# TOWNSHIP OF

## **TOWNSHIP OF MELANCTHON**

## AGENDA

Thursday, December 17, 2015 - 5:00 p.m.



- 1. Call to Order
- 2. Announcements
- 3. Additions/Deletions/Approval of Agenda
- 4. Declaration of Pecuniary Interest and the General Nature Thereof
- 5. Approval of Draft Minutes December 3, 2015
- 6. Business Arising from Minutes
- 7. Point of Privilege or Personal Privilege
- **8. Public Question Period** (Please visit our website under Agendas and Minutes for information on Public Question Period)
- 9. Road Business
- 10. Correspondence

## \*Outside Board & Committee Minutes

1. Minutes of the Mulmur/Melancthon Fire Board Meeting - Meeting November 2, 2015

## \* Items for Information Purposes

- 1. Heads Up Alert Ontario Good Roads Association December 1, 2015
- 2. Email from Michelle Steele, Senior Manager, RLB dated December 2, 2015, Re Pre-audit Letter to Council
- 3. Highlights of the NVCA Board of Directors Meeting No. 11-15 November 27, 2015
- 4. Email from Ernie Hardeman, MPP Oxford, PC Critic Municipal Affairs and Housing dated December 2, 2015, Re Details for Upcoming Pre-Budget Consultations
- 5. Email from Kathy Round, Administrative Assistant, Planning Grand River Conservation Authority, Re GRCA Planning Permit and Inquiry Fee Increase effective January 1, 2016
- 6. Copy of a resolution passed by the Township of Montague dated November 17, 2015, Re Supporting Ontario Trails Act
- 7. Nottawasaga Valley Conservation Authority 2016 Annual General Meeting, Friday January 22, 2016
- 8. Email from Ilona Feldman, Source Protection Program Assistant dated December 8, 2015, Re GRCA News: Grand River Source Protection Plan approved
- 9. GRCA Current December, 2015 Volume 20 Number 11

## \* Items for Council Action

- Request for Comments Niagara Escarpment Commission dated November 30, 2015,
   Re East Part Lot 15, Concession 2 OS 537224 Main Street
- 2. Document from Steve Wever, Planner, Town of Shelburne, Planning & Development Department dated December 1, 2015, Re Official Plan Review
- 3. Notification for Maintenance and Repair James Foley Drain

## \*Items for Council Action - Budget 2016

- Letter from Mulmur-Melancthon Fire Board dated December 8, 2015, Re 2016
   Operating and Capital Budgets
- Letter from Shelburne and District Agricultural Society dated December 2, 2015, Re-Request for a financial contribution for the 149<sup>th</sup> Shelburne Agricultural Society Fall Fair

- 3. Email from Gord Gallaugher, Treasurer Shelburne Public Library dated December 1, 2015, Re Shelburne Public Library 2016 Budget
- 4. Email from Darlene Noakes, Court Services Manager, Provincial Offences Caledon/Dufferin dated November 20, 2015, Re POA Budget 2016

## 11. General Business

- Draft By-law to Amend Schedule A attached to the Tariff of Fees By-law for Administrative Purposes - By-law No. 35-2013
- 2. New/Other Business/Addition(s)
  - 1. Motion to reduce taxes under Section 357 of the Municipal Act
- 3. **Unfinished Business** 
  - 1. North Dufferin Recreation Board of Management Draft Constitution
  - 2. NEC Plan Review
  - 3. Information Flyer
  - 4. Home Occupation/On Farm Business'
  - 6. OFM Recommendation # 6

## 12. Delegations

- 1. 5:30 p.m. Mike and Amber Swidersky Rezoning of Land Part of Lot 22, Concession 5 SW
- 5:40 p.m. Sam and Megan Young Rezoning of Land Part of Lots 7 & 8, Concession 1
   OS
- 13. Closed Session
- 14. Notice of Motion
- 15. Confirmation By-law
- 16. Adjournment and Date of Next Meeting Thursday, January 14, 2016 5:00 p.m.
- 17. On Sites
- 18. Correspondence on File at the Clerk's Office

# MINUTES OF THE MULMUR/MELANCTHON FIRE BOARD MEETING HELD AT THE FIRE HALL IN HONEYWOOD November 2, 2015

PRESENT: Chair Paul Mills, Mulmur Township

Vice-Chair Darren White, Melancthon Township Member James Webster, Melancthon Township Member Heather Hayes, Mulmur Township

Chief Jim Clayton

Deputy Chief Jeff Clayton Secretary Karen Davidson-Lock

## CALL TO ORDER at 5:55 pm

## Approval of Agenda/Additions/Deletions

Motion # 57 - 2015

MOVED by Webster
SECONDED by White
That the agenda be approved as circulated. Motion Carried.

## <u>Declaration of Pecuniary Interests</u>

The Chair advised that if any member had a disclosure of pecuniary interest that they could declare the nature thereof now or at any point during the meeting.

## **Approval of Minutes**

Motion # 58 - 2015

MOVED by Webster SECONDED by White

That the minutes of the October 5, 2015 meeting be approved as circulated. Motion Carried.

## **Business Arising From Minutes**

## i) Update on "Who's Responding" call-out program

The Chief and Deputy reported that most of the firefighters are very pleased with the system, which provides real time updates as to which firefighters are en-route to the hall, to the scene, or are not available to respond. This could assist in reducing the number of firefighters that respond to routine calls, and the Board felt that this idea should be reinforced, especially for medical calls. The potential also exists for reducing the number of mutual aid calls. The Board viewed the system live

with a test call. All were impressed with the technology and felt it would provide more efficient response co-ordination.

## ii) Update on tanker leaks and research on possible solutions

The Chief provided a brief update on possible contractors for repair and will update the Board at the next meeting with further findings.

## iii) Update on well and holding tank

The Chief provided a brief update on the status to date, that being that there were no visible leaks. He will provide a further update at the next meeting.

## Correspondence

## i) Chief's Call Report to date for 2015 (on desk)

One motorcycle call from October is yet to be billed, and the summary of calls was not up to date. The Board received the report for information.

## ii) Results of Firefighters' Survey for 2015

The Board discussed the results in detail in comparison to the 2014 questionnaire. The Board directed the Chief and Deputy Chief to discuss the results with the firefighters and report back to the Board with any suggestions or findings.

## iii) Finalized Performance Reviews for adoption

Three reviews were provided, those being for probationary staff, firefighter, and captain. As the Chief and Deputy Chief forms were not available, these will be provided for the next meeting when the entire set of review forms will be adopted officially by the Board.

## Approval of Accounts/Financial Update

## i) Approval of Accounts

Motion # 59 - 2015

MOVED by White SECONDED by Webster

That the accounts in the amount of \$13,899.33 (October 1 - 30) be paid. Motion Carried.

The Deputy Chief was required for firefighter practice/training and left the meeting at 6:58 pm.

## ii) Draft #1 of 2016 Budget/2015 Actuals to date

After reviewing the budget, the following suggestions were directed to be forwarded to the Treasurer for Draft #2 of the budget at the next meeting.

- i/ Account #101 (Practice Wages): reduce to \$33,000.
- ii/ Account #115 (Materials/Supplies): reduce to \$2,500;
- iii/ Account #120 (Communications): could be reduced to \$13,500;
- iv/ Account #123 (Prevention/Inspections): reduce to \$1,000:
- v/ Account #124 (Propane): reduce to \$5,000;
- vi/ Account #134 (Insurance): clarification as to the reason for a reduction.

## iii) Motion from Treasurer to authorize the transfer of funds for capital purchases

#### Motion # 60 - 2015

MOVED by White

SECONDED by Webster

That the Board authorizes the transfer of funds from the Capital Reserves as necessary to cover the 2015 capital purchases. Motion Carried.

## iv) Chart of Equipment Repairs

This item will be included in the next meeting package.

## **Health & Safety Issues**

## i/ Update on Inspection Reports

#### Mulmur:

Cell Towers: Chief has a meeting planned later this week to review two of the towers;

Murdy Wrecking Yard: Mr. Murdy attended the office on another matter and the Secretary advised him of the attempts to contact him. She explained the purpose of the enquiries and advised Mr. Murdy to expect a letter.

#### Melancthon:

Mennonite businesses: Laura from the Ontario Fire Marshall's Office is forwarding a communique relating to inspections for businesses run from farm properties. It is hoped that this will be of assistance in dealing with this part of the Melancthon community.

Closed Session pursuant to the Policy to Govern the Proceedings of the Board, Section 8 b) ii) personal matters about an identifiable individual, including municipal or local board employees, and approving the past closed meeting minutes.

The Board decided that the closed session will be held at the December Board meeting.

## Old & New Business -- none

## **CONFIRMING MOTION**

Motion # 61 - 2015

MOVED by White SECONDED by Webster

That be it resolved that all actions of the Members and Officers of the Mulmur/Melancthon Fire Board of Management, with respect to every matter addressed and/or adopted by the Board on the above date are hereby adopted, ratified and confirmed; and each motion, resolution and other actions taken by the Board Members and Officers at the meeting held on the above date are hereby adopted, ratified and confirmed. Motion Carried.

#### Motion # 62 - 2015

MOVED by Webster SECONDED by White That the board adjourn at 7:21 p.m. to meet again on December 7, 2015 at 6:00 p.m. Motion Carried.

Paul Mills

CHAIR

Karen Davidson-Lock

SECRETARY





December 1, 2015

## Provincial Government denies local land transfer tax to cities outside of Toronto

The Provincial Government announced today that municipalities outside the City of Toronto will not be allowed to charge local land transfer taxes on property sales. Minister of Municipal Affairs and Housing Ted McMeekin stated that such a tax would add thousands to the cost of a home and "It is clear that there has been no call for a municipal land transfer tax."

OGRA is very disappointed with the government's decision, and has in fact been advocating quite strongly for the past two years to extend the taxing authority currently enjoyed by the City of Toronto to other municipalities. "For the Minister to claim that there "has been no call" for this tax is absurd" stated Executive Director Joe Tiernay. "OGRA, AMO and even former Mississauga Mayor Hazel McCallion have gone on record requesting the same taxing authority as the City of Toronto, which includes the local land transfer tax," he stated.

OGRA President Rick Champagne stated that he too was disappointed in the decision. "OGRA has advocated to give local councils the authority to do what's best for their communities" he said. "This decision makes it clear that the Province does not yet trust municipalities to govern in the best interests of their citizens".

OGRA will continue to advocate for optional revenue generating tools for its members despite this decision.

The mandate of the Ontario Good Roads Association (OGRA) is to represent the infrastructure interests of municipalities through advocacy, consultation, training, and the delivery of identified services.

**Ontario Good Roads Association** 

1525 Cornwall Road, Unit 22 Oakville, ON L6J 0B2 PHONE: 289-291-OGRA (6472) FAX: 289-291-6477

www.ogra.org

## **Denise Holmes**

From:

Michelle Steele <michelle.steele@rlb.ca>

Sent:

Wednesday, December 02, 2015 12:20 PM

To:

dholmes@melancthontownship.ca

Cc:

Matthew L. Venne; Adrian Carreiro; Wendy Atkinson

(watkinson@melancthontownship.ca)

Subject:

Pre-audit Letter to Council

Attachments:

Pre-communication to council-Melancthon - 2015.pdf

Hi Denise,

Please find attached our annual Pre-audit letter for Council; if you could forward to the Council members.

Let me know if you have any questions.

Thanks, Michelle



# Michelle Steele, CPA, CA Senior Manager

michelle.steele@rlb.ca | rlb.ca | 15 Lewis Road, Guelph, ON N1H 1E9 | Tel: (519) 822-9933 x350 | Fax: (519) 822-9212

Chartered Accountants





and Business Advisors

People Count.

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People Count.

December 2, 2015

The Corporation of the Township of Melancthon 157101 Highway #10 RR #6 Shelburne, ON LON 159

Dear Members of Council:

Thank you for re-appointing RLB LLP as auditors of The Corporation of the Township of Melancthon for the year ended December 31, 2015. The purpose of this letter is to communicate our 2015 audit plan for The Corporation of the Township of Melancthon and to ensure that management and Council are aware of the following:

- Objectives and Scope of our audit
- Planned approach for the 2015 financial statement audit
- Update on issues that may impact the audit in current and future years
- Areas of emphasis

## RLB LLP's Objective and Scope of our audit

- Obtain reasonable assurance that the financial statements are free of material misstatement.
- Evaluate the fairness of presentation of the financial statements in conformity with accounting standards established by the Chartered Professional Accountants of Canada
- Report to management and Council:
  - o Significant internal control weaknesses,
  - o Matters required under Canadian Auditing Standards,
  - Matters we believe should be brought to your attention.

## **RLB LLP's Assurance Service Team**



## **Financial Reporting Responsibilities**

#### Council

- Provide, as a part of financial process, effective corporate governance
- Regular oversight and review of financial information and management financial process
- Ensure accurate financial reporting and sound internal controls
- Review performance measures
- Approve the Audited Financial Statements

#### Management

- Maintain cost-effective internal control environment
- Provide timely and accurate disclosure of financial results
- Report results on a fair and consistent basis
- Exercise care in establishing accounting estimates
- Apply appropriate accounting principles
- Establish internal controls over fraud and error

#### RLB LLP

- Perform cost-effective risk based audits tailored for your organizations specific risks
- Review the effectiveness and reliability of key internal controls
- Assess accounting principles, estimates and financial disclosures in accordance with accounting standards
- Provide year end reporting to Council
- Provide our opinion in the audit report which we attach to management financial statements

#### Management Deliverables

- Prepare required information as agreed with RLB LLP to be able to perform the audit
- Provide documentation and support for accounting used by management for all significant or unusual transactions and estimates
- Identify related parties, if applicable
- Provide written representations

#### RLB LLP Deliverables

- Communicate with management and Council to review audit plan;
- Review financial statements and management letter findings with management and Council
- Provide audit opinion on financial statements;
- Prepare and file Financial Information Return;
- Report to the board as required under Canadian Generally Accepted Auditing Standards (CAS 260, 265 and 580)
- Seek pre-approval from management or Council for all additional services.
- Communicate control deficiencies

#### **Audit Approach**

- Examine accounting systems and controls for all significant transaction cycles
- Adopt a control reliance strategy where appropriate to increase audit efficiency:
  - o Taxatíon revenue, cash receipts, taxes receivable
  - o Purchases, disbursements, payables
  - o Payroll
  - o General computer controls
- Substantive testing of year end balances including grant revenue and receivables
- Search for unrecorded liabilities
- Independence reporting

#### **Audit Timeline**

Interim Audit Testing	November 16, 2015
Communication of Audit Plan to	
Management/Council	December 2, 2015
Year-end Testing	February 29 - March 4, 2016
Reporting to Council	TBD
Issuance of Audit Report and Financial	100
· _	7- f-11
Statements	To follow

#### Annual Inquiry Related to the Risk of Fraud

Please consider the following questions to help determine the specific risks of fraud and error with the municipality. We will provide the annual representation letter for signature by a member of each Council and management with the audited Financial Statements, where representation will be made regarding the assessment of fraud at the municipality.

- Are you aware of any instances of fraud perpetrated against the municipality by any of its employees, management, or Council?
- Are you aware of any instances of fraud perpetrated by the municipality against creditors, suppliers, lenders, investors, funders, government agencies, or any other business associates?
- Do you believe there is a high level of risk of fraud being perpetrated against or by the municipality – specifically, which risks are classified as the highest risk, and what specifically is management or those charged with governance doing to mitigate these risks?
- Has Council made an assessment of the entity's susceptibility to fraud?
- Does management have a process for identifying and responding to fraud risk factors?

#### **New Public Sector Accounting Standards**

We will be working this year with your management team to consider the impact that these new accounting regulations will have on the financial reporting of your municipality.

These are effective for fiscal years beginning on or after April 1, 2016, but early adoption is permitted.

- PS1201: Financial Statement Presentation has been updated to include new requirements for financial instruments with respect to recognition, measurement and disclosure, along with the presentation of associated gains and losses.
- PS3450: Financial Instruments has been updated to include transitional provisions and new guidance to the current standard (previously effective for fiscal years beginning on or after April 1, 2012: requires additional disclosure in the Notes to the Financial Statements to include the various risk components of financial instruments: credit risk, currency risk, interest rate risk and liquidity).
- PS3041: Portfolio Investments revises and replaces PS3040, expands scope in include interests in pooled investment funds.

#### 2015 Audit Plan: Materiality

When establishing the overall audit strategy, materiality is determined for assessing the risks of material misstatement and determining the nature, timing and extent of further audit procedures.

- Planning Materiality \$130,000
- Materiality
  - Professional judgment that is made in the context of our knowledge, assessment of risk and reporting requirements
  - o Very significant in determining the scope of our work
  - We will review all errors in excess of 2% of materiality

#### **Areas of Emphasis**

- Taxation revenue and receivables collectability
- Grant revenue and receivables completeness and existence
- Operating expenses completeness and existence
- Tangible capital assets completeness, existence, and valuation
- Reserve, reserve funds and amounts set aside by Council completeness and existence

If you have any questions about these or other matters relating to any of our professional services, we would be pleased to discuss them further with you.

Yours truly,

RLB LLP

Per:

M.L. Venne, CPA, CA Engagement Partner



## Smaller NVCA board comes into effect January 2016 (pilot project)

At their September 2015 meeting, the board approved a one-year pilot project that will see board membership go from 27 to 18 members in 2016. The pilot project required the support of all 18 member municipalities. At this meeting, the CAO and Chair announced that all member municipalities have agreed to participate in the pilot project. The change comes into effect at the January 22, 2016 board meeting.

## 2016 Draft Budget review period extended

In October, the NVCA's 2016 Draft Budget was approved by the board and circulated to watershed municipalities for review. The draft was originally circulated with a 30-day review period. During this time, staff were notified that not all municipalities will have their budgets approved by end of 2015. In light of this, the board extended the review period and will vote on the budget at the February 26, 2016, board meeting. The board also approved an interim levy based on the 2015 budget in order to minimize work interruptions.

## Latornell Symposium: "Weathering Change, Navigating a New Climate"

NVCA Chair Councillor Doug Lougheed, Member Councillor Fred Nix and staff summed up their experiences at the 2015 A.D. Latornell Conservation Symposium held in Alliston November 17-19. Climate change, extreme weather, communications, stewardship projects and natural heritage were the workshops attended.

## In brief

During this meeting, the board also:

 Recognized Logan Juffermans, NVCA Planning Assistant who received his Young Conservation Professional Certificate from Conservation Ontario. Logan was presented with his certificate at the 2015 Latornell Symposium.





Info3

- Approved the 2016 board of directors meeting schedule, which has been posted on the NVCA website.
- Were asked to complete a board of director's communication survey, the results of which will be presented to the board in December.
- Congratulated Sheryl Flannagan, Director of Corporate Services, on her designation as Certified Human Resources Leader from the Human Resources Professional Association.



## For more information contact

D. Gayle Wood, CAO, <a href="mailto:gwood@nvca.on.ca">gwood@nvca.on.ca</a>, 705-424-1479 ext. 225

For the full meeting agenda including documents and reports, visit the NVCA website at nvca.on.ca/about/boardofdirectors.

## Future Meetings and Events

## Caring for your Horse and Farm Workshop

December 5, 2015 10:30 am to 2:30 pm Mel Lloyd Centre, Shelburne

## **NVCA Board of Directors Meeting**

December 11, 2015 9:00 a.m. to 12:00 p.m. Tiffin Conservation Area, Utopia

#### **Nature Days for Homeschoolers**

December 14, 2015 10:00 a.m. to 3:00 p.m. Tiffin Conservation Area, Utopia

## **Christmas Bird Count for Kids**

December 27, 2015 9:00 a.m. to 12:00 p.m. Tiffin Conservation Area, Utopia

## NVCA Annual General Meeting and Board of Directors Meeting

January 22, 2016 9:00 a.m. to 12:00 p.m. Tiffin Conservation Area, Utopia

## Family Day at Tiffin

February 15, 2016 Tiffin Conservation Area, Utopia

#### March Break Monday

March 14, 2016 Tiffin Conservation Area, Utopia

## **Denise Holmes**

From:

Hardeman, Ernie <ernie.hardeman@pc.ola.org>

Sent:

Wednesday, December 02, 2015 4:47 PM 'dholmes@melancthontownship.ca'

To: Subject:

Details for Upcoming Pre-Budget Consultations

I am writing to let you know that the Standing Committee on Finance and Economic Affairs will be holding Pre-Budget consultations during the weeks of January 18 and February 1, 2016.

As you know, these consultations are an important opportunity for taxpayers, organizations and municipalities to provide input regarding priorities for the provincial budget and raise their concerns. The Committee will hold public hearings in Hamilton, Ottawa, Sault Ste. Marie, Thunder Bay, Toronto, and Windsor.

If you are interested in making a presentation to the Committee please contact the Committee Clerk, Katch Koch, by **noon on Friday, January 8, 2016**. His contact information is below.

If you do not wish to make an oral presentation, you can also send a written submission to the Clerk by 5:00 PM on Tuesday February 2, 2016.

If you are preparing a presentation or written submission I would very much appreciate receiving a copy.

Katch Koch, Clerk

Room 1405, Whitney Block, Queen's Park, Toronto, ON M7A 1A2

Telephone: (416) 325-3526

Fax: (416) 325-3505 TTY/ATS: (416) 325-3538 E-mail: kkoch@ola.org

I also want to take this opportunity to wish you all the best this Christmas season and the upcoming year. As always if I can be of assistance please let me know.

Sincerely,

Ernie Hardeman, MPP Oxford
PC Critic Municipal Affairs and Housing

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Info4

## **Denise Holmes**

From: Sent:

Kathy Round <a href="mailto:kround@grandriver.ca">kround@grandriver.ca</a>
Tuesday, December 08, 2015 10:32 AM

To:

City of Brantford; City of Cambridge; City of Cambridge; City of Guelph; City of Guelph; City of Hamilton, Legislative Assistant; City of Kitchener; City of Kitchener; City of Waterloo; County of Brant; County of Dufferin; County of Grey; County of Grey, Clerk; County of Norfolk; County of Oxford; County of Oxford; County of Perth; Haldimand County; Haldimand County; jane wilson; Norfolk County; Norwich Township; peter crockett; Region of Halton; Region of Halton; Region of Waterloo; Region of Waterloo; Town of Erin; Town of Halton Hills; Town of Halton Hills2; Town of Milton; Township of Amaranth/East Garafraxa; Township of Balndford-Blenheim; Township of Centre Wellington; Township of Centre Wellington; Township of East Zorra-Tavistock; Township of Guelph/Framesa; Township of

Township of East Zorra-Tavistock; Township of Guelph/Eramosa; Township of

Guelph/Eramosa; Township of Mapleton; Township of Melancthon; Township of North Dumfries; Township of Perth East; Township of Puslinch; Township of Southgate; Township of Southgate; Township of Wellesley; Township of Wellington North; Township of Wilmot; Township of Woolwich; Township of

Woolwich; Wellington County

Cc:

Conservation Halton; Conservation Niagara; Credit Valley CA; Hamilton Conservation; Long Point Region CA; Maitland Valley CA; Nottawasaga Valley; Saugeen Valley; Upper

Thames River CA; Nancy Davy; Fred Natolochny; Beth Brown

Subject:

GRCA PLANNING, PERMIT AND INQUIRY FEE INCREASE - EFFECTIVE JANUARY 1, 2016

Attachments:

GRCA PLANNING-PERMIT-INQUIRY FEEE INCREASE EFFECTIVE JAN.1 2016.pdf

Please find attached a notice of the GRCA Planning, Permit & Inquiry Fee Schedule Increase which will be implemented throughout the Grand River Watershed effective January 1, 2016.

Please ensure that copies of the attached fee schedule are available to municipal staff and prospective applicants.

Thank you in advance for your cooperation.

Katherine Round Administrative Assistant, Planning Grand River Conservation Authority Tel. (519) 621–2763 ext. 2230

Toll free 1–866–900–4722 *Web: www.grandriver.ca* 



Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

TO:

Municipal Clerks, Planning, Building and Engineering Staff

Adjacent CA's

FROM:

Nancy Davy, Director of Resource Management Fred Natolochny, Supervisor of Resource Planning Beth Brown, Supervisor of Resource Planning

**DATE:** 

December 1, 2015

SUBJECT:

GRCA Planning, Permit and Inquiry Revised Fees

Effective January 1, 2016

The General Membership of the Grand River Conservation Authority has approved a revised GRCA fee schedule for Plan Review, GRCA Permit and Inquiry services. The fees will be implemented throughout the Grand River watershed effective January 1st, 2016.

We have attached the revised fee schedules. Please ensure that copies of the attached fee schedule are available to municipal staff and prospective applicants.

Announcement A free, web based mapping tool, is available to the public to review GRCA maps of areas regulated under Ontario Regulation 150/06. We note that the text of Ontario Regulation 150/06 defines the areas that are regulated. However, this mapping tool will provide municipal staff and the public with some guidance on the areas regulated by the Conservation Authority. To use this mapping tool please go to www.grandriver.ca On the home page click on "Map Your Property" under the Planning and Permits heading.

Proposed activities or works within the areas regulated by the GRCA will require a permit from the GRCA, in addition to a building permit from the municipality.

The policies regarding Ontario Regulation 150/06 and a series of checklists that will aid the public and development industry to prepare satisfactory reports and plans for applications or inquiries can be found under the planning and regulations section of our website at www.grandriver.ca. The Plan Review and GRCA permit fees are also posted on the GRCA website under the planning and regulation section.

Please note that GRCA GIS data access is available to download or order data for use with your GIS directly off of the GRCA website.

If you have any questions or concerns regarding the Plan Review or Permit Service Fees please contact Fred (ext. 2229) or Beth (ext. 2307) at (519) 621-2761.

Nancy Davy

Director of Resource Management

621-2763, ext. 2235 ndavy@grandriver.ca

## JANUARY 1<sup>st</sup>, 2016 FEE SCHEDULE GRCA Permit, Plan Review, Title Clearance and Inquiry Fee Schedule

## Permit Fee Schedule

Category of Permit Application	Fee for Development Applications	Fee for Alterations or Interference with Wetlands, Shorelines and Watercourses Applications		
Minor - No technical reports required.	\$380	\$380		
Standard - Detailed report and/or plans required.	\$560	\$990		
Major -Requires one or more reports with high potential for impacts on flooding, pollution, conservation of land or shoreline processes.	\$8,525	\$5,590 Culvert/Bridge replacement \$8,525 All other applications		
Large Fill – over 1,000m <sup>3</sup>	\$8,525 plus \$0.50/m <sup>3</sup>			
Works initiated prior to GRCA approval	2 times the fee for the category			
Rural Water Quality Programs or	\$75			
GRCA projects				
Expired Permit	\$75			
Plans amended to an approved permit	\$75			

## Inquiry Schedule

Category of Application	Fee	
Title Clearance and Inquiry Fee	\$215/property	

## Plan Review Fee Schedule

\*italized - please see Fee Notes

Category of Application	Fee
Subdivision and Vacant Land Condominium	,
Base fee	\$2,090
per net hectare	\$1,090/hectare
Applicant driven modification or Red line Revision	\$1,390
Final clearance for registration of each stage: technical review required	\$5,590
Final clearance Processing Fee: no reports or review required	\$215
Official Plan and/or Zoning Bylaw Amendment	
Major	\$2,090
Minor	\$380
Consent	
Major	\$990
Minor	\$380
Minor Variances	
Major	\$560
Minor	\$250
Site Plan Approval Applications	
Major	\$2,925
Minor	\$380
Complex Applications	\$8,525
Below Water Table Aggregate Applications	
No features of interest within 120 metres of licence limit	\$8,525
Features of interest within 120 metres of licence limit	\$37,145
Above Water Table Aggregate Applications	
No Features of interest within 120 metres of licence limit	\$380
Features of interest within 120 metres of licence limit	\$8,525

When reading the Permit and Planning fee schedule, please refer to the **Fee Notes** outlined below.

#### **Fee Notes**

- 1. All fees are made payable and submitted directly to Grand River Conservation Authority.
- 2. Applicants are encouraged to consult with staff prior to submission of all applications to determine the extent and nature of the information required to accompany the application, and to determine the appropriate fee.
- 3. Permit applications that fall into one or more categories will be charged one fee, at the highest rate.
- 4. Plan review applications that fall into one or more categories will be charged one fee, at the highest rate.
- 5. The Conservation Authority may provide a refund or require the applicant submit additional funds for a permit or plan review fee if it is found that an incorrect fee has been submitted.
- 6. *Minor Categories* Low risk of impact on natural hazards or natural features. Plans required. No technical reports required.

## Fee Notes (cont'd)

- 7. Standard Permit Category Moderate hazard risk and/or potential impact on natural hazards or natural features. Detailed plans required. Scoped technical reports required.
- 8. Major Permit Category—High hazard risk and/or potential impact to natural hazards or natural features. Detailed plans required. One or more technical report required (Environmental Impact Study, Hydraulic Analysis, Storm Water Management, Geotechnical, etc.). Development permit applications for: golf courses, trailer parks, campgrounds, lifestyle communities will be considered as a major permit.
- 9. Major Plan Review Category—High or Moderate hazard risk and/or potential impact on natural hazards or natural features. Detailed plans required. One or more technical reports (may be scoped) are required.
- 10. Complex Plan Review Category- Planning Act (e.g. OPA/ZC) and/or Site plan applications for: golf courses, trailer parks, campgrounds, lifestyle communities.
- 11. Large Fill The fee is applicable to material placed within the Conservation Authority's regulated areas. Grading associated with *Planning Act* approvals is not considered a large fill application.
- 12. Major permit applications that have previously paid application or clearance plan review fees to the GRCA will be charged fees under the Minor or Standard category.
- 13. Permit fees are non-refundable, except where review indicates that no permit is necessary.
- 14. Expired permit After a permit has expired, a new application must be submitted. For applications to replace a prior permit received within one year of expiry a fee of \$75 is required. Any changes to the plans or a lapse of more than one year will require a full review and the Schedule of Fees in effect at the time will apply.
- 15. The subdivision or vacant land condominium base fee including per net hectare fee will be capped at \$25,000.
- 16. The net hectare fee will be based on the initial submission and will exclude lands outside of the development limit (e.g. natural hazard, natural heritage areas and buffers). Stormwater management facilities and other open space or park uses are to be included in the net hectare fee calculation.
- 17. At the submission of a subdivision or vacant land condominium application, 70% of the base fee and per net hectare is required. Prior to issuance of conditions of draft plan approval, the remaining 30% of the fee is required.
- 18. A Processing Fee will apply for a clearance letter for a subdivision or condominium application where no technical review/reports (e.g. no Erosion and Sediment Control plan, SWM brief, etc.) are required.
- 19. For Aggregate Applications, features of interest include all Natural Heritage, Natural Hazard and surf ace water features.



POWNSHIP OF MONTAGUE

MOVED BY:

RESOLUTION NO: 273-2015

SECONDED BY:

DATE: November 17, 2015

WHEREAS Bill 100, Supporting Ontario Trails Act has the following purposes

- 1. To increase awareness about and encourage the use of trails.
- 2. To enhance trails and the trail experience.
- 3. . To protect trails for today's generation and future generations.
- 4. To recognize the contribution that trails make to quality of life in Ontario
- 5. To recognize the contribution of quality of place.

AND WHEREAS the Association of Municipalities of Ontario has had input into this Bill looking out for municipal interests

AND WHEREAS the Bill includes stronger penalties for property damage and trespassing to discourage such actions

AND WHEREAS the Bill will be asking for best practices to be created and will have participation in these practices be voluntary therefore not creating undue hardship on the municipality

NOW THEREFORE LET IT BE RESOLVED THAT the Council of the Township of Montague supports the overall direction Bill100 Supporting the Ontario Trails Act

AND FURTHER LET IT BE RESOLVED THAT the Council of the Township of Montage encourages the government to continue to work with stakeholders such as ROMA and OFA to enhance the liability and trespass provisions of the Bill

AND FURTHER LET IT BE RESOLVED THAT the Council of the Township of Montague forward this resolution for consideration by all other municipalities in the Province of Ontario.

☐ CARRIED

□ DEFEATED

REPUTY REEVE





We are pleased to invite you to the

# 2016 Annual General Meeting

of the Nottawasaga Valley Conservation Authority

Friday, January 22, 2016 - 9:00 a.m.

John L. Jose Environmental Learning Centre Tiffin Centre for Conservation 8195 8th Line, Utopia, Ontario

RSVP to Laurie Barron
Ibarron@nvca.on.ca or 705-424-1479 ext. 222
by January 15, 2016

#### **Denise Holmes**

From:

Ilona Feldmann <ifeldmann@grandriver.ca>

Sent:

Tuesday, December 08, 2015 1:45 PM

To:

undisclosed-recipients:

Subject:

GRCA News: Grand River Source Protection Plan approved



To All Our Municipal Partners,

below, please find the Grand River Conservation Authority's recent news release regarding the approval of the Grand River Source Protection Plan.

## Regards,

Ilona Feldmann
Source Protection Program Assistant
Grand River Conservation Authority
400 Clyde Road
Cambridge, Ontario N1R 5W6
P: (519) 621-2763 x2318
F: (519)621-4844
www.grandriver.ca

From: Lisa Stocco

Sent: December-03-15 12:34 PM

Subject: GRCA News: Grand River Source Protection Plan approved

## **Grand River Conservation Authority**

## **GRCA NEWS**

December 3, 2015
Release on receipt

## **Grand River Source Protection Plan approved**

A plan to protect the sources of municipal drinking water in the Grand River watershed has been approved by the Ontario Ministry of Environment and Climate Change, the Grand River Conservation Authority (GRCA) announced today.

