrologic functions*, minimize erosion, and avoid or mitigate sedimentation and the introduction of nutrient or other pollutants into the lake;
 - iv. exclude shoreline structures that will impede the natural flow of water or exacerbate algae concerns along the shoreline;
 - v. enhance the ability of native plants and animals to use the shoreline as both *wildlife habitat* and a movement corridor;
 - vi. use lot-level stormwater controls to reduce stormwater runoff volumes and pollutant loadings;
 - vii. use natural shoreline treatments, where practical, for shoreline stabilization, erosion control, or protection;
 - viii. meet other criteria and direction set out in applicable *watershed planning* and *subwatershed plans*;
 - ix. be serviced by *sewage works* which reduce nutrient inputs to groundwater and the lake from baseline levels; and
 - x. demonstrate available capacity in the receiving water body based on inputs from existing and approved development.

4.2.5 Public Open Space

1. Municipalities, conservation authorities, non-governmental organizations, and other interested parties are encouraged to develop a system of publicly-accessible parkland, open space, and trails, including in shoreline areas, within the *GGH* that:
 - a) clearly demarcates where public access is and is not permitted;
 - b) is based on a co-ordinated approach to trail planning and development; and

- a) integrated planning for *infrastructure* and *public service facilities* would ensure that the *development* does not exceed existing or planned capacity;
 - b) the type and scale of built form for the *development* would be contextually appropriate; and
 - c) the *development* would support the achievement of *complete communities*, including a diverse mix of land uses and sufficient open space.
6. Outside of a *municipal comprehensive review*, the forecasts in Schedule 3 cannot be applied on a site-specific scale as the basis for approving or refusing proposals for *development* that would otherwise conform with all the policies of this Plan.
 7. The Minister will review the forecasts contained in Schedule 3 at least every five years in consultation with municipalities, and may revise the schedule, where appropriate.
 8. Higher forecasts established by upper- and single-tier municipalities through their *municipal comprehensive reviews* will not apply to Provincial ministries and agencies.

5.2.5 Targets

1. The minimum intensification and density targets in this Plan, including any alternative targets that have been permitted by the Minister, are minimum standards and municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of this Plan, the PPS or any other provincial plan.
2. The minimum intensification and density targets in this Plan or established pursuant to this Plan will be identified in upper- and single-tier official plans. Any changes to the targets established pursuant to this Plan may only be implemented through a *municipal comprehensive review*.
3. For the purposes of implementing the minimum intensification and density targets in this Plan, upper- and single-tier municipalities will, through a *municipal comprehensive review*, delineate the following in their official plans, where applicable:
 - a) *delineated built-up areas*;
 - b) *urban growth centres*;
 - c) *major transit station areas*;
 - d) other *strategic growth areas* for which a minimum density target will be established; and

- e) *excess lands*.
- 4. Except as provided in policy 2.2.7.3, the minimum intensification and density targets in this Plan will be measured across all lands within the relevant area, including any lands that are subject to more than one target.
- 5. For each applicable delineated area, the minimum density targets in this Plan are to be implemented through:
 - a) upper-tier official plan policies that identify the minimum density targets and require lower-tier municipalities to undertake planning, such as secondary plans, to establish permitted uses and identify densities, heights, and other elements of site design;
 - b) single-tier official plan policies that identify the minimum density targets and, through secondary planning or other initiatives, establish permitted uses within the delineated area and identify densities, heights, and other elements of site design;
 - c) zoning all lands in a manner that would implement the official plan policies; and
 - d) the use of any applicable legislative and regulatory tools that may establish area or site-specific minimum densities, heights, and other elements of site design.
- 6. In planning to achieve the minimum intensification and density targets in this Plan, municipalities will develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality *public realm* and *compact built form*.
- 7. The minimum intensification and density targets in this Plan do not require or permit:
 - a) in a Special Policy Area that has been approved by the Province in accordance with policy 3.1.4 of the PPS, 2020, *development* that is beyond what has been permitted; or
 - b) in other *hazardous lands, development* that is not permitted by the PPS.
- 8. The identification of *strategic growth areas, delineated built-up areas, and designated greenfield areas* are not land use designations and their delineation does not confer any new land use designations, nor alter existing land use designations. Any development on lands within the boundary of these identified areas is still subject to the relevant provincial and municipal land use planning policies and approval processes.

6 Simcoe Sub-area

6.1 Context

While this Plan is to be read in its entirety and all policies are applicable to all municipalities within the *GGH*, this section provides additional, more specific direction on how this Plan's vision will be achieved in the *Simcoe Sub-area*. The *Simcoe Sub-area* is comprised of the County of Simcoe and the cities of Barrie and Orillia.

The policies in Section 6 direct a significant portion of growth within the *Simcoe Sub-area* to communities where development can be most effectively serviced, and where growth improves the range of opportunities for people to live, work, and play in their communities, with a particular emphasis on *primary settlement areas*. The City of Barrie is the principal *primary settlement area*. Downtown Barrie is the only *urban growth centre* in the *Simcoe Sub-area*. The policies in Section 6 recognize and support the vitality of urban and rural communities in the *Simcoe Sub-area*. All municipalities will play an important role in ensuring that future growth is planned for and managed in an effective and sustainable manner that conforms with this Plan.

Ensuring an appropriate supply of land for employment and residential growth, and making the best use of existing *infrastructure* is also important to the prosperity of the *Simcoe Sub-area*. Section 6 identifies specific employment areas that will enable municipalities in the *Simcoe Sub-area* to benefit from existing and future economic opportunities. By providing further direction on where growth is to occur in the *Simcoe Sub-area*, it also establishes a foundation for municipalities to align *infrastructure* investments with growth management, optimize the use of existing and planned *infrastructure*, co-ordinate water and wastewater services, and promote *green infrastructure* and innovative technologies.

A more livable, compact, complete urban structure with good design and built form will support the achievement of economic and environmental benefits. Through effective growth management, municipalities will ensure that the natural environment is protected from the impacts of growth in the *Simcoe Sub-area*, while providing amenities for the residents and visitors to this area from across the *GGH* and beyond.

6.2 Growth Forecasts

1. Through the next *municipal comprehensive review*, Simcoe County will allocate the growth forecasts in Schedule 3 to lower-tier municipalities in accordance with policy 5.2.3.2 e) in a manner that implements the

policies of this Plan, such that a significant portion of population and employment growth is directed to lower-tier municipalities that contain *primary settlement areas*.

2. The employment forecasts in this Plan include employment located in the *strategic settlement employment areas* and *economic employment districts*.

6.3 Managing Growth

1. *Primary settlement areas* for the *Simcoe Sub-area* are identified in Schedule 8.
2. *Municipalities with primary settlement areas* will, in their official plans and other supporting documents:
 - a) identify *primary settlement areas*;
 - b) identify and plan for *strategic growth areas* within *primary settlement areas*;
 - c) plan to support the achievement of *complete communities* within *primary settlement areas*; and
 - d) ensure the development of high quality urban form and public open spaces within *primary settlement areas* through site design and urban design standards that create attractive and vibrant places that support walking and cycling for everyday activities and are *transit-supportive*.
3. *Primary settlement areas* in the County will be identified in the official plan of the County of Simcoe.
4. The Town of Innisfil, the Town of Bradford West Gwillimbury and the Town of New Tecumseth will direct a significant portion of population and employment growth forecasted to the applicable *primary settlement areas*. The Town of Bradford West Gwillimbury and the Town of Innisfil, in planning to meet their employment forecasts, may direct appropriate employment to the *Bradford West Gwillimbury strategic settlement employment area* and the *Innisfil Heights strategic settlement employment area* respectively.
5. Any lands that are designated for *agricultural uses* or rural uses in a lower-tier official plan as of January 20, 2017 can only be re-designated for the purposes of development within a *settlement area* subject to the policies in subsection 2.2.8.

6.4 Employment Lands

1. The *Bradford West Gwillimbury strategic settlement employment area*, the *Innisfil Heights strategic settlement employment area*, the *Lake*

Simcoe Regional Airport economic employment district and the *Rama Road economic employment district* are identified in Schedule 8.

2. The Minister, in consultation with affected municipalities and stakeholders, has determined the location and boundaries of *strategic settlement employment areas*, and has established as appropriate the following:
 - a) permitted uses, and the mix and percentage of certain uses;
 - b) permitted uses for specific areas within the *strategic settlement employment areas*;
 - c) lot sizes; and
 - d) any additional policies and definitions that apply to these areas.
3. The Minister, in consultation with affected municipalities and stakeholders, has determined the location and boundaries, and established as appropriate the uses permitted in the *economic employment districts*.
4. The Minister may review and amend decisions made pursuant to policies 6.4.2 and 6.4.3. Municipalities in the *Simcoe Sub-area* may request the Minister to consider a review.
5. The County of Simcoe and lower-tier municipalities in the County in which the *strategic settlement employment areas* and *economic employment districts* are located, will delineate the areas and districts, as determined by the Minister, in their official plans.
6. The lower-tier municipalities in the County in which the *strategic settlement employment areas* and *economic employment districts* are located will develop official plan policies to implement the matters determined by the Minister in accordance with policies 6.4.2, 6.4.3, and 6.4.4, as applicable.
7. Although not *settlement areas*, the *strategic settlement employment areas* and *economic employment districts* are subject to policy 2.2.5.5.
8. For lands within *strategic settlement employment areas* and the *economic employment districts* the municipality can identify the *natural heritage systems*, features, and areas for protection.

6.5 Implementation

1. The policies in Section 6 apply only to the *Simcoe Sub-area*.
2. For the *Simcoe Sub-area*, where there is a conflict between policies in Section 6 and Schedule 8 and the rest of this Plan, the policies in Section 6 and Schedule 8 prevail.

3. The Minister has identified minimum intensification and density targets for lower-tier municipalities in the County of Simcoe to 2031. These minimum targets are considered to be alternative targets for the purposes of this Plan and will continue to apply subject to policy 5.2.5.9.

7 Definitions

As defined in this glossary, many of the defined terms in this Plan have the same meaning or are based on the meaning of another provincial document, particularly the PPS, 2020. For convenience, a parenthetical note following definitions indicates where this is the case.

Active Transportation

Human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed. (PPS, 2020)

Affordable

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

For the purposes of this definition:

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

Regional market area means an area, generally broader than a lower-tier municipality that has a high degree of social and economic interaction. In the *GGH*, the upper- or single-tier municipality will normally serve as the regional market area. Where a regional market area extends significantly beyond upper- or single-tier boundaries, it may include a combination of upper-, single- and/or lower-tier municipalities. (Based on PPS, 2020 and modified for this Plan)

Agricultural Condition

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production shall be maintained or restored; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored.

(PPS, 2020)

Agri-food Network

Within the *Agricultural System*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities. (Greenbelt Plan)

Agricultural Impact Assessment

A study that evaluates the potential impacts of non-agricultural development on agricultural operations and the *Agricultural System* and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts. (Greenbelt Plan)

Agricultural System

The system mapped and issued by the Province in accordance with this Plan, comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components: 1. An agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous productive land base for agriculture; 2. An *agri-food network* which includes *infrastructure*, services, and assets important to the viability of the agri-food sector. (Greenbelt Plan)

Agricultural Uses

The growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment. (PPS, 2020)

Agriculture-related Uses

Farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. (PPS, 2020)

Alternative Energy System

A system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems. (PPS, 2020)

Alvars

Naturally open areas of thin or no soil over essentially flat limestone, dolostone, or marble rock, supporting a sparse vegetation cover of mostly shrubs and herbs. (Greenbelt Plan)

Archaeological Resources

Includes artifacts, archaeological sites, marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act. (PPS, 2020)

Bradford West Gwillimbury Strategic Settlement Employment Area

Location set out in Schedule 8. The *Bradford West Gwillimbury strategic settlement employment area* boundary is determined by the Minister and planned for in accordance with the policies in subsection 6.4.

Brownfield Sites

Undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. (PPS, 2020)

Built Heritage Resource

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

Compact Built Form

A land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and

institutional) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads to encourage *active transportation*.

Complete Communities

Places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and *public service facilities*. *Complete communities* are age-friendly and may take different shapes and forms appropriate to their contexts.

Complete Streets

Streets planned to balance the needs of all road users, including pedestrians, cyclists, transit-users, and motorists.

Conserved

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

Cultural Heritage Landscape

A defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. *Cultural heritage landscapes* may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms. (PPS, 2020)

Cultural Heritage Resources

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

Delineated Built Boundary

The limits of the developed urban area as defined by the Minister in consultation with affected municipalities for the purpose of measuring the minimum intensification target in this Plan.

Delineated Built-up Area

All land within the *delineated built boundary*.

Designated Greenfield Area

Lands within *settlement areas* (not including *rural settlements*) but outside of *delineated built-up areas* that have been designated in an official plan for development and are required to accommodate forecasted growth to the horizon of this Plan. *Designated greenfield areas* do not include *excess lands*.

Development

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

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

(Based on PPS, 2020 and modified for this Plan)

Drinking-water System

A system of works, excluding plumbing, that is established for the purpose of providing users of the system with drinking water and that includes:

- a) any thing used for the collection, production, treatment, storage, supply, or distribution of water;
- b) any thing related to the management of residue from the treatment process or the management of the discharge of a substance into the natural environment from the treatment system; and
- c) a well or intake that serves as the source or entry point of raw water supply for the system.

(Safe Drinking Water Act, 2002)

Ecological Function

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

Ecological Integrity

Which includes hydrological integrity, means the condition of ecosystems in which:

- a) the structure, composition and function of the ecosystems are unimpaired by the stresses from human activity;
- b) natural ecological processes are intact and self-sustaining; and
- c) the ecosystems evolve naturally.

(Greenbelt Plan)

Ecological Value

The value of vegetation in maintaining the health of the *key natural heritage feature* or *key hydrologic feature* and the related ecological features and *ecological functions*, as measured by factors such as the diversity of species, the diversity of habitats, and the suitability and amount of habitats that are available for rare, threatened and endangered species. (Greenbelt Plan)

Economic Employment Districts

Areas that have been identified by the Minister that are to be planned and protected for locally significant employment uses. These areas are not *settlement areas*.

Employment Area

Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (PPS, 2020)

Energy Transmission Pipeline

A pipeline for transporting large quantities of oil or natural gas within a province or across provincial or international boundaries. *Energy transmission pipelines* do not include local distribution pipelines.

Excess Lands

Vacant, unbuilt but developable lands within *settlement areas* but outside of *delineated built-up areas* that have been designated in an official plan for

development but are in excess of what is needed to accommodate forecasted growth to the horizon of this Plan.

Fish Habitat

As defined in the Fisheries Act, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes. (PPS, 2020)

Freight-supportive

In regard to land use patterns, means *transportation systems* and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and *transportation systems*. Approaches may be recommended by the Province or based on municipal approaches that achieve the same objectives. (PPS, 2020)

Frequent Transit

A public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

Gateway Economic Centre

Settlement areas identified in this Plan, as conceptually depicted on Schedules 2, 5, and 6 that, due to their proximity to major international border crossings, have unique economic importance to the region and Ontario.

Gateway Economic Zone

Settlement areas identified in this Plan within the zone that is conceptually depicted on Schedules 2, 5, and 6, that, due to their proximity to major international border crossings, have unique economic importance to the region and Ontario.

Greater Golden Horseshoe (GGH)

The geographic area identified as the Greater Golden Horseshoe growth plan area in Ontario Regulation 416/05 under the Places to Grow Act, 2005.

Green Infrastructure

Natural and human-made elements that provide ecological and *hydrologic functions* and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs. (PPS, 2020)

Greenbelt Area

The geographic area identified as the Greenbelt Area in Ontario Regulation 59/05 under the Greenbelt Act, 2005.

Greyfields

Previously developed properties that are not contaminated. They are usually, but not exclusively, former commercial properties that may be underutilized, derelict, or vacant.

Ground Water Features

Water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations. (PPS, 2020)

Habitat of Endangered Species and Threatened Species

Habitat within the meaning of section 2 of the Endangered Species Act, 2007. (PPS, 2020)

Hazardous Lands

Property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes – St Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large, inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits. (PPS, 2020)

Higher Order Transit

Transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher order transit* can include heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way.

Highly Vulnerable Aquifer

Aquifers, including lands above the aquifers, on which external sources have or are likely to have a significant adverse effect. (Greenbelt Plan)

Hydrologic Function

The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things. (PPS, 2020)

Impacts of a Changing Climate

The present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability. (PPS, 2020)

Infrastructure

Physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities. (PPS, 2020)

Inner Ring

The geographic area consisting of the cities of Hamilton and Toronto and the Regions of Durham, Halton, Peel, and York.

Innisfil Heights Strategic Settlement Employment Area

Location set out in Schedule 8. The *Innisfil Heights strategic settlement employment area* boundary is determined by the Minister and planned for in accordance with the policies in subsection 6.4.

Intensification

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

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

(PPS, 2020)

Intermittent Streams

Stream-related watercourses that contain water or are dry at times of the year that are more or less predictable, generally flowing during wet seasons of the

year but not the entire year, and where the water table is above the stream bottom during parts of the year. (Greenbelt Plan)

Joint Development

Agreements entered into voluntarily between the public sector and property owners or third parties, whereby private entities share some of the costs of *infrastructure* improvements or contribute some benefits back to the public sector based on a mutual recognition of the benefits of such *infrastructure* improvements. Approaches to *joint development* may be recommended in guidelines developed by the Province.

Key Hydrologic Areas

Significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas that are necessary for the ecological and hydrologic integrity of a *watershed*.

Key Hydrologic Features

Permanent streams, *intermittent streams*, inland lakes and their littoral zones, *seepage areas and springs*, and *wetlands*.

Key Natural Heritage Features

Habitat of endangered species and threatened species; fish habitat; wetlands; life science areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); *sand barrens, savannahs, and tallgrass prairies; and alvars*.

Lake Simcoe Regional Airport Economic Employment District

Location set out in Schedule 8. The *Lake Simcoe Regional Airport economic employment district* boundary is determined by the Minister and planned for in accordance with the policies in subsection 6.4. *Major retail* and residential uses are not permitted.

Large Subsurface Sewage Disposal Systems

Subsurface disposal systems with a design capacity in excess of 10,000 litres per day. These systems are to be designed in accordance with section 22 of “Design Guidelines for Sewage Works, 2008”.

Life Science Areas of Natural and Scientific Interest (ANSIs)

An area that has been identified as having life science values related to protection, scientific study, or education; and further identified by the Ministry of Natural Resources and Forestry using evaluation procedures established by that Ministry, as amended from time to time. (Greenbelt Plan)

Low Impact Development

An approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems. *Low impact development* often employs vegetation and soil in its design, however, that does not always have to be the case and the specific form may vary considering local conditions and community character.

Major Goods Movement Facilities and Corridors

The transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, airports, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are *freight-supportive* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives. (PPS, 2020)

Major Office

Freestanding office buildings of approximately 4,000 square metres of floor space or greater, or with approximately 200 jobs or more.

Major Retail

Large-scale or large-format stand-alone retail stores or retail centres that have the primary purpose of commercial activities.

Major Transit Station Area

The area including and around any existing or planned *higher order transit* station or stop within a *settlement area*; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.

Major Trip Generators

Origins and destinations with high population densities or concentrated activities which generate many trips (e.g., *urban growth centres* and other downtowns, *major office* and *office parks*, *major retail*, *employment areas*, community hubs, large parks and recreational destinations, post-secondary institutions and other *public service facilities*, and other mixed-use areas).

Mineral Aggregate Operations

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

(PPS, 2020)

Mineral Aggregate Resources

Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act. (PPS, 2020)

Minimum Distance Separation Formulae

Formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities. (PPS, 2020)

Modal Share

The percentage of person-trips or of freight movements made by one travel mode, relative to the total number of such trips made by all modes.

Multimodal

Relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air, and marine. (Based on PPS, 2020 and modified for this Plan)

Municipal Comprehensive Review

A new official plan, or an official plan amendment, initiated by an upper- or single-tier municipality under section 26 of the Planning Act that comprehensively applies the policies and schedules of this Plan.

Municipal Water and Wastewater Systems

Municipal water systems are all or part of a *drinking-water system*:

- a) that is owned by a municipality or by a municipal service board established under section 195 of the Municipal Act, 2001;
- b) that is owned by a corporation established under section 203 of the Municipal Act, 2001;
- c) from which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system; or
- d) that is in a prescribed class of municipal *drinking-water systems* as defined in regulation under the Safe Drinking Water Act, 2002, including centralized and decentralized systems.

And, municipal wastewater systems are any *sewage works* owned or operated by a municipality.

Municipalities with Primary Settlement Areas

City of Barrie, City of Orillia, Town of Bradford West Gwillimbury, Town of Collingwood, Town of Innisfil, Town of Midland, Town of New Tecumseth, and Town of Penetanguishene.

Natural Heritage Features and Areas

Features and areas, including *significant wetlands*, significant coastal *wetlands*, other coastal *wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat*, *significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species*, *significant wildlife habitat*, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area. (PPS, 2020)

Natural Heritage System

A system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. The system can include *key natural heritage features*, *key hydrologic features*, federal and provincial parks and conservation reserves, other *natural heritage features and areas*, lands that have been restored or have the potential to be restored to a natural state, associated areas that support *hydrologic functions*, and working landscapes that enable *ecological functions* to continue. (Based on PPS, 2020 and modified for this Plan)

Natural Heritage System for the Growth Plan

The *natural heritage system* mapped and issued by the Province in accordance with this Plan.

Natural Self-Sustaining Vegetation

Vegetation dominated by native plant species that can grow and persist without direct human management, protection, or tending. (Greenbelt Plan)

Negative Impact

- a) In regard to water, degradation to the quality or quantity of surface or groundwater, *key hydrologic features* or vulnerable areas and their related *hydrologic functions* due to single, multiple or successive *development* or *site alteration* activities;
- b) In regard to *fish habitat*, any permanent alteration to or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act; and
- c) In regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

New Multiple Lots or Units for Residential Development

The creation of more than three units or lots through either plan of subdivision, consent, or plan of condominium.

Normal Farm Practices

A practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act. (PPS, 2020)

Office Parks

Employment areas or areas where there are significant concentrations of offices with high employment densities.

On-farm Diversified Uses

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

added agricultural products. Ground-mounted solar facilities are permitted in *prime agricultural areas* and *specialty crop areas* only as *on-farm diversified uses*. (PPS, 2020)

Outer Ring

The geographic area consisting of the cities of Barrie, Brantford, Guelph, Kawartha Lakes, Orillia, and Peterborough; the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe, and Wellington; and the Regions of Niagara and Waterloo.

Planned Corridors

Corridors or future corridors which are required to meet projected needs, and are identified through this Plan, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ministry of Transportation, Ministry of Energy, Northern Development and Mines, Metrolinx, or Independent Electricity System Operator (IESO) or any successor to those Ministries or entities, is actively pursuing the identification of a corridor. Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province. (Based on PPS, 2020 and modified for this Plan)

Primary Settlement Areas

Locations set out in Schedule 8. *Primary settlement areas* are the *settlement areas* of the City of Barrie, the City of Orillia, the Town of Collingwood, the Town of Midland together with the Town of Penetanguishene, and the *settlement areas* of the communities of Alcona in the Town of Innisfil, Alliston in the Town of New Tecumseth and Bradford in the Town of Bradford West Gwillimbury.

Prime Agricultural Area

An area where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* are to be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs using guidelines developed by the Province as amended from time to time. (Based on PPS, 2020 and modified for this Plan)

Prime Agricultural Lands

Specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection (PPS, 2020).

Priority Transit Corridors

Transit corridors shown in Schedule 5 or as further identified by the Province for the purpose of implementing this Plan.

Private Communal Water and Wastewater Systems

Private communal water systems are *drinking-water systems* that are not municipal water systems and that serve six or more lots or private residences, and

Private communal wastewater systems are *sewage works* that serve six or more lots or private residences and are not owned or operated by a municipality.

Provincially Significant Employment Zones

Areas defined by the Minister in consultation with affected municipalities for the purpose of long-term planning for job creation and economic development.

Provincially significant employment zones can consist of *employment areas* as well as mixed-use areas that contain a significant number of jobs.

Public Service Facilities

Lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services, and cultural services. *Public service facilities* do not include *infrastructure*. (PPS, 2020)

Public Realm

All spaces to which the public has unrestricted access, such as streets, parks, and sidewalks.

Quality and Quantity of Water

Measured by indicators associated with *hydrologic function* such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime. (PPS, 2020)

Rama Road Economic Employment District

Location set out in Schedule 8. The *Rama Road economic employment district* boundary is determined by the Minister and planned for in accordance with the policies in subsection 6.4. *Major retail* uses are not permitted.

Redevelopment

The creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*. (PPS, 2020)

Renewable Energy System

A system that generates electricity, heat and/or cooling from a renewable energy source.

For the purposes of this definition:

A renewable energy source is an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces. (PPS, 2020)

Rural Lands

Lands which are located outside *settlement areas* and which are outside *prime agricultural areas*. (PPS, 2020)

Rural Settlements

Existing hamlets or similar existing small *settlement areas* that are long-established and identified in official plans. These communities are serviced by individual private on-site water and/or private wastewater systems, contain a limited amount of undeveloped lands that are designated for development and are subject to official plan policies that limit growth. All *settlement areas* that are identified as hamlets in the Greenbelt Plan, as rural settlements in the Oak Ridges Moraine Conservation Plan, or as minor urban centres in the Niagara Escarpment Plan are considered *rural settlements* for the purposes of this Plan, including those that would not otherwise meet this definition.

Sand Barren

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

- a) has sparse or patchy vegetation that is dominated by plants that are:
 - i. adapted to severe drought and low nutrient levels; and
 - ii. maintained by severe environmental limitations such as drought, low nutrient levels, and periodic disturbances such as fire;
- b) has less than 25 per cent tree cover;
- c) has sandy soils (other than shorelines) exposed by natural erosion, depositional process, or both; and
- d) has been further identified, by the Ministry of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.

(Greenbelt Plan)

Savannah

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

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

(Greenbelt Plan)

Seepage Areas and Springs

Sites of emergence of groundwater where the water table is present at the ground surface. (Greenbelt Plan)

Sensitive Land Uses

Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by nearby major facilities.

Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities. (PPS, 2020)

Settlement Areas

Urban areas and *rural settlements* within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development in accordance with the policies of this Plan. Where there are no lands that have been designated for development, the *settlement area* may be no larger than the area where development is concentrated.

(Based on PPS, 2020 and modified for this Plan)

Sewage Works

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

For the purposes of this definition:

Sewage includes, but is not limited to drainage, stormwater, residential wastewater, commercial wastewater, and industrial wastewater.

Significant Groundwater Recharge Area

An area that has been identified:

- a) as a *significant groundwater recharge area* by any public body for the purposes of implementing the PPS, 2020;
- b) as a *significant groundwater recharge area* in the assessment report required under the Clean Water Act, 2006; or
- c) as an ecologically *significant groundwater recharge area* delineated in a *subwatershed plan* or equivalent in accordance with provincial guidelines.

For the purposes of this definition, ecologically *significant groundwater recharge areas* are areas of land that are responsible for replenishing groundwater systems that directly support sensitive areas like cold water streams and *wetlands*. (Greenbelt Plan)

Significant Surface Water Contribution Areas

Areas, generally associated with headwater catchments, that contribute to baseflow volumes which are significant to the overall surface water flow volumes within a *watershed*. (Greenbelt Plan)

Significant Wetland

A *wetland* that has been identified as provincially significant by the Province. (Based on PPS, 2020 and modified for this Plan)

Significant Wildlife Habitat

A *wildlife habitat* that is ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*. These are to be identified using criteria established by the Province. (Based on PPS, 2020 and modified for this Plan)

Significant Woodland

A *woodland* which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the

amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Province. (Based on PPS, 2020 and modified for this Plan)

Significant Valleyland

A *valleyland* which is ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*. These are to be identified using criteria established by the Province. (Based on PPS, 2020 and modified for this Plan)

Simcoe Sub-area

The geographic area consisting of the County of Simcoe, the City of Barrie and the City of Orillia.

Site Alteration

Activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site. (PPS, 2020)

Specialty Crop Area

Areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, *infrastructure* and related facilities and services to produce, store, or process specialty crops.

(PPS, 2020)

Stormwater Master Plan

A long-range plan that assesses existing and planned stormwater facilities and systems and outlines stormwater *infrastructure* requirements for new and existing development within a *settlement area*. *Stormwater master plans* are informed by *watershed planning* and are completed in accordance with the Municipal Class Environmental Assessment.

Stormwater Management Plan

A plan that provides direction to avoid or minimize and mitigate stormwater volume, contaminant loads, and impacts on receiving water courses to: maintain groundwater quality and flow and stream baseflow; protect water quality; minimize the disruption of pre-existing (natural) drainage patterns wherever possible; prevent increases in stream channel erosion; prevent any increase in flood risk; and protect aquatic species and their habitat.

Strategic Growth Areas

Within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*. *Strategic growth areas* include *urban growth centres*, *major transit station areas*, and other major opportunities that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or *greyfields*. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* service or *higher order transit* corridors may also be identified as *strategic growth areas*.

Strategic Settlement Employment Areas

Areas that have been identified by the Minister that are to be planned and protected for employment uses that require large lots of land and depend upon efficient movement of goods and access to Highway 400. These are not *settlement areas*. *Major retail* and residential uses are not permitted.

Subwatershed Plan

A plan that reflects and refines the goals, objectives, targets, and assessments of *watershed planning*, as available at the time a *subwatershed plan* is completed, for smaller drainage areas, is tailored to subwatershed needs and addresses local issues.

A *subwatershed plan* should: consider existing development and evaluate impacts of any potential or proposed land uses and development; identify hydrologic features, areas, linkages, and functions; identify natural features, areas, and related *hydrologic functions*; and provide for protecting, improving, or restoring the *quality and quantity of water* within a subwatershed.

A *subwatershed plan* is based on pre-development monitoring and evaluation; is integrated with natural heritage protection; and identifies specific criteria, objectives, actions, thresholds, targets, and best management practices for development, for water and wastewater servicing, for stormwater management, for managing and minimizing impacts related to severe weather events, and to support ecological needs. (Greenbelt Plan)

Surface Water Features

Water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, *wetlands*, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics. (PPS, 2020)

Tallgrass Prairies

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

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

(Greenbelt Plan)

Total Developable Area

The total area of the property less the area occupied by *key natural heritage features*, *key hydrologic features* and any related *vegetation protection zone*. (Greenbelt Plan)

Transit Service Integration

The co-ordinated planning or operation of transit service between two or more agencies or services that contributes to the goal of seamless service for riders and could include considerations of service schedules, service routes, information, fare policy, and fare payment.

Transit-supportive

Relating to development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. *Transit-supportive* development will be consistent with Ontario's Transit Supportive Guidelines.

Transportation Demand Management

A set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost. (PPS, 2020)

Transportation System

A system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, parking facilities, park-and-ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, airports, marine facilities, ferries, canals and associated facilities such as storage and maintenance. (PPS, 2020)

Urban Growth Centres

Existing or emerging downtown areas shown in Schedule 4 and as further identified by the Minister on April 2, 2008.

Valleylands

A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year. (PPS, 2020)

Vegetation Protection Zone

A vegetated buffer area surrounding a *key natural heritage feature* or *key hydrologic feature*. (Greenbelt Plan)

Water Resource System

A system consisting of *ground water features* and areas and *surface water features* (including shoreline areas), and *hydrologic functions*, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption. The *water resource system* will comprise *key hydrologic features* and *key hydrologic areas*.

Watershed

An area that is drained by a river and its tributaries. (PPS, 2020)

Watershed Planning

Planning that provides a framework for establishing goals, objectives, and direction for the protection of water resources, the management of human activities, land, water, aquatic life, and resources within a *watershed* and for the assessment of cumulative, cross-jurisdictional, and cross-*watershed* impacts.

Watershed planning typically includes: *watershed* characterization, a water budget, and conservation plan; nutrient loading assessments; consideration of

the *impacts of a changing climate* and severe weather events; land and water use management objectives and strategies; scenario modelling to evaluate the impacts of forecasted growth and servicing options, and mitigation measures; an environmental monitoring plan; requirements for the use of environmental best management practices, programs, and performance measures; criteria for evaluating the protection of *quality and quantity of water*; the identification and protection of hydrologic features, areas, and functions and the inter-relationships between or among them; and targets for the protection and restoration of riparian areas.

Watershed planning is undertaken at many scales, and considers cross-jurisdictional and cross-*watershed* impacts. The level of analysis and specificity generally increases for smaller geographic areas such as subwatersheds and tributaries. (Greenbelt Plan)

Wetlands

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

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit *wetland* characteristics are not considered to be *wetlands* for the purposes of this definition.

Wetlands are further identified, by the Ministry of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time. (Greenbelt Plan)

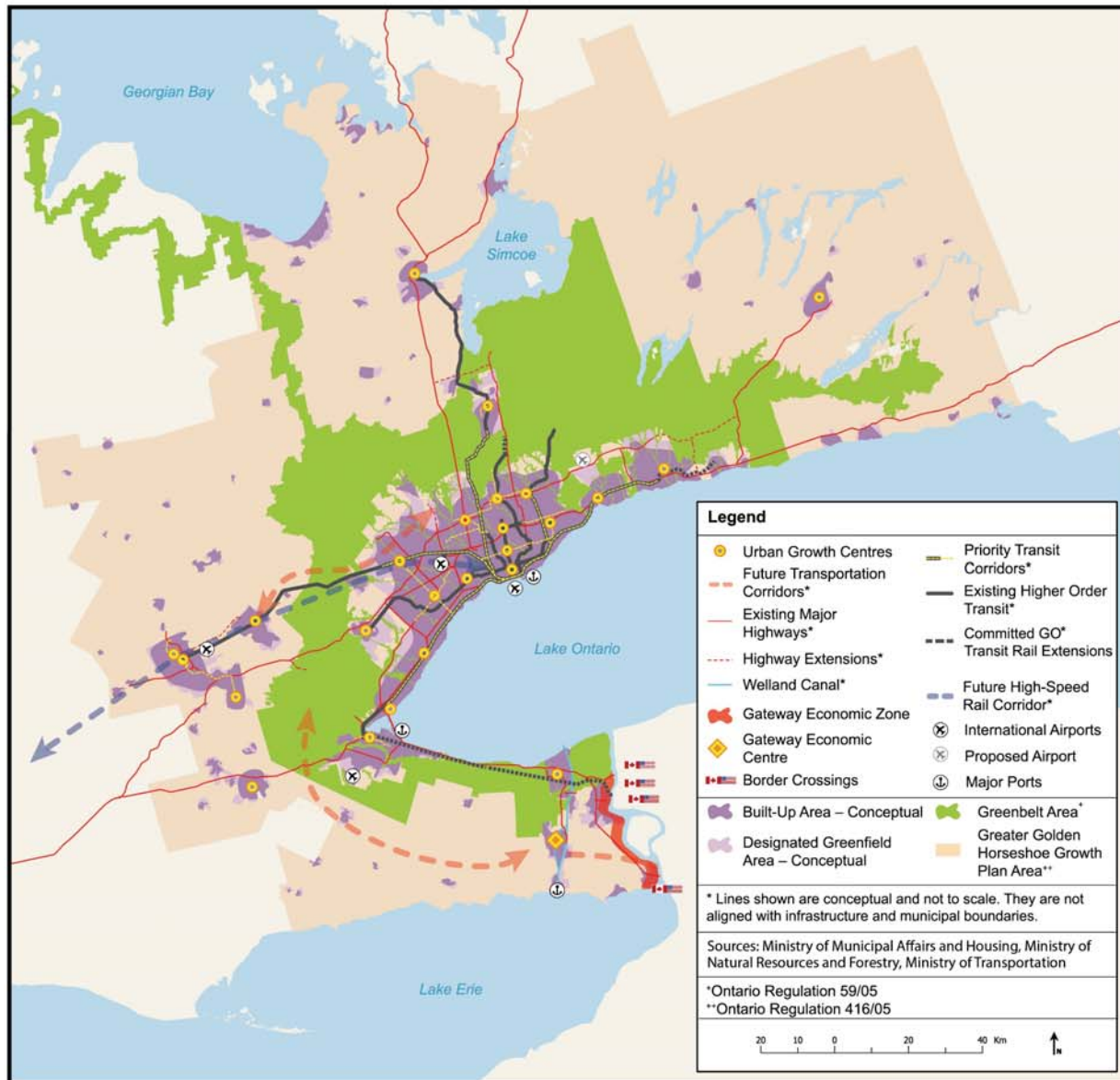
Wildlife Habitat

Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific *wildlife habitats* of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species. (PPS, 2020)

Woodlands

Treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of *wildlife habitat*, outdoor recreational opportunities, and the sustainable harvest of a wide range of *woodland*

products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the Forestry Act definition or the Province's Ecological Land Classification system definition for "forest." (PPS, 2020)



Ontario

SCHEDULE 2 A Place to Grow Concept

Note: The information displayed on this map is not to scale, does not accurately reflect approved land-use and planning boundaries, and may be out of date. For more information on precise boundaries, the appropriate municipality should be consulted. For more information on Greenbelt Area boundaries, the Greenbelt Plan should be consulted. The Province of Ontario assumes no responsibility or liability for any consequences of any use made of this map.



TAB 6

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heritage features and areas which are necessary for the ecological and hydrological integrity of the watersheds within the *County* shall be identified in local official plans and policies for their protection, improvement or restoration.

Development and *site alteration* shall also be restricted in or near *sensitive surface water features* and *sensitive ground water features* and their related *hydrologic functions* will be protected, improved or restored. This will be demonstrated through a Risk Assessment Study for Ground and Surface Water where applicable as outlined in Appendix 4.

- 4.5.3 Proposals for *major growth* and *major development* shall be reviewed on a *watershed management* basis to ensure the watershed is maintained in an environmentally sustainable fashion.
- 4.5.4 *Development* in the *County* shall occur in a manner that will protect human life and property from water related *hazards* such as flooding and erosion. *Flood plain* management shall occur on a *watershed management* basis giving due consideration to the upstream, downstream, and cumulative effects of *development*.
- 4.5.5 The *County* will work with *local municipalities*, Conservation Authorities, Source Protection Authorities, Parks Canada- Trent-Severn Waterway, and other *Provincial* agencies in the development of *watershed* and *subwatershed management* plans. This may include the determination of cumulative flooding risks and impacts and the determination of a river system's capacity to assimilate effluent from point and non-point sources.
- 4.5.6 Aquifers, headwater areas, and recharge and discharge areas shall be identified and protected in the policies and maps of *local municipal* official plans and/or through the *development* and *subdivision* approval process. *Development* should be directed away from areas with a high water table and/or highly permeable soils. In *settlement areas* or other *development* centres where this is not possible, potential environmental impacts shall be mitigated using all reasonable methods.
- 4.5.7 Wellhead protection areas shall be identified and mapped in *local municipal* official plans and *development* and *site alteration* shall be restricted where necessary to protect all municipal drinking water supplies and *designated vulnerable areas*, and to protect, improve, or restore vulnerable surface and ground water, *sensitive surface water features*, and their *hydrologic functions*.
- 4.5.8 For those lands where York Region's wellhead protection areas extend into the County of Simcoe, the County recognizes that York Region comments must be obtained prior to approval being considered.

Flood Plains and Other Hazard Lands

- 4.5.9 *Development* shall generally be directed to areas outside of:

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- a) *hazardous lands* adjacent to the shorelines of the *Great Lakes – St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
- b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
- c) *hazardous sites*.

4.5.10 *Development and site alteration* shall not be permitted within:

- a) the *dynamic beach hazards*;
- b) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
- c) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

Notwithstanding 4.5.9 through 4.5.17, *development and site alternation* may be permitted within an approved *Special Policy Area(s)* according to their respective policies, or where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

4.5.11 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a) an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
- b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and /or protection works, and/or erosion; and
- c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

4.5.12 A *floodway* is the portion of the *flood plain* where there would be an unacceptable risk to public health and safety or property damage. *Development and site alteration* are not permitted within the *floodway* of a *river, stream, and small inland lake systems*.

4.5.13 Where there is a Two Zone Concept in place, a *flood fringe* means an area where flood depths and velocities would be less severe than those experienced in the *floodway*. *Development and site alteration* may be permitted within the *flood fringe* of a *river, stream, and inland lake systems* subject to appropriate flood proofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of

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Natural Resources if the following criteria can be achieved:

- a) the hazards can be safely addressed, and the *development* and *site alteration* is carried out in accordance with established standards and procedures for *flood fringe development*;
- b) new hazards will not be created and existing hazards aggravated;
- c) no adverse environmental impacts will result;
- d) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies; and
- e) the *development* does not include institutional uses, essential emergency services, or the disposal, manufacture, treatment, or storage of hazardous substances.

Generally, subject to the approval of the appropriate regulatory agencies, agricultural structures in the *flood fringe* may be rebuilt where destroyed by fire or other event.

4.5.14 Where there is a One Zone Concept in place, uses which may be permitted in the *flood plain* subject to the approval of the regulatory agencies include:

- a) open space for public or private recreation and related structures;
- b) *agricultural uses* and related structures;
- c) structural works for flood and erosion-sediment control;
- d) additions to existing structures;
- e) replacement structures on existing lots subject to local official plan policies, and satisfactory engineering studies; and
- f) Aggregate development provided all requirements of the *Aggregate Resources Act* and the relevant conservation authority are met.

Generally, subject to the approval of the appropriate regulatory agencies, agricultural structures in the *flood plain* may be rebuilt where destroyed by fire or other event.

4.5.15 Stormwater management quality and quantity facilities shall be located outside of the *flood plain* except as provided in the *flood fringe* above the 1:100 year storm event level under the establishment of a Two Zone Concept or *Special Policy Area*.

4.5.16 Any *development* or *site alteration* permitted in the *flood plain* shall require written approval from the Conservation Authority or other qualified professional, in consultation with the *local municipality*.

4.5.17 Delineation of the flood prone areas shall, where applicable, be identified on schedules to *local municipal* plans. In the absence of detailed *flood plain* analysis, a *development* applicant may be required to provide a *flood plain* study as a prerequisite to any *development*, prepared to the satisfaction of the Conservation Authority or other qualified professional, and the *local municipality*. The cost of preparing the study and professional review if required shall be borne by the applicant.

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5.8 Definitions

Definitions include either plural (or singular) and possessive uses of the word or term. Italicized terms in this *Plan* not defined here are defined in the *Provincial Policy Statement* (2005).

Underlined Terms are defined in the Oak Ridges Moraine Conservation Act 2001, and the Oak Ridges Moraine Conservation Plan. Reference should be made to these documents.

ADJACENT LANDS for purposes of cultural heritage and archaeology means those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan. For the purposes of *natural heritage features* or areas means those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the *Province*, as identified in MNR's Natural Heritage Reference Manual or based on municipal approaches whichever is more restrictive.

AFFORDABLE means:

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

AGRICULTURAL USES means the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full time farm labour when the size and nature of the operation requires additional employment.

AGRICULTURE-RELATED USES are those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and required to be in close proximity to the farm operation.

ALTERNATIVE ENERGY SYSTEMS means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems. Alternative energy systems undertakings do not include renewable energy undertakings as defined in the *Green Energy and Green Economy Act* (2009).

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AREAS OF ARCHAEOLOGICAL POTENTIAL means areas with the likelihood to contain *archaeological resources*. Criteria for determining archaeological potential are established by the *Province*, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

AREAS OF MINERAL POTENTIAL means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known mineral deposits or other technical evidence. *Areas of mineral potential* are identified using accepted scientific methodology.

AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI) means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

AREAS OF PETROLEUM POTENTIAL means areas favourable to the discovery of *petroleum resources* due to geology, the presence of known *petroleum resources* or technical evidence.

ASSESSMENT AREA ENVIRONMENTAL STUDY means a report prepared by a *Qualified Person* to assess the *D-4 Assessment Area* to determine if the area included should be varied.

ASSESSMENT AREAS, WASTE DISPOSAL SITES refers to land areas adjacent to former and existing *waste disposal sites* where adverse environmental effects may be evident as a result of *waste disposal* operations. This is generally the area within 500 metres of the perimeter of the *waste disposal site* but may vary according to the physical characteristics of the land or type of *waste disposal* operation.

BRADFORD WEST GWILLIMBURY STRATEGIC SETTLEMENT EMPLOYMENT AREA means the area set out in Schedule 5.1.2 which boundary and uses are set by the Minister of Infrastructure and planned for in accordance with Section 3.9.

BROWNFIELD SITES are undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict, or vacant.

BUFFER AREA for *Waste Management Sites* means the area adjacent to the *Fill Area* for which no non-*Waste Disposal Area* related use can be made of the lands. Generally, the minimum distance for a buffer zone is 30 meters but can be extended to 100 meters or more at the discretion of the owner and operator of the *Waste Disposal Site* or at the direction of the Ministry of the Environment.

BUILT-UP AREA refers to all lands within the *built boundary*.

BUILT BOUNDARY means the limits of the developed urban area as defined by the Minister

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of Energy and Infrastructure in accordance with the Growth Plan for the Greater Golden Horseshoe, 2006.

BUILT HERITAGE RESOURCES means one or more *significant* buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic, or military history, and identified as being important to the community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdiction.

BUSINESS PARKS are *subdivisions* within *settlement areas* which accommodate industrial, wholesale, office, and service establishments, as well as retail establishments.

COASTAL WETLAND means any *wetland* that is located on Georgian Bay or any other *wetland* that is on a tributary to Georgian Bay and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of Georgian Bay to which the tributary is connected.

COMMUNITY FACILITIES include emergency services, libraries, schools, health care facilities, municipal buildings, and public recreation facilities.

COMMUNITY INFRASTRUCTURE refers to lands, buildings, and structures that support the quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety, and *affordable* housing.

COMPLETE COMMUNITIES meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and *community infrastructure* including *affordable* housing, schools, recreation and open space for their residents, convenient access to public transportation and options for safe, non-motorized travel is also provided.

CONSERVED means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

COUNTY refers to the Corporation of the County of Simcoe unless otherwise specified. The *County* is a municipality for the purposes of *Provincial* legislation.

CULTURAL HERITAGE LANDSCAPE means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include but are not limited to heritage conservation districts designated under the *Ontario Heritage Act*, historical parks, gardens, main streets or neighbourhoods, marked cemeteries, abandoned mine sites, historical

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ruins, aboriginal sacred areas, battlefields, and monuments. Only views and vistas associated with the defined geographical area of heritage significance are considered as part of a *cultural heritage landscape*.

CULTURAL FEATURES refer to historical, architectural, archaeological, recreational, and aesthetic built and natural features of cultural significance.

D-4 APPROVAL AUTHORITY for all *County* owned or operated *waste disposal sites* the *County* is the *D-4 Approval Authority*. For all private and *local municipality* owned or operated *waste disposal sites*, the *local municipality*, within which the property is located, is the *D-4 Approval Authority* if the *local municipality* has entered into a D-4 Memorandum of Understanding with the *County*, otherwise the *D-4 Approval Authority* is the *County*.

D-4 ASSESSMENT AREA refers to the lands within the area defined on Schedules 5.6.1 and 5.6.2. This area is generally the area within 500 metres of the *waste disposal site*. The MOE considers the most significant contaminant discharges and visual problems to be within 500 metres of the *Fill Area*. The *D-4 Assessment Area* may vary according to the actual waste cell location, depth and type of waste and existing conditions. The *D-4 Assessment Area* size will be determined by the municipality who has *D-4 Approval Authority* for *D-4 Studies*.

D-4 STUDY is a study required to determine the potential for *negative impacts* in compliance with the *Guideline D-4* including, but not limited to, ground and surface water (hydrogeology and hydrology), noise, odour, and dust, methane gas migration, traffic impact, land use compatibility, and other studies considered appropriate.

DENSITY TARGETS as set out in policy 3.5.23.

DESIGNATED GREENFIELD AREA refers to the area within a *settlement area* that is not *built-up area*. Where a *settlement area* does not have a *built boundary*, the entire *settlement area* is considered designated greenfield area.

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

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

DYNAMIC BEACH HAZARD means areas of inherently unstable accumulation of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes. The *dynamic beach hazard limit* consists of the flooding hazard limit plus a *dynamic beach allowance*.

ECOLOGICAL FUNCTION means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

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ECONOMIC EMPLOYMENT DISTRICTS as shown on Schedule 5.1.2 and are to be planned and protected for locally significant employment uses but are not *settlement areas*.

EMPLOYMENT AREA means areas in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

ENVIRONMENTAL IMPACT STATEMENT “EIS” An EIS is a report or document that that identifies and describes *natural heritage features and areas and ecological functions* and determines and evaluates the implications of proposed *development or infrastructure* and its interactions with the *natural heritage features and areas and ecological functions* of an area. An EIS must determine whether the likelihood of *negative impacts* occurring on the *natural heritage features and areas and ecological functions* is definite or probable if the development proceeds under a given proposed design. The EIS will determine the need for modifications to proposed plans, buffers, and other mitigation strategies to demonstrate that there will be no *negative impacts* on *natural heritage features and areas and ecological functions* of the County or local *natural heritage systems*. In the case of *infrastructure*, the *EIS* will demonstrate only such *negative impacts* as are consistent with Sections 3.8.17 through 3.8.20 of this *Plan*. (For the purposes of this Appendix, all further references to *development* also include, unless otherwise indicated and to the extent the policies of this *Plan* applies to it, *infrastructure*.)

ENVIRONMENTAL PROTECTION ACT means the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended or any subsequent legislation.

ENVIRONMENTALLY SENSITIVE AREAS are areas supporting fragile ecosystems susceptible, prone, or vulnerable to human impact and/or *development* pressures.

EROSION HAZARD means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

FILL AREA means the area of a *Waste Disposal Site* set aside for landfilling.

FISH HABITAT means as defined in the *Fisheries Act*, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

FLOOD FRINGE for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

FLOOD PLAIN for *river, stream and small inland lake systems*, means the area, usually low lands, adjoining a watercourse which has been, or may be, subject to *flooding hazards*.

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FLOODWAY for river, stream and small inland lake systems, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage. Where the One Zone Concept is applied, the *floodway* is the entire contiguous *flood plain*. Where the Two Zone Concept is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and /or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the Two Zone Concept applies, the outer portion of the *flood plain* is called the *flood fringe*.

GREYFIELDS are previously developed properties that are not contaminated. They are usually, but not exclusively, former commercial properties that may be underutilized, derelict, or vacant.

GRID ROADS refer to roads such as concession and sideroads which form part of the original *rural* road system of the *County*, plus all arterial roads which now serve as Provincial Highways, County Roads, and *local municipal* arterial roads.

GROUND WATER FEATURE refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

GUIDELINE D-4 means the *MOE Guideline D-4*, as amended and any successor guideline or legislation.

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

HAZARDOUS SITES means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clay's, organic soils) or unstable bedrock (karst topography).

INDIVIDUAL ON-SITE SEWAGE SERVICES means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O. Reg. 403/97, under the *Building Code Act*, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

INDIVIDUAL ON-SITE WATER SERVICES means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the

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system is located.

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

INNISFIL HEIGHTS STRATEGIC SETTLEMENT EMPLOYMENT TAREA means the area shown on Schedule 5.1.2 with the boundary and uses determined by the Minister of Infrastructure and planned for in accordance with Section 3.9.

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

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

LAKE SIMCOE REGIONAL AIRPORT ECONOMIC EMPLOYMENT DISTRICT means the area shown on Schedule 5.1.2 which boundary and uses are determined by the Minister of Infrastructure and planned for in accordance with Section 3.9. Major retail and residential uses are not permitted.

LARGE INLAND LAKES means those waterbodies having a surface area of equal to or greater than 100 square kilometers where there is not a measurable or predictable response to a single runoff event.

LANDS FOR URBAN USES means lands that not designated for agricultural uses or rural uses within a *settlement area* identified in the approved official plan for the *local municipality*.

LANDS NOT FOR URBAN USES means lands that are designated for agricultural or rural uses within a *settlement area* identified in the approved official plan for the *local municipality*.

LEGAL or TECHNICAL REASONS means severances for purposes such as easements, corrections of deeds, quit claims, and other minor boundary adjustments, which do not result in the creation of a new lot.

LOCAL MUNICIPALITY or LOCAL MUNICIPAL refers to any of the sixteen Towns and Townships within the County of Simcoe.

LOW and MODERATE INCOME HOUSEHOLDS means:

- a) In the case of home ownership, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or
- b) In the case of rental housing, households with incomes in the lowest 60 percent of

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the income distribution for renter households for the *regional market area*.

MAJOR GROWTH or MAJOR DEVELOPMENT refers to any land use change which can be reasonably expected to impact on the environment or on infrastructure and generally includes those uses identified in Section 4.10.10.

MINERALS means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*. Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived. Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

MINERAL AGGREGATE OPERATION means:

- a) Lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*, or successors thereto;
- b) For lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning bylaws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) Associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

MINERAL AGGREGATE RESOURCES means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

MINERAL DEPOSITS means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

MINIMUM DISTANCE SEPARATION FORMULAE means the formulae developed by the *Province* to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

MOE means the Ministry of the Environment.

MUNICIPAL COMPREHENSIVE REVIEW means an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this *Plan*.

MUNICIPAL SEWAGE SERVICES means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

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MUNICIPAL WATER SERVICES means a municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002*.

MUNICIPALITIES WITH PRIMARY SETTLEMENT AREAS include the Town of Bradford West Gwillimbury, the Town of Collingwood, the Town of Innisfil, the Town of Midland, the Town of New Tecumseth, and the Town of Penetanguishene.

NATURAL HERITAGE FEATURES AND AREAS (NATURAL HERITAGE) where used as general terms refer to features and areas, including *wetlands*, habitat of *endangered species* and *threatened species*, *fish habitat*, *significant woodlands*, *wildlife habitat*, *significant valleylands*, and *areas of natural and scientific interest* which are important for their environmental and social values as a legacy of the natural landscapes of an area.

NATURAL HERITAGE SYSTEM means a system made up of *natural heritage features and areas*, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

NEGATIVE IMPACTS means:

- a) In regard to policy 2.2 of the PPS, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities;
- b) In regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity; and
- c) In regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural heritage features and areas or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

NEW MULTIPLE LOTS AND UNITS FOR RESIDENTIAL DEVELOPMENT means the creation of more than three units or lots through either plan of subdivision, consent or plan of condominium.

PARTIAL SERVICES means

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

PLAN or COUNTY PLAN refers to the Official Plan of the County of Simcoe unless otherwise specified.

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PLANNED CORRIDOR or ROAD means transportation corridors identified through *provincial* plans, *County* plans, or preferred alignments determined through the Environmental Assessment Act process which are required to meet projected needs.

PLANNING ACT means the *Planning Act*, R.S.O. 1990, c. P.13 , as amended or any subsequent legislation.

PRIMARY SETTLEMENT AREAS are those locations set out in Schedule 5.1.2 and include the *settlement areas* of the Town of Collingwood, the Town of Midland together with the Town of Penetanguishene, and the *settlement areas* of the communities of Alcona in the Town of Innisfil, Alliston in the Town of New Tecumseth and Bradford in the Town of Bradford West Gwillimbury.

PRIME AGRICULTURAL AREA means areas where *prime agricultural lands* predominate. This includes: areas of *prime agricultural lands* and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using evaluation procedures established by the *Province* as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the *Province*.

PRIVATE COMMUNAL SEWAGE SERVICES means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

PRIVATE COMMUNAL WATER SERVICES means a non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

PROCESSING OF AGRICULTURAL PRODUCTS where it is permitted in *Prime Agricultural Areas* or Rural Areas are those agriculture-related uses, which do not require additional water and sewer servicing, such as the initial cleaning, culling, storing, or packaging of products produced on the farm or in conjunction with farms in the vicinity which produce the same agricultural products, in preparation for shipment to food processing establishments or market.

PROVINCIAL POLICY STATEMENT (PPS) refers to the *Provincial Policy Statement, 2005* issued under Section 3 of the *Planning Act*.

PROVINCE or PROVINCIAL refers to the Province of Ontario and its Ministries. Specific Ministry names are not used due to periodic changes in Ministry names and roles.

PUBLIC SERVICE FACILITIES means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural

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services. They do not include *infrastructure*.

QUALIFIED PERSON means a person who meets the qualifications prescribed by the regulations under the *Environmental Protection Act*.

RAMA ROAD ECONOMIC EMPLOYMENT DISTRICT means the area shown on Schedule 5.1.2 with the boundary and uses as determined by the Minister of Infrastructure and planned in accordance with Section 3.9. Major retail uses are not permitted.

RECREATIONAL DISTRICT is an area within the *rural area* identified within a *local municipal* official plan as an area to be mapped and planned on a comprehensive basis to accommodate recreational, residential, and related commercial *development* associated with particular geographic features.

REDEVELOPMENT means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites* or *greyfield sites*.

RENEWABLE ENERGY SYSTEMS means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy. These systems have the same meaning as a renewable energy undertaking under the *Green Energy and Green Economy Act, 2009*.

RESERVE SEWAGE SYSTEM CAPACITY means design or planning capacity in a centralized waste water treatment facility which is not yet committed to existing or approved *development*. Reserve capacity for *private communal sewage services* and *individual on-site sewage services* is considered sufficient if the hauled sewage from the *development* can be treated or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

RESERVE WATER SYSTEM CAPACITY means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved *development*.

RESIDENCE SURPLUS TO A FARMING OPERATION means an existing farm residence that is rendered surplus as a result of farm consolidation (farm consolidation means the acquisition of additional farm parcels to be operated as one farm operation).

RIVER, STREAM AND SMALL INLAND LAKE SYSTEMS means all watercourses, rivers, streams and small inland lakes or water bodies that have a measurable or predictable response to a single runoff event.

RURAL EMPLOYMENT AREAS are existing clusters of industrial and service uses that:

- are located on plans of *subdivision* outside of *Settlement Designations*

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- can be serviced by individual services (wells and septic systems)
- generally require large lots that provide for outdoor storage of equipment and materials

RURAL, RURAL AREAS, or RURAL DEVELOPMENT refers to areas or *development* in the rural area which are located outside *settlement areas* and which are outside *prime agricultural areas*.

SECONDARY USES for Agricultural Uses means uses that are small in scale and secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

SENSITIVE in regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

SENSITIVE LAND USES means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive Land Uses* may be part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

SERVICING CAPABILITY STUDY is a comprehensive technical study of a *settlement* or proposed *development* to identify the capability of the surrounding area to safely accommodate future growth and *development* on individual water and sewer systems or partial water and sewer systems, establishing a technical foundation to evaluate secondary plans and applications for *development*. The study shall (1) examine the ability of the soils and groundwater to assimilate the effluent from growth and *development*, (2) identify appropriate limits on the extent and timing of *development*, (3) determine appropriate arrangements and capacity for treatment of hauled sewage from the systems, and (4) identify the appropriate density and/or design parameters, all of which are to ensure there will be no *negative impact* on *natural heritage* features and functions and to ensure the protection or enhancement of ground and surface water quality of the *settlement* or *development* area.

SERVICING FEASIBILITY STUDY refers to a preliminary examination and determination of the costs and feasibility of servicing a *development* of more than five lots or units. The study should normally examine water, sewer, road, and other infrastructure needs, as well as wellhead protection constraints, storm water management facilities, and intake protection zones.

SETTLEMENTS or SETTLEMENT AREAS means urban areas and rural *settlement areas* within municipalities (such as cities, towns, villages and hamlets) where:

- a) *development* is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for *development* over the long term planning horizon provided for in policy 1.1.2 of the Provincial Policy Statement, 2005. Where there are no lands that have been designated over the long-term, the

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settlement area may be no larger than the area where *development* is concentrated.

SIGNIFICANT means:

- (a) In regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- (b) In regard to the habitat of *endangered species* and *threatened species*, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of *endangered species* or *threatened species*, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- (c) In regard to all other features and areas referred to in both this *Plan* and the *Provincial Policy Statement*, as those features and areas are defined in the *Provincial Policy Statement* unless otherwise defined in this *Plan*.
- (d) In regard to local natural heritage systems, features and ecological functions as defined in municipal official plans.

SIGNIFICANT ARCHAEOLOGICAL RESOURCES means the remains of any building, structure, activity, place or cultural feature, which because of the passage of time is on or below the surface of the land or water, and which has been identified and evaluated and determined to be *significant* to the understanding of the history of people or place. The identification and evaluation of this resource is based upon an archaeological assessment.

SIGNIFICANT WOODLANDS means an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. Patches of *woodlands* that are a minimum of 2.0 hectares in the *Settlement* Designation, a minimum of 4.0 hectares in the Simcoe Lowlands, and a minimum of 10 hectares in the Simcoe Uplands are considered *significant* unless other criteria are used to determine significance in the Simcoe Uplands area as described in Section 3.8.12.

For the purposes of this definition:

- The Simcoe Uplands and Simcoe Lowlands are as shown in Schedule 5.1.
- A patch is a distinct, separate area of contiguous *woodlands*. The edge of a patch is delineated by the outermost dripline.
- *Woodlands* remain contiguous even if interrupted by natural clearings, or clearings for *agricultural uses*, other *rural* land uses, or *infrastructure*, provided the clearing is not more than 20 metres wide, edge to edge.
- Interior forest is any part of a patch that is 100 metres or more from all edges of the patch.

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- If a patch lies in more than one of the areas of the *County* indicated above, and would be considered *significant woodlands* if entirely located in any one of those areas, then the entire patch is considered *significant woodlands*. Woodlands that are located within a *settlement area* and are contiguous to *significant woodlands* that are located outside of the *settlement area* shall be considered *significant* for the purposes of this Plan.

SIMCOE SUB-AREA means the geographic area consisting of the County of Simcoe, the City of Barrie and the City of Orillia.

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

SOUTHERN LIMIT OF THE CANADIAN SHIELD refers to the boundary described in the *Provincial Policy Statement*.

SPECIAL POLICY AREA means an area within a community that has historically existed in a *flood plain* and where specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to address the *significant* social and economic hardships to the community that would result from strict adherence to *provincial* policies concerning *development*.

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

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

STRATEGIC SETTLEMENT EMPLOYMENT AREAS means areas that are to be planned and protected for employment uses that require large lots of land and depend upon efficient movement of goods and access to Highway 400. These are not *settlement areas*. Major retail and residential uses are not permitted.

STRIP DEVELOPMENT is lot creation in the Rural Designation:

- (a) along roads that are part of the originally surveyed concessions and side roads grid or are other more recently surveyed arterial or collector roads which are not part of an internal local road system; and
- (b) which is arranged in linear configurations of more than three non farm lots within 200 metres of the proposed lot line as measured along the frontage of one side of the road.

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SUBDIVISION refers to *subdivision* of land by plan or by consent - the latter is often known as severance. *Subdivision* may also be known as lot creation.

SURFACE WATER FEATURE refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

TRANSIT SERVICE AREA is a defined area traversing municipal boundaries in which *local municipal* transit service is available or will be planned.

TRANSIT SERVICE PLAN is a plan outlining the implementation of transit within a *Transit Service Area*.

VALLEYLANDS means:

- within areas of conservation authority jurisdiction, all lands below/within the stable top of bank, predicted top of stable slope, *flood plain* limit, or predicted meander belt limit, as prescribed in Section 2(b) of each conservation authority's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation under the *Conservation Authorities Act*;
- in the rest of the *County*, *valleylands* as defined by the *Provincial Policy Statement*.

WASTE includes ashes, garbage, refuse, domestic waste, industrial waste, or municipal refuse, and such other materials as are designated in the regulations of the *Environmental Protection Act*.

WASTE DISPOSAL SITE includes the *Fill Area* and the *Buffer Area* of property which has been or is suspected to have been used as a landfill as well as property under *development* for landfilling, and means:

- (a) any land upon, into or through which, or building or structure in which, *waste* is deposited, disposed of, handled, stored, transferred, treated or processed; and
- (b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment, or processing referred to in clause (a).

WATERSHED MANAGEMENT (PLAN) refers to a report or to information regarding a watershed or sub-watershed which establishes guidelines for *development* and best land use practices and management to conserve:

- ground and surface water quality and quantity
- *natural heritage* features
- woodlands

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- *fish habitat*
- recharge, discharge, and headwater areas

WETLANDS means land that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plant or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes, which no longer exhibit wetland characteristics, are not considered to be wetlands for the purposes of this definition.

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

WOODLANDS means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.

For terms italicized within this *Plan* but not defined in Section 5.8 of this *Plan*, reference is to be made to the *Provincial Policy Statement* issued under Section 3 of the *Planning Act*.

TAB 7

approval being considered.

Flood Plains and Other Hazard Lands

4.5.9 *Development* shall generally be directed to areas outside of:

- a) *hazardous lands* adjacent to the shorelines of the *Great Lakes – St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*;
- b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
- c) *hazardous sites*.

4.5.10 *Development* and *site alteration* shall not be permitted within:

- a) the *dynamic beach hazards*;
- b) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
- c) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

4.5.11 Notwithstanding 4.5.10, *development* and *site alternation* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems* within an approved *Special Policy Area(s)* according to their respective policies, or where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows. Any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications.

4.5.12 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; and
- c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

4.5.13 *Local municipalities* shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.

4.5.14 Where there is a *Two Zone Concept* applied, and except as prohibited in policy 4.5.10, *development* and *site alteration* may be permitted within the *flood fringe* of a *river, stream,*

and inland lake systems subject to appropriate flood proofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources and Forestry, and if the following criteria can be achieved:

- a) the hazards can be safely addressed, and the *development* and *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and *access standards*;
- b) new hazards will not be created and existing hazards aggravated;
- c) no adverse environmental impacts will result;
- d) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies; and
- e) the *development* does not include *institutional uses*, *essential emergency services*, or the disposal, manufacture, treatment, or storage of *hazardous substances*.

Generally, subject to the approval of the appropriate regulatory agencies, agricultural structures in the *flood fringe* may be rebuilt where destroyed by fire or other event.

4.5.15 Where there is a One Zone Concept in place, uses which may be permitted in the *flood plain* subject to the approval of the regulatory agencies include:

- a) open space for public or private recreation and related structures;
- b) *agricultural uses* and related structures, excluding dwellings;
- c) structural works for flood and erosion-sediment control;
- d) additions to existing structures;
- e) replacement structures on existing lots subject to local official plan policies, and satisfactory engineering studies; and
- f) Aggregate development provided all requirements of the *Aggregate Resources Act* and the relevant conservation authority are met.

Generally, subject to the approval of the appropriate regulatory agencies, agricultural structures in the *flood plain* may be rebuilt where destroyed by fire or other event.

4.5.16 Stormwater management quality and quantity facilities shall be located outside of the *flood plain* except as provided in the *flood fringe* above the 1:100 year storm event level under the establishment of a Two Zone Concept or *Special Policy Area* or as otherwise permitted by the Conservation Authority or other appropriate authority.