The Grand River Source Protection Plan was approved by Minister Glen Murray on November 26, 2015 and will take effect July 1, 2016. The plan and its associated documents are available at <a href="www.sourcewater.ca">www.sourcewater.ca</a>.

The source protection planning process began in 2006, when the Ontario government passed the Clean Water Act to protect the sources of municipal drinking water throughout the province, and is based on technical studies, collaborative policy development, and extensive public consultation.

The process was guided by the Lake Erie Region Source Protection Committee, which is made up of representatives from municipalities, business, industry, farmers, landowners, and other stakeholders. The committee also developed plans for the Catfish Creek, Kettle Creek and Long Point Region watersheds.



"Formal approval of the Grand River Source Protection Plan is a major milestone in the Committee's work with its community, agriculture, industry, conservation authority, municipal and provincial partners to protect and enhance municipal drinking water supplies," says Wendy Wright Cascaden, Acting Chair, Lake Erie Region Source Protection Committee. "We look forward to measuring and monitoring the Plan's future success."

She also commended Craig Ashbaugh, former chair of the Lake Erie Region Source Protection Committee, as well as staff of the Grand River Conservation Authority. "I wish to formally recognize Craig for his leadership in bringing together all of the partners, shaping the decisions and guiding the planning process over the last eight years," says Wright Cascaden. "The Source Protection Committee also received excellent support and guidance from the former Program Director, Lorrie Minshall, as well as Martin Keller, Source Protection Program Manager, and their staff. They made significant contributions to the development of an attainable plan and will play a key role in the successful implementation of the Plan in the future. The approved Grand River Source Protection Plan is a considerable achievement that will benefit generations to come."

The Lake Erie Region Source Protection Committee is continuing its work to address risks to water quantity. These components will be included in a future update to the Grand River Source Protection Plan.

With the approval of the Grand River Source Protection Plan, all 22 source protection plans are now in place across Ontario. Source protection plans are local science-based plans designed to protect the water quality of the lakes, rivers and sources of underground water that supply municipal drinking water systems. The plans set out actions to eliminate, manage or reduce potential risks to drinking water sources.

Policies in the Source Protection Plans include a variety of approaches to manage and prevent risks to municipal drinking water. These approaches include education and outreach, the development of risk management plans, land use planning, and monitoring. The policies are designed to keep contaminants out of rivers, lakes and groundwater aquifers that are sources of municipal drinking water.

The source protection planning process is directed and funded by the Ontario Ministry of the Environment and Climate Change in conjunction with municipalities. Local conservation authorities provide additional technical, communications and administrative support for the source protection planning process.

-30-

Lisa Stocco, APR | Manager of Communications | Grand River Conservation Authority

www.grandriver.ca | Phone: 519-621-2763, ext. 2316



Total Control Panel

To: dholmes@melancthontownship.ca Message Score: 50

My Spam Blocking Level: High From: ifeldmann@grandriver.ca

> Block this sender Block grandriver.ca

This message was delivered because the content filter score did not exceed your filter level.

High (60): Pass Medium (75): Pass Low (90): Pass

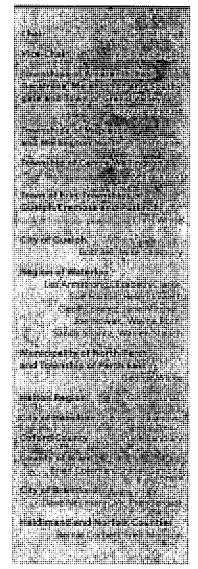
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# **GRCA** Current



December, 2015 · Volume 20 Number 11

## **GRCA** General Membership









## Award for dam safety

The Canadian Dam Association has recognized the GRCA with a corporate award for work in the area of dam safety.

This is an award related to advancing dam safety and the GRCA has been recognized by its peers within the Canadian dam safety community.

The award itself says that it "recognizes valued contributions, commitment and support of advancement of knowledge and safe management of dams." The GRCA has been improving its dam safety program over many years to bring it to the rigorous program that it is today.

The GRCA operates 27 dams. Seven of these are actively used to manage river flows within the watershed and are classified as multi-purpose dams. These dams serve two key functions — controlling floods and supplying water to the river when there is not much rainfall. Other benefits include hydro production and recreation in the reservoirs that are created by the dam system.

The GRCA's other 20 dams are generally run-ofthe-river dams or earthen embankment dams with small head ponds.

## Changes to park fees

New 2016 park fees will come into effect Jan. 1.

The rate for a Grand River Parks Membership will remain the same as last year at \$125. The membership includes a booklet of discount coupons for activities such as canoe rental, ski rental and tubing. This will be the third season of the membership program, which replaced vehicle windshield stickers. The change is popular.

Daily admission rates are going to be consistant at all parks: \$6 for adults and \$3 for children. Many parks had the \$6 fee in 2015, but for some the fee was \$5.75.

The rate structure for overnight camping has been simplified and seasonal camping rates will increase by about three per cent.

In coming up with the new rates, the GRCA looked at statistics from other camping providers

in the area.

The report on these changes is available on www.grandriver.ca/meetingreports with the November agenda. The fees will also be posted online at www.grandriver.ca/parks.

## Ice storm funding received

The GRCA has been reimbursed for cleanup costs that came in the wake of the severe ice storm in December 2013.

The cleanup of hazard trees on GRCA-owned land took six months. The GRCA submitted a claim for \$548,000 to the Ministry of Municipal Affairs and Housing by the December 2014 deadline. The province reimbursed the GRCA in two payments--\$192,000 this past April and the balance of \$351,000 in October. This is \$5,000 shy of the overall claim.

This money is going back into the GRCA reserves, which is where it initially came from.

## Source Protection Plan approved in December

The GRCA announced Dec. 3 that the plan to protect the sources of municipal drinking water in the Grand River watershed was approved by the Ontario Ministry of the Environment and Climate Change and will take effect July 1, 2016.

The Grand River Source Protection Plan was approved by Minister Glen Murray. The plan and its associated documents are available at <a href="https://www.sourcewater.ca">www.sourcewater.ca</a>.

The source protection planning process began in 2006, when the Ontario government passed the Clean Water Act to protect the sources of municipal drinking water throughout the province. The plan is based on technical studies, collaborative policy development and public consultation.

The process was guided by the Lake Erie Region Source Protection Committee, which is made up of representatives from municipalities, business, industry, farmers, landowners and other stakeholders. The committee also developed plans for

www.grandriver.ca

**Grand River Conservation Authority** 

P STAT

the Catfish Creek, Kettle Creek and Long Point Region watersheds.

## **New planning fees**

New resource planning fees comes into effect Jan. 1, 2016.

The fees remain the same as last year for minor applications. But the new schedule reflects a two per cent increase for permit applications, plan review, title clearance and inquiries.

The number of permits and planning applications changes each year. To Oct.31, 2015, 650 permit applications were received, compared to 671 in 2014 and 753 in 2013.

To date in 2015, there have not been any below water table aggregate applications, while only one large fill permit was received.

The fees help to cover the cost of GRCA staff time for planning, engineering, aquatics and terrestrial resources.

GRCA staff consulted with the Home Builders/GRCA Liaison Committee and the Ontario Stone, Sand and Gravel Association before setting the new fees.

## Warm weather trend

Precipitation in the northern part of the watershed was near the long-term average through November, but well below average in the southern watershed.

The first significant snowfall was recorded Nov. 21 and 22, with over 20 cm of snow at Luther Marsh. But warm weather that followed meant this snow melted and river levels went up.

For the third month in a row, temperatures have been above average, due to El Niño,. The average temperature in November at Shand Dam was 5.7 degrees, which is 4.7 degrees above the long-term average. The thermometer reached 20 degrees in November on some days and in some locations, which is rare for the time of year.

The level of Lake Erie is well above the long-term average. Lake Erie shoreline flood messages were issued on Oct. 28 and Nov. 12 due to high winds that caused the lake to rise at Port Maitland. Some minor flooding was reported as a result of the second incident. Reservoirs are slightly above normal.

The Grand River Low Water Response Team removed the Low water conditions on

机电流 医骨折



This was the first major snowfall at first light on the morning of Nov. 22 near the Nith River. However, the warm rays of the sun melted the snow quickly. We are likely to have a mild winter due to the warming impact of El Niño.

Nov. 9; it had been in place since Aug. 6 through the Lower Nith, Eramosa, Mckenzie and Whitemans subwatersheds.

## Two GRCA houses to be demolished

The GRCA will demolish two vacant houses in Erin Township that are on property that the GRCA has owned since the mid-1970s.

Houses are sometimes part of larger property acquisitions that have been made by the GRCA. These two 1940s bungalows on Highway 125 share one driveway. They were initially rented out, but are now vacant.

Demolition of vacant houses on GRCAowned property reduces liability.

## Winter adventure camps

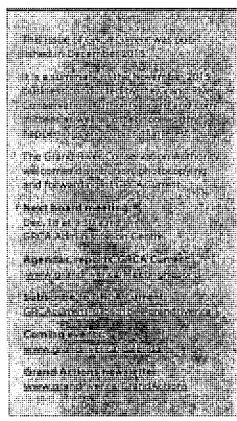
Winter Adventure Camps are scheduled at Laurel Creek and Guelph Lake nature centres during the winter holidays.

The camps take place Dec. 21-23 and Dec. 29-31 at Guelph Lake and Dec. 21-22 and Dec. 29-30 at Laurel Creek.

These camps allow children 6 to 12 to get outside and experience nature during the holidays. Registration is available

## www.grandriver.eventbrite.ca.

These programs feature nature-themed activities with the goal of introducing children to a lifetime of appreciation for the natural world.



Follow the GRCA: Tibe





#### Niagara Escarpment Commission

232 Guelph St. Georgetown, ON L7G 4B1 Tel: 905-877-5191

Fax: 905-873-7452 www.escarpment.org

#### Commission de l'escarpement du Niagara

232, rue Guelph Georgetown ON L7G 4B1 No de tel. 905-877-5191 Télécopleur 905-873-7452 www.escarpment.org



November 30, 2015

Tim Salkeld, Resource Planner, Nottawasaga Valley Conservation Authority
Denise B. Holmes, Clerk-Treasurer, Township of Melancthon
Scott Burns, Director of Public Works, County of Dufferin
Maria Jawaid, Acting District Planner, Ministry of Natural Resources and Forestry
Barb Slattery, Ministry of the Environment and Climate Change
Jackie Van de Valk, Rural Planner, Ministry of Agriculture, Food & Rural Affairs

## REQUEST FOR COMMENTS

FILE NUMBER:

D/R/2015-2016/268

APPLICANT:

Kulwant Kaloti Sanjeev Kumar

AGENT: OWNER:

Sukhwinder Kaloti

LOCATION:

Part Lot 15, Concession 2 OS E

537224 Main Street

Township of Melancthon, County of Dufferin

RELATED FILES:

N/A

DESCRIPTION OF PROPOSED DEVELOPMENT: To permit the development of an eight (8) lot residential subdivision including installation of all roads, utilities, services and residential homes on a 15.45 ha (38.19 ac) lot. There will be a maximum of eight (8) dwellings constructed to a maximum size of 557.4 sq m (6000 sq ft) and a maximum height of 10.36 m (34 ft).

Note: The applicant is proposing to donate a .28 ha (.69 ac) portion of the parcel to the Township to add to an existing park.

The attached Development Permit application, which is summarized above, is being sent to you for your review. Your comments and recommendations are requested for the Niagara Escarpment Commission's consideration.

We request your comments by: <u>January 15, 2016</u>. If we do not receive your comments, we will assume you have no objection to the proposal. If you require additional time to provide comments, please call immediately.

If you require further information, please contact Sean Stewart, at (905) 877-8581 or e-mail: <a href="mailto:sean.d.stewart@ontario.ca">sean.d.stewart@ontario.ca</a>

Ontario's Niagara Escarpment - A UNESCO World Biosphere Reserve

FILE # D/2/2015 - 2016/268

## NIAGARA ESCARPMENT COMMISSION

## NIAGARA ESCARPMENT DEVELOPMENT PERMIT APPLICATION

(Revised June 17, 2010)

THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT, RSO, 1990, AS AMENDED

<b>Ŭ</b>	NIAGARA ESCARPMENT COMMISSION Box 308, 99 King Street East Thornbury, ON N0H 2P0  Phone: (519) 599-3340 Fax: (519) 599-6326 Website: www.escarpment.org Serving the areas of: ON Bruce County Grey County Simcoe County
----------	---

Please ensure that the information you provide in this application is <u>complete</u> and <u>accurate</u>. Incomplete information will delay the processing of your application. Inaccurate information may render any approval void. Please contact your local Commission office if you have any questions about completing this application.

1. APPLICANT		
ame: KULWANT KALOTI		
ailing Address: 315 BRISDALE DR, BRAMPTON	ON	L7A3C1
Street/P.O. Box City/Town	Province	Postal Code
none: 905 - 497 - 2319 Fax: N/A	E-mail: <u>(Cylwant-sir</u>	the 61 @hotmail.com
2. AGENT (if any) Note: All correspondence will be sent to the Age	nt where an Agent is de	esignated.
me: <u>SANJEEV KUMAR</u>		
ailing Address: 3086 HAROLD SHEARD DR , MISSI	SSAUGA, ON,	247185
StreeVP.O. Box City/Town	Province	Postal Code
ione: 416-802-4885 Fax: N/A		
3. OWNER (if different from applicant)	<del></del>	mail com
me: MRS. SUKHWINDER KALOTI		
ailing Address: 315 BRISDALE DR BRAMPTON	ON	L7A3C1
	riorinoo	Postal Code
ione. 103-711 2317 Fax: /V/A	E-mail: Kulwight sh	yh 61@hotmail.com

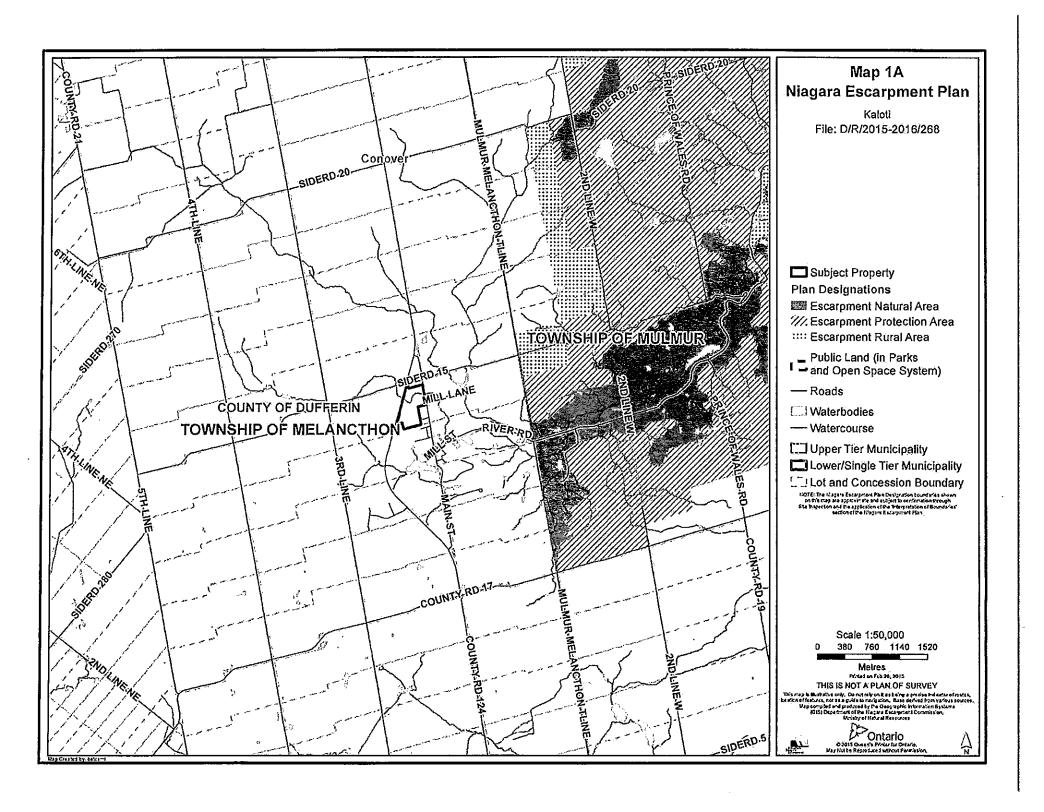
4. CONTRACTOR (if applicable)	
Name:	
Mailing Address: StreeVP.O. Box City Town	
1/	Province Postal Code E-mail:
5. PROPERTY LOCATION	
County/Region <u>Duffercin</u> Municipality <u>Melanct</u>	(former) Municipality
Lot 15 Concession 2 Lot	
Civic Addressing # _537224 MAIN ST. Street Address (Fire/Emergency #)	
6. LOT INFORMATION	
Lot Size 15,45 ha (38,19 ac) Proposed Lot	
Frontage 256.62m Frontage	Total: 8 lots (Proposed)
Depth 338.05m Depth	
<u>'</u>	· · · · · · · · · · · · · · · · · · ·
7. SERVICING	
Road Frontage: Municipal Private Right-of-Wa	ay Year-round Summer Only
Water Supply: ☐ Municipal ☐ Communal ☑ Private Wel	II Other:
Sewage System: Municipal Communal Private Sept	tic Other:
8. EXISTING LAND USE and PROPOSED DEVELOPMENT	
Check applicable boxes and briefly describe of	n the adjoining line.
Existing Land Use/Buildings: (describe below) Prop	osed Development: (describe below)
Residential Residen	tial Subdivision
Agricultural 🗹 🗆	
Commercial	
Industrial	
Institutional	
Other	
9. EASEMENTS, COVENANTS, AGREEMENTS	
Please describe the type and terms of any easements, right-of-way	s covenants agreements or other restrictions
registered on or affecting the title of the property:	al astaliminal adiabiliones at Anjar tagnisharia

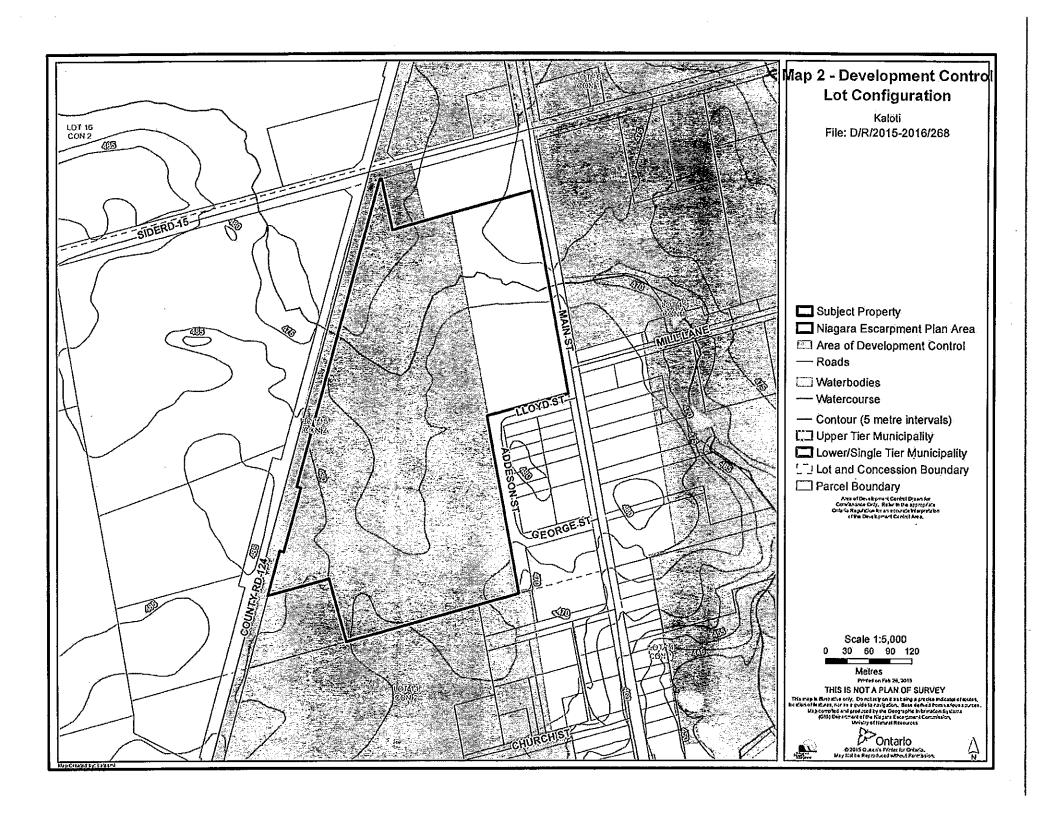
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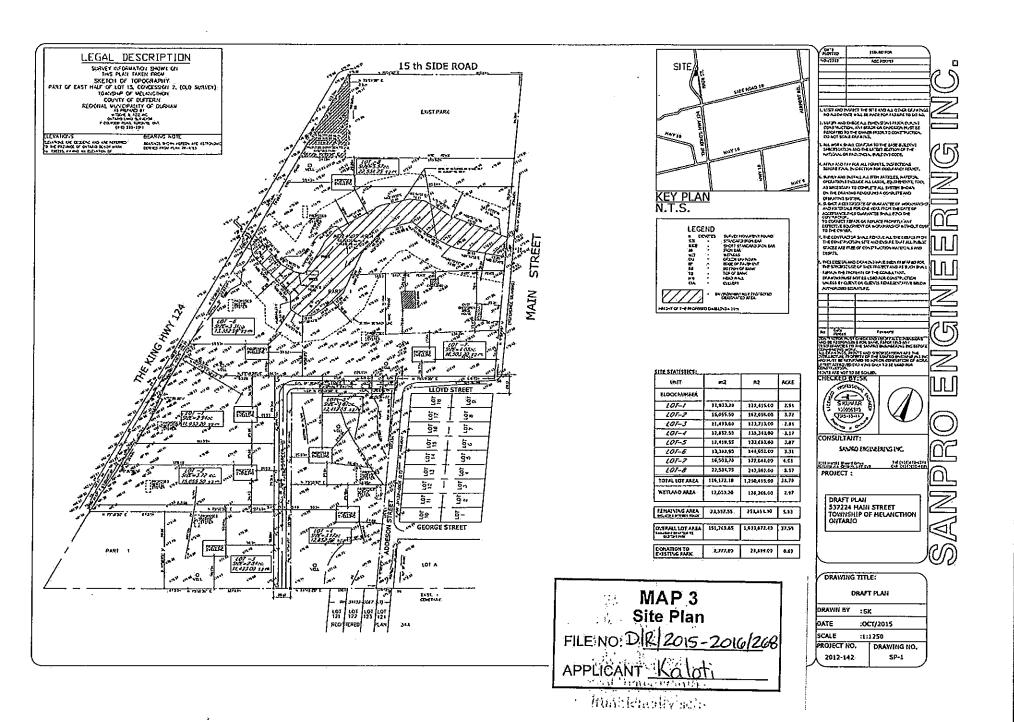
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DEPENDING ON THE NATURE OF THE PROPOSED DEVELOPMENT AND/OR THE CHARACTERISTICS OF THE PROPERTY, SI INFORMATION SUCH AS BUILDING PLANS, LANDSCAPING PLANS, VISUAL ASSESSMENTS, EROSION CONTROL PLANS, GRAPLANS, OR AN ENVIRONMENTAL IMPACT ASSESSMENT MAY BE REQUIRED, IN ADDITION TO THE FOLLOWING INFORMATIC Ground Floor Area is the total exterior measurements of the building, including attached garages and decks (as applicable). Maximum Height is measured from the lowest grade (e.g., walkout side), to the period. Total Floor Area (i.e., total mass) is based on the exterior measurements of the building and included the ground floor area (including attached garages, etc.) + walkout basements + full or ½ second stories, etc.)  Please fill in complete details for each proposed building, below:  Ground Floor Area (Exterior measurements)  Total Floor Area (so flooreys Maximum Height (to peak))  Accessory Building  Accessory Building  Accessory Building  12. ACCESSORY FACILITIES, OTHER STRUCTURES, FILLING AND GRADING  (e.g., Gazebos, decks, swimming pools, tennis courts, lighting, signs, retaining walls, filling, grading, berms, parking lots/areas, tree depower towers, wind machines (fans), solar panels, geothermal systems, hydro services/poles & lines, etc.) (See next page for ponds)  Please describe and provide information such as: location, dimensions, size, height, etc.	the property was p	urchased by the curre	ent owner:1	3-05-201	1	· -
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DEPENDING ON THE NATURE OF THE PROPOSED DEVELOPMENT AND/OR THE CHARACTERISTICS OF THE PROPERTY, SUINFORMATION SUCH AS BUILDING PLANS, LANDSCAPING PLANS, VISUAL ASSESSMENTS, EROSION CONTROL PLANS, GRAPLANS, OR AN ENVIRONMENTAL IMPACT ASSESSMENT MAY BE REQUIRED, IN ADDITION TO THE FOLLOWING INFORMATIC  Ground Floor Area is the total exterior measurements of the building, including attached garages and decks (as applicable). Maximum Height is measured from the jowest grade (e.g., walkout side), to the perform for total Floor Area (i.e., total mass) is based on the exterior measurements of the building and included of the ground floor area (including attached garages, etc.) + walkout basements + full or ½ second stories, etc.) + walkout basements + full or ½ second stories, etc.  Please fill in complete details for each proposed building, below:  Ground Floor Area  A of Storeys  Maximum Height Rod (to peak)  Rod (to peak)  Please fill in Complete details for each proposed building, below:  Ground Floor Area  Ground Floor Area	•				/·//	
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(e.g., Establishing a Home Business, Home Occupation, Home Industry or Bed and Breakfast business within an existing dwellibuilding. Converting or changing the use of a dwelling, building, property, etc.)	Sazebos, decks, swimmi lowers, wind machines (i e describe and prov	tans), solar panels, geother	as: location, dimension	pes/poles & lines, etc.) (sons, size, height, et	See next page for pon	ree clearing,
Please describe the proposed business or new use and provide information such as: type of business, size of land or building to be occupied or altered by the use, construction or alteration details, number of employees parking, storage details, signage, etc.	Bazebos, decks, swimmi towers, wind machines (in the describe and prove the describe and pr	cHANGE OF USE,	nrmal systems, hydro service as: location, dimension with the systems of the syst	pes/poles & lines, etc.) (S	See next page for pon	ids)

Proposed New Por		Folia		
Type of Pond:	Spring-fed	☐ By-Pass	_	on-stream pond)
Jse of Pond:	☐ Recreation	☐ Livestock	☐ Irrigation	Other
Vater Source:	☐ Springs	☐ Precipitation/run-off	☐ Well	Other
Size of Pond:	•		·	
	Height of Banks		_ Width of Banl	ks
Distance to nearest wa	atercourse, wetlan	d &/or roadside ditch:		
istance to nearest ex	isting or proposed	septic system:		
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Related erosion/sedim	ent control measu	res, placement/use of excavate	d material, finis	sh grading & landscaping:
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				sh grading & landscaping:
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15. LOT CREATION f this application invol	DETAILS (if appl ves the creation / s	icable) severance of a new lot, please p	provide the folk	
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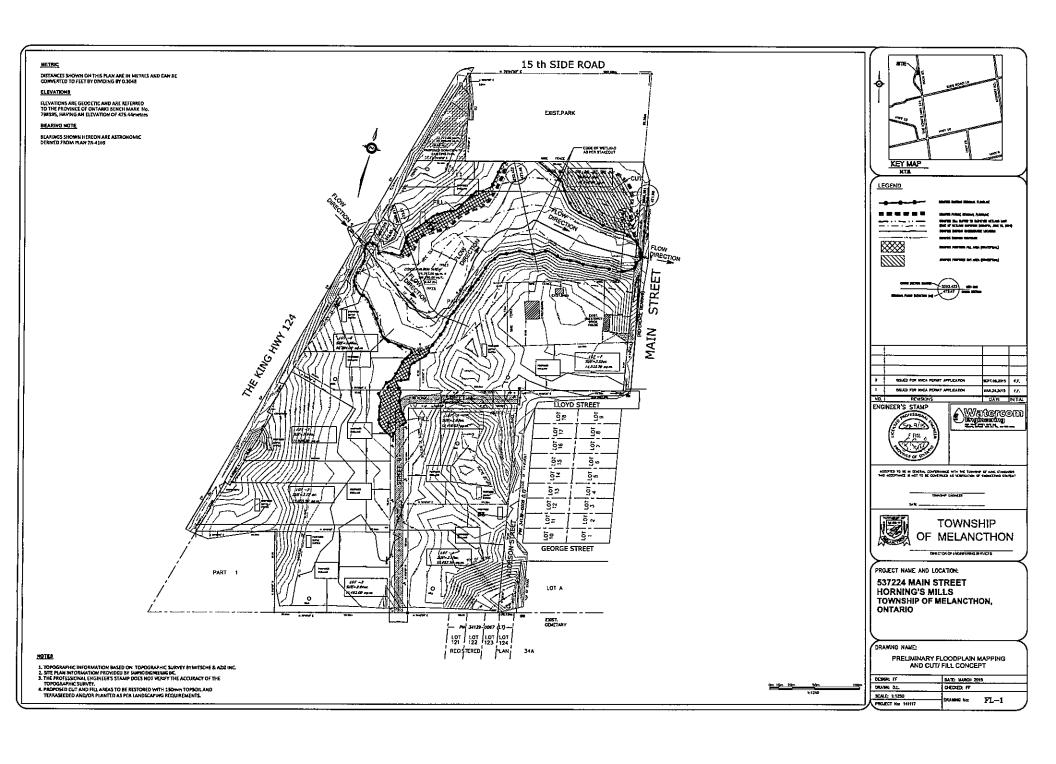






LOT	$LQT_{\{i,j,j,l\}}$		PROP.NUMBER	HEIGHT	FRONT	REAR
NO.	AREA	ĜFA OF	OF STOREY	OF THE	YARD SET	YARD
		S.F.D		S.F.D	BACK	SETBACK
ONE	2.94Acre	Min.3000sqft	Two	34ft	As per zoning	As per zoning
		to Max.		=	by law	by law
		6000sqft			Township of	Township of
					Melanchthon	Melanchthon
TWO	3.72/1cre	Min.3000sqft	Two	34ft	As per zoning	As per zoning
		to Max.			by law	by law
		6000sqft			Township of	Township of
					Melanchthon	Melanchthon
THREE	2.84Acre	Min.3000sqft	Two	34ft	As per zoning	As per zoning
	}	to Max.		•	by law	by law
	i	6000sqft			Township of	Township of
					Melanchthon	Melanchthon
FOUR.	3.17Acre	Min.3000sqft	Two	34fl	As per zoning	As per zoning
		to Max.		-	by law	by law
		6000sqft			Township of	Township of
					Melanchthon	Melanchthon
FIVE	3.07Acre	Min.3000sqft	Two	34ft	As per zoning	As per zoning
		to Max.			by law	by law
		6000sqft			Township of	Township of
					Melanchthon	Melanchthon
SIX	3.31Acre	Min.3000sqft	Two	34ft	As per zoning	As per zoning
		to Max.			by law	by law
		6000sqft			Township of	Township of
					Melanchthon	Melanchthon
SEVEN	4.08Acre	Min.3000sqft	Two	34ft	As per zoning	As per zoning
		to Max.			by law	by law
		6000sqft			Township of	Township of
					Melanchthon	Melanchthon
EIGHT	5.57Acre	Min.3000sqft	Two	34ft	As per zoning	As per zoning
		to Max.			by law	by law
		6000sqft			Township of	Township of
					Melanchthon	Melanchthon

FIGURE 1
Proceed Dwelling Sizes
FILE NO. DIR/ 2015-2016/2008
APPLICANT Kaloti





# **Technical Memorandum**

To: Sanjeev Kumar, Project Manager, Sanpro Engineering

Re: Record of Site Condition Requirement

From: Jennifer Thompson, Azimuth Environmental

Project: 13-195

Date: March 14 2014

Azimuth Environmental consulting, Inc. ("Azimuth") was retained by Mr. Sanjeev Kumar to determine whether a proposed development requires a Record of Site Condition (RSC) to proceed. The property is located at 537224 Main Street, Township of Melancthon, County of Simcoe (the "site") and is currently in use as a rural residence and as agricultural land. It is our understanding that as part of the development, the client intends to proceed with a zoning amendment application to the Township of Melancthon. This amendment would re zone the site from rural agricultural to residential.

Ontario Regulation 153/04 (as amended) requires the submission of an RSC for specific municipal zoning changes (i.e., O.Reg. 153/04 – Part IV – Change of Property Use). An RSC is typically required when the property is re-zoned from a less sensitive to a more sensitive land use. According to O.Reg 153/04, property that is used for agricultural uses are considered more sensitive than land used for residential, parkland, or institutional uses, which in turn are more sensitive than land used for industrial, commercial, and community uses.

According to the Schedule B of the Official Plan for the Township of Melancthon, the site is currently in a community development area. Surrounding land use within this area include residential and agricultural. It is noted that the proposed zoning change does not significantly differ from the current property uses of the surrounding land. The land is therefore considered to be an agricultural property for the purpose of O.Reg 153/04 (as amended).

Therefore, it is the opi nion of Azimuth that an RSC should not be required to re-zone the property from agricultural to residential as part of a proposed development plan.

Please do not hesitate to contact me if you have any further questions

OLM JHUMPS M Jennifer Thompson, B.St.,

Hydrogeologist



# **TOWN OF SHELBURNE**

# Planning & Development Department

December 1, 2015

#### CIRCULATED TO:

- County of Dufferin (x2)\*
- Nottawasaga Valley Conservation Authority\*\*
- Township of Amaranth\*\*
- Township of Melancthon\*\*
- Upper Grand District School Board\*\*
- Dufferin-Peel Catholic District School Board\*\*
- Hydro One\*\*\*
- Ontario Power Generation\*\*\*
- Enbridge Gas\*

- Public Works\*\*
- Engineering\*\*
- Shelburne & District Fire Department\*\*
- Shelburne Police Service\*\*
- Legal\*\*
- Council\*

\*Email and hard copy circulation \*\*Email circulation only \*\*\*Hard copy circulation only

#### TOWN OF SHELBURNE OFFICIAL PLAN REVIEW AND SECONDRAY PLAN

FILE NO: OPA 34 AND OPA 36
PROJECT: OFFICIAL PLAN REVIEW, MUNICIPAL COMPREHENSIVE REVIEW
& SHELBURNE WEST SECONDARY PLAN

Please take notice that the Town of Shelburne is proposing amendments to the Official Plan. The purpose of the proposed Official Plan Amendment No. 34 (draft OPA 34) is to address the requirements of the Planning Act and the Places to Grow Act. Draft OPA 34 was previously circulated to review agencies and two (2) public meetings and two (2) public open houses were previously held by the Town for draft OPA 34. A third public open house and third public meeting have been scheduled to consider proposed revisions to draft OPA 34 to address comments previously received by the Town, the 2014 Provincial Policy Statement, the County of Dufferin Official Plan, and the results of a Municipal Comprehensive Review. The purpose of the proposed Official Plan Amendment No. 36 (draft OPA 36) is to implement changes to the Town's Official Plan recommended as a result of a Municipal Comprehensive Review and a Secondary Plan for land on the west side.

A copy of the Notice of Public Open House and Public Meeting is attached, and a tracked changes version of the Town's Official Plan illustrating the proposed changes, as well a consolidated version of the Official Plan including the proposed draft changes, are available in PDF by email circulation and on the Town of Shelburne website. Please contact me should you require hard copies or additional information to complete your review.

I would appreciate any comments, concerns or conditions you may have as soon as possible, and no later than **December 18, 2015** if you wish to have your comments considered as part of the scheduled Public Meeting. Please provide comments in an electronic format via email to <a href="mailto:planning@townofshelburne.on.ca">planning@townofshelburne.on.ca</a>. Alternatively, if you have no comment or objection, please complete the attached response sheet and return it by email or fax it to the Town of Shelburne Planning Department at (519) 925-6134. Should you have any questions or require any additional information, please contact me.

Sincerely,

Steve Wever, MCIP, RPP Town Planner

Attachment(s)

Official Plan Amendment #34 and #36

File:

Date

#### **Circulation Response Form**

Amendments to the Town of Shelburne Official Plan **Project:** If you have no comments or objection to the approval of the above noted application please complete this form and fax it to the Town of Shelburne by December 18, 2015. Fax Number: 519-925-6134 (No cover page is necessary) By signing this document I acknowledge that as a representative of the noted organization / body / or person, I have reviewed this application and as a result have no comments or concerns related to this matter. Agency Name (Please Print) Representative Name (Please Print) Representative Title (Please Print) Signature



#### THE CORPORATION OF THE TOWN OF SHELBURNE

#### NOTICE OF PUBLIC OPEN HOUSE AND PUBLIC MEETING

REGARDING AMENDMENTS TO THE TOWN OF SHELBURNE OFFICIAL PLAN UNDER SECTION 17 AND 26 OF THE PLANNING ACT, R.S.O. 1990, C.P. 13 AS AMENDED

Please be advised that the Corporation of the Town of Shelburne will be holding a Public Open House and a Public Meeting pursuant to Sections 17 and 26 of the Planning Act, as amended, to discuss proposed amendments to the Town of Shelburne Official Plan, as follows:

Public Open House: MONDAY, DECEMBER 7, 2015 – 4:00 P.M. TO 6:30 P.M.

Public Meeting: MONDAY, DECEMBER 21, 2015 – 7:00 P.M.

both to be held in the Council Chambers on the 2<sup>nd</sup> floor at the Town Offices in the Town of Shelburne.

#### **PURPOSE**

The purpose of the proposed Official Plan Amendment No. 34 (draft OPA 34) is to address the requirements of the Planning Act and the Places to Grow Act. Two (2) public meetings and two (2) public open houses were previously held by the Town for draft OPA 34. This will be a third public open house and third public meeting to consider proposed revisions to draft OPA 34 to address comments previously received by the Town, the 2014 Provincial Policy Statement, the County of Dufferin Official Plan, and the results of a Municipal Comprehensive Review. The purpose of the proposed Official Plan Amendment No. 36 (draft OPA 36) is to implement changes to the Town's Official Plan recommended as a result of a Municipal Comprehensive Review and a Secondary Plan for land on the west side.

#### **LAND AFFECTED**

The land to which the proposed draft OPA 34 applies generally includes all land within the corporate limits of the Town of Shelburne. For this reason no map of the subject land has been provided. The land to which the proposed draft OPA 36 applies is shown on the accompanying map.

#### **ADDITIONAL INFORMATION**

Additional information and material about the proposed Official Plan Amendments will be available in the Town of Shelburne Office during regular office hours, Monday to Friday, from 8:30 am to 4:30 pm, and on the Town's website at www.townofshelburne.on.ca. The proposed Official Plan Amendments will be available on or before December 1, 2015.

#### **NOTIFICATION**

If you wish to be notified of the adoption of the proposed Official Plan Amendments, you must make a written request to the Town of Shelburne delivered to John Telfer, Town Clerk/CAO.

#### **APPEAL PROCEDURES**

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Shelburne before the proposed Official Plan Amendments are adopted, the person or public body is not entitled to appeal the decision of the Town of Shelburne or the County of Dufferin to the Ontario Municipal Board. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Shelburne before the Official Plan Amendments are adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

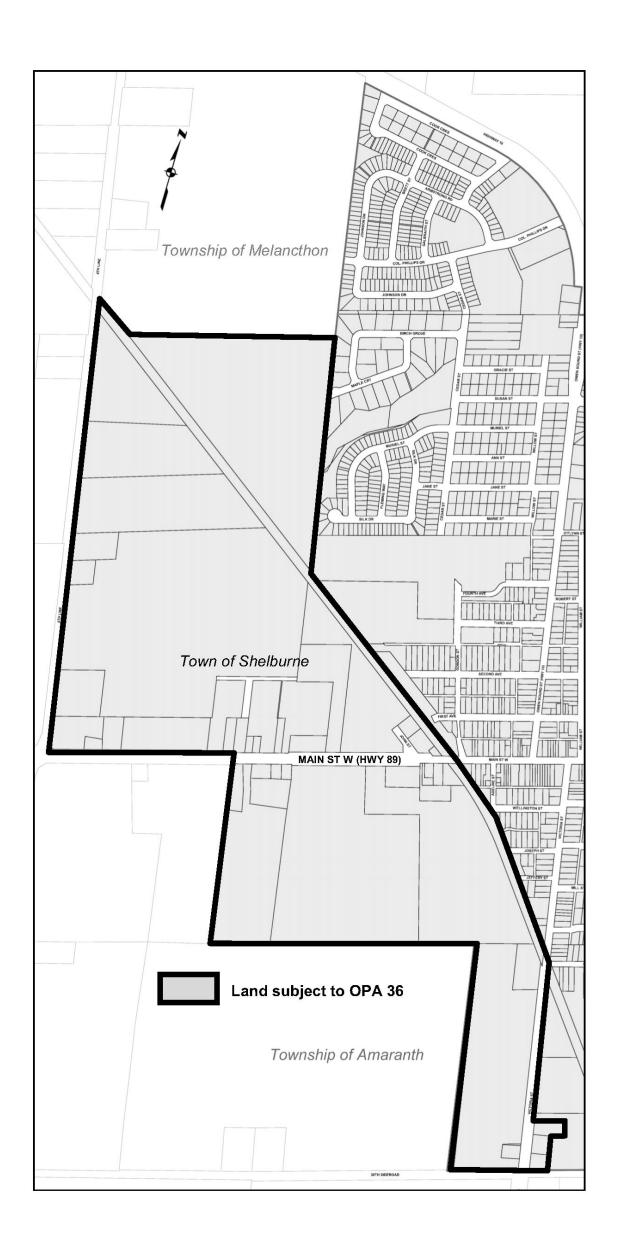
#### OTHER APPLICATIONS UNDER THE PLANNING ACT

As of the date of this notice, the following applications under the Planning Act apply to certain land: File No. Z07/04R – Zoning By-law Amendment – Pt. Lot 32 Con. 2 – Main Street East / County Road 11 File No. Z10/06 – Zoning By-law Amendment – Plan 15A Blk. 29, Lots 1 & 2 – 104 Robert Street East File Nos. OPA14/01 and Z14/01 – Official Plan and Zoning By-law Amendment – Pt Lot 3 & 4, Con. 3, Plan 7M-56 Blk. 244 – Owen Sound St. (Hwy 10) / Col. Phillips Dr.

DATED AT THE TOWN OF SHELBURNE THIS 1st DAY OF DECEMBER, 2015.

John Telfer, CAO/Clerk Town of Shelburne 203 Main Street East Shelburne, Ontario L9V 3K7 Phone: 519-925-2600

Fax: 519-925-6134



# OF THE TOWN OF SHELBURNE

APRIL 2006 (CONSOLIDATION AND OPA 33)

# MARKED UP VERSION ILLUSTRATING PROPOSED DRAFT CHANGES AS A RESULT OF THE 2010 OFFICIAL PLAN REVIEW AND CONFORMITY AMENDMENT

DRAFT OPA 34 – May 2010 rev. #1 – November 2015 rev. #2 DRAFT OPA 36 – November 2015

PROPOSED TEXT ADDITIONS AND DELETIONS SHOWN IN RED
PROPOSED RELOCATED TEXT SHOWN IN GREEN
PROPOSED RELOCATED TEXT SHOWN IN GREEN

**DRAFT #2 CHANGES HIGHLIGHTED** 

FOR OFFICE USE ONLY
PLEASE REFER TO THE
ORIGINAL OFFICIAL PLAN
AND AMENDMENTS THERETO
FOR ADDITIONAL INFORMATION

# CONSOLIDATED OFFICIAL PLAN OF THE TOWN OF SHELBURNE

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# OFFICIAL PLAN OF THE TOWN OF SHELBURNE AND APPROVED OFFICAL PLAN AMENDMENTS

Amendment No. Official Plan	Date of Adoption By Council	Date of Approval By Ministry	Description
OFFICIAL PLAN	Mar.23, 1970		Entire Village of Shelburne
1		Nov.24, 1972	
2		Aug.8, 1973	
3	Apr.14, 1975		-Commercial designations NW & NE corners Greenwood and Main -Multiple Residential density Main Street east of Besley Drain
4	Nov.29, 1976	Feb.4, 1977	-Commercial designation NW corner of James Street and First Avenue
5	May 9, 1977	Sept.25, 1978	-Residential designation density E. Half of Lot 2, Conc.2, Old Survey, Twp. Of Melancthon & 50 acres in NW corner of Town -Incorporate Policies into Section 4-Residential
6	June 26, 1978	Jan.11, 1979	-Additions to Section 6- Development Policies and Section 7-Implementation to Control Development on Land annexed by the Town (50 acres in NW corner of Shelburne)
7	Jan.24,1977	Mar.25, 1977	-Text changes to Section 6 to clarify residential uses
8	June 13, 1977	Aug.6, 1977	-Residential designation SW corner of Owen Sound Street and Louise Street
9	Feb.14,1985		-Commercial designation SE corner of First Ave. and William Street
10	Dec.28,1982	Mar.4,1983	-Commercial designation Lots 7,8 and 9, Block 32 Reg. Plan 13A, 91 metres east of Main Street East and Dufferin
11	June 13, 1983	Aug.19,1983	-Residential designation NW corner of John Street and Main Street

Amendment No. Official Plan	Date of Adoption By Council	Date of Approval By Ministry	Description
12	July 25, 1983	Mar.16, 1984	-Comprehensive review
13	Dec.30, 1985	Feb.20,1986	-Incorporate Community Improvement policies, added Schedule 'D'
14	Feb.10,1986	Feb.27,1986	-Incorporate Site Plan Control Policies, deleted Subsection 8.a.8 and replaced
15	Dec.21,1987	Apr.24, 1989	-Residential, Industrial and Open Space Conservation designations-Part of North Half of East and West Halves of Lot 31, Conc.2, Town of Shelburne
16	Sept.26,1988	Apr.18, 1989	-Commercial designation SW corner of Main Street and CPR
17	Feb.13, 1989	May 23, 1989	-Commercial designation NW corner of Main Street and Centennial Road
18	Apr.9, 1990	June 16, 1990	-Residential designation of 4 Board of Education lots, Third Avenue, Schedules 'A' and 'B'
19	Apr.9, 1990	May 17, 1991	-Schedule 'B'-multiple development area, Shelburne Meadows, next to Centennial Highland and industrial park
20	June 25, 1990	Sept.21, 1990	-Special Institutional policies, Old Shelburne School, Second Avenue
21	Sept.24,1990	Jan.25,1991	-Revisions to Industrial Policies
22	Feb.24, 1992	June 19,1992	-Special Residential policies, Pitter Patter Restaurant, Owen Sound and Jane Streets
23	Approved by OMB	July 30,1991	Fiddler Hill Multiple, Park Avenue and Olde Village Lane
24	Sept.13,1993	Oct.8, 1993	
25	Jan.8, 1996		-Residential designation as Single and Semi-Detached, Semi-Detached, from Special Residential, for Block 76, Reg. Plan 322 on Park Avenue
26	Jan.8, 1996		-Residential designation, as 37 U.P.H. Single Detached, Semi- Detached and Multiple Dwelling, from Special Institutional on Second Avenue

Amendment No. Official Plan	Date of Adoption By Council	Date of Approval By Ministry	Description
27	May 27,1996		-Special Industrial, from Residential, in Part of the West Half Lot 31, Concession II on Victoria Street South
28	June 10, 1996		-Residential designation, from Special Tourism, as 24 u.p.h., single detached, semi- detached, duplex
29	June 9, 1997	July 16, 1997	Industrial designation in Part of the South Half Lot 31, Concession 2 and Part of East Half Lot 2, Concession 2, Old Survey
30	June 9, 1997		13.8 acres designated Special Commercial and Open Space Conservation in Part of the Northwest Half of Lot 32, Concession 1 to the Town of Shelburne
31			Allowance of residential apartment units on a portion of the ground floor in the Central Business district; housekeeping map change for property noting designation from Institutional to Commercial
32	May 26, 2003		Open Space Recreation to Residential, Residential to Open Space Conservation, Institutional to Residential in Part of West Half of Lot 1, Concession 2, Old Survey on Schedule 'A'; Maximum density of 24 u.p.h in Part of West Half of Lot 1, Concession 2, Old Survey on Schedule 'B'
33	February 28, 2005	November 24, 2005	Update and Consolidation
<u>34</u>			Revisions under section 26 of the Planning Act and section 12 of the Places to Grow Act
<u>35</u>	March 5, 2012	May 3, 2012	Residential density increased from 24 units per hectare to 37 units per hectare in Part of the East Halves of Lots 3 & 4, Concession 3, Old Survey (Shelburne North Phase 2)

Amendment No. Official Plan	Date of Adoption By Council	Date of Approval By Ministry	Description
<u>36</u>			Municipal Comprehensive
			Review and Part 1 of
			Shelburne West Secondary
			Plan Implementation

#### **SECTION 1 – FOUNDATIONS OF THE PLAN**

#### 1.1 INTRODUCTION

The Shelburne Planning Area was originally defined by the Minister of Planning and Development on August 11, 1955 and comprised the whole of the Village of Shelburne. The original Official Plan for the Shelburne Planning Area was approved on June 5, 1962, by F.M. Cass, the Minister of Municipal Affairs.

A new Official Plan was adopted for the Shelburne Planning Area in 1970. In 1982, the Planning Board and Shelburne Council undertook a major review of the Official Plan and updated the Plan's policies to reflect the Town's future growth and *development*. The 1982 Plan was intended to be in place until 1995 with reviews being undertaken every five years.

Since 1995, the Town of Shelburne has grown significantly in land area as a result of the annexation of lands in the Townships of Amaranth and Melancthon, in employment due to the introduction of new industry and in population due to increasing growth pressures and population increase housing demands.

Entering the 21st century, the Town of Shelburne is—continues to plan and prepareing for change and opportunity while maintaining its heritage and character. In 2002, the Town initiated an Official Plan Review and Update to address the future growth needs of the Town and determine the most appropriate land uses for the annexed lands. The changes introduced through the Official Plan Review and Update were approved by Council of the Town of Shelburne by the adoption of Official Plan Amendment No. 33 on February 28, 2005, which was subsequently approved with modifications by the Ministry of Municipal Affairs and Housing on November 24, 2005.

During the 2002-2005 Official Plan Review and Update, the new Provincial Policy Statement (March 2005) was approved. All of the amended sections are The changes introduced by Official Plan Amendment No. 33 were deemed to be consistent with the new 2005 Provincial Policy Statement while the existing policies (those not affected by the Official Plan Amendment No. 33 Review and Update) still have regard for the 1996 Provincial Policy Statement.

In 2006, the Province of Ontario approved the *Growth Plan* for the *Greater Golden Horseshoe* under the Places to Grow Act. Following completion of the Dufferin County Growth Management Study in 2009, Town Council initiated the process of reviewing and amending the Town's Official Plan to bring it into conformity with the *Growth Plan*, as required by the Places to Grow Act. The 2009-2010 review of the Town's Official Plan is also intended to fulfill the requirements of Section 26 of the Planning Act.

The provincial planning framework has continued to evolve. In 2010, provincial regulations were finalized in support of the *development* of drinking water source protection plans under the Clean Water Act, 2006. The South Georgian Bay Lake Simcoe Source Protection Plan, which includes the Nottawasaga Valley Source Protection Area within which the Town of Shelburne is located, became effective on July 1, 2015. The Source Protection Plan requires municipal Official Plans and Zoning By-laws to be updated to conform with the applicable significant drinking water threat policies. In addition, a new Provincial Policy Statement came into effect in 2014 (PPS, 2014), and the Planning Act requires that the Town's Official Plan shall be consistent with the PPS. The review of the Town's Official Plan is intended to address these requirements.

In 2014, the County of Dufferin prepared its first Official Plan, which was approved by the Province in 2015. The Planning Act requires that local municipal Official Plans shall be amended to conform with the Official Plan of the upper-tier municipality. In addition, with the approval of the County Official Plan, the authority for approving local municipal Official Plans and Official Plan amendments shifted from the Province to the County, and approval authority for plans of subdivision and plans of condominium in Shelburne has been delegated to the Town. The review of the Town's Official Plan is intended to address these requirements and changes.

This Official Plan is prepared in the context of the Town's history, current needs, opportunities and the challenges of the future. The schedules to this Official Plan and amended text have been developed following the preparation of detailed background studies related to growth management and servicing as well as a natural heritage study, and the development of objectives for the future development of the Town. The fundamental principles on which the Plan is based are as follows:

- The rate of <u>population</u> growth in the Town over the next 20 years is estimated to be <u>steady at</u> approximately 2.2% <u>annually on average</u> subject to servicing constraints.
- The preservation of the quality of life and the quality of the environment are of greatest importance to the Town. These features should improve over the next 20 years.
- The financial health of the Town and economic opportunities for present and future inhabitants will be enhanced through the policies of this Plan which will provide continued confidence in the community.

#### 1.2 PURPOSE AND SCOPE

The Official Plan establishes the pattern which *development* within the Town should follow during the planning period to 202420312036. In accordance with the Planning Act, this Plan will be reviewed every five years to consider revisions to the Plan as required to ensure that it:

- conforms with provincial plans or does not conflict with them;
- has regard to matters of provincial interest as set out in the Planning Act; and,
- <u>is consistent with provincial policy statements.</u> determine if it continues to represent plan for current and future land use in the Town.

In preparing the Official Plan Review and Update, the Council of the Town of Shelburne has had regard for the policies of the Provincial government contained in the Provincial Policy Statement (PPS) that came into effect on May 22, 1996. During the Official Plan Review and Update the new Provincial Policy Statement (March 2005) was approved. All of the amended sections are consistent with the new Provincial Policy Statement while the existing policies (those not affected by the Official Plan Review and Update) still have regard for the 1996 Provincial Policy Statement.

Council will be consistent with the 2005 Provincial Policy Statement in relation to all planning decisions made after March 1, 2005.

The policies in the Plan are intended:

- To assist Council, all public and private sector agencies and members of the public concerned with the *development* of the Town, in determining future policies and actions on all matters relating to the growth and *development* of the Town;
- To consider the financial status of the Town when considering future development in order that a healthy balance between residential and commercial/industrial assessment may be maintained;
- To make available to the public information regarding the future development pattern of the Town-in order to reduce speculation in land which arises when residents and land developers are not advised of the development policies and plans of the Town.;
- To ensure that no public works shall be undertaken by the Town or by private developers which do not comply conform with the provisions of the Plan;
- To ensure that land use planning within the Town contributes to the protection, maintenance and enhancement of water and water related

resources and aquatic ecosystems, on an integrated watershed management basis;

- To ensure that growth and development within the Town occurs in a manner that will minimize public health and safety issues, including the protection of human life and property from water related hazards such as flooding and erosion;
- To ensure that all land use decisions promote water conservation and support the efficient use of water resources on a watershed basis;
- To manage land use change in a manner that has the greatest positive impact on the Town and encourages cooperation with other municipalities in Dufferin Country and with the County itself in order to work towards common policies which will exercise firm control over the development of urban and rural areas;
- To manage land use change and *development* in the context of the larger growth areas outside of Dufferin County which may influence growth and settlement in the Town—;
- To preserve and enhance the natural amenities of the community and surrounding area through environmental control of lands exhibiting ecological, environmental and/or hazardous characteristics; and,
- To maintain the historical, residential character of the Town and at the same time provide a framework within which future *development* can take place and within which long term needs of the community can be planned and met.

With respect to the scope of the Official Plan, the Plan is one of the most important legal documents in the community. However, it does not by itself, control or regulate the *development* of land by private or public interests. Rather the principles and policies contained in the Plan provide guidance to public administrators and private interests in such a way as to ensure the best form of *development* under the most desirable conditions. In addition, the Plan will also provide a basis for zoning and other by-laws which will implement the land use *development* policies of the Plan.

#### 1.3 STRUCTURE

#### a)1.3.1 Foundations

The first sSection 2 of the Plan describes the basic assumptions, observations, and forecasts, that have been derived from a comprehensive background information review and extensive public input. These sections represent a

combination of technical information, public comment and political direction that forms the basis for establishing objectives in Section 2-3 of the Plan.

#### b)1.3.2 Objectives

The second sSection 3 of the Plan establishes the key direction for the future of the Town. Should uncertainty or conflict arise in the interpretation and implementation of the Plan, reference should be made to the objectives in Section 23.

### e)1.3.3 Future Land Use, Environment and Transportation

The fourth sSection 4 of the Plan outlines future land use policies and patterns for the Town. Schedule 'A', Land Use Plan and the related Secondary PlansSchedule A1, Development Staging Plan, graphically depict the future land use areas throughout the Town. Schedules 'B1' and 'B2' anddepict the planned phasing staging of development areas, and the residential density, mixed use and commercial structure plan, respectively. The policies in Section 4 describe how development will occur within the different land use designations on Schedule 'A'- and within the residential density designations, mixed use and commercial structure plan designations on Schedule 'B'., provides for Residential Densities and

Schedule <u>'C1'</u> provides a <u>Roads\_Transportation Plan\_and Schedule 'C2' provides the Active Transportation Plan. The Transportation Policies of the Plan are found in Section 5.</u>

The Community Improvement Area is set out on Schedule D. Schedule 'E' identifies the Natural Heritage System and Natural Hazards. Sections 5 and 6 relate to roadsprovides the Transportation and natural hazards. Heritage Resource policies of the Plan, respectively.

# d)1.3.4 Development Policies

Section 7 of the Plan establishes a series of *development* policy statements that are intended to direct *development* in the Town. This part of the Plan addresses the form, staging and servicing of *development* and the relationships among *development*, the natural environment and the residents of the Town. Community improvement, design and *sustainability* policies are also established in Section 7. The Community Improvement Area is set out identified on Schedule 'D'. Schedule 'F' identifies drinking water source protection areas.

#### e)1.3.5 Implementation and Interpretation

The final sections Section 8 of the Plan describes the development approval process and planning tools that the Town will use to implement the policies of the Plan. Section 9 provides direction to guide interpretation of the Plan.

#### **SECTION 2 – BASIS**

The policies set out in the Official Plan have been determined by existing circumstances as well as certain fundamental objectives. The following description of the facts and objectives is included in the Plan to explain the reasoning behind the policy statements proposed by the Plan.

- a) Shelburne has been a service centre for the surrounding rural areas as well as a transportation junction point. In the past two decades, Shelburne has seen significant growth in population, employment and land area.
- b) Shelburne has been faced with continuous *development* pressure as the Greater Toronto Area represents one of the fastest growing areas in Canada. Shelburne has continued to provide employment through a range of industries and commercial services and has a range of housing available from older heritage homes, to homes built in the early 1970's, to new subdivision homes developed in the last 3-10 years.
- c) The provincial planning context has continued to evolve including changes to planning legislation, provincial planning policies and the introduction of new provincial plans that provide the basis for new or amended policies in the Town's Official Plan. In addition, the first Official Plan for the County of Dufferin came into effect in 2015. Pursuant to the Planning Act, the Town's Official Plan shall be consistent with the Provincial Policy Statement and conform with provincial plans and the County Official Plan.
- e)d) The Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe requires municipalities to direct most of their growth to existing settlement areas through intensification of existing Built-up Areas and development in Designated Greenfield Areas. Additional growth within the existing community will permit a wider range of services and facilities to be provided within those communities. Growth within the communityies is contingent on the ability to provide adequate services on a sustainable basis.
- deployment growth target-forecasts for Dufferin County of 80,000 people and 27,000 jobs, respectively, by for the years 2031, 2036 and 2041. The County Official Plan establishes population and employment growth forecasts for the County and each local municipality, including the Town of Shelburne, for the years 2031 and 2036, and policies for the allocation of reserved population and employment to the Town as one of the three designated urban settlement areas in the County where the majority of growth and development is directed. Based on these population and employment growth targetsforecasts and policies offer the County Official Plan, and the results of the 2015 municipal comprehensive review, this Plan provides for achieving the population and employment growth forecasts shown in Table 1. Dufferin County Growth Management Study (2009) Ministry of Infrastructure projectsed that the permanent population of the Town

of Shelburne will continue to rise steadily to a figure of 6,8118,380 8,400 people by the year 2024 2031, and employment will grow to 3,560 jobs by 2031 provided that there is adequate service capacity. The This represents an average annual population growth rate of growth is projected to be 2.21.8% and average annual employment growth rate of 1.0%. The Dufferin County Growth Management Study concluded that land within the Built-up Area and Designated Greenfield Area in Shelburne can accommodate a total population of 7,835 people to 8,380 people depending on density and housing mix assumptions, and total employment of 3,560 jobs. The findings of the Growth Management Study conclude that an urban boundary expansion is not warranted and should only be considered in the future during a five-year comprehensive review of the Official Plan and in accordance with the Growth Plan. The 2010 Sewage Treatment Plant Revised and Remaining Capacity Report concluded that the Town has servicing capacity to support a population of approximately 7,788 residents and <del>some additional industrial, commercial and institutional growth.</del>The achievement of the 2031 and 2036 population and employment growth targets will be contingent on demonstration of sufficient municipal water supply capacity and municipal wastewater treatment capacity to service the future population growthor significant long-term reductions in demand to ensure adequate wastewater treatment capacity is available. Allocation of remaining municipal water supply capacity and municipal wastewater treatment capacity will occur in a logical and sustainable manner, in accordance with the policies of this Plan and a Council-approved Servicing Allocation Policy.

**TABLE 1: Population and Employment Forecasts** 

			<u>Year</u>	
	<b>2016</b> *	<b>2026**</b>	<b>2031</b> **	<b>2036**</b>
<b>Population</b>	<mark>7,650</mark>	9,000	10,000***	10,000***
<b>Employment</b>	<mark>2,855</mark>	<u>3,311</u>	<u>3,560</u>	<u>3,560</u>

\*estimated
\*\*forecast

\*\*\*2031 and 2036 population forecasts deferred until completion of assimilative capacity study demonstrating sufficient wastewater treatment capacity

- e)f) The qualities that make Shelburne a desirable place to live are the small town character, the safety and comfort provided by the Town, and the opportunities and confidence in the community. Throughout the *development* of the Plan, Council and the public have indicated the desire to maintain the small town character, protect natural features and provide for orderly and well-defined *development*.
- f)g) The Town has been successful in providing efficient servicing to its residents and industries. All new residential, commercial and industrial development is shall be encouraged required to take place on full municipal services. New municipal infrastructure shall be developed in accordance with the recommendations of the Master Servicing Study (2003) and other municipal servicing studies approved by Council, and shall be financially feasible.

- g)h) It is a basic premise of the Plan that the following need to exist in the Town:
  - i) Continuous review of the financial status of the Town with emphasis on the need for additional non-residential sources of assessment and tax revenue.
  - ii) Continuous review of the social conditions including health, housing and welfare relating to both old and new residential areas.
  - iii) Annual review and monitoring of the Town's municipal water supply and municipal wastewater treatment servicing capacity available to support planned growth and development.
  - iiiiv) Annual review of development activity to monitor the achievement of population and employment growth, intensification and greenfield residential density targets in accordance with the Growth Plan and the County Official Plan.
  - Recognition of the value of the Central Business District (CBD) downtown core to the economic life of the community and direct action to improve the ability of the CBD-downtown core to remain the centre of all major service and commercial activity for some time and to improve the level of service to the area by providing off-street parking and convenient pedestrian access.
  - ivi) Decision-making that fully considers social, economic and environmental dimensions and supports healthy and sustainable community design and development.
  - <u>vii)</u> The continued review of required improvements to the Town's <u>road</u> <u>transportation</u> network.
  - viii) The establishment of programs for recreation, public parks and open space development, taking advantage of the natural amenities of the area.
  - <u>viix</u>) The provision of all needed information regarding areas of *development*, projected densities and priorities to the area school boards to select new school sites when required.
- h)i) Land use designations in the Plan shall be regulated in the Zoning By-law. Land uses not normally controlled in this manner will be regulated under licensing by-laws and through other means under the Municipal Act.

#### **SECTION 3 – OBJECTIVES**

The following section establishes the primary objectives on which the Plan is based. These objectives relate to the entire Town and establish the framework for the remaining policies in the Plan. Each of the objectives is equally important when considering future *development*. Where situations of uncertainty or conflict arise in the interpretation or implementation of the Plan, reference should be made to these objectives.

- a) To encourage well planned, attractive new *development* and a high quality of <u>urban design</u> that will reflect the historic, small town character of the community.
- To strive towards a balanced assessment between residential and nonresidential development.
- c) To continue to provide a mix of housing forms and types of *affordable housing* similar to that which exists near the *downtown core*.
- To promote and monitor *intensification* in the Central Business District downtown core and within the bBuilt-up Areas up areas with an intended target of 3\_40 38% of new residential development in the form of intensification in such areas by the year 2015 and for each year thereafter.
- e) To address issues related to traffic and parking for existing and new *development* and to ensure that safe and effective pedestrian movement is available throughout the Town.
- f) To plan for specific land uses and *development* by staging *development* to ensure a fully integrated, connected and *sustainable* community and to provide a degree of certainty about the future.
- g) To provide a level of service that ensures community safety and quality of life.
- h) To ensure all planning is carried out with regard for accessibility for persons with disabilities.
- i) To protect environmental systems and features in the Town in a manner that recognizes the importance of their conservation.
- j) To promote the use of open space networks throughout the Town by implementing the Park Master Plan and Active Transportation Plan to create a system of parks, trails and walkways supporting both recreational enjoyment and active transportation.
- k) To encourage new retail and services to develop in the <a href="CBD\_downtown core">CBD\_downtown core</a> and encourage opportunities for improvements to the <a href="CBD\_downtown core">CBD\_downtown core</a>, and- to provide opportunities for the development of new retail and commercial uses that cannot be accommodated within the <a href="CBD\_downtown core">CBD\_downtown core</a> to ensure that the

- diverse needs of Shelburne residents can be met locally, to encourage local market retention of retail expenditures and to promote Shelburne's function as a service centre for the surrounding area.
- To identity and preserve wherever possible historical and culturally significant buildings and features properties and areas of cultural heritage value or interest.
- m) To provide for an appropriate mix and range of employment uses to meet the Town's long term needs and to preserve *employment areas* for current and future <a href="employment">employment</a> uses.
- n) To safeguard health, safety, welfare and quality of life for the Town's residents.
- o) To encourage all forms of *development* to be built and sustained in a manner that minimizes <u>water and</u> energy consumption—<u>and</u>, reduces associated waste and pollution, <u>contributes to improved air quality and integrates sustainable design features and technologies</u>.
- p) To protect and enhance the quality and quantity of groundwater and surface water and the function of groundwater recharge/discharge areas, and aquifers, including the *headwaters* of the Boyne River, and to ensure safe drinking water sources are sustained and protected in accordance with the Source Protection Plan.
- q) To provide for the <u>protection and</u> conservation of the natural environment including wetlands, woodlands, fish and wildlife habitat and streams, on an ecosystem management <u>and natural heritage system</u> basis.
- r) To plan for and provide *infrastructure* and public service facilities in a coordinated, efficient and cost-effective manner to accommodate current and projected needs.
- s) To plan for a *complete community* that meets the needs of residents throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, a range of housing types, retail and commercial services and community *infrastructure* including health services, schools, recreation facilities, and public parks and open space, and providing for mixed use *development*.
- t) To encourage local food production by protecting prime agricultural-land in the Non-Urban area for continued farming as an interim use until such time as there is a demonstrated need and servicing capacity for development in accordance with the policies of this Plan, the Provincial Policy Statement, and the Growth Plan and the County Official Plan, and by encouraging compatible urban agriculture.
- r)u) To minimize the environmental impact of municipal buildings, facilities, infrastructure and operations and integrate long-term sustainability considerations into the planning, design and renewal of these assets.