4.5.17 Any *development* or *site alteration* permitted in the *flood plain* shall require written approval from the Conservation Authority or appropriate authority, in consultation with the *local municipality*.

4.5.18 Delineation of the flood prone areas shall, where applicable, be identified on schedules to *local municipal* official plans. In the absence of detailed *flood plain* analysis, a *development* applicant may be required to provide a *flood plain* study as a prerequisite to any *development*, prepared to the satisfaction of the Conservation Authority or other qualified

professional, and the *local municipality*. The cost of preparing the study and professional review if required shall be borne by the applicant.

Steep Slopes

4.5.19 *Development* will be prohibited on slopes and ravines which could be subject to active *erosion hazards* or historic slope failure.

Minerals and Petroleum Resources

4.5.20 *Minerals* and *petroleum resources* shall be protected for long-term use.

4.5.21 *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder expansions or continued use.

4.5.22 Known *mineral deposits*, known *petroleum resources*, and *significant areas of mineral potential* shall be identified and *development* and activities in these resources or on *adjacent* lands which would preclude or hinder the establishment of new operations or access to the resources shall be identified and only be permitted if: a) resource use would not be feasible; or b) the proposed land use or development serves a greater long-term public interests; and c) issues of public health, public safety and environmental impacts are addressed.

Human-Made Hazards

4.5.23 *Development* on, abutting, or adjacent to contaminated sites, lands affected by *mine hazards*, oil, gas, and *salt hazards*, or former *mineral mining operations*, *mineral aggregate operations*, or *petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

Sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

Conservation Authority Jurisdiction

4.5.24 For the portion of the *County* under the jurisdiction of a Conservation Authority, regulations made under the *Conservation Authorities Act* apply to *development* or *site alteration* activities unless the activity is exempt in accordance with the *Conservation Authorities Act*.

Where appropriate, detailed delineation of the Conservation Authority regulated areas should be identified on schedules of *local municipal* plans.

5.8 Definitions

Definitions include either plural (or singular) and possessive uses of the word or term. Italicized terms in this Plan not defined here are defined in the *Provincial Policy Statement*.

Underlined Terms are defined in the Oak Ridges Moraine Conservation Act 2001, and the Oak Ridges Moraine Conservation Plan. Reference should be made to these documents.

ACTIVE TRANSPORTATION means human-powered travel, including but not limited to, walking, cycling, in-line skating and movements with mobility aids, including motorized wheelchairs and other power-assisted devices moving at comparable speed.

ADJACENT LANDS for purposes of cultural heritage and archaeology means those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan. For the purposes of *natural heritage features and areas* means those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. In determining the general extent of the *adjacent lands* the policies of 3.3.15 vi) shall apply.

AFFORDABLE means:

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

AGRICULTURAL USES means the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full time farm labour when the size and nature of the operation requires additional employment.

AGRICULTURE-RELATED USES (PPS 2014) means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

AIRPORTS means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/ Noise Exposure Projection (NEP) mapping.

AIRPORT-RELATED USES means for the purposes of policy 4.8.64, land uses that are limited to airport-related commercial and industrial (e.g. aircraft sales and service manufacturing, maintenance, shipping and storage), research establishments, commercial flight schools including associated temporary accommodation, business offices and, small scale accessory uses. For clarification regarding this definition, residential, hotel accommodation, and major retail uses are not permitted uses.

ALTERNATIVE ENERGY SYSTEMS means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems. Alternative energy systems undertakings do not include renewable energy undertakings as defined in the *Green Energy and Green Economy Act (2009)*.

AREAS OF ARCHAEOLOGICAL POTENTIAL means areas with the likelihood to contain *archaeological resources*. Criteria for determining archaeological potential are established by the *Province*, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

AREAS OF MINERAL POTENTIAL means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known mineral deposits or other technical evidence. *Areas of mineral potential* are identified using accepted scientific methodology.

AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI) means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

AREAS OF PETROLEUM POTENTIAL means areas favourable to the discovery of *petroleum resources* due to geology, the presence of known *petroleum resources* or technical evidence.

ASSESSMENT AREA ENVIRONMENTAL STUDY means a report prepared by a *Qualified Person* to assess the *D-4 Assessment Area* to determine if the area included should be varied.

BRADFORD WEST GWILLIMBURY STRATEGIC SETTLEMENT EMPLOYMENT AREA means the area set out in Schedule 5.1.2 which boundary and uses are set by the Minister of Infrastructure and planned for in accordance with Section 3.9.

BROWNFIELD SITES are undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict, or vacant.

BUFFER AREA for *Waste Management Sites* means the area adjacent to the *Fill Area* for which no non-*Waste Disposal Area* related use can be made of the lands. Generally, the minimum distance for a buffer zone is 30 meters but can be extended to 100 meters or more at the discretion of the owner and operator of the *Waste Disposal Site* or at the direction of the Ministry of the Environment.

BUILT-UP AREA refers to all lands within the *built boundary*.

BUILT BOUNDARY means the limits of the developed urban area as defined by the Minister of Energy and Infrastructure in accordance with the Growth Plan for the Greater Golden Horseshoe, 2006.

BUILT HERITAGE RESOURCES means one or more *significant* buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic, or military history, and identified as being important to the community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdiction.

BUSINESS PARKS are *subdivisions* within *settlement areas* which accommodate industrial, wholesale, office, and service establishments, as well as retail establishments.

COASTAL WETLAND means any *wetland* that is located on Georgian Bay or any other *wetland* that is on a tributary to Georgian Bay and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of Georgian Bay.

COMMUNITY FACILITIES include emergency services, libraries, schools, health care facilities, municipal buildings, and public recreation facilities.

COMMUNITY INFRASTRUCTURE refers to lands, buildings, and structures that support the quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety, and *affordable* housing.

COMPLETE COMMUNITIES meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and *community infrastructure* including *affordable* housing, schools, recreation and open space for their residents, convenient access to public transportation and options for safe, non-motorized travel is also provided.

COMPLETE STREETS means a public right-of-way where the transportation facilitates and adjacent land uses are planned, designed and constructed to accommodate users of all ages and abilities including pedestrians, cyclists, transit vehicles, automobiles and freight traffic.

CONSERVED means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

COUNTY refers to the Corporation of the County of Simcoe unless otherwise specified. The *County* is a municipality for the purposes of *Provincial* legislation.

CULTURAL HERITAGE LANDSCAPE means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures,

spaces, archaeological sites and natural elements that are valued together for their interrelationship, meaning or association. Examples may include but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*, villages, parks, gardens, main streets and neighbourhoods, cemeteries, railways, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities.

CULTURAL FEATURES refer to historical, architectural, archaeological, recreational, and aesthetic built and natural features of cultural significance including *significant built heritage resources, significant cultural heritage landscapes, and archaeological resources*.

D-4 APPROVAL AUTHORITY for all *County* owned or operated *waste disposal sites* the *County* is the *D-4 Approval Authority*. For all private and *local municipality* owned or operated *waste disposal sites*, the *local municipality*, within which the property is located, is the *D-4 Approval Authority*.

D-4 ASSESSMENT AREA refers to the lands generally within 500 metres of the *waste disposal site*, or more specifically, the area shown on the applicable schedules in the *local municipal* official plans. The *D-4 Assessment Area* may vary according to the actual *waste* cell location, depth and type of *waste* and existing conditions. The *County* will also prepare and make available for information purposes, a map showing the *D-4 Assessment Areas* for all *waste disposal sites*.

D-4 STUDY is a study required to evaluate the presence and impact of any adverse effects or risks to health and safety and any necessary remedial measures necessary for a proposed *development* in compliance with the *Guideline D-4* including, but not limited to, ground and surface water (hydrogeology and hydrology), noise, odour, and dust, methane gas migration, traffic impact, land use compatibility, and other studies considered appropriate.

DENSITY TARGETS as set out in policy 3.5.23.

DESIGNATED GREENFIELD AREA refers to the area within a *settlement area* that is not *built-up area*. Where a *settlement area* does not have a *built boundary*, the entire *settlement area* is considered designated greenfield area.

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

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

DYNAMIC BEACH HAZARD means areas of inherently unstable accumulation of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes. The *dynamic beach* hazard limit consists of the flooding hazard limit plus a *dynamic beach* allowance.

ECOLOGICAL FUNCTION means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

ECONOMIC EMPLOYMENT DISTRICTS as shown on Schedule 5.1.2 and are to be planned and protected for locally significant employment uses but are not *settlement areas*.

EMPLOYMENT AREA means areas in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

ENVIRONMENTAL IMPACT STATEMENT (EIS) means a report or document that identifies and describes *natural heritage features and areas* and *ecological functions* and determines and evaluates the implications of proposed *development* or *infrastructure* and its interactions with the *natural heritage features and areas* and *ecological functions* of an area. An EIS must determine whether the likelihood of *negative impacts* occurring on the *natural heritage features and areas* and *ecological functions* is definite or probable if the development proceeds under a given proposed design. The EIS will determine the need for modifications to proposed plans, buffers, and other mitigation strategies to demonstrate that there will be no *negative impacts* on *natural heritage features and areas* and *ecological functions* of the County or local *natural heritage systems*. In the case of *infrastructure*, the EIS will demonstrate only such *negative impacts* as are consistent with Sections 3.8.17 through 3.8.20 of this *Plan*.

ENVIRONMENTAL PROTECTION ACT means the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended or any subsequent legislation.

ENVIRONMENTALLY SENSITIVE AREAS are areas supporting fragile ecosystems susceptible, prone, or vulnerable to human impact and/or *development* pressures.

EROSION HAZARD means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

ESSENTIAL EMERGENCY SERVICE means services which would be impaired during an emergency as a result of flooding, the failure of flood-proofing measures and/or protection works, and/or erosion.

FILL AREA means the area of a *Waste Disposal Site* set aside for landfilling.

FISH HABITAT means as defined in the *Fisheries Act*, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

FLOOD FRINGE for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

FLOOD PLAIN for *river, stream and small inland lake systems*, means the area, usually low lands, adjoining a watercourse which has been, or may be, subject to *flooding hazards*.

FLOODWAY for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage. Where the One Zone Concept is applied, the *floodway* is the entire contiguous *flood plain*. Where the Two Zone Concept is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and /or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the Two Zone Concept applies, the outer portion of the *flood plain* is called the *flood fringe*.

GREYFIELDS are previously developed properties that are not contaminated. They are usually, but not exclusively, former commercial properties that may be underutilized, derelict, or vacant.

GRID ROADS refer to roads such as concession and sideroads which form part of the original *rural* road system of the *County*, plus all arterial roads which now serve as Provincial Highways, County Roads, and *local municipal* arterial roads.

GROUND WATER FEATURE refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

GUIDELINE D-4 means the *MOE Guideline D-4*, as amended and any successor guideline or legislation.

HABITAT OF ENDANGERED SPECIES AND THREATENED SPECIES means:

- a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the *Endangered Species Act, 2007* is in force, the area prescribed by that regulation as the habitat of the species; or
- b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and

places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of species as dens, nests, hibernacula or other residences.

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

HAZARDOUS SITES means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clay's, organic soils) or unstable bedrock (karst topography).

HERITAGE ATTRIBUTES means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

INDIVIDUAL ON-SITE SEWAGE SERVICES means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O. Reg. 403/97, under the *Building Code Act, 1992* that are owned, operated and managed by the owner of the property upon which the system is located.

INDIVIDUAL ON-SITE WATER SERVICES means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

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

INNISFIL HEIGHTS STRATEGIC SETTLEMENT EMPLOYMENT AREA means the area shown on Schedule 5.1.2 with the boundary and uses determined by the Minister of Infrastructure and planned for in accordance with Section 3.9.

INSTITUTIONAL USE for the purposes of policy 4.5.12, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

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

- a) *Redevelopment*, including the reuse of *brownfield sites*;

- b) The *development* of vacant and/or underutilized lots within previously developed areas;
- c) *Infill development*; and
- d) The expansion or conversion of existing buildings.

LAKE SIMCOE REGIONAL AIRPORT ECONOMIC EMPLOYMENT DISTRICT means the area shown on Schedule 5.1.2 which boundary and uses are determined by the Minister of Infrastructure and planned for in accordance with Section 3.9. Major retail and residential uses are not permitted.

LARGE INLAND LAKES means those waterbodies having a surface area of equal to or greater than 100 square kilometers where there is not a measurable or predictable response to a single runoff event.

LANDS FOR URBAN USES means lands that are not designated for agricultural uses or rural uses within a *settlement area* identified in the approved official plan for the *local municipality*.

LANDS NOT FOR URBAN USES means lands that are designated for agricultural or rural uses within a *settlement area* identified in the approved official plan for the *local municipality*.

LEGAL or TECHNICAL REASONS means severances for purposes such as easements, corrections of deeds, quit claims, and other minor boundary adjustments, which do not result in the creation of a new lot.

LOCAL MUNICIPALITY or LOCAL MUNICIPAL refers to any of the sixteen Towns and Townships within the County of Simcoe.

LOW and MODERATE INCOME HOUSEHOLDS means:

- a) In the case of home ownership, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or
- b) In the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

MAJOR GROWTH or MAJOR DEVELOPMENT refers to any land use change which can be reasonably expected to impact on the environment or on infrastructure and generally includes those uses identified in Section 4.10.10.

MAJOR GOODS MOVEMENT FACILITIES AND CORRIDORS means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight-supportive may be recommended in guidelines developed by the *Province* or based on municipal approaches that achieve the same objectives.

MAJOR TRANSIT STATION AREA means the area including and around any existing or planned higher order transit station within a *settlement area*; or the area including and around a

major bus depot in an urban core. Station areas generally are defined as the area within an approximate 500m radius of a transit station, representing about a 10-minute walk.

MARINE FACILITIES means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

MINERALS means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*. Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived. Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

MINERAL AGGREGATE OPERATION means:

- a) Lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*, or successors thereto;
- b) For lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning bylaws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) Associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

MINERAL AGGREGATE RESOURCES means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

MINERAL DEPOSITS means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

MINIMUM DISTANCE SEPARATION FORMULAE means the formulae developed by the *Province* to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

MOE means the Ministry of the Environment.

MULTIMODAL means the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air and marine.

MULTIMODAL TRANSPORTATION SYSTEM means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

MUNICIPAL COMPREHENSIVE REVIEW means an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this *Plan*.

MUNICIPAL SEWAGE SERVICES means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

MUNICIPAL WATER SERVICES means a municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002*.

MUNICIPALITIES WITH PRIMARY SETTLEMENT AREAS include the Town of Bradford West Gwillimbury, the Town of Collingwood, the Town of Innisfil, the Town of Midland, the Town of New Tecumseth, and the Town of Penetanguishene.

NATURAL HERITAGE FEATURES AND AREAS (NATURAL HERITAGE) means features and areas, including *significant wetlands, significant and other coastal wetlands, habitat of endangered species and threatened species, fish habitat, significant woodlands, significant wildlife habitat, significant valleylands, and significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

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

NEGATIVE IMPACTS means:

- a) In regard to policy 2.2 of the PPS, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development or site alteration* activities;
- b) In regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity; and
- c) In regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural heritage features and areas or *ecological functions* for which an area is identified due to single, multiple or successive *development or site alteration* activities.

NEW MULTIPLE LOTS AND UNITS FOR RESIDENTIAL DEVELOPMENT means the creation of more than three units or lots through either plan of subdivision, consent or plan of condominium.

NODES means areas within settlement areas of more intense density, mixed-use and activity. They are compact clusters of uses that may include downtowns, mixed-use communities, clusters of office buildings, post-secondary educational campuses or other higher-density areas both large and small.

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

PARTIAL SERVICES means

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

PLAN or COUNTY PLAN refers to the Official Plan of the County of Simcoe unless otherwise specified.

PLANNED CORRIDOR or ROAD means transportation corridors identified through *provincial* plans, *County* plans, or preferred alignments determined through the *Environmental Assessment Act* process which are required to meet projected needs.

PLANNED CORRIDORS means corridors or future corridors which are required to meet projected needs, and are identified through provincial plans, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ontario Ministry of Transportation is actively pursuing the identification of a corridor. Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the *Province*.

PLANNING ACT means the *Planning Act*, R.S.O. 1990, c. P.13, as amended or any subsequent legislation.

PRIMARY SETTLEMENT AREAS are those locations set out in Schedule 5.1.2 and include the *settlement areas* of the Town of Collingwood, the Town of Midland together with the Town of Penetanguishene, and the *settlement areas* of the communities of Alcona in the Town of Innisfil, Alliston in the Town of New Tecumseth and Bradford in the Town of Bradford West Gwillimbury.

PRIME AGRICULTURAL AREA means areas where *prime agricultural lands* predominate. This includes: areas of *prime agricultural lands* and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario

Ministry of Agriculture and Food using evaluation procedures established by the *Province* as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the *Province*.

PRIVATE COMMUNAL SEWAGE SERVICES means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

PRIVATE COMMUNAL WATER SERVICES means a non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

PROCESSING OF AGRICULTURAL PRODUCTS where it is permitted in *Prime Agricultural Areas* or *Rural Areas* are those agriculture-related uses, which do not require additional water and sewer servicing, such as the initial cleaning, culling, storing, or packaging of products produced on the farm or in conjunction with farms in the vicinity which produce the same agricultural products, in preparation for shipment to food processing establishments or market.

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

PROVINCIAL POLICY STATEMENT (PPS) refers to the *Provincial Policy Statement, 2005* issued under Section 3 of the *Planning Act*.

PROVINCE or PROVINCIAL refers to the Province of Ontario and its Ministries. Specific Ministry names are not used due to periodic changes in Ministry names and roles.

PUBLIC SERVICE FACILITIES means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. They do not include *infrastructure*.

QUALIFIED PERSON means a person who meets the qualifications prescribed by the regulations under the *Environmental Protection Act*.

RAIL FACILITIES means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

RAMA ROAD ECONOMIC EMPLOYMENT DISTRICT means the area shown on Schedule 5.1.2 with the boundary and uses as determined by the Minister of Infrastructure and planned in accordance with Section 3.9. Major retail uses are not permitted.

RECREATIONAL DISTRICT is an area within the *rural area* identified within a *local municipal* official plan as an area to be mapped and planned on a comprehensive basis to accommodate recreational, residential, and related commercial *development* associated with particular geographic features.

REDEVELOPMENT means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites* or *greyfield sites*.

RENEWABLE ENERGY SYSTEMS means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy. These systems have the same meaning as a renewable energy undertaking under the *Green Energy and Green Economy Act, 2009*.

RESERVE SEWAGE SYSTEM CAPACITY means design or planning capacity in a centralized waste water treatment facility which is not yet committed to existing or approved *development*. Reserve capacity for *private communal sewage services* and *individual on-site sewage services* is considered sufficient if the hauled sewage from the *development* can be treated or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

RESERVE WATER SYSTEM CAPACITY means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved *development*.

RESIDENCE SURPLUS TO A FARMING OPERATION means an existing farm residence that is rendered surplus as a result of farm consolidation (farm consolidation means the acquisition of additional farm parcels to be operated as one farm operation).

RIVER, STREAM AND SMALL INLAND LAKE SYSTEMS means all watercourses, rivers, streams and small inland lakes or water bodies that have a measurable or predictable response to a single runoff event.

RURAL EMPLOYMENT AREAS are clusters of industrial and commercial uses, including vacant lands that are designated and zoned for such uses and are located in the Rural designation outside of *settlement areas*.

RURAL, RURAL AREAS, or RURAL DEVELOPMENT refers to areas or *development* in the rural area which are located outside *settlement areas* and which are outside *prime agricultural areas*.

SECONDARY USES for Agricultural Uses means uses that are small in scale and secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

SENSITIVE in regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

SENSITIVE LAND USES means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive Land Uses* may be part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

SENSITIVE LAND USES (for Section 4.9 only) as defined under the *Guideline D-4* is any existing or committed land use which includes: a permanent structure used in animal husbandry, or agricultural land used for pasturing livestock, or a permanent structure where a person sleeps, or a person is present on a full-time basis, but not including food or motor vehicle service facilities adjacent to a highway, utility operations, scrap yards, heavy industrial uses, gravel pits, quarries, mining or forestry activities, or cemeteries.

SERVICING CAPABILITY STUDY is a comprehensive technical study of a *settlement* or proposed *development* to identify the capability of the surrounding area to safely accommodate future growth and *development* on individual water and sewer systems or partial water and sewer systems, establishing a technical foundation to evaluate secondary plans and applications for *development*. The study shall (1) examine the ability of the soils and groundwater to assimilate the effluent from growth and *development*, (2) identify appropriate limits on the extent and timing of *development*, (3) determine appropriate arrangements and capacity for treatment of hauled sewage from the systems, and (4) identify the appropriate density and/or design parameters, all of which are to ensure there will be no *negative impact* on *natural heritage* features and functions and to ensure the protection or enhancement of ground and surface water quality of the *settlement* or *development* area.

SERVICING FEASIBILITY STUDY refers to a preliminary examination and determination of the costs and feasibility of servicing a *development* of more than five lots or units. The study should normally examine water, sewer, road, and other infrastructure needs, as well as wellhead protection constraints, storm water management facilities, and intake protection zones.

SETTLEMENTS or **SETTLEMENT AREAS** means urban areas and rural *settlement areas* within municipalities (such as cities, towns, villages and hamlets) where:

- a) *Development* is concentrated and which have a mix of land uses; and
- b) Lands which have been designated in an official plan for *development* over the long-term planning horizon provided for in policy 1.1.2 of the Provincial Policy Statement, 2014. Where there are no lands that have been designated over the long-term, the *settlement area* may be no larger than the area where *development* is concentrated.

SIGNIFICANT means:

- (a) In regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the *Province*, as amended from time to time;
- (b) In regard to all other features and areas referred to in both this *Plan* and the *Provincial*

Policy Statement, as those features and areas are defined in the *Provincial Policy Statement* unless otherwise defined in this *Plan*;

- (c) In regard to local natural heritage systems, features and ecological functions as defined in municipal official plans; and
- (d) In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

SIGNIFICANT ARCHAEOLOGICAL RESOURCES means the remains of any building, structure, activity, place or cultural feature, which because of the passage of time is on or below the surface of the land or water, and which has been identified and evaluated and determined to be *significant* to the understanding of the history of people or place. The identification and evaluation of this resource is based upon an archaeological assessment.

SIGNIFICANT WOODLANDS means an area which is:

- a) ecologically important in terms of features such as species composition, age of trees and stand history;
- b) functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or
- c) economically important due to site quality, species composition, or past management history.

These are to be identified using criteria established by the Ontario Ministry of Natural Resources and Forestry.

Local municipalities may map *significant woodlands* in local official plans. *Significant woodlands* can also be determined through an *Environmental Impact Statement*.

Local municipalities shall determine whether a woodlot is a *significant woodland* within a *settlement area* based on criteria established within the local official plan.

Outside of a *settlement area*, where a woodlot is determined not to be ecologically or economically important, its potential importance shall be determined by a minimum patch established in the *local municipal* official plans. In determining the minimum patch size in *local municipal* official plans, the following size criteria established by the Ministry of Natural Resources and Forestry will be used unless appropriate justification is provided to use different criteria:

- where woodland cover is less than 5% of the land cover in the *local municipality*, woodlands 2 ha in size or larger should be considered *significant*;
- where woodland cover is 5 – 15% of the land cover in the *local municipality*, woodlands 4 ha in size or larger should be considered *significant*;
- where woodland cover is 16 – 30% of the land cover in the *local municipality*, woodlands 20 ha in size or larger should be considered *significant*;
- where woodland cover is 31 – 60% of the land cover in the *local municipality*, woodlands 50 ha in size or larger should be considered *significant*.

For the purposes of this definition:

- A patch is a distinct, separate area of contiguous *woodlands*. The edge of a patch is delineated by the outermost dripline.
- *Woodlands* remain contiguous even if interrupted by natural clearings, or clearings for *agricultural uses*, other *rural* land uses, or *infrastructure*, provided the clearing is not more than 20 metres wide, edge to edge.
- Patch size is not deemed to terminate if the *woodland* crosses municipal, county, or regional boundaries.

SIMCOE SUB-AREA means the geographic area consisting of the County of Simcoe, the City of Barrie and the City of Orillia.

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

SOUTHERN LIMIT OF THE CANADIAN SHIELD refers to the boundary described in the *Provincial Policy Statement*.

SPECIAL POLICY AREA means an area within a community that has historically existed in a *flood plain* and where specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to address the *significant* social and economic hardships to the community that would result from strict adherence to *provincial* policies concerning *development*.

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

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

STRATEGIC SETTLEMENT EMPLOYMENT AREAS means areas that are to be planned and protected for employment uses that require large lots of land and depend upon efficient movement of goods and access to Highway 400. These are not *settlement areas*. Major retail and residential uses are not permitted.

STRIP DEVELOPMENT is lot creation in the Rural Designation:

- (a) along roads that are part of the originally surveyed concessions and side roads grid or are other more recently surveyed arterial or collector roads which are not part of an internal local road system; and
- (b) which is arranged in linear configurations of more than three non farm lots within 200 metres of the proposed lot line as measured along the frontage of one side of the road.

SUBDIVISION refers to *subdivision* of land by plan or by consent - the latter is often known as severance. *Subdivision* may also be known as lot creation.

SURFACE WATER FEATURE refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

TRAFFIC DEMAND MANAGEMENT (TDM) means a set of strategies that result in more efficient use of the transportation system by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route or cost.

TRANSIT SERVICE AREA is a defined area traversing municipal boundaries in which *local municipal* transit service is available or will be planned.

TRANSIT SERVICE PLAN is a plan outlining the implementation of transit within a *Transit Service Area*.

TRANSIT-SUPPORTIVE in regard to land use patterns, means development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Approaches may be recommended in guidelines developed by the *Province* or based on municipal approaches that achieve the same objectives.

TRANSPORTATION SYSTEM means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park n'ride lots, service centres, rest stops, vehicle inspections stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

TWO ZONE CONCEPT means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

VALLEYLANDS means:

- within areas of conservation authority jurisdiction, all lands below/within the stable top of bank, predicted top of stable slope, *flood plain* limit, or predicted meander belt limit, as prescribed in Section 2(b) of each conservation authority's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation under the *Conservation Authorities Act*;
- in the rest of the *County*, *valleylands* as defined by the *Provincial Policy Statement*.

WASTE includes ashes, garbage, refuse, domestic *waste*, industrial *waste*, or municipal refuse, and such other materials as are designated in the regulations of the *Environmental Protection Act*.

WASTE DISPOSAL SITE includes the *Fill Area* and the *Buffer Area* of property which has been or is suspected to have been used as a landfill as well as property under *development* for landfilling, and means:

- (a) any land upon, into or through which, or building or structure in which, *waste* is deposited, disposed of, handled, stored, transferred, treated or processed; and
- (b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment, or processing referred to in clause (a).

WATERSHED MANAGEMENT (PLAN) refers to a report or to information regarding a watershed or sub-watershed which establishes guidelines for *development* and best land use practices and management to conserve:

- ground and surface water quality and quantity
- *natural heritage* features
- *woodlands*
- *fish habitat*
- recharge, discharge, and headwater areas

WETLANDS means land that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plant or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes, which no longer exhibit wetland characteristics, are not considered to be wetlands for the purposes of this definition.

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

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

TAB 8

ATTACHMENT 1

PART B—THE AMENDMENT

INTRODUCTORY STATEMENT

All of this part of the document entitled "Part B — The Amendment" consisting of the following text constitutes Amendment No. _____ to the Official Plan of the Town of Collingwood.

DETAILS OF THE AMENDMENT

The Official Plan is hereby amended as follows;

- Item 1:** **Official Plan Schedule 'A' Land Use** is hereby amended by redesignating the subject lands from the "Rural, Rural Residential and Environmental Protection" designations to the "Residential and Environmental Protection" designations for those lands recognized as Part of Lots 47, 48 and 49, Concession 12 (formerly Township of Nottawasaga), Town of Collingwood, County of Simcoe as indicated on the attached schedule A-1.
- Item 2:** **Official Plan Schedule 'A2' Land Use Detail** attached hereto is hereby inserted as a new schedule to the Town of Collingwood Official Plan.
- Item 3:** **Official Plan Schedule 'B' Environmental Protection** is hereby amended by redesignating a portion of the subject lands from the Category 1 Woodland designation to the Category 2 Woodland designation and designating new Category 1 Woodland and Category 1 Wetlands as indicated on the attached schedule B-1.
- Item 4:** **Official Plan Schedule 'C' Residential Densities** is hereby amended by redesignating the subject lands to the "Low Density Residential" and "Medium Density Residential" designation(s) for those lands recognized as Part of Lots 47, 48 and 49, Concession 12 (formerly Township of Nottawasaga), Town of Collingwood, County of Simcoe as indicated on the attached schedule C-1.
- Item 5:** **Official Plan Schedule 'E' Municipal Service Areas** is hereby amended by redesignating a portion of the subject lands to "Service Area 2" as indicated on the attached schedule E-1.

The following special policies apply to the subject lands as identified on Schedule A1 to this Amendment:

Section 4.3.4.5.8.13 Part Lot 48, Concession 12

Development Area #1:

- a. The area identified as Development Area #1 (DA #1) on Schedule 'A2' is permitted a maximum density of 25 units per gross hectare. The uses permitted shall be limited to semi-detached dwellings, small-lot single detached dwellings, duplex dwellings, triplex dwellings, four-plex dwellings, townhouses, home occupations, residential intensification uses and those public uses itemized on Figure 3. Vehicular access and servicing shall occur from the adjacent residential development to the east.
- b. It will be a condition of draft approval of the development that the lands identified in hatching adjacent to DA #1 shall be dedicated to the Town of Collingwood upon registration of the development as per the subdivision/condominium and/or consent process.
- c. The required 5% parkland dedication for the development of DA #1 shall be satisfied by the dedication of lands within the hatching area.
- d. The lands shown in hatching include a multitude of environmental and open space features, including Provincially Significant Wetlands as well as all appropriate buffers associated with these features.
- e. On the basis of the designation and dedication of these lands identified in hatching, it is confirmed that no further natural heritage studies or buffers are required. Despite this policy, in addition to whatever studies are identified as required by Section 8.13, current and future *Planning Act* applications shall be supported by:
 - i. details demonstrating that the proposed development mitigates any negative impacts on the natural heritage features or their ecological functions through appropriate measures to the satisfaction of the Town and the NVCA;
 - ii. a natural hazard assessment prepared to the satisfaction of the Town and the NVCA demonstrating that all proposed development will be located in accordance with Section 3.1 of the Provincial Policy Statement; and,
 - iii. details demonstrating that the proposed development satisfies the requirements of the Provincial Policy Statement and the *Endangered Species Act* with respect to species at risk.
- f. The completion of a Secondary Plan and secondary plan studies and requirements as per the policies of Section 8.10.2 shall not be required prior to development occurring on the lands designated as DA # 1.
- g. All current and future applications under the *Planning Act* on the lands designated as DA # 1 shall be circulated to the MTO for review and comment.

Section 4.3.4.4.5.8 Part Lots 48 and 49, Concession 12

Development Area #2

- a. The area identified as Development Area #2 (DA #2) on Schedule 'A2' is permitted a maximum density of 12 units per gross hectare. The uses permitted shall be limited to single-detached dwellings, semi-detached dwellings, small-lot single-detached, duplex dwellings, home occupations, residential intensification uses, and those public uses itemized on Figure 3. All residential units that back upon the western and northern boundary of the subject property (adjacent to the Forest Subdivision) shall be single-detached dwellings. Vehicular access may occur from Forest Drive and/or Silver Creek Drive and may be established through lands designated Environmental Protection as permitted by Section 4.1.3.1.
- b. It will be a condition of draft approval of the development that that the lands identified in cross hatching adjacent to DA #2 shall be dedicated to the Town of Collingwood upon registration of the development as per the subdivision/condominium and/or consent process.
- c. The required 5% parkland dedication for the development of DA #2 shall be satisfied by the dedication of lands within the cross hatching area.
- d. The lands shown in cross hatching include a multitude of environmental and open space features including the floodplain of the Silver Creek and all appropriate buffers to those features.
- e. On the basis of the designation and dedication of these lands identified in cross hatching, it is confirmed that no further natural heritage studies or buffers are required. Despite this policy, in addition to whatever studies are identified as required by Section 8.13, current and future *Planning Act* applications shall be supported by:
 - i. details demonstrating that the proposed development mitigates any negative impacts on the natural heritage features or their ecological functions through appropriate measures to the satisfaction of the Town and the NVCA;
 - ii. a natural hazard assessment prepared to the satisfaction of the Town and the NVCA demonstrating that all proposed development will be located in accordance with Section 3.1 of the Provincial Policy Statement; and,
 - iii. details demonstrating that the proposed development satisfies the requirements of the Provincial Policy Statement and the *Endangered Species Act* with respect to species at risk.
- f. The completion of a Secondary Plan and requirements and studies as per the policies of Section 8.10.2 and the Service Area 3 policies of Section 3.6.3 shall not be required prior to development occurring on the lands designated as DA # 2.

- g. All current and future applications under the *Planning Act* on the lands designated as DA # 2 shall be circulated to the MTO for review and comment.
- h. All current and future applications for zoning, site plan control approval, severances and/or plan of subdivisions/condominiums shall include submission of the following studies in addition to whatever studies are identified as required by Section 8.13, with the exception of natural heritage studies:
 - i. a water and sanitary sewer servicing strategy that examines potential regional opportunities and constraints;
 - ii. a stormwater management plan that includes a strategy for addressing Silver Creek drainage patterns and spill areas; and
 - iii. a transportation study (including active transportation and transit) that explores potential linkages with adjacent development. This study shall also be circulated to the MTO for review and comment.

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan, as well as through a Zoning Bylaw Amendment for the subject lands under Sections 34 and 36 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

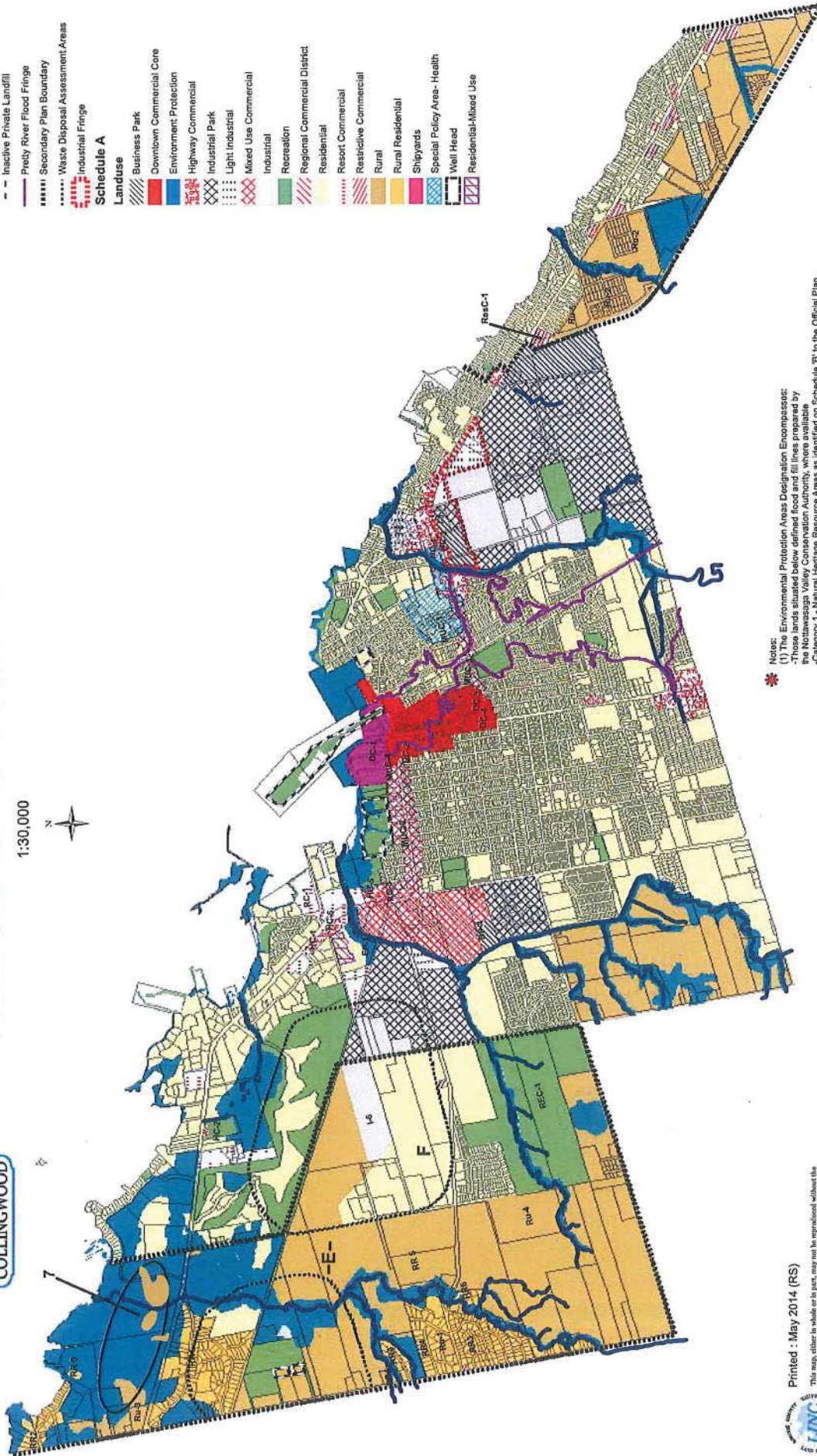


Official Plan of the Town of Collingwood **SCHEDULE 'A1'- Land Use Plan**

1:30,000



- Legend**
- - - Inactive Private Landfill
 - Pretty River Flood Fringe
 - Secondary Plan Boundary
 - Waste Disposal Assessment Areas
 - Industrial Fringe
 - Schedule A**
 - Landuse**
 - Business Park
 - Downtown Commercial Core
 - Environment Protection
 - Highway Commercial
 - Industrial Park
 - Light Industrial
 - Mixed Use Commercial
 - Industrial
 - Recreation
 - Regional Commercial District
 - Residential
 - Resort Commercial
 - Restrictive Commercial
 - Rural
 - Rural Residential
 - Shipyards
 - Special Policy Area- Health
 - Well Head
 - Residential-Mixed Use



Notes:

- (1) The Environmental Protection Areas Designation Encompasses:
 - Those lands situated below defined flood and fill lines prepared by the Nottawasaga Valley Conservation Authority, where available
 - The Nottawasaga Bay shoreline as shown on Schedule 'B' to the Official Plan
 - Areas used using a "Top of Bank" approach along particular courses where flood and/or fill lines are not available
- (2) Environmental Protection areas along the Nottawasaga Bay shoreline are shown conceptually
- (3) The precise location of the Environmental Protection areas designation shall, in all cases, be determined as development proceeds in consultation with The County of Simcoe (Nottawasaga Valley Conservation Authority) and the Town of Collingwood.

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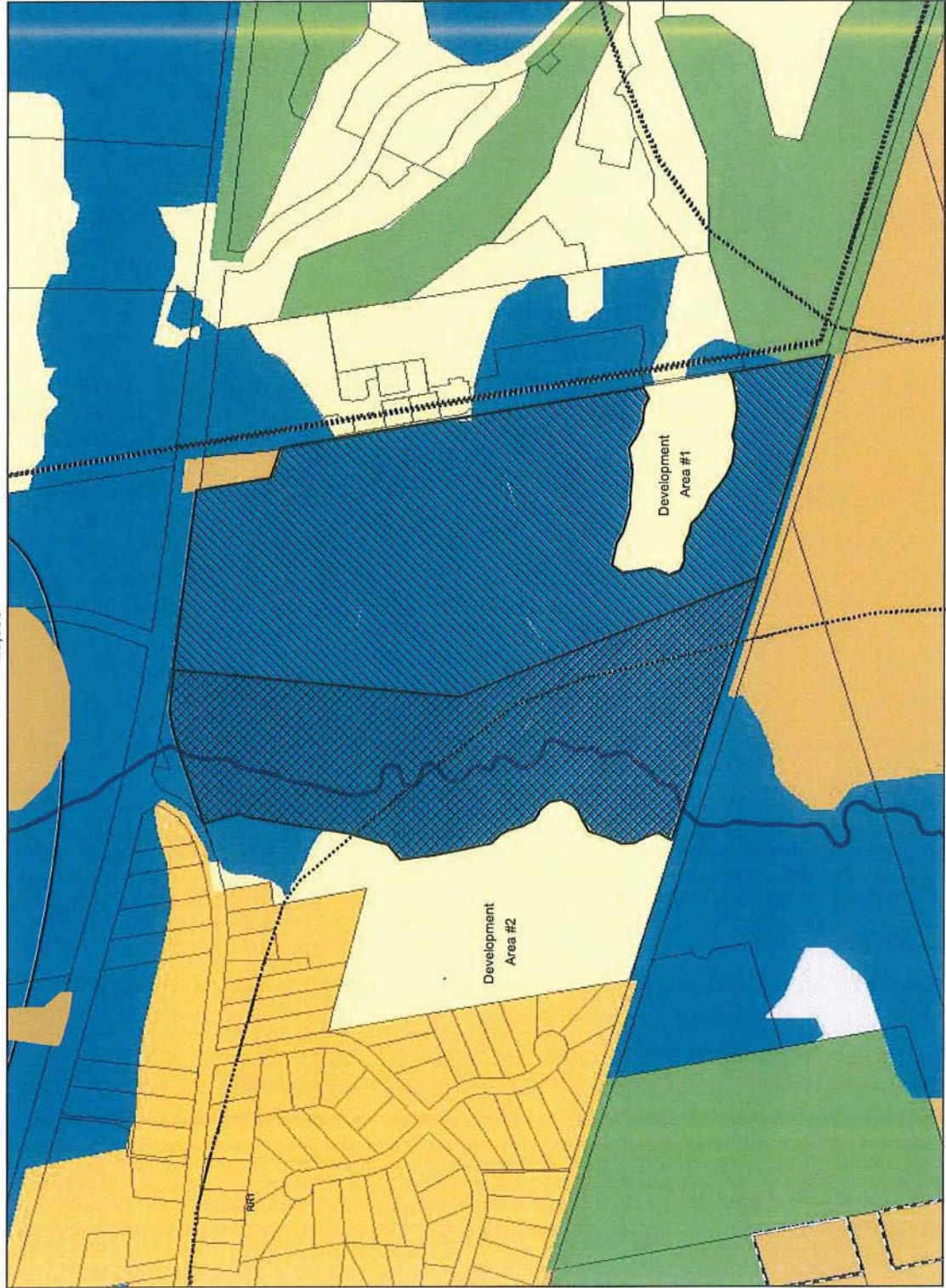
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Official Plan of the Town of Collingwood SCHEDULE 'A2' - Land Use Plan - Detail

1:5,000



Legend

- - Inactive Private Landfill
- Pretty River Flood Fringe
- Secondary Plan Boundary
- Waste Disposal Assessment Areas
- Industrial Fringe

Schedule A

Landuse

- Business Park
- Downtown Commercial Core
- Environment Protection
- Highway Commercial
- Industrial Park
- Light Industrial
- Mixed Use Commercial
- Industrial
- Recreation
- Regional Commercial District
- Residential
- Resort Commercial
- Restrictive Commercial
- Rural
- Rural Residential
- Shipyards
- Special Policy Area - Health
- Well Head
- Residential-Mixed Use
- Lands to be dedicated as per 4.3.4.5.8.13
- Lands to be dedicated as per 4.3.4.4.5.8



Printed : May 2014 (RS)



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Official Plan of the Town of Collingwood SCHEDULE 'C' - Residential Density



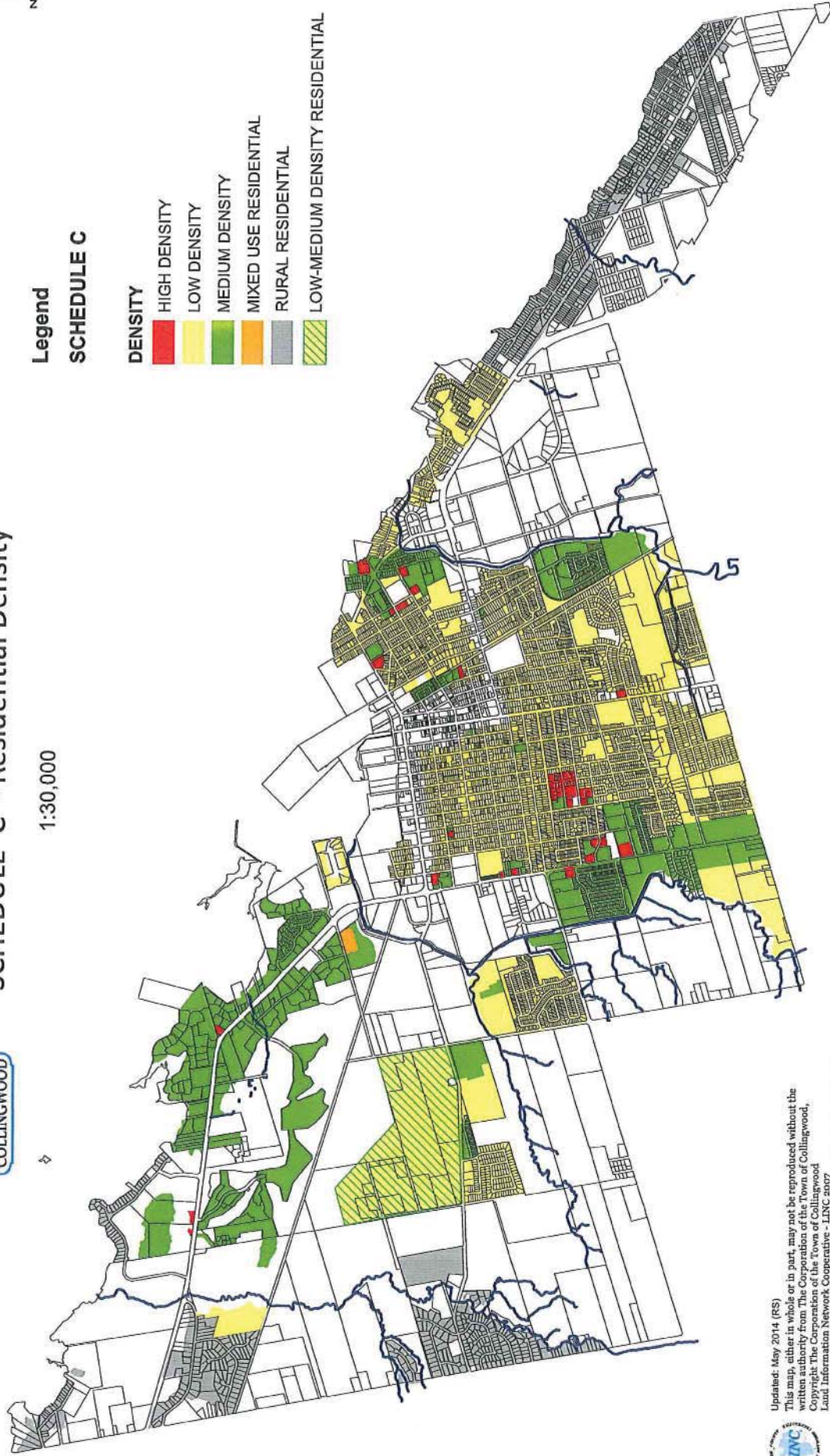
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Legend

SCHEDULE C

DENSITY

- HIGH DENSITY
- LOW DENSITY
- MEDIUM DENSITY
- MIXED USE RESIDENTIAL
- RURAL RESIDENTIAL
- LOW-MEDIUM DENSITY RESIDENTIAL



Updated: May 2014 (RS)
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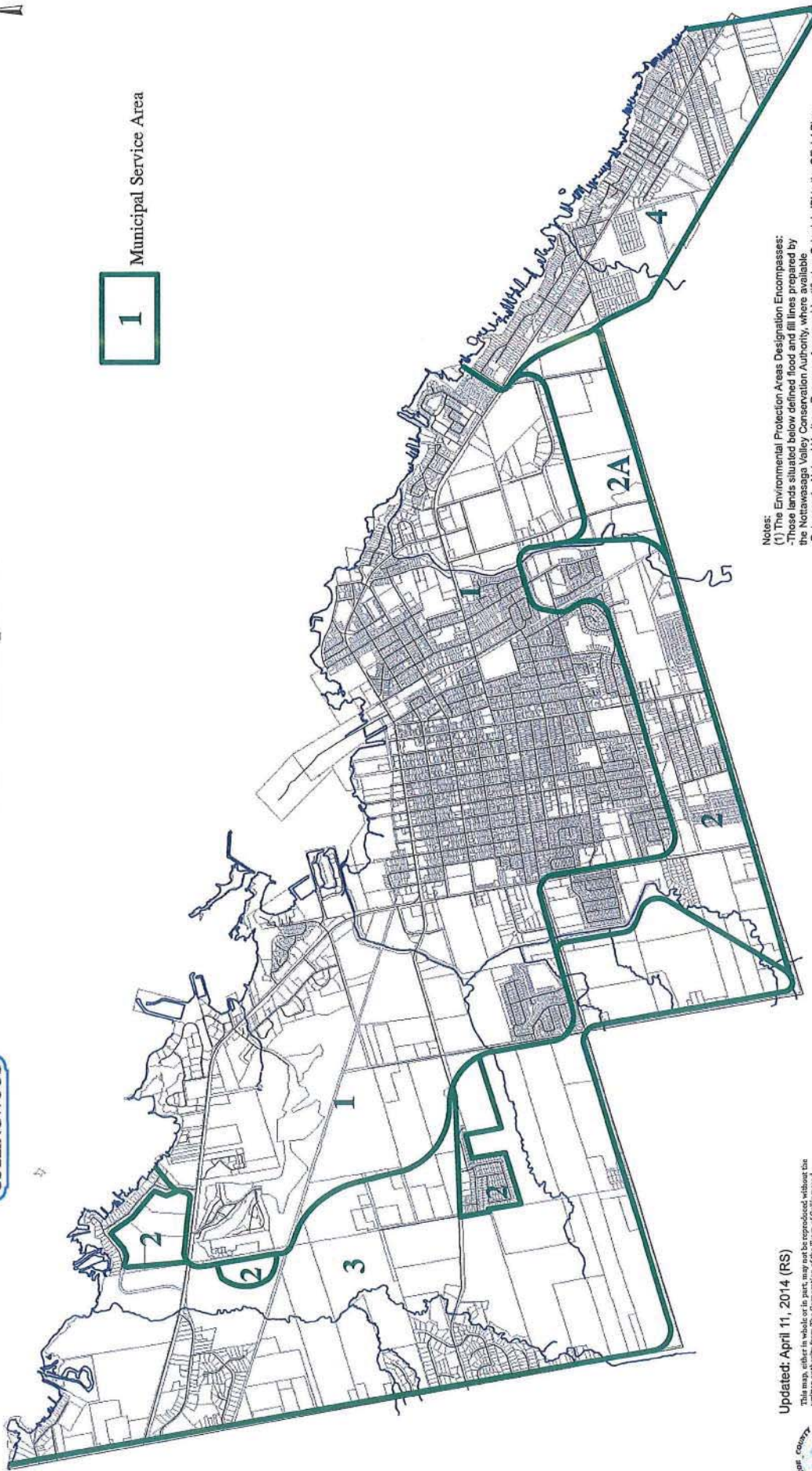


Official Plan of the Town of Collingwood SCHEDULE 'E1' - Municipal Service Areas



1

Municipal Service Area



Notes:
(1) The Environmental Protection Areas Designation Encompasses:
- Lands situated below defined flood and fill lines prepared by the Nottawasaga Valley Conservation Authority, where available;
- Category 1 - Natural Heritage Resource Areas as identified on Schedule 'B' to the Official Plan
- Areas derived using a "Top of Bank" approach along certain water courses where flood and/or fill lines are not available
(2) Environmental Protection areas along the Nottawasaga Bay shoreline are shown conceptually
(3) The precise location of the Environmental Protection areas designation shall, in all cases, be determined as development proceeds in consultation with The County of Simcoe (Nottawasaga Valley Conservation Authority) and the Town of Collingwood.

Updated: April 11, 2014 (RS)

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TAB 9

3.2 COMMUNITY SERVICES

3.2.1 Goals

1. To ensure the availability of a full array of community services for the Town's residents including educational, institutional, recreational, library, cultural, medical and municipal facilities.
2. To optimize community, recreational and cultural opportunities for all Town residents, including teens, older adults, persons with special needs and seasonal visitors (tourists).

3.2.2 Objectives

1. To promote the continued renewal of recreational services parallel with the demand created by population growth.
2. To promote and develop, if feasible, the establishment of a Cultural/Performing Arts Centre.
3. To promote the continued improvement and/or expansion of cultural and educational services including the museum and library.
4. To promote the integration of arts, cultural and recreational facilities with local businesses, health and social services, and public buildings.
5. To ensure the equitable accessibility of community support services to all residents of the community.

3.2.3 Policies

1. It is the intent of this Official Plan that infrastructure, utility, communication, transportation, park and playground facilities, including pedestrian trails, and other uses deemed to serve a similar public function be permitted in all land use designations.
2. Other community service/public uses and areas shall be permitted in accordance with Figure 3. Accessory uses such as a residence for a caretaker or watchman, administrative offices, dining and recreation facilities also shall be permitted but only when incidental to a permitted community service/public use.
3. When new infrastructure, utility, communication, transportation, park and playground facilities, including pedestrian trails are being located in Environmental Protection Areas an Environmental Impact Statement (EIS) shall be required.
4. Community service/public uses may be zoned in separate categories in the implementing Zoning By-law.
5. As far as possible, a permitted community service/public uses shall be situated in

close proximity to major transportation routes and serviced by active transportation routes.

6. The design of a new community service/public use, particularly new buildings or structures, shall be in keeping with the general character of the surrounding neighbourhood or area.

Figure 3

DESIGNATIONS FOR COMMUNITY SERVICES/PUBLIC USES¹

(Note¹: for public uses, which are permitted in all designations, only preferred locations are shown)

Land Use Type	Residential	Commercial	Industrial	Rural	Recreation	Environmental Protection
Schools	√	√	√			
Public Institutions of Post-Secondary Education		√	√	√		
Places of Worship	√	√	√			
Emergency Housing	√	√				
Group Homes	√	√				
Hospitals	√	√				
Fire Halls, Police and Ambulance Stations	√	√	√	√	√	
Libraries	√	√			√	
Museums		√			√	
Nursing Homes	√	√				
Senior Citizen/Retirement Homes	√	√				
Municipal Government Offices/PUC		√	√		√	
Special Care Homes	√	√				
Nursery Schools	√	√	√		√	
Day Care Centres	√	√	√		√	
Life Skills and Rehabilitation	√	√	√		√	

Land Use Type	Residential	Commercial	Industrial	Rural	Recreation	Environmental Protection
Centres						
Fraternal Organizations		√	√		√	
Community Centres	√	√	√		√	
Cemeteries				√	√	
Public Parks	√	√	√	√	√	√
Indoor Recreational Facilities		√	√		√	
Infrastructure, (including stormwater management facilities)	√	√	√	√	√	√

3.3 DEVELOPMENT STAGING

In order to protect Collingwood's citizens from undue financial burden, Council shall ensure that the timing, location and nature of all new development is such that the demand for public uses and municipal services such as roads, schools, school buses, garbage collection, police and fire protection is not excessive in relation to the taxable assessment provided. The provisions of Section 3.5.3 Servicing Policies address the preferred staging of municipal infrastructure.

3.4 DEVELOPMENT CHARGES

Council may levy development charges on new development in order to finance municipal services pursuant to the provisions of the *Development Charges Act, 1997*. Development charges may be adjusted to reflect cost differences in the provision of infrastructure and services between development proposals in Greenfield areas and areas that are already largely established.

3.5 MUNICIPAL SERVICES

3.5.1 Goals

1. To provide adequate and sufficient systems of water supply, sanitary sewage disposal and storm drainage to all areas of development in the municipality in accordance with the staging program established by this Plan and sound financial planning.

3.5.2 Objectives

1. To optimize the opportunity for the provision of full municipal sewage and water services in new development areas.
2. To encourage progressive, staged development from existing built-up areas in order to minimize the need for major servicing extensions.
3. To encourage the substantial completion (more than 50%) in one neighbourhood or development area prior to initiating development in an adjacent neighbourhood and thus minimize leapfrogging and scattered development.
4. To develop new municipal services and undertake improvements to existing servicing infrastructure bearing in mind the ultimate servicing requirements of the municipality, and the municipality's ability to finance such projects.
5. To develop a system of storm drainage sympathetic to areas of environmental sensitivity including the Town's natural heritage features and hazard lands.

3.5.3 Policies

It is the intent of this Official Plan that no major forms of new development be permitted unless adequate municipal water, sanitary sewer and storm sewer facilities are available. Furthermore, it is intended that new development will generally be contiguous to existing built-up areas to avoid leap-frogging over undeveloped lands.

To assist in the orderly and efficient extension of municipal services, Schedule 'E' - Municipal Service Areas separates the municipality into four service areas (Section 3.6), while Schedule 'E1' - Municipal Services Plan conceptually delineates the water and sanitary sewer services, existing and proposed, required to service all parts of the Town in the long-term.

Expansion of the existing municipal services should only be considered when the following conditions are met:

- Strategies for water conservation and other water demand management initiatives are being implemented in the existing service area;
- Plans for expansion are to serve growth in a manner that supports achievement of the intensification target and density targets.

3.6 SERVICE AREAS

3.6.1 Service Area 1

Service Area 1, as delineated on Schedule 'E' - Municipal Service Areas, includes the fully serviced lands within the built boundary and some minor adjacent pre-designated lands outside the built boundary. The lands that are not within the built boundary have been

included either because they are fully serviced, or to promote the rounding out of the existing development form, and where new development may be permitted through the construction of minor extensions to existing municipal services. Service Area 1 lands can develop immediately subject to other policy considerations.

3.6.2 Service Area 2

Service Areas 2 consists of predominantly vacant lands adjacent to Service Area 1 and represents the area beyond the built boundary to which municipal services can most easily/efficiently be extended to facilitate new development. The lands in Service Area 2 are already designated for urban uses and many also have draft approved plans of subdivision.

Development may proceed in Service Area 2 on the basis of engineering studies confirming the feasibility, location and magnitude of required servicing extensions and when Council is satisfied that it can generate sufficient revenue to recover the full cost of the required water supply, sanitary sewage disposal and/or stormwater management drainage facilities.

3.6.3 Service Area 3

Service Area 3 includes portions of the *Mountain Road West Corridor* where new development is constrained by the availability of only partial or private services and the need for an upgrade to full municipal services is dependent upon significant improvements to the Town's existing servicing infrastructure, particularly sanitary sewage services. It is also an area, where a number of residential subdivisions already exist on partial services, and there has been little public interest/need identified in providing full services to these subdivisions.

It is intended that new development in Service Area 3 (with the exception of that permitted under Section 3.7) occurs in accordance with good planning principles and the long-range land use and economic objectives of the municipality. Accordingly, development shall be permitted to proceed within the Service Area 3 on the basis of engineering studies, undertaken as a component of a secondary plan, confirming the feasibility, location and magnitude of required future services and when Council is satisfied that it can generate sufficient revenue to recover the full cost of the required water supply, sanitary sewage disposal and/or stormwater management drainage facilities.

Whereas it is an objective of this Plan to encourage growth in areas contiguous to existing built-up parts of the municipality consideration may be given to permitting new development in the vicinity of the town's western boundary in the event of a joint servicing agreement(s) with the Town of The Blue Mountains.

3.6.4 Service Area 4

Service Area 4 is situated within the *Highway 26 East Corridor* where future servicing options are the most problematic due to their complexity and/or cost. Development within Service Area 4 (with the exception of that permitted under Section 3.7) shall be preceded by engineering studies, completed as a component of a secondary plan, confirming the

feasibility, location and magnitude of required future services and shall only be permitted when Council is satisfied that it can generate sufficient revenue to recover the full cost of the required water supply, sanitary sewage disposal and/or stormwater management drainage facilities.

Whereas it is an objective of this Plan to encourage growth in areas contiguous to existing built-up parts of the municipality consideration may be given to permitting new development in the vicinity of the town's eastern boundary in the event of a joint servicing agreement(s) with the Town of Wasaga Beach.

3.7 RELAXED SERVICING CRITERIA

While it is important to maximize the opportunity for the use of full municipal services in conjunction with new development, it also is recognized that certain lands, both vacant and those accommodating existing uses, are only serviceable by private water and sanitary sewage disposal systems or partial services. In order to avoid unnecessary hardship to such property owners, minor development may be permitted within these areas on the basis of the servicing systems existing on the date of the adoption of this Official Plan and in accordance with the following policies.

3.7.1 Existing Uses

Minor extensions and enlargements may be permitted to uses legally existing on the date of the adoption of this Official Plan provided that the adequacy of the existing or proposed water supply and/or sanitary sewage disposal servicing system is demonstrated to the satisfaction of the Town of Collingwood.

3.7.2 Vacant Lots of Record

Notwithstanding any servicing policies of this Plan to the contrary, where a vacant lot legally existed on the date of adoption of this Official Plan, a building permit may be issued, subject to compliance with the permitted use provisions and standards of this Official Plan and the implementing Zoning By-law, for the erection of a building or structure provided the adequacy of the proposed method of water supply and sanitary sewage disposal is demonstrated to the satisfaction of the Town of Collingwood.

3.7.3 Infilling

While it is expected that major forms of development will occur on full municipal services, infilling may be permitted within areas designated for the proposed use on the basis of private or partial servicing systems, in accordance with the relevant policies of this Plan and the following:

1. The land holding will not be capable of being developed into more than two building lots (one existing and one proposed),
2. The adequacy of the proposed water and sanitary sewage disposal systems shall be demonstrated to the satisfaction of the Town of Collingwood,

2. That mixed use development, including public open spaces and co-location of public service facilities, be encouraged in order to improve options for working and living in close proximity and to reduce the number of vehicle trips necessary to obtain daily conveniences.
3. Community design shall emphasize public access, safety and health.
4. Building orientation is to emphasize pedestrian access and accessibility for transit services and on-site parking lots shall generally be screened from surrounding roads and property.
5. Landscape details on individual lots or sites shall blend with other surrounding properties and with the character of the area as a whole. The use of building materials and building designs that blend in with the landscape and with each other shall be encouraged.
6. The scale of buildings and structures shall be appropriate to their surroundings.

3.9 NATURAL HAZARDS

There are four (4) major river systems within the Town of Collingwood that are susceptible to flooding. From west to east, these are: Silver Creek, Black Ash Creek, the Pretty River and the Batteaux River. Each of these watercourses, as well as the Nottawasaga Bay shoreline, are susceptible to flooding and, hence, pose a potential threat to property and the health and safety of the public. To minimize this threat, the One-Zone Concept shall apply to lands susceptible to flooding in the vicinity of Silver Creek, Black Ash Creek, Batteaux River and several other smaller river systems recognized by the Nottawasaga Valley Conservation Authority and Grey Sauble Conservation Authority and the provisions of section 4.1.3.10.2 shall apply.

3.9.1 General Objectives

1. Planning and development decisions shall protect, improve or restore the quality and quantity of water and related resources where possible on an integrated watershed management basis.
2. Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features and their related hydrologic functions will be protected, improved or restored.
3. Development shall occur in a manner that will protect property and the health and safety of the public from natural hazards such as flooding and erosion. Flood plain management shall occur on a watershed management basis giving due consideration to the upstream, downstream and cumulative effects of the development.

3.9.2 Stormwater Management

It is an objective of the municipality to minimize the volume and maximize the quality of surface drainage from new development. Consequently, run-off from individual development sites is to be minimized and the impact of any proposed development on local and area-wide drainage patterns is to be identified. All applications for major development, which includes all plans of subdivision and condominium, industrial, commercial, or institutional development and major public works, shall be accompanied by a Stormwater Management (SWM) Report, and all applications for the creation of more than five (5) new lots by consent shall be accompanied by a SWM Report in circumstances where such a study is deemed necessary by the Town. The SWM report shall be prepared by a qualified professional, to the satisfaction of the Town of Collingwood, Nottawasaga Valley Conservation Authority and/or Grey Sauble Conservation Authority, Ministry of the Environment, County of Simcoe, and the Ministry of Transportation when appropriate and shall be developed in a manner which ensures:

1. A stormwater management system that adheres to the storm water best practices as deemed necessary by the Town of Collingwood and appropriate agencies.
2. A stormwater quality system that meets the levels of protection established by the Town of Collingwood, and appropriate agencies.
3. A storm water quantity system that ensures post-development runoff rates are no greater than pre-development runoff rates.
4. A stormwater management system that identifies and minimizes the impacts of development on watershed flow regimes including the relationship between groundwater, infiltration, discharge and inflow.
5. A stormwater management system that promotes the use of centralized facilities, wherever practical.
6. A stormwater management system that locates facilities, such as detention ponds, outside defined 1:100 year floodplains.
7. A stormwater management system that encourages the retention of existing tree cover or natural heritage features, and maximizes the provision of significant grassed and natural areas to facilitate the absorption of surface water into the ground.
8. A stormwater management system shall provide for the protection of fish habitat and the maintenance of natural heritage systems.
9. A stormwater management system, which, although encouraging the use of storm sewers, may enable other methods of directing stormwater flows in those circumstances where the provision of storm sewers may be a disadvantage to the natural environment.

3.9.3 Development within Flood Prone Areas Two-Zone Concept (Pretty River)

Floodplain Management

The Two-Zone Concept is a planning approach, which provides for the occurrence of development in accordance with the underlying land use designation, between the 1:100 Year Storm flood line and Regional Storm flood line subject to flood proofing.

It is the intent of the Town of Collingwood and the Nottawasaga Valley Conservation Authority to prevent loss of life and to minimize property damage and social disruption on flood-prone lands adjacent to the Pretty River in the event of a regulatory flood. To achieve this objective, all development proposals, including but not limited to plans of subdivision/condominium and major public works projects, shall adhere to the following policies:

- a) The floodplain associated with the Pretty River shall consist of two zones: the floodway and the flood-fringe. The floodway is generally defined as those lands located below the defined 1:100 Year flood level and the flood-fringe is defined as those lands located between the 1:100 Year flood level and the Regional Storm flood level.
- b) Subject to compliance with the stricter use provisions of Section 4.1.3.12, land uses permitted within the floodway are restricted to structural works used for flood and erosion/sediment control. The Town of Collingwood and the Nottawasaga Valley Conservation Authority shall approve such uses.
- c) Subject to compliance with stricter use provisions of Section 4.1.3.12, land uses permitted within the flood-fringe include: residential, commercial, industrial, institutional, agricultural and open space/recreational uses.
- d) Land uses permitted within the flood-fringe shall be subject to the following standards:

All major development permitted within the flood-fringe shall be subject to site plan control and/or the provisions of a subdivision agreement.

All uses shall be flood-proofed to the regulatory flood standard (*Timmins Storm Flood Level*). All uses shall ensure that upstream/downstream lands will not be adversely affected. Any draft plan of subdivision or any major development requiring site plan approval shall be accompanied by a cumulative impact analysis. The impact analysis shall identify the potential impacts on the hydraulics of the Pretty River floodplain and establish the precise areas available for development. The Nottawasaga Valley Conservation Authority, in consultation with the Town, may determine that an analysis is not required for minor development proposals.

The Nottawasaga Valley Conservation Authority and the Town of Collingwood shall approve all uses. As a condition of draft plan/site plan approval a qualified professional to the satisfaction of the Town of Collingwood and the Nottawasaga Valley Conservation Authority shall prepare an Ecological Restoration Plan (ERP). In general, the ERP will identify the

areas within the Pretty River Corridor that require protection and the areas that require enhancement or restoration. Enhancement may involve techniques such as the introduction of indigenous tree and shrub species and riverbank stabilization. The ecological restoration plan shall apply to those lands located within 30 metres of the stable top-of-bank of the Pretty River or those lands within the 1:100 Year floodplain, whichever is greater.

- e) The number and location of residential units provided in the flood -fringe will be dictated by the floodplain analysis approved by the Nottawasaga Valley Conservation Authority and the Town of Collingwood.
- f) The floodway has been designated Environmental Protection Areas on Schedule A to this Plan. The flood-fringe, which is identified by the *Pretty River Flood Fringe*¹ boundary classification on Schedule A, has been designated for existing or intended land uses. The policies of Section 4.8(a) above shall apply to land use designations within the Pretty River Flood Fringe. Any remnant flood-fringe area that is not technically suitable for development shall be placed in a restrictive zone category, in the implementing Zoning By-law.

Existing Uses and Minor Development in Pretty River Flood-Fringe

Minor development may be permitted within the Pretty River flood-fringe without fulfilling all of the identified criteria provided a permit is obtained from the Nottawasaga Valley Conservation Authority (NVCA).

For the purposes of this Plan, minor development is defined as the construction or reconstruction of a single-detached dwelling, the construction of a residential, commercial or industrial accessory structure or addition. Both dry and wet flood proofing techniques will be applied to minor development proposals to the regulatory flood standard.

Pretty River Building Setbacks

All development, including storm water management facilities shall be set back a minimum of 30 metres from the stable top of the bank of the Pretty River or shall be located outside the 1:100 Year floodplains, whichever is greater.

3.9.4 Black Ash Creek Subwatershed

The Nottawasaga Valley Conservation Authority has completed a comprehensive sub-watershed plan for the Black Ash Creek designed to identify and protect significant natural features and functions as well as natural hazards. The recommendations of the sub-watershed plan have been incorporated into this Official Plan thereby supplementing this Plan's environmental protection criteria through refinements to the location of natural

¹ *NOTE: The limits of the Pretty River Flood Fringe boundary classification on Schedule A derive from the Pretty River Flood Hazard Delineation Study prepared by the Nottawasaga River Conservation Authority with the assistance of Stantec Consulting Limited in December 1998. The floodline was determined on the basis of a model which assumed a "Maintained Condition" (i.e., harvested vegetation within the Pretty River dykes (channel)). If the channel is not maintained, and becomes overgrown the extent of the flood-fringe area (i.e., the area susceptible to flooding) could increase, in which case reference should be made directly to the NVCA study to establish the precise location of the flood-fringe boundary classification during the consideration of future development applications.*

heritage resource areas delineated on Schedules A and B, and the inclusion of the following storm water management polices to guide future development.

The preparation of a Functional Servicing Plan (FSP) shall be required in conjunction with all future development submissions (draft plan of subdivision/condominium or site plan applications) within the Black Ash Creek sub-watershed as delineated on Schedule B. The issues to be addressed and the complexity of an FSP will vary with the scale and type of development and shall be determined on a site-by-site basis in pre-consultation with the Nottawasaga Valley Conservation Authority and the Town of Collingwood prior to the FSP proceeding. In the case of private development proposals, the developer shall finance the study.

The FSP will produce recommendations on measures to protect, enhance and restore natural features within the sub-watershed in the context of new urban growth. The FSP shall also address any other servicing requirements of the municipality with respect to the provision of water and sewage disposal facilities, grading and storm water management. Each FSP shall incorporate the findings/recommendations of any Environmental Impact Statements (EIS's) undertaken in relation to identified Category 1 or 2 Environmental Protection - Natural Heritage Resource Areas, in this way facilitating the integration of new development with the natural system.

Where it is demonstrated through a Functional Servicing Report (FSP), approved by the Town of Collingwood and the Nottawasaga Valley Conservation Authority, that development can occur in accordance with the development principles advanced by the Black Ash Creek Sub watershed Study; it may proceed on the basis of the land use designations delineated on Schedule A.

3.10 CONSERVATION AUTHORITIES

The Town of Collingwood shall consult with either the Nottawasaga Valley Conservation Authority or the Grey Sauble Conservation Authority, who function as the Town's technical advisors, during the review and approval of a variety of applications for development in lands that are determined to have Natural Heritage and/or Natural Hazard Features.

In addition to other relevant approvals, all development within the areas regulated under the Conservation Authorities Act shall be subject to the permit process administered by either the Nottawasaga Valley Conservation Authority or the Grey Sauble Conservation Authority. The regulated areas which are shown on maps available at the Town offices include lands that are:

1. Adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System;
2. Adjacent to or close to river or stream valleys that have depressional features associated with them, whether or not they contain a watercourse;
3. Hazardous lands;
4. Wetlands; or

4.0 LAND USE DESIGNATIONS

4.1 ENVIRONMENTAL PROTECTION*

The lands in Collingwood warranting protection due to their environmental importance are designated Environmental Protection Areas on Schedule A and also shown in greater detail on Schedule B entitled Environmental Protection - Natural Heritage Resource Areas.

The Environmental Protection Areas classification on Schedule A includes lands unsuited for development due to inherent natural hazards such as susceptibility to flooding or erosion, poor drainage, organic soils or steep slopes. This designation has also been utilized to provide an added level of protection to the Town's most significant (Category 1 on Schedule B) natural heritage features such as Provincially significant wetlands.

The Environmental Protection - Natural Heritage Resource Areas classification on Schedule B identifies lands warranting varying levels of protection due to their environmental importance. The natural heritage features identified on Schedule B include Provincially significant wetland, valley lands, woodland, and fish and nursery habitats. These areas fall into two categories:

- Category 1 lands are lands where development is prohibited. Category 1 lands are included within the Environmental Protection Areas designation on Schedule A in order to provide a heightened level of protection to Collingwood's most sensitive natural resources. Category 1 lands, by virtue of their significant functions, attributes and linkages, are those considered to make the greatest contribution to the natural heritage system of the Town of Collingwood and include, for example, Provincially-significant wetlands, major river valleys, fish habitat located within significant valley-lands and primary woodlands encompassing in excess of 4 hectares (9.9 acres) that are more than 75 years old, and
- The Category 2 classification encompasses locally significant wetlands, younger woodland encompassing an area in excess of 10 hectares (25 acres), and/or fish habitat located outside significant valley-lands. Category 2 lands are where limited forms of development, in accordance with the land use designations on Schedule A, may be possible subject to the findings of an Environmental Impact Statement (EIS).

The goals, objectives and policies within this Section describe the general principles to be considered in regulating land uses within identified natural hazard land areas included within the Environmental Protection Areas designation on Schedule A. The additional criteria to be considered in regulating land uses within Environmental Protection - Natural Heritage Resource Areas designation on Schedule B also follow.

4.1.1 Goals

1. To preserve and enhance the quality of the natural environment by establishing development guidelines and policies which implement the *Greenlands* objectives of the County of Simcoe Official Plan and which minimize land use conflicts within environmentally sensitive areas.
2. To ensure the health and safety of area residents by preventing the loss of life and minimizing property damage due to flooding.
3. To preserve and enhance natural heritage features and areas (Greenlands) deemed to have Provincial or regional significance by establishing development guidelines and policies in relation to locally significant environmental features.

4.1.2 Objectives

1. To protect the ecological features and functions recognized by the Greenlands system in the County Plan.
2. To ensure that land use planning decisions contribute to the preservation, conservation and enhancement of water quality and related resources on a watershed and sub-watershed management basis.
3. To maintain and, where possible, enhance surface and groundwater resources in sufficient quantity and quality to permit existing and future uses on a sustainable basis.
4. To ensure sufficient lands are set aside in proximity to the four major river valleys, Pretty River, Black Ash Creek, Silver Creek and Batteaux River, to allow for the construction of any necessary remedial works.
5. To encourage public ownership of major river valleys and/or public easements as a means of preventing their fragmentation and ensuring their long-term environmental function as well as their accessibility for educational/recreational use.
6. To protect and enhance the valleylands and cold water fish habitat of Black Ash Creek, Silver Creek and Pretty and Batteaux Rivers and Provincially and locally-significant wetlands and woodlands.
7. To prevent development and/or site alteration on lands adjacent to and within Class 1, 2 or 3 wetlands, the habitat of threatened or endangered species, fish habitat, significant woodlands, significant valley lands, significant wildlife habitat or hazardous lands pending the completion of an *Environmental Impact Study* which demonstrates that the proposed methods of premeditating any potential impacts on these and/or cultural

heritage features are satisfactory to the regulatory agencies responsible for such resources.

8. To protect natural heritage features deemed to be of local significance, which may also contribute to the long-term viability of Provincially or regionally significant resources.
9. To prevent development and site alteration until significant archeological resources have been conserved by removal and documentation or preservation on the site.
10. To prevent the occurrence of development on lands having inherent environmental hazards such as poor drainage, inundation, flooding, erosion, steep slopes or any other physical conditions which could endanger life or property.
11. To ensure that any existing or potential adverse impacts of one land use upon another are adequately investigated and mitigated as a prelude to new development, and that appropriate measures are taken to minimize or eliminate these impacts and/or afford protection against them.
12. To correct all existing and potential sources of pollution by applying the standards established by the Province of Ontario, Town of Collingwood or any other body having jurisdiction.
13. To provide for select development on the basis of the Two-Zone floodplain management concept and within those built-up parts of the community susceptible to flooding.
14. To minimize potential environmental impacts in shoreline areas through zoning and other appropriate development control measures.

4.1.3 Policies

4.1.3.1 Permitted Uses

The uses permitted within the Environmental Protection Areas shown on Schedule A, may include conservation uses, fish and wildlife management, public/private road, public/private utility, public parks, pedestrian (walking/jogging/ bicycling/cross-country skiing) trails, accessory parking lots or other similar passive recreational uses. Only those buildings and structures required for purposes of flood control or as accessory uses to public recreation shall be permitted.

Within the Category 1 Environmental Protection – Natural Heritage Resource Areas on Schedule B the uses permitted shall be further limited and no development or site alteration, except for public works/uses required for flood or erosion control or passive public recreation (e.g. trails), or public/private road, or public/private utility shall be permitted.

Criteria for the development of Adjacent Lands, and Category 2 Natural Heritage Resource Areas are found in Section 4.13.12.

4.1.3.2 Parking Facilities

Except within Category 1 Environmental Protection – Natural Heritage Resource Areas on Schedule B, parking areas may be established as accessory to public recreational or conservation uses. Access to such parking areas shall be designed to minimize the danger to vehicular and pedestrian traffic.

4.1.3.3 Boundaries

The boundaries of the Environmental Protection Areas classification shown on Schedules A and B have been conceptually delineated. It is the intent of this Plan that their precise locations be determined in consultation with the Nottawasaga Valley Conservation Authority at the time of the consideration of specific development applications.

When major development is proposed adjacent to Nottawasaga Bay or a watercourse, and detailed engineered floodline mapping is not available, the proponent shall undertake a floodplain analysis at their expense, and to the satisfaction of the Town of Collingwood and the Nottawasaga Valley Conservation Authority to establish the precise location of the regulatory floodline. This shall form one component of the Environmental Impact Statement (EIS) in determining the precise boundaries of the Environmental Protection Area.

An amendment to this Plan shall not be required to make minor modifications to the boundaries of the Environmental Protection Areas classification provided the overall intent of the Plan is maintained. However, an amendment shall be required to Schedule A, when a boundary modification to a Category 1 natural heritage resource area is deemed to constitute a major change.

4.1.3.4 Detailed Delineation

The Environmental Protection Areas classification shown on Schedules A and B are to be used only as a guide in preparing implementing zoning criteria and that appropriate setbacks from identified hazards (e.g. areas susceptible to flooding / erosion), engineered flood lines, the high water mark of any river, creek or shoreline, and the extent of environmental buffers, shall be established in the Zoning By-law in consultation with the mandated approval authority (Nottawasaga Valley Conservation Authority).

When more detailed mapping becomes available, it shall take precedence in the consideration of development applications, and Council shall amend the Official Plan and/or Zoning By-law to reflect the improved mapping.

4.1.3.5 Flood Control Works

Whenever a flood control or other work is undertaken that results in significant changes to an identified floodplain, modifications to the boundaries of the Environmental Protection Areas designation shall be incorporated onto Schedule A by an amendment to this Plan.

4.1.3.6 Development Approach

The establishment of any permitted use in the Environmental Protection Areas shown on Schedule A, shall only occur after the completion of an Environmental Impact Statement in accordance with the prescribed guidelines and approval by The Town of Collingwood in consultation with the Nottawasaga Conservation Authority. The EIS is first to identify and assess the potential impacts of development on the natural features and functions of the area, and second where development is concluded to be appropriate, to ensure its integration with the natural environment through sensitive design.

For the Environmental Protection Areas shown on Schedules A and B, public recreational uses including pedestrian trails shall be established in accordance with Section 5.3.9. Wherever possible, the theme of public open spaces, particularly those in the vicinity of Environmental Protection - Natural Heritage Resource Areas, shall be oriented toward the preservation of the natural environment as a recreational/educational resource for the benefit of area residents.

4.1.3.7 Building Setbacks

Building setbacks shall be imposed from Environmental Protection Areas shown on Schedule A relative to the extent and severity of the identified hazard or as specifically indicated in this Official Plan. In general, and subject to confirmation by the Nottawasaga Valley Conservation Authority, a minimum metres (98.4 feet) setback shall be required from the high-water mark or the top of bank of a watercourse, whichever is the greater.

4.1.3.8 Lands Under Private Ownership

It is essential that hazard or flood prone lands in the Environmental Protection Areas shown on Schedule A be protected from development to protect Collingwood's environmentally significant natural features and ecological functions and to facilitate where appropriate an effective system of municipal stormwater management. As such, an application for the re-designation of Environmental Protection Areas to permit development shall only be considered where it is established to the satisfaction of Council and the Nottawasaga Valley Conservation Authority, that:

- the remedial works to be undertaken to overcome the identified hazards will not transfer those hazards to other areas,
- the proposed methods by which the hazard(s) are to be overcome are consistent with accepted engineering techniques, resource management

- practices and the EIS Guidelines,
- the entire cost of the proposed remedial work will be borne by the proponent of the development,
- the EIS recognizes that natural changes have occurred which undermine the Area's value or sustainability and that the Area no longer merits designation.

There is no public obligation to re-designate any land if there is either an existing or potential hazard that would be difficult or excessively costly to overcome; or a natural feature deemed to have Provincial, County or local environmental significance.

Nothing in this Plan shall be construed to imply that Environmental Protection Areas are free and open to the general public, or that the Town, or any other public agency will purchase such areas.

4.1.3.9 Public Acquisition of Environmental Protection Areas

Where development is proposed on a site which includes lands designated Environmental Protection on Schedule A, such lands shall not necessarily be acceptable as part of a parkland dedication pursuant to the Planning Act. In circumstances where the acquisition of such lands is deemed in the public interest in order to ensure their long-term preservation and/or to facilitate the location of trail systems or other passive recreational uses, the Town may choose to encourage their conveyance to the municipality through the development approval process, land trusts, easements or any other means at Council's disposal, including density transfers.

Any and all Environmental Protection Areas that are dedicated to the municipality, shall be conveyed in satisfactory physical condition and if an open watercourse is involved the dedication shall provide sufficient land for proper maintenance to be carried out.

In that the public acquisition of all Environmental Protection – Natural Heritage Resource Areas is neither practical, possible, or desirable in view of potential maintenance and/or liability responsibilities, as an alternative, the Town may seek to ensure the area's long-term preservation through a public education program explaining the environmental importance of identified resources and ecological functions and appropriate management practices to area land owners.

4.1.3.10 Development within Flood-prone Areas

There are four major river systems that outlet to Nottawasaga Bay within the Town of Collingwood. From west to east, these are: Silver Creek, Black Ash Creek, the Pretty River and the Batteaux River. Each of these watercourses, as well as the Nottawasaga Bay shoreline, are susceptible to flooding and, hence, pose a potential threat to property and the health and safety of the general public. The following policies define the limitations to be imposed on development within these flood-prone areas.

4.1.3.10.1 Nottawasaga Bay Shoreline Management

The Nottawasaga Bay shore lands are susceptible to flooding and development on these lands is subject to the Regulatory Flood Standard. The Regulatory Flood Standard is defined as those lands located below the 1:100 Year flood elevation of 178.0 metres Geodetic Survey of Canada Datum (GSCD). These lands are classified as the Nottawasaga Bay floodplain and are designated Environmental Protection Areas on Schedule A. Development within the Nottawasaga Bay floodplain shall adhere to the following policies.

1. Permitted Uses

Notwithstanding the provisions of Section 4.1.3.1, existing uses and minor additions thereto and structures/facilities such as docks and boat houses, which by their nature must be located on or near shore lands shall also be permitted within the Nottawasaga Bay floodplain.

Permitted land uses shall require the approval of the Town of Collingwood in consultation with the Nottawasaga Valley Conservation Authority and the Ministry of Natural Resources.

2. Building Setbacks

Uses outside the Nottawasaga Bay floodplain shall be set back a minimum of 15 metres from the 1:100 Year flood elevation of 178.0 metres GSCD. An additional set back may be required to satisfy the Nottawasaga Valley Conservation Authority requirement for wave up rush protection.

3. Floodplain Boundaries

As the Environmental Protection Areas designation on Schedule A are conceptually delineated, it is intended that the 1:100 Year flood elevation of 178.0 metres GSCD be used as a guide in the preparation of the implementing Zoning By-law.

4.1.3.10.2 Riverine Floodplain Management – One Zone Concept

It is the intent of the Town of Collingwood and the Nottawasaga Valley Conservation Authority to prevent loss of life and to minimize property damage and social disruption in the event of a regulatory flood which is the greater of the Timmons Storm, the 1:100 year return period storm, or the flood actually experienced in the defined watershed. To achieve this objective, the One-Zone Concept shall apply to lands susceptible to flooding in the vicinity of Silver Creek, Black Ash Creek and Batteaux Rivers. The Pretty River shall be regulated by the two zone concept as noted in Section 3.8.

The One-Zone Concept is a planning approach whereby the entire floodplain, as defined by the regulatory flood standard, is treated as one unit and all development

within the floodplain is prohibited or controlled. With the exception of the Black Ash Creek Special Policy Area, the One-Zone Concept as defined by the regulatory flood shall regulate the Silver Creek, Black Ash Creek and Batteaux River floodplains. Development within these floodplains shall be subject to the following policies.

1. Prohibited Uses

Habitable buildings and structures shall not be permitted within the defined floodplains of Silver Creek, Black Ash Creek and the Batteaux River.

2. Permitted Uses

Notwithstanding the provisions of Section 4.1.3.1, existing uses and minor additions thereto, shall also be permitted, within the defined floodplains of Silver Creek, Black Ash Creek and the Batteaux River.

All permitted land uses shall require the approval of the Town of Collingwood in consultation with the Nottawasaga Valley Conservation Authority.

3. Floodplain Boundaries

Where floodplain and/or fill line mapping, such as that prepared for the Pretty River in December 1998, exists, it has been utilized as a basis for the delineation of the Environmental Protection Areas designation on Schedule A to this Plan. Where the extent of the regulatory floodplain is unknown, the Environmental Protection Areas designation has been conceptually delineated on Schedule A utilizing, as near as possible, the top of the bank of a particular watercourse.

4.1.3.11 Development in Association with Erosion Hazards

The precise determination of the erosion hazard limit will be based on a combined influence of:

- the toe erosion allowance,
- the stable slope allowance,
- the flooding hazard limit or meander belt allowance; and
- the erosion access allowance.

In making such a determination, the mandated approval authority(s) shall be guided by the appropriate manuals prepared by the Ministry of Natural Resources.

4.1.3.12 Additional Criteria, Schedule B – Natural Heritage Resource Areas

4.1.3.12.1 Category 1

The preservation of Category 1 Natural Heritage Resource Areas is a primary objective of this Official Plan and areas accommodating these natural features have been designated Environmental Protection Areas on Schedule A, and identified as Category 1 resources on Schedule B, to provide a heightened level of control over

future land use activity. No development or site alteration, except for public works/uses shall be permitted. An Environmental Impact Study (EIS) shall be completed prior to the development or site alteration for the public works/uses.

4.1.3.12.2 Category 1: Adjacent Lands

No development shall be permitted on adjacent lands located within 120 metres (394 feet) of *Category 1: Wetland* or within 50 metres of *Category 1: Valley land, Woodland or Fish/Nursery Habitat* unless the proposed methods of remediating the potential impacts of such development on the adjacent resources are satisfactory to the Town of Collingwood and the Nottawasaga Valley Conservation Authority. This shall be demonstrated through the preparation of an EIS.

4.1.3.12.3 Category 2: Development Prerequisites

The lands identified as Category 2 Environment Protection - Natural Heritage Resource Areas on Schedule B are also environmentally significant. Development in accordance with the land use designations on Schedule A, shall only be permitted on lands accommodating Category 2 resources and/or on adjacent lands located within 50 metres (164 feet) of Category 2: Woodland or Fish Habitat where the proposed methods of remediating any potential impacts are satisfactory to the Town of Collingwood and the Nottawasaga Valley Conservation Authority, as established through the preparation of an EIS.

The primary objective of an EIS is to first identify and assess the potential impacts of development on the natural features and functions of the area, and second, where development is concluded to be appropriate, to ensure its integration with the natural system through sensitive design.

Where it is established through an EIS, approved by the Town of Collingwood and/or other mandated approval authority, that development can occur within or adjacent to the Natural Heritage Resource Areas in accordance with sound management practices, it may proceed on the basis of the land use designations delineated on Schedule A.

4.1.3.12.4 Category 1 and 2 Woodland: Reclassification Prerequisites

Although the general intent of the Official Plan is to preserve Category 1 Woodlands, and to permit development in Category 2 that will have no negative impact, it is recognized that comprehensive on-site investigations may be undertaken of entire woodlands, utilizing refined assessment criteria and study techniques, that may reveal that all or part of a particular site is suitable for reclassification to Category 1 or Category 2 status.

Accordingly, the reclassification of Category 1 Woodland to Category 2 or a Category 2 Woodland to Category 1 status on Schedule B and the re-designation of

Category 1 Woodland from the Environmental Protection Areas classification on Schedule A, may only be considered when the results of an EIS reveal, to the satisfaction of the Town of Collingwood and the Nottawasaga Valley Conservation Authority, that such reclassification is justified.

The EIS shall be undertaken by a qualified professional, acceptable to the Town and the NVCA, and shall consider, determine and assess:

- the size, shape, age, structure, edge to interior ratio and vegetation species composition of the entire woodland,
- the health of the trees and past human disturbance/forest management practices,
- the wildlife function of the entire woodland (e.g. habitat for forest interior and/or area sensitive bird species; deer wintering habitat), and
- the relationship of the woodland to other nearby natural heritage features (e.g. proximity, connectivity, corridor function).

The reclassification of Category 1 Woodland may only occur by amendment to Schedule A of the Official Plan. In circumstances where Category 1 and Category 2 natural heritage resource areas on Schedule B overlap the policies applicable to the Category 1 resource shall apply.

4.1.3.12.5 Category 2 Woodland: Study Requirements

Where development is proposed in Category 2 Woodland, the proponent shall be required to prepare, as part of an EIS, an evaluation of the woodland's composition, a tree preservation plan and/or a landscape remediation plan, the latter focusing on principles of site naturalization. Such analysis shall be undertaken by a qualified professional acceptable to the Town and/or other mandated approval authority and shall identify:

- Trees and/or plant communities that should not be disturbed due to their unique characteristics and/or their importance as natural linkages between plant and animal habitats. Where available, policies/guidelines of the Province / County or Conservation Authority relative to woodlot preservation shall be utilized.
- Trees scheduled for removal and the rationale for their removal.
- Specifications for construction techniques that minimize the impact on the natural environment.

The Town of Collingwood may require the entering into of agreements to ensure the implementation of the preservation techniques described in the woodland evaluation study, tree preservation and/or landscape remediation plan.

The clearing of Category 2 Woodland may only proceed in accordance with the appropriate by-laws, which regulate the cutting, burning or removal of trees by any other means.

4.1.3.13 Environmental Buffers

Naturally vegetated buffers, generally extending a minimum of 30 metres (98.4 feet) from the edge of Category 1 and 2 Environmental Protection - Natural Heritage Resource Areas, shall be encouraged. The precise nature of the buffers and their dimensions shall be determined on a site-by-site basis through the findings of an EIS.

The naturally vegetated buffers to protect Category 1 and Category 2 resource areas may exceed the standard above and/or the building setbacks from identified natural hazards established in accordance with Section 4.1.3.7 for reasons of safety.

4.1.3.14 Environmental Monitoring

The Town of Collingwood, in consultation with the Nottawasaga Valley Conservation Authority and other agencies and organizations, shall encourage the establishment of environmental monitoring programs in order to measure the effectiveness of the environmental policies of this Official Plan. If deemed necessary, the Plan shall be appropriately updated as per Section 1.5.

4.1.3.15 Exceptions (OPA#20)**1. Part Lot 45, Concession 10**

Despite any policies of this Official Plan to the contrary, within the Environmental Protection Exception One (EP-1) designation, permitted uses are limited to conservation uses, fish and wildlife management uses, passive recreational uses including trails, and stormwater management facilities. Only those buildings and structures required for purposes of flood control shall be permitted.

The stormwater management facility shall be naturalized and integrated into the Environmental Protection area to the satisfaction of the Town of Collingwood.

The construction and naturalization of the stormwater management facility shall include the reforestation or enhancement of lands located between the site's southern property line and the Black Ash Trail to the satisfaction of the Town of Collingwood.

4.3 RESIDENTIAL (OPA#33)

Development Overview

The Residential designation provides for a variety of housing opportunities and associated uses, within a broad range of residential densities, in order to meet the Town's long-range housing needs and the complete community and compact urban form policies of the Places to Grow, Growth Plan for the Greater Golden Horseshoe.

Specifically, lands designated Residential and Rural Residential on Schedule A shall be used predominantly for a variety of residential uses, including low, medium and high density housing, and shall also include public and private nursing homes, senior citizen/retirement homes, group homes and crisis-care facilities. In addition, complementary uses which contribute to residential areas as complete neighbourhoods, shall also be permitted. These additional uses may include home occupations, local convenience commercial uses and community services such as schools, places of worship, parks and playgrounds.

Schedule 'F', Urban Structure and Schedule 'C', Residential Density Plan, show the lands within the Town that are intended to accommodate residential growth to 2031, including residential intensification areas. Schedule 'C' Residential Density Plan, also indicates specific dwelling types permitted and density ranges within the various density designations.

The designation of additional lands for residential uses and/or increases or decreases in permitted densities shall require an amendment to this Official Plan. Planning review requirements in this regard are provided under the Residential Impact Studies section of this Plan.

The general principles to be considered in the development of residential areas are set out in the following policies.

4.3.1 Goals and Objectives

Provincial and County Policies

1. To be consistent with the policy direction of the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, as amended, and the Simcoe County Official Plan,
- To achieve the population, employment and density targets assigned to the Town under the Growth Plan;
 - To provide a hierarchy of desirable residential development opportunities on the basis of the availability and accessibility of municipal water, wastewater and transportation servicing, community infrastructure and other amenities - emphasizing intensification and redevelopment opportunities before consideration of other designated growth areas and designated Greenfields; and,

- To ensure that at a minimum 40% of residential growth is directed to areas within the Town's identified built boundary.

Complete Community

2. To recognize Collingwood's Growth Plan identification as a primary settlement area within the northwestern part of Simcoe County and support the Town's growth as a Complete Community.
- To achieve efficient and attractive compact urban form that is compatible with and enhances existing development;
 - To ensure that the design and configuration of residential development does not place undue financial burden on the municipality and reflects a comprehensive consideration of potential costs; and,
 - To ensure that development in designated greenfield areas only proceeds within the context of broader planning considerations and integration with the existing community.

Neighbourhoods

3. To create vibrant and viable neighbourhoods where basic needs for daily living can be accessed by residents using active and public transportation.
- To emphasize well connected, accessible and transit-supportive neighbourhoods with a sense of place and belonging as the primary building blocks for achieving complete communities;
 - To support a compatible mix of uses, including high quality public spaces and co-location of public service facilities, in appropriate locations to serve as community or neighbourhood hubs; and,
 - To establish a variety of opportunities for intensification and revitalization throughout the built-up area of the Town and in particular older neighbourhoods with existing infrastructure and proximity to existing services, amenities and convenience commercial uses.

People's Needs

4. To ensure residential development which is consistent with the demographic characteristics and socio-economic needs of the Town's present and future residents.
- To emphasize universal design principles for housing and neighbourhoods to ensure that the needs of all of the Town's residents, throughout the life cycle, are met, with

- a particular emphasis on older adults and residents with physical challenges and special needs;
- To encourage housing forms, densities and locations which are affordable to lower and moderate-income households; and,
- To limit the conversion of rental units to condominium units unless there is a sufficient supply of rental accommodation within the municipality.

Quality and Choice

5. To provide a range and mix of attractive housing types, sizes, tenures and locations that have good urban design, accessibility and enhance Collingwood's small-town character.
 - To maintain at least a ten year supply of land designated and available for residential intensification, redevelopment and new residential development and at least a three year supply of residential units with servicing capacity in draft approved or registered plans of subdivision and condominium;
 - To encourage the rehabilitation and preservation of historically-significant residential buildings and of existing housing stock where desirable; and,
 - To establish and maintain comprehensive urban design and development standards for new residential development, including consideration of energy conservation and reducing environmental impacts.

4.3.2 Policies

4.3.2.1 Residential Intensification

To assist in reaching the general intensification target of the Growth Plan, as well as contribute to Collingwood's development as a complete community with compact urban form, this Plan provides opportunities for residential intensification throughout the areas of the Town designated for urban residential uses.

- 4.3.2.1.1** Residential intensification means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes: redevelopment, including the redevelopment of brownfield sites, the development of vacant or underutilized lots within previously developed areas, infill development, the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

4.3.2.1.2 Consideration of opportunities for Residential Intensification throughout the Town, as well as specific development proposals, will be based on the following criteria and the other applicable policies of the Official Plan:

- a) Capacity and availability of municipal water and wastewater servicing;
- b) Proximity to and adequacy of community infrastructure, services and facilities;
- c) Ability to accommodate required off-street parking;
- d) Ability to accommodate an outdoor amenity area;
- e) Acceptable impacts on traffic;
- f) Sensitivity to the urban design and character of adjacent buildings, including their location, massing, height and building materials;
- g) Compatibility with the character and streetscapes of the surrounding neighbourhood; and,
- h) Preservation of heritage resources.

4.3.2.1.3 Collingwood Intensification Area

The older built-up and primarily low density designated areas of Collingwood are particularly well suited for residential intensification given their existing infrastructure and relative concentrations of community services, amenities and employment.

Residential Intensification uses are encouraged in the Collingwood Intensification Area, as identified on Schedule 'F', Urban Structure, subject to the policies set out below and elsewhere in this Plan.

1. Permitted Residential Intensification Uses

The permitted residential intensification uses within the Collingwood Intensification Area include:

- Single detached dwelling units with reduced frontages;
- Accessory Apartments in single and semi-detached dwelling units; and,
- Second Units, such as Coach Houses; and Garden Suites.

Street townhouse dwellings with rear lane garages may also be permitted adjacent to collector roads within the Collingwood Intensification Area subject to appropriate zoning, site plan control and consideration of the policies of this plan, (including section 4.3.2.1.2) and the urban design standards and heritage policies of the municipality.

Residential conversions involving the conversion of existing single detached dwellings, with a minimum gross floor area of 400m², to three (3) or more self-contained dwelling units may also be permitted in the Collingwood Intensification Area subject to appropriate zoning, site plan control where deemed appropriate by Council and consideration of the policies of this plan, (including section 4.3.2.1.2), and the urban design standards and heritage policies of the municipality.

2. Densities

Residential Intensification uses in the Collingwood Intensification Area shall be subject to the density ranges associated with the Low Density Designation as contained in Section 4.3.2.5. Within the Collingwood Intensification Area densities shall generally be calculated on a block by block basis and in keeping with the uses permitted.

4.3.2.1.4 Mixed-Use Intensification Areas

Residential Intensification uses are also encouraged in the **Mixed-Use Intensification Areas**, owing to their potential to accommodate higher densities within a mixed use setting and in close proximity to community services, amenities and employment opportunities. These areas are identified on Schedule F, Urban Structure, and are subject to the policies set out below and Section 4.3.2.1.2.

- Area A Regional Commercial District (RCD) and adjacent Highway Commercial (HC) Area

Residential intensification, in the form of apartment buildings and mixed use commercial residential buildings may be permitted in the RCD and adjacent HC area subject to the policies of Section 4.3.2.1.2 and appropriate restrictions to maintain the primacy of commercial uses in the area.

- Areas B and D Mixed Use Commercial

Residential intensification may be permitted in accordance with the policies of Sections 4.4.7.

- Area C Downtown Commercial Core

Residential intensification may be permitted in accordance with the policies of Section 4.4.4.

4.3.2.1.5 General Intensification – Accessory Apartment and Second Units

On Low, Medium, Low-Medium, and Rural Residential designated residential lands (identified on Schedule 'C') outside the Collingwood Intensification Area, residential intensification through the inclusion of accessory apartments, in single detached, semi-detached, townhouse dwelling units, and second units, such as coach houses and garden suites, may be permitted, subject to appropriate zoning, site plan control where deemed appropriate by Council, and satisfaction of the policies of this Plan, (including section 4.3.2.1.2).

4.3.2.2 Urban Design

This Plan recognizes that high quality urban design is essential to achieving compact and complete communities, helping to create an attractive, accessible, walkable and safe built environment.

The Town's Urban Design Manual provides standards for achieving high quality urban design and it is the intent of this Plan that these standards will form an integral part of the review of residential development proposals throughout the Town.

Of particular importance is looking at how urban design can provide for a greater degree of flexibility and innovation in addressing potential conflicts between land uses, housing types and densities, and how it can contribute to enhancing existing and proposed neighbourhoods.

4.3.2.3 Affordable Housing

Recognizing the importance of providing affordable housing options for Collingwood's residents, and in support of Simcoe County's target that a minimum of 10% of new housing units created each year be affordable, the following policies shall apply in relation to all new residential development.

1. Affordable housing shall be permitted and encouraged throughout the Town in all residential areas and in a variety of housing types, subject to the policies of this plan, appropriate zoning and design considerations.
2. Special emphasis will be given to accessory apartments and second units which will be permitted in association with single detached, semi-detached and townhouse dwelling units, subject to the policies of this plan, appropriate zoning and design considerations.
3. Applications for new plans of subdivision will be encouraged to provide single, semi-detached and townhouse dwelling units that include accessory apartments and/or secondary units or have the ability to accommodate such apartment and/or second units in the future subject to minor changes to the dwelling unit and the configuration of the property.
4. Residential Intensification initiatives with a significant affordable housing component, in excess of applicable density ranges, may be permitted on arterial and collector roads subject to the policies of this Plan, appropriate zoning and site plan control where required or deemed necessary by Council.
5. Particular consideration shall be given to the location of affordable housing in close proximity to shopping or community facilities and public transit.
6. Consideration will be given to modifications to existing zoning and servicing standards that facilitate the provision of affordable housing units in new residential developments where such revisions are consistent with the intent of the Official Plan, and are in accordance with good planning and engineering principles.
7. Innovative housing styles and household relationships that facilitate affordable

housing will be encouraged where consistent with the policies of this Official Plan.

8. The time period for the processing of residential development proposals will, as far as possible, be minimized, especially for those that include affordable housing.
9. The Town shall provide support to Federal or Provincial policies which result in the creation of affordable housing units in the community.

4.3.2.4 General Policies Applicable to all Residential Density Designations

4.3.2.4.1 Uses

The following uses shall be permitted in all residential designations; local convenience uses, home occupations, public and private nursing homes and senior citizen/retirement homes and those public uses itemized in *Figure 3 Permitted Designations For Community Services/Public Uses*.

4.3.2.4.2 Servicing

It is recognized that the achievement of permitted density ranges is contingent upon appropriate servicing infrastructure and capacity being available.

4.3.2.4.3 Parking

Adequate off-street parking shall be provided for all permitted uses and requirements shall be established in the implementing Zoning By-law.

4.3.2.4.4 Development Scale

To maintain the small town atmosphere of the municipality and preserve the aesthetics and experience of natural features for the benefit of Collingwood's residents, Council may pass by-laws limiting the height of buildings or structures within select parts of the community, such as shoreline or resort areas, notwithstanding an area's designation for Medium Density Residential use.

4.3.2.4.5 Access

Access to residential lots shall be from an open public road which meets minimum municipal standards.

The location and nature of driveway access to residential development shall reflect the function and design of the adjacent road system and the density of the dwelling units involved. For example, on higher order roads such as arterials access will generally be limited or consolidated in order to maintain the functionality of the road while on lower

order roads such as collectors or local roads access will be more likely to take the form of individual driveways.

4.3.2.4.6 Minimum and Maximum Densities

Each of the density designations detailed in the following policies, (Low, Medium, Low-Medium, High, and Rural Residential), have associated minimum and maximum density ranges. While the maximum density is viewed as a 'hard ceiling', above which a development proposal would require an Official Plan Amendment for a re-designation or an exception, the minimum density requirements are viewed with somewhat greater flexibility in situations where a development proposal within a built up area is in keeping with the permitted uses and character of the density designation, but cannot in and of itself bring the area into compliance with the minimum density indicated. In such situations a development proposal will be viewed as meeting the purpose and intent of the density policies.

4.3.2.4.7 Density Exclusions

For the purposes of calculating density it is recognized that living accommodations within nursing homes, senior citizen/retirement homes, boarding homes, group homes, special care homes, emergency housing and student dormitories shall not be considered to be separate dwelling units.

4.3.2.4.8 Buffering

Adequate buffering, or transitions, shall be provided to the satisfaction of the Town where different density designations are adjacent to each other or are adjacent to non-residential uses, and may include enhanced setbacks, stepping of buildings, enhanced landscaping and/or berming/fencing of sufficient height.

4.3.2.5 Low Density Residential

Low density residential uses shall be permitted on lands designated *Low Density Residential* on Schedule 'C' in accordance with the policies set out below.

4.3.2.5.1 Permitted Uses

The primary permitted residential uses in the low density designation shall be single-detached dwellings, semi-detached dwellings, duplex dwellings and boarding homes.

4.3.2.5.2 Density

The low density designation shall have a minimum density of 15 dwelling units per gross hectare and a maximum density not exceeding 20 dwelling units per gross hectare.

Where there is an existing approved draft plan of subdivision in place – those densities and unit types shall be considered the approved densities and unit types for the

particular plan of subdivision. Additional density may be encouraged via red-line revisions to those plans, but is not required.

4.3.2.5.3 Low Density Residential Exceptions

Notwithstanding the provisions of Subsection 4.3.2.5 above to the contrary:

1. Uses Permitted - Lots 21 and 22, RP 45 (Medical Clinic)

On Lots 21 and 22, Registered Plan 45 (north of Sixth Street) a medical clinic shall also be permitted.

2. Uses Permitted - Part Lot 45, Concession IX (Kaufman)

Within the designated area in part of Lot 45, Concession IX, part of Water Lot K-8 and the proposed Water Lot in front thereof (Kaufman lands) docking facilities and private parks shall also be permitted. A public walkway linking this development with Collingwood's existing system of public trails shall be provided.

3. Huntingwood Part Lot 48, Concession 12

Development Area #2

- a. The area identified as Development Area #2 (DA #2) on Schedule 'A2' is permitted a maximum density of 12 units per gross hectare. The uses permitted shall be limited to single-detached dwellings, semi-detached dwellings, small-lot single-detached, duplex dwellings, home occupations, residential intensification uses, and those public uses itemized on Figure 3. All residential units that back upon the western boundary of the subject property (adjacent to the Forest Subdivision) shall be single-detached dwellings. Vehicular access may occur from Forest Drive and/or Silver Creek Drive and may be established through lands designated Environmental Protection as permitted by Section 4.1.3.1.
- b. It will be a condition of draft approval of the development that that the lands identified in cross hatching adjacent to DA #2 shall be dedicated to the Town of Collingwood upon registration of the development as per the subdivision/condominium and/or consent process.
- c. The required 5% parkland dedication for the development of DA #2 shall be satisfied by the dedication of lands within the cross hatching area.
- d. The lands shown in cross hatching include a multitude of environmental and open space features including the floodplain of the Silver Creek and all appropriate buffers to those features.

- e. On the basis of the designation and dedication of these lands identified in cross hatching, it is confirmed that no further natural heritage studies or buffers are required. Despite this policy, in addition to whatever studies are identified as required by Section 8.13, current and future *Planning Act* applications shall be supported by:
 - i. details demonstrating that the proposed development mitigates any negative impacts on the natural heritage features or their ecological functions through appropriate measures to the satisfaction of the Town and the NVCA;
 - ii. a natural hazard assessment prepared to the satisfaction of the Town and the NVCA demonstrating that all proposed development will be located in accordance with Section 3.1 of the Provincial Policy Statement; and,
 - iii. details demonstrating that the proposed development satisfies the requirements of the Provincial Policy Statement and the *Endangered Species Act* with respect to species at risk.
- f. The completion of a Secondary Plan and requirements and studies as per the policies of Section 8.10.2 and the Service Area 3 policies of Section 3.6.3 shall not be required prior to development occurring on the lands designated as DA # 2.
- g. All current and future applications under the *Planning Act* on the lands designated as DA # 2 shall be circulated to the MTO for review and comment.
- h. All current and future applications for zoning, site plan control approval, severances and/or plan of subdivisions/condominiums shall include submission of the following studies in addition to whatever studies are identified as required by Section 8.13, with the exception of natural heritage studies:
 - i. a water and sanitary sewer servicing strategy that examines potential regional opportunities and constraints;
 - ii. a stormwater management plan that includes a strategy for addressing Silver Creek drainage patterns and spill areas; and
 - iii. a transportation study (including active transportation and transit) that explores potential linkages with adjacent development. This study shall also be circulated to the MTO for review and comment.

4.3.2.6 Medium Density Residential

Medium density residential uses shall be permitted on lands designated *Medium Density Residential* on Schedule C in accordance with the policies set out below.

4.3.2.6.1 Permitted Uses

The primary permitted residential uses shall be limited to single-detached dwellings, semi-detached dwellings, duplex dwellings, fourplexes, triplexes, townhouses, apartments, student dormitories and boarding homes.

4.3.2.6.2 Density

The medium density designation shall have a minimum density of 20 dwelling units per gross hectare and a maximum density not exceeding 55 dwelling units per gross hectare.

Where there is an existing approved draft plan of subdivision in place – those densities and unit types shall be considered the approved densities and unit types for the particular plan of subdivision. Additional density may be encouraged via red-line revisions to those plans, but is not required.

4.3.2.6.3 Medium Density Residential Exceptions**1. Density Permitted – St. Paul Street (OPA#17)**

Despite Section 4.3.2.6.2, within Lots 2 and 3 and Part of Lot 1, east side of St. Paul Street, Registered Plan 144, the maximum density shall not exceed 77 dwelling units per gross hectare. A high-rise apartment building shall not be considered a permitted use.

2. Part Lot 45, Concession 10 (OPA#20)

Lands located on the south side of Harbour Street designated Residential and Residential - Mixed Use on Schedule 'A' shall be developed with a range of housing options in a supportive living environment, and may include the provision of a wide range of medical care facilities, such as doctors' offices, rehabilitation facilities, personal support services, and in-house community care. Accessory local commercial convenience uses shall also be encouraged. The community will primarily contain medium density residential uses with a variety of accessory and supportive uses and shall function as an interface between the Regional Commercial District to the south and the residential community to the north. The site shall be pedestrian oriented with a variety of connections to the Georgian Trail.

1. Minimum - Maximum Unit Count

The minimum residential dwelling unit count on the entire site shall be 120 units and maximum number of residential dwelling units permitted on the subject lands shall not exceed 300.

2. Mixed Use - Additional Permitted Uses

Additional permitted uses shall include local convenience commercial uses including a pharmacy and a limited amount of business office space, medical and health care related offices and clinics, live/work units, and accessory recreational uses.

3. Mixed Use – Density

The minimum number of units located within the Medium Density Residential – Mixed

Use Block shown on Schedule 'C' shall be 80 units. The maximum number of units located within the Mixed Use Block shall be 210 units.

4. Mixed Use – Commercial

The majority of the permitted commercial uses shall be constructed in mixed-use structures in a complementary arrangement that is focused on a central public space such as a plaza, village green or park. Retail commercial uses shall generally be located at grade and along the Harbour Street frontage.

The maximum gross leasable area devoted to commercial uses on this site shall be 2800 square metres. As the commercial uses are proposed to provide support services and convenience uses for the on-site residential population; the commercial uses shall only be constructed when there is sufficient population to support the development. The policies of Section 4.4.3.7 shall apply to determine the appropriate uses, sizes and timing for construction of the commercial uses.

5. Roads and Transportation

The proponent shall install, at no cost to the Town of Collingwood, a dedicated right turn lane on the Harbour Street West approach to Highway 26. The timing of the installation of the turn lane shall be determined through a development agreement.

6. Urban Design

In preparing an overall development concept for the site's residential, commercial and recreation uses, the proponent shall ensure that the Harbour Street proposal is in accordance with the Urban Design Manual (as amended over time) and that the development is well integrated into the existing land use fabric of the Town, including the Black Ash Creek Environmental Protection corridor and the surrounding uses. To facilitate integration the proponent shall:

- a. extend the existing and abutting municipal road allowances into the site,
 - b. provide for a street grid pattern,
 - c. demonstrate the relationship between the existing structures in the vicinity and the proposed development,
 - d. locate buildings to front, face, and feature public open spaces including streets,
 - e. connect the existing trail network with a continuous linked trail system;
 - and,
 - f. provide for a bike trail.
- An Urban Design Brief shall be prepared for the Mixed Use Block to the satisfaction of the Town of Collingwood. The Urban Design Brief shall review the placement and relationship between the various uses in the Mixed Use Block to determine that they are appropriately located and in keeping with Collingwood's existing urban character.

- The architectural styles and forms of building, materials and details of any permitted buildings shall be compatible with and related to the architectural and urban design context of the site. In particular the Urban Design Brief shall identify that:
 - g. the uses are physically integrated both vertically AND horizontally across the site;
 - h. the design of common areas is adequately refined to make them pedestrian oriented and human scaled;
 - i. there is a diversity of activities including residential, commercial, and public or recreational uses defined and provided with particular attention to those adjacent to and defining the central public space
 - j. there are sufficient and effective connections to existing neighbourhoods and residential areas;
 - k. there are high quality connections for pedestrian use;
 - l. the needs of a definable user population in the mix of uses or urban design has been clearly defined;
 - m. there is a clear “community driver” or central activating purpose for the mixed-use area of the development;
 - n. there are uses planned to enliven and activate outdoor amenity areas particularly the central public space;
 - o. there is long term management control over the mix of uses that ensures the area will remain vibrant and supports activity; and
 - p. the project activities are centrally programmed to be compatible and mutually supportive.

3. Victoria Annex (OPA#24)

Within the Medium Density Residential land use designation on those lands bounded by Fifth Street, Maple Street, and Sixth Street, and identified as Lots 10, 11, and 12 South of Fifth Street, and Lots 10, 11, and 12 North of Sixth Street, Registered Plan No. 45, Town of Collingwood, County of Simcoe, and also known as the “Victoria Annex”, the following development policies shall also apply:

- a. Despite Section 4.3.2.6.1 of this Plan, the uses permitted on the subject lands shall be limited to single-detached dwellings, semi-detached dwellings, townhouse dwellings, one (1) walk-up apartment dwelling consisting of a maximum of seven (7) apartment dwelling units (in part located in the existing Victoria School Annex building), home occupations, and those public uses itemized on Figure 3 of this Plan.
- b. Despite any policies to the contrary, the maximum number of dwelling units permitted on the subject lands shall be nineteen (19).
- c. Despite Section 4.3.2.6.2 of this Plan, the maximum density on the subject lands shall not exceed thirty-two (32) units per gross hectare.
- d. The architectural design of buildings and landscape design shall be sympathetic with the character of the existing Victoria School Annex building (part of the

development proposal) and the adjacent residential neighbourhood. To ensure that the residential development complements the surrounding neighbourhood, Architectural and Landscape Design Guidelines shall be completed to the satisfaction of the Town of Collingwood as a condition of draft plan approval of the plan of subdivision, and shall be incorporated into any Development Agreement affecting the subject lands.

4. 11575 Highway 26 West

Notwithstanding Sections 4.3.2.6.1 and 4.3.2.6.2, within Part of Lots 47 and 48 Concession 11, municipally known as 11575 Highway 26 West, the maximum density shall not exceed 30 dwelling units per gross hectare. Apartment buildings, student dormitories and boarding homes shall not be considered permitted uses.

5. Huntingwood Part Lot 48, Concession 12

Development Area #1:

- a. The area identified as Development Area #1 (DA #1) on Schedule 'A2' is permitted a maximum density of 25 units per gross hectare. The uses permitted shall be limited to semi-detached dwellings, small-lot single detached dwellings, duplex dwellings, triplex dwellings, four-plex dwellings, townhouses, home occupations, residential intensification uses and those public uses itemized on Figure 3. Vehicular access and servicing shall occur from the adjacent residential development to the east.
- b. It will be a condition of draft approval of the development that the lands identified in hatching adjacent to DA #1 shall be dedicated to the Town of Collingwood upon registration of the development as per the subdivision/condominium and/or consent process.
- c. The required 5% parkland dedication for the development of DA #1 shall be satisfied by the dedication of lands within the hatching area.
- d. The lands shown in hatching include a multitude of environmental and open space features, including Provincially Significant Wetlands as well as all appropriate buffers associated with these features.
- e. On the basis of the designation and dedication of these lands identified in hatching, it is confirmed that no further natural heritage studies or buffers are required. Despite this policy, in addition to whatever studies are identified as required by Section 8.13, current and future *Planning Act* applications shall be supported by:
 - i. details demonstrating that the proposed development mitigates any negative impacts on the natural heritage features or their ecological functions through appropriate measures to the satisfaction of the Town and the NVCA;

- ii. a natural hazard assessment prepared to the satisfaction of the Town and the NVCA demonstrating that all proposed development will be located in accordance with Section 3.1 of the Provincial Policy Statement; and,
 - iii. Details demonstrating that the proposed development satisfies the requirements of the Provincial Policy Statement and the *Endangered Species Act* with respect to species at risk.
- f. The completion of a Secondary Plan and secondary plan studies and requirements as per the policies of Section 8.10.2 shall not be required prior to development occurring on the lands designated as DA # 1.
- g. All current and future applications under the *Planning Act* on the lands designated as DA # 1 shall be circulated to the MTO for review and comment.

4.3.2.7 High Density Residential

High density residential uses shall be permitted on lands designated *High Density Residential* on Schedule C in accordance with the policies set out below.

4.3.2.7.1 Permitted Uses

The primary permitted residential uses shall be limited to apartment buildings and student dormitories.

4.3.2.7.2 Density

The high density designation shall have a minimum density of 55 dwelling units per gross hectare and a maximum density of 120 units per gross hectare.

4.3.2.7.3 Local Convenience Uses within High Density Residential Buildings

Within high density apartment buildings, accessory service-oriented commercial uses such as a convenience store, barbershop, beauty salon, dry-cleaning distribution outlet, shall be permitted provided that the commercial uses do not occupy an area in excess of 25% of the ground-floor area of the building.

4.3.2.7.4 High Density Residential Exceptions (*OPA#35*)

1. Linksview Property, 780 Tenth Line

Within the High Density Designation located at the southeast corner of the Linksview lands:

- the subject lands shall have a minimum density of 55 dwelling units per gross hectare and a maximum density of 90 units per gross hectare; and,
- shall be limited to a maximum building height of four storeys.

4.3.2.8 Low-Medium Density Residential

Low and Medium density residential uses shall be permitted on lands designated *Low-Medium Density Residential* on Schedule C in accordance with the policies set out below.

4.3.2.8.1 Permitted Uses

The primary permitted residential uses shall be limited to single-detached dwellings, semi-detached dwellings, duplex dwellings, fourplexes, triplexes, townhouses, boarding homes, and apartments.

4.3.2.8.2 Density

The low-medium density designation shall have a minimum density of 20 dwelling units per gross hectare and a maximum density of 30 units per gross hectare.

4.3.2.8.3 Low-Medium Density Residential Exceptions (*OPA#35*)**1. Exception One**

Within the Low-Medium Density Designation Exception One:

- the uses permitted shall be limited to single-detached dwellings, semi-detached dwellings, and townhouse dwellings; and,
- the subject lands shall have a minimum density of 15 dwelling units per gross hectare and a maximum density of 25 units per gross hectare.
(Eden Oak (McNabb) and Linksvew properties)

4.3.2.9 Rural Residential

It is intended that all future development within the Town of Collingwood occur on full municipal water and sanitary sewage disposal services. As a result of earlier approvals, however, certain unserviced (or partially serviced) residential areas already exist within the municipality. Existing residential uses in these areas may be recognized in the implementing Zoning By-law and future development shall occur in accordance with the following policies:

4.3.2.9.1 Permitted Uses

The primary permitted residential uses on lands designated *Rural Residential* on Schedules 'A' and 'C' to this Plan shall be limited to single-detached dwellings thereto in accordance with the policies set out below.

4.3.2.9.2 Density

Permitted density within the Rural Residential designation shall be determined on the basis of environmental and servicing approvals, with the exception of the former Charis property (595 Mountain Road) which shall have a maximum density of 2 dwelling units per gross hectare.

4.3.2.9.3 Servicing for Existing Lots of Record

Permitted single-detached dwellings may be serviced in accordance with the prevalent servicing configuration in the immediate area, typically municipal water supply in conjunction with a private sanitary sewage disposal system, subject to meeting the requirements of the Town of Collingwood and/or the regulatory Ministry/agency responsible for such facilities.

Where municipal water is not available, a private well in conjunction with a private sanitary sewage disposal system may be permitted subject to meeting the requirements of the Town of Collingwood and/or the regulatory Ministry/agency responsible for such facilities.

4.3.2.9.4 Creation of New Residential Lots

The creation of new single-detached residential lots may be permitted:

- by consent of the Committee of Adjustment, in the case of infilling between existing residential lots and where it is determined that such development does not need to proceed by plan of subdivision;
- by plan of subdivision in all other cases;

Prior to the approval of a consent or draft plan of subdivision application, it shall be established to the satisfaction of the Town of Collingwood and/or the responsible regulatory Ministries/agencies that the proposed lots have appropriate frontage on a public road, can be adequately serviced by either a municipal water supply system or a private well; and sanitary sewage disposal system.

4.3.2.9.5 Access

It is recognized that prior to 2014 a number of Rural Residential lots were created or existed which did not have frontage on a municipally assumed public road. These lots shall have vehicular access via existing private rights-of-way to a public road.

4.3.2.9.6 Rural Residential – One (RR1) – 80 Madeline Drive

Where the Rural Residential designation has been affixed with a Rural Residential – One, “RR1” symbol on Schedule ‘A’ to this Plan, the following policies shall apply.

1. Permitted Uses

The uses permitted on the lands designated Rural Residential – One, “RR1”, shall be limited to one (1) single-detached dwelling and accessory uses (e.g. home occupations) thereto. Through the processing of a site specific Zoning By-law Amendment and a Development Agreement to be registered on title, an accessory storage building of a larger size than currently allowed as of right, on lands zoned Rural Residential may be permitted. If required by the Town, the owner shall enter into a Development Agreement with the Town which shall also address protection of privately owned environmentally sensitive lands.

2. Flood-Proofing

Prior to any building construction or lot grading, a shoreline analysis shall be prepared by a qualified professional identifying and addressing the coastal hazard associated with Nottawasaga Bay. The analysis shall be reviewed, and prior to any building construction or lot grading, approved by the Conservation Authority. Furthermore, all new buildings or structures will be required to have an opening elevation of at a minimum 178.30 metres Canadian Geodetic Datum subject to confirmation by the Conservation Authority and the Town.

3. Development Agreement

If required by the Town, the owner shall enter into a Development Agreement with the Town which shall be registered on title. The Development Agreement shall not be a Site Plan Control Agreement as described in Section 8.3 except with respect to a large accessory storage building. For the balance of the lands designated Rural Residential – One “RR-1” the Development Agreement shall identify the location of all principal and accessory buildings and structures, the location of the driveway, the opening elevation of all buildings and structures; and the Agreement shall also address the protection of privately-owned environmentally sensitive lands.

4.3.2.10 Bed and Breakfast Accommodation (OPA#34)

The Town of Collingwood permits the establishment of bed and breakfast accommodation as a means of providing visitors to the community with a varied and interesting supply of temporary accommodation. As such, bed and breakfast accommodation shall be permitted within a single-detached dwelling in accordance with the following policies.

1. Development Criteria

A bed and breakfast use must be an accessory use to a single-detached dwelling. No one shall use a building wholly for the purpose of bed and breakfast accommodation.

- a) A single-detached dwelling accommodating a bed and breakfast use must be the

principal residence and occupied on a full-time basis by the owner of the dwelling or a lessee. At least one bedroom must be available in the dwelling for the exclusive use of the building's permanent resident.

- b) Prepared food may be served to guests of a bed and breakfast facility.
- c) Bed and Breakfast Accommodation should be serviced by full municipal water supply and sanitary sewage disposal services. The use of a private water supply and/or a private sanitary sewage disposal system may be permitted where the adequacy of such services have been demonstrated to the satisfaction of the Town of Collingwood.
- d) Adequate off-street parking shall be provided at a standard of no less than one space per guestroom in addition to the normal parking requirement for the single-detached dwelling. When there is two or more guest rooms offered for rent, the guest parking shall be screened from adjacent properties.
- e) Bed and Breakfast Accommodation shall be permitted "by right" in the implementing Zoning By-law, subject to conformity with zoning provisions as may be established by the Town.
- f) If the Bed and Breakfast has frontage on a County road, an access permit shall be obtained, if required, from the relevant County.

4.3.2.11 Local Convenience Commercial Uses Within Residential Neighbourhoods

Local convenience commercial facilities providing for the sale of convenience goods and services to meet the daily living needs of residents in the adjacent residential area shall be permitted in areas designated for residential use. The precise location, scale and operation of these uses shall be in accordance with the requirements of section 4.4.9 of this Plan, subject to the approval of an amendment to the Zoning By-law and in conformity with the Town's Urban Design Manual.

4.3.2.12 Residential Impact Studies

Before an amendment is made to this Official Plan and/or before an amendment is made to the implementing Zoning By-law (which may or may not require an amendment to this Official Plan), it shall be demonstrated, where necessary through the preparation of appropriate studies, that all of the matters contained within this Section 4.3 have been addressed and:

- that no undue transportation difficulties will ensue from the proposed development;
- that the proposed method of servicing is in accordance with the engineering standards of the municipality and the Ministry of Environment;
- that adequate community facilities including recreational and educational facilities are available to service the proposed use;
- that the proposed development is appropriate for the site, compatible with

- surrounding land uses and/or long-range development planned for the area; and, that all other requirements of the Official Plan have been met.

8.0 IMPLEMENTATION

The Official Plan shall be implemented by the following means:

8.1 PROVINCIAL ACTS

Council shall implement this Official Plan by utilizing the power conferred upon it by the Planning Act, the Municipal Act and such other statutes as may be applicable.

8.2 MUNICIPAL BY-LAWS

8.2.1 Zoning By-law (OPA#16)

1. General

It is the intent of this Official Plan that a comprehensive amendment to the Town's Zoning By-law be brought into effect by Council in accordance with the policies and land use designations of the Official Plan. The six land use classifications shall be zoned in separate categories in the implementing Zoning By-law, and where appropriate sub-categories may also be developed and implemented.

The Zoning By-law will establish regulations to control the use of land, the minimum frontage and area of a parcel of land, the use of buildings and structures, and the height, bulk, location, size, floor area, spacing, character, and minimum opening elevation of buildings and structures in Collingwood. The Zoning By-law will also establish minimum setbacks from roads, standards for off-street parking, loading, landscaping and buffering. **(OPA#33)** The Zoning By-law provisions for a particular parcel of land shall not necessarily include the full range of uses generally contemplated for that designation and the uses permitted shall be tailored to what is appropriate for the specific location.

Although the Zoning By-law shall zone land in accordance with the land use designations and policies of this Plan, it is not intended that all areas designated for a particular land use necessarily be zoned immediately for such use. Rather, holding and development zones may be placed on certain areas until it is appropriate for development to occur.

Development zones established pursuant to Section 34 of the Planning Act (e.g. (Development Residential (DR) Zone) may be utilized when the final zoning sub-category has yet to be established. This category is used to delay development pending the passage of an amendment to the Zoning By-law undertaken in full accordance with the requirements of Section 34 of the Act including those dealing with the Act's notice and appeal procedures. Holding zones may also be utilized.

2. Zoning Amendments

Amendments to the Zoning By-law may be permitted when Council is satisfied that:

- a) The proposed use will not have a deleterious impact on adjacent uses as a result of increased traffic, stormwater drainage, noise or other factors deemed significant by the municipality.
- b) The proposed use does not pose a danger to adjacent uses by virtue of its hazardous nature.
- c) The proposed use will not pollute any water and/or soil or otherwise threaten the environment.(OPA#16)
- d) The proposed use conforms to the policies and designations of this Official Plan, the Official Plan of the County of Simcoe and the provision of the Planning Act.
- e) In order for an application for an Amendment to the Zoning By-law to be considered complete in accordance with Section 34 of the Planning Act, Council may require the submission of any number of the reports or studies listed in Section 8.13.(OPA#16)

3. Existing Uses

Uses of land which legally existed as of the date of adoption of this Official Plan may be recognized by an appropriate zoning category in the implementing Zoning By-law and extensions and/or the construction of accessory buildings may be permitted in accordance with any other applicable policies of this Plan.

8.2.2 Holding By-laws

1. General

Pursuant to Section 36 of the Planning Act, Council may pass a holding by-law for the purpose of delaying development within specific areas until the development criteria contained in the policies of the various land use designations in addition to all other relevant policies of the Municipality, County and Province has been satisfied. For example, a holding by-law could be utilized to enable the phasing of development and the provision of municipal services.

Without limiting the generality of the foregoing, it is the intent of this Official Plan that holding provisions may be applied in circumstances where Council is satisfied regarding the anticipated use of a parcel of land as designated in this Plan but considers the actual development of the lands for the intended use to be premature pending the requirements and/or conditions of development. Such municipal requirements and/or conditions of development may include, but shall not be limited to, the following:

1. that adequate municipal services, including water and sewer services, are available to service the proposed development,
2. that development or redevelopment is appropriately phased,

3. that a secondary plan or a comprehensive development plan for one or more parcels of land has been prepared,
4. that draft plans of subdivision/condominium and/or site plan agreements, where deemed appropriate, have been approved,
5. that necessary transportation facilities are available to service the proposed development,
6. that necessary studies, as required by Council, regarding the timeliness of development, such as market impact studies, have been prepared, and
7. that necessary studies, as required by Council and Simcoe County regarding the appropriateness of proposed development in a Waste Disposal Assessment Area.

2. Implementation

Land subject to holding provisions shall be identified within the implementing Zoning By-law by the placement of an “H” immediately before the relevant zone symbol. Permitted uses within areas subject to holding provisions shall be limited to the uses existing at the time of the passing of the holding by-law. The holding by-law may also be utilized to restrict the expansion of existing uses. Notwithstanding these limitations, Council may permit development, which it deems to be similar to or compatible with the designated land use as delineated on Schedule A - Land Use Plan to this Plan.

3. Removal of the Holding Symbol

The holding symbol shall be removed from the lands so zoned by an amendment to the Zoning By-law once Council is satisfied that development can proceed in accordance with the policies of this Plan.

8.2.3 Density Increases

Pursuant to Section 37 of the Planning Act, Council may, when appropriate for specific development proposals, consider increasing the minimum height and density criteria in return for the provision of such facilities, services or matters as are set out in the by-law.

8.2.4 Interim Control By-law

Where Council, has by by-law or resolution, directed that a review or a study be undertaken with respect to land uses in the Town or in defined areas of the Town, it may pass an interim control by-law pursuant to Section 38 of the Planning Act which serves to control the use of land, buildings or structures within the municipality or within the defined areas of the municipality that are subject to review and study.

8.2.5 Temporary Use By-law

Pursuant to Section 39 of the Planning Act, temporary uses may be permitted. Before passing a by-law to permit a temporary use, Council shall be satisfied that the following requirements which are relevant to the specific application are, or will

10.0 GLOSSARY OF TERMS

For the purposes of this Official Plan, the following definitions shall govern unless the context indicates otherwise. A definition shall provide a guide to assist in the preparation of the implementing Zoning By-law.

Accessory Apartment (OPA#33) a self-contained dwelling unit accessory to, and located within, a main permitted residential use.

Accessory Building or Structure shall mean a building or structure that is customarily incidental and subordinate to a main or principal use, building or structure located on the same lot.

Accessory Use shall mean a use customarily incidental and subordinate to and exclusively devoted to the main or principal use or activity on the lot, building, or structure and which is carried on upon the same lot as such main or principal use, building or structure.

Assembly Hall shall mean the use of land, building, or structure in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes. (OPA#10)

Automotive Parts and Accessories Store (deleted OPA#21)

Bed and Breakfast Accommodation (OPA#34) shall mean a type of home occupation in a single-detached dwelling in which not more than 3 rooms are offered for rental to the traveling public, for overnight accommodation on a temporary basis, by the permanent occupant of the dwelling, and in which prepared food may be provided as part of the rental fee.