#### **SECTION 4 - LAND USE POLICIES**

This section should be read in conjunction with the following Schedules:

Schedule 'A' - Land Use Plan

Schedule 'A1' - Shelburne West Secondary Plan

Schedule 'B1' – Development Staging Plan

Schedule 'B2' – Residential Density, Mixed Use and Commercial Structure Plan

Schedule 'E' – Natural Heritage System and Natural Hazards

Schedule 'A' shows the location of land use categories. The policies of the municipality with respect to the various land use categories are as follows:

- 4.A2 Residential
- 4.B3 Commercial
- 4.C4 Mixed Use
- 4.D5 Special Commercial Employment
- 4.E6 Industrial Institutional
- 4.**F7** Open Space Recreation
- 4.68 Natural Environment
- 4.H Institutional
- 4.19 Non-Urban
- 4. J10 Special Tourism

#### 4.1 GENERAL LAND USE POLICIES

The policies applicable to the use of land in Shelburne as shown on Schedules 'A'. 'A1' and 'B2' are described in the following sections and are intended to be interpreted in a broad manner and regulated by the implementing Zoning By-law.

Each land use designation provides policies which provide an overall goal for the land use, objectives, permitted uses, specific policies and exceptions.

The Town's growth is to be focused in those land use designations within the *urban area* as delineated on Schedule 'A' for which *infrastructure* is provided for, or planned. Existing uses in the non-urban areas shall continue to be permitted on existing private services. *Development* in all areas shall be monitored to ensure efficient *development* and land use patterns, and consistency with the Provincial Policy Statement and conformity with the *Growth Plan* for the *Greater Golden Horseshoe* and the County Official Plan.

Opportunities for *intensification* and redevelopment shall be promoted in all urban land use designations where it can be accommodated taking into account existing building

stock, brownfield sites and the availability of suitable existing or planned *infrastructure* and public service facilities.

#### 4.A2 RESIDENTIAL

#### 4.A2.1 Introduction

The Town wishes to encourage residential *development* in the community which can satisfy the needs of a variety of individuals, ranging from young families to senior citizens through various housing types.

# 4.A2.2Objectives

The objectives from which the Residential polices evolved are as follows:

- a) To limit direct the majority of future housing development to infilling and rounding out of the designated residential areas through intensification, redevelopment and greenfield development on full municipal services to createpromote compact urban form.
- b) To ensure a variety of housing types to accommodate the diverse economic and social needs and desires of the residents.
- c) To participate in government programs relating to housing where considered appropriate to the community.
- d) To encourage a high standard of <u>urban</u> design <u>infor all residential</u> development.
- e) To encourage, and where possible require, the use of energy and water conservation measures, sustainable building technologies, landscape treatments and infrastructure.
- <u>f)</u> To protect the existing residential areas adjacent to the Central Business Districtdowntown core.
- f)g) To encourage and support the *intensification* of previously developed residential areas in order to optimize the use of land and *infrastructure* resources.

#### 4.A2.3General Policies

#### 1. Permitted Uses

The Residential land use <u>designation</u> shall mean that the <u>primary</u> use of land shall be for all forms of living accommodation except for mobile homes as defined in the Zoning By-law.

Secondary uses which are complementary to and serve the residential uses are permitted such as parks, open space and home occupations. Institutional and public uses such as schools, churches, cemeteries, religious institutions, hospitals and nursing and group homes are permitted.

#### 2. Criteria for Residential Development

- a) Residential uses shall be located in accordance with Schedule 'A' Land Use Plan and the Residential Density Plan shown on Schedule 'B2' Residential Density Plan:
- b) When considering proposals for residential *development*, Council shall require demonstration of the following:
  - i) the proposed *development* will contribute to meeting achieving the residential targets of this Plan and to creating a complete community;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the local road system to accommodate the increased traffic volume;
  - iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
  - v) the adequate provision of parks and recreation facilities in accordance with subsection 4.7 Open Space Recreation and the proximity to existing or planned community facilities such as parks, schools, the Central Business District downtown core and other commercial and mixed uses areas, and with local roads providing efficient access to arterial the provincial highways and/or collector streets to reduce consumption of energy for transportation to such municipal areas and facilities;
  - vi) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;

- vii) land use compatibility and regard for the density and character of adjacent development and appropriate integration of the proposed use into the residential community with respect to building location, form, general exterior design features and landscaping of the site;
- viii) the proposed development implements the Town's Urban Design Guidelines and Development Standards as may be adopted by Council;
- ix) the adequate provision for access and off-street parking facilities, with the latter generally being located in the rear or side yard in the case of an apartment building;
- x) the proposed use will not have <u>negatively impacts</u> on areas of <u>natural heritage</u>, and will not create unsafe conditions in relation to natural hazards, in accordance with Section 4.8;
- xi) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xii) the requirements of Section 7, Development Policies, have been met.

# 2.3. Location of Criteria for Secondary Uses

Council shall <u>require demonstrationgive consideration to of</u> the following <u>guidelines</u> when considering proposals for <u>the above secondary uses</u> uses within an area designated as Residential:

- a) the <u>proposed</u> use <u>is towill</u> have a positive impact upon the residential community;
- b) adequate access, off-street parking, storage requirements and screening is to be required will be provided, where applicable;
- c) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
- d) the road system is to be adequate to accommodate the increased traffic volume;

- e) the proposed densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
- f) land use compatibility with and regard for the density and character of adjacent development and appropriate integration of the proposed use is to be integrated into the residential community by means of the use of site plan control with respect to building location, form, general exterior design features and landscaping of the site;
- g) the proposed use will not have negatively impacts on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with Section 4.8;
- h) the physical layout and design of the development optimizes the available supply, means of supplying, efficient use and conservation of energy;
- i) the application of the Town's *Urban Design Guidelines* and *Development*Standards as may be adopted by Council;
- <u>i)</u> the uses will be <u>appropriately zoned and</u> adequately regulated by suitable provisions in the implementing Zoning By-law; <u>and</u>,
- e)k)the requirements of Section 7, Development Policies, have been met.-

# 3.4. Multiple Family Development Residential Targets

- a) The Town shall maintain a sufficient supply of land designated for residential purposes, including consideration of residential intensification and redevelopment within the Built-up Area and land in Designated Greenfield Areas that is available for residential development, so that at least a ten year supply of residential land is maintained at all times, subject to the availability of sufficient servicing capacity within municipal water supply and wastewater treatment systems.
- b) The Town shall endeavour to ensure the availability of residential land with servicing capacity sufficient to provide at least a three year supply of residential units through land suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.
- c) Residential *development* shall be planned and located to contribute to achieving the following targets:

- i. An overall Town-wide housing unit mix, including rental and owneroccupied units, of 70% low density in the form of single and semidetached dwellings units, 15% medium density in the form of multiunit dwellings such as townhomes, duplex, triplex, fourplex and apartments not exceeding 2 stories in height, and 15% high density in the form of multi-unit dwellings not exceeding 3 stories in height;
- ii. A minimum of 40%38% of all new residential units to be developed in the form of intensification within the Built-up Area by the year 2015 and in each year thereafter;
- iii. A County wide greenfield development density target of 46 41

  residents and jobs combined per hectare within Designated

  Greenfield Areas in accordance with the direction of the County of Dufferin Growth Management Study;
- iv. Affordable housing Minimum targets for the provision of housing which is affordable to low and moderate income households as mayshall be established by a Council and may be determined through the preparation and Council approval of an Affordable Housing Strategy.
- d) To preserve the predominantly low density character of the Town's residential neighbourhoods while contributing to meeting the residential targets of this Plan, all new residential development shall be in accordance with the primary permitted dwelling types and minimum and maximum densities shown in Table 2 and applicable to land within the residential density designations identified on Schedule 'B2'.—Residential Density Plan.
- e) Notwithstanding the minimum density targets identified in Table 2 and the residential density designations shown on Schedule 'B2', where existing low density residential development within the Built-up Area does not conform with the permitted dwelling types and/or does not meet the minimum density-identified on Schedule 'B' Residential Density Plan for the area, the existing uses shall be permitted to continue and may be redeveloped at existing densities where existing buildings are being rebuilt due to fire, flood, natural disaster or hazardous condition, subject to all other applicable policies of the Official Plan and the Town's Zoning By-law.
- f) It is recognized that the achievement of the residential targets of this Plan will be contingent upon adequate capacity in municipal water supply and wastewater treatment systems.

g) The residential targets of this Plan do not imply an intention on the part of Council to develop or redevelop land.

TABLE 2: Permitted Primary Dwelling Types and Minimum and Maximum Gross Residential Densities

<b>Density Designation</b>	Primary Dwelling Types and Gross Residential Densities			
Designation	<b>Primary Dwelling Types</b>	Min. Density	Max. Density	
Low Density	Single detached, semi- detached, duplex dwellings	15 units per hectare	24 units per hectare	
Medium Density	Multiple residential including apartment, townhouse, triplex, fourplex and other multi-unit dwellings not exceeding 2 storeys in height	24 units per hectare	40 units per hectare	
High Density	Multiple residential including apartment, townhouse, triplex, fourplex and other multi-unit dwellings not exceeding 3 storeys in height	40 units per hectare	80 units per hectare	

## 5. Intensification Strategy

- a) Council shall promote *intensification* of existing residential areas within the Built-up Area and within the downtown core to encourage compact development, efficient use of land and existing infrastructure and contribute to achieving the residential intensification target of this Plan.
- b) Intensification will be permitted in the form of accessory dwelling units in conjunction with non-residential uses, where permitted by this Plan and in the Zoning By-law, and by the conversion of existing dwellings to accommodate a second unit, or in residential accessory buildings, in accordance with section 4.2.3.6.
- c) Sufficient reserve servicing capacity shall be maintained for intensification and redevelopment to allow for the achievement of the intensification target in accordance with the development staging policies in section 7.10 of this Plan.
- d) The redevelopment of existing areas of low density residential development to higher densities shall require an amendment to the Zoning By-law and should generally occur by block plan rather than an individual lot basis.

Proposals for residential development at densities greater than 24 units per hectare shall be located in accordance with Schedule 'B' Residential Density Plan and shall require an amendment to the Zoning By law.

- a) Council shall give consideration to the following guidelines when considering proposals for multiple family development:
  - i) the adequacy of municipal services to service the development;
  - ii) the adequacy of the local road system to accommodate the increased traffic volume:
  - iii) the density and character of adjacent development;
  - iv) the proposed use to be integrated into the residential community by means of the use of site plan control with respect to building location, form, general exterior design features and landscaping of the site:
  - v) the adequate provision for access and off-street parking facilities, with the latter generally being located in the rear or side yard in the case of an apartment building; and,
  - vi) the need for park facilities in accordance with Subsection 4.F.3 (iii) Open Space Recreation. the proximity to community facilities such as parks, schools, the Central Business District, and the provincial highway and/or collector streets to reduce consumption of energy for transportation to such municipal facilities:
  - If the Town receives an application for multiple residential development which requires an amendment to the Official Plan, regard shall be given to the above guidelines as well as the following:
  - i. the proximity to community facilities such as parks, schools, the Central Business District, and the provincial highway and/or collector streets to reduce consumption of energy for transportation to such municipal facilities;
    - vii) the requirements of Section 7, Development Policies.

### 4.6.Second Units and Conversion of Existing Single Family Dwellings

In order to preserve the large, older single detached dwellingsexisting housing stock and, address the need to provide additional rental accommodation, and contribute to achieving the residential targets of this

<u>Plan, the Town supports</u> the conversion of the large, older single family existing single detached, semi-detached and street townhouse dwellings into duplexes two-unit dwellings, or the incorporation of a dwelling unit within a residential accessory building, shall be permitted subject to the following:

- a) conversions should be allowed only for single detached dwellings;
- b) building should be at least one and one half storeys or more;
- e)a)the minimum gross floor area should be 138 square metresthe Zoning By-law relatedwhich shall establish to the permitted locations for second units/conversions, number of dwelling units permitted on a lot, minimum lot area and lot frontage, minimum floor area for the dwelling, minimum and maximum floor areas for second units/ conversions, number of converted dwelling units permitted exterior alterations, parking requirements and other provisions;
- b) second units/converted dwellings shall not be permitted on private or partial services and shall be subject to confirmation of the availability of adequate servicing capacity in the municipal water supply and wastewater treatment systems in accordance with a Council approved servicing allocation policy;
- d)c)the requirements of the Ontario Building, Fire and Electrical Safety

  Codes Inspector and the Property Standards By-law must be satisfied and the Town may require the registration and periodic review/inspection of existing and proposed second units/ conversions to monitor and enforce compliance with these requirements;
- e) parking facilities must be located in the side or rear yards;
- d) the Town's Urban Design Guidelines including the approval of an exterior design plan demonstrating that the character and amenities of the dwelling and/or accessory building, the lot and the surrounding area will not be detrimentally affected;
- e) other applicable guidelines and procedures and payment of any related administrative fees as may be required by the Town for approval, monitoring and periodic inspection of second units/ converted dwellings; and,
- f) second units/converted dwellings shall not be permitted in flood prone areas or locations having any other hazardous condition that could have adverse effects.

### 5.7. Group or Special Care Homes

A group or special care home is defined as a single housekeeping unit in a residential dwelling in which six or less residents (excluding staff or the receiving family owners/occupants) live as a family under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under Provincial statute and in compliance with municipal by-laws and the Ontario Building, Fire and Electrical Safety Codes.

Foster homes as defined by the Ministry of Community and Social Services and administered by the Children's Aid Society Services are permitted in any permitted dwelling and are not excluded from subject to these policies.

In order to discourage a concentration of group homes in one area of the municipality, a minimum distance separation will be set out in the Zoning Bylaw.

The Town will consider the application for the establishment of a group home subject to the following:

- a) the home is to be located in a single <u>family detached</u> dwelling or semidetached dwelling;
- b) a maximum of six residents excluding staff or receiving family occupants/owners;
- c) only the longer term residency will be permitted as opposed to short term residency, except for those persons with mentally and/or physically handicapped individuals disability living with their own families who require short term relief due to illness or vacations in their own families regular caretakers; aA longer-term residency is defined as one whose length of stay is over four months in duration;
- d) the home must meet the requirements of Provincial regulations and municipal by-laws;
- e) in order to determine that adequate services are available to the residents, the Town will request the comments of the Upper Grand District School Board and the Dufferin-Peel Catholic District School Board, Dufferin County Social Services Department, the Ministry of Community and Social Services and any other appropriate agency.;
- f) the home must meet the minimum distance requirements set out in the Zoning By-law. compliance with the Zoning By-law which will establish applicable regulations.

### 6.8. Dwelling Types

In order to maintain and enhance the community environment and contribute to achieving the residential targets of this Plan, the Town shall encourage a variety of dwelling types and sizes densities. Similar dwelling types should be grouped together for aesthetic and functional purposes. The Zoning Bylaw shall contain several residential zones which contain among other matters detailed provisions indicating minimum lot and dwelling size and maximum lot coverage. The primary permitted dwelling types and gross residential density within each residential density designation shown on Schedule 'B2' shall be in accordance with Table 2.

### 7.9. Housing Affordability

Given the high costs associated with housing, Council should be constantly aware of the costs of Town standards when considering *development* applications. -Commenting agencies should be made aware of the Town's desire to provide *affordable housing*. —Council should assist and/or encourage, whenever possible, *developments* and programs designed to meet the needs of the average household or special groups such as seniors. Council will update its residential policies relating to *affordable housing* consistent with Provincial Policy. In order to establish measurable targets for housing affordability, Council shall consider the preparation and adoption of an *Affordable Housing* Strategy.

### 8.10. Housing Programs

Council shall encourage and promote the use of government programs particularly with respect to the upgrading of existing housing stock.

# 9.<u>11.</u> Lot Shape

New lots should be appropriately proportioned with a regular shape generally having a depth to width ratio of no greater than 3:1.

#### <del>10.</del>12. Access

Access to individual lots shall be from public roads or condominium road with lot frontage on generally being reversed along County and Provincial roads a local road or condominium road. Reverse lotting to any public road will be discouraged and the use of window streets, service roads, enhanced front, side and/or rear building facades will be promoted to provide for building orientation towards arterial and collector roads. The number of access points from plans of subdivision to County and Provincial arterial roads will be limited to the minimum required for the proper development of the property.

### 11.13. Buffering

Adequate screening and/or a-buffer strips shall be required in accordance with Section 7, Development Policies where a proposed residential development abuts a commercial, industrial or other use considered non-compatible by the Municipality.

### 12.14. Energy and Water Conservation

Whether a proposed *development* is a plan of subdivision, infilling on one lot, redevelopment proposal or conversion, Council <u>shall should</u> encourage <u>and where possible, require</u> the use of energy <u>and/or water</u> conservation measures <u>where suited to the community</u> in accordance with Section 7, Development Policies.

### 15. Urban Agriculture

- a) To support local food production and the conservation of prime agricultural land, the continuation of existing agricultural operations on land designated as Residential shall be encouraged until such time as the land is needed for development.
- b) To support local food production within existing residential areas, Council shall encourage the use of existing residential properties for compatible gardening as an accessory use to a permitted residential use and located entirely on the same lot as the dwelling. This shall not include the keeping or raising of livestock.
- c) Council may permit the use of Town-owned property for the establishment of community allotment gardens in accordance with subsection 7.5 of this Plan.

# 13.16. Servicing and Staging of Development

New residential uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing residential uses are on private services, the Town may require connection to full municipal services when they become available. All residential development shall be carried out in accordance with Schedule 'A1B1' and the policies in subsection 7.10.1.1 of this Plan. Residential Development development in the community shall be predominately by plan of subdivision in accordance with subsection 8.3 and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

a) The criteria of subsections 4.2.3.2 and 4.2.3.3;

- b) The residential targets in subsection 4.2.3.4;
- a)c)the need for the proposed type of development in view of other available alternatives or proposals/applications in the community;
- b)d)the need for *compact development* and the general location relative to the Central Business Districtdowntown core and community facilities;
- c)e)the need to develop in complete phases which should take into account the logical extensions of road patterns, infrastructure and utilities and piped water system if applicable and the problems associated with partially completed developments such as weed control, drainage, etc;
- d)f) the routing which development traffic will have to follow in entering and leaving the proposed subdivision and the ability of adjacent roadways to handle the volumes of traffic to be generated;
- e)g) school site provision if this should become a factor, and the provision of safe pedestrian access to existing or planned school facilities;
- f)h) because some parcels of land may not develop for many years and therefore development in close proximity to the Central Business District may not always be possible, Council could give consideration to a proposal which is not in close proximity to the Central Business District provided the above criteria are taken into consideration. This should be the exception in approving development proposals as opposed to a common occurrence; and,
- g)i) the sufficiency of the municipal water, supply and distribution system, municipal sanitary sewers and wastewater treatment and pumping facilities, and storm sewers and stormwater management facilities.

#### 17. Site Plan Control

The Town may require site plan control in accordance with subsection 8.8 to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for commercial development.

# 14.18. Zoning

Residential uses shall be placed in a separate zoning category in the Zoning By-law.

### 4.A2.4Residential Policy Exceptions

### 4.A.4.1. Residential Area-Policy Exception Area 1

### Lot 15, Registered Plan 78

Those lands described as Lot 15, Reg. Plan 78 at the northwest corner of Jane Street and Owen Sound Street may be used for the uses permitted in Ssubsection 4.2.3.1A.3(i), Permitted Uses, as well as a restaurant and variety store with a maximum building area of 111 square metres in the existing single detached dwelling.

### 4.A.4.2 Residential Area-Policy Exception

### Registered Plan 7M-322 Park Avenue

Those lands described as Block 76, Registered Plan 7M-322 shall be developed as a condominium development with a maximum density of 22 dwelling units in three buildings, two having 8 units and one having 6 units. The 6 unit building is to be located adjacent to the north property line and Lot 14, Registered Plan 7M-322. The project must proceed by way of a development application under the Condominium Act. The provisions of Section 4.A.3.(iii) Multiple Family Development of the Official Plan shall apply to these lands.

### 2. Residential Policy Exception Area 2

Notwithstanding the designation of the land on the north side of Main Street West, west of John Street, and identified with reference to this Section on Schedule 'A' as "Natural Environment", this land may be developed in accordance with the Residential land use designation and the applicable designations shown on Schedule 'A1' and related policies for the Shelburne West Secondary Plan area, subject to the completion of a site-specific EIS prepared in accordance with subsection 4.8.5 demonstrating that the natural features and areas on the site and related ecological functions are not significant independently or as part of the natural heritage system shown on Schedule 'E', and that the natural features and areas can be removed, or reduced in their extent provided that any significant features and areas shall be conserved or enhanced.

# 4.A.4.3. Residential Policy Exception Area 3

(Fiddle Park)

The lands identified as Part of Lot 2, Concession 2, O.S. Part of Lots 31 and 32, Concession 1 West, known as Fiddle Park shall be permitted to continue to be used in accordance with the Special Tourism policies as provided for in this Plan until such time as the lands are developed for residential,

commercial and/or other related uses in accordance with the applicable Residential density designation and subject to the demonstration of available servicing capacity and staging of *development*, as shown on Schedules 'B1' and 'B2', respectively. The Town will also consider the need for potential alternative locations to accommodate the uses and activities permitted within the Special Tourism designation.

### 4.B3 COMMERCIAL

### 4.B3.1Introduction

Commercial areas shall provide for a wide range of commercial uses to meet the needs of residents\_and contribute to achieving a complete community. Commercial areas shall include the Commercial Core area within the defined Central Business District\_downtown core, which shall includinge the historic downtown as the primary locations for concentrations of diverse local economic activity, Community Commercial areas \_ Commercial areas shall also be provided which primarily contribute to meeting the convenience retail and service needs of residents, and the Arterial Commercial area which contribute to meeting both local and regional retail and commercial service needs.

### 4.B3.2Objectives

The objectives for Commercial areas are as follows:

- a) To retain the <u>Central Business District Commercial Core area</u> as the main focal point of the community and the dominant service and commercial centre serving the residents of the Town and surrounding areas.
- b) To encourage and support the local business community to upgrade and improve the Central Business District Commercial Core particularly through the utilization of government programs.
- c) To encourage direct new commercial development in a manner that contributes to providinge a range of services to the Town and community, surrounding areas and the regional market area to support the planned role and function of each commercial area based on the Commercial Structure Plan, Schedule 'B2' and related policies.
- e)d) To ensure that the diverse needs of Shelburne residents can be met locally, encourage local market retention of retail expenditures and promote Shelburne's function as a service centre to residents and visitors of the Town and surrounding areas.
- e) To encourage a high standard of urban design for all new commercial development that recognizes the cultural heritage value of the downtown core, is compatible with the existing built form and overall character of the area, and supports pedestrian access, safety and convenience.
- d)f) To encourage, and where possible require the use of energy and water conservation measures, sustainable building technologies, landscape treatments and infrastructure.

### 4.B3.3 General Policies

#### 1. Permitted Uses

The Commercial <u>land use</u> designation shall permit a wide range of office, service commercial and retail commercial uses <u>appropriate to the specific Commercial area</u>. The Commercial <u>land use</u> designation <u>and related policies</u> shall apply to the <u>following</u> Commercial areas designated <u>on Schedule 'B2':</u>

- The Commercial Core area within the Central Business

  District downtown core, where the primary permitted uses include a range of office, service commercial and retail commercial uses within existing buildings and compatible forms of intensification and redevelopment, and shall include associated residential uses located above street level or oriented to the rear lanes behind the primary commercial street frontage on Main Street and Owen Sound Street;
- Community Commercial areas, where the primary permitted uses include a range of office, service commercial and retail commercial uses of a community or neighbourhood scale and nature that are primarily intended to meet the day to day needs of local residents and businesses; and,
- Arterial Commercial areas, where the primary permitted uses include a range of office, service commercial and retail commercial uses of a larger scale or highway-oriented nature that generally cannot be accommodated within the Commercial Core and are intended to meet the commercial needs of the local community, and may also relate to the commercial needs of major traffic volumes on arterial roads and surrounding areas within the regional market area.

and existing and new small commercial centres. New automotive commercial uses will be directed to Commercial areas outside of the Commercial Core and Community Commercial areas. Central Business District. Existing automotive uses within Community Commercial areas may be recognized in the Zoning By-law, and new automotive uses will be directed to Arterial Commercial areas.

Commercial accommodations such as hotels and motels will be directed to Arterial Commercial areas and may also be permitted in the Core Commercial area within existing buildings or through compatible forms of redevelopment. Seasonal, space-extensive and other similar forms of commercial, recreational and tourism accommodations such as camping

establishments will be directed to locations where permitted outside of the Commercial land use designation.

Secondary uses, which are complementary to the commercial landprimary permitted uses and supportive of the planned role and function of the Commercial area, shall include recreational and cultural facilities, public, community and institutional uses, and parks and open space. — and Accessory dwelling units located above may be permitted as secondary uses within certain commercial establishments in the Community Commercial and Arterial Commercial areas as may be provided in the Zoning By-law, Residential uses but shall not be permitted above garages or automobile service stations located in conjunction with automotive uses or other potentially incompatible uses. In addition, some light manufacturing shall be permitted as an accessory use to a permitted commercial use provided it does not exceed 50% of the floor area devoted to retail sales or service.

All Ccommercial areas outside of the Central Business District may be developed as conventional commercial centres. Such areas shall be developed to ensure a high quality of urban design and integration with surrounding uses.

### 2. Criteria for Commercial Development

- a) Commercial uses shall be located in accordance with Schedule 'A' Land Use Plan and the Commercial Structure Plan shown on Schedule 'B2'.
- b) When considering proposals for commercial *development*, including permitted primary commercial uses and secondary uses, Council shall require demonstration of the following:
  - i) the proposed development is in keeping with the Commercial Structure Plan and will contribute to achieving the employment growth forecast and the intensification or greenfield density target, where applicable, and to creating a complete community;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the local road system to accommodate the increased traffic volume;
  - iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways

- <u>will promote active transportation and reduce automobile</u> dependence;
- v) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vi) land use compatibility and regard for with the density and character of adjacent development and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
- vii) the proposed use implements the Town's *Urban Design Guidelines* and *Development Standards* as may be adopted by Council;
- viii) the adequate provision for access and off-street parking facilities, with the latter being located to the rear of buildings where required in the Core Commercial area;
- ix) the proposed use will not have <u>negatively impacts</u> on areas of <u>natural heritage</u>, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
- x) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xi) the requirements of Section 7, Development Policies, have been met.

#### 3. Planned Commercial Structure

- a) The Core Commercial area is intended to recognize and support the continued development and revitalization of the historic downtown commercial core of Shelburne as the primary location for a concentration of diverse local economic activity and as an important regional destination and service centre. Within the Core Commercial area, new development and improvements shall be in keeping with the following additional policy direction establishing the intended planned function and design of the area:
  - The historic village mainstreet character and role of the Core Commercial area in providing for convenient access to local office, retail and commercial services and as a focal point for local economic and civic activity will be maintained or enhanced;
  - ii) Mixed use buildings that include commercial and residential uses and the location of residential uses within and in close proximity to

- the Core Commercial area will be encouraged to promote live-work opportunities, pedestrian access and convenience;
- iii) The Core Commercial area should be well-defined and remain compact with consistent building massing, scale, setbacks and pedestrian-orientation, and the built form shall promote a pedestrian-friendly streetscape with active and engaging building facades at street level, with residential above and/or behind, accessible entry, and regular breaks in the street wall to facilitate pedestrian access and connectivity;
- iv) Wherever possible, existing buildings with architectural or historical significance will be preserved and adaptively reused;
- v) The planning and design of any future improvements to the public realm should consider opportunities for improved pedestrian comfort and safety with well-defined street crossings, traffic calming measures and controls, where possible, wide sidewalks, and barrierfree accessibility;
- vi) Off-street parking areas should be located to the rear of buildings and accessed primarily from the rear lanes to ensure they are deemphasized and do not dominate the physical appearance and function of the Core Commercial area. The Zoning By-law may establish parking and landscaping standards and provide for the payment of cash in lieu of parking, in accordance with the Planning Act.
- b) The Community Commercial areas are intended to recognize existing local commercial uses that are outside of the Commercial Core and to permit new community- and neighbourhood-scale commercial development that primarily meet the commercial needs of local residents and/or specific residential neighbourhoods and provide local convenience. Within the Community Commercial areas, new development and improvements shall be in keeping with the following additional policy direction establishing the intended planned function and design of these areas:
  - i) The primary role of the Community Commercial areas shall be to provide convenient access to local office, retail and commercial services primarily for residents of the community in locations that are adjoining or within a short walking distance of residential areas;
  - ii) As a secondary role, Community Commercial areas may also contribute to servicing the commercial needs of the travelling public and surrounding areas, provided the scale of the development and nature of the uses will not have adverse effects on adjoining

- residential areas and will maintain the primary function of providing for convenient community use including pedestrian access;
- iii) Community Commercial areas shall be located along arterial and collector roads and at intersections of these roads to ensure adequate vehicular access, and sidewalks shall be provided and other facilities may be required for pedestrian and cycling access;
- iv) The design of development within Community Commercial areas shall address the street frontages and the interface with adjoining residential uses to address compatibility, access and the safe and efficient movement of vehicles, pedestrians and cyclists;
- v) Community Commercial areas that include multiple properties and/or businesses shall be designed to function as a single site through shared access and parking with cohesive building design and landscaping;
- vi) Commercial uses that provide for convenient local access to food and/or personal, health, educational, recreational and/or day care services will be promoted in the Community Commercial areas.
- c) The Arterial Commercial areas are intended to recognize existing larger scale and highway-oriented commercial uses located along arterial roads and at major intersections, and to permit expansion of existing uses and new commercial development of a scale or nature that cannot be accommodated within the Commercial Core and that relates to meeting the commercial needs of the local community, the travelling public and surrounding areas within the regional market area. Within the Arterial Commercial areas, new development and improvements shall be in keeping with the following additional policy direction establishing the intended planned function and design of these areas:
  - i) Arterial Commercial areas shall have a dual role of servicing both local commercial needs of the current and future population of the Town, and commercial needs generated from areas beyond relating to major traffic volumes travelling through the area on the Provincial Highways and County Roads, Shelburne's central location and role as a commercial service centre in Dufferin County, and the needs of the current and future population of the regional market/trade area;
  - ii) Arterial Commercial areas shall be located along arterial roads and at major intersections of these roads and should be as concentrated as possible with combined/shared points of access. Direct property access from arterial roads shall be limited in accordance with the Transportation Policies of this Plan. Where site access is required from an existing or future local road, approval of the Town shall be

required for the access location and design details. Implementation of any related road and intersection improvements, traffic controls and calming measures, the provision of sidewalks, and other facilities as may be required for pedestrian and cycling access, shall be provided based on applicable transportation studies for the area, an environmental assessment where required, and approval of a traffic impact study for the proposed development.

- iii) The design of development within Arterial Commercial areas shall address the street frontages and the interface with adjoining uses to address compatibility, access and the safe and efficient movement of vehicles, pedestrians, and cyclists;
- iv) Arterial Commercial Areas that include multiple properties and/or businesses shall be designed to function as a combined site through shared access and parking with cohesive building design and landscaping;
- in the Arterial Commercial areas will not negatively impact the role and function of the Central Business District Commercial Core as the primary focus of commercial activity and existing commercial areas, based on the results of an independent Market Impact Assessment, where required in accordance with section 4.D.3 (iii):

The location of Special Commercial uses should be as concentrated as possible with access to be from internal paved roads whenever feasible as opposed to direct access to a major arterial road.

#### 2. Market Impact Assessment

All development in the Special Arterial Commercial designation shall be limited to uses that cannot reasonably be located within the Central Business District downtown core. To assist in ensuring that the primary commercial function of the Central Business District Core Commercial area and downtown core is not adversely affected maintained, special specific commercial uses in the Arterial Commercial designation will be subject to a minimum floor area to be established in the Zoning By-law. In addition, Council may require a Market Impact Assessment to be completed at the applicants' expense by a qualified professional for any proposed development in the Special Arterial Commercial area to provide a justification of need for the development and an analysis of the existing commercial inventory demonstrating no negative impact on the planned role and function of existing commercial areas. Additionally, a Market Impact Assessment may be required to demonstrate the need and justification for the proposed commercial uses and floor areas

proposed and to provide evidence of long-term economic viability and sustainability in consideration of economic factors affecting the local and regional market/trade area.

### 3.4. Parking and Access

Adequate off-street parking shall be provided in easily accessible and convenient locations. New commercial *development* or redevelopment may require a traffic impact study to determine improvements to current access and parking facilities.

### 4.5. Buffering

Where conflict could result between Commercial uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7 Development Policies.

### 6. Servicing and Staging of Development

New commercial uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing commercial uses are on private services, the Town may require connection to full municipal services when they become available. All commercial development shall be carried out in accordance with Schedule 'A1B1' and the policies in subsection 7.910 of this Plan. Commercial development in the community shall be predominately by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) the criteria of subsection 4.3.3.22 (ii);
- b) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- c) the sufficiency of the municipal water, supply and distribution system, and storm sewers and stormwater management facilities.

### 5.7. Site Plan Control

The Town may require site plan control in accordance with <u>Ssubsection 7</u> 8.8 <u>Development Policies</u> to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for commercial *development*.

### 6.8. Zoning

Commercial uses shall be placed in separate categories in the Zoning Bylaw.

### 4.B3.4 Commercial Policy Exceptions

### 4.D.4.1 Special Commercial Policy Exception Area 1

(Part Lot 32, Concession 1, Former Township of Amaranth)

Development on the subject property shall be subject to the following conditions:

- a) The completion of a tree preservation and management plan for the woodlot on the property to include, but not be limited to, a feasibility assessment to maintain a mature tree landscape feature along the Provincial Highway; to maintain a mature tree landscape between parking areas and blocks to parking to minimize visual impact of the parking and lighting onsite, and to maintain the existing managed forest on the easterly portion of the property, and provision to ensure the longevity of the trees to be maintained or located at the cut edges of the existing woodlot;
- b) The completion of a Commercial Market Impact StudyAssessment as required in Ssubsection 4.83.3.3(c)(v) of the Official Plan, which shall include an evaluation of the impact on the existing Central Business Districtdowntown core, and an analysis of the potential vacancy rates which can be expected upon development of the commercial retail on the property; and,
- c) The approval of the Ministry of Transportation for any access proposed to the Provincial Highway system prior to any construction being undertaken. Alternatively, approvals are to be received from the County of Dufferin for any *development* proposing primary access from the County Road 11 (Second Line).

### 4.C4 MIXED USE

### 4.C4.1Introduction

The Mixed Use areas isare intended to provide for developments that may include a range of compatible uses and activities as places to live, work and access a range of retail and commercial services and leisure opportunities. Mixed Use areas shall include the Downtown Mixed Use area to provide for the development of higher density residential and commercial a range of uses in those areas surrounding the Commercial Core and within the Central Business District downtown core, the Mixed Use Corridor and to maintain the existing residential character along Main Street to the east of the Central Business District downtown core by supporting compatible commercial and office employment use opportunities that will encourage the retention and improvement of existing dwellings in this area, and the Mixed Use Centre to provide for the integrated development of a commercial retail centre and community hub with housing and employment opportunities in the area to the north-east of the intersection of Highway 89 and County Road 124.

### 4.C4.2Objectives

The objectives for the Mixed Use areas are as follows:

- a) To provide for a mix of land uses in the Downtown Mixed Use areas as a transitional area between the Central Business District Commercial Core and the outlying residential neighbourhoods.
- b) To direct new mixed use *development* in a manner that contributes to providing a range of services, housing and employment opportunities to the community and supports the role and function of each mixed use area based on the Mixed Use areas designated on Schedule 'B2' and related policies.
- b)c)To encourage a high standard of urban design for all new residential and commercial mixed use development that recognizes the cultural heritage value of the downtown core, is compatible with the existing built form and overall character of the area, and supports pedestrian access, safety and convenience.
- c)d)To promote themixed use of buildings with both commercial and office employment uses where commercial uses are at grade level.
- e) To encourage, and where possible require, the use of energy and water conservation measures, sustainable building technologies, landscape treatments and infrastructure.
- <u>f)</u> To promote opportunities for *intensification* and redevelopment in the <u>Central</u> <u>Business District downtown core</u>.

- g) To support the *compatible* commercial of office employment use of existing dwellings fronting Main Street to the east and west of the Central Business

  District downtown core that will encourage the retention and improvement of these dwellings and maintain the residential character of this area corridor.
- h) To promote live-work opportunities that reduce the need for daily commuting between areas of housing, commerce and areas of employment.
- d)i) To provide for the integrated development of a mixed use centre with a range of retail and commercial services, supported with housing and local employment opportunities, as a community hub and regional destination and service centre.

### 4.C4.3General Policies

### 1. Permitted Uses

The Mixed Use land use designation shall permit a range of compatible commercial, residential and employment uses appropriate to the specific Mixed Use area. The Mixed Use land use designation and related policies shall apply to the following Mixed Use areas designated on Schedule 'B2':

- Within the Central Business District, TThe Downtown Mixed Use area, where the primary permitted uses permitted in the Mixed Use Area designation shall include those uses permitted in the Commercial Core areadesignation. The primary permitted uses shall also include the conversion and/or redevelopment of existing properties to provide opportunities for residential intensification and infillredevelopment. Residential uses in the Mixed Use areas shall not be limited to the second floor or location behind the street frontage and oriented to the rear lanes. Existing residential uses shall be permitted and new residential development shall be permitted in accordance with the Zoning By-law.
- Outside of the Central Business District, the uses permitted in The the Mixed Use Corridor-designation, where the primary permitted uses shall include those uses permitted in the Residential designation. The primary permitted uses shall also include compatible commercial uses within a permitted dwelling, limited to office, service commercial and retail uses that maintain or enhance the existing residential character of Main Street East, and shall generally be restricted to the main floor of the dwelling.
- The Mixed Use Centre, where the primary permitted uses shall include those of the Arterial Commercial area and the Community Commercial area oriented to Provincial Highway 89 and County Road 124, and those uses permitted in the Residential designation which shall be permitted, planned and developed only in conjunction with the permitted

commercial uses and shall be setback from the arterial roads and oriented to local roads, with appropriate interface/integration with the permitted commercial uses.

New Aautomotive commercial uses and drive through facilities shall not will be permitted directed to locations where permitted in the Commercial land use designation in accordance with the policies of subsection 4.3.3.1, and may be permitted in the Mixed Use Centre designation in a location that can accommodate the use with adequate separation and buffering from permitted residential uses and subject to maintaining the intended role and function of the Mixed Use Centre.

Commercial accommodations will be directed to locations where permitted in the Commercial land use designation in accordance with the policies of subsection 4.3.3.1, and may be permitted in the form of bed and breakfast establishments in the Downtown Mixed Use area and Mixed Use Corridor, and in the form of hotels and motels in the Mixed Use Centre in a location that can accommodate the use with adequate separation and buffering from permitted residential uses and subject to maintaining the intended role and function of the Mixed Use Centre.

Secondary uses, which are complementary to the primary permitted uses and supportive of the intended role and function of the Mixed Use area, shall include recreational and cultural facilities, public, community and institutional uses, and parks and open space-areas.

All Mixed Use areas shall be developed to ensure a high quality of urban design and integration of the permitted uses and with surrounding uses.

#### 2. Criteria for Mixed Use Development

- a) Mixed use *development* shall be located in accordance with Schedule 'A' Land Use Plan and the Mixed Use Areas shown on Schedule 'B2' Residential Density Plan.
- b) When considering proposals for mixed use *development*, including permitted primary uses and secondary uses, Council shall require demonstration of the following:
  - i) the proposed development is in keeping with the intended role and function of the Mixed Use area and will contribute to achieving the employment growth forecast and meeting the residential targets, where applicable, of this Plan and to creating a complete community;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features,

- conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
- iii) the adequacy of the local road system to accommodate the increased traffic volume;
- iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
- v) the adequate provision of parks and recreation facilities in accordance with subsection 4.7 Open Space Recreation and the proximity to existing or planned community facilities such as parks, schools, the Central Business Districtdowntown core and other commercial and mixed use areas, and with local roads providing efficient access to arterial the provincial highways and/or collector streets to reduce consumption of energy for transportation to such municipal areas and facilities;
- vi) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vii) land use compatibility with and regard for the density and character of adjacent development and appropriate integration of the proposed use(s) into the Mixed Use area and surrounding community with respect to building location, form, general exterior design features and landscaping of the site;
- <u>viii)</u> the proposed <u>development</u> implements the Town's <u>Urban Design</u>
  <u>Guidelines</u> and <u>Development Standards</u> as may be adopted by
  <u>Council;</u>
- ix) the adequate provision for access and off-street parking facilities, with the latter generally being located in the rear or side yard in the case of an apartment building;
- x) the proposed use will not have <u>negatively impacts</u> on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
- xi) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,

xii) the requirements of Section 7, Development Policies, have been met.

### 3. Role and Function of Mixed Use Areas

- a) The Downtown Mixed Use area is intended to support the continued development and revitalization of the downtown core with a mix of housing, commercial and office employment and secondary uses, and to provide a transition from the Commercial Core to outlying residential areas. Within the Downtown Mixed use area, new development and improvements shall be in keeping with the following additional policy direction establishing the intended function and design of the area:
  - i) The existing character and role of the Downtown Mixed Use area in providing for a mix of housing and local business with convenient access to local office, retail and commercial services, supporting the downtown core as a focal point for local economic and civic activity, and connecting surrounding residential areas with the Commercial Core, will be maintained or enhanced;
  - ii) Mixed use buildings that include commercial and residential uses within the Downtown Mixed Use area will be encouraged to promote live-work opportunities, pedestrian access and convenience;
  - <u>iii) Wherever possible, existing buildings with architectural or historical significance will be preserved and adaptively reused;</u>
  - iv) The planning and design of any future improvements to the public realm should consider opportunities for improved connections between the Commercial Core and surrounding areas, pedestrian comfort and safety with well-defined street crossings, traffic calming measures and controls, where possible, wide sidewalks, and barrier-free accessibility;
  - v) Off-street parking areas should be located to the rear of buildings and accessed primarily from the rear lanes to ensure they are deemphasized and do not dominate the physical appearance and function of the Downtown Mixed Use area. The Zoning By-law may establish parking and landscaping standards and provide for the payment of cash in lieu of parking, in accordance with the Planning Act.
- b) The Mixed Use Corridor is intended to provide for compatible commercial and office employment uses within the existing homes fronting on Main Street to the east of the downtown core to encourage the retention and improvement of existing dwellings in this area for a range of uses and to recognize the commercial opportunities associated

with the corridor while maintaining the residential character. Within the Mixed Use Corridor, new development and improvements shall in keeping with the following additional policy direction establishing the intended function and design of the area:

- i) The role of the Mixed Use Corridor area is to preserve and add flexibility to the use of existing buildings originally designed and historically used for residential purposes by providing for small-scale commercial and office employment uses that may benefit from a Main Street location, and to contribute to defining the limits of the downtown core by maintaining the residential appearance and character of this area;
- ii) Development and alterations to existing buildings within the Mixed Use Corridor shall maintain the residential appearance and character of existing buildings and new buildings shall complement existing adjacent properties in terms of scale, density and character and incorporate appropriate residential design features;
- iii) Wherever possible, existing buildings with architectural or historical significance will be preserved and adaptively reused;
- iv) Permitted commercial, office and secondary uses shall be of a scale and nature that is appropriate for the building and area and potential impacts to residential uses shall be minimized through measures such as screening and buffering of off-street parking areas and the use of low-impact lighting and signage;
- v) The planning and design of any future improvements to the public realm should consider opportunities for improved pedestrian comfort and safety with well-defined street crossings, traffic calming measures and controls, where possible, wide sidewalks, and barrierfree accessibility;
- vi) Off-street parking areas should be located to the rear of buildings and accessed primarily from the rear lanes, where possible, to ensure they are de-emphasized and do not dominate the physical appearance and function of the Mixed Use Corridor. The Zoning Bylaw may establish parking and landscaping standards and provide for the payment of cash in lieu of parking, in accordance with the Planning Act.
- vii) Commercial uses such as bed and breakfast establishments, small-scale offices, studios, personal services, health services and day cares will be promoted in the Mixed Use Corridor. Existing and new institutional uses such as religious institutions and funeral homes are also recognized and will be encouraged to locate in this area.

- c) The Mixed Use Centre is intended to provide for the integrated development of a commercial retail centre, including commercial uses of a local nature and those that may also relate to serving major traffic volumes and the surrounding area within the regional market area, as a community hub supported with a mix of housing and providing local employment opportunities, in the area to the north-east of the intersection of Highway 89 and County Road 124. Within the Mixed Use Centre, new development and improvements shall in keeping with the following additional policy direction establishing the intended function and design of the area:
  - i) The Mixed Use Centre is intended as a community hub, regional destination and service centre with several integrated roles that will contribute to meeting a variety of needs locally and more broadly, including arterial commercial functions as set out in the policies of subsection 4.3.3.3 (c) for the Arterial Commercial area, community commercial functions as set out in the policies of subsection 4.3.3.3 (b) for the Community Commercial area, to accommodate a range of housing types and densities and complementary secondary uses as set out in the policies of subsection 4.2.3.4 (g) for the Residential Density Designations in conjunction with the development of a commercial centre, and providing local employment opportunities;
  - ii) Proposed development within the Mixed Use Centre shall be based on an overall concept plan that demonstrates how all land uses will be integrated and work together, including adjoining and surrounding land uses to the south and west, the proposed configuration of access from Provincial Highway 89 and County Road 124, intersections and local streets, and pedestrian access, and the proposed phasing of the development;
  - iii) Arterial commercial uses shall be directed and oriented to the arterial road frontage on Highway 89 and County Road 124;
  - iv) Community commercial uses and secondary uses shall be directed to local road frontages and intersections in areas between the arterial road frontages/intersections and residential uses, and shall be integrated at an appropriate scale and interface with adjoining residential uses;
  - v) Residential uses shall only be permitted as part of a mixed use development in conjunction with a commercial centre, and other supporting uses, permitted secondary uses, and compatible employment uses will be encouraged. Residential uses shall be setback from the arterial roads and directed away from major commercial buildings, high traffic areas and any potentially

incompatible uses which shall be minimized. A transition of residential densities from medium and/or high density areas located adjacent or nearest to commercial uses to low density areas further north should be established;

- vi) Buildings shall be oriented to front, face and feature public streets and intersections with articulation of street-facing building facades to provide a high quality of design, detail and variety, human-scale and pedestrian orientation, and buildings abutting residential uses should be of a similar height as the dwellings;
- vii) Connectivity among land uses within the Mixed Use Centre should be maximized through the planning and design of the public streets and pedestrian pathways, including opportunities for improved pedestrian comfort and safety with well-defined street crossings, traffic calming measures and controls, sidewalks, and barrier-free accessibility;
- viii) Off-street parking, servicing and loading areas should be located, screened and appropriately landscaped so they are de-emphasized and do not detract from the physical appearance and function of the Mixed Use Centre. The Zoning By-law will establish parking and landscaping standards;
- i)ix) Public streets and land required for parks, stormwater management facilities and other public use, infrastructure and facility areas shall be reserved and dedicated to the Town.
- x) The development should be designed to allow for the incorporation of transit facilities and transportation demand management measures such as car-pooling and car-sharing facilities, services and programs.

#### 4. Parking and Access

Adequate off-street parking shall be provided in easily accessible and convenient locations. New mixed use *development* or redevelopment may require a traffic impact study to determine improvements to current access and parking facilities.

#### 5. Buffering

Where conflict could result between uses in the Mixed Use designation and/or with adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7 Development Policies.

### 6. Servicing and Staging of Development

New mixed uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing mixed uses are on private services, the Town may require connection to full municipal services when they become available. All mixed use development shall be carried out in accordance with Schedule 'A1B1' and the policies in subsection 7.910 of this Plan. Mixed use development in the community shall be predominately by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) the criteria of subsection 4.4.3.2;
- b) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- c) the sufficiency of the municipal water, supply and distribution system, and storm sewers and stormwater management facilities.

### 7. Site Plan Control

The Town may require site plan control in accordance with subsection 8.8 to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for commercialmixed use development.

#### 8. Zoning

Mixed use areas shall be placed in separate categories in the Zoning By-law. Existing residential uses fronting on Main Street East shall in the Mixed Use Corridor may be recognized and zoned residential to recognize the existing dwellings, and amendments to the Zoning By-law will generally may be required to regulate the introduction of commercial uses in this area in accordance with the policies of this Section.

## 4.C4.4Mixed Use Policy Exceptions

#### 4.D SPECIAL COMMERCIAL

#### 4.D.1 Introduction

Generally as a community grows demand may be placed on the municipality for commercial land uses oriented to the automobile user particularly large space uses that require large parking lots. These uses are not particularly suited to the downtown area which relates more to a pedestrian shopper and does not have the land area available to support larger format retail building footprints and space extensive commercial uses.

Given the existing vacancy rate and the well maintained residential areas, the special commercial areas have not been extended.

### 4.D.2 Objectives

The objectives from which the Special Commercial policies evolved are include those found in Section 4.B.2 and the following: from which the Commercial policies evolved.

- To encourage highway oriented commercial developments that do not adversely affect the role of the Central Business District as the dominant service and commercial centre.
- To provide opportunities for a range of commercial uses that, due to their size and/or nature of the commercial use cannot reasonably be located in the Central Business District.
- i) To ensure that the diverse needs of Shelburne residents can be met locally, encourage local market retention of retail expenditures and promote Shelburne's function as a service centre to residents and visitors of the Town and surrounding areas.
- To encourage a high standard of urban design for all commercial development.
- To encourage, and where possible require, the use of energy and water conservation measures, sustainable building technologies, landscape treatments and infrastructure.

#### 4D.3 General Policies

#### **Permitted Uses**

The Special Commercial land use designation shall mean that the use of land shall be for highway oriented and service commercial uses located outside of the Central Business District along major roads carrying large volumes of vehicular traffic.

These uses shall cater primarily to the automobile oriented market demands and shall include such uses as service stations or garages, eating establishments restaurants, variety stores, motor vehicle sales and service, service and rental uses, motels, hotels, financial institutions, offices, funeral homes, commercial recreation facilities, building supply outlets and other large format retail commercial establishments including food stores.

Secondary uses which are complimentary to the Special Commercial uses are public and institutional uses, parks and open space areas.

#### Criteria for Special Commercial Development

- Special Commercial uses shall be located in accordance with Schedule 'A' Land Use Plan.
- When considering proposals for Special Commercial development,
  Council shall require demonstration of the following:
- viii)the proposed development will not negatively impact the role and function of the Central Business District as the primary focus of commercial activity and existing commercial areas based on the results of an independent Market Impact Assessment, where required in accordance with section 4.D.3 (iii);
- the proposed development will contribute to creating a complete community;
- the adequacy of municipal services to service the development in accordance with a Council approved Servicing Allocation Policy, and the integration of sustainable design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
- the adequacy of the local road system to accommodate the increased traffic volume;
- the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
- the physical layout and design of the development optimizes the available supply, means of supplying, efficient use and conservation of energy;
- compatibility with the density and character of adjacent development and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
- the proposed use implements the Town's *Urban Design Guidelines* and *Development Standards* as may be adopted by Council;

- the adequate provision for access and off-street parking facilities;
- the proposed use will not negatively impact areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with Section 4.G;
- the proposed development will conserve identified heritage resources, in accordance with Section 6; and,
- the requirements of Section 7, Development Policies.

### 9. Market Impact Assessment

All development in the Special Commercial designation shall be limited to uses that cannot reasonably be located within the Central Business District. To assist in ensuring that the primary commercial function of the Central Business District is not adversely affected, special commercial uses will be subject to a minimum floor area to be established in the Zoning By-law. In addition, Council may require a Market Impact Assessment to be completed at the applicants' expense by a qualified professional for any proposed development in the Special Commercial area to provide a justification of need for the development and an analysis of the existing commercial inventory demonstrating no negative impact on the planned role and function of existing commercial areas.

### 7. Parking and Access

Adequate off street parking shall be provided in easily accessible and convenient locations. The location of Special Commercial uses should be as concentrated as possible with access to be from internal paved roads whenever feasible as opposed to direct access to a major arterial road. A traffic impact study may be required to determine improvements to current access and parking facilities.

#### 8. Buffering

Where conflict could result between Special Commercial uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7 Development Policies.

#### Staging

All Special Commercial development shall be carried out in accordance with Schedule "A1" and the policies in Section 7.9 of this Plan. Special Commercial development in the community shall be predominately by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- the criteria of section 4.D.3 (ii);
- the need for the proposed type of development in view of other available alternatives or proposals/applications in the community;
- the sufficiency of the municipal water, supply and distribution system.

#### 9. Site Plan Control

The Town may require site plan control in accordance with Section 7 8.8 Development Policies to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for special commercial development.

### 10.Zoning

Special Commercial uses shall be placed in a separate category in the Zoning By law.

### 4.D.4 Special Commercial Policy Exceptions

#### 4.D.4.1 Special Commercial Policy Exception Area 1

(Part Lot 32, Concession 1, (Former Township of Amaranth)

Development on the subject property shall be subject to the following conditions:

- d) The completion of a tree preservation and management plan for the woodlot on the property to include, but not be limited to, a feasibility assessment to maintain a mature tree landscape feature along the Provincial Highway; to maintain a mature tree landscape between parking areas and blocks to parking to minimize visual impact of the parking and lighting onsite, and to maintain the existing managed forest on the easterly portion of the property, and provision to ensure the longevity of the trees to be maintained or located at the cut edges of the existing woodlot;
- e) The completion of a Commercial Market Impact StudyAssessment as required in Section 4.b.3.iv of the Official Plan, which shall include an evaluation of the impact on the existing Central Business District, and an analysis of the potential vacancy rates which can be expected upon development of the commercial retail on the property; and.

f) The approval of the Ministry of Transportation for any access proposed to the Provincial Highway system prior to any construction being undertaken. Alternatively, approvals should be received from any development having primary access from the Second Line from the County of Dufferin and the Ministry of Transportation, if applicable.

### 4.ED5 INDUSTRIALEMPLOYMENT

#### 4.ED5.1 Introduction

The Town of Shelburne wishes to expand its present industrial base and provide for economic diversity and resiliency in order to create a more suitable tax base and a more balanced community within Shelburne wherein a greater proportion of the residents are living and working in the community. This in turn could generate higher support for local businesses and greater involvement in and support for groups and organizations in the area, and contribute to achieving a complete community.

### 4.ED5.2 Objectives

The objectives from which the <u>Industrial Employment</u> policies evolved are as follows:

- a) To provide employment opportunities for the residents of the Town.
- a)b) To contribute to planning for the employment growth forecasts and achieving the greenfield density targets for the Town.
- **b)c)**To encourage a stronger tax base within the Town.
- e)d)To encourage a diversity of industrial employment uses to located within Shelburne both on individual lots and in industrial mallsin a variety of forms.
- d)e) To maintain the quality of the environment by controlling the type and land use/environmental impacts of industrial uses to be permitted in the community.
- f) To encourage if feasible the development of a municipality owned industrial park provide a framework for the Town's involvement in promoting and facilitating local economic development.
- g) To encourage a high standard of urban design for all new employment land <u>development.</u>
- e)h) To encourage, and where possible require the use of energy and water conservation measures, sustainable building technologies, landscape treatments and infrastructure.

### 4.ED5.3 General Policies

#### 1. Permitted Uses

The Industrial Employment land use designation shall mean that the predominant primary use of land in Industrial areas shall be for a range of employment uses the including manufacturing, processing, fabricating and assembly of materials as well as repair, servicing, distribution and storage of materials, and offices.

Such-Specific permitted uses shallmay be limited to dry forms of industry and other employment uses which do not require large amounts of water on a regular basis, and whose wastes are of a low discharge nature, as may be set out in the Zoning By-law. Noxious uses as defined under the Public Health Act or regulations shall not be permitted.

Secondary uses which are complementary to and serve the industrial employment uses are permitted such as minor public uses, associated retail, wholesale or office other uses accessory to and supportive of the permitted industrial employment uses, as well as cartage and truck or transportation facilities. A limited amount of outdoor storage may be permitted provided it is clearly accessory to the principal industrial uses and screened from view. In addition an accessory dwelling unit for a caretaker, watchman security personnel or other personemployee(s) whose presence on the premises is essential to the maintenance of the industrial employment use may be permitted, provided (with the exception of a that no dwelling shall be located in an employment area over a where noise, vibration or other impacts would not be within acceptable limits at the dwelling based on provincial standards garage) is permitted. Noxious uses as defined under the Public Health Act or regulations shall not be permitted.

Other secondary uses permitted may include <u>Commercial uses supportive</u> of the industrial employment area such as financial institutions, vendors markets, hotels/motels, restaurants, banquet halls, conference facilities and recreational establishments shall be permitted in all industrial areas, where permitted in the Zoning By-law.

Commercial uses requiring large amounts of parking such as banquet halls and vendors markets shall be permitted in all industrial areas.

Commercial uses may be permitted in the industrial area at the intersection of Highways 10, 24 and 89. Such uses shall be limited to large space uses (e.g. hardware and furniture stores), uses oriented toward the automobile and service uses, excluding offices. These uses shall not be negatively impact the existing commercial uses in the Central Business District.

Commercial uses supportive of the industrial area such as financial institutions, restaurants and recreational establishments shall be permitted in all industrial areas

Commercial uses requiring large amounts of parking such as banquet halls and vendors markets shall be permitted in all industrial areas.

### 2. Criteria for Industrial Employment Land Development

In assessing an application for industrial development, consideration shall be given to the following:

- <u>a) IndustrialEmployment</u> uses shall be located in accordance with Schedule 'A' Land Use Plan.
- b) When considering proposals for Industrial development of employment uses, including permitted primary uses and secondary uses, Council shall require demonstration of the following:
  - i) the proposed *development* will contribute to <u>meeting</u> achieving the <u>employment forecast and greenfield density</u> target of this Plan and to creating a *complete community*;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the local road system to accommodate the increased traffic volume:
  - iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
  - v) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
  - vi) land use compatibility with and regard for the density and character of adjacent development and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;

- vii) the nature of the industrial/business operation and the location of related buildings, structures, parking and loading areas and outdoor storage will not negatively impacthave adverse effects on residential and other sensitive land uses, or potential impacts can be sufficiently mitigated through appropriate buffering and setbacks in accordance with the policies of this Plan and the Zoning By-law;
- viii) the proposed use implements the *Town's Urban Design Guidelines* and *Development Standards* as may be adopted by Council;
- ix) the adequate provision for access and off-street parking facilities;
- x) the proposed use will not have <u>negatively impacts</u> on areas of <u>natural heritage</u>, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
- xi) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xii) the requirements of Section 7, Development Policies, have been met.
- a) access to be from interior roads whenever feasible but not through interior residential streets;
- b) adequate access to off street parking and loading facilities to be provided;
- c) adequate landscaped buffering and setbacks, appropriate lighting, external design and signs to minimize conflict with other uses. Fencing shall be required where necessary to ensure safety;
- d) areas of outdoor storage to be located in the rear yards and adequately fenced and screened; and
- e) developments to be encouraged to provide suitable design standards, site layout and landscaping in order to contribute to an attractive industrial area. Any yard fronting onto a public road should be landscaped in such a way in order to present an attractive development.

### 3. Employment Forecast and Greenfield Density Target

a) The Town shall maintain a sufficient supply of land designated for industrialemployment uses purposes, including consideration of intensification and redevelopment of existing industrialemployment areas within the Built-up Area and land in Designated Greenfield Areas that is available for industrial development of employment uses, to accommodate this Plan's employment forecast total employment of 3,560 jobs by 2031, subject to the availability of sufficient servicing capacity within municipal water supply and wastewater treatment systems.

b) Industrial dDevelopment of employment uses in Designated Greenfield

Areas shall be planned and located to contribute to achieving a Countywidethe greenfield development density target of 416 residents and jobs
combined per hectare within Designated Greenfield Areas in accordance
with the direction of the County of Dufferin Growth Management Study
policies of this Plan;

### 4. Employment Land Conversion

The conversion of designated eEmployment land to non-employment uses shall only be considered through an amendment to this Plan supported by a municipal comprehensive review demonstrating that:

- a) the land is not required for employment purposes over the long term in order to meetachieve the employment targetsforecast of this Plan;
- b) there is a need for the conversion and there are no alternative sites designated for the proposed use elsewhere in the Town;
- c) the conversion will not negatively impact the overall viability of the employment area and the proposed use will not have adverse effects on the long term viability and functioning of the adjacent employment uses including existing industrial facilities and sites and their ability to accommodate other permitted employment uses;
- d) the change in use is consistent with other policy objectives of the Town including the planned function of the Town's existing and planned commercial areas and the primary role of the Central Business District downtown core;
- e) where the proposed conversion includes a residential use, the application will contribute to meeting the residential targets of this Plan;
- there is capacity available within existing or planned municipal servicing systems to accommodate the proposed conversion;
- g) the increased traffic volume can be accommodated by the local road system and the proposed use and location will provide opportunities for active transportation;
- the lands are not required in the long term for the employment purposes
   for which they are designated; and,

### i) cross-jurisdictional issues have been considered.

For the purposes of this policy, major retail uses are considered nonemployment uses, and Employment land includes all land designated as "Employment" on Schedule 'A'.

#### 2.5. Environmental Considerations Industrial Emissions

All storage and disposal of industrial waste and all emissions to the environment including dust, noise, <u>odour,and</u> vibration, <u>light, odour, contaminants, water, wastewater</u> <u>and other emissions</u> must satisfy the requirements of the Ministry of the Environment.

If, in the opinion of Council, a *development* proposal may have negative impacts on the Town's physical environment, or land use compatibility, due to dust, noise, vibration, light, odour, contaminants, water, wastewater or other emissions negative impacts, and any other studies deemed necessary by the Town to assess the impacts of the proposed *development* on the physical environment an Environmental Impact Study shall be required to be completed at the applicants' expense by a qualified professional to the satisfaction of the Town. Such a studiesy must prove the environmental impacts of the proposal can be overcome prior to the proposal being implemented, and the recommended mitigation measures shall be implemented with the *development*.

#### 3. Assessment of Development Applications

#### 4.6. Parking and Access

All industrial Employment land development shall provide adequate access to off-street parking and loading facilities. Whenever feasible, development shall have access from internal paved roads particularly when adjacent to a provincial Provincial highway Highway or county County road Road, but not through interior residential streets. New Employment land development or redevelopment may require a traffic impact study to determine improvements to current access and parking facilities.

#### 7. Buffering

Where conflict could result between Commercialemployment uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7, Development Policies. Landscaped buffering and setbacks, appropriate lighting, external design and signs shall be located and designed to minimize conflict with other uses. Fencing shall be required where necessary to ensure safety. Areas of outdoor storage shall be located in the rear yards and adequately fenced and screened from view from adjacent properties and public roads.

### 5.8. Servicing Servicing and Staging of Development

GenerallyNew industrialemployment uses will be required to be serviced by a the municipal water supply and connected to the municipal sanitary sewers. Where existing industrialemployment uses are on private services, the Town may require connection to full municipal services when they become available. Exceptions to this policy may be necessary particularly for those lands west of the CPR line where it crosses Main Street. Private services are subject to the approval of the Town, Ministry of the Environment and the Health Unit. All development of Employment land shall be carried out in accordance with Schedule 'B1' and the policies in subsection 7.10 of this Plan. Employment land development in the community shall be predominantly by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) the criteria of subsection 4.5.3.2;
- b) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- c) the sufficiency of the municipal water, supply and distribution system, and storm sewers and stormwater management facilities.

### 6.9. Site Plan Control

The Town may require site plan control in accordance with subsection 7–8.8 Development Policies to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for industrial Employment land development. Industrial Employment land developments shall encouraged to provide suitable design standards, site layout and landscaping in order to contribute to an attractive industrial employment area. Any yard fronting onto a public road shall be landscaped in such a way in order to present an attractive development. Where industrial Employment lands are adjacent to rResidential, iInstitutional, Natural Environment and/or Open sSpace Recreation conservation aAreas, or Mixed Use Areas that include a sensitive land use, a site plan to be submitted by the developer will be required indicating adequate setbacks, landscaping to provide an immediate effective screen and one or a combination of fencing, walls or berms as determined by Council. The utilization of materials for buildings in the industrial employment area which are appropriate given the adjoining uses will be encouraged by Council.

Outside storage shall be totally screened from view from adjacent properties and public roads through the use of a solid fence, wall or berms and appropriate landscaping.

### **7.10.** Zoning

Industrial Employment uses shall be placed in a separate category in the Zoning By-law.

## 8. Adjacent Uses

Where industrial lands are adjacent to residential, institutional and open space conservation areas, a site plan to be submitted by the developer will be required indicating adequate setbacks, landscaping to provide an immediate effective screen and one or combination of fencing, walls or berms as determined by Council. The utilization of materials for buildings in the industrial area which are appropriate given the adjoining uses will be encouraged by Council.