Building shall mean a structure having a roof, supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.

Building By-law shall mean the Ontario Building Code Act, and the regulations made thereunder, as may be amended, replaced or re-enacted from time-to-time.

Business Office shall mean the use of land, building or structure in which one or more persons are employed in the management, direction or conducting of a business or where professionally-qualified persons and their staff serve clients who seek advice, or consultation and for the purposes of this Plan may include the administrative offices of a non-profit or charitable organization. (OPA#10)

Business Type Hotel or Motel shall mean the use of land, building or structure for a hotel or motel primarily designed to provide basic short term overnight accommodation with limited accessory facilities and services. (OPA#11)

Business Service Establishment

Shall mean the use of land, building or structure for an establishment known as a copy shop, primarily engaged in providing mailbox rental and other postal and mailing services (except direct-mail advertising), and establishments that provide a range of office support services, such as mailing services, copying services, facsimile services, word processing services, on-site personal computer (PC) rental services and office product retailing. (OPA#13)

Campground – Private (deleted OPA#21)

Coach House (OPA#33) a type of second unit located above or attached to a detached accessory garage.

Conservation shall mean the preservation, protection and improvement of the natural environment through a comprehensive management and maintenance program administered by the Town of Collingwood, County of Simcoe, Nottawasaga

Valley Conservation Authority, Ministry of Natural Resources or other public authority for individual or public use.

Conservation Area (deleted OPA#21)

Convenience Store shall mean the use of land, building or structure for establishments primarily engaged in retailing a limited line of convenience items that generally includes milk, bread, soft drinks, snacks, tobacco products, newspapers and magazines. These establishments may retail a limited line of canned goods, dairy products, household paper and cleaning products and provide related services, such as lottery ticket sales and video rental. **(OPA#10)**

Council shall mean the Municipal Council of the Corporation of the Town of Collingwood.

Custom Workshop shall mean the use of land, building or structure for a trade, craft or guild, where fabrication or manufacturing is performed in small quantities requiring manual or mechanical skills and may include a light contracting business, a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop or similar uses. **(OPA#11)(OPA#21)**

Day-Care Centre (deleted OPA#21)

Department Store shall mean the use of land, building or structure for establishments, known as department stores, primarily engaged in retailing a wide range of products, with each merchandise line constituting a separate department within the store. Selected departments may be operated by separate establishments, on a concession basis. **(OPA#10)**

Deposit-Taking Institution shall mean a facility such as a bank, trust company, or credit union providing a limited range of retail banking services, staffed to provide service at least each weekday during normal banking hours.

Dwelling (deleted OPA#21)

Dwelling Unit shall mean a *suite* within a building that is permanently affixed to a foundation used or intended to be used as a domicile by one or more persons and containing cooking, eating, living, sleeping and sanitary facilities, but shall not include any motor vehicle, recreational vehicle, a retirement home, a tent or short term accommodation. **(OPA#21)**

Dwelling, Group or Cluster shall mean two (2) or more residential buildings on the same lot. **(OPA#21)**

Eating Establishment (deleted OPA#10)

Existing, unless specifically indicated otherwise, shall mean a building or structure already erected, or the occupancy of such building or structure or the activity on the land on the date of passing of this Official Plan.

Financial and Insurance Service Offices shall mean the use of land, building or structure in which one or more persons are primarily engaged in providing specialized services in financial intermediation, facilitate or support financial intermediation and employee benefit programs, and engage in the pooling of risk by underwriting annuities and insurance but exclude banks. They include investment products and services such as asset management and custody services, intermediate and advisory services (stock brokers and discount brokers), securities brokerage, insurance brokerage, insurance underwriting, and reinsurance, and claims adjusters, including all related activities. **(OPA#11)**

Food Supermarket, Large (OPA#10)

Food Supermarket shall mean the use of land, building or structure for establishments, known as supermarkets, primarily engaged in retailing a general

line of food, such as canned, dry and frozen foods; fresh fruits and vegetables; fresh and prepared meats, fish poultry, dairy products, baked products and snack foods. These establishments also typically retail a range of non-food household products, such as household paper products, toiletries and non-prescription drugs.

Supermarkets may also include a dispensing pharmacy and limited lines of other non-food retail merchandise. **(OPA#10)**

Fraternal Organization (deleted OPA#21)

Garden Suites (OPA#33) a type of second unit located within, and occupying wholly, a detached accessory building that for the purposes of this Plan may or may not be portable in nature.

General Merchandise Store shall mean the use of land, building or structure for establishments for the retail of general merchandise not otherwise classified such as catalogue show rooms, agricultural co-op stores, variety stores, country general stores. This shall not include department stores, warehouse membership clubs, or home and auto supply stores. **(OPA#10)**

Gross Leasable Area shall mean the total floor area of a building or complex of buildings, or of a particular use or component of such building or buildings, including all levels, measured from the outside face of outside walls and the centerline of common walls, excluding the area of any floor area used for vehicular parking, mechanical facilities or access thereto, public washrooms, and public circulation facilities such as indoor malls and concourses.

Height shall mean the vertical distance of a building measured from grade, and

1. In the case of a flat roof, the highest point of the roof deck surface, and
2. In the case of a gable, hip, gambrel or mansard roofs the highest point of any roof ridge. **(OPA#21)**

Highway (deleted OPA#21).

Home and Auto Supply Store shall mean the use of land, building or structure for establishments primarily engaged in retailing a general line of auto supplies, such as tires, batteries, parts and accessories along with a line of home supplies such as hardware, housewares, small appliances, sporting goods, lawn and garden equipment and supplies, and shall include stores such as Canadian Tire. **(OPA#10)**

Home Centre shall mean the use of land, building or structure for establishments primarily engaged in retailing a general line of home repair and improvement materials and supplies, such as lumber, doors and windows, plumbing goods, electrical goods, floor coverings, tools, housewares, hardware, paint and wallpaper, and lawn and garden equipment and supplies. The merchandise lines are normally arranged in separate sections. These establishments may provide installation and repair services for the merchandise they retail. **(OPA#10)**

Home Improvement Store shall mean the use of land, building or structure for establishments in retailing home furnishings, such as floor coverings, window treatments, kitchen and tableware, bedding and linens, lamps and shades, bathroom accessories, and pictures and picture frames. **(OPA#10)**

Home Occupation shall mean any business which is carried on for gain or profit, as an accessory use and only by members of the one household residing within the dwelling house or unit, except as specifically otherwise permitted.

Household (deleted OPA#21).

Hotel shall mean the use of land, building or structure for establishments primarily engaged in providing short-term lodging in facilities known as hotels. These establishments provide suites or guest rooms, accessible from the interior only, and

they may offer guests a range of complementary services and amenities, such as food and beverage services, parking, laundry services, swimming pools and exercise rooms, and conference and convention facilities. **(OPA#10)**

Hotel/Motel Unit *(deleted OPA#10)*

Hotel/Motel Suite *(deleted OPA#10)*.

Impacted Soils shall mean mineral, non-putrescible soil material which may exceed the soil, ground water, and sediment standards for use under Part XV.1 of the Environmental Protection Act, Table 3 Criteria for full depth generic site condition standards in a non-potable ground water condition." **(OPA#2)**

Landscaped Open Space shall mean the open unobstructed space from ground to sky at finished grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping, an unenclosed and outdoor swimming pool, and includes any surfaced walk, patio or similar area, but does not include any driveway or ramp, whether surfaced or not, any parking area or any open space beneath or within any building or structure.

Laundromat *(deleted OPA#10)*

Live/Work Residential *(deleted in its entirety OPA #38)*

Lot shall mean a parcel or tract of land described in a deed or other legal document which is legally capable of conveying title, and:

is a whole lot or block described in accordance with and is within a Registered Plan of Subdivision, which has not been deemed by the Town not to be a Registered Plan of Subdivision under a by-law passed pursuant to the Planning Act,

is a legally-separated parcel of land without any adjoining or abutting land being owned by the same owner or owners as of the date of adoption of this Official Plan, or

the description of which is the same as in a deed which has been given consent pursuant to the Planning Act, or

is the whole remnant remaining to an owner or owners after a conveyance is made with consent pursuant to the Planning Act, but for the purposes of this paragraph, no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Town of Collingwood, County of Simcoe, Province of Ontario, Dominion of Canada, Public Authority; or

is ordered by the municipality to have not been created by a contravention of the Planning Act or any predecessor thereof, pursuant to the authority of the Planning Act.

Manufacturing, Processing, Assembling or Fabricating shall mean the use of land, building or structure where the process of producing any product by hand or mechanical power or machinery is carried on. **(OPA#11)**

Medical Clinic shall mean the use of land, building or structure for establishments of more than one licensed member of the medical profession including physicians, dentists, chiropractors or therapists primarily engaged in a private or group practice of general or specialized medicine or surgery. **(OPA#10)**

Medical Office **(OPA#18)**

Mini-Storage Warehouse shall mean the use of land, building or structure for the renting or leasing of individual self-storage warehouse units that are divided by

common wall, or in addition to, a common floor. **(OPA#11)**

Mixed Use Block (OPA #20) shall mean a place with a synergistic mix of uses that expand the diversity of people's experiences and options. Mixed-use developments and redevelopments are real estate projects that integrate complementary combinations of civic, retail, office, residential, hotel, recreation, and/or other functions.

Motel shall mean the use of land, building or structure for establishments primarily engaged in providing short-term lodging in facilities known as motels. These establishments accommodate clients traveling by motor vehicle, and provide short-stay suites or guest rooms with direct exterior access to rooms and parking areas adjacent to the room entrances. Limited complementary services and amenities may also be provided. **(OPA#10)**

Motor Vehicle Gas Station shall mean the use of land, building or structure for establishments primarily engaged in retailing motor vehicle fuels combined with the retail sale of a limited line of merchandise, such as milk, bread, soft drinks and snacks in a convenience store setting. **(OPA#10)**

Motor Vehicle Repair Garage shall mean the use of land, building or structure for establishments primarily engaged in providing a range of mechanical and electrical repair and maintenance services for motor vehicles, such as engine repair and maintenance, exhaust system replacement, transmission repair and electrical system repair. **(OPA#10)**

Park, Private shall mean an open space or recreational area or building, other than a public park, operated on a commercial and/or private member basis, which is devoted to one or more of the following uses or activities or to a similar type of use or activity:

- i) a golf course, yacht club, hockey or curling rink, health club, marina,
- ii) areas for walking, riding and cross-country skiing, but does not include the racing of animals, motor vehicles, motorcycles or snowmobiles,
- iii) accessory recreational or playground uses such as picnic areas, tennis courts, lawn-bowling greens, outdoor skating rinks, athletic fields, swimming pools and similar uses, buildings and structures accessory to the foregoing such as a refreshment booth or pavilion, a laundromat in conjunction with a marina, dining and recreation facilities and administrative offices to service the clients or members utilizing the principal private recreation use, a clubhouse, only where accessory to a golf course, which may include dining and recreational facilities to service the clients or members utilizing the golf course, and parking lots accessory to the foregoing.

Park, Public shall mean any open space or recreational area, owned or controlled by the Town or by any Board, Commission or other authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, hockey and curling rinks, refreshment rooms, fairgrounds, arenas, health clubs, marinas, yacht clubs, golf courses or similar uses. The Public Park definition also encompasses buildings, structures and uses accessory to the foregoing including a refreshment booth or pavilion, administrative offices, an outlet for the sale of products associated with a principal public recreational use (golf pro shop/hockey equipment sales), dining facilities to service those members of the general public utilizing a principal recreational use, a

laundromat in conjunction with a public marina, an accessory parking lot and similar uses.

Parking Area shall mean an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street. A Parking Area may, unless stipulated to the contrary, include a attached or detached private garage.

Person shall mean any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Personal Service Shop shall mean the use of land, building or structure for establishments primarily engaged in providing personal care services, such as hair care and esthetic services, hair replacement and scalp treatment services, massage services, diet counseling services, opticians, denturists, ear piercing or tattoo services. **(OPA#10)**

Pharmacy Shall mean the use of land, building or structure primarily engaged in retailing prescription or non-prescription drugs and medicines. These establishments also typically retail snacks, cosmetics, personal hygiene products, greeting cards and stationery, and health aids, and may also include as additional retail uses confectionery, novelties and giftware, and cameras and photographic supplies. **(OPA#12)**

Portable Asphalt Plant shall mean the use of land, building or structure for equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process, and is dismantled at the completion of the construction project. **(OPA#11)**

Professional Services Offices Shall mean the use of land, building or structure in which one or more persons are primarily engaged in the legal services industries, accounting and related services industries. Professional Services Offices include law offices and paralegal offices. They do not include establishments such as architectural and engineering services, specialized design services, computer system design, environmental consulting, scientific and technical consulting services, scientific research and development services, photographic services and all related activities that provide supportive services to various industrial uses. **(OPA#11)**

Provincial Highway *(deleted OPA#21)*

Public Authority shall mean Federal, Provincial, County or municipal agencies, and includes any Commission, Board, authority or department established by such agency.

Real Estate Service Offices Shall mean the use of land, building or structure in which one or more persons are primarily engaged in selling, buying, renting, leasing, or appraising of real estate for others including allowing the use of real estate assets. Real Estate Service Offices include Lessors of Real Estate, Real Estate Agents and Brokers, and Real Estate Appraisers. **(OPA#11)**

Restaurant shall mean the use of land, building or structure where establishments primarily engaged in providing food and beverage services to patrons, and also includes the serving of alcoholic beverages. **(OPA#21)**

Retail Commercial Establishment shall mean a building or part of a building used for the purpose of selling or offering for sale goods or services on an item-by-item basis directly to the public, and the incidental storage of those goods in limited

quantities sufficient only to service such store, but shall not include a department store, a food supermarket, a home and auto supply store, a home centre, a warehouse membership club, a motor vehicle dealership, recreation vehicle sales and light equipment sales and rental. **(OPA#12 & OPA#10)**

Retail Outlet for the Sale of Alcoholic Beverages shall mean a store primarily devoted to the retail sale of alcoholic beverages such as a Liquor Control Board outlet or a Brewers Retail store, but shall not include the accessory selling of wine for off-site consumption. **(OPA#21)**

Second Unit (OPA#33) a self-contained dwelling unit accessory to a main permitted residential use located within a detached accessory building.

Service Shop, Light Repair (deleted OPA#21)

Service Shop, Personal (deleted OPA#10).

Shopping Centre shall mean the use of land or building where a group of commercial establishments conceived, designed, developed, operated and managed as an interdependent and inter-related unit by a single owner or tenant, in which access by the general public is obtained from the outside through a common entrance or entrances to an internal, covered, common, climate-controlled mall or corridors onto which each individual commercial establishment shall front. **(OPA#21)**

Shopping Centre, Enclosed (deleted OPA#21)

Shopping Plaza (deleted OPA#21)

Similar Use shall mean a use of land, building or structure for a purpose which is not specifically mentioned within the Official Plan or implementing Zoning By-law as a permitted use, but which is determined to be similar to the permitted use.

Street shall mean a common and public street and includes any bridge, trestle, viaduct or other structure forming part of the street and, except as otherwise provided, includes a portion of a street. **(OPA#21)**

Structure shall mean anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

Supportive shall mean uses that would, in the ordinary course of business, provide services directly to uses, or for the management, design and/or creation of the uses, which are permitted within industrial areas such as business or professional consulting service providing the management, architectural, engineering, town planning, land surveying, industrial design and/or interior design services. **(OPA#11)**

Use shall mean, when used as a noun, the purpose for which a lot or building or structure, or any combination therefore, is designed, arranged, occupied or maintained and when used as a verb, "TO USE" shall have a corresponding meaning.

Utility shall mean any hard public service such as, but not limited to, water and sewer, stormwater management, electric, natural gas and communication services, owned and/or operated by the Town of Collingwood/ Collingwood Municipal Utility Services, County of Simcoe, Nottawasaga Valley Conservation Authority, Ontario Hydro, Enbridge Consumers Gas, Bell Canada, Roger's Cable, any agency department or ministry of the Government of Ontario or Canada or other similar public authority.

Vehicle (deleted OPA#21)

Warehouse Membership Club shall mean the use of land, buildings or structures for establishments primarily engaged in retailing a general line of grocery items in combination with a general line of non-grocery items, and typically selling grocery

items in larger formats. **(OPA#10)**

Waste Disposal Site shall mean a place where garbage, refuse or domestic or industrial waste, exclusive of liquid industrial waste, is disposed of, dumped, incinerated, recycled or otherwise processed.

Wayside Pits and Quarries shall mean the use of land, building or structure for a temporary gravel pit opened and used by or for a public authority solely for the purpose of a particular project. **(OPA#11)**

Workshop, Custom *(deleted OPA#11)*

Yard *(deleted OPA#21)*

TAB 10

Section 2.0 Zones and Schedules

2.1 Zone Classifications

- 2.1.1 Unless provided otherwise, all lands have been placed within zone classifications which may be referred to by either their name or corresponding zone symbol. The name of these zone classifications and their corresponding zone symbols are identified in Table 2.1.1.1, entitled Zone Classifications.

Table 2.1.1.1 Zone Classifications

<u>Residential Zones</u>	<u>Symbols</u>
Residential First Density	R1
Residential Second Density	R2
Residential Third Density	R3
Residential Fourth Density	R4
<u>Commercial Zones</u>	<u>Symbols</u>
Downtown Core Commercial	C1
Regional Commercial	C2
Resort Commercial	C3
Mixed-Use Commercial	C4
Highway Commercial	C5
Local Convenience Commercial	C6
Restrictive Commercial	C7
<u>Industrial Zones</u>	<u>Symbols</u>
Light Industrial	M1
General Industrial	M2
Waste Disposal Industrial	M3
Business Park Industrial	M4
Industrial Park	M5
<u>Community Service Zones</u>	<u>Symbols</u>
Community Services	CS
<u>Greenbelt Zones</u>	<u>Symbols</u>
Environmental Protection	EP
Recreation	REC
Rural	RU
<u>Other Zones</u>	<u>Symbols</u>
Public Roadway	PR

Deferred Zone

D

2.2 Zoning By-law Schedule “A”

- 2.2.1 The location and boundaries of all zones are shown on Zoning By-law Schedule “A” attached to and forming a part of this Zoning By-law. For the purposes of clarity and convenience, Schedule “A” may be presented as separate maps or inserts for detail and precision.

2.3 Interpretation of Zone Boundaries

- 2.3.1 The boundaries of all zone classifications as delineated on Zoning By-law Schedule “A” shall be construed to be following lot lines and the boundaries of registered plans, shorelines, rivers, canals and water lots, whether or not such boundaries are actually delineated on Schedule “A”. Where a street is a boundary between two or more zones, and the street is closed, the centreline of the former street shall become the zone boundary.
- 2.3.2 Where the extent and boundary of any zone as delineated on Schedule “A” are uncertain, the following interpretation rules shall apply.
- 2.3.3 Where a zone boundary is indicated as passing through undeveloped land, then the location of such boundary shall be determined in accordance with the scale of Schedule “A” drawn electronically, unless dimensions shown on the aforementioned Schedule provides greater accuracy.
- 2.3.4 Where a zone boundary is indicated as following the corporate limits of the Town of Collingwood, then such corporate limits shall be the boundary of such zone.
- 2.3.5 Where a zone boundary is indicated as following a shoreline, the top of bank of a river or a canal, or a boundary of a water lot, then such zone boundary shall follow the shoreline, river or canal bank or water lot. In the event of a permanent change in the shoreline, the top of bank of a river or canal or boundary of a water lot, the limit of such zone shall be construed as changing to the boundary of the actual shoreline, river or canal bank, or water lot.
- 2.3.6 Unless provided otherwise, the limit of Environmental Protection (EP) zone shall be deemed to follow a shoreline, the boundary of natural heritage area, hazard area or environmental buffer area and the land contour of 178.0 metres Canadian Geodetic Datum or below.

2.4 Exceptions

- 2.4.1 A zone classification and/or its corresponding zone symbol followed by a hyphen and a number indicate an area-specific exception zone. All provisions of this Zoning By-law and the provisions of the zone classification apply to the exception zone, except to the extent to which these provisions have been specifically amended or exempted by the exception zone provisions.

2.5 “H” symbol - Holding Zones

- 2.5.1 The symbol “H” preceding a zone classification signifies that a holding by-law is in force and that further development is being held until Council is satisfied that certain conditions are complete or have been otherwise satisfied. To remove a holding symbol “H”, it is necessary to amend this Zoning By-law.
- 2.5.2 Unless provided otherwise, during the time leading up to the removal of a holding symbol “H”, the uses permitted on such lands are limited to those that lawfully existed at the date of this Zoning By-law coming into force, or as the case may be, those lawfully existing prior to the holding by-law coming into force and effect.
- 2.5.3 Where an existing dwelling unit is located on lands that is subject to the holding symbol “H”, an addition or alteration to that dwelling unit is permitted while the holding symbol “H” is in effect. Such addition or alteration shall be undertaken in conformity with the zone provisions of the underlying parent zone.
- 2.5.4 Any land that is subject to a holding symbol “H” shall maintain its lot area and lot frontage as it existed on the day of passing of this Zoning By-law.
- 2.5.5 The symbol “H” shall be followed by a number. This number represents a holding zone with specific conditions to be completed to Council’s satisfaction prior to development proceeding. These holding zones and the specific conditions are outlined on Table 2.5.5.1, entitled Holding Zone Conditions.

Table 2.5.5.1 Holding Zone Conditions

Holding Zone	Conditions
H1	The completion of a D4 study acceptable to the appropriate approval authority prior to development occurring. This study will be completed pursuant to the D4 Guidelines of the Ministry of the Environment or any additional or replacement guidelines instituted by the Ministry for such lands and an agreement with the appropriate authority to assure the implementation of any recommendations in the study. For the purposes of this provision the term “development” shall mean the creation of a

Collingwood Zoning By-law

Holding Zone	Conditions
	new lot, a change in land use, or the construction of buildings requiring approval under the <i>Planning Act</i> , except for those applications that require only a minor variance.
H2	RESERVED
H3	Development beyond a first phase of 14,445 m² gross leasable area shall require the completion and acceptance of further market studies and traffic impact studies.
H4	No establishment of a permitted commercial use on the land without meeting the minimum required lot frontage for the zone.
H5	The remediation of the gravel pit.
H6	- The acceptance of a draft approved plan of subdivision. - Confirmation of adequate and functional municipal services.
H7	- The granting of an easement for access over part of the NVCA lands (39 Oliver Crescent). - Legal access has been secured over Block "Q". - The granting of an easement for utilities over the NVCA land and Block "Q".
H8	- Confirmation of adequate and functional municipal services. - The adoption of an authorization by-law for a site plan control agreement. - Confirmation that all of the lands are legally merged in title and cannot be conveyed separately. - Ownership of any lands currently owned by the Town or any other public authority. - The completion and acceptance of an environmental impact study. - The completion and acceptance of a golf spray analysis.
H9	The completion and acceptance of a traffic impact study.
H10	- The completion and acceptance of an archaeological study. - The completion and acceptance of a storm water analysis that includes an integrated review of the subject lands and the abutting lands to the east, the purpose of which is to demonstrate no deleterious impacts on the lands abutting to the east. - The completion and acceptance of phase 2 environmental audit. - The adoption of an authorization by-law for a site plan control agreement that includes details of the landscaping, fencing and buffering required to address the abutting lands to the east and an integrated approach to storm water management between the subject lands and the lands abutting to the east. - The completion and acceptance of a traffic study including the determination of an appropriate motor vehicle access onto the property and the operational impact of future traffic generated by

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Holding Zone	Conditions
	the proposed residential development on the lands abutting to the east.
H11	RESERVED
H12	• Confirmation of adequate and functional municipal services.
H13	• No sensitive land use is permitted until the completion and acceptance of a record of site condition confirming that the land is appropriate for such use. • All other uses permitted by the underlying parent zone, or the exception zone, are lawfully permitted while the H13 symbol is in place.
H14	• The adoption of an authorization by-law for a site plan control agreement.
H15	RESERVED
H16	• That it be demonstrated through appropriate soil tests that the land is suitable for residential development, if required. • That a 1.8 metre high fence be erected for screening purposes from the existing motor vehicle repair garage. This fence is to be located along the entire length of the zone boundary that separates the RU-6 zone from the RU-7 zone.
H17	• The completion and acceptance of the necessary Taylor's Creek channelization improvements.
H18	• The completion and acceptance of a parking study. • The completion and acceptance of an urban design brief. • The completion and acceptance of a market study in accordance with Section 4.4.3.7 of the Official Plan prior to the establishment of the commercial uses in the R4-3 zone.

2.6 “T” symbol – Temporary Use Zones

2.6.1 The symbol “T” following a zone classification signifies that a temporary use by-law is in force. When the temporary use by-law expires, the special permission granted by the temporary use by-law shall cease and desist, and such temporary use shall not then enjoy any protection as a legal, non-conforming use.

2.6.2 Unless the lands have been subsequently rezoned, the zone classification of the lands that were subject to the temporary use by-law shall revert back, without the need to amend this Zoning By-law, to the identical zoning classification that existed on the lands prior to the date of the passing of the temporary use by-law.

2.7 “D” symbol – Deferred Development Zones

- 2.7.1 Deferred development zones may be utilized and are indicated with appropriate symbols (e.g. “DR”, “DC”, “DM”, etc.) and signify that a deferred development zone is in force. The development of land so zoned is being deferred until Council is satisfied what the final zone classification of the lands should be and pending the enactment of an amendment to this Zoning By-law.
- 2.7.2 Unless provided elsewhere in the Zoning By-law, the uses permitted for lands subject to a deferred development zone are limited to those that lawfully existed at the date of this Zoning By-law coming into force, or as the case may be, those lawfully existing prior to the deferred development zone coming into force and effect.
- 2.7.3 Any land that is subject to a deferred development zoning shall maintain its lot area and lot frontage as it existed on the day of passing of this by-law. The zone provisions for an existing building located on lands subject to a deferred zone shall be those existing on the day of passing of this Zoning By-law.

2.8 Interim Control By-laws

- 2.8.1 Interim control by-laws that are in force from time to time may be identified in the office consolidation of this Zoning By-law for convenience purposes only in such a manner as is determined to be appropriate. Such by-laws are not zoning by-laws or amendments to this Zoning By-law.

Section 3.0 Defined Terms

3.1 Definitions

3.1.1 Unless provided otherwise, for the purpose of this Zoning By-law the definitions and interpretations given in this section shall govern and mean the following.

TERM	DEFINITION
A	
Abandoned	To have not initiated or to have suspended, the construction or demolition of a building or the use of land, for a time period of more than one year.
Abattoir	The use of land or building for establishments primarily engaged in slaughtering animals, including poultry; preparing processed meats and meat by-products; or rendering animal fat, bones and meat scraps.
Abut	Generally to share a common lot line or to physically touch.
Accessory	Any use or building that is customarily incidental, subordinate and exclusively devoted to the main building or main use occupying the land.
Accessory Apartment	An independent and accessory secondary dwelling unit that is located within a dwelling unit.
Accessory Sales Outlet	An area within an individual business premises not otherwise permitted to engage in retailing, not exceeding the lesser of 25% or 280 m ² of the gross leasable area of premises, in which goods, wares or merchandise manufactured, assembled, processed or stored on the premises may be offered for sale to the public at retail.
Adult Entertainment Establishment	The use of land or building where, in the pursuance of a business, where; 1. Goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided in the premises or part of the premises; or 2. Body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body, are performed, offered or solicited in the premises or part of the premises, but does not include premises or part of them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

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TERM	DEFINITION
Adventure Game	The use of land or building where participants attempt to capture a flag or some other object and return it to their home base, or where they attempt to eliminate from play opponents on opposing teams. Uses that are equipped with play facilities for use by children are included.
Agricultural Activity	The use of land for growing crops or engaging in general crop farming or combination crop farming including fruit, vegetable and silviculture farming, but shall not include the raising, breeding, keeping or the intensive feeding of livestock. The accessory retail sale of farm products grown or raised on the land is also permitted.
Alter	The following meanings will apply; 1. When used in reference to a lot or block, it shall mean to change the area, frontage, depth, required yard, landscaped open space or parking area, or to change the location of any boundary of such lot or block with respect to a street, whether such alteration is made by conveyance or alienation of any portion of such lot or block or otherwise. 2. When used in reference to a use, shall mean to discontinue and replace a use with another use which is defined herein as being distinct from the discontinued or replaced use.
Ambulance Service	The use of land or building for establishments primarily engaged in the ground or air transportation of patients and the provision of emergency medical care. The motor vehicles are equipped with life-saving equipment operated by trained personnel.

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TERM	DEFINITION
Animal Boarding Establishment	The use of land or building, where dogs, cats, and other domesticated animals, excluding livestock, are bred, raised, groomed, trained or kept for a fee on a temporary basis and may include outdoor runs.
Animal Shelter	The use of land or building used for the care of lost, abandoned, or neglected domesticated animals.
Antenna	Any system of wires, poles, rods, reflecting discs or similar devices and its supporting structure used for the transmission or reception of radio waves or microwaves and which is either free standing or is attached to the exterior of a building.
Arcade	The use of land or building for establishments primarily engaged in operating amusement games or systems.
Arena	The use of land or building for establishments primarily engaged in operating sports stadiums and other sports facilities, and organizing and promoting sports events and, or in addition to, similar events held in these facilities. Establishments primarily engaged in promoting and presenting sports tournaments, in their own facilities, are included.
Art Gallery	The use of land or building for establishments primarily engaged in displaying and retailing original and limited edition art works and prints, and may also include a space for the purpose of creating art works.
Art Studio, Live-In	The use of land or building where an artist creates displays and sells his or her artwork, and that also includes an accessory dwelling unit occupied by the artist.
Asphalt Plant	The use of land or building for establishments primarily engaged in manufacturing asphalt paving mixtures and blocks from purchased asphalt, bituminous materials or coal tar.
Assembly Hall	The use of land or building in which facilities are provided for such purposes as meetings for civic, educational, political, religious, business or social purposes and includes a banquet hall, private club or a fraternal organization.
Attached	Any building, otherwise complete in itself, which depends on structural support below grade and a roof above grade or enclosure upon a common wall shared with an adjacent building.

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TERM	DEFINITION
Attic	The space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof.

TERM	DEFINITION
B	
Balcony	A platform located above the first storey of a building that is intended as an outdoor amenity space.
Basement	One or more storeys of a building located below the first storey.
Bay Window	A window projecting more than 0.3 m from the exterior wall of the building that is wholly above the level of the interior floor surface, but does not otherwise add gross floor area to the building.
Bed and Breakfast	A type of home occupation engaged in providing short-term accommodation.
Bicycle Space	That portion of a lot used exclusively for the temporary parking of bicycles.
Boarding Home	The use of land or building for establishments primarily engaged in operating rooming and boarding homes. These establishments provide rooms, which are not separate dwelling units, for residential accommodation and serve as a principal residence of the occupants. These establishments may also provide complementary services, such as housekeeping, meals, and laundry services. A boarding home shall consist of a minimum of three rooms for rent to a maximum of ten rooms for rent.
Boat	Any personal watercraft or similar vessel that is designed and intended to permit the operator the ability to travel upon the surface of water.
Boat House	An accessory building for the storage of a boat and associated marine equipment.
Boat Slip	An area for the mooring or berthing of a boat and may form a part of a dock, boat house or other mooring facilities.
Brewery	The use of land or building for establishments primarily engaged in brewing beer, ale, malt liquors and non-alcoholic beer.

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TERM	DEFINITION
Broadcasting	The use of land or building for establishments primarily engaged in operating broadcasting studios and facilities for the production and transmission of television or radio programs to its affiliates or the public. The broadcasts may include entertainment, news, talk shows and other programs.
Buffer Area	An area on a lot required as a naturalized area or landscaped space for plants, trees, shrubs, fences and privacy screens, retaining walls, berms or similar features that are intended to visually screen the lot from adjacent lots.
Building	A structure occupying an area consisting of a wall, roof and floor or any of them or a structural system serving the function thereof.
Bulk Storage	The use of land or building for the mass storage of shipping containers, chemicals, petroleum products or other materials in above-ground or below-ground bulk storage tanks.
Bulk Storage Tank	An accessory tank for the mass storage of chemicals, petroleum products or other materials.
Bungalow	A dwelling unit that, in its entirety, has a maximum of one storey above grade, and that may have space for habitation in the attic.
Business Office	The use of land or building in which one or more persons are employed in the management, direction or conducting of a business or where professionally-qualified persons and their staff serve clients who seek advice or consultation and includes supportive offices and a non-profit or charitable organization.
Business Service Establishment	The use of land or building for an establishment known as a copy shop, primarily engaged in providing mailbox rental and other postal and mailing services (except direct-mail advertising), and establishments that provide a range of office support services, such as mailing services, copying and promoting services, facsimile services, word processing services, on-site personal computer (PC) rental services and office product retailing.
Business Type Hotel or Motel	The use of land or building for a hotel or motel primarily designed to provide basic short-term overnight accommodation with limited accessory facilities and services.

TERM	DEFINITION
C	

Collingwood Zoning By-law

TERM	DEFINITION
Call Centre	The use of land or building for establishments primarily engaged in receiving and, or in addition to, making telephone calls for others. These establishments are engaged in activities such as soliciting or providing information, promoting products or services, taking orders, and raising funds. This also includes establishments primarily engaged in answering telephone calls and relaying messages to clients, and establishments primarily engaged in providing voice mailbox services.
Canopy	Any roof-like structure, including an awning projecting more than 0.3 m from the exterior face of the building, that provides protection from the weather.
Catalogue Store	The use of land or building for a retail commercial establishment in which orders are accepted for the purchase of goods listed in a catalogue provided by the establishment, and in which some or all of the goods so listed may also be available within the establishment for sale at retail.
Catering Service	The use of land or building for establishments primarily engaged in providing food services for events, such as graduation parties, wedding receptions and trade shows. Caterers who own or manage permanent facilities in which they provide event-based food services are also included.
Cemetery	The use of land or building that is to be used for the internment of human remains and includes a mausoleum, columbarium or other building intended for the internment of human remains.
Cemetery, Pet	The use of land or building by a person for a fee, whether or not for profit, to veterinarians or members of the general public for the use for the permanent interment or inurnment above or below ground of pet remains.
Chimney	A shaft that is primarily vertical and that encloses at least one flue for conducting flue gases to the outdoors.
Coach House	A type of second unit, consisting of one storey, located either above or attached to a detached accessory garage.
Community Centre	The use of land or building for community activities, whether used for commercial purposes or not, the control of which is vested in a public authority.
Community Garden	An outdoor space used to grow and care for vegetables, flowers or annual plantings for personal consumption but shall not include the growing of ornamental shrubs, trees or other vegetation for landscape purposes, and it shall not mean any other use defined.

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TERM	DEFINITION
Commercial Parking Lot	The use of land or building for establishments primarily engaged in operating parking lots and parking garages. These establishments provide temporary parking services for motor vehicles, usually on an hourly, daily, or monthly basis.
Commercial Vehicle	A motor vehicle including a tractor, used or intended to be used for commercial purposes, with a gross vehicle weight of more than 4,500 kg or a tractor with an engine rating of more than 30 horsepower, and having permanently attached thereto a truck or delivery body and may include, without limited the foregoing, catering or canteen trucks, buses, cube vans, tow trucks, tilt and load trucks, dump trucks, transport tractors, hearses, fire apparatus, taxis and limousines, tractors, backhoes and skid steers.
Common Floor	A horizontal floor system that separates the storeys of a building.
Common Wall	A vertical wall system that separates two or more suites in a building.
Composting Facility	The use of land or building for composting food waste or other organic materials.
Computer and Software Store	The use of land or building for establishments primarily engaged in retailing new computers, computer peripherals, pre-packaged software, game software and related products. These establishments may also retail used computer equipment and replacement parts and accessories, and provide repair or support services.
Concrete Plant	The use of land or building for establishments primarily engaged in mixing together water, cement, sand, gravel, or crushed stone to make concrete, and delivering it to a purchaser in a plastic, or unhardened, state.
Conference Centre	The use of land or building for establishments primarily engaged in providing large meeting rooms for business, civic, educational, political, religious or social group or similar special functions.
Conforming	One or more of the following: 1. The use of land or building for a purpose that is identified as a permitted use within the zone classification in which the land or building is located. 2. Land or buildings that meet the lot provisions of the zone classification in which the land and building are located.
Conservation	The preservation, protection and improvement of the natural environment through a comprehensive management and maintenance program, administered by a public authority.

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TERM	DEFINITION
Construct	To do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere; and “construction” has a corresponding meaning.
Convenience Store	The use of land or building for establishments primarily engaged in retailing a limited line of convenience items that generally includes milk, bread, soft drinks, snacks, tobacco products, newspapers and magazines. These establishments may retail a limited line of canned goods, dairy products, household paper and cleaning products and provide related services, such as lottery ticket sales and video rental.
Converted Building	Any existing building that is on land zoned downtown core commercial but that was not used for commercial purposes prior to the date of passing of the Zoning By-law, and that is lawfully converted for commercial uses after the date of passing of the Zoning By-law.
Council	The Council of the Corporation of the Town of Collingwood.
Crematorium	The use of land or building for the purposes of the cremation of human remains.
Crematorium, Pet	The use of land or building provided by a person for a fee, whether or not for profit, to veterinarians or members of the general public for the cremation of pets.
Curling Rink	The use of land or building for the purpose of playing or practicing the sport of curling.
Custom Workshop	The use of land or building for a trade, craft or guild, where fabrication or manufacturing is performed in small quantities requiring manual or mechanical skills and may include a light contracting business, a carpenter’s shop, a locksmith’s shop, a gunsmith’s shop, a tinsmith’s shop or similar uses.

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TERM	DEFINITION
D	
Day Care Centre	The use of land or building as a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four (24) hours, where the children are: 1. Under eighteen (18) years of age in the case of a day nursery for children with a developmental disability; or 2. Under ten (10) years of age in all other cases; 3. But does not include part of a public school, separate school or private school under the <i>Education Act</i>, R.S.O. 1990, c. E.2, as amended.
Deck	A structure, other than a patio, porch or balcony that is used as an outdoor amenity space and is at or greater than 0.6 m above grade.
Delivery Space	That portion of a parking area exclusively used for the unobstructed temporary parking of delivery vehicles.
Demolish	To do anything in the removal of a building or any material part thereof; and “demolition” has a corresponding meaning.
Department Store	The use of land or building for establishments, known as department stores, primarily engaged in retailing a wide range of products, with each merchandise line constituting a separate department within the store. Selected departments may be operated by separate establishments, on a concession basis.
Deposit Taking Institution	The use of land or building where a facility such as a bank, trust company, or credit union providing a limited range of retail banking services, staffed to provide service at least each weekday during normal banking hours.
Distillery	The use of land or building for establishments primarily engaged in distilling liquor, blending liquor, or blending and mixing liquor and other ingredients.
Drive-In Use	The accessory use of land or building for establishments that by design, physical facilities, service or by packing procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.
Driveway	That portion of a lot that has been developed for a single detached dwelling, semi-detached dwelling, duplex dwelling or townhouse dwelling, which is intended to be used exclusively for the parking of motor vehicles.

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TERM	DEFINITION
Dry Cleaner's Establishment	The use of land or building where establishments primarily engaged in laundering, dry cleaning, and pressing apparel and linens of all types, including leather. These establishments may also provide accessory clothing repair and alteration services. Laundry pick-up and delivery stations, operated independently from power laundries and dry-cleaning plants, and establishments primarily engaged in cleaning, repairing, and storing fur garments are also included.
Dry Cleaning Plant	The use of land or building where establishments primarily engaged in processing large volumes of laundering, dry cleaning, and pressing apparel, fabrics and linens of all types, including leather.
Dwelling, Accessory	A dwelling unit that is incidental, subordinate and exclusively devoted to a non-residential, main use.
Dwelling, Apartment	The whole of a building divided by common walls and common floors, or any combination of common walls and common floors, into four (4) or more separate dwelling units. Each dwelling unit shall have a separate and independent doorway directly to the exterior of the building by a combination of shared hallways, stairwells, passenger elevators and vestibules.
Dwelling, Duplex	The whole of a building divided horizontally by common floors into two (2) separate dwelling units, and each of which having a separate and independent doorways directly to the exterior of the building.
Dwelling, Group or Cluster	Two (2) or more permitted detached residential buildings on the same lot.
Dwelling, Portion of Non-Residential Building	An independent and separate dwelling unit that is located within a portion of a non-residential building.
Dwelling, Semi-Detached	A building divided vertically by a common wall into two (2) individual dwelling units, and each of which having a separate and independent doorway directly to the exterior of the building.
Dwelling, Single Detached	A detached building used as a dwelling unit, but that is not occupied as more than one housekeeping unit.
Dwelling, Townhouse	The whole of a building divided by common walls or common floors but sharing a single roof into three (3) or more separate dwelling units, each of which having a separate and independent doorway directly to the exterior of the building.

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TERM	DEFINITION
Dwelling Unit	A suite within a building that is permanently affixed to a foundation used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities, but shall not include any motor vehicle, recreational vehicle, a retirement home, a tent or short term accommodation.

TERM	DEFINITION
E	
Eave	The projecting edge of a roof that overhangs the exterior walls or exterior supporting columns of a building.
Electronics and Appliance Store	The use of land or building for establishments primarily engaged in the retailing of household appliances, home audio and video equipment, cameras, computers and related goods. These establishments may also retail replacement parts and provide repair services.
Emergency Housing	The use of land or building for establishments primarily engaged in providing extended residential care to persons who have been victims of violence. These establishments provide room, board, protective supervision, counselling services and other social services.
Entrance	That portion of a parking area, driveway or private road exclusively used as an unobstructed access for motor vehicles to ingress and egress a lot from a street or highway.
Entrance Width	The width of an entrance measured along the lot line that separates a lot from a street or highway.
Environmental Buffer Area	Lands that are not suitable for development, as the land either supports or is adjacent to fragile ecosystems susceptible, prone, or vulnerable to human impact or development pressures.
Equipment Rental	The use of land or building where machinery or equipment are offered and kept for rent, lease or hire to the public.
Existing	Unless specifically indicated otherwise, a lot, building or use lawfully established prior to the date of passing of this Zoning By-law.

TERM	DEFINITION
F	
Fabric & Textile Sales Outlet	The use of land or building for establishments primarily engaged in the sale of household linens, draperies, and other textile home furnishings, including bedding.

Collingwood Zoning By-law

TERM	DEFINITION
Fairground	The use of land or building for establishments primarily engaged in operating sports stadiums and other sports facilities, and organizing and promoting sports events or similar events held in these facilities. Establishments primarily engaged in promoting and presenting sports tournaments, in their own facilities, and agricultural fairs are also included.
Financial Institution	The use of land or building for establishments primarily engaged in accepting deposits and issuing loans such as chartered banks, trust companies, credit unions and deposit-accepting mortgage companies.
Financial & Insurance Service Office	The use of land or building in which one or more persons are primarily engaged in providing specialized services in financial intermediation, facilitate or support financial intermediation and employee benefit programs, and engage in the pooling of risk by underwriting annuities and insurance but exclude banks. They include investment products and services such as asset management and custody services, intermediate and advisory services (stock brokers and discount brokers), securities brokerage, insurance brokerage, insurance underwriting, and reinsurance, and claims adjusters, including all related activities.
Fire Escape	A structure attached to the exterior of a building intended to provide an emergency egress in the case of a fire.
Flood Control Works	Any structure used to control or regulate overland water drainage.
Food Supermarket	The use of land or building for establishments primarily engaged in retailing a general line of food, such as canned, dry and frozen foods; fresh fruits and vegetables; fresh and prepared meats, fish, poultry, dairy products, baked products and snack foods. These establishments also typically retail a range of non-food household products, such as household paper products, toiletries and non-prescription drugs. Supermarkets may also include a dispensing pharmacy and limited lines of other non-food retail merchandise including a wine kiosk.
Foundation	A system or arrangement of foundation units through which the loads from a building are transferred to supporting soil or rock.
Freight Depot	The use of land or building where establishments primarily engaged in long distance, general freight trucking of complete truck-loads. A truck-load shipment is generally devoted to the goods of a single shipper, taken directly from a point of origin to one or more destination points.

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TERM	DEFINITION
Funeral Home	The use of land or building for establishments primarily engaged in preparing the dead for burial or interment and conducting funerals.
Furniture Store	The use of land or building for establishments primarily engaged in retailing household and office furniture. These establishments may also retail major appliances, home electronics, home furnishings and floor coverings, and may provide interior decorating services.

TERM	DEFINITION
G	
Garage	A building intended to be used for the parking of motor vehicles.
Garden Suites	A type of second unit, consisting of one storey, located within, and occupying wholly, a detached accessory building.
Garden Supply Outlet	The use of land or building for establishments primarily engaged in retailing nursery and garden products, such as trees, shrubs, plants, seeds, bulbs and sod that are predominantly grown elsewhere and also includes ornamental rock, stone, gravel and mulch. These establishments may provide landscaping services.
General Merchandise Store	The use of land or building for establishments for the retail of general merchandise not otherwise classified such as catalogue stores, agricultural co-op stores, variety stores and country general stores. This shall not include department stores, warehouse membership clubs, or home and auto supply stores.
Golf Course	The use of land or building for establishments primarily engaged in operating golf courses and country clubs that operate golf courses along with dining and banquet facilities and other recreational facilities. These establishments may provide accessory food and beverage services, equipment rental services and golf instruction services.
Golf Driving Range	The use of land or building other than a golf course, operating for the purpose of developing or practicing golfing techniques, and may include an accessory miniature golf course or putting green.
Government Office	The use of land or building operated by a public authority for the conducting of public services.
Grade	The average level of proposed or finished ground adjoining a building at all exterior walls.
Gravel Pit	The use of land where sand, gravels and rock fragments are mined or excavated for sale.

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TERM	DEFINITION
Gross Floor Area	In the case of a dwelling unit, the aggregate sum of the areas of all habitable space measured from the exterior faces of the exterior walls, or from the centre of common walls, but shall not include any space used for storage, heating, laundry, attached garage or carports, porch or unfinished attic. In the case of all other buildings, the aggregate sum of all floor areas and mezzanines, measured from the exterior faces of the exterior walls, or from the centre of common walls, but shall not include any space used for storage, mechanical rooms, common halls, stairwells, private kitchens, washrooms and garages.
Gross Leasable Area	The total floor area of a building or complex of buildings, or of a particular use or component of such building or buildings, including all levels, measured from the outside face of outside walls and the centreline of common walls, excluding the area of any floor area used for vehicular parking, mechanical facilities or access thereto, public washrooms, and public circulation facilities such as indoor malls and concourses.
Gross Vehicle Weight	The registered combined weight of a commercial vehicle and its load.
Ground Floor	A main floor surface located not more than 0.6 m above grade.
Ground Floor Area	The area of a lot occupied by the ground floor a building.
Group Home	A dwelling unit licensed or funded under a federal or provincial statute for the accommodation of three to ten persons, exclusive of staff, living under supervision as a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.

TERM	DEFINITION
H	
Hardware Store	The use of land or building for establishments primarily engaged in retailing a general line of basic hardware items, such as tools and builders' hardware. These establishments may sell additional product lines, such as paint, wallpaper, housewares, and garden supplies that are not normally arranged in separate departments.
Hazard Area	Hazardous lands as defined within the Provincial Policy Statement.

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TERM	DEFINITION
Health Club	The use of land or building where establishments primarily engaged in operating health clubs and similar facilities featuring exercise and other physical fitness activities and conditioning, or recreational sports activities, such as but not limited to swimming, skating or racquet sports.
Heavy Contractor Yard	The use of land or building by a contractor to conduct their business and to store construction equipment, vehicles and materials.
Height	The vertical distance of a building measured from grade, and 1. In the case of a flat roof, the highest point of the roof deck surface, and 2. In the case of a gable, hip, gambrel or mansard roof the highest point of any roof ridge.
Highway	A highway under the jurisdiction of the Province of Ontario.
Home and Auto Supply Store	The use of land or building for establishments primarily engaged in retailing a general line of auto supplies, such as tires, batteries, parts and accessories along with a line of home supplies such as hardware, housewares, small appliances, sporting goods, lawn and garden equipment and supplies, and shall include stores such as Canadian Tire.
Home Centre	The use of land or building for establishments primarily engaged in retailing a general line of home repair and improvement materials and supplies, such as lumber, doors and windows, plumbing goods, electrical goods, floor coverings, tools, housewares, hardware, paint and wallpaper, and lawn and garden equipment and supplies. The merchandise lines are normally arranged in separate sections. These establishments may provide installation and repair services for the merchandise they retail.
Home for the Aged or Rest Home	The use of land or building as a home for the aged or a rest home established or maintained under the <i>Homes or the Aged and Rest Homes Act</i> , R.S.O. 1990, c. H. 13, as amended.
Home for Special Care	The use of land or buildings as a home for the care of persons requiring nursing, residential or sheltered care.
Home Improvement Store	The use of land or building for establishments in retailing home furnishings, such as floor coverings, window treatments, kitchen and tableware, bedding and linens, lamps and shades, bathroom accessories, and pictures and picture frames.

Collingwood Zoning By-law

TERM	DEFINITION
Home Occupation	A business which is carried on for gain or profit as an accessory use only by those persons residing within a dwelling unit.
Hospice	The use of land or building for establishments designed to accommodate beds which will provide a caring environment for attending the physical and emotional needs of the terminally ill.
Hospital	The use of land or building for establishments, licensed as hospitals, primarily engaged in providing diagnostic and medical treatment to in-patients with any of a wide variety of diseases or medical conditions. These establishments usually provide other services, such as out-patient services, diagnostic X-ray services, clinical laboratory services, pharmacy services and restaurants and gift shops.
Hotel	The use of land or building for establishments primarily engaged in providing short-term lodging in facilities known as hotels. These establishments provide suites or guest rooms, accessible from the interior only, and they may offer guests a range of complementary services and amenities, such as food and beverage services, parking, laundry services, swimming pools and exercise rooms, and conference, convention or banquet facilities.
HVAC Equipment (Heating, Ventilation, Air Conditioning)	Any equipment used in the process of treating air in a space to control simultaneously its temperature, humidity, cleanliness and distribution to meet the comfort requirements of the occupants of the space.

TERM	DEFINITION
I	
Incinerator Plant	The use of land or building for the burning of waste substances and where the combustion factors of temperature, retention time, turbulence and combustion air can be controlled, and which is operated by a public authority.
Infill Lot	The new lot severed from an underutilized property.

TERM	DEFINITION
K	

Collingwood Zoning By-law

Kennel	The use of land or building for establishments where more than three (3) dogs are kept for the purpose of show, training, keeping, breeding and raising for profit or gain, but shall not apply to the keeping of animals in a veterinary clinic for the purpose of observation or recovery necessary to veterinary treatment.

TERM	DEFINITION
L	
Landfill	The use of land or building where refuse and earth or other suitable cover material are deposited in alternating layers of specific depth in accordance with a definite plan on a specific portion or land, with each layer being compacted by force applied by mechanical equipment, and is under the jurisdiction of a public authority. A waste transfer station and a sewage evaporation pond under the jurisdiction of a public authority is included.
Landscape Open Space	The open unobstructed space on a lot from the ground to the sky reserved for the growth and maintenance of grass, flowers, bushes or other landscaping features including, but not limited to, walkways, patios, retaining walls, unenclosed swimming pools, but does not include any entrance or parking areas, a ramp or lift for the disabled, or any open space beneath or within any building.
Lane	A public way that provides only a secondary means of access to a lot and which is not intended for general traffic circulation. For the purposes of this by-law, a lane shall not be considered a street or highway.
Laundromat	The use of land or building for establishments primarily engaged in providing self-service, coin-operated laundry and dry-cleaning facilities.
Library	The use of land or building for establishments primarily engaged in maintaining document collections, and facilitating the use of such documents, regardless of their physical form and characteristics, as are required to meet the informational, research, educational or recreational needs of the public.
Life Skills Centre	The use of land or building for establishments primarily engaged in providing basic life learning counselling, assistance or instruction to clients, and that are operated under the jurisdiction of a public authority or a non-profit organization.
Livestock	Dairy or beef cattle, swine, poultry, horses, goats, sheep, birds, fur-bearing animals, deer and elk, game animals and fish.

Collingwood Zoning By-law

TERM	DEFINITION
Loading Space	That portion of a parking area exclusively used for the unobstructed temporary parking of vehicles during the loading or unloading of equipment, goods or materials.
Lot	A parcel or tract of land described in a deed or other legal document which is legally capable of conveying title, and 1. Is a whole lot or block described in accordance with and is within a registered plan of subdivision, which has not been deemed by the Town not to be a registered plan of subdivision under a by-law passed pursuant to the <i>Planning Act</i>; or 2. Is a legally-separated parcel of land without any adjoining or abutting land being owned by the same owner or owners; or 3. The description of which is the same as in a deed which has been given consent pursuant to the <i>Planning Act</i>; or 4. Is the whole remnant remaining to an owner or owners after a conveyance is made with consent pursuant to the <i>Planning Act</i>, but for the purposes of this paragraph, no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Town, County of Simcoe, Province of Ontario, Dominion of Canada, public authority; or 5. Is ordered by the municipality to have not been created by a contravention of the <i>Planning Act</i> or any predecessor thereof, pursuant to the authority of the <i>Planning Act</i>.
Lot, Area	The total horizontal area of a lot bounded by its lot lines.
Lot, Corner	A lot situated at the intersection of two or more streets or highways, or any combination thereof, in which the interior angle between the front and exterior side lot lines is less than one hundred and thirty-five (135) degrees.
Lot Coverage	The percentage of lot area covered by buildings or decks above grade.
Lot Frontage	The horizontal length measured along a front lot line.
Lot, Interior	A lot other than a corner lot or a through lot.
Lot, Through	A lot, other than a corner lot, that is bounded on opposite sides by not more than two streets or highways, or any combination thereof.

Collingwood Zoning By-law

TERM	DEFINITION
Lot Line	The legal boundary of a lot.
Lot Line, Exterior	A lot line, other than a front lot line, dividing the lot from a street or highway.
Lot line, Front	In the case of an interior lot, the lot line dividing the lot from a street or highway. In the case of a corner lot, the shortest lot line dividing the lot from a street or highway. In the case of a through lot, the lot line where the main entrance for the lot is located. In the case of a lot that does not front on a street or highway, the front lot line shall be deemed to be the lot line dividing the lot from the private right-of-way or easement.
Lot Line, Interior	A lot line other than a front, exterior or rear lot line.
Lot line, Rear	A lot line opposite to a front lot line. For the purpose of this Zoning By-law, where a lot has a front lot line and two interior side lot lines resulting in a three sided lot, such a lot shall be deemed not to have a rear lot line.

TERM	DEFINITION
M	
Machine Shop	The use of land or building for establishments primarily engaged in metal cutting or welding for the manufacturing of machine tools, dies, jigs and fixtures; machine tool accessories and attachments and related products.
Machinery Dealership	The use of land or building for establishments primarily engaged in retailing and servicing new or used agricultural, commercial, industrial, lawn and garden machinery, equipment and parts.
Main Building	The principal building on the lot.
Main Use	The principal use of the lot.
Manufacturing, Processing, Assembly or Fabrication Plant	The use of land or building where the process of producing any product by hand or mechanical power or machinery is carried on.
Marina	The use of land or building for establishments primarily engaged in operating boat slips and storage facilities for boat owners, with or without related activities, such as retailing fuel and marine supplies, and boat repair and maintenance, and rental services. Sailing clubs and yacht clubs that operate marinas are included.

Collingwood Zoning By-law

TERM	DEFINITION
Material Recovery Facility	The use of land or building for establishments primarily engaged in operating facilities in which recyclable materials are removed from waste, or mixed recyclable materials are sorted into distinct categories and prepared for shipment. These operations must be conducted internal of a building.
Mechanical Room	Any room, vault or penthouse where HVAC equipment, water supply, drainage, electrical, telecommunication or similar services of a building is located.
Medical Clinic	The use of land or building for establishments of more than one medical office for members of the medical profession including physicians, dentists, chiropractors or therapists primarily engaged in a private or group practice of general or specialized medicine or surgery, and as accessory thereto may include laboratories, facilities for medical, diagnostic and dental purposes, a drug or optical dispensary.
Medical Office	The use of land or building in which one or more persons are employed in the management, direction or conducting of a business or where professionally-qualified persons and their staff serve patients who seek advice, consultation or treatment. The number of medical doctors, including physicians, dentists, chiropractors and therapists practicing in any one medical office shall be limited to two (2).
Mezzanine	An intermediate floor assembly between the floor and ceiling of any room or storey and includes an interior balcony.
Mini-Golf Course	The use of land or building as a place of amusement for the purpose of simulating the sport of golf on a micro scale.
Mini-Storage Warehouse	The use of land or building for the renting or leasing of individual self-storage warehouse units that are divided by a common wall, or in addition to, a common floor.
Model Home	A building that is used temporarily as a display model but that will eventually be occupied as a dwelling unit.
Motel	The use of land or building for establishments primarily engaged in providing short-term lodging in facilities known as motels. These establishments accommodate clients travelling by motor vehicle, and provide short-stay suites or guest rooms with direct exterior access to rooms and parking areas adjacent to the room entrances. Limited complementary services and amenities may also be provided.
Motor Vehicle	Any vehicle that is propelled, driven or drawn by any kind of power, other than muscular power, but does not include a lawn tractor, lawn mower, or snow blower.

Collingwood Zoning By-law

TERM	DEFINITION
Motor Vehicle Gasoline Station	The use of land or building for establishments primarily engaged in retailing motor vehicle fuels combined with the retail sale of a limited line of merchandise, such as milk, bread, soft drinks and snacks in a convenience store setting.
Motor Vehicle Repair Garage	The use of land or building for establishments primarily engaged in providing a range of mechanical and electrical repair and maintenance services for motor vehicles, such as engine repair and maintenance, exhaust system replacement, transmission repair, electrical system repair and body work.
Motor Vehicle Sales Establishment	The use of land or building for establishments primarily engaged in retailing of new or used motor vehicles such as automobiles, light duty trucks and vans, including mini-vans, to final consumers or to motor vehicle lessors. These establishments also typically retail replacement parts and accessories, and provide repair services.
Motor Vehicle Supply Outlet	The use of land or building for establishments primarily engaged in retailing new, rebuilt, and used automotive parts and accessories that generally require installation.
Motor Vehicle Towing	The use of land or building for establishments engaged in light and heavy towing services, both local and long distance, to the general public, commercial, transportation and other sectors. These establishments may offer incidental services, such as tire repair, battery boosting and other emergency road services.
Motor Vehicle Wash	The use of land or building for establishments primarily engaged in washing and cleaning motor vehicles.
Museum	The use of land or building for establishments primarily engaged in acquiring, researching, conserving, interpreting, and exhibiting items of interest to the public. Accessory retail is also permitted. Art museums with permanent collections are included.

TERM	DEFINITION
N	
Natural Heritage Area	A natural heritage feature and area as defined by the Provincial Policy Statement.
New Building	Any building that is on land in a C1 zone classification that is constructed after the date of passing of the Zoning By-law, and that is not an addition to an existing building, or a replacement of a demolished building that had existed prior to the date of passing of the Zoning By-law.

Collingwood Zoning By-law

TERM	DEFINITION
Newspaper	The use of land or building for establishments primarily engaged in carrying out operations necessary for printing, producing and distributing newspapers, including gathering news; writing news columns, feature stories and editorials; and selling and preparing advertisements.
Non-Conforming	One or more of the following: 1. The use of land or building for a purpose that is not identified as a permitted use within the zone classification in which the land or building is located; 2. Land or buildings that do not meet the lot provisions of the zone classification for which the land or building is located, or do not meet any other applicable provision of the Zoning By-law.
Noxious	Any use of land or building that creates, or is likely to create, destructive, offensive or unhealthy gas or fumes, dust, odour, noise, vibrations; or the unsightly storage of goods, wares, salvage or machinery parts, junk, waste or other material in such a manner that such may become hazardous or injurious with respect to the health and safety; or otherwise prejudices the character of the surrounding area or interferes with the normal enjoyment or any use of activity in respect of land or building.
Nursing Facility	The use of land or building for establishments primarily engaged in providing in-patient nursing and rehabilitative services, and continuous personal care services.

TERM	DEFINITION
O	
Open Market	The use of land or building for the occasional or periodic activity of holding a market where food and/or new or used goods are offered for sale to the public.
Outside Display and Sale	That portion of a lot used for outside accessory display and sale of goods, materials and equipment.
Outside Storage	That area of a lot used for outside accessory storage of goods, materials and equipment.
Outside Storage, Concealed	That area of a lot used for outside accessory storage of goods, materials, and equipment but that is required to be blocked visually on all sides with solid screening of fencing, landscaping or any combination thereof.

Collingwood Zoning By-law

TERM	DEFINITION
P	
Park, Private	An open space or recreational area or building, other than a public park, operated on a commercial and/or private member basis, which is devoted to one or more of the following uses or activities or to a similar type of use or activity: i) A golf course, yacht club, hockey or curling rink, health club, marina; ii) Areas for walking, riding and cross-country skiing, but does not include the racing of animals, motor vehicles, motorcycles or snowmobiles; iii) Accessory recreational or playground uses such as picnic areas, tennis courts, lawn-bowling greens, outdoor skating rinks, athletic fields, swimming pools and similar uses; iv) Buildings accessory to the foregoing such as a refreshment booth or pavilion, a marina, dining and recreation facilities and administrative offices to service the clients or members utilizing the principal private recreation use; v) A clubhouse, only where accessory to a golf course, which may include dining and recreational facilities to service the clients or members utilizing the golf course; and vi) Parking lots accessory to the foregoing.

Collingwood Zoning By-law

TERM	DEFINITION
Park, Public	The use of land or building owned or controlled by the Town or by any board, commission or other authority established under any statute of the Province of Ontario, and may include therein neighbourhood, community, regional and special parks or areas, and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, hockey and curling rinks, refreshment rooms, fairgrounds, arenas, health clubs, marinas, yacht clubs, golf courses or similar uses. A public park also encompasses accessory buildings and uses to the foregoing, including a refreshment booth or pavilion, administrative offices, an outlet for the sale of products associated with a principal public recreational use (golf pro shop/hockey equipment sales), dining facilities to service those members of the general public utilizing a principal recreational use, a public marina, an accessory parking lot and similar uses.
Parking Aisle	That portion of a parking area exclusively used as an unobstructed internal space for motor vehicle circulation.
Parking Area	That portion of a lot exclusively used for the parking of motor vehicles and includes, without limiting the foregoing, the entrances, the parking and queuing aisles, the parking spaces, delivery and loading spaces, but shall not include any part of a street, highway or private road.
Parking Space	That portion of a parking area exclusively used as an unobstructed space for the parking of a motor vehicle and may include spaces within a building.
Parking Space, Tandem	A parking space that is located immediately behind another parking space.
Patio	A structure, other than a deck, that is used as an outdoor amenity area and that is, in its entirety, less than 0.6 m above grade.
Person	Any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Collingwood Zoning By-law

TERM	DEFINITION
Personal Service Shop	The use of land or building for establishments primarily engaged in providing personal care services, such as but not limited to, hair care and aesthetic services, hair replacement and scalp treatment services, spa and massage services, diet counselling services, opticians, denturists, piercing and tattoo services.
Pet Day Care Centre	The use of land or building in which the day care for more than three (3) pets is permitted, but shall not include over-night boarding or outside runs.
Pet Store	The use of land or building where animals or birds as pets are sold, kept for sale or groomed, but does not include the breeding or overnight boarding of pets.
Petroleum Wholesaler	The use of land or building where establishments primarily engaged in wholesaling crude oil, liquefied petroleum gases, gasoline and diesel, heating oil and other refined petroleum products.
Pharmacy	The use of land or building for establishments primarily engaged in retailing prescription or non-prescription drugs and medicines. These establishments also typically retail snacks, cosmetics, personal hygiene products, greeting cards and stationery, and health aids, and may also include as additional retail uses confectionery, novelties and giftware, cameras and photographic supplies.
Place of Entertainment	The use of land or building for a motion picture or other theatre, auditorium, public hall, bowling alley, ice or roller skating rink, a billiard, dance, or music hall, but shall not include an arcade as a main use. An accessory food concession shall also be permitted.
Place of Worship	The use of land or building for establishments primarily engaged in operating religious organizations for religious worship, training or study, administering an organized religion, or promoting religious activities.
Porch	A portion of a building, extending beyond the exterior wall of the building, that has a roof system but is otherwise unenclosed except for insect screening, handrails, glass or plastic but is not designed for habitable space.
Portable Asphalt Plant	The use of land or building for equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process, and is dismantled at the completion of the construction project.

Collingwood Zoning By-law

TERM	DEFINITION
Portable Concrete Plant	The use of land or building for equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and is dismantled at the completion of the construction project.
Pool and Spa Store	The use of land or building for establishments primarily engaged in retailing of pool, hot tub, sauna and spa supplies, and may also include the installation and maintenance of these products.
Private Home Day Care	The temporary care for reward or compensation of five (5) children or less who are under ten (10) years of age, where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four (24) hours.
Private Road	A private and legal right-of-way or easement over private property which allows access to a street or highway.
Private Zoo	The use of land or building for the collection or display of either exotic animals or livestock.
Professional Service Office	The use of land or building in which one or more persons are primarily engaged in the legal services industries, accounting and related services industries. Professional services offices include law offices and paralegal offices. They do not include establishments such as architectural and engineering services, specialized design services, computer system design, environmental consulting, scientific and technical consulting services, scientific research and development services, photographic services and all related activities that provide supportive services to various industrial uses.
Prohibited Animal	Any animal listed in the Town by-laws that prohibit a specific animal species.
Public Authority	The Town of Collingwood, including its commissions or boards and COLLUS, any federal or provincial ministry, a court of law, a local conservation authority, and any corporation established under the <i>Municipal Act</i> , S.O. 2001, c. 25, as amended, including its commissions or boards.

Collingwood Zoning By-law

TERM	DEFINITION
Q	
Queuing Aisle	That portion of a parking area exclusively used as an unobstructed internal space for queuing motor vehicles utilizing a drive-in use.