Outside storage shall be totally screened from view through the use of a solid fence, wall or berms and appropriate landscaping.

## **Stormwater Management**

Prior to the issuance of a building permit, a Stormwater Management report must be received and approved by the Nottawasaga Valley Conservation Authority for lands to be developed for industrial purposes in Part of the North Half Lot 31, Concession 2 formerly Township of Amaranth now in the Town of Shelburne.

# 4.<u>E5</u>.4 <u>Industrial Employment</u> Policy Exceptions

# 4.ED.4.1. Industrial Employment Policy Exception Area 1

(Mini Storage Facility, Part of West Half of Lot 32, Concession 2, Victoria Street)

The lands described as being Part of the West Half of Lot 32, Concession 2, fronting onto Victoria Street immediately south of the Town's transfer station property and comprising 5.03 acres (2.04 hectares) shall be permitted to be used for mini-storage units and accessory uses and shall be subject to the following policies:

#### Assessment of Criteria for Development Application

In assessing the application for Special Industrial development, consideration shall be given to the following:

- a) access to be approved by the Town;
- b) adequate access to off street parking and loading facilities to be provided;

- adequate landscaped buffering and setbacks, appropriate lighting, external design, and signs to minimize conflict with other uses. Fencing shall be required where necessary to ensure safety;
- areas of outdoor storage shall be restricted to rear yard locations and shall be totally screened from view through the use of a solid fence, wall or berm; and,
- e) the *development* shall provide for a suitable design, site layout and landscaping in order to contribute to an attractive *development*. Any yard fronting onto a public road should be landscaped in such a way in order to present an attractive *development*.

## Servicing

Notwithstanding the policies of this Plan to the contrary, It is not expected that athe mini storage facility will not require full municipal services. Further development of the lands will require servicing by a municipal water supply and connection to municipal sanitary sewers.

## **Buffering**

Where conflict could result between the proposed land uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7, Development Policies.

#### **Site Plan Control**

The Town may require site plan control in accordance with <u>Ssubsection 8.87</u>, <u>Development Policies</u> to ensure that building location, general exterior design, and landscaping are suited to the general character of the area and result in a positive contribution to the area for Special Industrial *development*.

#### Storage

No storage of flammable liquids or chemicals is permitted. Rental contracts shall contain a clause to this effect.

#### Zoning

The Special Industrial Employment use shall be placed in a separate site-specific zone category in the Zoning By-law."

## 4.E.4.2 Industrial Policy Exception Area 2

(Land designated Industrial north of Highway 10/89 and east of County Road 124, Concession 1 OS W, Part Lot 1 RP 7R5991 Part 2)

#### Permitted Uses

In addition the uses permitted under section 4.E.3 (i), special Commercial uses may be permitted in the industrial area located to the north-east of at the intersection of Highways 10, 24 and 89 in accordance with the policies of section 4.D.3. Such uses shall be limited to large space uses (e.g. hardware and furniture stores), uses oriented toward the automobile and service uses, excluding offices. These uses shall not be negatively impact the existing commercial uses in the Central Business District.

### Environmental Impact Study

An Environmental Impact Study shall be required prior to any development approval to confirm the location, extent and significance of natural heritage features on the site and identify appropriate measures for conservation and protection of sensitive features demonstrating there will be no negative impact on the features and their ecological functions to the satisfaction of the Nottawasaga Valley Conservation Authority and the Town. The conveyance of natural environment land on the property to municipal ownership may be required as a condition of development approval.

### Stormwater Management Report

A Stormwater Management Report shall be required prior to any development approval demonstrating that there will be no negative impacts related to the quantity or quality of stormwater generated and proposed grading and drainage of the site to the satisfaction of the Nottawasaga Valley Conservation Authority and the Town. Any proposed de watering of the site expected to exceed 50,000 litres per day shall be subject to approval by the Ministry of the Environment and the conservation authority.

#### 4.E.4.3 Industrial Policy Exception Area 3

(Land designated Industrial west of the former railway corridor)

#### Permitted Uses

The uses permitted on land within the Industrial designation to the west of the former railway corridor shall be limited to existing uses and dry operations that are capable of being serviced by a private individual onsite sanitary sewage system until such time as the lands are serviced by

municipal sanitary sewers and there is sufficient wastewater treatment capacity available.

## Servicing

Notwithstanding the policies of this Plan to the contrary, land within the Industrial designation to the west of the former railway corridor may be serviced by private individual onsite sanitary sewage system

Exceptions to this policy may be necessary particularly for those lands west of the CPR line where it crosses Main Street. Private services are subject to the approval of the Town, Ministry of the Environment and the Health Unit. A Functional Servicing Report shall be required for any proposed development of this land.

## **4.E.4.4 Industrial Policy Exception Area 4**

(Land designated Industrial in Part of the North Half of Lot 31, Concession 2, formerly Township of Amaranth now in the Town of Shelburne)

### i) Stormwater Management

Prior to the issuance of a building permit, a Stormwater Management report must be received and approved by the Nottawasaga Valley Conservation Authority for lands to be developed for industrial purposes in Part of the North Half Lot 31, Concession 2 formerly Township of Amaranth now in the Town of Shelburne.

## 2. Employment Policy Exception Area 2

Notwithstanding the designation of the land on the north side of Main Street East and east and south of the Besley Drain, and identified with reference to this Section on Schedule 'A' as "Residential" and "Employment", this land may be developed in accordance with either the Residential land use designation or the Employment land use designation and related policies, subject to demonstration of land use compatibility with existing residential and employment uses in the area. Proposed residential uses within this area shall not be subject to the employment land conversion policies of this Plan. Proposals to develop the land based on the mapping of the "Residential" and "Employment" designations as shown on Schedule 'A' shall demonstrate land use compatibility and address the interface between the residential and employment uses as well as adequate road access for each use.

### 4.HE6 INSTITUTIONAL USES

## 4.HE6.1 Introduction

Institutional uses are scattered distributed throughout the Municipality. The Institutional land use designation is intended to provide sufficient land for institutional facilities that serve the Town and may also serve surrounding areas. These uses play an important role in providing many supportive services to the community, and contribute to achieving a complete community.

### 4.HE6.2 Objectives

The objective from which the Institutional polices evolved is as follows:

- <u>a)</u> To encourage institutional uses to <u>be</u> located in appropriate locations throughout the community.
- b) To provide sufficient land to address the needs of the community for public and private institutional facilities.
- c) To encourage a high standard of urban design for all new institutional development.
- a)d) To encourage, and where possible required the use of energy and water conservation measures, *sustainable* building technologies, landscape treatments and *infrastructure*.

#### 4. EH6.3 General Policies

#### 1. Permitted Uses

The Institutional land use designation shall permit the use of land Includes such uses for: as public and semi-public buildings, facilities and establishments; religiouens institutions; public and private schools; emergency facilities and services; community centres and recreation facilities; cemeteries; hospitals and other health care facilities and services, convalescent long-term care and retirement homes; public, or charitably supported senior citizens homes, public or private senior citizens apartments, public or private nursing homes, and; group homes; and other forms of special needs housing and assisted living facilities.

Other than those uses noted, no residential dwellings shall be permitted in these areas with the exception of those required for essential operational personnel and those already in existence in the areas when the Implementing Zoning By-law comes into force.

## 2. <u>Criteria for New Institutional DevelopmentAreas</u>

- a) Institutional uses shall be located in accordance with Schedule 'A' Land Use Plan, and may also be permitted in other land use designations subject to implementing zoning in the Zoning By-law.
- a)b) The Town in assessing new institutional proposals shall take into consideration When considering proposals for institutional development, Council shall require demonstration of the following:
  - i) the use proposed development will contribute to achieving the employment growth forecast and the intensification or greenfield density target, where applicable, and to creating is necessary to the a complete community;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the local road system to accommodate the increased traffic volume;
  - iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
  - v) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
  - vi) and is land use compatibilitye or can be made compatible by effective measures with the surrounding land uses with and regard for the density and character of adjacent development and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
  - vii) the proposed use implements the Town's *Urban Design Guidelines* and *Development Standards* as may be adopted by Council;
  - viii) the adequate provision for access and off-street parking facilities;

- ix) the proposed use will not have <u>negatively impacts</u> on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
- x) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- i)xi) the requirements of Section 7, Development Policies, have been met.

### 3. Parking and Access

Adequate off-street parking shall be provided in easily accessible and convenient locations. New institutional *development* or redevelopment may require a traffic impact study to determine improvements to current access and parking facilities.

<u>T</u>the site must have direct access to a public road with year round maintenance. Adequate parking facilities must be available with access to be designated to ensure minimal danger to vehicular traffic and pedestrians; and.

## 4. Buffering

Where conflict could result between institutional uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7 Development Policies.

### 5. Servicing and Staging of Development

New institutional uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing municipal uses are on private services, the Town may require connection to full municipal services when they become available. All commercial institutional development shall be carried out in accordance with Schedule 'A1' and the policies in subsection 7.910 of this Plan. Commercial Institutional development in the community shall be predominately by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) the criteria of subsection 4.6.3.2;
- b) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- c) the sufficiency of the municipal water, supply and distribution system, and storm sewers and stormwater management facilities.

# 6. Site Plan Control

The Town may require site plan control in accordance with subsection 8.8 to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area.

# 7. Zoning

<u>Institutional</u> uses <u>mayshall</u> be placed in <u>a</u> separate zoning category in the Zoning By-law.

# 4.H6.4Institutional Policy Exceptions

### 4.F7 OPEN SPACE RECREATION

### 4.F7.1 Introduction

In conjunction with population growth and the increasing amount of leisure time. affluence and mobility available to residents, municipalities in recent years have experienced an increased demand for public open space and in particular recreation or leisure facilities. However, Public and private open space and recreation facilities are vital to the health and well-being of residents and the social, economic and physical environment. The Open Space Recreation designation includes municipal parks and recreation facilities, the fairgrounds and other public and private land generally intended to accommodate a wide range of indoor and outdoor recreational activities. These areas provide a range of services contributing to the quality of life in Shelburne and support the Objectives of Section 3 to plan for a complete, healthy, safe, attractive and sustainable community. It is Council's intent to ensure that a balance of active and passive recreational and open space venues, experiences and opportunities are available to residents by ensuring sufficient land is dedicated for public parks and recreation facilities and through ongoing implementation of the Town of Shelburne Parks Master Plan and Active Transportation Plan. dDue to the costs of providing and maintaining such facilities, reliance emphasis should continue to be placed on partnerships with special interest groups, service clubs and neighbourhood groups to assist in constructing and maintaining facilities on public lands or on private lands by agreement.

# 4.F7.2 Objectives

The objectives from which the Open Space Recreation policies evolved are as follows:

- a) To provide the sufficient land and for a balanced distribution of accessible indoor and outdoor, active and passive leisure or and recreational activities for groups or individuals of all ages and special diverse interests in keeping with the needs of the community and within the financial resources of the Town.
- b) To provide a <u>connected</u> system of open space areas <u>that provides</u> <u>pedestrian</u> and <u>cycling linkages</u> among <u>residential neighourhoods</u>, <u>recreation centres</u>, <u>community facilities</u>, <u>commercial areas and employment districts to support active transportation throughout the Town, and that which can adapt to changing-public needs and preferences.</u>
- c) To promote the use of open space as a buffer between incompatible land uses.

c)d) To preserve and enhance the natural environment of the municipality.

- e) To preserve treed areas wherever possible.
- d)f) To provide parks and recreation facilities in an efficient and sustainable manner that optimizes their use and minimizes environmental impacts.

## 4.F7.3 General Policies

#### 1. Permitted Uses

The Open Space Recreation land use <a href="designation">designation</a> shall mean that the <a href="primary">primary</a> use of land shall be for recreational, leisure or conservation uses and shall include public and privately owned or operated parks, arenas, <a href="pools">pools</a>, community centres, museums and <a href="potner">other</a> recreational <a href="mailto:and-cultural-facilities">and-cultural-facilities</a> and <a href="mailto:services-clubs-such-as-golf-clubs">services-clubs-such-as-golf-clubs</a>.

Secondary uses which are complementary to and/or serve the principal uses are permitted such as <a href="urban">urban</a> agriculture, forestry, wildlife management, minor institutional and public uses, and public works facilities installations and aAccessory residencedwelling units as may be permitted as secondary uses associated with certain primary uses as may be provided in the Zoning By-law for the owner or manager or caretaker associated with the primary use provided that the open space and/or recreational character is maintained as the principal use.

# 2. Designated Open Space Recreation Areas

The Open Space Recreation areas on Schedule 'A' recognize existing land uses and that they should be maintained as such. Additional <u>public</u> parks shall be established primarily through the dedication of lands for such purposes when as a condition of a development approval and shall be permitted in all land use designations without the need for an amendment to this <u>Planproposal</u> is being processed. Land accepted by the Town for parkland or other public recreational purposes shall be of a size, location and condition acceptable to the Town in accordance with the policies of this <u>Plan</u> and the Parks Master Plan.

# 3. Land Acquisition for Public Open Space and Recreation

The Municipality should acquisitionre of land for public open space and recreational needs shall be primarily through land dedication in accordance with this Plan, the Parks Master Plan and the following policies: and purchase by the Town and/or other agencies.

a) Council may require tThe conveyance of land to the Town <u>suitable</u> for park <u>and other public recreational</u> purposes <u>shall be required as a condition of development</u> in accordance with <del>Section 42 of the Planning Act, subsection 8.5 of this Plan and the criteria and standards set out in</del>

the Parks Master Plan. , for plans of subdivision and consent applications for residential, commercial and industrial purposes. Where redevelopment at increased densities is proposed or development that does not form part of a plan of subdivision or consent application, Council may pass a by law in accordance with the Planning Act stating that land may be required to be conveyed to the Town for park purposes at a rate of 1 ha for every 300 dwelling units proposed or at such a lesser rate as may be specified in the by-law.

Publicly owned lands to be used for open space recreation uses should generally be concentrated and as centrally located as possible in order to reduce maintenance costs and encourage walking to the area to reduce energy costs attributed to transportation.

- a)b) If it is determined that lands for park purposes are not required based on the criteria and standards set out in the Parks Master Plan, the Town may requestshall require cash-in-lieu of the land conveyance in accordance with the Planning Act, subsection 8.5 of this Plan and the Parks Master Plan. Cash-in-lieu should generally be considered in consents. The amount of the payment shall be equal to the appraised value of the land as of the day before the day of the draft approval of a plan of subdivision or the giving of the consent application or the issuance of the building permit in the case of a development or redevelopment proposal. Such monies are to be paid into a special account and used for the acquisition, maintenance or improvement of lands or facilities for park purposes.
- b)c)Council may consider the acquisition of land for public parks, trails, open space and recreation throughand direct purchase by the Town and/or in partnership with other agencies where appropriate based on the guidance of the Parks Master Plan. The Town may encourage partnerships with other agencies—or institutions and service providers such as the Conservation Authority and the Ministry of Natural Resources to purchase secure lands into public ownership for conservation or public recreational purposes. If the Municipality wishes to acquire lands or secure easements, consideration should first be given to the utilization of any available funding from the senior levels of government.
- e)d)Publicly owned lands to be used for open space recreation uses should generally be concentrated and as centrally located as possible in order to reduce maintenance costs and encourage walking to the area to reduce energy costs attributed to transportation.

**Conditions of Land Conveyed to the Town** 

In accepting the land to be conveyed to the Municipality for park purposes, the Town shall require the following:

the lands to be easily accessible to the public and as centrally located as possible to the proposed users;

the lands to be in a condition acceptable to the Municipality;

lands containing an open watercourse or other hazard area will not necessarily be accepted as part of the 5 percent dedication under the Planning Act, RSO 1990. However, where lands accepted by the Town do contain an open watercourse, sufficient lands must be included to permit proper maintenance of the area;

the lands should not be land locked but should be designed to meet the minimum requirements of the Zoning By-law; and

the lands are to be suitable for the development of an open spacerecreational facility. Characteristics to be considered are that the site be level, and rectangular or square in shape for flexibility.

### 4. Lands under Private Ownership

Where any land designated Open Space Recreation is under private ownership, the scope of this Plan does not infer that these lands will remain open space or that they are open to the general public or that the Town will purchase them. If any *development* proposals are received <u>n-for</u> such lands, and the Municipality or any other public authority does not wish to purchase them for the designated use, <u>the Town may give consideration to those proposals</u>. If such a proposal is approved by the municipality, then <u>only by</u> an amendment to this Plan <u>will be necessary</u>.

## 5. Criteria for Private Open Space and Recreation Development

- a) Private open space and recreation uses shall be located in accordance with Schedule 'A' Land Use Plan.
- a)b) When a considering proposals is received to establish a private or commercial open space or recreational facility, the TownCouncil shall consider require demonstration of the following:
  - i) the proposed *development* is consistent with the principles and recommendations of the Parks Master Plan and will contribute to creating a *complete community*;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing

- Allocation Policy, and the integration of sustainable design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
- <u>iii) the adequacy of the local</u> road system to accommodate the increased traffic volume;
- iv) the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence and, where applicable, the continuity of public walkways to provide a continuous open space system will be maintained or enhanced by the development should be considered.;
- v) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vi) land use compatibility with and regard for the density and character of adjacent development and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
- vii) the proposed use implements the Town's Urban Design Guidelines and Development Standards as may be adopted by Council;
- viii) the adequate provision for access and off-street parking facilities;
- ix) the proposed use will not have <u>negatively impacts</u> on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
- x) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xi) the requirements of Section 7, Development Policies, have been met.
- b)c)tThe site must have frontage on and direct access to a public road built to standards of the Town, County and/or the Ministry of Transportation, as applicable, with year road maintenance and which can adequately handle the traffic generated by the development. Adequate parking facilities must be available with access designated to ensure minimal danger to vehicular traffic and pedestrians.;
  - c) the use is compatible or can be made compatible by effective measures with the surrounding lands uses;

d) the proposal must meet the requirements of the Health Unit and/or Ministry of the Environment for water supply and sewage disposal; and,

where applicable the continuity of public walkways to provide a continuous open space system should be considered.

# **5.6.** Zoning

Open Space Recreation uses may be placed in a separate zoning category.

# 4.<u>F7.4</u> Open Space Recreation Policy Exceptions

### 4.G8 NATURAL ENVIRONMENT

### 4.G8.1 Introduction

The Natural Environment areas within Shelburne play a vital role in contributing to supporting the health of residents, their quality of life and the sustainable development of the community. The areas are of considerable benefit as part of the ecological system and must be protected and maintained. The Natural Environment areas designation includes the Natural Heritage System comprised those of natural heritage features and areas such as wetlands, woodlands identified through the 2003 Town of Shelburne Natural Heritage Study, valleylands and wildlife habitat, and linkages. and nNatural hazard areas (e.g. such as flood-plains and areas that may be susceptible to erosion are also included within the Natural Environment designation where these natural hazards are within the areas identified as part of the Natural Heritage System. The boundaries of mapped natural hazards, including the portion that may extend beyond the limits of the Natural Environment designation, are also identified separately and related policies will be applied and addressed prior to development within these areas).

## 4.G8.2 Objectives

The objectives from which the Natural Environment policies evolved are as follows:

- a) The To prevention of loss of life, and the minimize ation of property damage and social disruption from flooding or other natural hazards.
- b) Theo protection and preserveation of all natural heritage features over the long term, recognize, maintain and support natural processes and ecological functions, and conserve biodiversity.
- c) To maintain and enhance the environmental health of the Boyne River subwatershed within which the Town of Shelburne is located.
- b)d) To preserve the quantity and quality of surface and groundwater resources upon which the Town relies and specifically protect municipal wellheads from land uses that could have adverse effects on the quantity or quality of the municipal water supply.;
- c)e)Tohe preserveation and enhancement of the inherent scenic quality of the environment.;
- d)f) Tohe prevention of the development of lands that are ecologically significant or sensitive lands that support natural features and functions and lands that exhibiting hazardous characteristics such as steep slopes, undesirable unstable soils, etc.; and

- g) Tohe preserveation of open space systems to provide a connected corridor within the municipality linking to the larger corridors and open space areas in surrounding municipalities.
- h) To encourage the conveyance of natural environment land into public ownership and provide for *compatible* levels of public access to publicly owned natural areas for passive recreation, where possible.
- e)i) To promote public awareness and understanding of the Town's natural heritage features, environmental issues and natural hazards by supporting educational programs that encourage environmental stewardship and community safety.

### 4.G8.3 General Policies

#### 1. Permitted Uses

The predominant use of land in theis "Natural Environment" designation shall be for conservation purposes. Specifically, theis Natural Environment designation will include:

- a) The Natural Heritage System shown on Schedule 'E' comprised of Nn atural heritage features and areas including wetlands, fish and wildlife habitat, habitat of endangered and threatened species, woodlands, valley-lands, Areas of Natural and Scientific Interest (ANSI), and stream related linkages and buffers. While limited natural heritage features exist within the municipality, the Town will periodically review data sources and revise land use schedules as necessary to reflect updated information from the Ministry of Natural Resources (MNR) and the Nottawasaga Valley Conservation Authority (NVCA).
- a)b) Natural hHazardous lands and sites including areas with in the regulatory flood plain, or areas exhibiting erosion, unstable soils, or steep slopes, as defined by the flooding hazard limit (regional floodline) and the erosion hazard limit within the Natural Heritage System as shown on Schedule 'E'.; and,
- b)c)For the purposes of this subsection, the term "buffer" means an area of land located adjacent to the defined edge of a natural heritage feature or area, which is to be protected from development and is intended for a vegetated protection zone to mitigate the impacts of development, site alteration and land use on the natural heritage feature and its ecological functions.

Passive recreation uses such as trails and connecting pathways, outdoor education, nature interpretation and similar uses and activities may be permitted in some corridor and buffer non-sensitive areas that can sustain

these uses and activities without having negatively impactsing on the natural heritage features and areas or their ecological functions, and will be subject to the approval of the Town and the Nottawasaga Valley Conservation Authority (NVCA).

## 4.G.3.1 2. Natural Hazardous Lands and Sites

### 1. Flooding Hazards

Development and <u>site alteration</u> shall <u>will</u> not be permitted <u>in on hazardous</u> lands <u>withinadjacent to river and stream systems which are impacted by the flooding hazards <u>limit</u>. By definition, the flooding hazard limit is the greater of the flood resulting from:</u>

Hurricane Hazel (1954) or the Timmins Storm (1961)
The one hundred year flood

#### 2. Erosion Hazards

Development and site alteration shall will-not be permitted ion hazardous lands adjacent to river and stream systems which are impacted by within the erosion hazards limit. The determination of the erosion hazard limit will be based on a combined influence:

of the toe erosion allowance
of the stable slope allowance
of the flooding hazard limit or meander belt allowance
of the erosion access allowance

The erosion hazard limit will be defined on a site-by-site basis in consultation with the NVCA

#### 3. Wildland Fire Hazards

Some areas within the Town have been identified in the County Official Plan as potentially unsafe due to the presence of hazardous forest types for wildland fire. Development will generally be directed to locations outside of areas identified as potentially unsafe due to the presence of hazardous forest types for wildland fire, but may be permitted within these areas where risk is mitigated in accordance with provincial wildland fire assessment and mitigation standards. Areas of hazardous forest types for wildland fire have not been mapped in this Plan as the locations identified in the County Official Plan have not been verified through a detailed local assessment, and the areas shown in the County Official Plan are generally within the Natural Environment designation of this Plan or are not forested. The Town may complete a municipal assessment of wooded areas to determine if there are hazardous forest

types for wildland fire within Shelburne and to map these areas, and/or may require site-specific assessments as a requirement of a complete application and the implementation of any recommended mitigation measures as a condition of *development*. Where mitigation is required, environmentally appropriate mitigation measures will be promoted and shall be subject to the Natural Heritage System policies of this Plan where the proposed mitigation requires *site alteration*.

#### 3.4. Permitted Uses

Notwithstanding subsection 4.8.3.2.1 to 4.8.3.2.3, The following uses may be permitted in natural hazardous lands provided written approval is obtained from the NVCA and the Town of Shelburne:

- Flood control works
- In-water works such as culverts and bridges
- Infrastructure works where there is no alternative location
- Passive and active recreation excluding buildings
- Existing Agricultureal excluding buildinguses
- Minor additions and accessory structures

In no case shall any of the following be located on hazardous land or sites including land that may be susceptible to a flooding hazard or erosion hazard:

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

## 4.5. Conservation Authority Approval

Under the Conservation Authorities Act, Ppermission or written approval is required from the NVCA-for any alterations to a watercourse, filling in a flood plain, and construction of buildings or structures in a flood plain prior to any development within a regulated area and prior to altering or interfering with a watercourse or wetland.

#### 6. Mapping of Hazardous Lands and Sites

The approximate limits of flooding hazards and erosion hazards are shown on Schedule 'E'. Where land is within the limits of the flooding and/or erosion hazards and within the Natural Heritage System as

shown on Schedule 'E', all of the applicable policies of this subsection shall apply to the respective parts of the land that are within the flooding and erosion hazard limits and the identified natural heritage features and areas, and the applicable adjacent lands policies shall also apply. These areas are also within the Natural Environment designation shown on Schedule 'A', and no development shall be permitted except in accordance with this designation.

Where hazardous lands and sites may extend beyond the limits of the Natural Heritage System shown on Schedule 'E', or if new locations are identified, no new development shall be permitted except where the limits of the hazardous lands and sites have been delineated through more detailed study and approved by the Town and the NVCA, in which case the permitted uses and policies of the applicable land use designation shown on Schedule 'A' shall apply to the area outside of the hazardous lands and sites based on the new information, subject to the implementation of any required mitigation measures, buffers and/or restoration work/enhancements, permitted flood controls, authorized grading or drainage improvements/alterations, or other measures required or approved by the Town and the NVCA. Amendments to this Plan are not required to reflect the limits of flooding and erosion hazards which are defined more precisely through detailed studies approved by the Town and the NVCA. The boundaries of the natural hazards including any related buffers shall be restrictively zoned in the Zoning By-law.

Where there is uncertainty regarding the presence of hazardous lands or sites, or the extents thereof, for any land that is proposed for development, even if the land is not within or abutting the Natural Environment designation shown on Schedule 'A' or the Natural Hazards shown on Schedule 'E', the proponent shall be required to prepare and submit an EIS to determine the presence or absence of natural hazards and to recommend any related limitations to development and any required mitigation measures. If the presence of one or more natural hazards is confirmed, such land or part thereof shall be deemed to be within the Natural Environment designation, shall be subject to the policies of this designation and the policies of this subsection for the identified natural hazard(s), and shall be restrictively zoned in the Zoning By-law. If it is determined by the Town, in consultation with the NVCA and based on the findings of the EIS, that there are no natural hazards affecting the land, the applicable land use designation for the land and related policies shall apply based on the Town's interpretation of Schedule 'A'.

## 4.G.3.23. Natural Heritage Features System

The Natural Heritage System is shown on Schedule 'E' and consists of the following natural heritage features and areas and linkages, including features and areas that may not be identified on Schedule 'E' but may be identified through new information or further study, and related policies are provided in this subsection as follows:

### 1. Habitat of Endangered Species and Threatened Species

The MNR approves the identification of significant habitat of endangered species and threatened species and the mapping of same. Should an area within the Town of Shelburne be identified as a significant habitat of endangered species and threatened species in consultation with the MNR, the following policies shall apply:

- <u>a) Development and site alteration shall not be permitted in the significant habitat of endangered species and threatened species.</u>
- b) Development proposed on lands within 50120 metres of a significant habitat of endangered species and threatened species shall require a satisfactory EIS to demonstrate that there will be no negative impact on the significant habitat of endangered species and threatened species or its ecological function.

#### 2. Wetlands

Existing provincially, locally or regionally significant wetlands are included within the areas designated as Natural Environment on Schedule 'A' to this Plan and are shown on Schedule 'E'. The MNR approves the identification of Provincially Significant Wetlands (PSWs). The following policies shall apply to any development proposal that could impact locally or regionally or provincially significant wetlands and/or a PSW should a PSW be identified in consultation with the MNR:

a) Development and site alteration shall not be permitted within provincially, regionally or locally significant wetlands or within the required buffer width. The required buffer shall generally be a minimum of 30 metres measured from the boundary of the wetland. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 30 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on Provincial and/or NVCA requirements.

b) Unless otherwise directed by the NVCA, development proposed on lands within 120 metres of a wetland shall require a satisfactory EIS to demonstrate that there will be no negative impact on the significant habitat of endangered species and threatened species wetland or its ecological function.

#### 3. Woodlands

Existing significant woodlands are included within the areas designated as Natural Environment on Schedule 'A' to this Plan and are shown on Schedule 'E'. The following policies shall apply to any development proposal that could impact significant woodlands:

- a) Development and site alteration shall not be permitted in significant woodlands or within the required buffer width. The required buffer shall generally be a minimum of 10 metres measured from the drip line of the woodland. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 10 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on NVCA requirements.
- b) Unless otherwise directed by the NVCA, development proposed on lands within 50120 metres of a significant woodland shall require a satisfactory EIS to demonstrate that there will be no negative impact on the woodland or its ecological function.

## 4. Valley Llands

Existing valley-lands are included within the areas designated as Natural Environment on Schedule 'A' to this Plan and are shown on Schedule 'E'. The following policies shall apply to any *development* proposal that could impact valley-lands:

- a) Development and site alteration shall not be permitted in valley-lands or within the required buffer width. The required buffer shall generally be a minimum of 7.5 metres measured from the long-term stable top-of-bank. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 7.5 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on NVCA requirements.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 50120 metres of valley-land shall require a satisfactory

EIS to demonstrate that there will be no *negative impact* on the valley land or its ecological function. Geotechnical studies may also be required to establish the limit of the stable top-of-bank and identify measures to ensure long-term slope integrity, to the satisfaction of the Town and Conservation Authority the NVCA.

- c) Valley—land shall be preserved in a natural state and further channelization of existing watercourses shall not be permitted except for flood control works by a public authority where required subject to approval of the NVCA.
- d) The Town shall encourage and may require as a condition of development the enhancement of riparian vegetation and tree canopies to contribute to the restoration and protection of valley land.

#### 5. Wildlife Habitat

Existing wildlife habitat in Shelburne is generally included within the wetland, woodland and valley-land areas and associated buffers, and are designated as Natural Environment on Schedule 'A' to this Plan and shall be considered as part of the Natural Heritage System shown on Schedule 'E' to this Plan. The following policies shall apply to any development proposal that could impact wildlife habitat:

- a) Development and site alteration shall not be permitted in significant wildlife habitat.
- b) Unless otherwise directed by the NVCA, development proposed on lands within 50120 metres of significant wildlife habitat shall require a satisfactory EIS to demonstrate that there will be no negative impact on the habitat features of functions.

#### 6. Areas of Natural and Scientific Interest (ANSI)

The MNR approves the identification of Areas of Natural and Scientific Interest (ANSI) and the mapping of same. Should an area within the Town of Shelburne be identified as an ANSI in consultation with the MNR, the following policies shall apply:

- a) Development and site alteration shall not be permitted in a provincially or regionally significant ANSI unless it has been demonstrated through an EIS that such development will not have a negative impact on the feature or its ecological function.
- b) Unless otherwise directed by the NVCA, development proposed on lands within 50 metres of a significant ANSI (earth science) or within

120 metres of a significant ANSI (life science) shall require a satisfactory EIS to demonstrate that there will be no negative impact on the ANSI or its ecological function.

### 7. Fish Habitat

The Natural Environment designation on Schedule 'A' to this Plan encompasses all mapped watercourses within the Town of Shelburne. These watercourses are tributaries of the Boyne River and have been identified as existing fish habitat or as having good to excellent potential as cold water habitat for sensitive fish species, and are therefore shown as Fish Habitat and included as part of the Natural Heritage System on Schedule 'E'. The following policies shall apply to any development proposal could impact existing or potential fish habitat:

- a) Development and site alteration shall not be permitted in fish habitat or within the required buffer width, except in accordance with Provincial, Federal and NVCA requirements. The required buffer shall generally be a minimum of 30 metres measured from the edge of the bankfull channel or meander belt allowance. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 30 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on Provincial, Federal and/or NVCA requirements.
- b) Unless otherwise directed by the NVCA, development proposed on lands within 30120 metres of fish habitat and/or that include stormwater management facilities and/or drains out letting to watercourses identified as fish habitat shall require a satisfactory EIS and Stormwater Management Plan to demonstrate that there will be no negative impact on the fish habitat or its ecological function.
- c) Further channelization of existing watercourses shall not be permitted except for flood control works by a public authority where required subject to approval of the NVCA.
- d) The Town shall encourage and may require as a condition of development the enhancement of riparian vegetation and tree canopies to contribute to the restoration and protection of fish habitat.

### 8. Permitted Uses

Notwithstanding subsections 4.8.3.3.1 to 4.8.3.3.7, the following uses may be permitted within the natural heritage landsfeatures and associated bufferssystem subject to Federal and Provincial requirements where applicable, and written approval from the NVCA and the Town of Shelburne:

- Flood control works
- In-water works such as culverts and bridges
- Infrastructure works, approved through an Environmental
   Assessment (EA) where proposed to be located within
   PSW'sprovincially significant wetlands or the habitat of
   endangered species and threatened species, where there is no alternative location
- Passive and active recreation excluding buildings
- Existing agricultural uses
- Minor additions and accessory structures.