TERM	DEFINITION
R	
Ramp	The use of a portion of land or a structure used to join and provide a smooth transition between two levels of different grades.
Recreational Vehicle	Any vehicle used for recreational purposes such as motor homes or camping trailers, motorcycles, boats, snowmobiles, trailers, off-road all-terrain vehicles and aircraft, and includes any trailer designed to transport the above.
Real Estate Service Office	The use of land or building in which one or more persons are primarily engaged in selling, buying, renting, leasing, or appraising of real estate for others including allowing the use of real estate assets. Real estate service offices include lessors of real estate, real estate agents and brokers, and real estate appraisers.
Recreational Vehicle Dealership	The use of land or building for establishments primarily engaged in retailing new and used recreational vehicles, such as without limiting the foregoing, motor homes or camping trailers, motorcycles, watercraft, snowmobiles, trailers, off-road all-terrain vehicles, trailers, aircraft and includes any trailer designed to transport the above. These establishments also typically retail replacement parts and accessories, and provide repair services.
Refreshment Vehicle	Any motor vehicle, trailer, cart or similar vehicle or device used to serve food for consumption.
Repair Shop	The use of land or building for establishments primarily engaged in repairing and maintaining household appliances, without retail sales of new equipment.
Restaurant	The use of land or building where establishments primarily engaged in providing food and beverage services to patrons, and also includes the serving of alcoholic beverages.

Collingwood Zoning By-law

TERM	DEFINTION
Retirement Home	The use of land or building for providing living accommodations, other than a dwelling unit, for retired persons, and where common facilities for the preparation and consumption of food are provided, and common lounges, recreational rooms and medical care facilities may also be provided.
Retail Commercial Establishment	A building or part of a building used for the purpose of selling or offering for sale goods or services on an item-by-item basis directly to the public, and the incidental storage of those goods in limited quantities sufficient only to service such store, but shall not include a department store, a food supermarket, a home and auto supply store, a home centre, a warehouse membership club, a motor vehicle dealership, recreation vehicle sales, light equipment sales and rental, and retail outlet for the sale of alcoholic beverages.
Retail Outlet for the Sale of Alcoholic Beverages	A store primarily devoted to the retail sale of alcoholic beverages, but shall not include the accessory selling of wine for off-site consumption.
Roof	The exterior top covering of a building.

TERM	DEFINITION
S	
Salvage Yard	The use of land or building for establishments primarily engaged in collecting and hauling non-hazardous or hazardous waste within a local area. A private waste transfer station is also included.
School	The use of land or building as a public, separate or private establishment where an academic curriculum is taught to a group of students.
School, Commercial	The use of land or building as a teaching and learning facility where instruction in dance, music, art, drama, athletics, business trade, vocations, community college or any other specialized instruction is provided, for a fee (tuition/registration), or gain or profit, but shall not include any other use otherwise identified herein.
Second Unit	An independent , self contained and accessory secondary dwelling unit that is located within a detached structure accessory to a single detached dwelling unit.
Self Brewery	The use of land or building for establishments primarily engaged in providing public access to on-premise beer, liquor and wine making equipment and may include the retailing of beer, liquor and wine-making supplies and equipment.

Collingwood Zoning By-law

TERM	DEFINITION
Senior Citizen Housing	The use of land or building for senior citizens sponsored and administered by any public agency or service club, church or other non-profit organization, which obtains its financing from federal, provincial, county or municipal governments, or agencies, or by public subscription or donation, or by any combination thereof.
Sensitive Land Use	The use of land or building for an agricultural use or other use, an institutional use, a parkland use or a residential use within the meaning of the <i>Environmental Protection Act</i> , R.S.O. 1990, Chapter E. 19, Ontario Regulation 153/04, as amended.
Separation Distance	The shortest linear distance measured between the foundation of more than one building, or where the building has no foundation, to the exterior walls of the building.
Setback	The horizontal distance, uncovered and unoccupied from the ground to the sky, as may be required by the provisions of this Zoning By-law.
Shopping Centre	The use of land or building where a group of commercial establishments conceived, designed, developed, operated and managed as an interdependent and inter-related unit by a single owner or tenant, in which access by the general public is obtained from the outside through a common entrance or entrances to an internal, covered, common, climate-controlled mall or corridors onto which each individual commercial establishment shall front.
Short Term Accommodation	The use of dwelling unit, or any part thereof, that is operating or offering a place of temporary residence, lodging or occupancy by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement for any period of 30 consecutive calendar days or less, throughout all or any part of a calendar year.
Sight Triangle	A theoretical triangular area that is clear of any visual obstruction and is formed between points measured along a lot line a prescribed distance from the intersection of a street or highway.
Silviculture	The use of land or building for the development, maintenance or harvesting of a wooded area.
Similar Use	A use of land or building for a purpose which is not specifically mentioned within this Zoning By-law as a permitted use, but which is determined to be similar to the permitted use.
Solar Equipment	Any device used for the collection of solar radiation for heating, cooling or electric power generation purposes.

Collingwood Zoning By-law

TERM	DEFINITION
Specialty Food Store	The use of land or building where establishments are primarily engaged in retailing specialized lines of food products. These include meat, fish and seafood, fruit and vegetables, baked goods, confectionary, cheese, dietary foods and ice cream.
Sporting Equipment Sales	The use of land or building where establishments are primarily engaged in retailing new sporting goods. These establishments may also retail used sporting goods, and provide repair services.
Storey	The portion of a building that is situated between the top of any floor and the top of the floor next above it, or that is situated between the top of the floor and the ceiling above the floor, if there is no floor above it.
Storey, First	The storey that has its floor closest to grade and its ceiling more than 1.8 m above grade.
Street	A common and public street and includes any bridge, trestle, viaduct or other structure forming part of the street and, except as otherwise provided, includes a portion of a street.
Suite	A single room or series of rooms of complementary use operated under a single tenancy.
Suite, Lock-off	A suite that is used as a guest room in a hotel, motel or business type hotel or motel with a private, separate access into a hallway and an access door into another suite through a common shared wall.
Supportive	Uses that would, in the ordinary course of business, provide services directly to uses, or for the management, design and/or creation of the uses, which are permitted within industrial areas such as business or professional consulting service providing the management, architectural, engineering, town planning, land surveying, industrial design and/or interior design services.
Swimming Pool	Any artificially enclosed body of water, including a hot tub, not less than 0.4 m deep, that is intended for recreational or competitive swimming, diving, or other bathing activities.

TERM	DEFINITION
T	
Taxi Establishment	The use of land or building for establishments primarily engaged in providing passenger transportation by taxi. Taxicab fleet owners and organizations that provide dispatch services are included, regardless of whether drivers are hired, rent their cabs, or are otherwise compensated. Owner-operated taxicabs are included.

Collingwood Zoning By-law

TERM	DEFINITION
Temporary Sales Office	The use of a temporary building for the purpose of marketing a land development proposal.
Tent	A building made of canvas, plastic or similar material intended to provide temporary for a period of months for the shelter or storage of materials but is not intended for habitation.
Top of Bank	The theoretical point which is the beginning of a significant change in the topography of land.
Tourist Camp	The use of land as a recreational vehicle camp, or land equipped with cabins, used for the accommodation of the public and any land used as a camping ground for the public whether or not a fee is charged for the use.
Town	The Corporation of the Town of Collingwood.
Trailer	A vehicle constructed to be attached and propelled by a motor vehicle. This includes any trailer that is capable of being used by persons for living, sleeping or eating, or a trailer that is jacked-up or has the running gear removed.

TERM	DEFINITION
U	
Use	When used as a noun, the purpose for which a lot, building, or any combination therefore, is designed, arranged, occupied or maintained and when used as a verb, to use shall have a corresponding meaning.
Utility	The use of land or building for any hard service such as, but not limited to, water and sewer, storm water management, electric, natural gas and communication/telecommunication services, owned or operated by the Town, Collingwood Public Utilities, COLLUS, County of Simcoe, Nottawasaga Valley Conservation Authority, Ontario Hydro, Enbridge Consumers Gas, Bell Canada, Roger's Cable, any agency department or ministry of the Government of Ontario or Canada, or other similar public or non-public authorities.

TERM	DEFINITION
V	

Collingwood Zoning By-law

Veterinarian Clinic	The use of land or building for establishments of licenced veterinary practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery for animals. This industry also includes veterinary laboratories.
Video Outlet	The use of land or building for the sale or renting of video games, movies, video players, video recorders or similar merchandise. An accessory food concession shall also be permitted.

TERM	DEFINITION
W	
Warehouse	The use of land or building for establishments primarily engaged in operating public and contract general merchandise warehousing and storage facilities including handling goods in containers, such as boxes, barrels and drums, and using equipment such as forklifts, pallets and racks.
Warehouse Membership Club	The use of land or building for establishments primarily engaged in retailing a general line of grocery items in combination with a general line of non-grocery items, and typically selling grocery items in larger formats or quantities.
Water body	Any lake, bay, river, stream, canal or water course other than a drain, ditch or irrigation channel.
Wayside Pit	The use of land or building for a temporary gravel pit opened and used by or for a public authority solely for the purpose of a particular project.
Wholesale Outlet	The use of land or building for the purpose of selling or offering for sale goods, wares or merchandise on a wholesale basis, but that does not sell directly to the general public, and includes the storage or warehousing of those goods, wares or merchandise.
Wind Turbine	A device used to generate a supplementary source of electric power from the wind.

TERM	DEFINITION
Y	
Yard	The space, on the same lot as a building, that is uncovered and unoccupied from the ground to the sky, except for any permitted encroachments.
Yard, Exterior Side	The yard of a lot located between a required front yard and a required rear yard commencing at an exterior side lot line and extending to the building.
Yard, Front	The yard extending across the full width of a lot between the front lot line and the building.

Collingwood Zoning By-law

Yard, Interior Side	The yard of a lot located between a required front yard and a required rear yard commencing at an interior side lot line and extending to the building.
Yard, Rear	A yard extending across the full width of a lot between the rear lot line and the building.
Yard, Required	The horizontal distance required by the provisions of this Zoning By-law measured from a lot line to the foundation of a building, or where there is no foundation, to the exterior wall of the building.

TERM	DEFINITION
Z	
Zone	The zone classification of lands or buildings permitted by this Zoning By-law.
Zoning By-law	This Zoning By-law including any amendments thereto.
Zoning Certificate	A zoning occupancy certificate issued by the Town.

Section 4.0 General Provisions

4.1 General Provisions

- 4.1.1 Unless provided elsewhere in this Zoning By-law, no person shall use any land or erect or use any building except in conformity with the general provisions of this section, in addition with all other applicable sections and provisions of this Zoning By-law.

4.2 Public Uses

- 4.2.1 Unless provided elsewhere in this Zoning-By-law, a use or government office under the jurisdiction of a public authority shall be permitted in any zone. Only a use under the jurisdiction of a public authority or a utility is permitted in the PR zone classification and the applicable zone provisions of the PR zone shall be at the discretion of the Town.
- 4.2.2 Public streets, lanes or highways are hereby zoned Public Roadway (PR), and are so zoned whether or not the public roadway (PR) zone symbol is indicated on Schedule "A".
- 4.2.3 The temporary storage of construction equipment used for public works, a portable asphalt or a portable concrete plant, a wayside pit or any other work under the jurisdiction of a public authority or a utility is permitted in any zone.
- 4.2.4 Any building or use constructed or established under the jurisdiction of a public authority or a utility that is to be located on the natural heritage area, hazard area or an environmental buffer area shall first be the subject of the review of an environmental impact study (EIS).

4.3 Sign By-law

- 4.3.1 This Zoning By-law shall not apply to prevent signs lawfully erected in accordance with the sign by-laws of the Town of Collingwood.

4.4 Fence By-law

- 4.4.1 This Zoning By-law shall not apply to prevent fences lawfully erected in accordance with the fence by-laws of the Town of Collingwood.

4.5 Heritage By-law

- 4.5.1 Where there is a conflict between the provisions of this Zoning By-law and the provisions of a heritage by-law of the Town of Collingwood, the provisions of the heritage by-law shall prevail to the extent of the conflict but in all other respects the provisions of this Zoning By-law shall remain in effect.

4.8 Restoration to a Safe Condition

- 4.8.1 Nothing in this Zoning By-law shall prevent the exterior or interior alteration, strengthening, or restoration to a safe condition any legal, non-conforming building or use provided that:
- i. The use is not further intensified or expanded without first obtaining the appropriate *Planning Act* approvals, and
 - ii. The buildings external dimensions, gross floor area or height is not increased.

4.9 Reconstruction of Damaged Uses or Buildings

- 4.9.1 Nothing in this Zoning By-law shall prevent the reconstruction of any legal, non-conforming building or use damaged by forces beyond the control of the owner provided that:
- i. The use shall only be reconstructed to the extent of its pre-damaged state; and
 - ii. The building shall only be reconstructed to the extent of its pre-damaged external dimensions, gross floor area or height.

4.10 Change in Use or Lot Size

- 4.10.1 No person shall change the use of any lot or building or change the size of any lot or building or use, if the effect of such action is to cause the original or resultant lot, building, or use to become non-conforming with respect to the provisions of this Zoning By-law.

4.11 Conveyance to a Public Authority

- 4.11.1 Despite General Provision 4.10 and General Provision 4.19, a lot or any portion thereof, or a building, shall be deemed to conform with the Zoning By-law where land has been conveyed to a public authority.
- 4.11.2 Any land conveyed to a public authority does not need to conform to any minimum lot area or lot frontage provision of this Zoning By-law or to General Provision 4.19.

4.12 Collingwood Floodplain Provisions

- 4.12.1 The minimum opening elevation of all buildings shall be 0.5 m above the centreline of an abutting street, highway, private road or lane. Conformity to this provision shall be at the discretion of the Town in consultation with the local Conservation Authority. Where appropriate the minimum opening elevation for a building may also be established through a site specific floodplain analysis prepared by a qualified professional. This provision shall not apply to a boat house.

Collingwood Zoning By-law

- 4.12.2 In addition to the provision above, where a property abuts Nottawasaga Bay and is affected by the one in one hundred year high lake level of 178.0 m Canadian Geodetic Datum, any opening of a building shall be a minimum elevation of 178.3 m Canadian Geodetic Datum. Furthermore, the required yard or setback from the 178.0 m Canadian Geodetic Datum elevation to a main building shall be increased to a minimum of 15.0 m. This provision shall not apply to a boat house or boat slip.

4.13 Environmental Protection

- 4.13.1 Unless provided otherwise, a natural heritage area, a hazard area, an environmental buffer area, or any lands below the land contour of 178.0 metres Canadian Geodetic Datum are hereby zoned Environmental Protection (EP), and are so zoned whether or not the Environmental Protection (EP) zone symbol is indicated on Schedule "A".

4.14 Multiple Zones on a Lot

- 4.14.1 Where a lot is separated into more than one zone, or exception zone, each separately zoned portion of the lot shall be used in accordance to the zone provisions applicable to that portion.
- 4.14.2 The boundaries between multiple zones, or exception zones, shall be considered to be a lot lines for the purpose of determining conformity with the Zoning By-law.

4.15 Municipal Services

- 4.15.1 Unless provided elsewhere, a main building or main use shall have connection to both a municipal water supply system and a municipal sanitary sewer.
- 4.15.2 Unless provided elsewhere in this Zoning By-law, if water or sanitary services are proposed for an accessory building, such services shall be provided by a connection to the municipal water supply system and the municipal sanitary sewer that services the main building or use. This provision shall not apply to portable toilets used during construction or to tents.

4.16 Sight Triangles

- 4.16.1 Without limiting the foregoing, no building, motor vehicle, fence, sign, landscaping feature or any other object shall be located within the boundaries of a sight triangle if it is more than 1.0 m in height, measured above grade. Conformity to this general provision shall be at the discretion of the Town.
- 4.16.2 When determining the size of a sight triangle, the length of measurement from the point of intersection of a street or highway shall be a minimum of 6.0 m.

Section 6.0 Residential Zones

6.1 Residential Permitted Uses and Density

- 6.1.1 No person shall use any land or construct or use any building or structure in any Residential zone except in accordance with Table 6.1.2.1., entitled Residential Permitted Uses.
- 6.1.2 No person shall use any land or construct or use any building unless the total number of dwelling units built on a lot is in conformity with the density limits set out on Schedule 'C' of the Town's Official Plan entitled Residential Density Plan, or as may be otherwise permitted.

Table 6.1.2.1 Residential Permitted Uses

Uses	Zones			
	R1	R2	R3	R4
Apartment			✓(b)	✓(b)
Duplex		✓	✓	
Group or Cluster			✓	✓
Single-Detached	✓(a)	✓	✓	
Semi-Detached		✓	✓	
Townhouse			✓	
Senior Citizen Housing			✓(b)	✓(b)
Retirement Home			✓(b)	✓(b)
Boarding Home		✓(c)	✓(c)	
Nursing Facility			✓(b)	✓(b)
Community Garden	✓	✓	✓	✓

6.2 Residential Footnotes

- 6.2.1 Where the permitted uses in Table 6.1.2.1 are also followed by a letter in brackets, which indicates a footnote, then the additional provision associated with the following footnotes shall also apply.
- 6.2.2 **Footnote (a) – Private Services**
- 6.2.2.1 A single detached dwelling may be serviced without connection to a municipal sanitary system and a municipal water supply system.

6.2.3 Footnote (b) – Accessory Commercial Uses

- 6.2.3.1 Accessory commercial uses shall be limited to a convenience store, a day-care centre, a dry-cleaner's establishment, a laundromat and a personal service shop. These uses shall only be located on the first storey of the main building and shall not occupy an area greater than 25% of the gross floor area of the first storey.

6.2.4 Footnote (c) - Boarding Home

- 6.2.4.1 The Zone provisions for a single-detached dwelling shall also apply to a boarding home.

6.3 Residential Provisions

- 6.3.1 No person shall use any land or construct or use any building or structure in any Residential zone except in accordance with provisions of Tables 6.3.1.1 or 6.3.1.2 or 6.3.1.3.

Table 6.3.1.1 Residential First Density (R1) and Residential Second Density (R2) Zone Provisions

Lot Provisions	R1	R2		
	Single Detached	Single Detached	Duplex	Semi-Detached
Minimum Lot Area (m ²)	1,400	450	550	275
Minimum Lot Frontage (m)	20.0	15.0 (a)	15.0	9.0
Minimum Front Yard (m)	6.0	4.5	4.5	4.5
Minimum Exterior Side Yard (m)	4.5	4.5	4.5	4.5
Minimum Interior Side Yard (m)	2.0	1.2	1.2	1.2 & 0.0
Minimum Rear Yard (m)	7.5	7.5	7.5	7.5
Maximum Height (m)	12.0	12.0	12.0	12.0
Maximum Lot Coverage (bungalow)	20%	45%	Not applicable	45%
Maximum Lot Coverage (other than bungalow)	20%	40%	40%	40%
Minimum Landscaped Open Space	30%	35%	35%	35%
Other provisions				

Table 6.3.1.2 Residential Third Density (R3) Provisions

Lot Provisions	Single detached	Duplex	Semi-detached	Townhouse	Apartment, nursing facility, senior citizen housing & retirement home	Group or cluster
Minimum Lot Area (m ²)	325	550	275	Nil (d)	Nil	Nil
Minimum Lot Frontage (m)	10.0	15.0	9.0	Nil (d)	30.0	Nil
Minimum Front Yard (m)	4.5	4.5	4.5	4.5	7.5	6.0
Minimum Exterior Side Yard (m)	4.5	4.5	4.5	4.5	7.5	6.0
Minimum Interior Side Yard (m)	1.2	1.2	1.2 & 0.0	0.0 (b)	7.5	6.0
Minimum Rear Yard (m)	7.5	7.5	7.5	7.5	7.5	7.5
Maximum Height (m)	12.0	12.0	12.0	12.0	15.0	(c)
Maximum Lot Coverage (bungalow)	45%	Not applicable	45%	Not applicable	Not applicable	Not applicable
Maximum Lot Coverage (other than a bungalow)	40%	40%	40%	45%	40%	40%
Minimum Landscaped Open Space	35%	35%	35%	35%	40%	40%
Other provisions						

Table 6.3.1.3 Residential Fourth Density (R4) Provisions

Lot Provisions	Apartment, Nursing Facility, Senior Citizen Housing & Retirement Home	Group or Cluster Dwelling
Minimum Lot Area (m ²)	Nil	Nil
Minimum Lot Frontage (m)	30.0	Nil
Minimum Front Yard (m)	7.5	6.0
Minimum Exterior Side Yard (m)	7.5	6.0
Minimum Interior Side Yard (m)	7.5	6.0
Minimum Rear Yard (m)	7.5	7.5
Maximum Height (m)	18.0	18.0
Maximum Lot Coverage	40%	40%
Minimum Landscaped Open Space	40%	40%
Other provisions		

6.4 Residential Provision Footnotes

6.4.1 Where the provisions in Tables 6.3.1.1 or 6.3.1.2 or 6.3.1.3 are also followed by a letter in brackets, which indicates a footnote; then the additional provision associated with the footnote, shall also apply.

6.4.2 Footnote (a) – Infill Lot

An infill lot within the R2 zone may have a minimum lot frontage of 12.0 m.

6.4.3 Footnote (b) – Interior Yard Setback for a Street Townhouse

An end unit of a townhouse shall have a minimum interior side yard of 1.8 m.

6.4.4 Footnote (c) – Height for Group or Cluster Dwellings

The maximum height of group or cluster dwellings shall be the maximum height applicable for the individual dwelling type.

6.4.5 Footnote (d) – Street Townhouse

For a street townhouse the minimum lot area shall be 225 m² and the minimum lot frontage shall be 7.5 m.

6.5 Residential Exception Zones

DEFERRED RESIDENTIAL EXCEPTION ONE – DR-1 ZONE

Uses shall be limited to the following;

- Conservation,
- Private roads,
- Private servicing and utilities,
- Private trails.

No direct vehicular access shall be permitted onto Highway No. 26 West.

The minimum lot area shall be 0.4 ha. The minimum lot frontage shall be 100.0 m.

The maximum height of a temporary accessory sales office shall be 11.0 m.

A minimum of 10 parking spaces shall be provided for the temporary accessory sales office.

DEFERRED RESIDENTIAL EXCEPTION TWO – DR-2 ZONE

Uses shall be limited to conservation, private servicing and utilities and private trails.

DEFERRED RESIDENTIAL EXCEPTION THREE – DR-3 ZONE

RESERVED

DEFERRED RESIDENTIAL EXCEPTION FOUR – DR-4 ZONE

RESERVED

DEFERRED RESIDENTIAL EXCEPTION FIVE – DR-5 ZONE

RESERVED

DEFERRED RESIDENTIAL EXCEPTION SIX – DR-6 ZONE

Uses shall be limited to the following;

- Apartment dwellings
- Townhouse dwellings
- Group or cluster dwellings
- Veterinarian clinic
- Medical clinic within an existing building

The following zone exceptions shall apply;

Maximum height:	12.0 m

Maximum gross floor area for a veterinarian clinic:	372 m ²

RESIDENTIAL FIRST DENSITY EXCEPTION ONE – R1-1 ZONE

The following zoning exceptions shall apply:

Minimum lot frontage:	nil

The minimum yard setbacks for main building and accessory buildings are set out in the Illustration 1 below.

In the event of the creation of an infill lot the minimum main building and accessory building setback from the new lot line shall be 6.0 m.

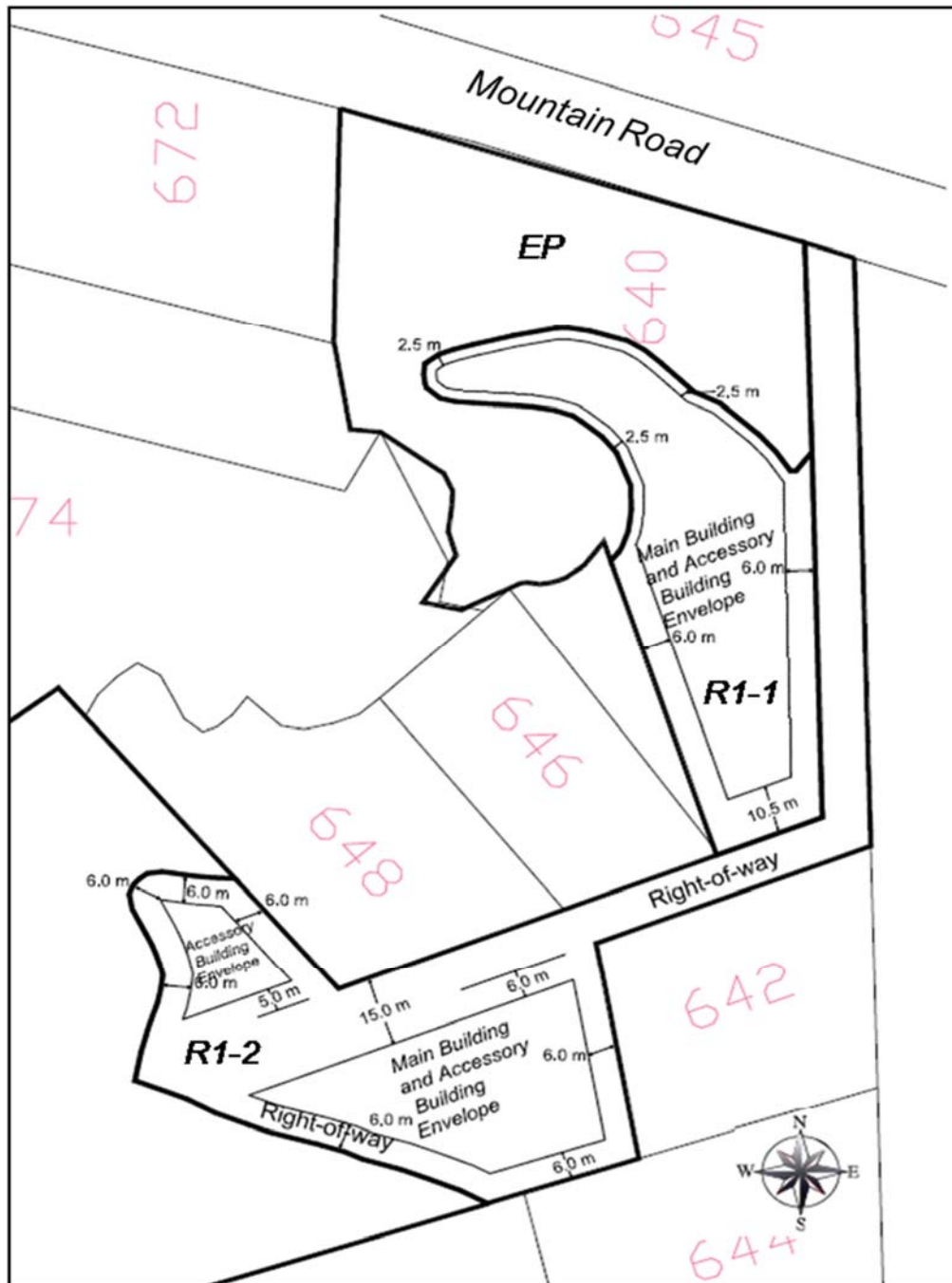


Illustration 1: R1-1 Zone setback requirements

RESIDENTIAL FIRST DENSITY EXCEPTION TWO – R1-2 ZONE

The following zoning exceptions shall apply;

Minimum lot frontage: 9.8 m

The minimum yard setbacks for main building and accessory buildings are set out in the Illustration 2 below.

No main building or accessory building shall be located on any portion of the lands that is the subject of a registered right-of-way or easement.

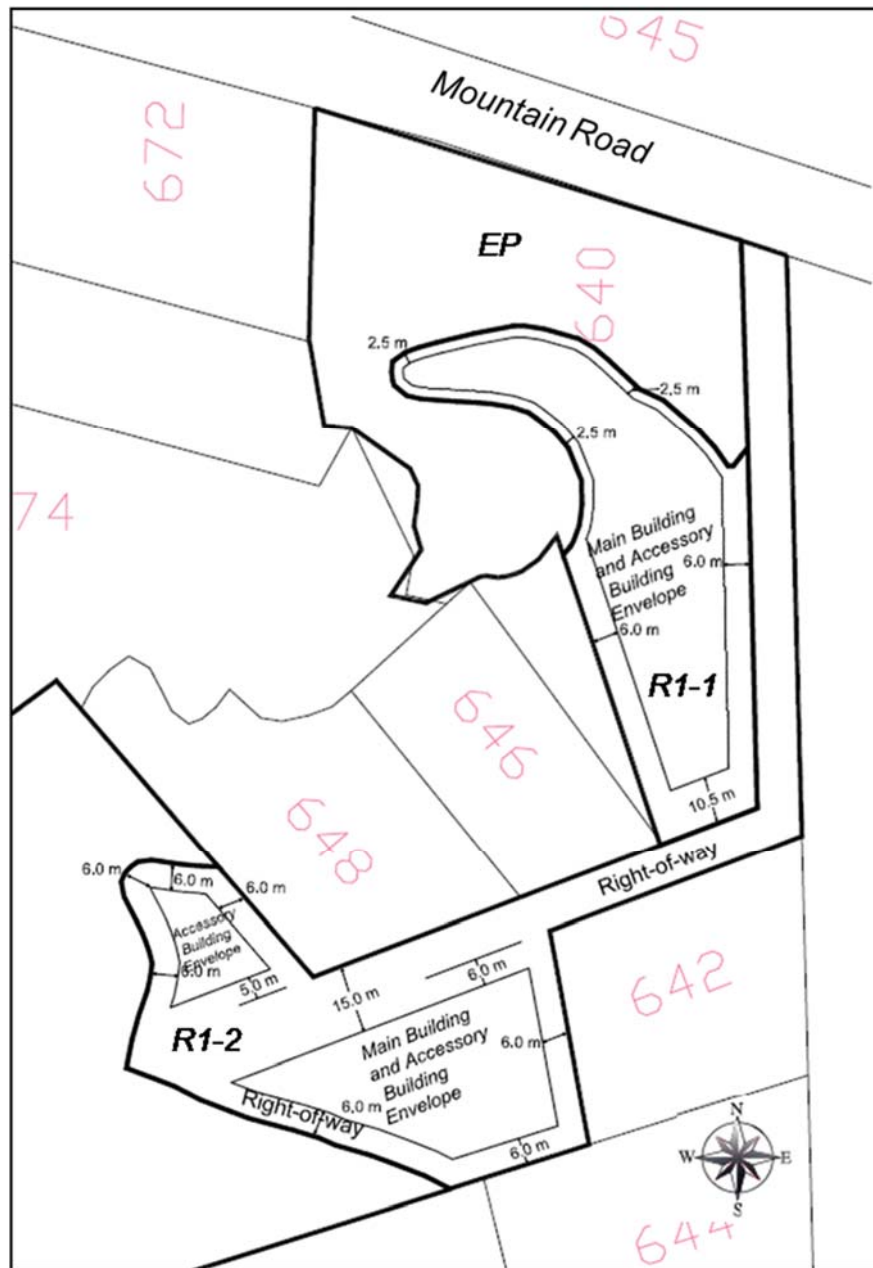


Illustration 2: R1-2 Zone setback requirements

RESIDENTIAL FIRST DENSITY EXCEPTION THREE – R1-3 ZONE

The minimum opening elevation of all buildings shall be 178.52 m Canadian Geodetic Datum.

RESIDENTIAL FIRST DENSITY EXCEPTION FOUR – R1-4 ZONE

The following zoning exception shall apply;

Minimum rear yard: 15.0 m

When a lot is divided into an R1-4 zone and a R1-5 zone, the minimum lot area, minimum lot frontage, maximum lot coverage and minimum landscaped open space shall be calculated using both portions of the lot.

Where a R1-4 zone abuts a R1-5 zone, the minimum required yard dimension within the R1-4 zone is nil.

A detached accessory building may be located closer to the street line than the main building on the lot.

The minimum opening elevation for any habitable building shall be a minimum of 178.4 m Canadian Geodetic Datum.

RESIDENTIAL FIRST DENSITY EXCEPTION FIVE – R1-5 ZONE

Uses shall be limited to the following;

- Walking trails;
- Conservation;
- Private driveway; and
- Private recreational uses which shall mean an area reserved for recreational uses which are typically accessory to a single detached dwelling; not requiring buildings and not altering the topography without a permit being issued by the Conservation Authority.

General Provision 4.14 entitled Multiple Zones on a Lot shall not apply.

RESIDENTIAL FIRST DENSITY EXCEPTION SIX – R1-6 ZONE

A single detached dwelling and detached accessory buildings shall be located within the building envelope as set out in the Illustration 3 below.

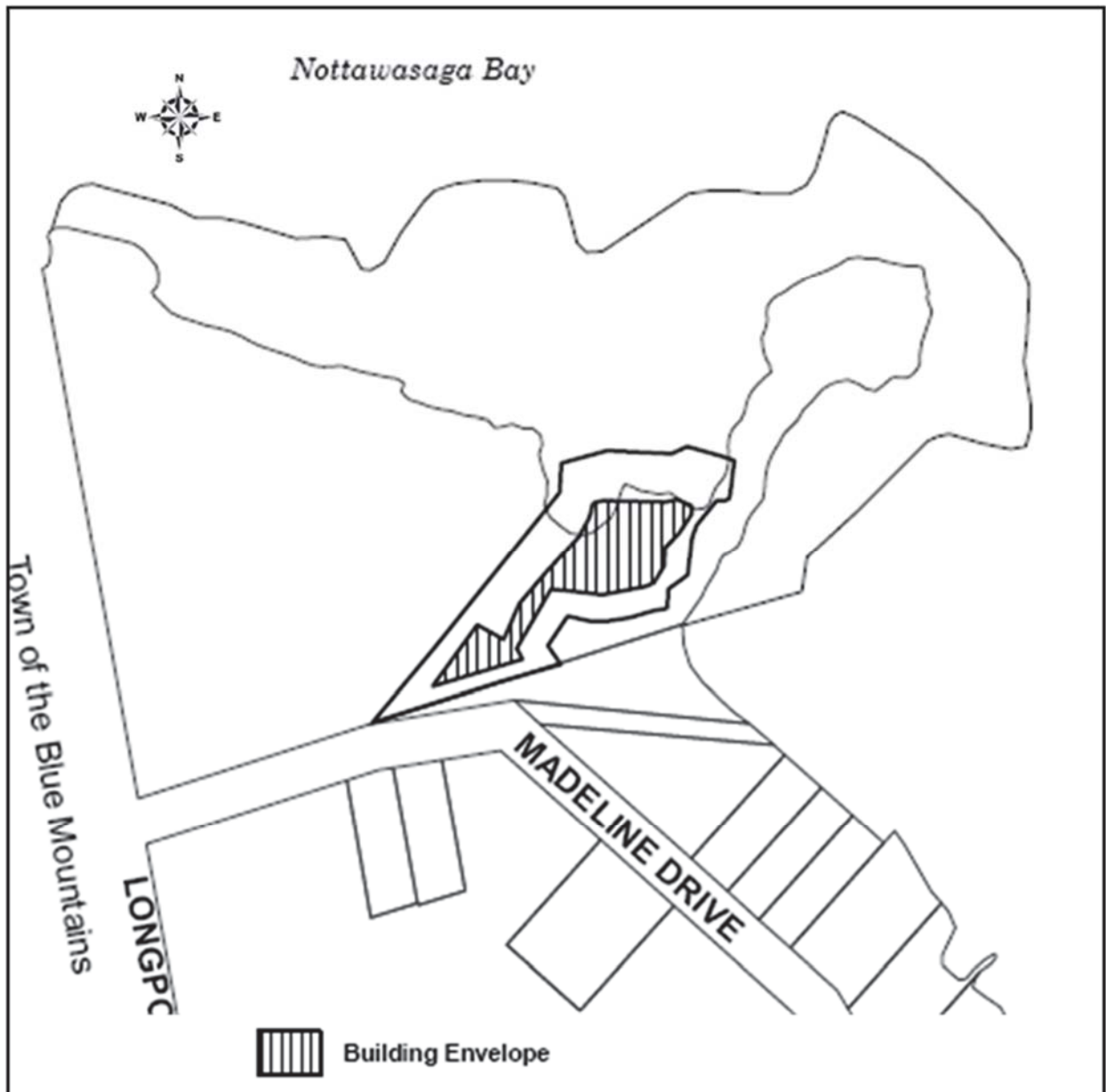


Illustration 3: R1-6 Zone building envelope requirements

RESIDENTIAL FIRST DENSITY EXCEPTION SEVEN – R1-7 ZONE

An existing lot is exempt from the requirement of frontage onto a street, highway or private road.

RESIDENTIAL FIRST DENSITY EXCEPTION EIGHT – R1-8 ZONE

An existing, non-accessory garage shall also be permitted.

RESIDENTIAL FIRST DENSITY EXCEPTION NINE – R1-9 ZONE

The following zoning exceptions shall apply;

Minimum lot area:	3858 m ²
Minimum lot frontage:	92.0 m

RESIDENTIAL FIRST DENSITY EXCEPTION TEN – R1-10 ZONE

The following zoning exceptions shall apply;

Minimum lot area:	1,700 m ²
Minimum lot frontage:	65.0 m

RESIDENTIAL FIRST DENSITY EXCEPTION ELEVEN – R1-11 ZONE

The following zoning exceptions shall apply;

Minimum lot area:	1,680 m ²
Minimum lot frontage:	60.0 m

Any opening of a building shall have a minimum elevation of 178.5 m Canadian Geodetic Datum.

RESIDENTIAL FIRST DENSITY EXCEPTION TWELVE – R1-12 ZONE

Uses shall be serviced with a municipal water supply system.

RESIDENTIAL FIRST DENSITY EXCEPTION THIRTEEN – R1-13 ZONE

A bed and breakfast shall also be permitted.

The following zoning exceptions shall apply;

Minimum Landscape Open Space: 50%

Uses shall be serviced with a municipal water supply system. The existing buffering as generally shown per Illustration 9 below shall be maintained substantially in its current configuration.

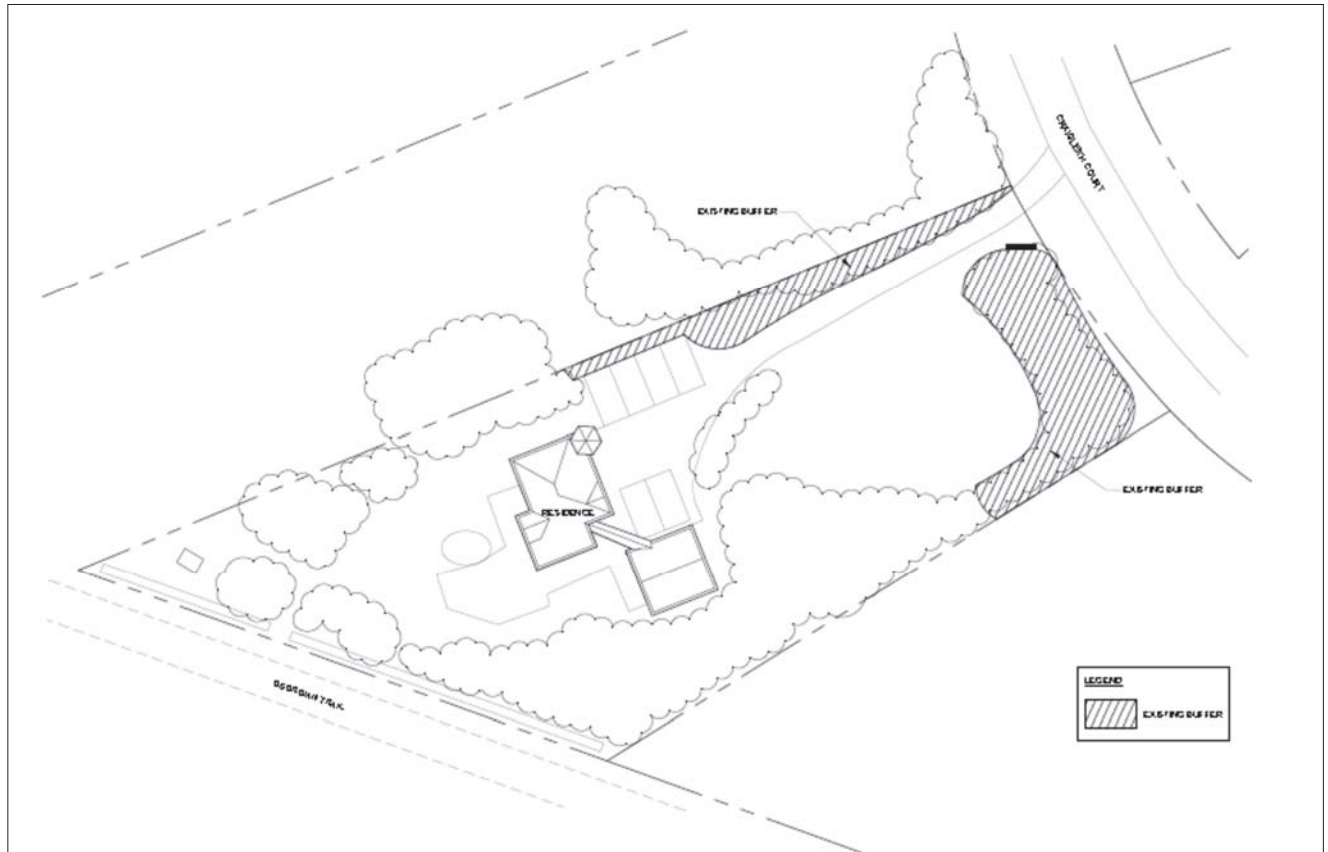


Illustration 4: R1-13 Zone, Existing Buffering

RESIDENTIAL SECOND DENSITY EXCEPTION ONE – R2-1 ZONE

Uses shall be limited to single detached dwellings and may be serviced with a municipal piped water supply system and, where there is no other means available, an individual septic disposal system.

The following zoning exceptions shall apply;

Minimum lot area: 1,400 m²
Minimum lot frontage: 20.0 m

RESIDENTIAL SECOND DENSITY EXCEPTION TWO – R2-2 ZONE

The following zoning exceptions shall apply:

Minimum front yard:	9.0 m
Minimum separation distance:	3.0 m
Minimum rear yard:	5.0 m

The front yard shall be defined as the horizontal distance between the centre line of pavement of a private road having a width of 7.0 m and the nearest wall of a building.

The rear yard shall be defined as the distance between the top of the revetment and the nearest wall of a building.

The required setback between a building and the top of a revetment shall be no less than 5.0 m.

For this zone, the top of a revetment shall be defined as the highest point of the face of a slope constructed of rip rap.

RESIDENTIAL SECOND DENSITY EXCEPTION THREE – R2-3 ZONE

The following zoning exceptions shall apply;

Minimum lot frontage:	13.0 m

RESIDENTIAL SECOND DENSITY EXCEPTION FOUR – R2-4 ZONE

The following zoning exception shall apply;

Maximum lot coverage:	50%

RESIDENTIAL SECOND DENSITY EXCEPTION FIVE – R2-5 ZONE

The following zoning exceptions shall apply to a single detached dwelling;

Minimum lot area:	370 m ²
Minimum lot frontage:	10.0 m

The following zoning exception shall apply to a semi-detached dwelling;

Maximum lot coverage: (bungalow)	50%
Maximum lot coverage: (other than bungalow)	45%

RESIDENTIAL SECOND DENSITY EXCEPTION SIX– R2-6 ZONE

The following zoning exceptions shall apply;

Minimum lot area:	445 m ²
Minimum lot frontage:	12.0 m

RESIDENTIAL SECOND DENSITY EXCEPTION SEVEN – R2-7 ZONE

The following zoning exception shall apply;

Minimum interior side yard:	0.6 m & 1.5 m for an existing dwelling

RESIDENTIAL SECOND DENSITY EXCEPTION EIGHT – R2-8 ZONE

The following zoning exceptions apply;

Minimum lot frontage:	18.0 m
Minimum front yard:	10.0 m
Minimum interior side yard:	4.0 m and 2.0 m
Minimum rear yard	
(Lots abutting the golf course):	15.0 m

RESIDENTIAL SECOND DENSITY EXCEPTION NINE– R2-9 ZONE

Uses shall be limited to a single detached dwelling.

The following zoning exception shall apply;

Minimum exterior side yard:	4.0 m

RESIDENTIAL SECOND DENSITY EXCEPTION TEN- R2-10 ZONE

The existing, accessory building to the west of the existing, single detached dwelling shall be permitted to be located with no separation distance to the dwelling.

RESIDENTIAL SECOND DENSITY EXCEPTION ELEVEN – R2-11 ZONE

RESERVED

RESIDENTIAL SECOND DENSITY EXCEPTION TWELVE – R2-12 ZONE

The following zoning exceptions shall apply;

Minimum interior side yard:	16.5 m to the north lot line 10.7 m to the south lot line 4.8 m to the east lot line
Minimum rear yard:	Nil to the EP zone boundary 10.0 m to the west lot line
Maximum height:	10.0 m

RESIDENTIAL SECOND DENSITY EXCEPTION THIRTEEN – R2-13 ZONE

Existing lots of record may be serviced with an existing, individual private water supply system and an existing, individual private sanitary system until such time as these systems fail, expire or otherwise require replacement.

At that point the lot or main building shall be connected to a municipal water supply system and a municipal sanitary sewer.

RESIDENTIAL SECOND DENSITY EXCEPTION FOURTEEN – R2-14 ZONE

The following zoning exception shall apply;

Minimum lot area:	374 m ²

RESIDENTIAL SECOND DENSITY EXCEPTION FIFTEEN – R2-15 ZONE

The following zoning exceptions shall apply to a semi-detached dwelling;

Minimum rear yard:	nil
Maximum lot coverage:	55%

RESIDENTIAL SECOND DENSITY EXCEPTION SIXTEEN – R2-16 ZONE

The following zoning exception shall apply to a semi-detached dwelling;

Minimum front yard:	1.3 m

RESIDENTIAL SECOND DENSITY EXCEPTION SEVENTEEN – R2-17 ZONE

The following zoning provision shall apply to a semi-detached dwelling;

Minimum front yard: 2.5 m

The minimum front yard setback of an existing unenclosed porch, balcony, step or deck shall be 1.0 m.

RESIDENTIAL SECOND DENSITY EXCEPTION EIGHTEEN – R2-18 ZONE

A maximum of one (1) detached, accessory building (semi-detached garage) shall be permitted with an interior side yard setback of nil.

RESIDENTIAL SECOND DENSITY EXCEPTION NINETEEN – R2-19 ZONE

Development shall occur as per the Illustration 5 below;



Illustration 5: R2-19 Zone development requirements

RESIDENTIAL SECOND DENSITY EXCEPTION TWENTY – R2-20 ZONE

The following uses shall also be permitted;

- Ambulance service,
- Hospital,
- Hospice,
- Medical building,
- Medical clinic,
- Medical office,
- Pharmacy,
- Life skills centre,
- Home for the aged or rest home,
- Retirement home, and
- Nursing facility.

RESIDENTIAL SECOND DENSITY EXCEPTION TWENTY-ONE – R2-21 ZONE

Uses shall be limited to a single detached dwelling.

The following zoning exceptions shall apply;

Minimum lot areas:	420 m ²
Minimum lot frontage:	13.5 m
Minimum exterior side yard:	4.0 m

RESIDENTIAL SECOND DENSITY EXCEPTION TWENTY-TWO – R2-22 ZONE

Uses shall be limited to a semi-detached dwelling.

The following zoning exceptions shall apply;

Minimum exterior side yard:	4.0 m

RESIDENTIAL SECOND DENSITY EXCEPTION TWENTY-THREE – R2-23

The following zoning exceptions shall apply to a single detached dwelling;

Minimum lot area:	325 m ²
Minimum lot frontage:	9.9 m
Minimum exterior side yard:	3.7 m

RESIDENTIAL SECOND DENSITY EXCEPTION TWENTY-FOUR – R2-24 ZONE

The following zoning exceptions shall apply;

Minimum front yard: 3.0 m

**RESIDENTIAL SECOND DENSITY EXCEPTION TWENTY-FIVE – R2-25 “T” ZONE
(TEMPORARY)**

One (1) additional dwelling unit on a lot and within in a portion of a detached accessory building for a maximum period of ten (10) years from December 17, 2012. If a dwelling unit is located in the detached accessory building then an accessory apartment is not permitted in the single detached dwelling.

RESIDENTIAL SECOND DENSITY EXCEPTION TWENTY-SIX– R2-26 ZONE

The following zoning exceptions shall apply;

Minimum lot frontage: 11.5 m

RESIDENTIAL THIRD DENSITY EXCEPTION ONE – R3-1 ZONE

The following zoning exception shall apply:

Minimum lot frontage: 10.9 m

Detached accessory buildings and outdoor swimming pools in a rear yard abutting Sixth Street or the Tenth Line road allowance shall have a required setback of 3.0 m, which is reserved for landscaped open space.

RESIDENTIAL THIRD DENSITY EXCEPTION TWO – R3-2 ZONE

Uses shall be limited to a semi-detached dwelling.

The following zone exception shall apply;

Minimum rear yard: 9.0 m

RESIDENTIAL THIRD DENSITY EXCEPTION THREE– R3-3 ZONE

Uses shall be limited to single detached dwellings.

The following zoning exception shall apply;

Minimum rear yard: 9.0 m

RESIDENTIAL THIRD DENSITY EXCEPTION FOUR – R3-4 ZONE

Uses shall be limited to single detached dwellings.

The following zoning exception shall apply;

Minimum lot frontage:	10.9 m
Maximum lot coverage:	50%

RESIDENTIAL THIRD DENSITY EXCEPTION FIVE– R3-5 ZONE

Uses shall be limited to single detached dwellings, semi-detached dwellings and duplex dwellings.

The number of dwelling units permitted on lands in this zone shall be seventy-one (71).

The following zoning exception shall apply;

Maximum gross floor area for a single detached dwelling:	300 m ²

RESIDENTIAL THIRD DENSITY EXCEPTION SIX – R3-6 ZONE

Uses shall be limited to townhouse dwellings.

The following zoning exceptions shall apply:

Minimum lot area:	200 m ²
Minimum landscaped open space:	45%

RESIDENTIAL THIRD DENSITY EXCEPTION SEVEN – R3-7 ZONE

Uses shall be limited to townhouse dwellings.

The following zoning exceptions shall apply:

Minimum lot area:	200 m ²
Minimum rear yard:	9.0 m
Minimum landscaped open space:	45%

RESIDENTIAL THIRD DENSITY EXCEPTION EIGHT – R3-8 ZONE

No portion of a dwelling unit that forms habitable space shall be located closer than 30.0 m from the top of bank of the Pretty River, and 25.0 m from the boundary of the former Barrie-Collingwood Railway.

RESIDENTIAL THIRD DENSITY EXCEPTION NINE – R3-9 ZONE

Uses shall be limited to a single detached dwelling.

The following zoning exceptions shall apply:

Minimum exterior side yard:	4.0 m

RESIDENTIAL THIRD DENSITY EXCEPTION TEN – R3-10 ZONE

Uses shall be limited to semi-detached dwellings.

The following zoning exception shall apply:

Minimum exterior side yard	4.0 m

RESIDENTIAL THIRD DENSITY EXCEPTION ELEVEN – R3-11 ZONE

One semi-detached dwelling comprising of two dwelling units shall also be permitted.

The following zoning exceptions shall apply:

Minimum interior side yard:	3.0 m
Minimum exterior side yard	
(North of laneway in northeast corner of site):	3.0 m
Minimum rear yard:	6.0 m
Minimum landscaped open space:	36%
Maximum lot coverage:	42%

Parking areas located in the front or exterior side yard shall be separated from any adjacent street line by a strip of land not less than 2.5 m wide.

RESIDENTIAL THIRD DENSITY EXCEPTION TWELVE– R3-12 ZONE

Uses shall be limited to townhouse dwellings and group or cluster dwellings.

The number of dwelling units permitted on lands in this zone shall be ninety-five (95).

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTEEN– R3-13 ZONE

Uses shall be limited to townhouse dwellings and group or cluster dwellings. The following zoning exceptions shall apply:

Minimum lot area:	13,730 m ²
Minimum lot frontage:	105.0 m
Minimum front and exterior side yard:	2.0 m
Minimum interior side yard:	2.0 m
Minimum rear yard:	3.0 m

Maximum height:	12.0 m or 3 storeys
Maximum lot coverage:	47%

As an enhanced setback to the Town of Collingwood Waste Water Treatment facility, no portion of a habitable room in a dwelling unit shall be closer than 1.0 m to the North Maple Street road allowance.

A building used as access to a stairwell shall be located no closer than 0.3 m to any lot line or main building.

An enclosed or unenclosed porch shall be located no closer than 1.5 m to a lot line and a step shall not be located any closer than 1.0 m to a lot line.

A sill, belt course, cornice, eave or gutter, chimney breast, pilaster, roof overhang, a window bay with or without a foundation structure, and similar architectural features or ornamental structures may project into any required yard a maximum of 1.0 m. In this zone, a retaining wall is not a structure.

A sight triangle shall be a minimum of 3.0 m.

Any entrance to a required parking area shall be provided by means of unobstructed aisle with a perpendicular width of no less than 3.0 m. Any entrance to a parking area may pass through zones other than those in which the parking facility is located.

Required parking areas may be located within a private individual garage, adjacent to the lot, at grade or in an underground parking garage.

A parking area shall have a required setback of a minimum 2.0 m from any lot line provided that the parking area is located in an underground parking garage.

RESIDENTIAL THIRD DENSITY EXCEPTION FOURTEEN– R3-14 ZONE

Uses shall be limited to townhouse dwellings and group or cluster dwellings

The following zoning exceptions shall apply:

Minimum lot area:	7,123 m ²
Minimum lot frontage:	57.0 m
Minimum front and exterior side yard:	2.0 m
Minimum interior side yard:	2.0 m
Minimum rear yard:	3.0 m
Maximum height:	8.0 m or 3 storeys
Maximum lot coverage:	43%

As an enhanced setback to the Town of Collingwood Waste Water Treatment facility, no portion of a habitable room in a dwelling unit shall be closer than 1.0 m to the North Maple Street road allowance.

A building used as access to a stairwell shall be located no closer than 0.3 m from any lot line or main building.

An enclosed or unenclosed porch shall be located no closer than 1.5 m to a lot line and a step shall not be located any closer than 1.0 m to a lot line.

A sill, belt course, cornice, eave or gutter, chimney breast, pilaster, roof overhang, a window bay with or without a foundation structure, and similar architectural features or ornamental structures may project into any required yard a maximum distance of 1.0 m. In this zone, a retaining wall is not defined as a structure.

A sight triangle shall be a minimum of 3.0 m.

Any entrance to a required parking space shall be provided by means of unobstructed aisle with a perpendicular width of no less than 3.0 m.

Any entrance to a parking area may pass through other zones other than those in which the parking area is located.

Required parking areas may be located within a private individual garage, adjacent to the lot, at grade or in an underground parking garage.

A parking area shall have required setback a minimum of 2.0 m from any lot line provided that the parking area is located in an underground parking garage.

RESIDENTIAL THIRD DENSITY EXCEPTION FIFTEEN– R3-15 ZONE

Uses shall be limited to a townhouse dwellings and group or cluster dwellings

The following zoning exceptions shall apply;

Minimum lot area:	4,992 m ²
Minimum lot frontage:	100.0 m
Minimum front and exterior side yard:	2.0 m
Minimum interior side yard:	2.0 m
Minimum rear yard:	3.0 m
Maximum height:	10.0 m or three (3) storeys
Maximum lot coverage:	38%

As an enhanced setback to the Town of Collingwood Waste Water Treatment facility, no portion of a habitable room in a dwelling unit shall be closer than 1.0 m to the North Maple Street road allowance.

A building used as access to a stairwell shall be located no closer than 0.3 m to any lot line or main building.

An enclosed or unenclosed porch shall be located no closer than 1.5 m to a lot line and a step shall not be located any closer than 1.0 m to a lot line.

A sill, belt course, cornice, eave or gutter, chimney breast, pilaster, roof overhang, a window bay with or without a foundation structure, and similar architectural features or ornamental

structures may project into any required yard a maximum distance of 1.0 m. In this zone, a retaining wall is not defined as a structure.

A sight triangle shall be a minimum of 3.0 m.

Any entrance to a required parking area shall be provided by means of unobstructed aisle with a perpendicular width of no less than 3.0 m.

Any entrance to a parking area may pass through other zones other than those in which the parking facility is located.

Required parking areas may be located within a private individual garage, adjacent to the lot, at grade or in an underground parking garage.

A parking area may be setback a minimum distance of 2.0 m from any lot line provided that the parking area is located in an underground parking garage.

RESIDENTIAL THIRD DENSITY EXCEPTION SIXTEEN– R3-16 ZONE

Uses shall be limited to a townhouse dwellings and group or cluster dwellings.

The following zoning exceptions shall apply:

Minimum lot area:	4,992 m ²
Minimum lot frontage:	100.0 m
Minimum front and exterior side yard:	2.0 m
Minimum interior side yard:	2.0 m
Minimum rear yard:	3.0 m
Maximum height:	10.0 m or three (3) storeys
Maximum lot coverage:	38%

As an enhanced setback to the Town of Collingwood Waste Water Treatment facility, no portion of a habitable room in a dwelling unit shall be closer than 1.0 m to the North Maple Street road allowance.

A building used as access to a stairwell shall be located no closer than 0.3 m from any lot line or main building.

An enclosed or unenclosed porch shall be located no closer than 1.5 m from a lot line and a step shall not be located any closer than 1.0 m to a lot line.

A sill, belt course, cornice, eave or gutter, chimney breast, pilaster, roof overhang, a window bay with or without a foundation structure, and similar architectural features or ornamental structures may project into any required yard a maximum distance of 1.0 m. In this zone, a retaining wall is not defined as a structure.

A sight triangle shall be a minimum of 3.0 m.

Any entrance to a required parking area shall be provided by means of unobstructed aisle with a perpendicular width of no less than 3.0 m.

Any entrance to a parking area may pass through other zones other than those in which the parking facility is located.

Required parking areas may be located within a private individual garage, adjacent to the lot, at grade or in an underground parking garage.

A parking area may be setback a minimum distance of 2.0 m from any lot line provided that the parking area is located in an underground parking garage.

RESIDENTIAL THIRD DENSITY EXCEPTION SEVENTEEN- R3-17 ZONE

Uses shall be limited to an apartment dwelling.

The following zoning exceptions shall apply;

Minimum front yard:	1.4 m
Minimum interior side yard (east side):	2.1 m
Minimum landscaped open space:	37%

The number of residential dwelling units permitted in an existing apartment dwelling shall be a maximum of fourteen (14).

The number of parking spaces provided for an existing apartment dwelling shall be a minimum of nineteen (19).

RESIDENTIAL THIRD DENSITY EXCEPTION EIGHTEEN- R3-18 ZONE

For the purposes of determining zoning conformity, lands within this zone shall be considered to be one contiguous lot.

RESIDENTIAL THIRD DENSITY EXCEPTION NINETEEN – R3-19 ZONE

Uses shall be limited to a townhouse dwellings and a group or cluster dwellings.

The following zoning exceptions shall apply;

Minimum interior side yard:

West Lot Line	
Retaining Wall	1.2 m
All other buildings	6.0 m
East Lot Line	6.0 m
Survey stake north east corner	

Part 1, Reference Plan 51R-31969 9.8 m

Rear yard

First Storey 9.0 m

Second and Third Storey 17.0 m

An accessory detached building may be located closer to the street line than the main building, but shall be no closer than 6.0 m to a street line.

The lot coverage of all accessory buildings shall be a maximum of 10%.

The maximum ground floor area of any accessory building shall be 100 m².

RESIDENTIAL THIRD DENSITY EXCEPTION TWENTY – R3-20 ZONE

Uses shall be limited to a ten (10) unit apartment dwelling.

The following zoning exceptions shall apply:

Minimum lot frontage:	25.0 m
Minimum front yard:	4.0 m
Minimum interior side yard:	2.5 m on the north side 5.0 m on the south side
Minimum landscaped open space:	30%

The ground floor area of any accessory detached building shall be a maximum of 85 m².

RESIDENTIAL THIRD DENSITY EXCEPTION TWENTY-ONE – R3-21 ZONE

Uses shall be limited to townhouse dwellings and group or cluster dwellings.

For the purposes of determining zoning conformity, lands within this zone shall be considered to be one contiguous lot.

The following zoning exception shall apply;

Minimum lot frontage:	20.0 m

The minimum required yards for the accessory private recreational facility shall be in accordance with the Illustration 6 below.

The interior side yard for an accessory sales office shall be a minimum of 2.6 m.

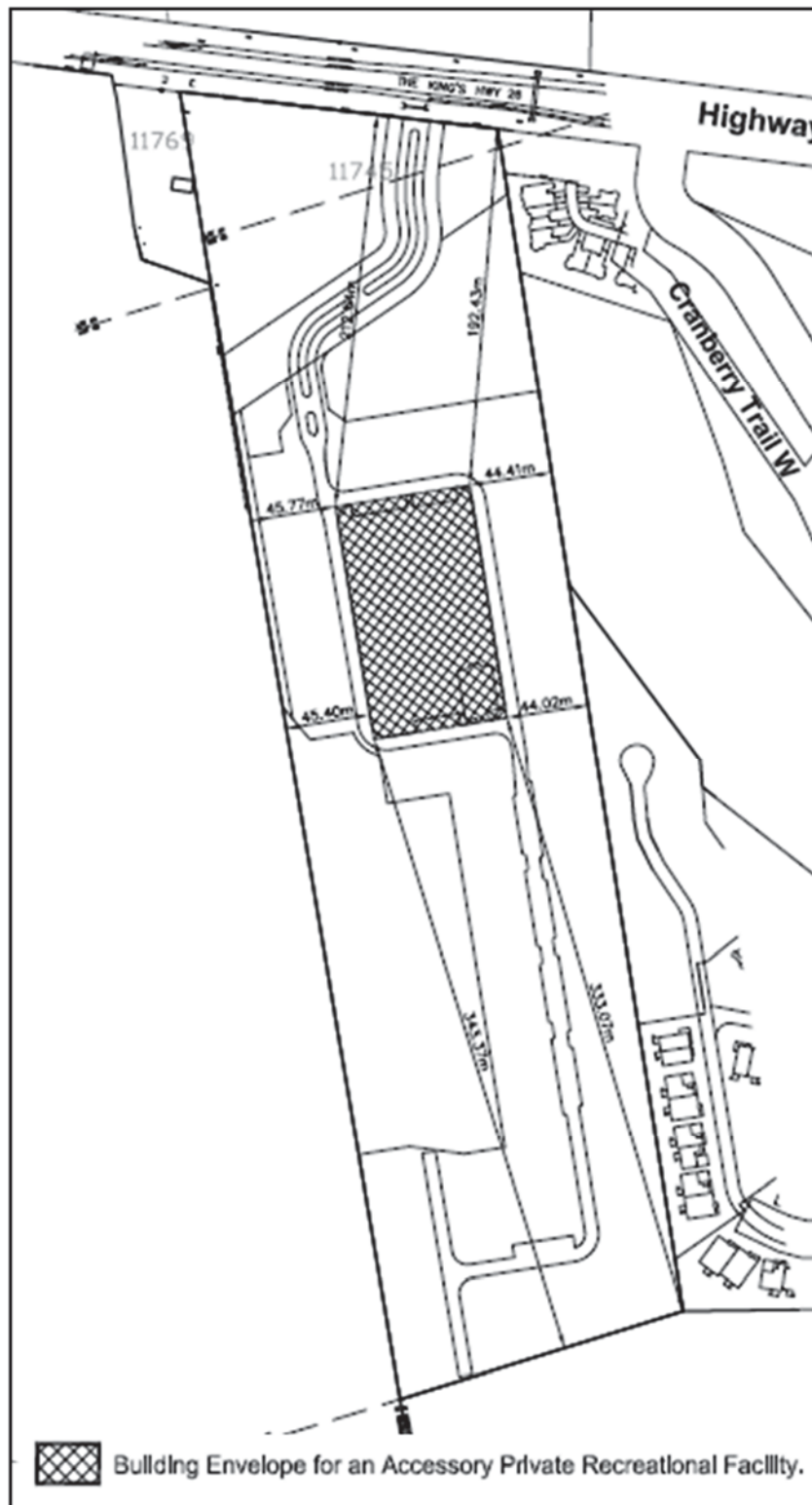


Illustration 6: R3-21 zone requirements for the accessory private recreational facility

RESIDENTIAL THIRD DENSITY EXCEPTION TWENTY-TWO – R3-22 ZONE

Uses shall be limited to a retirement home with a maximum of one hundred and six (106) bed suites.

The following zoning exceptions shall apply;

Minimum lot frontage:	27.0 m
Minimum front and exterior side yard:	6.0 m
Minimum interior side yard:	6.0 m

RESIDENTIAL THIRD DENSITY EXCEPTION TWENTY-THREE –R3-23 ZONE

Uses shall be limited to apartment dwellings or group or cluster dwellings.

The number of dwelling units in the entire area within this zone shall not exceed fifty-four (54).

The following zoning exceptions shall apply:

Minimum front and exterior side yard:	6.0 m
Minimum interior side yard:	6.0 m
Minimum rear yard:	6.0 m
Maximum height:	13.0 m & 3 storeys

Where this zone abuts a low density residential dwelling type, such as a single detached dwelling, a semi-detached dwelling or a duplex dwelling, the required yard shall be increased to 8.0 m with a 10.0 m wide private road, and an enhanced landscape strip shall be provided for the purpose of a buffer area.

RESIDENTIAL THIRD DENSITY EXCEPTION TWENTY-FOUR – R3-24 ZONE

Uses shall be limited to apartment dwellings, townhouse dwellings and group or cluster dwellings.

The number of dwelling units in the entire area within this zone shall not exceed one hundred and eight (108).

A maximum of 50% of the total number of dwelling units within this zone may be townhouse dwellings.

The following zoning exceptions shall apply;

For an apartment dwelling and group or cluster dwellings of apartment dwellings;

Minimum front and exterior side yard:	6.0 m
Minimum interior side yard:	6.0 m
Minimum rear yard:	6.0 m
Maximum height:	13.0 m & 3 storeys

Where this zone abuts a low density residential dwelling unit, such as a single detached dwelling, a semi-detached dwelling or a duplex dwelling, the required yard shall be increased to 8.0 m and an enhanced landscape strip shall be provided for the purpose of a buffer area.

For an townhouse dwelling and group or cluster dwellings of townhouse dwelling;

Minimum lot area:	240 m ² per dwelling unit
Minimum lot frontage:	9.0 m per dwelling unit
Minimum front or exterior side yard:	4.5 m for a dwelling unit
Maximum lot coverage:	40%
Minimum landscaped open space:	35%

Where a townhouse dwelling abuts an apartment dwelling, the minimum interior side yard for an end unit shall be 6.0 m.

RESIDENTIAL THIRD DENSITY EXCEPTION TWENTY-FIVE – R3-25 ZONE

Uses shall be limited to an apartment dwelling.

The following zoning exceptions shall apply:

Minimum lot area:	3,500 m ²
Minimum lot frontage:	nil
Maximum height:	13.5 m & 4 storeys

All main buildings shall be located only within the building envelopes as depicted on the Illustration 7 below.

Accessory buildings may be located outside these building envelopes, but shall be located a minimum of 0.6 m to any lot line.

General Provision 4.14 entitled Multiple Zones on a Lot shall not apply.