#### 9. Mapping of the Natural Heritage System

The approximate limits of mapped components of the natural heritage system are shown on Schedule 'E'. Where land is within the limits of the natural heritage system as shown on Schedule 'E', all of the applicable policies of this subsection shall apply to the respective parts of the land that are within the identified natural heritage features and areas, and the applicable adjacent lands policies shall also apply. These areas are also within the Natural Environment designation shown on Schedule 'A', and no development shall be permitted except in accordance with this designation. Where land is also within the flooding and/or erosion limits shown on Schedule 'E', the policies of subsection 4.8.3.2 shall also apply.

It is intended by this Plan that the limits of the natural heritage features and areas, existing or potential linkages, and required buffers shall be mapped more precisely through more detailed study. Amendments to this Plan are not required to reflect the limits of natural heritage features and areas which are defined more precisely through detailed studies approved by the Town and the NVCA. The boundaries of the natural heritage features and areas including any related buffers shall be restrictively zoned in the Zoning By-law.

Where there is uncertainty regarding the presence of natural heritage features or areas, or the extents thereof, or potential linkages may exist or there is an opportunity for linkages to be created, for any land that is proposed for *development*, even if the land is not within or abutting the

Natural Environment designation shown on Schedule 'A' or the natural heritage system shown on Schedule 'E', the proponent shall be required to prepare and submit an EIS to determine the presence or absence of natural heritage features and areas and existing and/or potential linkages and to recommend any related limitations to development and any required mitigation measures. If the presence of one or more natural heritage features or areas or linkages is confirmed, such land or part thereof shall be deemed to be within the Natural Environment designation, shall be subject to the policies of this designation and the policies of this subsection for the identified natural heritage feature or area, and shall be restrictively zoned in the Zoning By-law. If it is determined by the Town, in consultation with the NVCA and based on the findings of the EIS, that there are no natural heritage features or areas or linkages affecting the land, the applicable land use designation for the land and related policies shall apply based on the Town's interpretation of Schedule 'A'.

## 4.8.4G.3.32 Natural Environment Boundaries

It is intended that the boundaries of Natural Environment areas as shown on Schedule 'A' of the Plan may be imprecise and subject to change. The Town shall determine the extent of the areas on a site-by-site basis when considering *development* proposals in consultation with the NVCA. Minor adjustments to the boundariesy of the Natural Environment designation destinations willmay occur without necessitating an amendment to the Plan. This subsection shall be read and applied in conjunction with subsections 4.8.3.2.6 and 4.8.3.3.9.

### 4.G8.54 Environmental Impact Studies

An Environmental Impact Study (EIS) may be required for any *development* application located within 50120 metres of any natural <a href="heritage">heritage</a> feature or area identified through the Natural Environment designation. The proponent shall consult with the <a href="mm">mm</a> unicipality and the NVCA to discuss and determine the requirements of the Study. The Study shall:

- a) describe the proposed development;
- b) examine the existing conditions on-site and on adjacent lands;
- c) examine the functions of the natural environment area and its sensitivity;
- identify the location and extent of any sensitive or significant natural features or area;
- e) identify the potential impacts of the proposed *development* on the natural features and ecological functions;

- f) identify any lands to be preserved in their natural state;
- g) identify mitigating measures to address the *negative* effects impacts of development on the natural feature and its ecological function, including setbacks and buffers to development;
- h) identify the potential for enhancement and/or restoration of natural habitat;
- i) examine the cumulative impact of the proposed *development* and in particular the impact on groundwater function, quantity and quality; and,
- j) provided an environmental management plan, if required to enable monitoring of the area and to define implementation measures and ongoing requirements for the restoration and long term preservation and management of the natural heritage feature and how impacts will be mitigated during and after construction.

An area or site-specific scoped EIS may be permitted where appropriate to address issues of particular concern. A scoped EIS may include a reduction in content compared with that of a full EIS. The requirement for a full EIS versus a scoped EIS will depend on whether previous comprehensive studies have been completed, the nature and extent of the proposed development, and perceived degree of environmental impact. In some cases, the requirement for a full or scoped EIS may be waived by the Town in consultation with and subject to approval of the NVCA, if it is determined at the outset that the proposed development will not have a negative impact on the feature(s) or their ecological function(s).

## 4.G.458.6 Natural Environment Policy Exceptions

### 4.HI9 NON-URBAN

## 4.<del>HI9</del>.1 Introduction

Lands within the Non-Urban land use designation are predominantly vacant, undeveloped lands which are not deemed necessarydesignated for urban development to meet the Town's projected needs due to potential limitations of wastewater servicing capacity related to the assimilative capacity of the receiving water body, and relate to projected needs to accommodate the deferred 2031 and 2036 population forecasts of this Plan.

## 4.<u>HI9</u>.2 Objectives

The objectives for the Non-Urban areas are as follows:

- a) To discourage premature fringe development that would create an adverse economic burden for the Town and/or that could prevent the efficient use of land for urban uses on the basis of a future expansion of the urban area.
- b) To reserve a land base facilitate longer term, future considerations for which will be required to accommodate the deferred population growth—forecast should the Town's needs and but is subject to confirmation of wastewater treatment servicing capacity related to the assimilative capacity of the receiving water body warrant changes beyond the term of the Official Plan and when opportunities for growth through intensification, redevelopment and infill area not sufficient to meet accommodate suchplanned growth.

#### 4.<u>HI9</u>.3 General Policies

#### 1. Permitted Uses

Within the Non-Urban designation, the predominant use of land shall be for <a href="mailto:existing">existing</a> agricultural and rural purposes.

Uses that existed on lands prior to the designation of such lands as Non-Urban shall be permitted to continue. Land division shall be restricted to lot sizes that will not impact the future designation and orderly *development* of the area.

## 4.19.4 Non-Urban Policy Exceptions

## 4. 110 SPECIAL TOURISM

### 4. U10.1 Introduction

Each year the Shelburne community hosts Fiddleville Weekthe Canadian Open Old Time Fiddle Championship, also known as Fiddleville or Fiddlefest. This is an important tourism event that and annual attractions over 10,000 people. This event has been successfully held for several decades and has grown to the point that a permanent dedicated site is required has been established to help ensure its continued success by providing land and building space for event, accommodation and facility requirements.

The Special Tourism designation provides for the Fiddleville Park. The site, in and is intended as the primary location addition to being used for camping and associated activities and events during Fiddleville Week and in association with other community events and uses of the park approved by the Town. , may be used for aAdditional uses including a museum, workshop, eating establishments and other associated uses including tourism related and recreational uses may also be considered by the Town.

Prior to the Town's acquisition of this land as the site for Fiddle Park, the land was designated for residential purposes, dating back to prior to the Town's annexation of the land, and was subject to a residential development proposal. This Plan intends that the land may also be developed for residential purposes to facilitate the efficient use of this land and services within the urban area, should the land be declared surplus to the Town's needs in the future for Special Tourism uses, events and activities.

## 4. <u>U10</u>.2 Objectives

The objectives from which the Special Tourism policies evolved are as follows:

- a) To encourage tourism in the Town of Shelburne.
- b) To recognize and support Fiddle<u>ville</u> Week as a specific tourist attraction and an important event in the community.
- c) To provide the opportunity for development of a permanent a dedicated Fiddleville Park site.
- d) To encourage other tourism and recreational uses of the lands.

#### 4. U10.3 General Policies

#### 1. Permitted Uses

The Special Tourism land use <u>designation</u> shall mean that the <u>primary</u> use of land shall be for the Fiddleville Park and shall include institutional and

recreational uses of a tourism or economic *development* nature such as a park, a campground run under the auspice of the Fiddleville Park Committee, a museum, facilities for workshops, meeting rooms, concerts, etc. and other tourism and recreational uses which encourage economic growth in the community. -Secondary uses which are complementary to and/or serve the principal uses are permitted such as eating facilities, gift shops, education or training activities associated with the tourism uses, public uses and a residence for the caretaker associated with the primary use provided the institutional/recreational character is maintained as the principal use.

The Town may permit the *development* of this land in accordance with the policies of the Residential land use designation as provided in subsection 4.2.4.3.

## 2. Servicing and Staging of Development

The Special Tourism lands shall be are serviced by municipal water supply and connected to the municipal sanitary sewers. For the purposes of the permitted Special Tourism uses, the land shall be deemed to be within Stage 1 on the Development Staging Plan, Schedule 'B1'.

Any significant redevelopment or change in use of the land for residential uses shall be in accordance with Schedule 'B1' and the policies in subsections 4.2.4.3 and 7.10 of this Plan.

## 3. Access & Parking

Development shall have access from internal roads. Adequate access to off street parking areas is to be provided.

# 4. Buffering

Where conflict could result between the proposed land uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7 Development Policies.

#### 5. Site Plan Control

The Town may require site plan control in accordance with <u>Ssubsection-78.8</u> <u>Development Policies</u> to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for tourism *development*.

#### 6. Zoning

The land uses shall be placed in a separate category in the Zoning By-law.

## 4. <u>10.4</u> Special Tourism Policy Exceptions

#### 4.11 SHELBURNE WEST SECONDARY PLAN

#### 4.11.1 Introduction

The Shelburne West area is one of the primary areas to accommodate new residential growth in the Town of Shelburne. This area also provides for existing and new commercial uses, parks and open spaces and institutional uses. Existing industrial uses are recognized and will be permitted to continue, and may be redeveloped as residential in the future with the majority of industrial uses directed to the *Employment areas* shown on Schedule 'A'.

The Secondary Plan for Shelburne West provides a statement of objectives and policies and a land use plan intended to guide and direct the nature of land development within this part of the community. The following text and Schedule 'A1' constitute the Shelburne West Secondary Plan and apply to the area delineated as the Shelburne West Secondary Plan area on the Schedules to the Official Plan. The Shelburne West Secondary Plan is part of and is intended to read and applied in conjunction with the Official Plan in its entirety. In the event of a conflict between this subsection and any other subsection of the Official Plan, the more restrictive policies shall apply.

### 4.11.2 Objectives

The objectives for the Shelburne West Secondary Plan are as follows:

- a) To provide for the development of new residential neighbourhoods on the west side and supporting and compatible commercial uses, parks and open space, and institutional uses, and address urban land requirements for these uses through intensification and redevelopment and compact urban form in greenfield areas;
- b) To support the downtown core and integration of the west side with the existing community by providing for residential intensification and redevelopment in close proximity to the downtown core with street connections and trails linking areas of existing and new housing on the west side with the areas to the east;
- c) To recognize existing industrial uses on the west side and provide for their continued operations and eventual transition and redevelopment of these areas to residential uses, and ensure land use compatibility through appropriate buffering;
- d) To encourage neighbourhood design that fosters place-making, community safety, barrier-free access, active and healthy lifestyles, and energy and water conservation and efficiency;

- e) To require full municipal services and direct new development in a logical and orderly manner in accordance with the servicing strategy for the area and the staging of development policies of the Official Plan;
- f) To plan for a safe and connected transportation network, promote active transportation and reduce automobile dependence;
- g) To conserve the natural heritage features and areas of the west side for the long-term as part of the natural heritage system, encourage the conveyance of natural open spaces into public ownership, and provide for *compatible* forms of public recreational use and enjoyment; and,
- h) To direct new *development* away from hazardous lands and sites and minimize risks to public safety and potential for property damage.

### 4.11.3 4..3 General Policies

## 1. Permitted Uses

The primary permitted uses within the Shelburne West Secondary Plan area shall be for a range and mix of housing types and densities, and will also include existing and new commercial uses, institutional uses, and existing industrial uses. The Shelburne West Secondary Plan and related policies shall apply to the following areas designated on Schedule 'A1':

- The Low Density Residential areas, where the primary permitted uses shall include a range of housing types such as single detached, semidetached, duplex and townhouse dwellings;
- The Medium Density Residential areas, where the primary permitted uses shall include a range of multiple residential housing types such as apartments, townhouses, triplex, fourplex and other multi-unit dwellings;
- The Community Commercial areas, where the primary permitted uses include a range of office, service commercial and retail commercial uses of a community or neighbourhood scale and nature that are primarily intended to meet the day to day needs of local residents and businesses; and,
- The Mixed Use Commercial/Employment/Institutional area where the primary permitted uses shall include those of the Community Commercial area oriented to Victoria Street, employment uses including light industry, repair and servicing, and offices, and institutional uses. Land uses that require heavy truck/heavy vehicle access, significant areas of outdoor storage, or buffering involving separation distances due

to the nature of the operations, shall be directed to appropriate locations in the designated *Employment areas* on Schedule 'A'.

Secondary uses, which are complementary to the primary permitted uses and supportive of the objectives and policies for the Shelburne West Secondary Plan, shall include recreational and cultural facilities, public and community uses, home occupations, second units, and parks and open space. Accessory dwelling units may be permitted as secondary uses within certain commercial establishments as may be provided in the Zoning Bylaw. Institutional uses shall be permitted provided that major institutional and other large scale uses shall be directed to the Mixed Use — Commercial/Employment/Institutional area.

Existing uses shall be permitted to continue and may be recognized in the implementing Zoning By-law. Existing industrial uses are recognized and shall be permitted to continue.

Existing public and utility uses are designated as Institutional on Schedule 'A1'. Any change in use or new development within these areas shall be in accordance with the policies of subsection 4.6 of this Plan and the implementing Zoning By-law.

<u>Proposed changes in land use and new development shall be in accordance with the permitted uses and policies of this Plan.</u>

All areas shall be developed to ensure a high quality of urban design and integration of the permitted uses with surrounding uses.

The Natural Environment areas designated on Schedule 'A1' are subject to the limited permitted uses and policies of subsection 4.8 of this Plan.

#### 2. Land Use and Street Pattern

- a) The land use and street pattern for the Shelburne West Secondary Plan area shall be based on Schedule 'A1'. The location of roads, intersections, trails, neighbourhood parks, stormwater management facilities and boundaries of land uses shown on Schedule 'A1' should be considered approximate. Amendments will not be required for minor adjustments to the location of these features provided the general intent of this Plan is maintained, and subject to the policies of subsection 9.1 of this Plan identifying circumstances where land use boundaries are to be considered absolute.
- b) The pattern of development is based on a distinction between private lands and the public realm. The public realm is composed of clearly defined and connected streets, parks and open spaces and trails and the Shelburne West Secondary Plan recognizes the need to plan for

- these public spaces. *Development* shall provide landscaping adjacent to the public street or public sidewalk to promote an attractive landscaped transition between the public and private realm.
- c) Future land use and *development* proposals, as well as public works and other municipal projects, shall contribute to the establishment of balanced and integrated neighbourhoods with a mix of housing types and densities distributed among low and medium density residential areas, support retail, office and services within community commercial areas, public and community facilities, a connected network of trails and a linked parks and open space system, based on Schedule 'A1'.
- d) Buildings shall be oriented to front, face and feature public streets and intersections with articulation of street-facing building facades to provide a high quality of design, detail and variety, human-scale and pedestrian orientation, and buildings abutting residential uses should be of a similar height as the dwellings.

### 3. Criteria for Development

- a) All development shall be located in accordance with Schedule 'A1' Shelburne West Secondary Plan.
- b) When considering proposals for *development*, including permitted primary uses and secondary uses, Council shall require demonstration of the following:
  - i) the proposed development is in keeping with the objectives and policies of the Shelburne West Secondary Plan and will contribute to achieving the population and/or employment growth forecasts and meeting the residential targets, where applicable, of the Official Plan, and to creating a complete community;
  - ii) the adequacy of municipal services to service the development in accordance with this Plan and a Council approved Servicing Allocation Policy and based on the servicing strategy for the Shelburne West Secondary Plan, and the integration of sustainable design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - traffic volume, with local roads and opportunities for active transportation providing efficient access to arterial and/or collector streets to minimize distances and energy consumption for transportation to and from existing or planned community facilities such as parks, schools, the downtown core and other commercial and mixed use areas;

- iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence, and are in keeping with the conceptual street network and trails system shown on Schedule 'A1';
- v) the adequate provision of parks and recreation facilities in accordance with subsection 4.7 Open Space Recreation, and the provision of new parks and recreation facilities in keeping with the conceptual neighbourhood park locations shown on Schedule 'A1';
- vi) the physical layout and design of the development optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vii) land use compatibility and regard for the density and character of adjacent development through appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
- viii) the proposed use implements the Town's Urban Design Guidelines and Development Standards as may be adopted by Council;
- ix) the adequate provision for access, off-street parking facilities, and buffering/screening where required;
- x) the proposed use will not have negatively impacts on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8:
- xi) the proposed development will conserve identified heritage resources, in accordance with Section 6;
- xii) the uses will be appropriately zoned and adequately regulated by suitable provisions in the implementing Zoning By-law; and,
- xiii) the requirements of Section 7, Development Policies, have been met.
- c) Development or redevelopment of the lands adjoining or near the west limit of the downtown core shall be complementary to the planned function of the Commercial Core and Downtown Mixed Use area, and shall provide for efficient access and a high level of connectivity to the downtown core including the provision of sidewalks and community trails, pedestrian road crossings and signage;

- d) Along Main Street West and Victoria Street, development proposals shall address the following:
  - i) Building orientation to address the street and intersections:
  - ii) Parking areas located behind or to the side of buildings;
  - iii) Landscape treatments and building design that create an attractive and unified streetscape and a sense of entrance and arrival to the community;
  - iv) High quality design and character of development that contributes to the image and identity of Shelburne.

### 4. Residential Areas

The following policies apply to the land designated as "Low Density Residential" and "Medium Density Residential" on Schedule 'A1' in addition to the policies of subsection 4.2:

- a) Residential uses shall be primarily accommodated within the residential density designations on Schedule 'A1', with a targeted housing mix of 60% low density and 40% medium density for the Shelburne West Secondary Plan area;
- b) Development within the Low Density Residential designation shall have a gross residential density ranging between 15 units per hectare and 24 units per hectare and should not exceed 2 storeys in height;
- c) <u>Development</u> within the Medium Density Residential designation shall have a gross residential density ranging between 24 units per hectare and 40 units per hectare and should not exceed 3 storeys in height;
- d) Reverse-lotting of housing units and direct property access along Main Street West shall not be permitted except where permitted for existing uses and where no other access can be provided, and where the building design addresses both street frontages with façade and landscape treatments that create an attractive streetscape, and in accordance with the permit and other requirements of the Ministry of Transportation, where applicable.
- e) Entrance features to new residential neighbourhood development shall be encouraged, provided that the features are landscape-related and require minimal maintenance, and are in keeping with the Urban Design policies of this Plan and have regard for the Town's Urban Design Guidelines.

- f) All residential development shall ensure appropriate orientation and massing of residential buildings to provide adequate private and public open spaces.
- g) Private garages for residential *development* shall not be located closer to the street than the habitable portion or porch on the main floor of the building and may be subject to maximum width and other requirements within the Town's Zoning By-law to limit the visual and streetscape impacts of garages and encourage a positive street frontage oriented to pedestrians, and shall have regard for the Town's Urban Design Guidelines.
- h) Existing industrial uses located within the Residential designations shall be permitted to continue and may be expanded within their existing sites or on land designated as Employment on Schedule 'A', in accordance with the applicable policies of this Plan and the implementing Zoning Bylaw. Prior to future redevelopment of existing industrial/brownfield sites for residential uses, the Town shall be satisfied that the land is safe for residential use, and a Record of Site Condition shall be provided. Proposed changes in land use and new development shall be in accordance with the applicable Residential density designation and the related permitted uses and policies of this Plan.
- i) Complete applications for *development* within the Residential designation shall include information to demonstrate land use compatibility with existing industrial uses, including but not limited to noise studies, and buffering shall be required to mitigate any impacts in accordance with subsection 7.13. The design, location and form of buffering to be provided shall consider need for interim mitigation measures and the potential for the redevelopment of existing industrial uses to residential.

# 5. Community Commercial Areas

The following policies apply to the land designated as "Community Commercial" on Schedule 'A1' in addition to the policies of subsection 4.3:

- a) Where commercial development is proposed adjacent to a residential area, building setbacks, visual screening of parking areas, landscaping, fencing and other forms of buffering will be required to mitigate potential adverse effects between the uses.
- b) No open storage of goods, materials, machinery or equipment is permitted. Outside display may be permitted in accordance with the Zoning By-law.

c) Development within the Community Commercial designation shall provide for building orientation, façade and landscape treatments that create an attractive streetscape along the north and south sides of Main Street West (Provincial Highway 89) and along any other existing or future street frontages.

## 6. Mixed Use - Commercial/Employment/Institutional Area

- a) Along the west side of Victoria Street, development shall provide for building orientation, façade and landscape treatments that create an attractive streetscape, and new property access shall be from internal public roads wherever possible.
- b) The following uses will be promoted in the Mixed Use Commercial/Employment/Institutional Area:
  - i) Commercial uses that provide services to, or an outlet for products from local farms in the surrounding area, such as farmers markets, local food retailers, livestock veterinary services, light equipment retailing and services, and similar uses that support the agricultural sector;
  - ii) Institutional and public uses such as recreational and cultural facilities, schools, religious institutions, funeral homes, health and social services; and,
  - iii) Employment uses such as light manufacturing and equipment sales and service, office and business park uses, construction and service trades, training facilities and other employment uses and services;

that do not require heavy truck/heavy vehicle access, significant areas of outdoor storage, or buffering involving large separation distances from sensitive uses due to the nature of the operations.

#### 7. Neighbourhood Parks

Potential future Neighbourhood Park locations are shown on Schedule 'A1' to illustrate the conceptual location and distribution of parkland among future residential neighbourhoods north and south of Main Street West, and related trail connections. The location of future parks should be considered approximate and will be finalized through land dedications as a condition of development proposals in accordance with the policies of subsection 4.7 and the following:

 a) Neighbourhood Parks shall be located, planned and designed in a manner that provides for street frontage and a high level of access and

- visibility, with connections to existing and future trail routes and linkages among parks, recreational and open space areas.
- b) Neighbourhood Parks shall be planned and developed alongside new residential development and shall form part of a linked public open space system providing diverse settings for a range of passive and active recreational pursuits and cultural activities, barrier-free access and use, healthy lifestyles, social engagement, and active transportation.
- c) Parkland shall be dedicated as a condition of future development in accordance with subsection 4.7 of this Plan to facilitate the establishment of new Neighbourhood Parks approximately in the locations shown on Schedule 'A1', or in alternative locations provided that the intent of this Plan is maintained.
- d) The future location of Neighbourhood Parks should take advantage of site locations that provide natural amenities and access to other public open space areas.
- e) The future location of Neighbourhood Parks should be coordinated with the location of a future school site if additional school facilities are required by the School Board(s) to service the Shelburne West Secondary Plan area.

# 8. Natural Environment

The following policies apply to the land shown on Schedule 'A1' as Natural Environment, in addition to the policies of subsection 4.8 of this Plan:

- a) Land designated as 'Natural Environment' are shown on Schedule 'A1' and are intended to be conserved in a natural state and to form part of the Natural Heritage System identified on Schedule 'E' including the maintenance and enhancement of linkages as follows:
  - i) Filling in natural area gaps via plantings of native trees and other vegetation, with species reflecting the existing conditions of the surrounding ecological communities and consideration to a combination of woodland, wetland and prairie restoration and enhancement;
  - ii) The conveyance of Natural Environment areas to the Town or other public authority for the purposes of conservation will be promoted, and these areas including required vegetative protection zones and buffers shall be reserved in a common block and shall not be subdivided into multiple private ownerships as a result of development of adjoining land;

- <u>iii) Continuous natural open space corridors along watercourses and between significant woodland and wetland areas shall be provided;</u>
- iv) Restoration and naturalization along water courses may be required as a condition of *development* approvals to establish a treed riparian community, to reduce impacts of flooding and erosion, and to protect coldwater fish habitat;
- v) For Natural Environment areas conveyed to the Town or other public ownership, and through agreements with private landowners, the Town working with the NVCA may establish and implement tree plantings and other enhancement programs within and along the edges of these areas; and,
- vi) The establishment of buffers on the basis of the recommendations of the NVCA through the review of site specific Environmental Impact Studies, which shall be provided as a condition of development.
- b) Opportunities for compatible forms of public access and passive recreational uses such as trails, wildlife viewing areas, outdoor education and interpretive signage shall be encouraged within Natural Environment areas and associated buffers. Where possible, the location of Neighbourhood Parks, open space and trails will be complementary to, and integrated and coordinated with, the Natural Environment areas and associated buffers, based on Schedule 'A1'.

## 9. Servicing Strategy

The following policies apply to the land shown on Schedule 'A1' in addition to the policies of subsections 7.8, 7.9, 7.10 and 7.11:

- a) Full municipal services shall be required for all land use and development proposals that require services within the Shelburne West Secondary Plan area, except where permitted otherwise by subsection 7.8 (b) for existing uses and existing lots of record where municipal services are not available or planned.
- b) The Town will encourage the connection of existing privately serviced land to the municipal systems when a connection is made available.
- c) The provision of local services and stormwater management facilities to be assumed by the Town as part of the public infrastructure will be required as a condition of development. Master Environmental Servicing Plans will be required as part of a complete application for land use and development proposals where new local services and stormwater management facilities are proposed to be assumed by the Town.

- d) The Town will update the Town-wide Master Servicing Plan and will consider the need for servicing improvements within the Shelburne West Secondary Plan area in the capital forecast and to ensure cost recovery through Development Charges for growth-related capital projects. The Town may establish an area-rated Development Charge for the Shelburne West Secondary Plan area or portions thereof to recover the growth-related capital cost of servicing improvements required to service this area. Identified priority works will be undertaken at the earliest opportunity within the financial capabilities of the Town. Front-ending agreements and Development Charges credit agreements will be utilized where possible to facilitate timely servicing improvements aligned with the phasing of development and to ensure the proper apportionment of costs among benefitting properties and developments.
- e) Services and utilities shall be provided in an orderly and coordinated manner that:
  - Provides for the phasing of development aligned with the availability of servicing capacity based on the development staging policies of this Plan;
  - Provides for and encourages the construction and maintenance of services and utilities in an efficient manner while minimizing conflicts with other land uses;
  - iii) Provides for the future extension of services by developing sufficient capacity in the distribution, collection and treatment facilities to service the present and future needs of *development* in the Shelburne West Secondary Plan area;
  - iv) Protects the natural environment while providing the required services and *utilities*;
  - v) Is coordinated with public agencies in planning for and designing the multiple use of servicing and utility rights-of-way and corridors; and,
  - vi) Protects the services and utilities from encroachment that would constrain or increase the costs of its operation, access for maintenance, repair and future replacement, and in a manner that avoids potential risks to public health and safety and property damage.
- f) Servicing of the Shelburne West Secondary Plan area shall be based on the recommended servicing strategy in the Town's Master Servicing Plan, which will be updated from time to time.

- g) Conceptual locations for future Stormwater Management (SWM) facilities are shown on Schedule 'A1'. The location and number of future SWM facilities should be considered approximate and revised locations and/or additional facilities shall be determined through site-specific development applications, in accordance with the following:
  - The number of SWM facility locations shall be minimized wherever possible;
  - ii) The planning and design of SWM facilities shall consider opportunities for consolidated locations and the drainage requirements for the total build-out of the site and adjoining properties based on the planned future land uses shown on Schedule 'A1';
  - iii) Stormwater Management Plans shall be required as part of a complete application for future land use and development proposals, and shall be prepared in accordance with subsections 7.8(c) and 7.15.11 of this Plan and to address the policies of this subsection, storm drainage and stormwater management issues and best management practices; and,
  - iv) Where possible, the design and location of SWM facilities shall be coordinated and integrated with Neighbourhood Park locations, trails and other public open space areas, provided the overall function of the parks, trails and open space areas and public health and safety are protected.
  - h) As recommended in the Town's Master Servicing Plan, the embankment within the former rail corridor should remain in place to minimize downstream flows. Proposals to reduce the extent of the area within the Regional Floodline shown on Schedule 'E' by alteration to the embankment or culvert improvements, or to alter a municipal drain or other watercourse may only be permitted where it is demonstrated through flood modelling and an EIS that no increased risk of flooding and erosion downstream will result and that there will be no negative impacts to the Natural Heritage System and existing watercourses, to the satisfaction of the Town and the NVCA. Any culvert improvements or other alterations within the former rail corridor shall be subject to the permit and other requirements of the County of Dufferin.

#### 10. Transportation Policies

The following policies apply to the land shown on Schedule 'A1' in addition to the policies of Section 5:

- a) The transportation system for the Shelburne West Secondary Plan area shall include a continuous and linked network of existing and future Arterial, Collector and Local Roads, on-road pedestrian and cycling facilities and trails, and shall be coordinated with the planned future land use based on Schedule 'A1'.
- b) Main Street West (Provincial Highway 89) is an Arterial Road and is under the jurisdiction of the Ministry of Transportation. *Development located adjacent to or impacting Provincial Highways is subject to the requirements of the Ministry of Transportation and shall be subject to the policies of subsection 5.3.3. All new property access for future land use and <i>development* shall be from Local or Collector Roads, except where permitted by the Ministry of Transportation, or by the Town within the Connecting Link, where no other road access is available or planned.
- c) Improvements to Main Street West including, but not limited to, upgrades to an urban cross section with underground stormwater system and utilities, bike lanes, sidewalks and boulevards, may be required as a condition of development of the land on either side of Main Street West, as well as other means to create and enhance connections with the downtown core.
- d) As shown on Schedule 'A1', future intersections along the Arterial Road will be required to provide Collector Road or Local Road access to the land north and south of Main Street West (Provincial Highway 89). The number of intersections shall be minimized, and spacing between intersections shall be maximized. Intersections will be aligned with existing Local Roads (John Street) and located within the Connecting Link portion of Main Street West (Provincial Highway 89), where possible, based on Schedule 'A1'.
- e) The Town will work with the Ministry of Transportation, private property owners and developers to promote efficient connections and transportation choice and access to the downtown core from the west as part of area road improvements, including sidewalks and consideration of bike lanes, trail development, signage and future intersections/pedestrian road crossings.
- f) Victoria Street is a Collector Road and is under the jurisdiction of the Town of Shelburne. Direct property access to Victoria Street shall be minimized and access to the land along the west side of Victoria Street for future land use and development will be accommodated by future Local Roads or Collector Roads approximately in the locations shown on Schedule 'A1', where possible. Direct property access to Victoria Street may be permitted where the proposed land use or development will not negatively impact the Collector Road function, provided that land

- is reserved and dedicated to the Town for future Local and/or Collector Roads based on Schedule 'A1'.
- g) The future Collector Roads shown on Schedule 'A1' shall be constructed as a local service as a condition of development to the Town's satisfaction and assumed by the municipality. Where a future Collector Road is shown with a dashed line on Schedule 'A1', the following policies shall apply:
  - These Collector Roads shall be provided where possible to provide connections with existing local roads and to extend and complete the other future Collector Roads shown;
  - ii) The Town may determine that these roads/connections are not required as a condition of development approval where it is demonstrated through Traffic Impact Studies that existing roads and/or other future roads will provide an adequate level of service to the area based on the future land uses shown on Schedule 'A1' and related traffic generation allowing for current and future background traffic volumes;
  - iii) The northerly extension of John Street as shown on Schedule 'A1' shall only be permitted on the basis of an Environmental Impact Study or Environmental Assessment demonstrating that there will be no negative impacts to significant natural heritage features or areas and their ecological functions and in accordance with subsection 4.2.4.2 of this Plan;
  - iv) The potential need for and feasibility of a westerly extension of Wellington Street shall be determined as part of any proposed change in land use or redevelopment proposal for the existing industrial use located south of Main Street West and west of the former rail corridor, and the design shall address the trail crossing and any improvements required to the existing roadway;
  - v) Notwithstanding the identification of these potential future roads/connections shown on Schedule 'A1' as Collector Roads, these future roads may alternatively be designed as Local Roads where a Collector Road function and capacity are not required based on the anticipated traffic volumes; and,
  - vi) Where it is determined that any of the potential future roads/ connections shown on Schedule 'A1' are not required, the Town may alternatively require the dedication of pedestrian and cycling pathways.

- h) The location of the future Collector Road crossing of Walter's Creek is conceptual and is not intended to reflect a chosen alignment or crossing location. The precise location of the watercourse crossing shall be determined through the review of future land use and development proposals for the affected land, and shall be based on the optimal crossing location that will minimize impacts to the watercourse and valleyland and address intersection spacing requirements along Fourth Line and Main Street West (Highway 89).
- the shared jurisdiction of the Town of Shelburne and the Township of Melancthon. Fourth Line is planned as a future Collector Road to provide a transportation connection for future land use and *development* along the east side of Fourth Line to Main Street West to the south. The required upgrades to Fourth Line to an urban standard or a semi-urban standard and the location and design of any new driveway entrances and intersections with new public roads shall be determined and constructed as a condition of *development* of land that will require access to Fourth Line based on the future land uses shown on Schedule 'A1', and to the satisfaction of the Town of Shelburne and the Township of Melancthon, and in accordance with the permit and other requirements of the Ministry of Transportation, where applicable.
- i) The future westerly extension of Maple Court shall only be considered as a Local Road connection to be developed as part of a future land use and development proposal that comprehensively addresses the primary means of road access via a separate Future Collector Road connecting to Fourth Line and providing for a future northerly connection to a westerly extension of Col. Phillips Drive. The design of the future Collector Road shall address the trail crossing within the former rail corridor to the satisfaction of the Town.
- k) Conceptual future Local Roads are shown on Schedule 'A1' and are intended to illustrate a potential street pattern based on a modified grid, ensuring multiple access points, providing for the efficient movement of vehicles, cyclists and pedestrians, minimizing crossings of watercourses and avoiding Natural Environment areas. The precise location and alignment of future Local Roads will be determined through the review of future land use and development proposals, shall be in keeping with the intent of this policy, and shall be developed and dedicated to the Town as public roads. Street connections to existing Local Roads should be provided wherever possible.
- I) Conceptual future trails are shown on Schedule 'A1' and are intended to illustrate a potential west side trail network based on completing and providing connections with the existing and future trails system shown on Schedule 'C2' and establishing an expanded and connected future

trails system linking residential neighbourhoods with on road routes and a future trail within the former rail corridor, Neighbourhood Parks and open space areas, the downtown core and other commercial areas, and to provide recreational amenities and convenient active transportation routes for pedestrians and cyclists. The precise location and alignment of future trails will be determined through the review of future land use and development proposals, shall be in keeping with this policy, and shall be dedicated to the Town as pedestrian and/or cycling pathways as a condition of development.

m) Any future road crossings, trail development or other works within the former rail corridor shall be subject to the permit and other requirements of the County of Dufferin.