Unenclosed porches, balconies, covered patios, decks and solar equipment may project into any required yard a maximum of 3.0 m, but no closer than 1.0 m to any lot line.

A delivery space shall be a minimum of 8.0 m long and 4.0 m wide.

Entrances to parking areas may pass through zones other than those in which the parking area is located.

Required off-street parking for any main use or main building may be located on an abutting lot, at grade, in a private individual garage or in an underground parking garage.

Parking areas may be setback a distance of nil from any lot line, provided that they are located in an underground parking garage.



Illustration 7: R3-25 Zone requirements for building envelopes

RESIDENTIAL THIRD DENSITY EXCEPTION TWENTY-SIX- R3-26 ZONE

The following zoning exceptions shall apply for single detached dwellings;

Minimum lot frontage:	11.0 m
Minimum exterior side yard	
Adjacent to a local road:	4.4 m
Adjacent to all other roads:	6.0 m

RESIDENTIAL THIRD DENSITY EXCEPTION TWENTY-SEVEN- R3-27 ZONE

Uses shall be limited to townhouse dwellings and group or cluster dwellings.

The following zoning exceptions shall apply;

Minimum lot frontage:	16.5 m

RESIDENTIAL THIRD DENSITY EXCEPTION TWENTY-EIGHT- R3-28 ZONE

Uses shall be limited to an apartment dwelling and group or cluster dwellings with a maximum density of 100 units per hectare.

The following zoning exceptions shall apply:

Minimum lot area:	12,500 m ²
Minimum lot frontage:	13.5 m
Maximum height:	14.0 m and 4 storeys

Required parking areas may be located within an above-ground parking structure or private garage.

RESIDENTIAL THIRD DENSITY EXCEPTION TWENTY-NINE – R3-29 ZONE

Uses shall be limited to townhouse dwellings.

The following zoning exceptions shall apply;

Minimum lot frontage:	7.5 m per dwelling unit
Minimum exterior side yard:	4.5 m

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTY – R3-30 ZONE

Uses shall be limited to an apartment dwelling.

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTY-ONE – R3-31 ZONE

Uses shall be limited to an apartment dwelling of a maximum of thirty-six (36) dwelling units.

The following zoning exceptions shall apply;

Minimum lot area:	4,690 m ²
Minimum lot frontage:	62.0 m
Minimum front and exterior side yard:	6.0 m
Minimum interior side yard:	6.0 m
Minimum rear yard:	12.0 m
Maximum lot coverage:	30%

The parking spaces required for a thirty-six (36) unit apartment dwelling shall be forty-seven (47).

The required setback between a parking area and the adjacent street line shall be a minimum of 6.0 m.

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTY-TWO – R3-32 ZONE

Uses shall be limited to the following;

- Single detached dwellings,
- Semi-detached dwellings,
- Townhouse dwellings,
- Apartment dwellings, and
- Group or cluster dwellings.

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTY-THREE – R3-33 ZONE

Uses shall be limited to the following;

- Single detached dwellings,
- Townhouse dwellings,
- Apartment dwellings, and
- Group or cluster dwellings.

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTY-FOUR – R3-34 ZONE

Uses shall be limited to townhouse dwellings and group or cluster dwellings.

The following zoning exceptions shall apply;

Minimum lot area:	140 m ² per unit
Minimum lot frontage:	6.0 m
Minimum front yard:	7.5 m
Minimum interior side yard – end unit:	3.0 m
Minimum landscape strip width (Eastern property boundary):	5.0 m

A landscaped strip shall be a landscaped open space and shall also include storm water management facilities (if necessary) and a 1.8 metre high acoustical privacy fence abutting the eastern property line.

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTY- FIVE - R3-35 ZONE

Residential uses shall be limited to the following;

- Single detached dwellings,
- Townhouse dwellings,
- Apartment dwellings, and
- Group or cluster dwellings.

In addition, an existing, one-storey real estate service office shall be permitted to continue only in the existing building on the property municipally known as 11352 Highway 26 West. The maximum ground floor area of the existing building, including decks, and the real estate service office use shall be 280 m².

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTY- SIX - R3-36 ZONE

The following zoning exception shall apply to a single detached dwelling;

Minimum lot frontage:	10.6 m

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTY- SEVEN - R3-37 ZONE

The following zoning exception shall apply;

Minimum interior side yard abutting an EP zone: 1.2 m

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTY- EIGHT - R3-38 ZONE

Notwithstanding the provisions of 4.33.10 a detached accessory building in this zone which is constructed abutting a lane shall have a required setback of a minimum of 5.9 metres from the opposite boundary of the lane.

Notwithstanding General Provision 5.1 entitled Parking and Loading Provisions the minimum parking provided for residents and visitors in an apartment in a R3-38 zone shall be 1.25 spaces per unit plus an additional 0.25 spaces per unit for visitor parking including a tandem covered parking space in a private garage PLUS one loading space and one handicapped space.

Notwithstanding any other provisions to the contrary, a private road established under a Common Elements Condominium in accordance with the Condominium Act, 1998 S.O. 1998 shall be deemed to meet the requirements for direct frontage and access to an improved public street.

The buildings shall be located within the building envelopes as depicted on the illustration 8 attached hereto.

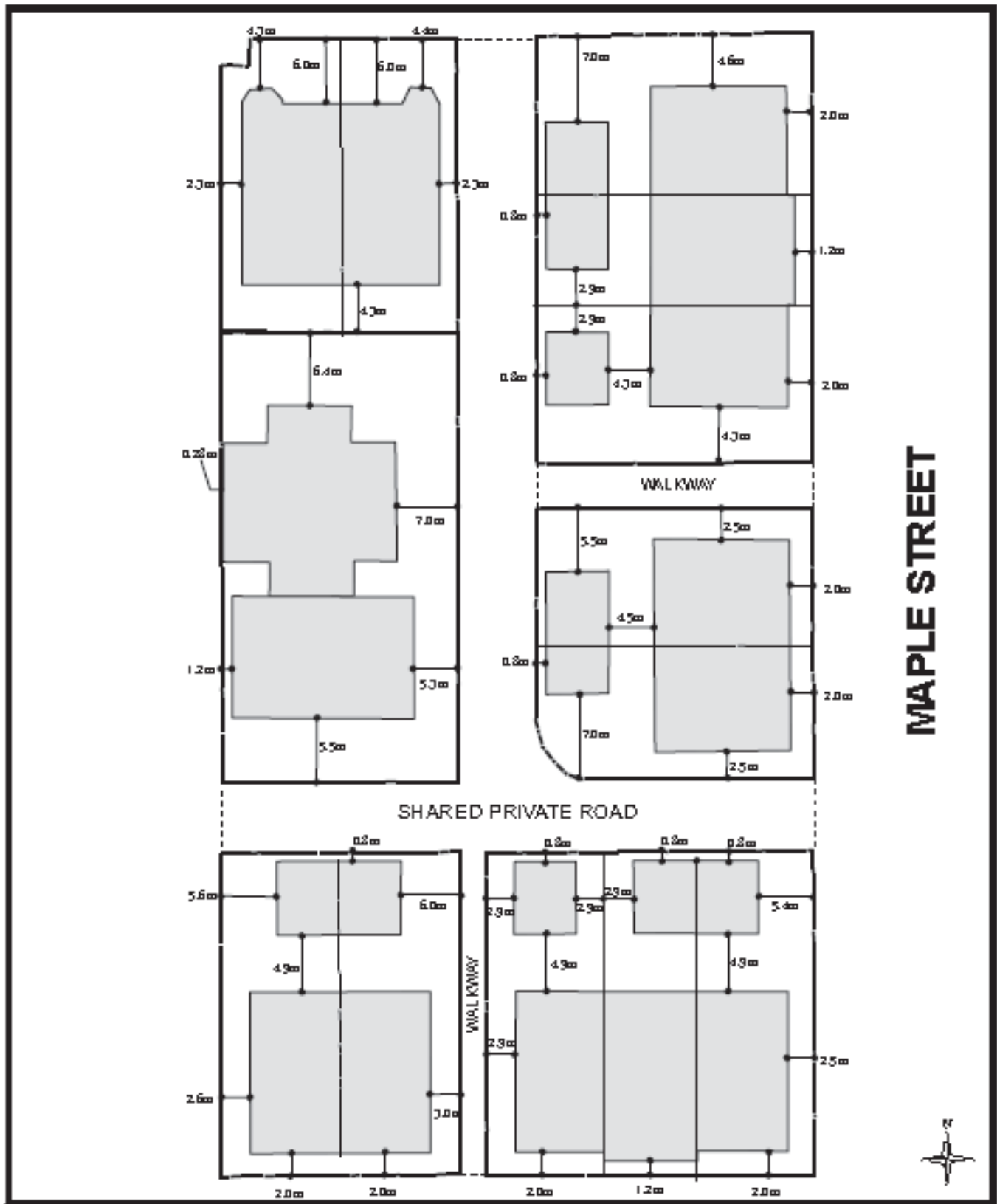


Illustration 8: R3-38 Zone requirements for building envelopes

RESIDENTIAL THIRD DENSITY EXCEPTION THIRTY NINE – R3-39 ZONE

The following zoning exception shall apply to a street townhouse dwelling:

- Minimum interior side yard: 1.2 m
- Minimum lot frontage: 6.0 m
- Minimum lot area: 180 sq.m
- Minimum exterior side yard: 3.7 m

RESIDENTIAL THIRD DENSITY EXCEPTION FORTY – R3-40 ZONE

Uses shall be limited to the following:

- Single detached dwelling,
- Semi-detached dwelling,
- Townhouse dwellings.

RESIDENTIAL THIRD DENSITY EXCEPTION FORTY ONE – R3-41 ZONE

Uses shall be limited to the following:

- Duplex dwelling,
- Single detached dwelling,
- Semi-detached dwelling,
- Townhouse dwellings, and,
- Boarding home.

The following zone exceptions shall apply to a single detached dwelling:

Minimum lot area:	300 m ²
Minimum lot frontage:	11.0 m

The following zone exceptions shall apply to a street townhouse dwelling:

Minimum lot frontage:	7.0 m
Minimum interior side yard (end unit):	1.2 m

RESIDENTIAL THIRD DENSITY EXCEPTION FORTY TWO – R3-42 ZONE

The following zoning exception shall apply:

- Minimum rear yard: 15.0 m

The following zoning exceptions shall also apply to **a townhouse dwelling**:

Minimum lot area:	180 m ²
Minimum lot frontage:	6.0 m
Minimum interior side yard (end unit):	1.5 m

RESIDENTIAL THIRD DENSITY EXCEPTION FORTY THREE – R3-43 ZONE

The following zoning exception shall apply to an apartment dwelling:

- Minimum lot frontage 22.8 m
- Minimum front yard 6.0 m
- Minimum interior side yard: 2.5 m

The whole of a building divided by common walls and common floors, or many combination of common walls and common floors, into four (4) or more separate dwelling units. Each dwelling unit shall have a separate and independent doorway directly to the exterior of the building.

RESIDENTIAL THIRD DENSITY EXCEPTION FORTY FOUR – R3-44 ZONE

The following zoning exception shall apply:

- Minimum rear 6.0 m
- Minimum lot coverage 45%
(Not a bungalow)

RESIDENTIAL THIRD DENSITY EXCEPTION FORTY - FIVE – R3-45 ZONE

Uses shall be limited to the following:

- Duplex dwelling,
- Single detached dwelling,
- Semi-detached dwelling, and
- Boarding home.

The following zone exceptions shall apply to a single detached dwelling:

Minimum lot area:	300 m ²
Minimum lot frontage:	11.0 m

RESIDENTIAL THIRD DENSITY EXCEPTION FORTY - SIX – R3-46 ZONE

For the purposes of determining zoning conformity lands within this zone shall be considered to be one contiguous lot.

RESIDENTIAL THIRD DENSITY EXCEPTION FORTY - SEVEN – R3-47 ZONE

The following zoning exception shall also apply for a single detached dwelling:

Maximum lot coverage: (bungalow)	50%

The following zoning exception shall also apply for a street townhouse:

Minimum lot area:	214 m ²
Minimum lot frontage:	6.7 m

RESIDENTIAL THIRD DENSITY EXCEPTION FORTY - EIGHT – R3-48 ZONE

The following zoning exception shall also apply for a single detached dwelling:

Maximum lot coverage: (bungalow)	50%

Detached accessory buildings and outdoor swimming pools in a rear yard abutting the Tenth Line Road Allowance shall have a required setback of 3.0 m, which is reserved for landscaped open space.

RESIDENTIAL THIRD DENSITY EXCEPTION FORTY – NINE – R3-49 ZONE

The following zoning exceptions shall apply;

Minimum front yard:	4.0 m
Minimum required setback of a detached accessory building to a street:	2.0 m to Maple Street and Second Street
Minimum interior side yard and rear yard setback of a detached accessory building:	0.5 m for an eave or wall
Maximum number of entrances:	3

The exterior wall of a detached accessory building may be closer to the front lot line than the exterior wall of the main building.

RESIDENTIAL THIRD DENSITY EXCEPTION FIFTY - R3-50 ZONE

Uses shall be limited to the following:

- Single detached dwellings,
- Semi-detached dwellings,
- Townhouse dwellings,
- Apartment dwellings, and
- Group or cluster dwellings.

For the purposes of determining zoning conformity lands within this zone shall be considered to be one contiguous lot.

RESIDENTIAL THIRD DENSITY EXCEPTION FIFTY-ONE – R3-51 ZONE

The following zoning exceptions shall apply to a street townhouse dwelling;

Minimum lot area:	180 m ²
Minimum lot frontage:	6.0 m
Maximum lot coverage: (bungalow)	50%
Maximum lot coverage: (other than bungalow)	45%

The following zoning exception shall apply to a semi-detached dwelling;

Maximum lot coverage: (bungalow)	50%
Maximum lot coverage: (other than bungalow)	45%

RESIDENTIAL THIRD DENSITY EXCEPTION FIFTY-TWO – R3-52 ZONE

The following zoning exceptions shall apply to a group or cluster dwelling;

Minimum front yard:	1.9 m
Minimum interior side yard:	2.9 m
Minimum rear yard:	1.7 m
Maximum lot coverage:	48%
Minimum landscaped open space:	21%

An unenclosed porch or a step shall not be located closer than 0.8 m to a lot line.

RESIDENTIAL THIRD DENSITY EXCEPTION FIFTY-THREE – R3-53 ZONE

The following zoning exceptions shall apply to a group or cluster dwelling;

Minimum front yard:	2.9 m
Minimum exterior side yard:	1.9 m
Minimum interior side yard:	1.8 m
Maximum lot coverage:	41%
Minimum landscaped open space:	21%

An unenclosed porch or a step shall not be located closer than 0.7 m to a lot line.

RESIDENTIAL THIRD DENSITY EXCEPTION FIFTY-FOUR - R3-54 ZONE

The following zoning exceptions shall also apply to **a townhouse dwelling**:

Minimum lot area:	180 m ²
Minimum lot frontage:	6.0 m
Minimum interior side yard (end unit):	1.5 m

RESIDENTIAL THIRD DENSITY EXCEPTION FIFTY-FIVE - R3-55 ZONE

Permitted uses shall also include:

- Townhouse dwellings on a private road, and,
- Stacked townhouse dwellings,

The following zoning exceptions shall also apply to **a townhouse dwelling on a private road**:

Minimum lot area:	180 m ²
Minimum lot frontage:	6.0 m
Minimum interior side yard (end unit):	1.5 m

A minimum visitor parking requirement of 0.25 spaces per townhouse dwelling on a private road which may be provided in conjunction with a private road.

Parking and driveways for individual units shall not be permitted in a yard adjacent to a street for a townhouse dwelling on a private road.

All other provisions applicable to townhouse dwellings shall continue to apply to townhouse dwellings on a private road.

The following zoning exceptions shall also apply to **a stacked townhouse dwelling**:

Minimum lot frontage	Nil
Minimum lot area	Nil
Minimum yard adjacent to a lot line on a street:	4.5 m
Minimum yard adjacent to all other lot lines:	7.5 m

Maximum building height:	15.0 m
Maximum lot coverage:	40%
Minimum landscaped open space:	40%

Parking and individual driveways shall not be permitted in a required yard adjacent to a street for a stacked townhouse dwelling

All other provisions applicable to townhouse dwellings shall continue to apply to stacked townhouse dwellings. Where groups or clusters of stacked townhouse dwelling units are proposed the above noted zone provisions shall prevail.

For the purposes of this zone a **stacked townhouse dwelling** is the whole of a building divided by common walls or common floors but sharing a single roof into three (3) to eight (8) separate dwelling units, each of which has a separate and independent doorway either directly to the exterior of the building or through a combination of shared hallways, stairwells, and vestibules.”

RESIDENTIAL THIRD DENSITY EXCEPTION FIFTY-SIX - R3-56 ZONE

The following additional uses are permitted:

- stormwater management facilities, and,
- a public park.

RESIDENTIAL THIRD DENSITY EXCEPTION FIFTY EIGHT – R3-58 ZONE

The townhouse dwellings shall be subject to the provisions of a group or cluster dwelling with the following zoning exceptions;

Minimum front yard:	2.9 m
Minimum landscaped open space:	33%

RESIDENTIAL FOURTH DENSITY EXCEPTION ONE – R4-1 ZONE

The following zoning exception shall apply;

Maximum height:	12.0 m

RESIDENTIAL FOURTH DENSITY EXCEPTION TWO – R4-2 ZONE

The following zoning exceptions shall apply;

Maximum height:	14.0 m

The parking ratio for an apartment dwelling shall be 1.0 space per unit, plus an additional 0.25 space per unit for visitor parking.

RESIDENTIAL FOURTH DENSITY EXCEPTION THREE – R4-3 ZONE

The following uses shall also be permitted;

- Accessory sales outlet,
- Art studio, live-in,
- Business office,
- Business service establishment,
- Convenience store,
- Dry cleaning distribution outlet,
- Financial & insurance service office,
- Health club,
- Laundromat,
- Life skills centre,
- Medical building,
- Medical clinic,
- Medical office,
- Personal service shop,
- Pharmacy,
- Professional service office,
- Real estate service office,
- Restaurant,
- Specialty food store, and
- Video outlet.

The following zoning exceptions shall also apply:

Maximum commercial gross leasable area: 2,800 m²

Minimum landscaped open space: 30%

The required parking may be located on an abutting lot. The minimum parking space required for any commercial use shall be 2.7 spaces per 100 m² GFA.

The minimum front yard setback for an underground parking garage is nil.

RESIDENTIAL FOURTH DENSITY EXCEPTION FOUR – R4-4 ZONE

The following parking exceptions shall apply:

Apartment dwelling: 1 space per unit, plus an additional 0.25 spaces per unit for visitor parking

The required parking may be located on an abutting lot. The minimum front yard setback for an underground parking garage is nil.

RESIDENTIAL FOURTH DENSITY EXCEPTION FIVE – R4-5 ZONE

The following parking exceptions shall apply:

Apartment dwelling:	1 space per unit, plus an additional 0.25 spaces per unit for visitor parking.
Health Club:	1 space per 8 persons of building occupancy.

The required parking may be located on an abutting lot. The minimum front yard setback for an underground parking garage is nil.

RESIDENTIAL FOURTH DENSITY EXCEPTION SIX - R4-6 ZONE

The following zoning exception shall apply:

Maximum height:	15 m

RESIDENTIAL FOURTH DENSITY EXCEPTION SEVEN - R4-7 ZONE

Residential uses shall be limited to the following:

- Apartments provided by public authority,

The following zoning exception shall apply;

Minimum exterior side yard abutting High Street:	5.0 m
Maximum height for a building adjacent to Elm Street:	19.0 m
Minimum landscaped open space:	37%

The parking ratio for an apartment dwelling shall be 0.9 spaces per unit, inclusive of visitor parking.

Section 9.0 Community Services, Environmental Protection, Recreation, & Rural Zones

9.1 Community Services, Environmental Protection, Recreation, and Rural Uses

9.1.1 No person shall use any land or construct or use any building or structure in any Community Services, Environmental Protection, Recreation, and Rural zone except in accordance with Table 9.1.1.1, entitled Community Services, Environmental Protection, Recreation and Rural permitted uses.

Table 9.1.1.1 Community Services, Environmental Protection, Recreation and Rural Permitted Uses

Uses	Zones			
	CS	EP	REC	RU
Adventure game			✓	
Agricultural activity			✓	✓
Ambulance service	✓		✓	✓
Arena	✓		✓	
Assembly hall	✓		✓	
Boat slip		✓	✓	
Cemetery	✓		✓	✓
Cemetery, Pet	✓		✓	✓
Community centre	✓		✓	✓
Community garden	✓		✓	✓
Conservation	✓	✓(b)	✓	✓
Curling rink	✓		✓	
Day care centre	✓		✓	
Dwelling, single detached				✓
Dwelling, portion of a non-residential building	✓(a)		✓(a)	✓(a)
Emergency housing	✓			
Environmental buffer area		✓		
Fairground			✓	
Flood control works	✓	✓(b)	✓	✓
Garden supply outlet				✓
Golf course			✓	
Golf driving range			✓	

Uses	Zones			
	CS	EP	REC	RU
Group home	✓			
Hazard area		✓		
Home for the aged or rest home	✓			
Home for special care	✓			
Hospital	✓			
Hospice	✓			
Kennel				✓
Library	✓			
Life skills centre	✓			
Marina			✓	
Mini-golf course			✓	
Museum	✓		✓	
Natural heritage area		✓		
Nursing facility	✓			
Park, private			✓	✓
Place of worship	✓			
Retirement home	✓			
School	✓			
Senior citizen housing	✓			
Other provisions				

9.2 Community Services, Environmental Protection, Recreation and Rural Footnotes

9.2.1 Where the permitted uses in Table 9.1.1.1 are also followed by a letter in brackets, which indicates a footnote, then the additional provision associated with the following footnote shall also apply.

9.2.1.1 Footnote (a) - Dwelling Unit in a Non-Residential Building

A maximum of one (1) dwelling unit shall be permitted in a portion of a non-residential building provided that it is an accessory dwelling.

9.2.1.2 Footnote (b) – Uses in an EP Zone

No building shall be permitted in the EP zone except for a building required for flood control works or a building that is under the jurisdiction of a public authority.

9.3 Community Services, Environmental Protection, Recreation and Rural Provisions

- 9.3.1 No person shall use any land or construct or use any building or structure in any community services, environmental protection, recreation, and rural zones except in accordance with Table 9.3.1.1, entitled Community Services, Environmental Protection, Recreation and Rural Provisions.

Table 9.3.1.1 Community Services, Environmental Protection, Recreation and Rural Provisions

Lot Provisions	Zones			
	CS	EP	REC	RU
Minimum Lot Area (m ²)	nil	nil	nil	20,000
Minimum Lot Frontage (m)	nil	nil	nil	20.0
Minimum Front Yard (m)	7.5	3.0	7.5	6.0
Minimum Exterior Side Yard (m)	7.5	3.0	7.5	6.0
Minimum Interior Side Yard (m)	7.5	3.0	7.5	3.0
Minimum Rear Yard (m)	7.5	3.0	7.5	7.5
Maximum Height (m)	12.0	12.0	12.0	12.0
Maximum Lot Coverage	40%	10%	40%	10%
Minimum Landscaped Open Space	20%	80%	20%	10%
Other provisions		(a)		(b)

9.4 Community Services, Environmental Protection, Recreation, and Rural Provisions Footnotes

- 9.4.1 Where the provisions in Table 9.3.1.1 are also followed by a letter in brackets, which indicates a footnote, then the additional provision associated with the following footnote shall also apply.

9.4.1.1 Footnote (a) – Boat slips in an EP zone

The setbacks of the EP zone shall not apply to a boat slip, but construction and maintenance of a boat slip in an EP zone shall be subject to any permit required by the appropriate public authority.

9.4.1.2 Footnote (b) - Municipal Services

A single detached dwelling may be serviced without connection to a municipal sanitary system and a municipal water supply system.

9.5 Community Services, Environmental Protection, Recreation, and Rural Exception Zones

RECREATION EXCEPTION ONE – REC-1 ZONE

A private tennis teaching facility and four (4) temporary accommodation units for the facility's staff shall also be permitted.

All development shall be serviced with a municipal water supply system.

RECREATION EXCEPTION TWO – REC-2 ZONE

Uses shall be limited to a public or private park and no structures shall be permitted.

RECREATION EXCEPTION THREE – REC-3 ZONE

Uses shall be limited to conservation and environmental restoration.

RECREATION EXCEPTION FOUR - REC-4 ZONE

The permitted uses shall be limited to conservation and a public park.

Accessory buildings shall be limited to public park amenity structures and temporary structures.

The following zoning exceptions shall apply;

Minimum front and exterior side yard:	10.0 m
Minimum interior side yard:	5.0 m

RECREATION EXCEPTION FIVE - REC-5 ZONE

The permitted uses shall be limited to conservation, public park and an accessory parking lot.

The following zoning exceptions apply;

Minimum front and exterior side yard:	nil
Minimum interior side yard:	nil
Minimum rear yard:	nil

RECREATION EXCEPTION SIX – REC-6 ZONE

An equestrian facility shall also be permitted.

For the purpose of this zone, an equestrian facility shall have the following definition:

The use of land or building for the boarding of horses, the training of horses and riders and the staging of equestrian events, but shall not include the raising or breeding of horses.

RECREATION EXCEPTION SEVEN – REC-7 ZONE

These lands are an inactive waste disposal site. Permitted uses shall be limited to those recreational uses that are passive in nature and open to the natural environment. Uses shall be serviced with a municipal water supply system. The construction of a building may require the completion and acceptance of a D4 study. This study will be completed pursuant to the D4 Guidelines of the Ministry of the Environment or any additional or replacement guidelines instituted by the Ministry for such lands and an agreement with the appropriate authority to assure the implementation of any recommendations in the study.

RURAL EXCEPTION ONE – RU-1 ZONE

A custom workshop, a lumber supply outlet and concealed outside storage shall also be permitted.

For the purpose of this zone, a lumber supply outlet shall have the following definition:

The use of land or building for an establishment primarily engaged in the retail of lumber, wood products and similar goods.

No portion of the lot shall be used for the accessory storage of goods or materials unless such storage is either within a wholly enclosed building or if outside then it shall be concealed outside storage subject to the following:

- That such concealed outside storage is not permitted closer to the street line than the front wall of the principal or main permitted building on the lot;
- That such concealed outside storage is not permitted closer than 11.0 m to an interior or rear lot line; and,
- That such concealed outside storage does not cover more than 30% of the lot.

RURAL EXCEPTION TWO – RU-2 ZONE

A farm produce retail market with a maximum retail area of 400 m² is also a permitted use.

For the purpose of this zone, a farm produce retail market shall have the following definition:

The use of land or building for establishments primarily engaged in the retail sale of agricultural products.

RURAL EXCEPTION THREE – RU-3 ZONE

Uses shall be serviced with a municipal water supply system.

RURAL EXCEPTION FOUR – RU-4 ZONE

A golf course shall also be a permitted use.

RURAL EXCEPTION FIVE – RU-5 ZONE

An existing gravel pit is a permitted use while the holding zone is in effect. Other rural uses shall be permitted only when the holding zone is removed.

RURAL EXCEPTION SIX – RU-6 ZONE

Uses shall be limited to a motor vehicle repair garage.

The following zoning exceptions shall apply;

Minimum lot area:	4,000 m ²
Minimum lot frontage:	70.0 m
Maximum gross floor area:	447 m ²
Minimum front and exterior side yard:	12.0 m
Minimum interior side yard:	10.0 m
Required setback abutting	
Highway No. 26 Re-alignment:	14.0 m
Maximum lot coverage:	40%
Minimum landscaped open space:	10%
Maximum height:	10.0 m

RURAL EXCEPTION SEVEN – RU-7 ZONE

Uses shall be limited to a detached dwelling.

The following zoning exceptions shall apply;

Minimum lot area:	5,000 m ²
Minimum lot frontage:	100.0 m
Minimum front and exterior side yard:	8.0 m
Minimum interior side yard:	10.0 m
Required yard abutting	
Highway No. 26 Re-alignment:	14.0 m
Maximum lot coverage:	15%
Maximum height:	10.0 m

The minimum interior side yard for a detached accessory building shall be 1.2 m.

RURAL EXCEPTION EIGHT – RU-8 ZONE

The following uses shall not be permitted;

Dwelling, single-detached; and,
Dwelling, portion of a non-residential building.

RURAL EXCEPTION NINE – RU-9 ZONE

Development shall only occur in conformity with the wellhead protection policies as outlined in the Town's Official Plan.

RURAL EXCEPTION TEN – RU-10 ZONE

The following zoning exceptions shall apply;

Minimum lot area:	2,600 m ²
Minimum front yard (Tenth Line):	15.0 m
Minimum exterior side yard (Poplar Sideroad):	11.0 m
Minimum interior side yard:	12.5 m
Maximum lot coverage:	25%

The front yard and the exterior side yard setbacks shall be measured from the original road allowances of the Tenth Line and Poplar Sideroad.

The minimum required setback adjacent to the Pretty River shall be determined by the Nottawasaga Valley Conservation Authority.

RURAL EXCEPTION ELEVEN – RU-11 ZONE

Uses shall be limited to: one single detached dwelling, an accessory building having a maximum gross floor area of 325 m² and accessory uses, buildings and structures not requiring a building permit.

No minimum lot frontage is required and the permitted uses may have vehicular access through any other zone, via a private right-of-way to a street.

No minimum lot area is required and maximum lot coverage shall be limited to 20%.

The setbacks of all permitted buildings and structures shall be a minimum of 3.0 m from any zone boundary.

COMMUNITY SERVICES EXCEPTION ONE – CS-1 ZONE

A medical clinic and a pharmacy shall also be permitted uses.

The maximum height for a hospital shall be 36.0 m excluding a helipad.

COMMUNITY SERVICES EXCEPTION TWO – CS-2 ZONE

Uses shall be limited to a School or uses permitted under the Residential Fourth Density Exception Six (R4-6) Zone

The following zoning exception shall apply for uses permitted under the Residential Fourth Density Exception Six (R4-6) Zone

Maximum height:	15 m

COMMUNITY SERVICES EXCEPTION THREE – CS-3 ZONE

A main building may be serviced by a municipal piped water supply system and an approved private septic disposal system.

COMMUNITY SERVICES EXCEPTION FOUR – CS-4 ZONE

Temporary air supported structure over the existing sports playing field may be permitted year round.

COMMUNITY SERVICES EXCEPTION FIVE – CS-5 ZONE

The following zoning exceptions shall apply:

Minimum interior side yard:	5.6 m
Minimum rear yard:	6.1 m
Minimum landscaped open space:	28%

A minimum of 50 parking spaces shall be required for the existing church only.

Parking areas shall be setback a minimum of 2.0 m from a Residential zone.

COMMUNITY SERVICES EXCEPTION SIX – CS-6 ZONE

Uses shall be limited to a medical clinic.

COMMUNITY SERVICES EXCEPTION SEVEN – CS-7 ZONE

The following zoning exceptions shall apply;

Minimum front yard:	5.4 m
Minimum interior side yard:	3.8 m & 5.9 m on the opposite side
Minimum landscaped open space:	11%

The minimum width of an entrance shall be 3.6 m. The combined width of the entrances may be 34% of the lot frontage. The required setback of an entrance to a Residential zone may be nil.

The minimum width of a perpendicular parking space shall be 2.7 m, the minimum width of a parallel parking space shall be 2.3 m and the minimum width of a disabled parking space shall be 3.5 m. The minimum amount of required parking spaces for a place of worship shall be 13.

COMMUNITY SERVICES EXCEPTION EIGHT – CS-8 ZONE

A medical clinic and a pharmacy shall also be permitted uses. For the purpose of this zone, a main building or main use is permitted on a lot without frontage onto a street or highway.

COMMUNITY SERVICES EXCEPTION NINE – CS-9 ZONE

Uses shall be limited to an Assembly Hall for youth-oriented programming in an existing building.

The minimum required parking for the use shall be three (3) spaces

ENVIRONMENTAL PROTECTION EXCEPTION ONE – EP-1 ZONE

A boat house shall also be a permitted use.

The boat house shall be located in accordance with the requirements of General Provisions 4.32 and 4.33, it shall not be used for human habitation and its maximum height shall be 7.0 m.

ENVIRONMENTAL PROTECTION EXCEPTION TWO – EP-2 ZONE

The purpose of this zone is to protect a provincially significant wetland. Uses shall be limited to conservation.

ENVIRONMENTAL PROTECTION EXCEPTION THREE – EP-3 ZONE

The purpose of this zone is to establish a buffer to a provincially significant wetland. Uses shall be limited to conservation, flood control works and environmental restoration.

ENVIRONMENTAL PROTECTION EXCEPTION FOUR – EP-4 ZONE

The purpose of this zone is to establish a buffer to a provincially significant wetland. Uses shall be limited to conservation and environmental restoration.

ENVIRONMENTAL PROTECTION EXCEPTION FIVE – EP-5 ZONE

The purpose of this zone is to establish a buffer to a provincially significant wetland. Uses shall be limited to conservation, nature trails and environmental restoration.

ENVIRONMENTAL PROTECTION EXCEPTION SIX – EP-6 ZONE

Uses shall be limited to the following;

- Conservation,
- Flood control works,
- Nature trails,
- Private servicing and utilities,
- Public uses, and
- Municipal utilities including a secondary access road for emergency vehicles and environmental restoration.

ENVIRONMENTAL PROTECTION EXCEPTION SEVEN – EP-7 ZONE

Uses shall be limited to the following;

- Conservation,
- Public or private roads,
- Private servicing and utilities,
- Public uses and municipal utilities,
- Flood control works, and
- Environmental restoration.

ENVIRONMENTAL PROTECTION EXCEPTION EIGHT – EP-8 ZONE

Uses shall be limited to an existing single family detached dwelling.

An existing single family detached dwelling or an accessory use thereto, shall be connected to a municipal water supply system, and where there is no other means available, an individual private septic system.

Frontage on a street or highway is not required.

The minimum lot area and the minimum lot frontage shall be that existing as of the day of the passing of the Zoning By-law.

The following zoning exceptions shall also apply;

Minimum front and exterior side yard:	6.0 m
Minimum interior side yard:	1.2 m

Minimum rear yard:	7.5 m
Gross floor area of dwelling unit:	Existing at the date of the passing of the Zoning By-law
Maximum height:	12.0 m
Maximum lot coverage:	30% or as approved by the Nottawasaga Valley Conservation Authority and the Town of Collingwood, whichever is the lesser
Minimum landscaped open space:	30%

Minor additions to the existing gross floor area are permitted and may consist of additional ground floor area or a second storey, but not both. Minor additions are permitted subject to the following additional criteria:

- The addition shall not result in an increase in the number of existing dwelling units;
- The addition shall not consist of any or additional below-grade or basement floor area;
- Any additional ground floor area permitted is limited to 30% of the original habitable ground floor area, existing as of the date of the passage of this by-law, to a maximum ground floor area of 100 square metres; or
- Any additional gross floor provided in a second storey shall not exceed the original habitable ground floor area existing as of the date of passage of this by-law.

No expansion to the gross floor area of an existing single detached dwelling may be considered until the removal of the Holding “H” symbol.

ENVIRONMENTAL PROTECTION EXCEPTION NINE – EP-9 ZONE

Uses shall be limited to conservation and fish and wildlife management.

ENVIRONMENTAL PROTECTION EXCEPTION TEN– EP-10 ZONE

Uses shall be limited to the following:

- Walking trails,
- Conservation,
- Private driveway,
- Private recreational uses which shall mean an area reserved for recreational uses which are typically accessory to a single detached dwelling; not requiring buildings and not altering the topography without a permit being issued by the Conservation Authority,
- Patio or deck not requiring a building permit, and
- Private dock.

ENVIRONMENTAL PROTECTION EXCEPTION ELEVEN– EP-11 ZONE

The following uses shall also be permitted;

- Walking trails,
- Conservation,
- Private road,
- Private recreational uses, and
- A patio or deck not requiring a building permit.

ENVIRONMENTAL PROTECTION EXCEPTION TWELVE – EP-12 ZONE

The permitted uses shall be limited to:

- An existing walking trail;
- Conservation uses;
- Fish and wildlife management;
- An existing boat channel and boat basin; and,
- Boat slip, not including a boat house, within an existing boat basin.

Maintenance of the west side of the existing boat channel shall be permitted on the adjacent land area to a depth of not more than 6.0 m back from the water's edge.

ENVIRONMENTAL PROTECTION EXCEPTION THIRTEEN – EP-13 ZONE

Uses shall be limited to the following:

- Walking trails;
- Conservation;
- Flood control works;
- Private road;
- Private recreational uses;
- Patio and/or deck not requiring a building permit under the building code; and,
- Boat Slip, not including a boat house.

For the purposes of this by-law Private Recreational Uses shall mean an area reserved for recreational uses which are typically accessory to a single detached dwelling; not requiring buildings and not altering the topography without a permit being issued by the Conservation Authority.

TAB 11

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: July 31, 2014

CASE NO(S): PL120784

Huntingwood Trails (Collingwood) Ltd. has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed amendment to the Official Plan for the Town of Collingwood to remove lands legally described as Part of Lots 47, 48 and 49, Concession 12, from the Mountain Road West Corridor Secondary Plan Study Area and designate the lands for development (Approval Authority File No. D09111) OMB File No. PL120784

Heard: June 26, 2014 in Collingwood, Ontario

APPEARANCES:

Parties

Counsel

Huntingwood Trails (Collingwood) Ltd.

S. Rosenthal
M. McDermid

Town of Collingwood

L.F. Longo

County of Simcoe

M. Green
S. Hahn

Nottawasaga Valley Conservation Authority

K.C. Hill

DECISION DELIVERED BY M. CARTER-WHITNEY AND ORDER OF THE BOARD

[1] On January 28, 2011, Huntingwood Trails (Collingwood) Ltd ("Applicant") applied for an Official Plan Amendment ("OPA") of the Town of Collingwood Official Plan ("Town OP") to permit development of a 436 unit residential community on 48.97 hectares ("ha") of lands legally described as Part of Lots 47, 48 and 49, Concession 12 ("subject property") in the Town of Collingwood ("Town"), County of Simcoe ("County").

[2] The Town Council failed to make a decision on the OPA application within 180 days of the date of the application being filed. On June 28, 2012, the Applicant filed an appeal, under s. 22(7) of the *Planning Act*, of Council's failure to make a decision to the Ontario Municipal Board ("Board").

[3] At the commencement of the hearing, the parties advised that they had reached a settlement agreement. Mr. Longo, counsel for the Town, advised the Board that after the settlement was reached, it took some time to secure approval from the Town and County Councils. While the public was informed of the settlement as soon as possible, in June 2014, confidentiality among the parties was required prior to that in order to achieve a mediated resolution.

[4] The Board heard evidence concerning the settlement agreement from David Slade, who was qualified as an expert land use planner, and from Johnathan Proctor, who was qualified as an expert in the area of water resource engineering and natural hazard issues. While the Board had granted participant status to a number of individuals at a pre-hearing conference, only the following participants testified at the hearing: Donald Avery, on behalf of the Blue Mountain Watershed Trust Foundation ("Foundation"); Carlo Palermo; and Jim Dalziel.

[5] Mr. Slade provided details of the revised OPA arising from the settlement. He described the subject property, noting that it includes the following significant environmental features: Silver Creek; the Silver Creek Provincially Significant Wetlands complex ("PSWs"); and Category 1 and 2 Woodlands. He said there is an existing single family dwelling on the property, which is generally vacant with the exception of minor agricultural use (grazing cattle) in recent years. Under the Town OP, the current land use designations on the subject property are Rural, Rural Residential and Environmental Protection. He also described the adjacent properties, which include the Silver Glen condominium development to the east and the Forest subdivision to the west.

[6] Mr. Slade gave an overview of the changes to the development proposal as a result of the settlement agreement, and provided the Board with a detailed review of the provisions of the revised OPA. He noted that the subject lands are proposed to be redesignated to the Residential and Environmental Protection designations under the Town OP, with a substantial portion of the subject property being removed from having any development potential and placed in the Environmental Protection designation, as shown in Schedule 'A2' to the revised OPA, attached as Attachment 1. Mr. Slade said that this would leave two areas proposed for development: a 2.7 ha area on the east side of the subject property that was proposed for development in the original proposal ("Development Area #1"); and a 9.4 ha area on the west side of the subject property that has been reduced in size relative to the original proposal ("Development Area #2"). The total number of units proposed for the subject property, including both development areas, has been reduced from 436 to a maximum of 179 units (up to 67 units in Development Area #1 and 112 units in Development Area #2). Development Area #1 is proposed for medium density development to a maximum of 25 units per gross ha, and Development Area #2 is proposed for low density development to a maximum of 12 units per gross ha.

[7] Mr. Slade noted that Development Area #1, which is in the Town's Municipal Service Area 2, may be developed and serviced in advance of Development Area #2, which is in Municipal Service Area 3 and requires further review. He stated that access and servicing to Development Area #1 would occur from the adjacent Silver Glen development to the east, noting that the Applicant's engineering consultant had determined there is sufficient surplus water and sanitary sewer servicing capacity to accommodate the proposed 67 units. He said that the engineering studies had indicated that Development Area #2 also could be serviced using existing infrastructure after additional studies are prepared and improvements are made.

[8] Mr. Slade testified that all of the remaining lands on the subject property, a total of 75.3 % of the site, are proposed to be dedicated to the Town. Under the agreement, 21.9 ha of the lands (44.8% of the site) are to be dedicated to the Town when

Development Area #1 is developed, including PSWs and land with environmental features on the east side of the subject property. When Development Area #2 is developed, 14.9 ha of the lands (30.5% of the site) are to be dedicated to the Town, including the Silver Creek flood plain and buffer lands on the west side of the subject property. He also stated that, prior to development proceeding, further studies would be required with respect to: mitigation of any negative impacts on the natural heritage features or their ecological functions; natural hazard assessment; and species at risk. In relation to Development Area #2, the Applicant also would be required to submit: a water and sanitary sewer servicing strategy; a stormwater management plan that includes a strategy for addressing Silver Creek drainage patterns and spill areas; and a transportation study to be circulated to the Ministry of Transportation for review and comment.

[9] Mr. Slade provided his opinion that the revised OPA is consistent with the policies of the Provincial Policy Statement, 2014 ("PPS"), and conforms to the Growth Plan for the Greater Golden Horseshoe, 2006 ("Growth Plan") and the current Official Plan of the County of Simcoe ("County OP"). He also stated that, in his opinion, the revised OPA represents good planning and is in the public interest.

[10] With respect to the PPS, Mr. Slade noted that the revised OPA is consistent with its policies directing growth to settlement areas, promoting the efficient use of land and existing infrastructure, and providing a range of housing densities under policy 1.1.3. He also testified that the designation of lands within the Environmental Protection designation and the dedication of 75.3% of the subject property to the Town is consistent with the 2.1 natural heritage policies, 2.2 water policies, and 3.1 natural hazard policies in the PPS.

[11] In providing his opinion that the revised OPA conforms to the Growth Plan, Mr. Slade noted that the Town is defined as a primary settlement area under the Growth Plan and referred the Board to policy 6.3.2.1, which permits development to be approved in settlement areas in excess of what is needed to accommodate the

distribution of population and employment forecasts in Schedule 7 of the Growth Plan, provided the development meets the criteria set out in that section. The Minutes of Settlement (filed as Exhibit 2, Tab 2) state that the parties agree that Development Area #1 and the portion of Development Area #2 currently designated Rural Residential One, which Mr. Slade testified are on “lands for urban uses” as of January 19, 2012, are permitted to be approved in excess of what is needed to accommodate the forecasts in Schedule 7. The Minutes of Settlement further state that the parties agree that the approval of an additional population of 300 people for the remaining 7.6 ha portion of Development Area #2 meets the requirements and criteria of policy 6.3.2.2 of the Growth Plan. Mr. Slade provided his opinion that the revised OPA conforms to policies 6.3.2.1 and 6.3.2.2 of the Growth Plan.

[12] Mr. Slade noted that the Board partially approved policies 3.5.10 and 3.5.11 of the County OP on April 15, 2014 in case no. PL091167. He stated that, due to a subsequent further settlement, the entirety of policies 3.5.10 to 3.5.13 have now been approved by the Board, resulting in a maximum population figure of 20,000 for the County. Mr. Slade provided his opinion that the revised OPA conforms to policies 3.5.10 to 3.5.13 and the allocation of 300 persons meets the criteria of those policies. He also testified that the County and the Town support the allocation of 300 persons to the proposed development.

[13] Mr. Slade directed the Board to s. 11.5 of the Town OP, which sets out guidelines and criteria for the preparation of a secondary plan review of the Mountain Road West Corridor. He provided his opinion that it would not be necessary to commence a secondary plan review prior to the proposed development on the subject property because the engineering studies indicate that both development areas can be serviced using existing infrastructure once approved. He testified that the subject lands could be developed independently with no prejudice to the secondary plan review.

[14] While the participants were satisfied with some aspects of the settlement agreement, they continued to express some concerns about the proposed development.

[15] Mr. Avery testified on behalf of the Foundation, which had been granted special participant status to call an environmental consultant to give evidence on buffers between wetlands and residential development or any other development and site alteration on the property that could harm the ecological functions of the wetlands. He said that a consultant had been retained but she would not provide evidence as there had not been sufficient time for her to study the revised OPA.

[16] Mr. Avery stated that the preservation of wetlands and the quality or width of buffers depends on the measures put in place to prevent negative effects from human access, and the balance between human access and the preservation of sensitive natural areas can best be accomplished by the creation of a management plan. He testified that the Foundation has obtained agreement that such a plan will be prepared at the appropriate time for lands that are transferred from private ownership to the public realm. He said that the Foundation supported the transfer of the land to public ownership.

[17] However, Mr. Avery expressed concern that vehicle access to the proposed development areas may be permitted through lands designated Environmental Protection, stating that an access road could constitute a negative buffer that would encroach on the protected area. He also expressed concern about the lack of information provided to the Foundation concerning the settlement prior to June 6, 2014 when the Foundation was informed that an agreement had been reached.

[18] Mr. Palermo, a resident of the Forest subdivision west of the subject property, expressed support for the modification providing for single family detached dwellings adjacent to the Forest subdivision, although he maintained that the proposed density would be higher than the density of the existing subdivision. Mr. Palermo also raised concerns about the Silver Creek flood plain on the subject property, noting the presence of a drainage ditch is adjacent to existing properties on Silver Creek Drive and a culvert under the existing road. He said there is water in the ditch during most of the year and, during the spring, he has observed water rise above the culvert and flood onto the road

and beyond. He expressed concern that changes to the subject property may create flooding issues along Silver Creek Drive.

[19] Mr. Proctor responded specifically to Mr. Palermo's concerns about drainage, stating that he had been engaged with this project since 2008 and had monitored the impacts of spring drainage and extreme rainfalls on the subject property over this time. He said he is familiar with the drainage ditch to which Mr. Palermo referred, and that it drains water across the rear of the Silver Creek Drive lots into the Silver Creek drainage system on the subject property. He testified that the Applicant has plans to accommodate the drainage through to Silver Creek so that there will be no impact on the properties on Silver Creek Drive. He noted that the revised OPA would require that Silver Creek drainage patterns be addressed, and that the Applicant would work with the Town and the Nottawasaga Valley Conservation Authority in the course of obtaining future approvals. He provided his opinion that it would be possible to meet the requirements of policy 3.1 of the PPS in relation to natural hazards.

[20] Mr. Dalziel is a director of the Silver Glen condominium corporation east of the subject property. He noted that the revised OPA states that vehicular access and servicing for Development Area #1 "shall occur from the adjacent residential development to the east". He stated his understanding that the condominium road is private and expressed concern that there is an assumption that access to this development area would be granted, noting that the Applicant had not approached the condominium corporation about the issue of access. He raised concerns about increasing construction and regular traffic through the Silver Glen condominium property. Under cross-examination, Mr. Dalziel acknowledged that the Applicant would be required to contact the condominium corporation at the appropriate time in relation to road layouts and connections to private roads on the Silver Glen condominium property.

[21] During the hearing, the parties advised the Board of two typographical errors in the revised OPA filed as Exhibit 2, Tab 1. Following the hearing, Mr. Longo provided a corrected revised version of the OPA, attached as Attachment 1.

[22] Having reviewed the provisions of the revised OPA and considered all of the evidence before it, the Board finds that the revised OPA is consistent with the PPS and conforms to the policies of the Growth Plan and the County OP. The Board is satisfied that the concerns raised by the participants either have been addressed by the evidence provided by Mr. Slade and Mr. Proctor, or will be addressed by the Applicant in the course of obtaining future required approvals.

ORDER

[23] The appeal is allowed in part and the Town of Collingwood Official Plan is amended as set out in Attachment 1 to this Order, and as amended is approved.

"M. Carter-Whitney"

M. CARTER-WHITNEY
MEMBER

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elfto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

ATTACHMENT 1

PART B—THE AMENDMENT

INTRODUCTORY STATEMENT

All of this part of the document entitled "Part B — The Amendment" consisting of the following text constitutes Amendment No. _____ to the Official Plan of the Town of Collingwood.

DETAILS OF THE AMENDMENT

The Official Plan is hereby amended as follows;

- Item 1:** **Official Plan Schedule 'A' Land Use** is hereby amended by redesignating the subject lands from the "Rural, Rural Residential and Environmental Protection" designations to the "Residential and Environmental Protection" designations for those lands recognized as Part of Lots 47, 48 and 49, Concession 12 (formerly Township of Nottawasaga), Town of Collingwood, County of Simcoe as indicated on the attached schedule A-1.
- Item 2:** **Official Plan Schedule 'A2' Land Use Detail** attached hereto is hereby inserted as a new schedule to the Town of Collingwood Official Plan.
- Item 3:** **Official Plan Schedule 'B' Environmental Protection** is hereby amended by redesignating a portion of the subject lands from the Category 1 Woodland designation to the Category 2 Woodland designation and designating new Category 1 Woodland and Category 1 Wetlands as indicated on the attached schedule B-1.
- Item 4:** **Official Plan Schedule 'C' Residential Densities** is hereby amended by redesignating the subject lands to the "Low Density Residential" and "Medium Density Residential" designation(s) for those lands recognized as Part of Lots 47, 48 and 49, Concession 12 (formerly Township of Nottawasaga), Town of Collingwood, County of Simcoe as indicated on the attached schedule C-1.
- Item 5:** **Official Plan Schedule 'E' Municipal Service Areas** is hereby amended by redesignating a portion of the subject lands to "Service Area 2" as indicated on the attached schedule E-1.

The following special policies apply to the subject lands as identified on Schedule A1 to this Amendment:

Section 4.3.4.5.8.13 Part Lot 48, Concession 12

Development Area #1:

- a. The area identified as Development Area #1 (DA #1) on Schedule 'A2' is permitted a maximum density of 25 units per gross hectare. The uses permitted shall be limited to semi-detached dwellings, small-lot single detached dwellings, duplex dwellings, triplex dwellings, four-plex dwellings, townhouses, home occupations, residential intensification uses and those public uses itemized on Figure 3. Vehicular access and servicing shall occur from the adjacent residential development to the east.
- b. It will be a condition of draft approval of the development that the lands identified in hatching adjacent to DA #1 shall be dedicated to the Town of Collingwood upon registration of the development as per the subdivision/condominium and/or consent process.
- c. The required 5% parkland dedication for the development of DA #1 shall be satisfied by the dedication of lands within the hatching area.
- d. The lands shown in hatching include a multitude of environmental and open space features, including Provincially Significant Wetlands as well as all appropriate buffers associated with these features.
- e. On the basis of the designation and dedication of these lands identified in hatching, it is confirmed that no further natural heritage studies or buffers are required. Despite this policy, in addition to whatever studies are identified as required by Section 8.13, current and future *Planning Act* applications shall be supported by:
 - i. details demonstrating that the proposed development mitigates any negative impacts on the natural heritage features or their ecological functions through appropriate measures to the satisfaction of the Town and the NVCA;
 - ii. a natural hazard assessment prepared to the satisfaction of the Town and the NVCA demonstrating that all proposed development will be located in accordance with Section 3.1 of the Provincial Policy Statement; and,
 - iii. details demonstrating that the proposed development satisfies the requirements of the Provincial Policy Statement and the *Endangered Species Act* with respect to species at risk.
- f. The completion of a Secondary Plan and secondary plan studies and requirements as per the policies of Section 8.10.2 shall not be required prior to development occurring on the lands designated as DA # 1.
- g. All current and future applications under the *Planning Act* on the lands designated as DA # 1 shall be circulated to the MTO for review and comment.

Section 4.3.4.4.5.8 Part Lots 48 and 49, Concession 12

Development Area #2

- a. The area identified as Development Area #2 (DA #2) on Schedule 'A2' is permitted a maximum density of 12 units per gross hectare. The uses permitted shall be limited to single-detached dwellings, semi-detached dwellings, small-lot single-detached, duplex dwellings, home occupations, residential intensification uses, and those public uses itemized on Figure 3. All residential units that back upon the western and northern boundary of the subject property (adjacent to the Forest Subdivision) shall be single-detached dwellings. Vehicular access may occur from Forest Drive and/or Silver Creek Drive and may be established through lands designated Environmental Protection as permitted by Section 4.1.3.1.
- b. It will be a condition of draft approval of the development that that the lands identified in cross hatching adjacent to DA #2 shall be dedicated to the Town of Collingwood upon registration of the development as per the subdivision/condominium and/or consent process.
- c. The required 5% parkland dedication for the development of DA #2 shall be satisfied by the dedication of lands within the cross hatching area.
- d. The lands shown in cross hatching include a multitude of environmental and open space features including the floodplain of the Silver Creek and all appropriate buffers to those features.
- e. On the basis of the designation and dedication of these lands identified in cross hatching, it is confirmed that no further natural heritage studies or buffers are required. Despite this policy, in addition to whatever studies are identified as required by Section 8.13, current and future *Planning Act* applications shall be supported by:
 - i. details demonstrating that the proposed development mitigates any negative impacts on the natural heritage features or their ecological functions through appropriate measures to the satisfaction of the Town and the NVCA;
 - ii. a natural hazard assessment prepared to the satisfaction of the Town and the NVCA demonstrating that all proposed development will be located in accordance with Section 3.1 of the Provincial Policy Statement; and,
 - iii. details demonstrating that the proposed development satisfies the requirements of the Provincial Policy Statement and the *Endangered Species Act* with respect to species at risk.
- f. The completion of a Secondary Plan and requirements and studies as per the policies of Section 8.10.2 and the Service Area 3 policies of Section 3.6.3 shall not be required prior to development occurring on the lands designated as DA # 2.

- g. All current and future applications under the *Planning Act* on the lands designated as DA # 2 shall be circulated to the MTO for review and comment.
- h. All current and future applications for zoning, site plan control approval, severances and/or plan of subdivisions/condominiums shall include submission of the following studies in addition to whatever studies are identified as required by Section 8.13, with the exception of natural heritage studies:
 - i. a water and sanitary sewer servicing strategy that examines potential regional opportunities and constraints;
 - ii. a stormwater management plan that includes a strategy for addressing Silver Creek drainage patterns and spill areas; and
 - iii. a transportation study (including active transportation and transit) that explores potential linkages with adjacent development. This study shall also be circulated to the MTO for review and comment.

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan, as well as through a Zoning Bylaw Amendment for the subject lands under Sections 34 and 36 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

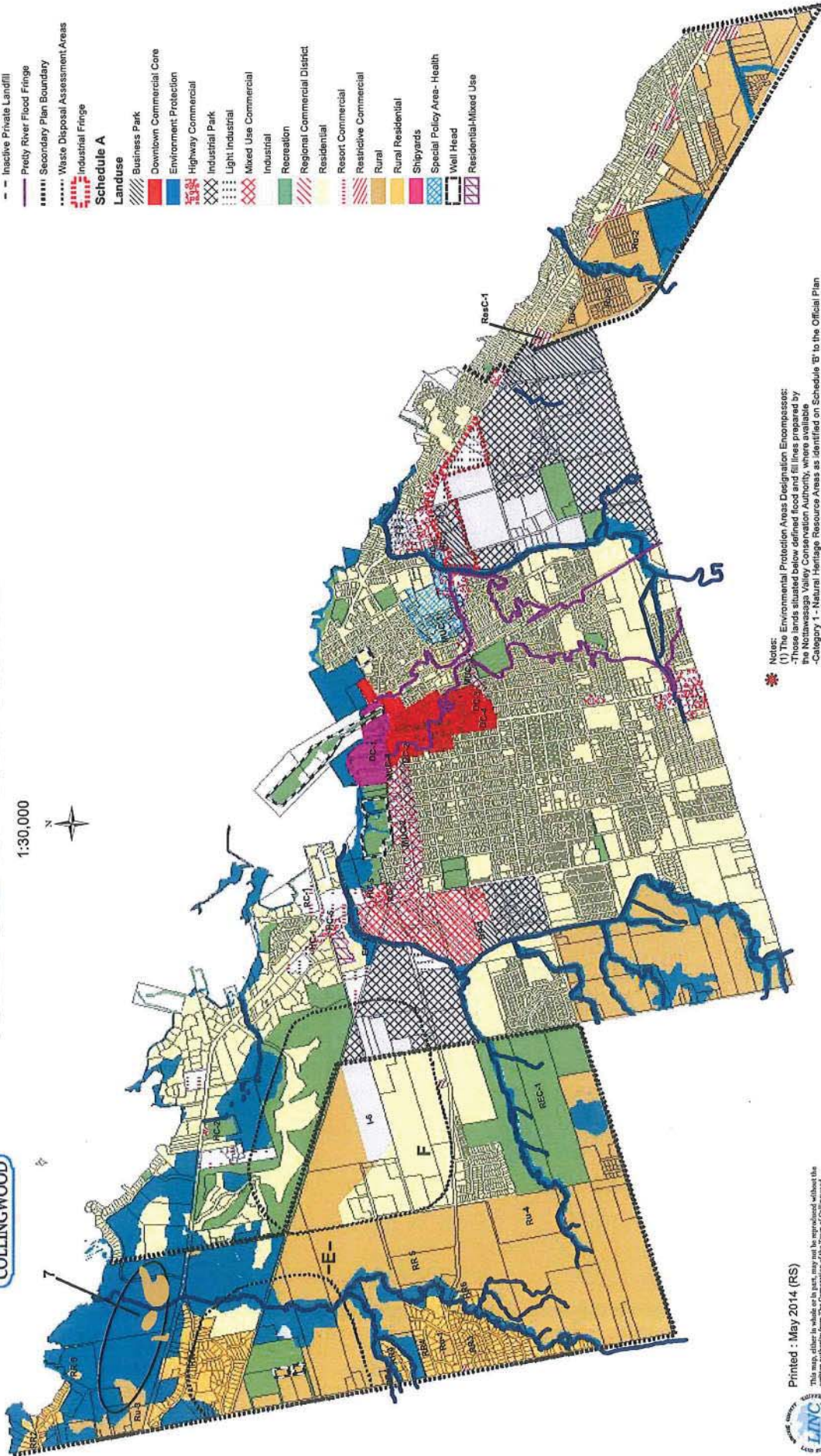


Official Plan of the Town of Collingwood **SCHEDULE 'A1'- Land Use Plan**

1:30,000



- Legend**
- - - Inactive Private Landfill
 - Pretty River Flood Fringe
 - Secondary Plan Boundary
 - Waste Disposal Assessment Areas
 - Industrial Fringe
 - Schedule A**
 - Landuse**
 - Business Park
 - Downtown Commercial Core
 - Environment Protection
 - Highway Commercial
 - Industrial Park
 - Light Industrial
 - Mixed Use Commercial
 - Industrial
 - Recreation
 - Regional Commercial District
 - Residential
 - Resort Commercial
 - Restrictive Commercial
 - Rural
 - Rural Residential
 - Shipyards
 - Special Policy Area- Health
 - Well Head
 - Residential-Mixed Use



Notes:

- (1) The Environmental Protection Areas Designation Encompasses:
 - Those lands situated below defined flood and fill lines prepared by the Nottawasaga Valley Conservation Authority, where available
 - The Nottawasaga Bay shoreline as shown on Schedule 'B' to the Official Plan
 - Areas used using a "Top of Bank" approach along particular courses where flood and/or fill lines are not available
- (2) Environmental Protection areas along the Nottawasaga Bay shoreline are shown conceptually
- (3) The precise location of the Environmental Protection areas designation shall, in all cases, be determined as development proceeds in consultation with The County of Simcoe (Nottawasaga Valley Conservation Authority) and the Town of Collingwood.

Printed : May 2014 (RS)

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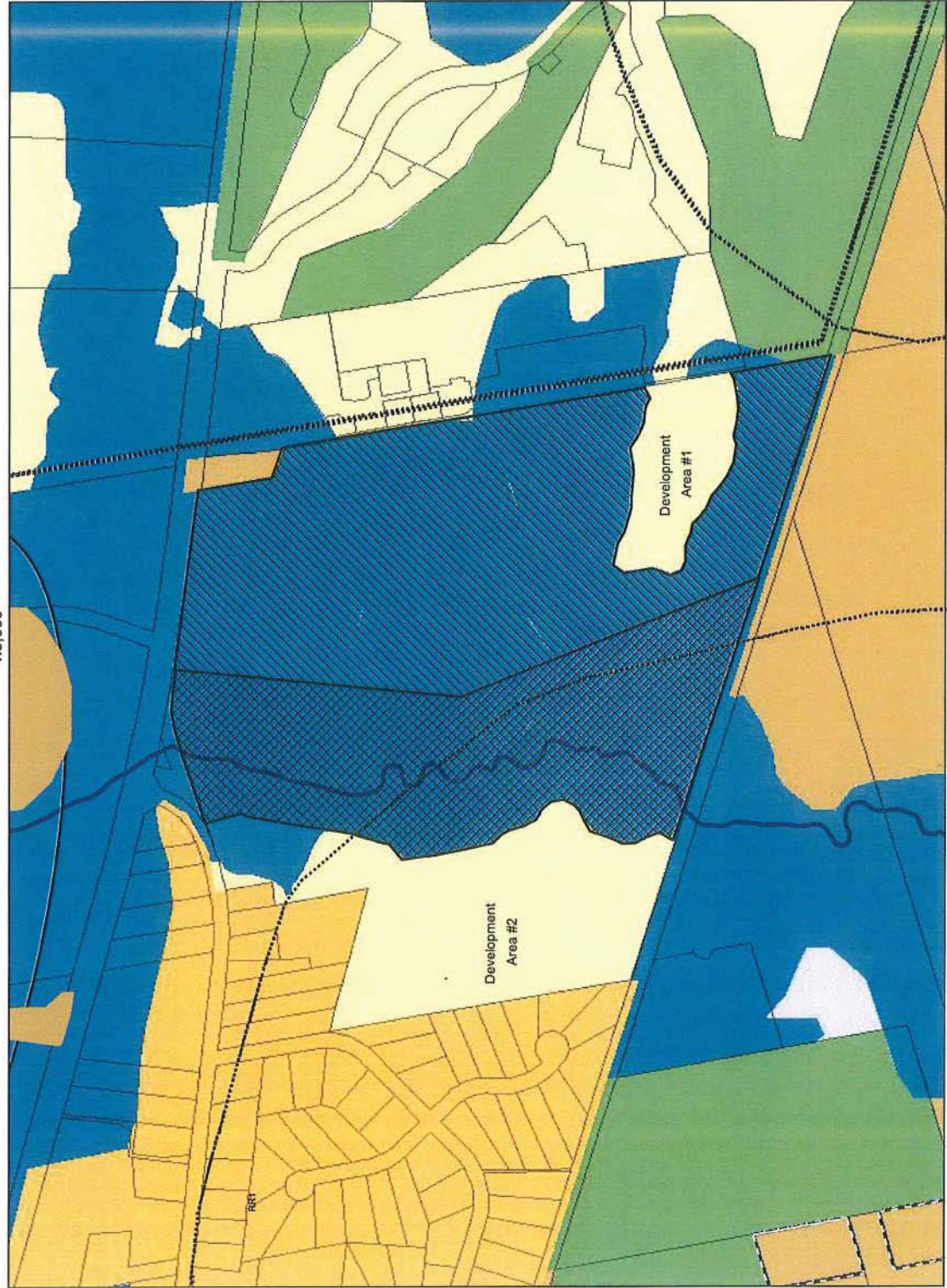
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Official Plan of the Town of Collingwood **SCHEDULE 'A2' - Land Use Plan - Detail**

1:5,000



Legend

- - Inactive Private Landfill
- Pretty River Flood Fringe
- Secondary Plan Boundary
- Waste Disposal Assessment Areas
- Industrial Fringe

Schedule A

Landuse

- Business Park
- Downtown Commercial Core
- Environment Protection
- Highway Commercial
- Industrial Park
- Light Industrial
- Mixed Use Commercial
- Industrial
- Recreation
- Regional Commercial District
- Residential
- Resort Commercial
- Restrictive Commercial
- Rural
- Rural Residential
- Shipyards
- Special Policy Area - Health
- Well Head
- Residential-Mixed Use
- Lands to be dedicated as per 4.3.4.5.8.13
- Lands to be dedicated as per 4.3.4.4.5.8



Printed : May 2014 (RS)



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Official Plan of the Town of Collingwood SCHEDULE 'C' - Residential Density



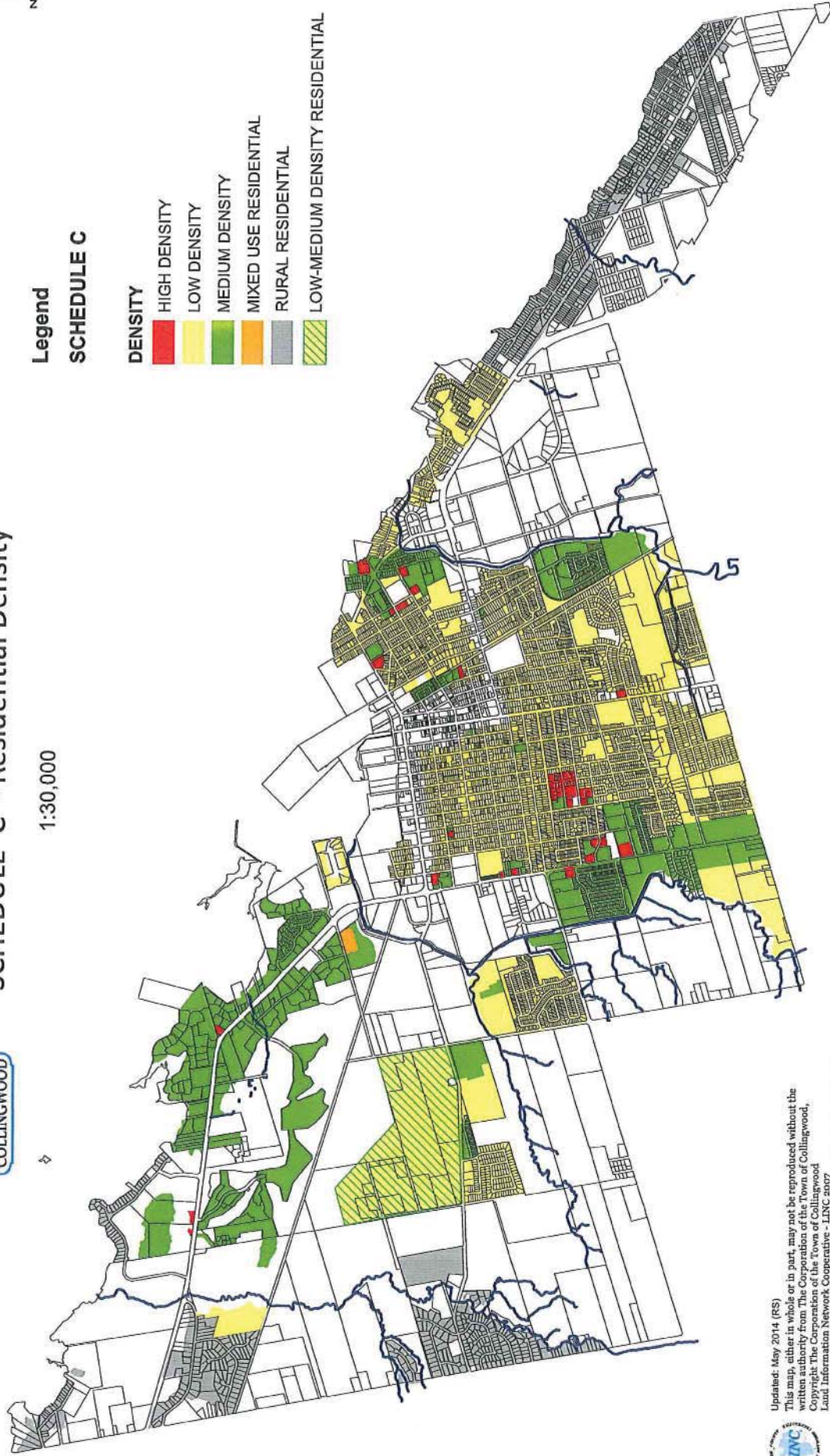
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Legend

SCHEDULE C

DENSITY

- HIGH DENSITY
- LOW DENSITY
- MEDIUM DENSITY
- MIXED USE RESIDENTIAL
- RURAL RESIDENTIAL
- LOW-MEDIUM DENSITY RESIDENTIAL



Updated: May 2014 (RS)
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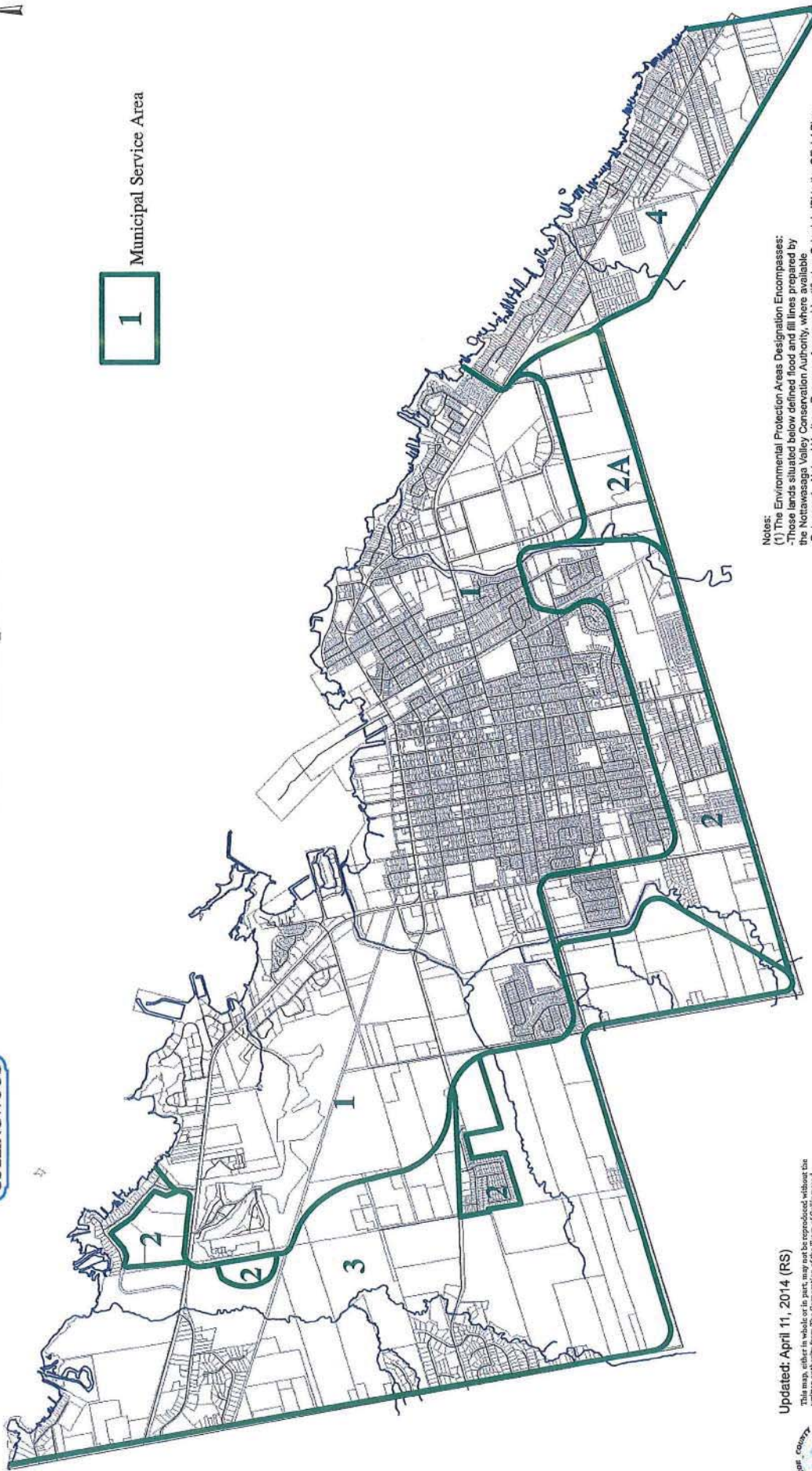


Official Plan of the Town of Collingwood SCHEDULE 'E1' - Municipal Service Areas



1

Municipal Service Area



Notes:
(1) The Environmental Protection Areas Designation Encompasses:
- Lands situated below defined flood and fill lines prepared by the Nottawasaga Valley Conservation Authority, where available;
- Category 1 - Natural Heritage Resource Areas as identified on Schedule 'B' to the Official Plan
- Areas derived using a "Top of Bank" approach along certain water courses where flood and/or fill lines are not available
(2) Environmental Protection areas along the Nottawasaga Bay shoreline are shown conceptually
(3) The precise location of the Environmental Protection areas designation shall, in all cases, be determined as development proceeds in consultation with The County of Simcoe (Nottawasaga Valley Conservation Authority) and the Town of Collingwood.

Updated: April 11, 2014 (RS)

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TAB 12

O.M.B. Case No. PL120784

ONTARIO MUNICIPAL BOARD
Commission des affaires municipales de l'Ontario

Huntingwood Trails (Collingwood) Ltd. has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed amendment to the Official Plan for the Official Plan for the Town of Collingwood to remove lands legally described as Part of Lots 47, 48, and 49, Concession 12, from the Mountain Road West Corridor Secondary Plan Study Area and designate the lands for development

Approval Authority File No. D09111
O.M.B. File No. PL120784

MINUTES OF SETTLEMENT

BETWEEN:

HUNTINGWOOD TRAILS (COLLINGWOOD) LTD.
 ("Huntingwood")

and

THE CORPORATION OF THE TOWN OF COLLINGWOOD
 (the "Town")

and

THE CORPORATION OF THE COUNTY OF SIMCOE
 (the "County")

and

THE NOTTAWASAGA VALLEY CONSERVATION AUTHORITY
 (the "NVCA")

WHEREAS Huntingwood is the owner of approximately 49 hectares of land located at Part of Lots 47, 48 and 49, Concession 12 in the Town of Collingwood, County of Simcoe (the "**Subject Lands**");

AND WHEREAS on January 28, 2011, Huntingwood submitted applications for an official plan amendment, a zoning by-law amendment, and a draft plan of subdivision for the Subject Lands;

AND WHEREAS on June 28, 2012, Huntingwood appealed to the Ontario Municipal Board (the “**Board**”) from the Town’s failure to make a decision on its official plan amendment application within 180 days (the “**Appeal**”);

AND WHEREAS the Town, the County and the NVCA are parties to the Appeal, which is scheduled to be heard by the Board over a period of five weeks commencing June 16, 2014;

AND WHEREAS the County of Simcoe adopted a new Official Plan for the County on November 25, 2008 (the “**County OP**”);

AND WHEREAS on December 20, 2012, Huntingwood appealed to the Board from the failure of the Ministry of Municipal Affairs and Housing to approve the County OP within 180 days (O.M.B. Case No. PL091167);

AND WHEREAS Huntingwood, the Town, the County and the NVCA (collectively, the “**Parties**” and individually, a “**Party**”) have engaged in settlement discussions and mediation in an attempt to resolve the issues in the Appeal;

AND WHEREAS as part of the settlement discussions, Huntingwood has produced a revised concept plan for the Subject Lands which reduces the amount of lands to be designated for development and increases the amount of land to be designated for environmental protection and/or recreation and/or open space;

AND WHEREAS the Parties have agreed upon a revised Official Plan Amendment (the “**OPA**”) for the Subject Lands which is attached hereto as Schedule “A”;

AND WHEREAS the Parties enter into these Minutes of Settlement (the “**Minutes**”) to resolve the Appeal in a mutually advantageous manner that recognizes and respects the interests of all Parties;

AND WHEREAS the resolution of the Appeal on the basis of the OPA will ensure the environmental protection of lands associated with the Silver Creek Provincially Significant Wetland Complex, including public ownership in accordance with the requirements of the OPA;

AND WHEREAS the resolution of the Appeal on the basis of the OPA and these Minutes will avoid the costs and risks associated with a five week contested hearing of the Appeal;

AND WHEREAS the resolution of the Appeal on the basis of the OPA and these Minutes will resolve issues associated with the appeals of the County OP;

AND WHEREAS the Parties’ counsel, consultants and/or staff will recommend approval of the OPA and the settlement as set out in these Minutes to their respective clients;

NOW THEREFORE, in consideration of the payment by each Party to the other Party of the sum of two dollars (\$2.00), the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The Recitals above are true.
2. The attached Schedule “A” forms part of these Minutes.

The OPA

3. Huntingwood hereby agrees to modify its Appeal to pursue the approval of the OPA, in accordance with these Minutes.

4. The Parties acknowledge and agree that portions of the proposed residential development of the Subject Lands, being the area designated Development Area 1 and that portion of the area designated Development Area 2 which is currently designated “Rural Residential One”, are permitted to be approved in excess of what is needed to accommodate the forecasts in Schedule 7 of the *Growth Plan for the Greater Golden Horseshoe* (“*Growth Plan*”) pursuant to policy 6.3.2.1. The Parties acknowledge and agree that the approval of these portions of the proposed development meets the requirements of policy 6.3.2.1 of the *Growth Plan*.
5. The Parties further acknowledge and agree that the remaining 7.6 hectare portion of the proposed residential development in the area designated Development Area 2 should be approved on the basis that it qualifies for, should and will be allocated an additional population of 300 people pursuant to policy 6.3.2.2 of the *Growth Plan* and policies 3.5.10 and 3.5.11 of the County OP, which were partially approved by the Board on April 15, 2014 in O.M.B. Case No. PL091167 (the “**County Policies**”). The Parties agree that the approval of an additional 300 people for the 7.6 hectare portion of the area designated Development Area 2 meets the requirements and criteria of policy 6.3.2.2 of the *Growth Plan* and the County Policies.
6. The Parties further acknowledge and agree that the OPA represents good planning and is in the public interest.
7. The Parties acknowledge and agree that the OPA attached as Schedule “A” should be approved.

Implementation of Settlement

8. The Parties acknowledge that the County Policies were partially approved by the Board on April 15, 2014 for the allocation of up to 12,000 persons. The Parties acknowledge and agree that the additional population of 300 persons

may now be allocated to the Subject Lands and the approval of the County Policies in full is not required for same.

9. The County recommends the approval of the OPA based on the allocation of an additional 300 people beyond the forecasts in Schedule 7 of the *Growth Plan* to the Subject Lands, pursuant to the County Policies as approved by the Board on April 15, 2014. If the Board approves the OPA as set out in these Minutes upon the joint request of the Parties, the County will update its ledger to indicate the allocation of 300 persons to the Subject Lands in accordance with policy 3.5.11 paragraph C in the County OP.
10. The Town acknowledges and agrees that it supports the allocation of an additional 300 people to the Subject Lands pursuant to the County Policies.
11. The Parties agree that these Minutes and any details of the settlement relating to the County Policies, Huntingwood's appeal of the County OP and the allocation of an additional 300 people to the Subject Lands shall remain confidential until the Settlement Hearing for the Appeal. Notwithstanding the foregoing, the OPA attached as Schedule A and any details of the settlement which are not related to the above-referenced details may be disclosed to the public upon execution of these Minutes by all Parties.

The OPA Appeal

12. Upon execution of these Minutes by all Parties, the Parties will advise the Board that a settlement of the Appeal has been reached amongst the Parties based on the revised OPA. The Parties will request that the Board cancel the scheduled five weeks of hearing time and schedule two or three days for a Settlement Hearing during the existing five weeks of scheduled hearing time.
13. Following the execution of these Minutes and prior to the Settlement Hearing, the Parties agree to advise the Participants to the Appeal that a settlement of

the Appeal has been reached and to provide the Participants with a copy of the OPA attached as Schedule A.

14. At the Settlement Hearing, the Parties will request that the Board approve the OPA attached as Schedule A. The Parties will provide such evidence and make such oral or written submissions as are necessary to support that request.
15. The Parties each agree not to request a costs award from the Board against each other in respect of any aspect of the Appeal.

The County OP Appeal

16. Upon approval of the OPA by the Board, Huntingwood shall withdraw its appeal of the County OP except for the portion of its appeal relating to the transition policies in the County OP (Issue #8 on Huntingwood's Issues List).
17. Huntingwood shall be entitled to pursue its appeal of the transition policies and to provide evidence and make such oral and written submissions as it sees fit. Huntingwood and the County agree to co-operate to attempt to resolve Huntingwood's concerns with respect to the transition policies, if possible.

Other Applications for the Subject Lands

18. The Parties acknowledge and agree that Huntingwood filed applications for a zoning by-law amendment (Town File No. D14111) and draft plan of subdivision (Town File No. D1201111) for the Subject Lands, which were deemed to be complete by the Town on February 28, 2011 (the "Other Applications").
19. Huntingwood acknowledges and agrees that it is required to produce the information required by sections 4.3.4.5.8.13(e) and 4.3.4.4.5.8(e) and (h) of

the OPA to support the Other Applications. Huntingwood further agrees that the Town is not required to process the Other Applications until Huntingwood has submitted this information.

20. Huntingwood and the Town agree that the Town will be entitled to close the Other Applications if the information required by the OPA, as described in section 19 above, is not provided and the applications are not pursued within five (5) years from the date of approval of the OPA, unless otherwise mutually agreed upon by Huntingwood and the Town.
21. If the Other Applications are closed by the Town in accordance with section 20 above, the Town will determine whether there is a fee refund owing and return same, if any.

General

22. The Parties acknowledge and agree that if the Board does not approve the OPA as set out in Schedule A or in such modified form as is satisfactory to the Parties, these Minutes shall be terminated and any obligations or benefits thereof shall no longer apply.
23. The Parties agree that they are contractually bound to the terms of these Minutes, and that the obligations and benefits thereof are immediately enforceable by civil action should a Party be in breach of them.
24. To the extent allowable by law, these Minutes shall be binding and enure to the benefit of the Parties, their successors and assigns.
25. Subject to applicable law, the Parties shall execute diligently and expeditiously such further documents and take such further action as may be reasonably required in order to implement and give full legal force and effect to the terms of these Minutes.

26. The Parties agree to act reasonably and with good faith in respect of all dealings between the Parties pursuant to these Minutes.
27. These Minutes constitute the entire agreement between the Parties with respect to the Appeal and supersede all prior agreements, negotiations and understandings with respect thereto.
28. Any amendment to or waiver of any provision of these Minutes must be in writing and signed by the applicable Parties.
29. If any provision of these Minutes is deemed illegal, invalid or unenforceable, by an arbitrator or any court of competent jurisdiction from which no appeal exists or is taken, that provision will be severed from these Minutes and the remaining provisions will remain in full force and effect.
30. These Minutes may be executed in one or more counterparts, which together shall constitute a complete set of these Minutes, and executed counterparts may be delivered by e-mail or facsimile transmission.
31. Headings are included for ease of reference only and shall not affect the interpretation or construction of these Minutes.

[Balance of this page intentionally left blank]

IN WITNESS WHEREOF, the Parties have executed these Minutes as of the date(s) indicated below:

HUNTINGWOOD TRAILS (COLLINGWOOD) LTD.

Date:

JUNE 3/14

Name:

EDWARD L. LEWIS

Title:

A.S.O.

I have authority to bind the Corporation.

THE CORPORATION OF THE TOWN OF
COLLINGWOOD

Date:

JUNE 4/14

Name:

SANDRA COOPER

Title:

MAYOR

Name:

SARA ALMAS

Title:

CLERK

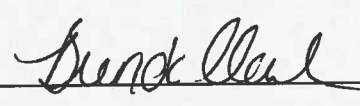
THE CORPORATION OF THE COUNTY OF
SIMCOE

Date: May 28, 2014


Name: Cal Patterson

Title: Warden

AUTHORIZED BY BY-LAW NO. 6372 PASSED
BY THE COUNCIL OF THE CORPORATION OF THE
COUNTY OF SIMCOE ON May 27, 2014


Name: Brenda Clark

Title: Clerk

THE NOTTAWASAGA VALLEY CONSERVATION
AUTHORITY

Date:

Name:

Title:

Name:

Title:

10

THE CORPORATION OF THE COUNTY OF
SIMCOE

Date:

Name:

Title:

Name:

Title:

THE NOTTAWASAGA VALLEY CONSERVATION
AUTHORITY

Date:

Name:

Title:

Name:

Title:


NINA BIFOLCHI
CHAIR


Wayne R. Wilson
CAO Secretary Treasurer

SCHEDULE "A"
OFFICIAL PLAN AMENDMENT

PART B—THE AMENDMENT

INTRODUCTORY STATEMENT

All of this part of the document entitled "Part B — The Amendment" consisting of the following text constitutes Amendment No. _____ to the Official Plan of the Town of Collingwood.

DETAILS OF THE AMENDMENT

The Official Plan is hereby amended as follows;

- Item 1:** **Official Plan Schedule 'A' Land Use** is hereby amended by redesignating the subject lands from the "Rural, Rural Residential and Environmental Protection" designation to the "Residential, Environmental Protection and Recreation" designation(s) for those lands recognized as Part of Lots 47, 48 and 49, Concession 12 (formerly Township of Nottawasaga), Town of Collingwood, County of Simcoe as indicated on the attached schedule A-1.

- Item 2:** **Official Plan Schedule 'A2' Land Use Detail** attached hereto is hereby inserted as a new schedule to the Town of Collingwood Official Plan.

- Item 3:** **Official Plan Schedule 'B' Environmental Protection** is hereby amended by redesignating a portion of the subject lands from the Category 1 Woodland designation to the Category 2 Woodland designation and designating new Category 1 Woodland and Category 1 Wetlands as indicated on the attached schedule B-1.

- Item 4:** **Official Plan Schedule 'C' Residential Densities** is hereby amended by redesignating the subject lands to the "Low Density Residential" and "Medium Density Residential" designation(s) for those lands recognized as Part of Lots 47, 48 and 49, Concession 12 (formerly Township of Nottawasaga), Town of Collingwood, County of Simcoe as indicated on the attached schedule C-1.

- Item 5:** **Official Plan Schedule 'E' Municipal Service Areas** is hereby amended by redesignating a portion of the subject lands to "Service Area 2" as indicated on the attached schedule E-1.

The following special policies apply to the subject lands as identified on Schedule A1 to this Amendment:

Section 4.3.4.5.8.13 Part Lot 48, Concession 12

Development Area #1:

- a. The area identified as Development Area #1 (DA #1) on Schedule A2 is permitted a maximum density of 25 units per gross hectare. The uses permitted shall be limited to semi-detached dwellings, small-lot single detached dwellings, duplex dwellings, triplex dwellings, four-plex dwellings, townhouses, home occupations, residential intensification uses and those public uses itemized on Figure 3. Vehicular access and servicing shall occur from the adjacent residential development to the east.
- b. It will be a condition of draft approval of the development that the lands identified in hatching adjacent to DA #1 shall be dedicated to the Town of Collingwood upon registration of the development as per the subdivision/condominium and/or consent process.
- c. The required 5% parkland dedication for the development of DA #1 shall be satisfied by the dedication of lands within the hatching area.
- d. The lands shown in hatching include a multitude of environmental and open space features, including Provincially Significant Wetlands as well as all appropriate buffers associated with these features.
- e. On the basis of the designation and dedication of these lands identified in hatching, it is confirmed that no further natural heritage studies or buffers are required. Despite this policy, in addition to whatever studies are identified as required by Section 8.13, current and future *Planning Act* applications shall be supported by:
 - i. details demonstrating that the proposed development mitigates any negative impacts on the natural heritage features or their ecological functions through appropriate measures to the satisfaction of the Town and the NVCA;
 - ii. a natural hazard assessment prepared to the satisfaction of the Town and the NVCA demonstrating that all proposed development will be located in accordance with Section 3.1 of the Provincial Policy Statement; and,
 - iii. details demonstrating that the proposed development satisfies the requirements of the Provincial Policy Statement and the *Endangered Species Act* with respect to species at risk.
- f. The completion of a Secondary Plan and secondary plan studies and requirements as per the policies of Section 8.10.2 shall not be required prior to development occurring on the lands designated as DA # 1.
- g. All current and future applications under the *Planning Act* on the lands designated as DA # 1 shall be circulated to the MTO for review and comment.

Section 4.3.4.4.5.8 Part Lots 48 and 49, Concession 12

Development Area #2

- a. The area identified as Development Area #2 (DA #2) on Schedule A2 is permitted a maximum density of 12 units per gross hectare. The uses permitted shall be limited to single-detached dwellings, semi-detached dwellings, small-lot single-detached, duplex dwellings, home occupations, residential intensification uses, and those public uses itemized on Figure 3. All residential units that back upon the western boundary of the subject property (adjacent to the Forest Subdivision) shall be single-detached dwellings. Vehicular access may occur from Forest Drive and/or Silver Creek Drive and may be established through lands designated Environmental Protection as permitted by Section 4.1.3.1.
 - b. It will be a condition of draft approval of the development that the lands identified in cross hatching adjacent to DA #2 shall be dedicated to the Town of Collingwood upon registration of the development as per the subdivision/condominium and/or consent process.
 - c. The required 5% parkland dedication for the development of DA #2 shall be satisfied by the dedication of lands within the cross hatching area.
 - d. The lands shown in cross hatching include a multitude of environmental and open space features including the floodplain of the Silver Creek and all appropriate buffers to those features.
 - e. On the basis of the designation and dedication of these lands identified in cross hatching, it is confirmed that no further natural heritage studies or buffers are required. Despite this policy, in addition to whatever studies are identified as required by Section 8.13, current and future *Planning Act* applications shall be supported by:
 - i. details demonstrating that the proposed development mitigates any negative impacts on the natural heritage features or their ecological functions through appropriate measures to the satisfaction of the Town and the NVCA;
 - ii. a natural hazard assessment prepared to the satisfaction of the Town and the NVCA demonstrating that all proposed development will be located in accordance with Section 3.1 of the Provincial Policy Statement; and,
 - iii. details demonstrating that the proposed development satisfies the requirements of the Provincial Policy Statement and the *Endangered Species Act* with respect to species at risk.
 - f. The completion of a Secondary Plan and requirements and studies as per the policies of Section 8.10.2 and the Service Area 3 policies of Section 3.6.3 shall not be required prior to development occurring on the lands designated as DA #2.
-

- g. All current and future applications under the *Planning Act* on the lands designated as DA # 2 shall be circulated to the MTO for review and comment.
- h. All current and future applications for zoning, site plan control approval, severances and/or plan of subdivisions/condominiums shall include submission of the following studies in addition to whatever studies are identified as required by Section 8.13, with the exception of natural heritage studies:
 - i. a water and sanitary sewer servicing strategy that examines potential regional opportunities and constraints;
 - ii. a stormwater management plan that includes a strategy for addressing Silver Creek drainage patterns and spill areas; and
 - iii. a transportation study (including active transportation and transit) that explores potential linkages with adjacent development. This study shall also be circulated to the MTO for review and comment.

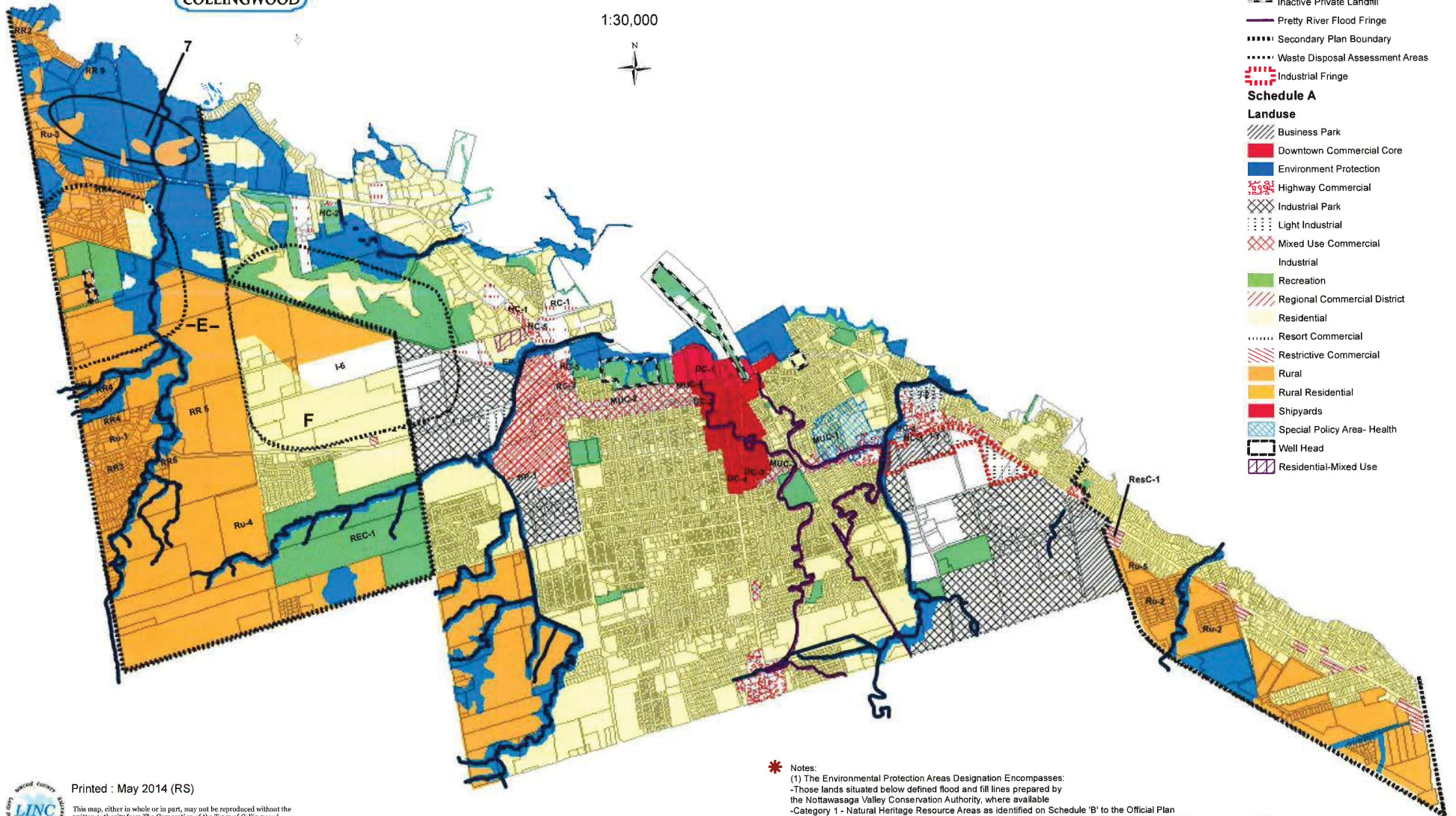
IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan, as well as through a Zoning Bylaw Amendment for the subject lands under Sections 34 and 36 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.



Official Plan of the Town of Collingwood SCHEDULE 'A1'- Land Use Plan

1:30,000



Legend

-  Inactive Private Landfill
 Pretty River Flood Fringe
 Secondary Plan Boundary
 Waste Disposal Assessment Areas

 Industrial F

Schedule A

- Landuse**
-  Business Park
 -  Downtown Commercial Core
 -  Environment Protection
 -  Highway Commercial
 -  Industrial Park
 -  Light Industrial
 -  Mixed Use Commercial
 -  Industrial
 -  Recreation
 -  Regional Commercial District
 -  Residential
 -  Resort Commercial
 -  Restrictive Commercial
 -  Rural
 -  Rural Residential
 -  Shipyards
 -  Special Policy Area- Health
 -  Well Head
 -  Residential-Mixed Use

✱

Notes:

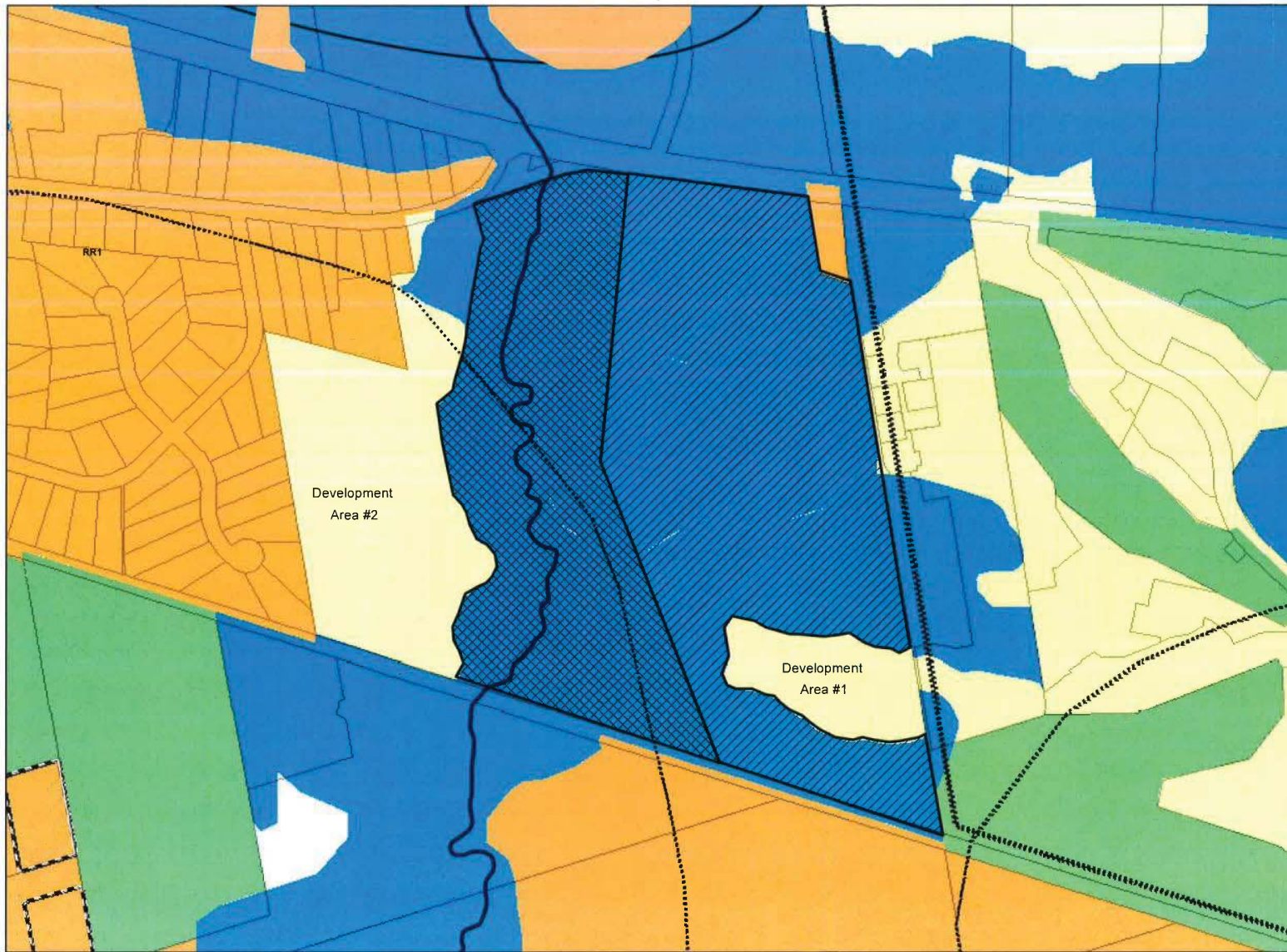
- (1) The Environmental Protection Areas Designation Encompasses:
 -Those lands situated below defined flood and fill lines prepared by the Nottawasaga Valley Conservation Authority, where available
 -Category 1 - Natural Heritage Resource Areas as identified on Schedule 'B' to the Official Plan
 -Areas derived using a "Top of Bank" approach along certain water courses where flood and/or fill lines are not available
 (2) Environmental Protection Areas located on the Nottawasaga Bay shoreline are shown consecutually
 (3) The precise location of the Environmental Protection Areas designation shall, in all cases, be determined as development proceeds in consultation with The County of Simcoe (Nottawasaga Valley Conservation Authority) and the Town of Collingwood.



Official Plan of the Town of Collingwood

SCHEDULE 'A2' - Land Use Plan - Detail

1:5,000



Legend

- Inactive Private Landfill
- Pretty River Flood Fringe
- Secondary Plan Boundary
- Waste Disposal Assessment Areas
- Industrial Fringe

Schedule A

Landuse

- Business Park
- Downtown Commercial Core
- Environment Protection
- Highway Commercial
- Industrial Park
- Light Industrial
- Mixed Use Commercial
- Industrial
- Recreation
- Regional Commercial District
- Residential
- Resort Commercial
- Restrictive Commercial
- Rural
- Rural Residential
- Shipyards
- Special Policy Area- Health
- Well Head
- Residential-Mixed Use
- Lands to be dedicated as per 4.3.4.5.8.13
- Lands to be dedicated as per 4.3.4.4.5.8

Printed : May 2014 (RS)



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Official Plan of the Town of Collingwood

SCHEDULE 'B1' - Environmental Protection- Natural Heritage Resource Areas

Legend

- - - Fish

SCHEDULE B

NATURAL_FE

CATEGORY 1 VALLEYLANDS

CATEGORY 1 WETLANDS

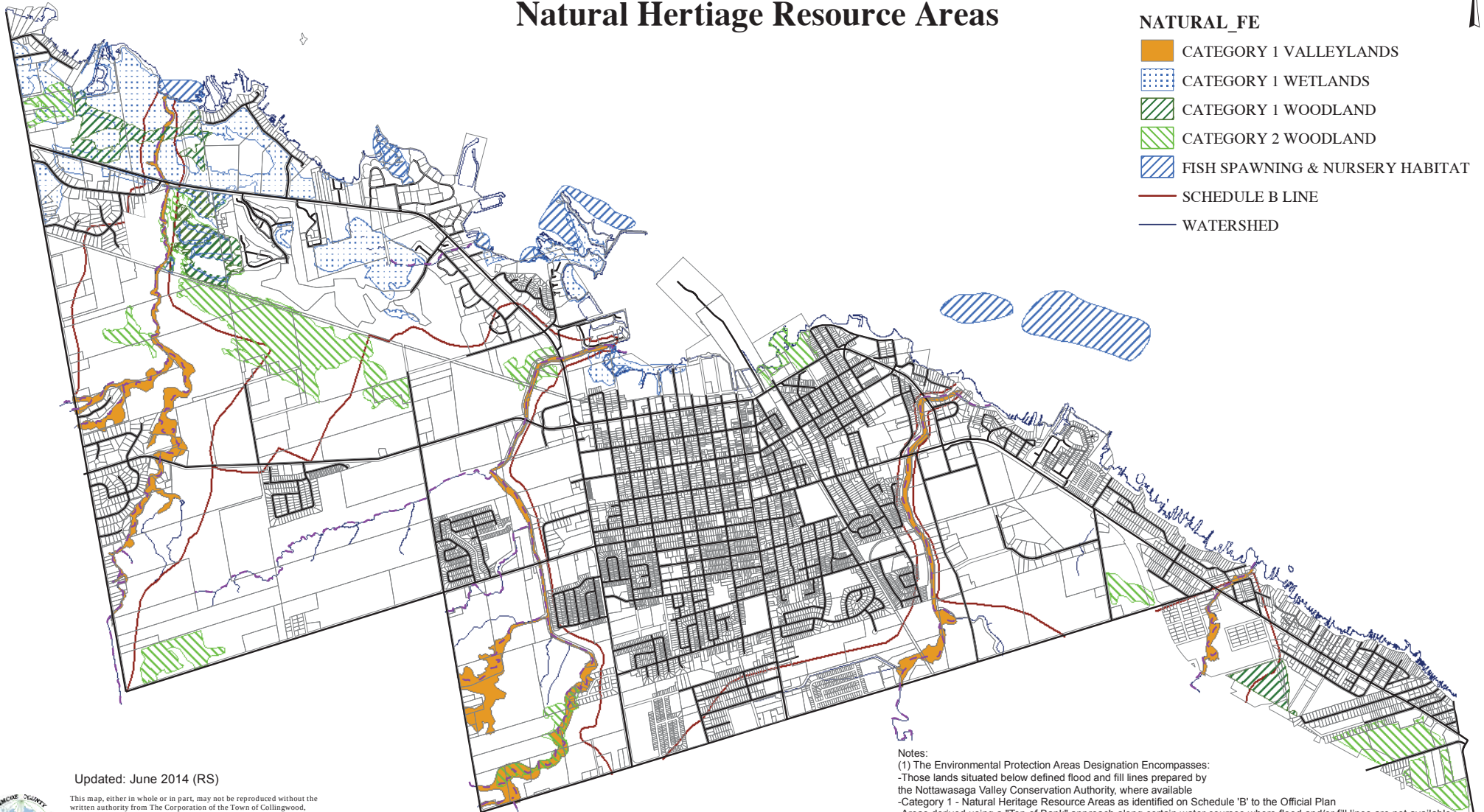
CATEGORY 1 WOODLAND

CATEGORY 2 WOODLAND

FISH SPAWNING & NURSERY HABITAT

SCHEDULE B LINE

WATERSHED



Notes:

- (1) The Environmental Protection Areas Designation Encompasses:
 - Those lands situated below defined flood and fill lines prepared by the Nottawasaga Valley Conservation Authority, where available
 - Category 1 - Natural Heritage Resource Areas as identified on Schedule 'B' to the Official Plan
 - Areas derived using a "Top of Bank" approach along certain water courses where flood and/or fill lines are not available
- (2) Environmental Protection areas along the Nottawasaga Bay shoreline are shown conceptually
- (3) The precise location of the Environmental Protection areas designation shall, in all cases, be determined as development proceeds in consultation with The County of Simcoe (Nottawasaga Valley Conservation Authority) and the Town of Collingwood.

Updated: June 2014 (RS)

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THIS IS NOT A PLAN OF SURVEY.





Official Plan of the Town of Collingwood SCHEDULE 'C' - Residential Density

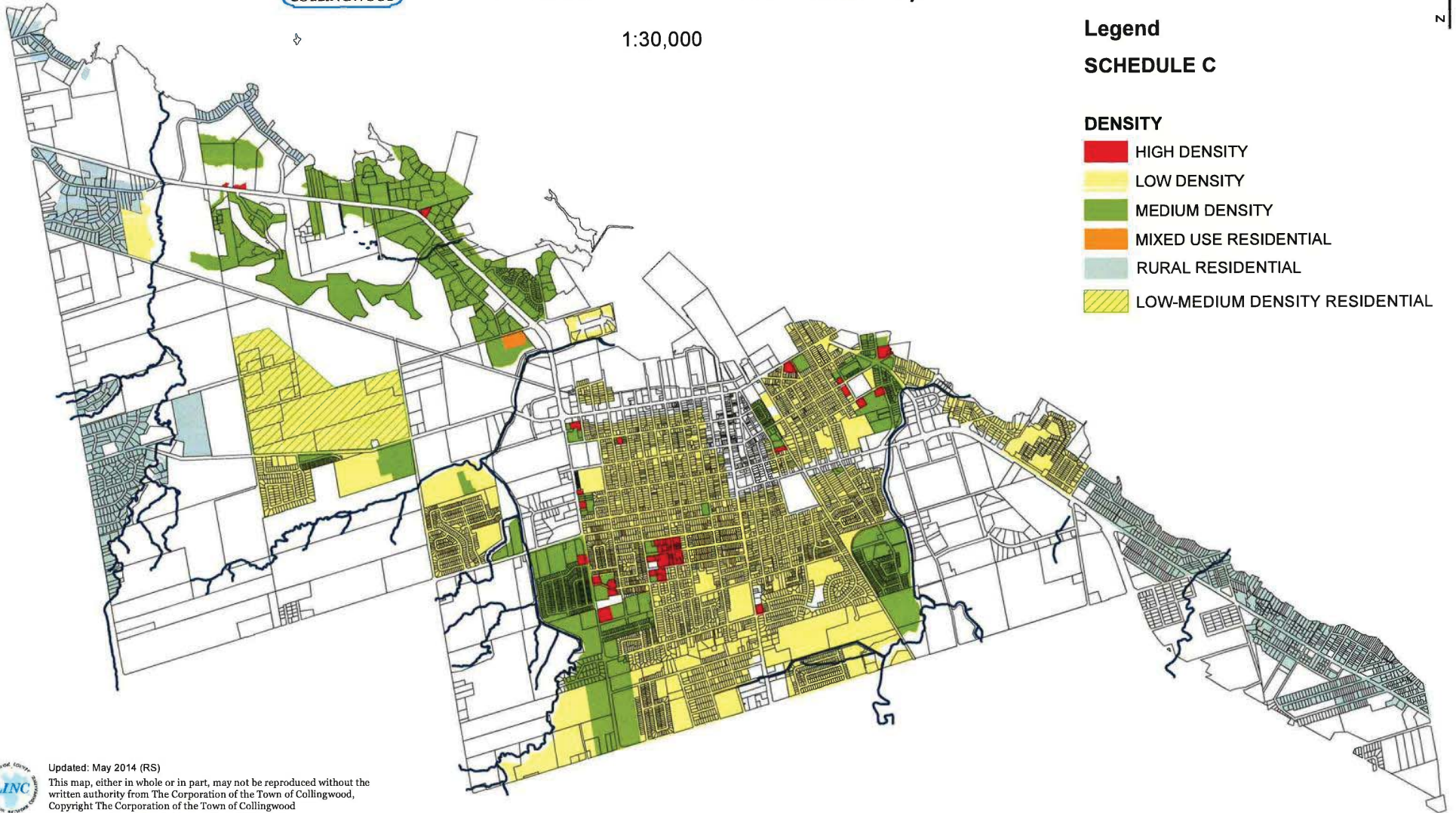
1:30,000

Legend

SCHEDULE C

DENSITY

- HIGH DENSITY
- LOW DENSITY
- MEDIUM DENSITY
- MIXED USE RESIDENTIAL
- RURAL RESIDENTIAL
- LOW-MEDIUM DENSITY RESIDENTIAL



Updated: May 2014 (RS)

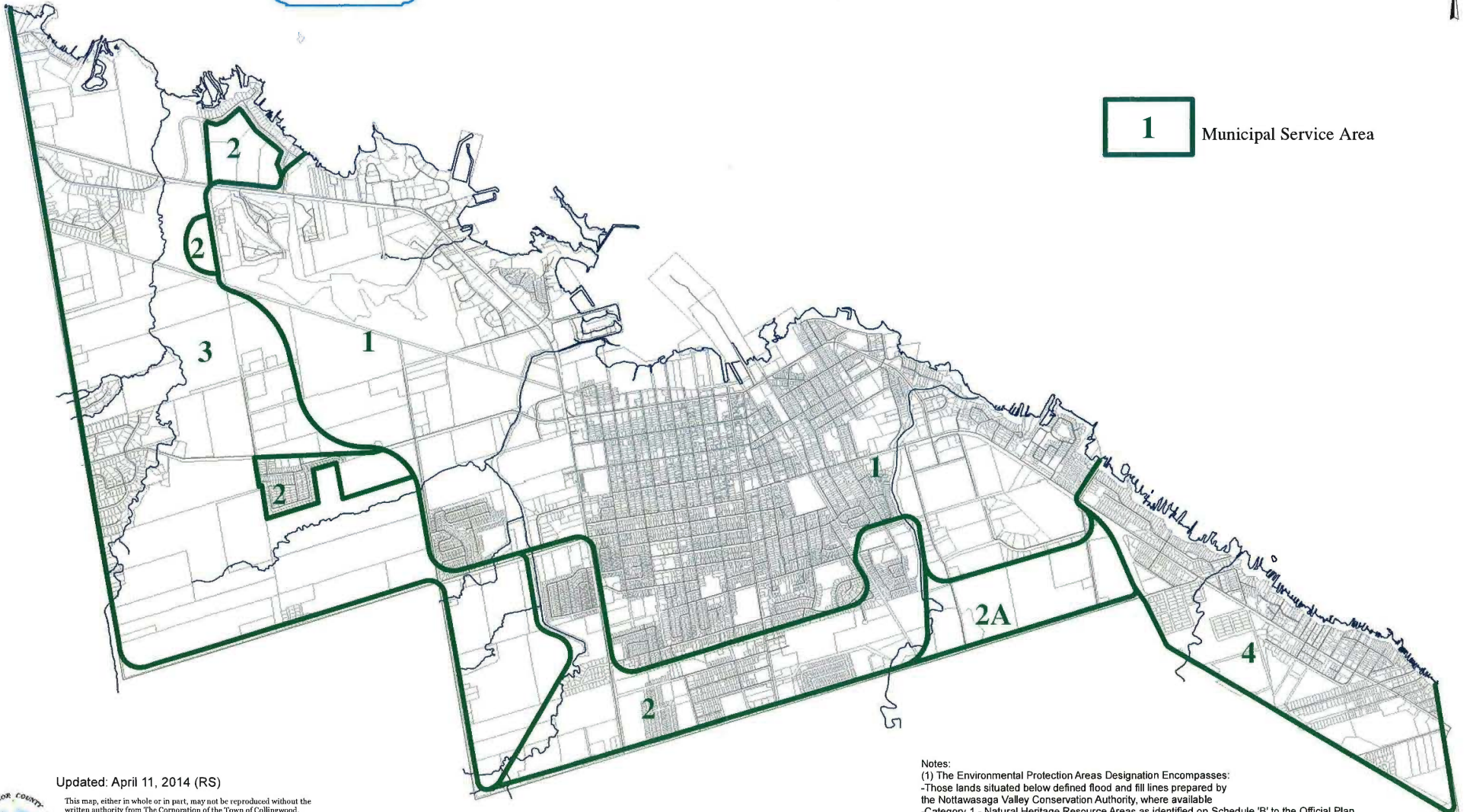
This map, either in whole or in part, may not be reproduced without the written authority from The Corporation of the Town of Collingwood, Copyright The Corporation of the Town of Collingwood Land Information Network Cooperative - LINC 2007 The Ontario Ministry of Natural Resources (Copyright - Queens Printer 2007). ©Teranet Enterprises Inc. and its suppliers all rights reserved, and Members of the Ontario Geospatial Data Exchange. THIS IS NOT A PLAN OF SURVEY.



Official Plan of the Town of Collingwood SCHEDULE 'E1' - Municipal Service Areas



1 Municipal Service Area



Updated: April 11, 2014 (RS)



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Notes:

- (1) The Environmental Protection Areas Designation Encompasses:
 - Those lands situated below defined flood and fill lines prepared by the Nottawasaga Valley Conservation Authority, where available
 - Category 1 - Natural Heritage Resource Areas as identified on Schedule 'B' to the Official Plan
 - Areas derived using a "Top of Bank" approach along certain water courses where flood and/or fill lines are not available
- (2) Environmental Protection areas along the Nottawasaga Bay shoreline are shown conceptually
- (3) The precise location of the Environmental Protection areas designation shall, in all cases, be determined as development proceeds in consultation with The County of Simcoe (Nottawasaga Valley Conservation Authority) and the Town of Collingwood.

TAB 13

Susan Rosenthal
susanr@davieshowe.com
Direct: 416.263.4518
Main: 416.977.7088
Fax: 416.977.8931
File No. 702485-01

September 24, 2019

By Overnight Courier

Ms. Sara Almas
Clerk's Services
Town of Collingwood
P.O. Box 157, 97 Hurontario Street
Collingwood, Ontario L9Y 3Z5

Dear Ms. Almas:

**Re: Notice of Appeal pursuant to s. 34(11) of the *Planning Act*
Application for Zoning By-law Amendment
Huntingwood Trails (Collingwood) Ltd.
Town File No. D14211**

We are counsel to Huntingwood Trails (Collingwood) Ltd., the owners of approximately 49 hectares of lands legally described as Part of Lots 47, 48 and 49, Concession 12 (the "Subject Lands"), in the Town of Collingwood, County of Simcoe.

On January 28, 2011, our client submitted a Zoning By-law Amendment application and related Official Plan and Draft Plan of Subdivision applications in respect of the Subject Lands. On February 28, 2011, the Town of Collingwood (the "Municipality") advised that the applications were deemed complete.

Our client's application for official plan amendment was fully resolved through a settlement reached among the Municipality, the County of Simcoe (the "County") and the Nottawasaga Valley Conservation Authority ("NVCA") implemented in the Minutes of Settlement among the parties in May 2014. A Decision and Order was issued on July 31, 2014 by the then Ontario Municipal Board approving the official plan amendment resolved through the settlement.

On July 30, 2019, our client submitted updated applications for a zoning by-law amendment and subdivision approval, modifying their earlier applications to reflect the Official Plan Amendment approved by the July 31, 2014 decision of the Ontario Municipal Board. In addition, our client submitted updated reports as required pursuant to both the Official Plan Amendment and Minutes of Settlement

The revised Zoning By-law Amendment application subject to this appeal, together with the Draft Plan of Subdivision, seeks to permit the development of 88 single detached

dwelling, 30 semi-detached dwellings, 52 townhouse dwellings situated in 13 blocks, a stormwater management facility, and environmental protection areas (the "Proposal").

The purpose of this letter is to appeal the Zoning By-law Amendment application to the Local Planning Appeal Tribunal pursuant to s. 34(11) of the *Planning Act*. The reasons for the appeal include, but are not limited to, the following:

1. The Municipality has failed to make a decision on our client's Zoning By-law Amendment application within one hundred and twenty (120) days after the application was deemed complete;
2. The Proposal is consistent with the *Provincial Policy Statement* and conforms to the *Growth Plan for the Greater Golden Horseshoe*, the County of Simcoe Official Plan, and the Town of Collingwood Official Plan, as amended pursuant to the Ontario Municipal Board Order dated July 31, 2014;
3. The Proposal would facilitate the development of the Subject Lands in a manner that constitutes good land use planning, is appropriate, and is in the public interest;
4. The Proposal directs growth to a recognized settlement area and represents an appropriate and logical infill of the existing development pattern in the area;
5. The Subject Lands are located in direct proximity to existing municipal servicing and are capable of being municipally serviced;
6. The subject lands are in close proximity to and will support existing transit and provides for potential linkages with adjacent development;
7. All environmental features have been reviewed and assessed, and the Proposal represents an environmentally sustainable form of development;
8. The Proposal adequately addresses the Silver Creek drainage patterns and spill area;
9. Our client has submitted the following supporting reports and studies to the Municipality which demonstrate that the Proposal represents appropriate and good planning:
 - o Functional Servicing and Stormwater Management Report prepared by C. F. Crozier & Associates – January 2011;

- Functional Servicing and Stormwater Management Report Huntingwood Trails, Town of Collingwood, prepared by C.F. Crozier & Associates, updated July 2019;
- Traffic Impact Study prepared by C.F. Crozier & Associates – January 2011;
- Traffic Impact Study Huntingwood Trails, Town of Collingwood, prepared by C.F. Crozier & Associates, updated July 2019;
- Natural Hazards Study prepared by C.F. Crozier & Associates – January, 2011;
- Natural Hazards Study Huntingwood Trails, Town of Collingwood, prepared by C.F. Crozier & Associates, updated July 2019;
- Landfill Impact Assessment, prepared by Terraprobe – January 2011;
- Environmental Impact Statement, prepared by Hensel Design Group Inc. – January 2011;
- Environmental Impact Study Update Huntingwood Trails, Town of Collingwood, prepared by C.F. Crozier & Associates, dated July 2019;
- Stage 1 and 2 Archaeological Assessment, prepared by Amick Consulting – January 2011;
- Planning Justification Report, prepared by D.C. Slade Consultants Inc. – January 2011;
- Public Consultation Plan, prepared by KLM Planning Partners – July, 2019; and

10. Such further and other reasons as counsel may provide and the Tribunal will permit.

We have enclosed with the delivered copy of this Notice of Appeal, our firm cheque in the amount of \$300.00, payable to the Minister of Finance, which represents the prescribed filing fee for this appeal. We have also enclosed a completed copy of the Local Planning Appeal Tribunal Appellant Form (A1).

We are concurrently appealing our client's Draft Plan of Subdivision application. We would request that these matters be consolidated into a single hearing, which we

believe is in the public interest and would result in an efficient use of the Tribunal's hearing time.

We would appreciate receiving confirmation of receipt of this Notice of Appeal and would be pleased to forward any additional information which the Tribunal requires.

We trust that the above is satisfactory. Should you have any questions, please do not hesitate to contact the undersigned.

Yours sincerely,
DAVIES HOWE LLP



Susan Rosenthal
Professional Corporation

SR:zf
encl.:

copy: Client



**Environment and Land Tribunals Ontario
Local Planning Appeal Tribunal**

655 Bay Street, Suite 1500
Toronto ON M5G 1E5

Telephone: 416-212-6349

Toll Free: 1-866-448-2248

Website: www.elto.gov.on.ca

Appellant Form (A1)

Receipt Number (LPAT Office Use Only)

Date Stamp Appeal Received by Municipality/Approval Authority

To file an appeal, select one or more below

- ☒ Appeal of *Planning Act* matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances, proceed to Section 1A
- ☐ Second appeal of a *Planning Act* matter for Official Plans and amendments, Zoning By-Laws and amendments, proceed to Section 1B. NOTE: Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017*, allows appeals to the Tribunal of some *Planning Act* matters previously determined by LPAT.
- ☐ Appeals of other matters, including Development Charges, *Education Act*, *Aggregate Resources Act*, *Municipal Act* and Ontario Heritage, proceed to Section 1C

1 A. Appeal Type (Please check all applicable boxes)

Subject of Appeal	Type of Appeal	Reference (Section)
Planning Act Matters		
Official Plan or Official Plan Amendment	☐ Appeal a decision by local council that adopted an OP or OPA (exempt from approval by Minister or Approval Authority)	17(24)
	☐ Appeal a decision of an Approval Authority that approved or did not approve all or part of a plan or amendment	17(36)
	☐ Approval Authority failed to make a decision on the plan within 120 days	17(40)
	☐ Council failed to adopt the requested amendment within 120 days	22(7)
	☐ Council refuses to adopt the requested amendment	
Zoning By-law or Zoning By-law Amendment	☐ Appeal the passing of a Zoning By-law	34(19)
	☒ Application for an amendment to the Zoning By-law – failed to make a decision on the application within 90 days	34(11)
	☐ Application for an amendment to the Zoning By-law – failed to make a decision within 120 days where the application is associated with an Official Plan Amendment	
	☐ Application for an amendment to the Zoning By-law – refused by the municipality	
Interim Control Zoning By-law	☐ Appeal the passing of an Interim Control By-law within 60 days (Minister only)	38(4)
	☐ Appeal the passing of an extension of an Interim Control By-law within 60 days	38(4.1)
Site Plan	☐ Application for a site plan – council failed to make a decision within 30 days	41(12)

Subject of Appeal	Type of Appeal	Reference (Section)
	☐ Appeal requirements imposed by the municipality or upper tier municipality	41(12.01)
Minor Variance	☐ Appeal a decision of the Committee of Adjustment that approved or refused the application	45(12)
Consent/Severance	☐ Appeal a decision that approved or refused the application	53(19)
	☐ Appeal conditions imposed	
	☐ Appeal changed conditions	53(27)
	☐ Application for consent – Approval Authority failed to make a decision on the application within 90 days	53(14)
Plan of Subdivision	☐ Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 120 days	51(34)
	☐ Appeal a decision of an Approval Authority that approved a plan of subdivision	
	☐ Appeal a decision of an Approval Authority that did not approve a plan of subdivision	
	☐ Appeal a lapsing provision imposed by an Approval Authority	51(39)
	☐ Appeal conditions imposed by an Approval Authority	
	☐ Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal)	51(43)
	☐ Appeal changed conditions	51(48)

1 B. Appeal Type (Please check all applicable boxes) Only for appeal(s) of a new decision or non-decision by municipality or Approval Authority following a previous LPAT Decision (i.e., second appeal).

For matters subject to Bill 139 and the associated transition regulation (the second appeal).

Subject of Appeal	Type of Appeal	Reference (Section)
Planning Act Matters		
Official Plan or Official Plan Amendment	☐ Appeal of a decision by Approval Authority on an OP or OPA (exempt from approval by Minister or Approval Authority) following a LPAT decision	17(24) and 17(49.6)
	☐ Appeal of a decision by Council or Approval Authority on an OP or OPA following a LPAT decision	17(36) and 17(49.6)
	☐ Appeal of a refusal within 90 days by Council following a LPAT decision	22(7) and 22(11.0.12)
	☐ Appeal of a non-decision within 90 days by Council following a LPAT decision	
Zoning By-law or Zoning By-law Amendment	☐ Appeal of a refusal within 90 days by Council following a LPAT decision	34(11) and 34(26.5)
	☐ Appeal of a non-decision within 90 days by Council following a LPAT decision	
	☐ Appeal of a decision by Council following a LPAT decision	34(19) and 34(26.5)

Subject of Appeal	Type of Appeal	Reference (Section)
Development Charges Act Matters		
Development Charge By-law	☐ Appeal a Development Charge By-law	14
	☐ Appeal an amendment to a Development Charge By-law	19(1)
Development Charge Complaint	☐ Appeal municipality's decision regarding a complaint	22(1)
	☐ Failed to make a decision on the complaint within 60 days	22(2)
Front-ending Agreement	☐ Objection to a front-ending agreement	47
	☐ Objection to an amendment to a front-ending agreement	50
Education Act Matters		
Education Development Charge By-law	☐ Appeal an Education Development Charge By-law	257.65
	☐ Appeal an amendment to an Education Development Charge By-law	257.74(1)
Education Development Charge Complaint	☐ Appeal approval authority's decision regarding a complaint	257.87(1)
	☐ Failed to make a decision on the complaint within 60 days	257.87(2)
Aggregate Resources Act Matters		
Aggregate Removal Licence	☐ One or more objections against an application for a 'Class A' aggregate removal licence	11(5)
	☐ One or more objections against an application for a 'Class B' aggregate removal licence	
	☐ Application for a 'Class A' licence – refused by Minister	11(11)
	☐ Application for a 'Class B' licence – refused by Minister	
	☐ Changes to conditions to a licence	13(6)
	☐ Amendment of site plans	16(8)
	☐ Minister proposes to transfer the licence – applicant does not have licensee's consent	18(5)
	☐ Minister proposes to refuse transfer of licence – applicant is licensee or has licensee's consent to transfer	
	☐ Minister proposes to refuse transfer of licence – applicant does not have licensee's consent to transfer	
	☐ Revocation of licence	20(4)
Municipal Act Matters		
Ward Boundary By-law	☐ Appeal the passing of a by-law to divide the municipality into wards	222(4)
	☐ Appeal the passing of a by-law to redivide the municipality into wards	

Subject of Appeal	Type of Appeal	Reference (Section)
	☐ Appeal the passing of a by-law to dissolve the existing wards	

Ontario Heritage Act Matters

Designation of Property	☐ Appeal a Notice of intention to designate property	29(11)
	☐ Appeal of an amendment to a by-law designating property	30.1(10)
	☐ Appeal a Notice of Intention to repeal a designating by-law or part of a designating by-law	31(9)
	☐ Appeal a council's decision to approve or refuse the repealing of a designating by-law or part of a designating by-law	32(7)/32(8)
	☐ Appeal council's decision to alter a heritage designated property	33(9)
Heritage Conservation District	☐ Appeal the passing of a by-law designating a heritage conservation study area	40.1(4)
	☐ Appeal the passing of a by-law designating a heritage conservation district	41(4)

Other Act Matters

Subject of Appeal	Act/Legislation Name	Section Number

2. Location Information

Address and/or Legal Description of property subject to the appeal
Part of Lots 47, 48 and 49, Concession 12

Municipality
Town of Collingwood

Upper Tier (Example: county, district, region)
County of Simcoe

3. Appellant/Objector Information

Note: You must notify the LPAT of any change of address or telephone number in writing. Please quote your LPAT Case/File Number(s) after they have been assigned.

Last Name

First Name

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)
Huntingwood Trails (Collingwood) Ltd.

Email Address

Daytime Telephone Number
416-633-1616

ext.

Alternate Telephone Number

Mailing Address

Unit Number	Street Number 152	Street Name Dalemout Avenue	PO Box
City/Town Toronto	Province Ontario	Country Canada	Postal Code M6B 3C9

4. Representative Information

415

☒ I hereby authorize the named company and/or individual(s) to represent me

Last Name
Rosenthal

First Name
Susan

Company Name
Davies Howe LLP

Professional Title
Lawyer

Email Address
susanr@davieshowe.com

Daytime Telephone Number
416-263-4518

ext.

Alternate Telephone Number

Mailing Address

Unit Number
10th Fl.

Street Number
425

Street Name
Adelaide Street West

PO Box

City/Town
Toronto

Province
Ontario

Country
Canada

Postal Code
M5V 3C1

Note: If you are representing the appellant and are not licensed under the *Law Society Act*, please confirm that you have written authorization, as required by the LPAT's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

☒ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

5. Appeal Reasons

Municipal Reference Number(s)
D14211

For all appeal types, please outline the nature of the appeal and the reasons for your appeal.

Please see covering letter.

For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you intend on arguing one or more of the following:

A: A decision of a Council or Approval Authority is:

- ☐ Inconsistent with the Provincial Policy Statement, issued under subsection 3(1) of the *Planning Act*
- ☐ Fails to conform with or conflicts with a provincial plan
- ☐ Fails to conform with an applicable Official Plan

And

B: For a non-decision or decision to refuse by council:

- ☐ Consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*
- ☐ Conformity with a provincial plan
- ☐ Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan

If you intend on arguing on one or more of the above throughout a proceeding, please explain:

Oral/written submissions to council

If applicable, did you make your opinions regarding this matter known to council?

- ☐ Oral submissions at a public meeting of council
- ☐ Written submissions to council

6. Related Matters

Are there other appeals not yet filed with the Municipality?

- ☐ Yes ☐ No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application)

- ☒ Yes ☐ No ▼

If yes, please provide LPAT Case Number(s) and/or Municipal File Number(s)
D1201111

7. Mediation

Mediation is a confidential process in which the parties to an appeal talk about their differences and, with the facilitative assistance of an impartial individual, a mediator, negotiate a consensual resolution of the appeal. Unless the Tribunal determines that there is a good reason for not addressing the appeal with mediation, all parties shall presume that their differences will first be addressed through a mediation directed by the Tribunal. As such, parties shall act and prepare accordingly, meaning good faith negotiation and collaboration are a priority and are expected by the Tribunal.

- ☒ I have read and understand the above statement.

8. Witness Information

Detail the nature and/or expertise of witnesses you will have available.

Land Use Planner, Transportation, Servicing Engineer(s), Ecologist, Hydrogeology, Natural Hazards, including Floodplain and Spill Management

For all other appeal types :

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.).

9. Required Fee

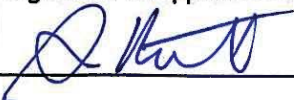
Total Fee Submitted \$ 300

Payment Method ► ☐ Certified cheque ☐ Money Order ☒ Lawyer's general or trust account cheque

10. Declaration

417

I solemnly declare that all of the statements and the information provided, as well as any supporting documents are true, correct and complete.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
Susan Rosenthal		2019/09/24

Personal information or documentation requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13 and the *Local Planning Appeal Tribunal Act*. After an appeal is filed, all information relating to this appeal may become available to the public.

TAB 14

Susan Rosenthal
susanr@davieshowe.com
 Direct: 416.263.4518
 Main: 416.977.7088
 Fax: 416.977.8931
 File No. 702485-01

September 24, 2019

By Overnight Courier

Ms. Sara Almas
 Clerk's Services
 Town of Collingwood
 P.O. Box 157, 97 Hurontario Street
 Collingwood, Ontario L9Y 3Z5

Dear Ms. Almas:

**Re: Notice of Appeal pursuant to s. 51(34) of the *Planning Act*
 Application for Draft Plan of Subdivision Approval
 Huntingwood Trails (Collingwood) Ltd.
 Town File No. D1201111**

We are counsel to Huntingwood Trails (Collingwood) Ltd., the owners of approximately 49 hectares of lands legally described as Part of Lots 47, 48 and 49, Concession 12 (the "Subject Lands"), in the Town of Collingwood, County of Simcoe.

On January 28, 2011, our client submitted a Draft Plan of Subdivision application and related Official Plan and Zoning By-law Amendment applications in respect of the Subject Lands. On February 28, 2011, the Town of Collingwood (the "Municipality") advised that the applications were deemed complete.

Our client's application for official plan amendment was fully resolved through a settlement reached among the Municipality, the County of Simcoe (the "County") and the Nottawasaga Valley Conservation Authority ("NVCA") implemented in the Minutes of Settlement among the parties in May 2014. A Decision and Order was issued on July 31, 2014 by the then Ontario Municipal Board approving the official plan amendment resolved through the settlement.

On July 31, 2019, our client submitted updated applications for a zoning by-law amendment and subdivision approval, modifying their earlier applications to reflect the Official Plan Amendment approved by the July 31, 2014 decision of the Ontario Municipal Board. In addition, our client submitted updated reports as required pursuant to both the Official Plan Amendment and Minutes of Settlement.

The revised Draft Plan of Subdivision subject to this appeal seeks to permit the development of 88 single detached dwellings, 30 semi-detached dwellings, 52 townhouse dwellings in 13 blocks, a stormwater management facility, and environmental protection areas (the "Proposal").

The purpose of this letter is to appeal the Draft Plan of Subdivision application to the Local Planning Appeal Tribunal pursuant to s. 51(34) of the *Planning Act*. The reasons for the appeal include, but are not limited to, the following:

1. The Municipality has failed to make a decision on our client's Draft Plan of Subdivision application within one hundred and eighty (180) days after the application was deemed complete;
2. The Proposal is consistent with the *Provincial Policy Statement* and conforms to the *Growth Plan for the Greater Golden Horseshoe*, the County of Simcoe Official Plan, and the Town of Collingwood Official Plan as amended pursuant to the Ontario Municipal Board Order dated July 31, 2014;
3. The Proposal has regard to the criteria enumerated under subsection 51(24) of the *Planning Act*;
4. The Proposal would facilitate the development of the Subject Lands in a manner that constitutes good land use planning, is appropriate, and is in the public interest;
5. The Proposal directs growth to a recognized settlement area and represents an appropriate and logical infill of the existing development pattern in the area;
6. The Subject Lands are located in direct proximity to existing municipal servicing and are capable of being municipally serviced;
7. The subject lands are in close proximity to and will support existing transit and provides for potential linkages with adjacent development;
8. All environmental features have been reviewed and assessed, and the Proposal represents an environmentally sustainable form of development;
9. The Proposal adequately addresses the Silver Creek drainage patterns and spill area;
10. Our client has submitted the following supporting reports and studies to the Municipality which demonstrate that the Proposal represents appropriate and good planning:

- Functional Servicing and Stormwater Management Report prepared by C. F. Crozier & Associates – January 2011;
- Functional Servicing and Stormwater Management Report Huntingwood Trails, Town of Collingwood, prepared by C.F. Crozier & Associates, updated July 2019;
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- Traffic Impact Study Huntingwood Trails, Town of Collingwood, prepared by C.F. Crozier & Associates, updated July 2019;
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- Natural Hazards Study Huntingwood Trails, Town of Collingwood, prepared by C.F. Crozier & Associates, updated July 2019;
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- Environmental Impact Statement, prepared by Hensel Design Group Inc. – January 2011;
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- Stage 1 and 2 Archaeological Assessment, prepared by Amick Consulting – January 2011;
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- Public Consultation Plan, prepared by KLM Planning Partners – July, 2019; and

11. Such further and other reasons as counsel may provide and the Tribunal will permit.

We have enclosed with the delivered copy of this Notice of Appeal, our firm cheque in the amount of \$300.00, payable to the Minister of Finance, which represents the prescribed filing fee for this appeal. We have also enclosed a completed copy of the Local Planning Appeal Tribunal Appellant Form (A1).

We are concurrently appealing our client's Zoning By-law Amendment application. We would request that these matters be consolidated into a single hearing, which we believe is in the public interest and would result in an efficient use of the Tribunal's hearing time.

We would appreciate receiving confirmation of receipt of this Notice of Appeal and would be pleased to forward any additional information which the Tribunal requires.

We trust that the above is satisfactory. Should you have any questions, please do not hesitate to contact the undersigned.

Yours sincerely,
DAVIES HOWE LLP



Susan Rosenthal
Professional Corporation

SR:zf
encl.:

copy: Client



Environment and Land Tribunals Ontario
Local Planning Appeal Tribunal
 655 Bay Street, Suite 1500
 Toronto ON M5G 1E5
 Telephone: 416-212-6349
 Toll Free: 1-866-448-2248
 Website: www.elto.gov.on.ca

Appellant Form (A1)

Receipt Number (LPAT Office Use Only)

Date Stamp Appeal Received by Municipality/Approval Authority

To file an appeal, select one or more below

- ☒ Appeal of *Planning Act* matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances, proceed to Section 1A
- ☐ Second appeal of a *Planning Act* matter for Official Plans and amendments, Zoning By-Laws and amendments, proceed to Section 1B. NOTE: Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017*, allows appeals to the Tribunal of some *Planning Act* matters previously determined by LPAT.
- ☐ Appeals of other matters, including Development Charges, *Education Act*, *Aggregate Resources Act*, *Municipal Act* and Ontario Heritage, proceed to Section 1C

1 A. Appeal Type (Please check all applicable boxes)

Subject of Appeal	Type of Appeal	Reference (Section)
Planning Act Matters		
Official Plan or Official Plan Amendment	☐ Appeal a decision by local council that adopted an OP or OPA (exempt from approval by Minister or Approval Authority)	17(24)
	☐ Appeal a decision of an Approval Authority that approved or did not approve all or part of a plan or amendment	17(36)
	☐ Approval Authority failed to make a decision on the plan within 120 days	17(40)
	☐ Council failed to adopt the requested amendment within 120 days	22(7)
	☐ Council refuses to adopt the requested amendment	
Zoning By-law or Zoning By-law Amendment	☐ Appeal the passing of a Zoning By-law	34(19)
	☐ Application for an amendment to the Zoning By-law – failed to make a decision on the application within 90 days	34(11)
	☐ Application for an amendment to the Zoning By-law – failed to make a decision within 120 days where the application is associated with an Official Plan Amendment	
	☐ Application for an amendment to the Zoning By-law – refused by the municipality	
Interim Control Zoning By-law	☐ Appeal the passing of an Interim Control By-law within 60 days (Minister only)	38(4)
	☐ Appeal the passing of an extension of an Interim Control By-law within 60 days	38(4.1)
Site Plan	☐ Application for a site plan – council failed to make a decision within 30 days	41(12)

Subject of Appeal	Type of Appeal	Reference (Section)
	☐ Appeal requirements imposed by the municipality or upper tier municipality	41(12.01)
Minor Variance	☐ Appeal a decision of the Committee of Adjustment that approved or refused the application	45(12)
Consent/Severance	☐ Appeal a decision that approved or refused the application	53(19)
	☐ Appeal conditions imposed	
	☐ Appeal changed conditions	53(27)
	☐ Application for consent – Approval Authority failed to make a decision on the application within 90 days	53(14)
Plan of Subdivision	☒ Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 120 days	51(34)
	☐ Appeal a decision of an Approval Authority that approved a plan of subdivision	
	☐ Appeal a decision of an Approval Authority that did not approve a plan of subdivision	
	☐ Appeal a lapsing provision imposed by an Approval Authority	51(39)
	☐ Appeal conditions imposed by an Approval Authority	
	☐ Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal)	51(43)
	☐ Appeal changed conditions	51(48)

1 B. Appeal Type (Please check all applicable boxes) Only for appeal(s) of a new decision or non-decision by municipality or Approval Authority following a previous LPAT Decision (i.e., second appeal).

For matters subject to Bill 139 and the associated transition regulation (the second appeal).

Subject of Appeal	Type of Appeal	Reference (Section)
Planning Act Matters		
Official Plan or Official Plan Amendment	☐ Appeal of a decision by Approval Authority on an OP or OPA (exempt from approval by Minister or Approval Authority) following a LPAT decision	17(24) and 17(49.6)
	☐ Appeal of a decision by Council or Approval Authority on an OP or OPA following a LPAT decision	17(36) and 17(49.6)
	☐ Appeal of a refusal within 90 days by Council following a LPAT decision	22(7) and 22(11.0.12)
	☐ Appeal of a non-decision within 90 days by Council following a LPAT decision	
Zoning By-law or Zoning By-law Amendment	☐ Appeal of a refusal within 90 days by Council following a LPAT decision	34(11) and 34(26.5)
	☐ Appeal of a non-decision within 90 days by Council following a LPAT decision	
	☐ Appeal of a decision by Council following a LPAT decision	34(19) and 34(26.5)

Subject of Appeal	Type of Appeal	Reference (Section)
Development Charges Act Matters		
Development Charge By-law	☐ Appeal a Development Charge By-law	14
	☐ Appeal an amendment to a Development Charge By-law	19(1)
Development Charge Complaint	☐ Appeal municipality's decision regarding a complaint	22(1)
	☐ Failed to make a decision on the complaint within 60 days	22(2)
Front-ending Agreement	☐ Objection to a front-ending agreement	47
	☐ Objection to an amendment to a front-ending agreement	50
Education Act Matters		
Education Development Charge By-law	☐ Appeal an Education Development Charge By-law	257.65
	☐ Appeal an amendment to an Education Development Charge By-law	257.74(1)
Education Development Charge Complaint	☐ Appeal approval authority's decision regarding a complaint	257.87(1)
	☐ Failed to make a decision on the complaint within 60 days	257.87(2)
Aggregate Resources Act Matters		
Aggregate Removal Licence	☐ One or more objections against an application for a 'Class A' aggregate removal licence	11(5)
	☐ One or more objections against an application for a 'Class B' aggregate removal licence	
	☐ Application for a 'Class A' licence – refused by Minister	11(11)
	☐ Application for a 'Class B' licence – refused by Minister	
	☐ Changes to conditions to a licence	13(6)
	☐ Amendment of site plans	16(8)
	☐ Minister proposes to transfer the licence – applicant does not have licensee's consent	18(5)
	☐ Minister proposes to refuse transfer of licence – applicant is licensee or has licensee's consent to transfer	
	☐ Minister proposes to refuse transfer of licence – applicant does not have licensee's consent to transfer	
	☐ Revocation of licence	20(4)
Municipal Act Matters		
Ward Boundary By-law	☐ Appeal the passing of a by-law to divide the municipality into wards	222(4)
	☐ Appeal the passing of a by-law to redivide the municipality into wards	

Subject of Appeal	Type of Appeal	Reference (Section)
	☐ Appeal the passing of a by-law to dissolve the existing wards	

Ontario Heritage Act Matters

Designation of Property	☐ Appeal a Notice of intention to designate property	29(11)
	☐ Appeal of an amendment to a by-law designating property	30.1(10)
	☐ Appeal a Notice of Intention to repeal a designating by-law or part of a designating by-law	31(9)
	☐ Appeal a council's decision to approve or refuse the repealing of a designating by-law or part of a designating by-law	32(7)/32(8)
	☐ Appeal council's decision to alter a heritage designated property	33(9)
Heritage Conservation District	☐ Appeal the passing of a by-law designating a heritage conservation study area	40.1(4)
	☐ Appeal the passing of a by-law designating a heritage conservation district	41(4)

Other Act Matters

Subject of Appeal	Act/Legislation Name	Section Number

2. Location Information

Address and/or Legal Description of property subject to the appeal
Part of Lots 47, 48 and 49, Concession 12

Municipality
Town of Collingwood

Upper Tier (Example: county, district, region)
County of Simcoe

3. Appellant/Objector Information

Note: You must notify the LPAT of any change of address or telephone number in writing. Please quote your LPAT Case/File Number(s) after they have been assigned.

Last Name

First Name

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)
Huntingwood Trails (Collingwood) Ltd.

Email Address

Daytime Telephone Number
416-633-1616

ext.

Alternate Telephone Number

Mailing Address

Unit Number	Street Number 152	Street Name Dalemount Avenue	PO Box
City/Town Toronto	Province Ontario	Country Canada	Postal Code M6B 3C9

4. Representative Information

427

☒ I hereby authorize the named company and/or individual(s) to represent me

Last Name
Rosenthal

First Name
Susan

Company Name
Davies Howe LLP

Professional Title
Lawyer

Email Address
susanr@davieshowe.com

Daytime Telephone Number
416-263-4518

ext.

Alternate Telephone Number

Mailing Address

Unit Number
10th Fl.

Street Number
425

Street Name
Adelaide Street West

PO Box

City/Town
Toronto

Province
Ontario

Country
Canada

Postal Code
M5V 3C1

Note: If you are representing the appellant and are not licensed under the *Law Society Act*, please confirm that you have written authorization, as required by the LPAT's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

☒ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

5. Appeal Reasons

Municipal Reference Number(s)
D1201111

For all appeal types, please outline the nature of the appeal and the reasons for your appeal.

Please see covering letter.

For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you intend on arguing one or more of the following:

A: A decision of a Council or Approval Authority is:

- ☐ Inconsistent with the Provincial Policy Statement, issued under subsection 3(1) of the *Planning Act*
- ☐ Fails to conform with or conflicts with a provincial plan
- ☐ Fails to conform with an applicable Official Plan

And

B: For a non-decision or decision to refuse by council:

- ☐ Consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*
- ☐ Conformity with a provincial plan
- ☐ Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan

If you intend on arguing on one or more of the above throughout a proceeding, please explain:

Oral/written submissions to council

If applicable, did you make your opinions regarding this matter known to council?

- ☐ Oral submissions at a public meeting of council
- ☐ Written submissions to council

6. Related Matters

Are there other appeals not yet filed with the Municipality?

- ☐ Yes ☐ No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application)

- ☒ Yes ☐ No ▼

If yes, please provide LPAT Case Number(s) and/or Municipal File Number(s)
D14211

7. Mediation

Mediation is a confidential process in which the parties to an appeal talk about their differences and, with the facilitative assistance of an impartial individual, a mediator, negotiate a consensual resolution of the appeal. Unless the Tribunal determines that there is a good reason for not addressing the appeal with mediation, all parties shall presume that their differences will first be addressed through a mediation directed by the Tribunal. As such, parties shall act and prepare accordingly, meaning good faith negotiation and collaboration are a priority and are expected by the Tribunal.

- ☒ I have read and understand the above statement.

8. Witness Information

Detail the nature and/or expertise of witnesses you will have available.

Land Use Planner, Transportation, Servicing Engineer(s), Ecologist, Hydrogeology, Natural Hazards, including Floodplain and Spill Management

For all other appeal types :

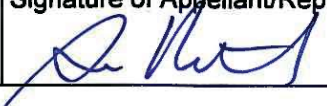
Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.).

9. Required Fee

Total Fee Submitted \$ 300

Payment Method ► ☐ Certified cheque ☐ Money Order ☒ Lawyer's general or trust account cheque

I solemnly declare that all of the statements and the information provided, as well as any supporting documents are true, correct and complete.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
Susan Rosenthal		2019/12/24

Personal information or documentation requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13 and the *Local Planning Appeal Tribunal Act*. After an appeal is filed, all information relating to this appeal may become available to the public.

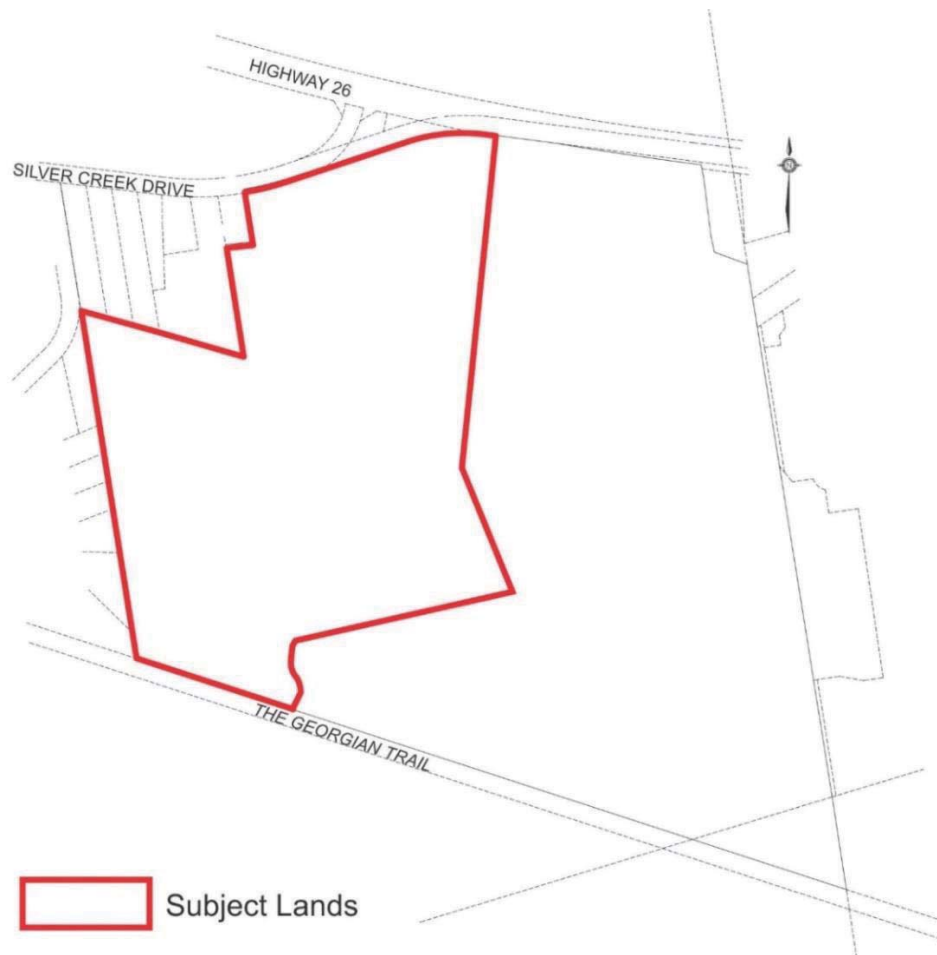
TAB 15

DRAFT July 28, 2022
EXPLANATORY NOTE
TO THE CORPORATION OF THE TOWN OF COLLINGWOOD
BY-LAW NO. 2022-_____

By-law No. 2022-_____ is a By-law under the provisions of Section 34 and 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended, for prohibiting the use of land for or except for such purposes as may be set out in the By-law.

The purpose and effect of the proposed Zoning By-law Amendment is to re-zone the subject lands from Residential First Density Exception Twelve (R1-12), (Holding 1) Rural Exception Three ((H1)RU-3), Rural - RU and Environmental Protection - EP Zones to the: (Holding 20) Residential Second Density Exception 27 ((H20) R2 – 27), (Holding 20) Residential Second Density Exception 28 ((H 20)R2 – 28), (Holding 20) Residential Second Density Exception 29 ((H20)R2-29), (Holding 20)Residential Second Density Exception 30 ((H20)R2-30), (Holding 20) Residential Third Density Exception 62 ((H20)R3 – 62)), (Holding 20)Residential Third Density Exception 63 ((H20) R3 – 63)), and Deferred Development (DR) and Environmental Protection (EP) Zones.

The effect of the proposed Zoning By-law Amendment is to implement the development of eighty-six (86) single detached dwellings, fourteen (14) semi-detached dwellings, one (1) deferred development block, one (1) stormwater management facility, two (2) open space blocks and one (1) environmental protection area block.



BY-LAW NO. 2022-_____
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD

BEING A BY-LAW UNDER THE PROVISION OF SECTION 34 OF THE
PLANNING ACT, R.S.O. 1990, c.P.13, AS AMENDED

WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, permits a Council to pass a by-law prohibiting the uses of land, buildings or structures within a defined area or areas;

AND WHEREAS Section 36 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits the use of the holding symbol “H” in conjunction with any use designation, specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the by-law;

AND WHEREAS Collingwood Zoning By-law No. 2010-40 is the governing By-law of the Corporation of the Town of Collingwood and such was finally passed by the Council of the Town of Collingwood on April 12, 2010;

AND WHEREAS the Ontario Land Tribunal has deemed it advisable to amend Collingwood Zoning By-law No. 2010-40 and thus implement the Official Plan of the Town of Collingwood, more specifically the Official Plan as amended by OMB Decision dated July 31, 2014 for file PL120784;

NOW THEREFORE THE ONTARIO LAND TRIBUNAL ENACTS AS FOLLOWS:

1. **THAT** Schedule ‘A’ – Map 2 of Collingwood Zoning By-law No. 2010-40, as amended, is hereby further amended as it pertains to lands shown more particularly on Schedule ‘A’, affixed hereto and forming part of this By-law, by re-zoning said lands from Residential First Density Exception Twelve (R1-12), (Holding 1) Rural Exception Three ((H1)RU-3), Rural - RU and Environmental Protection - EP Zones to the: (Holding 20) Residential Second Density Exception 27 ((H20) R2 – 27), (Holding 20) Residential Second Density Exception 28 ((H20)R2 – 28), (Holding 20) Residential Second Density Exception 29 ((H20)R2-29), (Holding 20)Residential Second Density Exception 30 ((H20)R2-30), (Holding 20) Residential Third Density Exception 62 ((H20)R3 – 62)), (Holding 20)Residential Third Density Exception 63 ((H20) R3 – 63)), and Deferred Development (DR) and Environmental Protection (EP) Zones.
2. **THAT** Section 6.5 titled ‘Residential Exception Zones’ of Collingwood Zoning By-law No. 2010-40, as amended, is hereby amended in part by adding the zone classification Residential Second Density Exceptions (R2-27) Zone as follows:

“Residential Second Density Exception 27 (R2- 27)

Uses shall be limited to Single Detached Dwellings.

The following zone exceptions shall apply:

Minimum Rear Yard: 10 metres”

3. **THAT** Section 6.5 titled ‘Residential Exception Zones’ of Collingwood Zoning By-law No. 2010-40, as amended, is hereby amended in part by adding the zone classification Residential Second Density Exception 28 (R2-28) Zone, as follows:

“Residential Second Density Exception 28 (R2- 28)

Uses shall be limited to Single Detached Dwellings.

The following zone exceptions shall apply:

Minimum Rear Yard:	10 metres
Minimum Lot Frontage:	12.5 metres”

4. **THAT** Section 6.5 titled ‘Residential Exception Zones’ of Collingwood Zoning By-law No. 2010-40, as amended, is hereby amended in part by adding the zone classification Residential Second Density Exception 29 (R2- 29) Zone, as follows:

“Residential Second Density Exception 29 (R2 -29)

- i) Uses shall be limited to Single Detached Dwellings.”

5. **THAT** Section 6.5 titled ‘Residential Exception Zones’ of Collingwood Zoning By-law No. 2010-40, as amended, is hereby amended in part by adding the zone classification Residential Second Density Exception 30 (R2 – 30) Zone in proper sequence, as follows:

“Residential Second Density Exception 30 (R2 – 30)

Uses shall be limited to Single Detached Dwellings.

The following zone exception shall apply:

Minimum Lot Frontage:	12.5 metres”

6. **THAT** Section 6.5 titled ‘Residential Exception Zones’ of Collingwood Zoning By-law No. 2010-40, as amended, is hereby amended in part by adding the zone classification Residential Third Density Exception 62 (R3 -62) Zone, as follows:

“Residential Third Density Exception 62 (R3- 62)

- i) Uses shall be limited to Single Detached Dwellings.

7. **THAT** Section 6.5 titled ‘Residential Exception Zones’ of Collingwood Zoning By-law No. 2010-40, as amended, is hereby amended in part by adding the zone classification Residential Third Density Exception 63 (R3-63) Zone in proper sequence, as follows:

“Residential Third Density Exception 63 (R3- 63)

- i) Uses shall be limited to Single Detached Dwellings and Semi-Detached Dwellings.
 ii) The boundary between the Environmental Protection (EP) zone and the R3-63 Zone shall be deemed to follow the applicable lot and block lines on the registered plan of subdivision.

8. **THAT** Table 2.5.5.1 titled ‘Holding Zone Conditions’ of Collingwood Zoning By-law No. 2010-40, as amended, is hereby amended in part by adding the following after H19:

H20	I. Confirmation of municipal water and wastewater servicing capacity and allocation to the satisfaction of the Town. II. The adoption of an authorization by-law for the subdivision agreement.

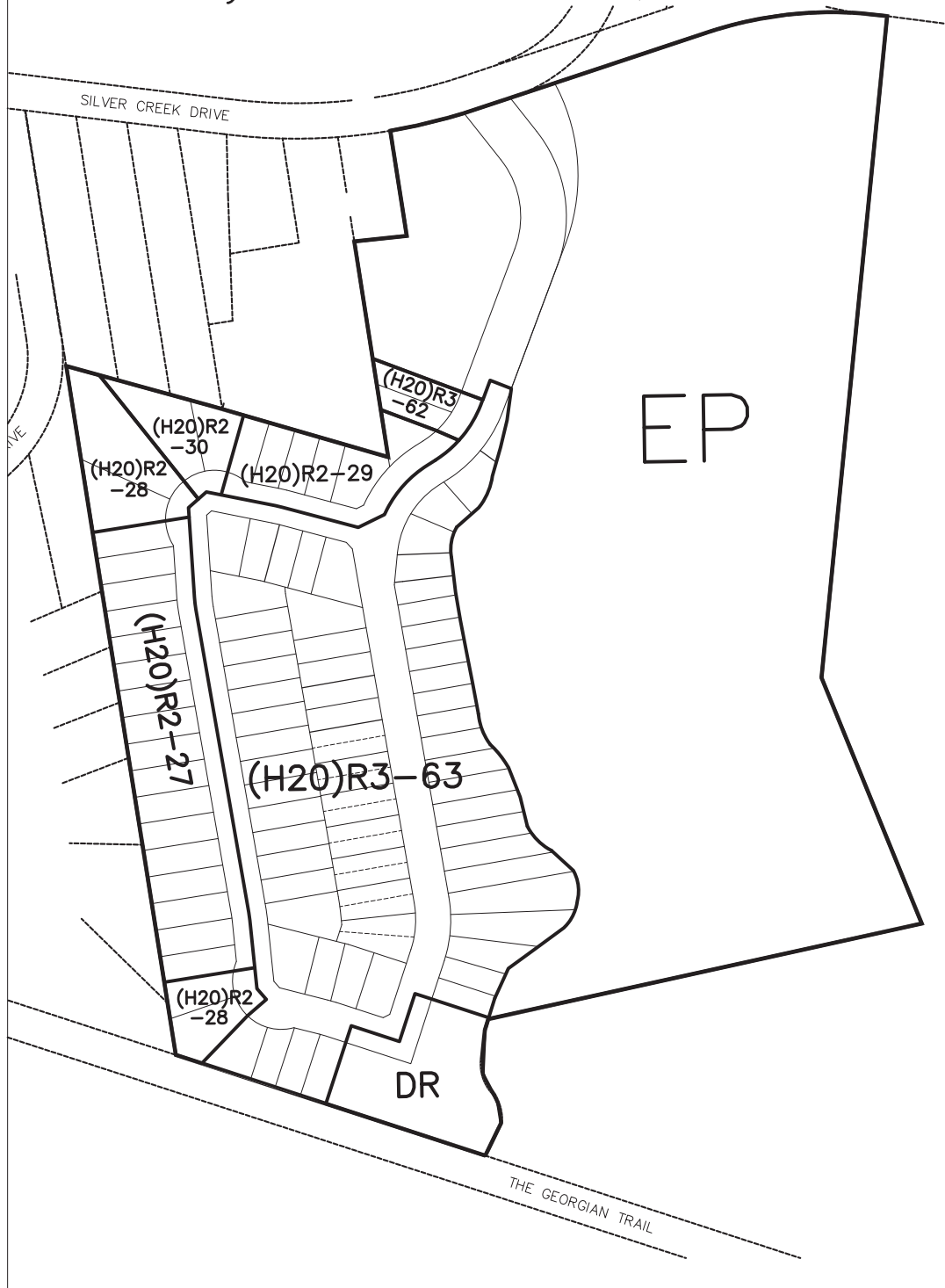
9. **THAT** Notwithstanding the provisions of Section 2.7.2, the following shall apply with respect to the lands Zoned DR on Schedule ‘A’ to By-law No. 2022-____:

In addition to the uses permitted in section 2.7.2, the lands zoned DR on schedule ‘A’ to By-law No. 2022-____are limited to a public walkway and to those uses that lawfully existed at the date of this Zoning By-law coming into force, or as the case may be, those lawfully existing prior to the deferred development zone coming into force and effect.

10. **THAT** Zoning By-law 2010-40 is hereby amended to give effect to the foregoing, but Collingwood Zoning By-law No. 2010-40 shall in all other respects remain of full force and effect.
11. **THAT** this By-law shall come into full force and effect on the date it is approved by the Ontario Land Tribunal.

ENACTED AND PASSED this ____ day of _____, 2022.

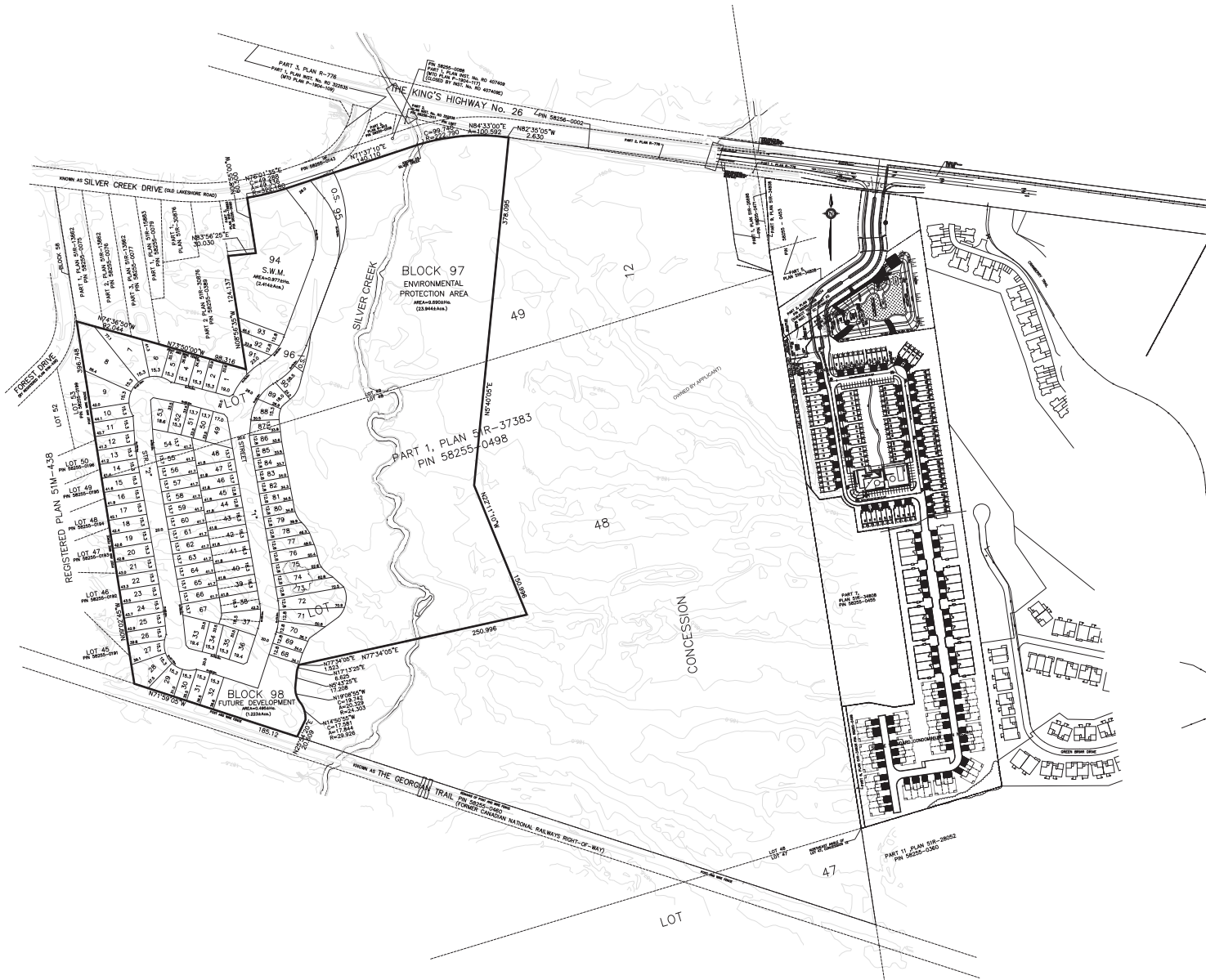
This is Schedule 'A' to
 By-law No. 2022-_____
 enacted and passed the _____
 day of _____, 2022.



TAB 16

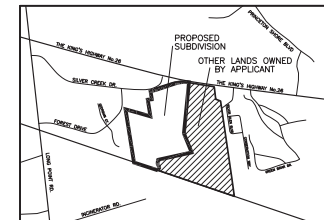
DRAFT PLAN OF SUBDIVISION PART OF LOTS 48 AND 49, CONCESSION 12 TOWN OF COLLINGWOOD (GEOGRAPHIC TOWNSHIP OF NOTTAWASAGA) COUNTY OF SIMCOE

SCALE 1:1500



DRAFT PLAN T-

438



KEY PLAN

SCALE: 1:15 000

SECTION 51, PLANNING ACT, ADDITIONAL INFORMATION

- A. AS SHOWN ON DRAFT PLAN
- B. AS SHOWN ON DRAFT PLAN
- C. AS SHOWN ON DRAFT PLAN
- D. SEE SCHEDULE OF LAND USE
- E. AS SHOWN ON DRAFT PLAN
- F. AS SHOWN ON DRAFT PLAN
- G. NOT APPLICABLE
- H. AS SHOWN ON DRAFT PLAN
- I. MUNICIPAL PIPED WATER AVAILABLE AT TIME OF DEVELOPMENT
- J. CLAY-LOAM
- K. AS SHOWN ON DRAFT PLAN
- L. SANITARY AND STORM SEWERS, GARBAGE COLLECTION, FIRE PROTECTION
- M. AS SHOWN ON DRAFT PLAN

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AS SHOWN ON THIS PLAN, AND THEIR RELATIONSHIP TO THE ADJACENT LAND ARE ACCURATELY AND CORRECTLY SHOWN.

Original Signed By Surveyor

DATE: 2019

OWNER'S CERTIFICATE

I AUTHORIZE KLM PLANNING PARTNERS INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF COLLINGWOOD FOR APPROVAL.

OWNER

HUNTINGWOOD TRAILS (COLLINGWOOD) LTD.

Original Signed By Owner

152 DALEMOUNT AVENUE
TORONTO
ONTARIO
M6B 3C9

EDWARD WEISZ
A.S.C.

SCHEDULE OF LAND USE

TOTAL AREA OF LAND TO BE SUBDIVIDED = 20.299±Ha. (50.159±Ac.)

DETACHED DWELLINGS	BLOCKS	LOTS	UNITS	±Ha.	±Ac.
LOTS 1-36, 52-53, and 88-91 MIN LOT FRONTAGE=13.0m. MIN LOT AREA=48.0sq.m.		42	42	2.877	7.108
LOTS 46-51, 54-67, and 87 MIN LOT FRONTAGE=13.0m. MIN LOT AREA=48.0sq.m.		21	21	1.270	3.138
LOTS 44-45, 51-52, 68-69, and 92-93 MIN LOT FRONTAGE=12.0m. MIN LOT AREA=40.0sq.m.		23	23	1.362	3.366
SEMI-DETACHED DWELLINGS					
LOTS 37-43 MIN LOT FRONTAGE=10.0m. MIN LOT AREA=70.0sq.m.		7	14	0.548	1.354
SUBTOTAL		93	100	6.057	14.967
BLOCK 94 - STORM WATER MANAGEMENT	1			0.977	2.414
BLOCKS 95-96 - OPEN SPACE	2			0.139	0.343
BLOCK 97 - ENVIRONMENTAL PROTECTION AREA	1			10.278	25.399
BLOCK 98 - FUTURE DEVELOPMENT	1			TBD	0.495
STREETS					
26.0m. WIDE TOTAL LENGTH=382m. AREA=0.133Ha. 20.0m. WIDE TOTAL LENGTH=370m. AREA=0.102Ha. TOTAL LENGTH=752m. AREA=0.235Ha.				2.353	5.814
TOTAL	5	93	100	20.299	50.159

DENSITY

DEVELOPMENT	AREA (±Ha)	UNITS	PROPOSED DENSITY (u/Ha)
RESIDENTIAL AREA AND STREETS	8.410	100	11.89
FUTURE DEVELOPMENT	0.495	7 (MAX)	14.14
TOTAL	8.905	107	12

MAXIMUM NUMBER OF UNITS PERMITTED=12 UNITS PER GROSS Ha. OR 107 UNITS

NOTE - ELEVATIONS RELATED TO CANADIAN GEODETIC DATUM

TAB 17

DRAFT PLAN CONDITIONS

Huntingwood Trails (Collingwood) Ltd.
Part of Lots 47, 48 and 49, Concession 12 Town of Collingwood
Municipality File No.: D1201111
OLT File No.: PL190516

No.	Conditions
1.	That this approval applies to the Draft Plan of Subdivision located on Part of Lots 48 and 49, Concession 12 former Township of Nottawasaga, now Town of Collingwood, County of Simcoe prepared by KLM Planning Partners Inc, dated June 14th, 2021 and showing a total of: a. 86 single detached residential lots (Lots1-36 and 44-93); b. 14 semi-detached residential lots (Lots 37-43); c. 1 lot for future development (Lot 98) for a maximum of 7 units; d. 1 Block for environmental protection purposes (Block 97); e. 1 Block for Storm Water Management (Block 94); and f. 2 Open Space Blocks (Blocks 95 and 96), as well as g. Public Road Allowances as shown on the Plan.
2.	That the Owner shall agree in writing to satisfy all the requirements, financial and otherwise of the Town of Collingwood prior to final approval.
3.	That prior to final approval and registration, the appropriate zoning shall be in effect for the proposed subdivision.
4.	That the Owner shall enter into a Subdivision Agreement for servicing, development and other necessary matters, satisfactory to the Town of Collingwood or any other appropriate authority before any development, tree removal or site alteration within the plan unless the requirements of condition 21, 45 and 46 are satisfied with respect to tree removal and site alteration and a pre-servicing agreement and/or site alteration agreement for grading is entered into for servicing in advance of registration.. This Subdivision agreement may deal with matters including, but not limited to, the following: a. Engineering and conservation works which include municipal services; b. Professional services including preparation of reports, plans, inspections, certifications and approvals; c. Hydro; d. Storm sewers, stormwater management; e. Road widenings and reconstruction; f. Monitoring wells; g. Securities or letters of credit, cash contributions, levies (development charges); h. Emergency services; i. Land dedications and easements, road reserves; j. Noise abatement; k. Fencing, berming, buffer blocks and planting; l. Grading and sodding, signed entry features, parkland and tree preservation; and m. Warning clauses, hoarding.

5. The Owner shall agree in the Subdivision Agreement that the Subdivision Agreement shall be registered against the lands to which it applies as provided for in the Planning Act, R.S.O. 1990.

Development Phasing

6. Final approval for registration may be issued in phases to the satisfaction of the Town of Collingwood, provided that:
 - a. phasing is proposed in an orderly progression, in consideration of such matters as the provision of roads, infrastructure, utilities and other essential services; and
 - b. All agencies required to provide clearances for registration agree to registration by phases and provide clearances for each phase.

Servicing Allocation

7. 106 Single Dwelling Unit Equivalents (SDUs) of municipal water and wastewater capacity are required to support the proposed development to the satisfaction of the Town of Collingwood. The timing of availability of this capacity commitment shall be addressed prior to final approval and registration of all or part of the plan of subdivision through a subdivision, site plan, advanced timing or other agreement, including phasing or staging to facilitate the orderly build-out of the development as required. Such agreement(s) shall also address the expiry and other stipulations of the capacity commitment as required by the Town of Collingwood Water and Wastewater Capacity Allocation Policy dated March 2022 or any update or successor thereto.
8. That the Owner acknowledges and agrees that prior to final approval and registration of all or part of the draft plan of subdivision, the Town of Collingwood shall confirm that sufficient capacity exists in the Water Treatment Plant and Wastewater Treatment Plant to adequately service the development at the time of registration. The Owner further acknowledges and agrees that the determination as to whether there is sufficient capacity shall be made by the Town of Collingwood, in its sole discretion. Building permits will not be issued until the Town is satisfied that adequate water, including for firefighting operations, and wastewater services are available are available to the lands and emergency services are available.
9. The Owner shall acknowledge and agree in the Subdivision Agreement that building permits will not be issued until the Town is satisfied that adequate water, sewers, utilities and roads are available to the lands, except that building permits may be issued for “dry” model homes upon terms and conditions established by the Town.
10. The Owner acknowledges that pre-sales of residential units to end-users will be permitted; however, the Owner shall agree in the Subdivision Agreement to provide for a warning clause drafted to the satisfaction of the Town of Collingwood that will prevent final closing of the residential units until such time as the Town of Collingwood, at its sole discretion, acting reasonably, confirms that sufficient capacity exists in the Town of Collingwood Water Treatment Plant and Waste Water Treatment Plant to adequately service the development.

Roadways, Sidewalks and Trails

11. The Owner agrees in the Subdivision Agreement to display the lot number and corresponding municipal address in a prominent location on each lot in accordance with the Town's 911 protocols.
12. The design of the intersection of the internal street (Street 1) and Silver Creek Drive shall meet the requirements of the Town as required in accordance with Town of Collingwood Geometric Design Standards for Roads #100 – June 03 and Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads (GDGCR). Street 1 shall be designed to maximize options for emergency access to the intersection with Street 2 to the satisfaction of the Town of Collingwood in consultation with EMS providers.
13. That all roads within the proposed development will be constructed to Town of Collingwood Standards including curb & gutter, hot asphalt, granular, traffic calming, storm sewers, sanitary sewer, watermain, subdrains, sidewalks, streetlights, traffic signs, driveway approaches, sodded boulevards, boulevard trees and landscaping.
14. That sidewalks shall be designed and located to the satisfaction of the Town in consultation with the School Boards.
15. That the Owner shall agree in the Subdivision Agreement to provide public walkways, sidewalks, and trails to the satisfaction of the Town of Collingwood.
16. That the Owner shall agree in the Subdivision Agreement to provide fencing to the satisfaction of the Town of Collingwood where required including, but not limited to a solid 1.8 m wood fence at the rear lot line of lots fronting onto Forest Drive and Craigleith Court abutting the subject lands and a chain link fence interfacing between rear lot lines and Town owned lands such as park lands, open space, walkways and storm water ponds.

Conservation Authority, Hazard Lands, and Stormwater Management Conditions

17. Prior to final approval, the final flood hazard assessment, with the associated modelling prepared by C.F Crozier & Associates Inc. dated July 2022, shall be submitted and completed to the satisfaction of the Conservation Authority confirming the floodplain limits of the development.
18. Prior to final approval, a cut / fill analysis shall be completed to the satisfaction of the Conservation Authority demonstrating that the regularization of the post development floodplain limit maintains floodplain storage volumes within the Huntingwood property and does not cause increases in upstream or downstream floodplain elevations, ensuring all lots/blocks created that are intended to be used for development are located outside of the post development floodplain limit and confirming the limit of the floodplain and safe access during times of flooding. The draft plan of subdivision may be subject to red-line revisions to satisfy the requirements of the cut / fill analysis.
19. In the event that the works completed to fulfill condition 18 above results in a substantial change to the development limits or configuration of the subdivision, as determined by the Town of Collingwood, the plan of subdivision shall be revised, and re-circulated to all of the agencies consulted in the subdivision process and these conditions shall be revised accordingly.

20. That the Owner shall accommodate all existing drainage within and external to the subject plan according to the Town of Collingwood's Stormwater Management Policies and to the satisfaction of the Engineering Services Department and the Nottawasaga Valley Conservation Authority.
21. That prior to any site alteration within the plan, the following shall be prepared to the satisfaction of the Nottawasaga Valley Conservation Authority, and the Town of Collingwood:
 - a. A detailed Stormwater Management Report;
 - b. An Erosion Control Plan;
 - c. A detailed Grading Plan;
 - d. A detailed design for the municipal water and wastewater servicing including any necessary easements;
 - e. A detailed Landscaping Plan for the stormwater management pond, drainage corridor and open space blocks;
 - f. A Flood Hazard Assessment as identified in condition 17; and
 - g. A Cut/Fill Analysis as identified in condition 18.
22. That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the Nottawasaga Valley Conservation Authority, to carry out or cause to be carried out the recommendations and measures contained within the plans and reports set out above.
23. That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the Nottawasaga Valley Conservation Authority, to ensure that all stormwater management facilities and sediment and/or erosion control measures will be in place prior to the creation of impervious areas such as roads and buildings being undertaken.
24. That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the Nottawasaga Valley Conservation Authority, to engage a qualified professional to certify in writing that the works were constructed in accordance with the plans, reports and specifications, as approved by the Conservation Authority.
25. That the Owner shall agree in the Subdivision Agreement, in wording acceptable to the Nottawasaga Valley Conservation Authority, that the necessary drainage easements be established and granted to the Town of Collingwood.
26. That prior to any site alteration or development at this location, required permits, under Ontario Regulation 172/06 and the *Conservation Authorities Act*, will be obtained from the Nottawasaga Valley Conservation Authority and any necessary authorization from the Department of Fisheries and Oceans for any harmful alteration, disruption or destruction of fish habitat.

Services and Utilities

27. All services and utilities to service the proposed development, with the exception of stormwater management infrastructure, shall be contained within road allowances on the plan.
28. That the Owner shall agree in the Subdivision Agreement to provide storm sewers suitably designed and of sufficient depth to provide for the proper drainage of the lands within and

external to the subdivision and to discharge to drainage outlets as directed by and to the satisfaction of the Town of Collingwood.

29. That the Owner shall agree to update, to the Town's satisfaction, the Functional Servicing Report for the development of the subject lands in accordance with the Town's revised water and sanitary flow standards for new development.
30. That the Owner shall agree in the Subdivision Agreement to provide sanitary sewers suitably designed to provide for the proper collection from the lands within and external to the subdivision as directed by and to the satisfaction of the Town of Collingwood.
31. That the Owner shall agree in the Subdivision Agreement that the Owner will be required to complete to Town specifications, at the Owner's expense, the following external works:
 - a. Provide watermain looping to the satisfaction of the Town of Collingwood, to a minimum of two (2) existing locations, subject to servicing alternatives and water modelling completed by the Town's water modelling consultant.
 - b. Provide sanitary sewer (oversized for Forest Drive, Silver Creek Drive, and additional lands to the west) to the Silver Glen Pump Station or an alternate sewage pumping station to the satisfaction of the Town. The design will be accompanied by a design report indicating the opportunities and constraints associated with the alternatives of Highway 26 servicing.
 - c. If the Silver Glen Pump station is utilized to service the development, design and construction to upgrade the Silver Glen Pump Station to meet Town requirements for a permanent pump station, to the satisfaction of the Town, acting reasonably.
 - d. In the event that servicing is directed to an alternate pumping station, the Owner shall contribute the proportional costs associated with the design and construction of the alternate pumping station **through** an agreement or other appropriate mechanism.
32. If the Silver Glen Pump station is utilized to service the development, the Owner shall agree in the Subdivision Agreement, to the satisfaction of the Town of Collingwood, to address proportional cost sharing via an agreement or other appropriate mechanism, as determined by the Town, with respect to the following works that were front-ended by the adjoining Silver Glen Preserve development:
 - a. The existing Silver Glen Pump Station and forcemain works (the "Oversized Works").

The Owner agrees that the Town will not be a party involved in the negotiations of **any** proportional cost sharing arrangement/agreement and will hold the Town harmless in any legal matters that arise in the relation to the cost sharing arrangements/agreements.

33. The Owner further agrees that the final design of the water system may be subject to review by the Town through the use of water modeling techniques to ensure sufficient flows, at the discretion of the Town, and the Town may require amendments to the design as a result of such modeling.
34. Prior to final approval, four copies of a detailed report(s), prepared by a professional engineer, addressing stormwater management, construction mitigation, and municipal water and sewer services shall be submitted to the Town of Collingwood. These reports are outlined below:

- a. Stormwater Management Report
- b. Pump Station Upgrade Improvements
- c. Servicing Implementation Report
 - Identifying oversizing of sanitary sewers for future external lands to the west, watermain looping
- d. Traffic Impact Brief
 - Intersection operations and approach angle with Silver Creek Drive and Street 1, site distance requirements, vehicle queuing, and headlights on neighbouring properties
- e. Noise Impact Study
 - Any recommended mitigation on noise associated with traffic on Highway 26

Implementation of the recommendations of these reports will be incorporated as part of detailed design of the subdivision. In addition, one (1) of the following documents shall also be provided to the satisfaction of the Town of Collingwood for any applicable infrastructure works, including but not limited to municipal services and stormwater management:

- i. An Environmental Compliance Approval (ECA) for the project(s) shall be obtained from the Provincial Ministry with jurisdiction, or
 - ii. A written opinion, stamped and signed by a Professional Engineer, that confirms that the project(s) meet the specific exemptions outlined in the applicable legislation/regulations.
35. That the Owner shall agree in the Subdivision Agreement to provide electrical servicing suitably designed and of sufficient capacity to provide for the proper servicing of the lands within and external to the subdivision as directed by and to the satisfaction of EPCOR Inc.
 36. That the Owner shall agree in the Subdivision Agreement that prior to final approval, arrangements will be made to the satisfaction of the Town of Collingwood for the relocation of any utilities required by the development of the subject lands to be undertaken at the expense of the Owner.
 37. That the Owner will agree in the Subdivision Agreement that prior to final approval, the Owner is to submit a Streetscape and Stormwater Management Landscape Plan to the satisfaction of the Town of Collingwood. The Streetscape/Landscape Plan shall conform to the Town of Collingwood's Subdivision Guidelines and Development Standards and also shall address such matters as the location of driveways. Groundwater monitoring shall be completed for a minimum two wet seasons and underside of basement slabs shall be a minimum of 0.5m above high groundwater levels.
 38. That the Owner shall agree in the Subdivision Agreement to provide to the Town of Collingwood, a soils report recommending the material necessary for road construction to meet Town standards. This report shall also address any potential groundwater issues as they related to the proposed development of homes, roads and stormwater management facilities.
 39. That the Owner shall co-ordinate the preparation of an overall utility distribution plan to satisfaction of all effected authorities and the Town of Collingwood.

40. That the Owner shall provide Canada Post with two copies of the above-ground utility coordination plans. Furthermore, that the Owner shall agree in the Subdivision Agreement to the following:
- a. Work with Canada Post and the Town of Collingwood to determine and provide temporary suitable location prior to occupancy for the placement of the Centralized Mail Facility/Community Mailbox,
 - b. Work with Canada Post and the Town of Collingwood to determine the location of the Centralized Mail Facility/Community Mailboxes and to ensure that they are properly identified on all appropriate maps and plans; and,
 - c. Provide an appropriately sized sidewalk section (concrete pad) where applicable, to Canada Post's and the Town of Collingwood's specifications, any required walkways across the boulevard, and any required curb cuts for wheelchair access for the placement of the permanent Community Mailbox locations and include said requirements on the appropriate plans/maps.
41. That the Owner shall insert the following conditions in the Subdivision Agreement to the satisfaction of Enbridge Gas Distribution:
- a. Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities;
 - b. The Owner shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines; and,
 - c. The Owner shall provide current Town approved road cross-sections showing all utilities in the configuration proposed for all of the street widths within the development, and the gas locations must be a minimum of 0.6 metres from the street line.
42. The Owner is hereby advised that prior to commencing any work within the Plan, the Owner must confirm that sufficient wire-line communication / telecommunication infrastructure is currently available for the proposed development to provide communication / telecommunication service to the proposed development. In the event that such infrastructure is not available, the Owner is hereby advised that the Owner may be required to pay for the connection to and/or extension of the existing communication / telecommunication infrastructure. If the Owner elects not to pay for such connection to and/or extension of the existing communication / telecommunication infrastructure, the Owner shall be required to demonstrate to the municipality that sufficient alternate communication / telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication / telecommunication services for emergency management service (i.e., 911 Emergency Services).

Construction and Communication Management Plan

43. That the Owner agrees to have prepared and to implement a construction management plan to the satisfaction of the Town of Collingwood prior to any site works or site alteration and shall provide updates for the entire construction process through to issuance of the completion certificate. This Plan shall be the Owner's responsibility to implement at their cost and shall include the following at a minimum:
- a. Central coordinating contact and tracking for all community complaints and respective responses;

- b. Trades communication and enforcement plan;
 - c. Project phasing, staging, periods of activity and operating hours including peak times and types of activity;
 - d. Parking for trades and deliveries;
 - e. Traffic protection plan for vehicular and pedestrian traffic in accordance with OTM Book 7;
 - f. Material delivery loading areas, coordination and enforcement;
 - g. Office space (construction trailer);
 - h. Working hours;
 - i. Debris (garbage);
 - j. Noise and dust control;
 - k. Importation and exportation of fill or surplus material;
 - l. Site access and egress;
 - m. Communications plan for providing notification to and addressing concerns of:
 - i. Immediately adjacent residents;
 - ii. Adjacent residents;
 - iii. the broader community who may have questions about the development; and,
 - iv. Purchasers/New homeowners;
 - n. Impact mitigation plan for residents affected by off-site servicing; and,
 - o. A contingency plan that addresses any additional impacts to private or municipal property not foreseen in the construction management plan including notification, compensation, and conflict resolution provisions as may be appropriate.
44. That the If in the opinion of the Town of Collingwood, the Owner fails to implement the Construction Management Plan and/or fails to update the Construction Management Plan to address concerns raised by the Town, the Town reserves the right to draw upon securities held as part of the subdivision or any agreement to implement the provisions of the Construction Management Plan and/or rectify the concerns for lands owned and not owned by the Municipality. Any amounts drawn from project securities for such implementation shall be replaced within 30 days. The Town shall seek full cost recovery plus appropriate administration fees and disbursements for all efforts as a result of the Owner's failure to perform.

Tree Removal and Site Alteration

45. That prior to any tree removal or site alteration in advance of completion of the Subdivision Agreement, the Owner shall submit an Application to Destroy Trees to the satisfaction of the Town of Collingwood and all site works shall be in strict accordance with the approved Permit.
46. That prior to any tree removal or site alteration, the Owner shall be required to submit a Tree Preservation Plan to the satisfaction of the Town of Collingwood. The Tree Preservation Plan shall be consistent with any and all applicable recommendations of the reports required to be prepared under condition 4.

Urban Design and Architectural Control Guidelines

47. That the Owner agrees to provide, prior any presales of residential units, Urban Design and Architectural Control Guidelines prepared by a qualified Architect, and Landscape Architect as required, for peer review at the applicant's expense. The Urban Design and Architectural Control Guidelines shall be in conformity with the Town of Collingwood Urban Design Manual and any other applicable documents or direction, shall contain graphics

and visualizations to assist in application and shall identify an acceptable Control Architect review process, at the owner's expense, all to the satisfaction of the Town of Collingwood.

48. That the Owner agrees to incorporate and operationalize the Urban Design and Architectural Control Guidelines through implementation process requirements to the satisfaction of the Town of Collingwood.
49. The Owner acknowledges and agrees that the process requirements associated with implementation of the Urban Design and Architectural Control Guidelines shall be to the satisfaction of Town of Collingwood and may be provided through satisfaction of the above noted condition, through provisions to be included in the Subdivision Agreement and/or through an alternate arrangement.

Matters to be addressed through implementation process requirements may include, but are not limited to, the following:

- a. selection and hiring of a Control Architect, at the Owner's expense, for review and approval purposes;
- b. timing, submission and evaluation requirements for Control Architect clearance;
- c. conflict resolution mechanisms in the event of disputes around Control Architect clearance; and,
- d. submission of securities needed to address implementation issues, including but not limited to the above.

County of Simcoe Conditions

50. That prior to final approval, the Owner shall submit an updated D-4 Study report prepared by a qualified professional in accordance with Ministry of Environment, Conservation and Parks Guideline D-4 to the satisfaction of the County of Simcoe. If a satisfactory updated D-4 Study is submitted to the County and this draft plan of subdivision or any phase thereof within the D-4 assessment area [those Lots and Blocks within 500 metres of the Waste Disposal Site ("the D-4 Assessment Area Lots and Blocks")] is not finally approved within five (5) years of the registration date of the original D-4 Development Agreement by the County, the recommendations of the updated D-4 Study shall be reconfirmed in writing by a qualified professional to the satisfaction of the County.
51. The Owner shall agree in the Subdivision Agreement in wording satisfactory to the County, to place an Inhibiting Order with a "No Dealings Restriction" on all D-4 Assessment Area Lots and Blocks associated with the County's nearby closed waste management site. The No Dealings Restriction is to remain in place until such time as the County of Simcoe has confirmed in writing to the Town of Collingwood that a D-4 Development Agreement between the Owner and the County of Simcoe has been entered into and, if in the opinion of the County is required, has been registered on title to the D-4 Assessment Area Lots and Blocks. Once such agreement is entered into, and, if required, registered, the Inhibiting Order shall be released. The D-4 Development Agreement shall contain wording acceptable to the County to ensure that any recommendations made in the D-4 Study by the Owner's consultant, and further by the County's peer review consultant, be implemented. All costs associated with the preparation, execution and registration of the Inhibiting Order and the D-4 Development Agreement shall be borne by the Owner.
52. That the Owner shall agree in the Subdivision Agreement to include an appropriately worded warning clause in Agreements of Purchase and Sale for all D-4 Assessment Area Lots and Blocks, advising those prospective purchasers of the location of the closed waste

management site and that there is a D-4 Development Agreement between the Owner and the County of Simcoe setting out requirements for development mitigation measures, if any are required in accordance with updated D-4 Study recommendations, to address the potential for nuisance or adverse effects from the County's nearby closed waste management site off Osler Bluff Road.

Requirement for Warning Clauses

53. That the Owner shall agree in the Subdivision Agreement to provide for any warning clauses deemed necessary by the Town of Collingwood or partner agencies to provide notice of various issues identified by the Town of Collingwood or partner agencies, or that may arise from subsequent review and approvals, in all Offers of Purchase and Sale, lease/rental agreements and/or condominium declarations and similar documents, to the satisfaction of the Town of Collingwood.
54. That the Owner shall agree in the Subdivision Agreement, with wording to the satisfaction of the Simcoe Muskoka Catholic District School Board, to include in all offers of purchase and sale a clause advising prospective purchasers that pupils from this development attending educational facilities operated by the Simcoe Muskoka Catholic District School Board may be transported to / accommodated in temporary facilities out of the neighbourhood school's area.
55. That the Owner shall agree in the Subdivision Agreement, with wording to the satisfaction of the Simcoe County District School Board, to include in all offers of purchase and sale a statement that advises the prospective purchaser that the public schools on designated sites in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside the area.
56. That the Owner shall agree in the Subdivision Agreement, with wording to the satisfaction of the Simcoe County District School Board, to include in all offers of purchase and sale a statement that advises the prospective purchaser that school buses will not enter cul de sacs and that pick-up points will not be located within the subdivision until major construction activity has been completed.

Dedication and Fees

57. That the Owner shall agree that the road allowances shown as Streets "1 and 2" on the draft plan shall be constructed and dedicated as public highways and named to the satisfaction of the Town of Collingwood. The design of the roadways shall meet the requirements of the Town as required.
58. The owner shall agree in the subdivision Agreement that Block 97 shall be dedicated to the Town of Collingwood per the Official Plan. In addition, the Owner shall agree in the subdivision agreement that as a condition of the development of any portion of Block 98, or that if an application for development has not been submitted for any portion of Block 98 at the time of registration, that the balance of the lands shown in cross hatching in the Official Plan of the Town of Collingwood Schedule 'A2' – Land Use Plan Detail shall be dedicated to the Town of Collingwood. The Owner shall further agree in the Subdivision Agreement that if it is determined through the additional studies required under condition 18 that any portion of Block 98 cannot be developed, then the undevelopable portion of Block 98, and the balance of the lands shown in cross hatching in the Official Plan of the Town of Collingwood Schedule 'A2' – Land Use Plan Detail shall be dedicated to the Town.

59. The Owner shall dedicate a 5.0m block through lot 98 or at another location suitable to the Town to provide a trail connection to the Georgian Trail.
60. That the Owner shall agree in the Subdivision Agreement that development charges, processing and administrative fees be paid prior to building permit issuance in accordance with the current policies and by-laws of the Town of Collingwood, County of Simcoe and School Boards.
61. That the Owner shall agree in the Subdivision Agreement that all dedications of land the Town of Collingwood requires shall be at no cost to the municipality.
62. That the Owner shall agree in the Subdivision Agreement, that such easements and land dedications as may be required for access, drainage, servicing, stormwater management, utilities and construction purposes shall be designed to the satisfaction of, and granted to the appropriate agencies or authorities, free and clear of all encumbrances, save and except for any permitted encumbrances, to the satisfaction of the Town of Collingwood and all appropriate agencies or authorities.
63. That the Owner shall agree in the Subdivision Agreement to grant any easements that may be required for communication / telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing communication / telecommunication facilities or easements, the Owner/Developer shall be responsible for the relocation of such communication / telecommunication facilities or easements.
64. That the timing of land dedications and easements shall be at the Town of Collingwood's and/or the applicable agency's discretion and satisfaction and the Town may require the Owner to make such easements and land dedication as part of the Town's inhibiting order arising from final registration.

Documentation

65. Prior to final approval the Owner shall provide the Town with an updated Traffic Brief to address existing conditions at the time of completion of the Subdivision Agreement and provide recommendations regarding any further measures that may be required to address traffic issues at that time.
66. Prior to final approval the Town shall receive written confirmation from the appropriate Provincial agency that the Archeological Assessment prepared by Amick Consultants Inc has been filed with the Ministry.
67. That prior to final approval, a copy of the proposed final plan is to be forwarded to the Town of Collingwood as the Approval Authority for review and approval.
68. That prior to Council enacting and passing a by-law to authorize the Subdivision Agreement the Town of Collingwood, as the Approval Authority, will be advised by the Owner in writing and with supporting documentation how all of the above conditions have been satisfied or will be satisfied.
69. Subject to the conditions set forth above, this Draft Plan is approved under Section 51 of the *Planning Act*, R.S.O 1990, Chapter 13, as amended, this ____ day of _____, 2022. The approval of this Draft Plan is for a period of three (3) years and will lapse on the day of _____, 2025

70. If final approval is not given to this plan within the draft approval time period above, the draft approval will lapse under subsection 51(32) of the *Planning Act*. Draft approval may be extended pursuant to subsection 51(33) of the *Planning Act* and in accordance with Town of Collingwood policies subject to subsection 51(33.1), (33.2), (33.3), but no extension can be granted once the draft approval has lapsed, unless the Town exercises its authority under subsection 51(33.1). If the applicant wishes to request an extension to draft approval, a written explanation, together with the completed application form and fee and all necessary updated supporting studies or other necessary documentation as identified by and to the satisfaction of the Town of Collingwood, must be received by the Town of Collingwood, acting reasonably, at least three (3) months prior to the lapsing date.

Clearances for Registration

71. That prior to signing of the final plan, the Town shall provide written confirmation that conditions 1 to 16, 19 to 21, 23, 25, 27 to 34, 35 to 39, 42 to 49, 53, and 57 to 70 have been carried out to their satisfaction with a brief but complete statement indicating how each condition has been satisfied.
72. That prior to signing of the final plan, the Nottawasaga Valley Conservation Authority shall provide written confirmation that conditions 17, 18, 19, and 20 to 26 have been carried out to their satisfaction with a brief but complete statement indicating how each condition has been satisfied.
73. That prior to signing of the final plan, EPCOR Inc. shall provide written confirmation that condition 35 has been carried out to their satisfaction with a brief but complete statement indicating how each condition has been satisfied.
74. That prior to signing of the final plan, Canada Post shall provide written confirmation that condition 40 has been carried out to their satisfaction with a brief but complete statement indicating how each condition has been satisfied.
75. That prior to signing of the final plan, Enbridge Gas Distribution shall provide written confirmation that condition 41 has been carried out to their satisfaction with a brief but complete statement indicating how each condition has been satisfied.
76. That prior to signing of the final plan, the County of Simcoe shall provide written confirmation that conditions 50 to 52 have been carried out to their satisfaction with a brief but complete statement indicating how each condition has been satisfied.
77. That prior to signing of the final plan, the Simcoe Muskoka Catholic District School Board Town shall provide written confirmation that condition 54 has been carried out to their satisfaction with a brief but complete statement indicating how each condition has been satisfied.
78. That prior to signing of the final plan, the Simcoe County District School Board shall provide written confirmation that conditions 55 and 56 have been carried out to their satisfaction with a brief but complete statement indicating how each condition has been satisfied.

Notes to Draft Approval

1. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies referenced in these conditions to the Town, quoting file number.
2. It is suggested that the Owner be aware of Section 144 of the Land Titles Act and subsection 78(10) of the Registry Act. Subsection 144(1) of the Land Titles Act requires that a plan of subdivision of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to this provision are set out in subsection 144(2).
3. Subsection 78(10) of the Registry Act requires that a plan of subdivision of land that is located only in a registry division cannot be registered under the Registry Act unless the title of the Owner of the land has been certified under the Certification of Title Act. Exceptions to this provision are set out in clauses (b) and (c) of subsection 78(10).
4. The Town of Collingwood requires all engineering drawings to be submitted in AutoCAD 14 format as well as hardcopies.
5. All measurements in subdivision final plans must be presented in metric units.
6. All lands to be conveyed must be free and clear of all encumbrances save for any permitted encumbrances including any permitted easements.
7. The Owner will be required to contact Bell Canada's Engineering Department regarding the details for servicing within the subdivision as well as the necessary Letters of Understanding.
8. The Nottawasaga Valley Conservation Authority will require a copy of the executed Subdivision Agreement once it is available.
9. The Owner shall agree, prior to final approval, to pay all development fees to the Conservation Authority as required in accordance with the Nottawasaga Valley Conservation Authority's fees policy, under the *Conservation Authorities Act*.
10. If agency draft plan conditions concern conditions within the Subdivision Agreement, a copy of the Agreement should be sent to them to expedite the clearance of the final plan.
11. No further parkland levy either by way of land or cash-in-lieu is payable in connection with this development in light of the conveyance requirements contained within the Official Plan of the Town of Collingwood.
12. The approval of this draft plan is for a period of three (3) years and will lapse on _____.
13. If final approval is not given to this plan within the draft approval time period above the draft approval will lapse under subsection 51(32) of the Planning Act. Draft approval may be extended pursuant to subsection 51(33) of the Planning Act but no extension can be granted once the draft approval has lapsed.
14. If the applicant wishes to request an extension to draft approval a written explanation, together with the completed application form and fee, must be received by the Town ninety (90) days prior to the lapsing date.

15. The Final Plan approved by the Town must be registered within 30 days or the Town may withdraw its approval under subsection 51(59) of the Planning Act, R.S.O. 1990, as amended.

Subject to the conditions set forth above, this Draft Plan is approved under Section 51(31) of the Planning Act, R.S.O 1990, Chapter 13, as amended, this ____ day of _____, 2022.

MAYOR

CLERK