## 11. Implementation

The Shelburne West Secondary Plan will be implemented through zoning, plans of subdivision and condominium, severances, zoning by-laws and site plans where applicable, in accordance with the implementation policies of Section 8 of this Plan.

## SECTION 5 - ROADS TRANSPORTATION POLICIES

#### 5.1 INTRODUCTION

The predominant means of transportation in the community is by means of private vehicles utilizing the road system. The existing road network is a hierarchical system incorporating a arterial roads, including Provincial Highways 10 and 89 and a-Country Roads 11 and 124, in conjunction with the collector roads and local roads under the jurisdiction of the Town Municipal Roads. In order to protect the function of the higher order Provincial and County components, special consideration shall be given to access locations onto these roads in order to enable the continued movement of major traffic volumes.

Based on a continual and reasonable maintenance and reconstruction program, the existing <u>local</u> road network should be sufficient to meet the needs of the <u>existing</u> community. The construction of new roads and capacity and operational improvements to certain existing roads and intersections will be required to accommodate forecast population and employment growth as well as growth in regional and through traffic volumes on arterial roads. It is the intent of the Town to ensure that new roads and improvements to existing roads are required where necessary as a condition of *development*, and to work with the Province and the County to ensure timely improvements to Provincial Highways and County Roads and intersections to support the safe and efficient movement of traffic and provide additional capacity to accommodate traffic generated by continued growth in the community and growth in regional and through traffic volumes. The Town also intends to maximize the availability and use of alternative means of transportation, including active transportation, and transit services should such services be provided within the planning period.

The existing road network is a hierarchical system incorporating a **Provincial Highway** and a Country Road in conjunction with the Municipal Roads. In order to protect the function of the higher order **Provincial** and County components, special consideration shall be given to access locations onto these roads in order to enable the continued movement of major traffic volumes.

To encourage walking and cycling in the community as alternative means of transportation and promote related benefits, the Town has completed an Active Transportation Plan. It is the intent of the Town to continue to provide and further develop a safe network of pedestrian and cycling facilities that supports active transportation and physical activity and that reduces the reliance on private automobiles to travel between areas of housing, employment, commercial services, retail, parks and recreation and community facilities. It is also the Town's intent to ensure that new *development* and redevelopment supports active transportation and promotes a walkable, accessible and pedestrian-oriented community.

#### 5.2 OBJECTIVES

The basic objectives from which the Roads Transportation Policies evolved are as follows:

- a) The road network must To ensure an adequate road system is provided for the efficient movement of people and goods within and through the Town with particular regard for the safety and the economic and social impact of such a system.
- b) The TownTo ensure that land use and transportation policies are mutually supportive recognizinges that land use can have a significant impact on the transportation network and conversely that the transportation system can have a major influence on the use of land and energy consumption.
- c) To provide a network of pedestrian and cycling facilities that support active transportation as an alternative to the automobile.
- b)d) To ensure that land use and development is supportive of active transportation and the potential for future transit services.

#### 5.3 GENERAL POLICIES

# 5.3.1 Schedule 'C' Roads-Transportation Plan

- <u>a)</u> These policies shall be read in conjunction with Schedule 'C' Roads <u>Transportation</u> Plan, including Schedules 'C1' and 'C2', which reflects the <u>above principlesobjectives of subsection 5.2</u>.
- b) The transportation network identified on Schedule 'C' shall be protected to meet current and projected needs for various modes of travel for the movement of people and goods. *Development* shall not be permitted where it precludes the implementation of the transportation network shown on Schedule 'C'.
- a)c) While the Official Plan is considered to be flexible, any major land use change will necessitate a review of the roadtransportation system. The review will examine whether the roadtransportation system would remain adequate and appropriate if the proposed land use change is approved. If not, an amendment to Schedule 'C' Roads Transportation Plan is required.
- d) Roads and on and off road active transportation/trail routes shown on Schedule 'C' as 'pProposed' are intended to show road—access and connection points and conceptual route alignments and are not intended to precisely delineate chosen routes. Updates to the Roads Schedule Transportation Plan as a result of new subdivision development shall identify confirmed routes." Amendments to this Plan shall not be

required for changes in the alignment of existing and proposed roads and pedestrian/cycling trails provided that the general intent and purpose of this Plan are maintained.

#### 5.3.2 Function of Roads

The road classification system as shown on Schedule 'C<u>1'</u>; reflects the ultimate function envisaged for these roads. Where a change in function is proposed, an amendment to this Plan will be required.

# 5.3.3 Arterial Roads Provincial Highways

- a) Arterial Roads designated on Schedule 'C1' to this Plan include Provincial Highways 10 and 89 and County Roads 11 and 124.
- b) The intended primary function of Arterial Roads is to distribute traffic to or from other classes of roads and facilitate the efficient movement of through traffic.
- c) Provincial Highways are under the jurisdiction of the Ministry of Transportation. <u>The following policies shall apply to development located</u> <u>adjacent to or impacting Provincial Highways:</u>
  - i) All development located adjacent to a Provincial Highway or located within the Minister's area of permit control will be subject to the requirements of the Ministry of Transportation.
  - ii) Permits must be obtained from the Ministry of Transportation prior to any grading and/or construction being undertaken. Entrance permits on to Provincial Highways are subject to approval by the Ministry of Transportation in accordance with the Public Transportation and Highways Improvement Act.
  - <u>iii) The Town will circulate development applications involving land within</u>
    <u>the Ministry's permit control area to the Ministry of Transportation for review and comment, in accordance with Ministry policy.</u>
  - iv) Right-of-way widths for Provincial Highways shall be in accordance with Ministry of Transportation requirements.
- d) As shown on Schedule 'C1', a portion of the Provincial Highways is designated as a Connecting Link. The following policies shall apply to development located adjacent to or impacting the Connecting Link portion of the Provincial Highways:
  - i) Access to Connecting Links is subject to Municipal approval.

- ii) The Town will circulate *development* applications involving land adjacent to or impacting the Connecting Links to the Ministry of Transportation for review and comment.
- iii) Right-of-way widths for Connecting Links shall be in accordance with the requirements of the Town and the Ministry of Transportation.
- e) The Town will continue to pursue Provincial approval of an extension of the Connecting Link designation for the sections of the Provincial Highways located within the Town limits that are currently not part of the Connecting Link Agreement.
- f) County Roads are under the jurisdiction of the County of Dufferin and shall be subject to the following policies:
  - i) An entrance permit shall be obtained from the County of Dufferin for any access to a County Road.
  - <u>ii) Development applications will be circulated to the County of Dufferin for review and comment in accordance with the Planning Act.</u>
  - iii) Right-of-way widths for County Roads shall be in accordance with County requirements.
- g) The Town shall work with the Ministry of Transportation and County of Dufferin to ensure the provision of safe and appropriately located pedestrian crossings along Arterial Roads which shall generally be directed to signalized intersections.
- h) Sidewalks will generally be required along both sides of Arterial Roads and may be imposed as a condition of development located along Arterial Roads. Cycling lanes should be considered within the Connecting Link in conjunction with scheduled or planned road improvements subject to appropriate engineering study and design solutions demonstrating that on-road cycling routes can be safely accommodated without compromising the through traffic function of the Arterial Road.
- i) Maintenance responsibilities for Arterial Roads shall be in accordance with agreements between the Municipality and the Ministry of Transportation or the County of Dufferin, as applicable.
- j) Transportation improvements within the Shelburne East Area limits shown on Schedule 'C1' shall be implemented based on the recommendations of the Shelburne East Area Transportation Study, the results of approved environmental assessment(s) where required, and approval of a traffic impact study for proposed development(s) in the area.

As these roads permit the movement of large volumes of traffic at high speeds, access should generally be restricted except within the built up portions of the community.

# **6** County Roads

County Roads are designed to permit medium traffic volumes to move between centres of population within the County. In order that these roads maintain their arterial function, strip development must be controlled.

# 5.3.4 Municipal Collector Roads

- a) Collector Roads designated on Schedule 'C1' to this Plan include:
  - Victoria Street
  - Simon Street
  - ,-Greenwood Street
  - Fiddle Park Lane
  - –Susan Street
  - Jane Street and
  - Cedar Street from Jane Street to its northerly limit
  - Wansburgh Way
  - Col. Phillips Drive-
- b) Future Collector Roads are planned in the Shelburne East Area, including a north-south street intersecting Main Street East / Highway 89 east of County Road 124, and an east-west street intersecting County Road 124 north of Main Street East / Highway 89. The details of the design of these roads and intersections shall be established based on an environmental assessment, if required, in conjunction and coordinated with proposed *development* in the area, and based on the recommendations of the Shelburne East Area Transportation Study.
- c) Collector Roads are intended to serve a dual function of facilitating through traffic movement and providing direct access from adjacent land uses.
- d) Collector Roads shall be located and designed to distribute traffic between local and arterial roads and carry lighter volumes for shorter trips than an Arterial Road.
- e) Access to Collector Roads shall be subject to Municipal approval.
- f) Right-of-way widths for Collector Roads shall be a minimum of 20 metres.

- g) The Town shall continue to provide year-round maintenance of Collector Roads upon municipal assumption.
- h) The provision of sidewalks and bicycle lanes should be considered where new Collector Roads are proposed and in conjunction with scheduled or planned improvements to existing Collector Roads.

## 5.3.5 Local Roads

- a) Existing and proposed Local Roads are illustrated on Schedule 'C1' to this Plan.
- b) The primary function of Municipal Local Roads is to provide access to adjacent land uses. with
- c) Local Roads should be designed to discourage use by through traffic movement being a secondary consideration.
- d) Access to Local Roads shall be subject to Municipal approval. Restrictions on access generally relate to sight distances.
- e) Generally the minimum right-of-way for Local Roads should be 20 metres.
- f) The Town shall continue to provide year-round maintenance of Local Roads upon municipal assumption.
- a)g) Sidewalks shall be required along both sides of all new Local Roads to be developed within residential plans of subdivision.

## 5.3.6 Municipal Lanes

- a) Municipal Lanes are identified on Schedule 'C1' to this Plan and are generally located to the rear of existing properties within the Central Business Districtdowntown core and existing residential blocks in the surrounding area.
- b) Municipal Lanes are Town-owned rights-of-way that are intended to provide secondary access to properties. The creation of new lots and any proposed development having frontage only on a Municipal Lane shall not be permitted.
- c) Municipal Lanes have a right-of-way width of less than 20 metres. Generally the existing right-of-way widths for Municipal Lanes will be maintained as a minimum.

- d) The existence of a Municipal Lane right-of-way does not imply any obligation on the Municipality to develop or maintain roadways or other forms of public access with these rights-of-way.
- e) The provision of Municipal Lanes within existing rights-of-way or the creation of new Municipal Lanes will only be considered where sufficient right-of-way width can be provided to address issues related to maintenance, snow storage and other issues to the satisfaction of the Town, and where the construction and operation costs are warranted at Council's discretion.
- f) Maintenance levels for Municipal Lanes shall be at Council's discretion based on the financial resources and operational capabilities of the Town. Consideration may be given to maintaining Municipal Lanes on a year-round or seasonal basis, or leaving them unmaintained temporarily or for extended periods of time provided appropriate regard is given to public safety.
- g) Council may consider the closure of Municipal Lane rights-of-way to address matters of public safety and/or to facilitate the conveyance and assembly of land for intensification and redevelopment or the provision of public services and facilities.
- h) Council may restrict public access to Municipal Lanes. Access may be limited to pedestrian and other non-motorized use where required to achieve the objectives of this Plan, the Active Transportation Plan and the Parks Master Plan to create a linked pedestrian and cycling network.
- i) Development and alterations to the land other than required maintenance activity shall not be permitted within unopened Municipal Lanes except as specifically permitted in writing by the Town where it is demonstrated that there will be no negative impacts to the Town property or adjacent lands or the existing or potential future use of the Municipal Lane for access, servicing or other municipal purposes.

# 5.3.55.3.7 Road Improvements, Right-of-Way Acquisition and Road Widenings

- a) The Town shall continue its program of road maintenance, of improvements to road alignments and intersections and of acquiring adequate rights-of-way where those in existence are deficient or where new development occurs by plan of subdivision.
- b) Council shall reserve or obtain the necessary rights-of-way for future roads as a condition of *development* approval. Existing and planned municipal rights-of-way shall be protected for future roadways in accordance with the intended right-of-way widths established in this Plan.

c) As a condition of development approval, Council will require the dedication of a road widening strip to the Town, the County of Dufferin or the Ministry of Transportation to achieve the intended right-of-way widths established in this Plan. Road Widenings required for specific roads are identified in Table 43.

Table 31-Road Widenings

Road	<u>Location</u>	Existing Right-of-Way Width	<u>Designated</u> <u>Right-of-Way</u> <u>Width</u>
Jelly St.	Centre St. to its limit 45.3 m (145 feet) north of Pine Grove Ave.	<u>15.2 metres</u> ( <u>50 feet</u> )	<u>20.4 metres</u> ( <u>66 feet)</u>
James St.	Centre St. to Shelburne Plaza	15.2 metres (50 feet)	<u>20.4 metres</u> (66)
Cedar St.	Susan St. to the Centre Dufferin District High School	20.1 metres (66 feet)	<u>23.2 metres</u> ( <u>76 feet</u> )
Gordon St.	First Ave. to Main St.	Varies 5.8-15.2 metres (19-50 feet)	<u>20.4 metres</u> (66 feet)
Owen Sound St.	O'Flynn St. to First Ave.	<u>20.1 metres</u> (66 feet)	26.21 metres (86 feet)
Joseph St	CPR Line to Victoria St.	15.2 metres (50 feet)	20.1 metres (66 feet)
Centre St.	Victoria St. to Laneway	15.2 metres (50 feet)	<u>20.4 metres</u> (66 feet)
Simon St.	Victoria St. to Laneway	15.2 metres (50 feet)	<u>20.4 metres</u> (66 feet)
Franklin St.	<u>Victoria St. 136.5 metres</u> (448 feet) easterly	15.2 metres (50 feet)	<u>20.4 metres</u> (66 feet)

- d) The width of the road widening strip will not exceed that required to achieve the right-of-way widths set out in this Plan, except in cases where additional road width is required for grading purposes and/or to accommodate turning lanes at intersections or service driveways that eliminate individual points of access to and from an arterial or collector road.
- a)e) The extent of such road widening shall be determined by, among other matters, the physical characteristics of the land, the existence of mature trees, the proximity of structures and buildings to be retained on the lot, the existence of a heritage resource, existing and proposed road widths, drainage considerations and site lines. However, in all cases where road widening dedication may be required, the maximum land dedication would equal one half the additional width required to create the designated right-of-way width.

Where possible, equal amounts of widening will be required from either side of a road allowance, but in specific cases, it may be necessary to deviate from this policy where physical characteristics of the land, the location of existing dwellingsbuildings, the existence of mature trees or woodlot areas and/or a heritage resource make it impossible. In such cases, it may be necessary to acquire more than half or even all of the total required widening from one side in order to attain the full required width. Where widenings are required on existing streets which are lined with trees, discretion will be used and all methods explored to reduce loss of such trees, where possible.

b)f) Minor road realignments and widenings will not require an amendment to this Plan.

## 5.3.65.3.8 Setbacks

Adequate setbacks from buildings and structures from to the road allowance shall be established by the provisions of the Zoning By-law. In addition, by-laws may be passed by the Town requiring that, where applicable, all septic tank tile fields are kept at least 6 metres back from all road allowances to protect the Municipality from substantial relocation costs during any road rebuilding operations. Setbacks from Provincial Highways and County Roads shall be in accordance with the requirements of the Ministry of Transportation and the County of Dufferin, respectively.

# 5.3.75.3.9 Plans of Subdivision

- a) In considering proposed plans of subdivision, Council will follow a policy of recommending the reversal of frontages along the Highways and County Road requiring direct property access to be from local and collector roads. Reverse lotting to any public road will be discouraged and the use of window streets, service roads, enhanced front, side and/or rear building facades will be promoted to provide for building orientation towards arterial and collector roads.
- b) While utilizing good design and energy conservation principles in the plan, the length of roads should be kept to a minimum whenever possible in order to lower construction and maintenance costs as well as reduce trip lengths in the community. Additional energy conservation measure to be consideredations relate to include minimizing\_requirements for stops and providing road alignments that create lot orientations which maximize solar access.
- c) A modified grid street pattern will be provided wherever possible, while maximizing connectivity with existing roads, incorporating traffic calming and promoting reduced speeds, and ensuring convenient walking distances and pedestrian/cycling routes. Pedestrian and/or cycling pathways/connections

may be required for long blocks of development to shorten walking/cycling distances and to maximize connectivity of parks, open spaces and trails.

# **5.3.85.3.10** Road Access

- a) No land may be developed for residential, commercial, industrial, institutional or recreational purpose which does not have adequate access to roads with the proper maintenance and capacity to handle the proposed traffic.
- b) No new lot creation shall be permitted except where adequate street frontage on a public road is available or will be provided through the development of new public roads within a plan of subdivision.
- c) Frontage on a public road shall be required for all new *development*, and the *development* of new private roads shall not be permitted, except as otherwise approved through a registered plan of condominium.
- d) Access needs for emergency services shall be considered for all development, and the Town may require a secondary or dedicated access for emergency services in addition to the primary road access. A second point of access shall be required for all streets that exceed 150 metres in length, provided that exceptions to this standard may be permitted by Council for existing streets and where the Town is satisfied that adequate fire protection and emergency access will be provided.
- a)e) New cul-de-sacs or dead-end streets will be discouraged and will only be permitted where warranted by site conditions. For phased development, or where any proposed street will terminate on a dead-end, a turn-around shall be provided of sufficient radius to enable the turning of snow ploughs, emergency vehicles, waste management vehicles and school buses.

## 5.3.11 Road Closure

a) In addition to the Town's procedural by-laws and guidelines, Council shall have regard to the policies of this Plan to ensure that a proposed road closure under the Municipal Act will not have adverse effects on the long term planning of the community.

# <u>5.3.12</u> Pedestrian & Bicycle <u>Trails and Routes</u>

In order to encourage energy conservation and contribute to a more attractive living environment, developers should be encouraged to provide convenient pedestrian and bicycle routs to enable ease of access to community facilities.

 a) Existing and proposed pedestrian/cycling off road trails and on road routes are illustrated on Schedule 'C2' – Active Transportation Plan, including the following:

- i) Existing and future off road trails, which may include a range and variety of trail types that are not located within a road right-of-way, ranging from nature trails to paved multi-use pathways, and related supporting facilities and amenities such as trail maps, signage, points of interest and viewing areas, trailheads, benches, play equipment and fitness equipment.
- ii) Existing and future on road routes, which may include sidewalks and signed on-street walking and/or cycling routes that provide connections with and among off road trails to create a complete loop or linked route and provide walking and cycling routes to schools, parks, recreation facilities, the downtown core and other key destinations in the community;
- iii) Future bike lanes, which include sections of arterial and collector roads where dedicated on-street cycling lanes may be considered in conjunction with future road projects, where possible within the existing or planned right-of-way and where permitted by the Ministry of Transportation within the Connecting Links for Provincial Highways 10 and 89.
- b) Council shall pursue the *development* of proposed off road trails and on road routes in accordance with this Plan, the Active Transportation Plan and the Parks Master Plan as the Town's financial and operational resources and capacities allow.
- c) In accordance with the Planning Act, the dedication of rights-of-way for pedestrian and cycling trails-pathways may be required as a condition of development approval. The Town's acquisition of land for pedestrian and cycling pathways through mandatory land dedications as a condition of development approvals and through other means will be based on the trails and routes shown on Schedule 'C2'.
- d) In new *developments*, sidewalks shall generally be required on both sides of allarterial and collector roads, and one side of local roads.
- e) In order to create a pedestrian-friendly environment, Council will consider investing in enhanced streetscaping measures such as landscaping, lighting, street furniture and weather protection, particularly within the Central Business Districtdowntown core.

# 5.3.13 Former Railway Right-of-Way

a) The former railway right-of-way is identified as a trail on Schedule 'C2' to this Plan and continued trail use shall be permitted.

- b) The Town will monitor proposals for the redevelopment of rail facilities within the rail corridor and potential impacts on existing and proposed developments located in proximity to the former railway.
- c) Where possible, the Town shall participate in the review of any proposals and related studies undertaken for the re-establishment of an operational railway, or for other proposed uses of the corridor, to ensure public safety considerations and potential land use impacts are addressed to Council's satisfaction.
- d) In the event that the re-establishment of an operational railway or other use is proposed within the former rail corridor, trail opportunities in the form of rails-with-trails will be investigated at that time to determine whether continued trail use may safely occur within or adjacent to the rail corridor in conjunction with the proposed-rail use. Uses of the corridor that preclude a trail or that could have adverse effects on public health and safety related to trail use within the corridor will be discouraged.

## **5.3.14 Parking**

- a) Off-street parking spaces shall be required for all new development in accordance with the Zoning By-law.
- b) The Town may consider the establishment of both minimum and maximum parking standards to maximize the efficient use of land and promote active transportation.
- c) On-street parking will continue to be permitted within the Central Business

  Districtdowntown core to increase activity along the street and serve as a protective buffer between pedestrians and moving vehicles. Reduced offstreet parking standards may be permitted within the Central Business Districtdowntown core.
- d) Reduced surface parking may be considered as part of a TDM plan in accordance with the policies of subsection 5.3.16.
- e) Cash-in-lieu of parking may be considered in accordance with the Planning Act and thea Cash-in-Lieu of Parking By-law.
- f) Bicycle parking standards may be implemented through the Zoning By-law.
- a)g) Design standards for location, layout, construction, lighting and landscaping of off-street parking areas will be applied through the Zoning By-law and site plan control, as well as development standards and urban design guidelines as may be adopted by Council.

## 5.3.15 Transit Services

- a) The Town will monitor and may pursue opportunities for the connection/extension of regional transit services to Shelburne where this would provide affordable transportation alternatives and benefits to residents of Shelburne and the surrounding area.
- b) The potential need for, and location of, facilities for transit services will be considered in the review of *development* proposals and in the design of new public roads and *infrastructure* and planning for improvements to existing roads and *infrastructure*.
- c) The Town's involvement in the establishment and/or operation of local transit services, if planned in the future, will be based on a feasibility/business case analysis confirming the viability and sustainability of local transit services prior to significant capital investments in municipal transit services and facilities or entering into partnerships or agreements for the provision of local transit services and facilities.
- d) Small scale facilities for private transit services may be permitted where associated with or servicing a permitted use of land for residential, commercial, mixed use, employment, institutional, recreational or special tourism purposes, subject to the policies and criteria of the applicable land use designation and the permitted uses and regulations of the Zoning Bylaw. Large scale transit terminals, maintenance and repair facilities shall be directed to land in the Arterial Commercial and Employment land use designations and shall be appropriately zoned in the Zoning By-law.

## 5.3.16 Transportation Demand Management (TDM)

- a) Council will encourage car-sharing and car-pooling programs, walking and cycling initiatives and businesses and organizations that promote these and/or other programs and make provisions to reduce demands on the road network. Car-pooling and walk-to-work initiatives will be promoted for municipal staff and the community.
- b) As an incentive to encourage TDM, the Town may permit reduced parking standards for developments that demonstrate a commitment to TDM and provide justification for reduced parking standards through a TDM strategy.

#### 5.3.17 Anti-Idling

a) Council may develop and enact an anti-idling by-law, post signage and adopt education and awareness strategies to regulate and discourage the unnecessary idling of motor vehicles. Council will encourage responsible use of municipal fleet vehicles to reduce idling.

# **5.3.18 Commercial Truck Traffic**

- a) In an effort to reduce the volume of commercial truck traffic travelling through Shelburne, particularly through the downtown core, the Town will:
  - i) Continue to work with the County and the Ministry of Transportation to improve Provincial Highway and County Road connections within and around Shelburne to provide an adequate alternative route for truck traffic moving goods across the Province;
  - ii) Consult with major trucking agencies and industries to establish truck routes for their operations that will avoid residential areas and activity nodes in the Town;
  - iii) Restrict land uses that generate substantial truck traffic to industrial or commercial areas and work with the County and the Province to ensure that these areas are adequately served by arterial/commercial roadways away from residential areas and activity nodes in the Town;
  - iv) Monitor proposals for resource extraction and other operations involving trucking within surrounding municipalities that would involve the use of roadways within Shelburne as haul routes, and participate as a stakeholder in the review of these development applications where possible to ensure the interests and well-being of the residents of Shelburne are represented.
  - v) Develop a truck route by-law to identify particular road sections where trucks are prohibited or restricted to certain times of the week and/or times of day.

#### **5.3.19 Traffic Impact Studies**

- a) A Traffic Impact Study (TIS) may be required for any development application that could impact the safe and efficient movement of people and goods within and through the community. A TIS will generally be required where a proposed development involves any of the following:
  - Retail commercial having a Gross Leasable Floor Area of 900 square metres or larger;
  - ii) Residential development of 50 dwelling units or greater;
  - iii) Office uses having a Gross Floor Area of 2,500 square metres or larger;
  - iv) Industrial uses having a Gross Floor Area of 4,500 square metres or greater;
  - v) Educational facilities accommodating 120 or more students;

- vi) A drive-through facility;
- vii) Peak hour trip generation of 100 two-way trips or more on adjacent streets.
- b) Exceptions to policy (a) may be granted at the discretion of Council.

  Development applications that do not involve any of the items listed in policy
  (a) may still be required to undertake a TIS at the discretion of Council based on advice from the Town Engineer due to the cumulative impact of smaller developments and depending on specific site and situational characteristics of the application.
- c) The proponent shall consult with the Town and the Ministry of Transportation and the County of Dufferin, where applicable, to discuss and determine the need for and requirements of the Study. The Study shall:
  - i) describe the proposed development;
  - ii) examine the existing traffic conditions in the area;
  - <u>iii)</u> examine the function of area roadways and the impacts of the proposed <u>development</u> on the ability of area roadways to serve their intended <u>function</u>;
  - iv) identify the volume of traffic to be generated by the proposed development and the examine the capacity of area roadways to accommodate the additional traffic;
  - v) identify mitigating measures to address impacts on area roadways and ensure the safe movement of vehicle traffic, pedestrians and cyclists within and in the area surrounding the site;
  - vi) examine the cumulative traffic impact of the proposed development and other planned or approved developments;
  - vii) illustrate proposed access and parking layout on the site;
  - <u>viii)</u> identify requirements for auxiliary lanes and other improvements to area roadways and intersections:
  - ix) identify special access arrangements with adjacent landowners, where applicable.

#### 5.3.20 Noise and Vibration

a) As a condition of development approval, the Town shall require appropriate mitigation of adverse effects on sensitive land uses related to noise and vibration generated by traffic on arterial roadways. b) Sensitive land uses shall be buffered from the impacts of noise and vibration by means such as restrictions on the type of use, building design, location of outdoor living areas, setbacks and the provision of landscaping and fencing for noise attenuation.

# SECTION 6 — CULTURAL HERITAGE RESOURCE POLICIES

#### 6.1 INTRODUCTION

<u>Cultural</u> <u>Hh</u>eritage resources comprise those <u>hu</u>man-made features, either on their own or in a <u>hu</u>man-made or natural setting, which are indicative of past human activities, events or achievements. Such resources include, but are not restricted to, archaeological sites, buildings, structures and artifacts of <u>architectural or historical significance cultural heritage value or interest</u>, <u>hu</u>man-made or modified landscapes and their respective features.

## 6.2 OBJECTIVES

The objectives from which the *Cultural Heritage Resource* Policies evolved are as follows:

- a) It is an objective of the community <u>T</u>to identify and <u>preserve\_conserve\_s</u>, <u>whenever possible, <u>cultural heritage</u> resources which may include buildings, and <u>structures and landscapes</u> of <u>historical and architectural cultural heritage</u> value <u>or interest</u> and archaeological sites.</u>
- b) To protect *cultural heritage resources* that contribute significantly to the identity and character of the Town.
- c) To encourage the maintenance, restoration and enhancement of *cultural* <u>heritage resources.</u>
- <u>d) To ensure new development and redevelopment is sensitive to and compatible with cultural heritage resources.</u>
- a)e) To promote public awareness and participation in the preservation, improvement and appreciation of the Town's *cultural heritage resources* in a sustainable manner which will perpetuate their functional use.

#### 6.3 GENERAL POLICIES

# 6.3.1 New Development Criteria

All new-development permitted by the land use policies and designations of this Plan shall have regard for heritage resources and shall, wherever possible, incorporate these resources into any site plan or design that may be prepared for such new development within the Municipality. Encouragement shall be given to conservation, protection, renovation, rehabilitation and re-use of heritage resources. Heritage impact studies and archaeological assessments may be required prior to development, as set out in the policies of subsections 6.3.6 and 6.3.7.

# 6.3.2 Identification of Historic Buildings, Structures & Areas Properties, Buildings and Areas of Cultural Heritage Value or Interest

As a means of ensuring the preservation and maintenance of historical sites and buildings within the community, the Town may where it is deemed to be appropriate, identify those buildings, structures and areas which are recognized as having architectural and/or historical meritcultural heritage value or interest, by using existing legislation to ensure the continued presence of heritage resources and to seek to develop within the community a greater awareness of the value of heritage conservation.

# 6.3.3 The Ontario Heritage Act

The Ontario Heritage Act may be implemented to conserve, protect and enhance the heritage of the community through the designation of individual properties and areas of architectural and historical significance cultural heritage value or interest.

- a) In addition to the criteria of the Ontario Heritage Act for determining whether a property is of cultural heritage value or interest, the Town may consider the following:
  - i) Criteria for identification of properties: \*The significance of the property in illustrating or interpreting the heritage of Shelburne should be judged by the basic criteria of architectural merit and historical association. In general, the property should illustrate effectively the broad architectural, cultural, social, political and economic patterns of Shelburne's history or should be associated or identified with events or persons that have shaped that history in a significant way.
  - ii) Criteria for identification of districts: aAn area identified as a potential Heritage Conservation District should contain a number of properties of architectural and historical value which when seen together form a unit that reflects an aspect of the Town's historical or cultural development or that contains important aesthetic or environmental characteristics, which warrant that the area be protected in its entirety.
- b) The Town may regulate the alteration, demolition or removal of buildings or structures identified as heritage resources by enacting by-laws pursuant to the provisions of the Ontario Heritage Act.
- a)c) Municipal Register: the municipal clerk shall, as per Section 28 of the Ontario Heritage Act, maintain a register of all property designated under Part IV of the Act and to assist Council on other matters of cultural heritage conservation.

# 6.3.4 Local Architectural Conservation Advisory Municipal Heritage Committee

The Town may establish a Local Architectural Conservation Advisory Municipal Heritage Committee in accordance with pursuant to the provisions Section 28 of the Ontario Heritage Act to advise and assist Council on matters related to Parts IV and V of the Act and to assist Council on other matters of cultural heritage conservation.

# 6.3.5 Heritage Conservation District Plan

Council may prepare a Heritage Conservation District Plan in the following way:

- a) By-laws enacted under the Ontario Heritage Act, identifying an area for study may be passed by Council;
- A survey may be conducted to locate and categorize all buildings, structures and sites of historic or architectural interest-cultural heritage value or interest in the Study Area;
- A study may be prepared to examine those aspects of the Study Area that contribute to its special character and contain recommendations as to what actions or policy directions should be initiated to conserve the heritage of the District;
- d) Based on the Study, a Heritage Conservation District Plan for the area may shall be prepared;
- e) The Town may seek endorsement by the Ministry of-Citizenship and Culture.

  Tourism and Sport of its Heritage Conservation District Plan;
- In order to make the public more aware of the objectives of heritage conservation, it may be the policy to involve the public in all aspects of the heritage conservation programs and especially in the study and designation of a Heritage Conservation District;
- g) By-laws implementing the Plan may be enacted under the Ontario Heritage Act and Section 39 of the Planning Act, RSO 1990.

## 6.3.6 Heritage Impact Studies and Archaeological Assessments

a) A Heritage Impact Study and/or Archaeological Assessment may be required to the satisfaction of the Town and the Ministry of Culture for any development application that could impact identified cultural heritage resources and for protected heritage properties located on lands adjacent to the development and site alteration location that may be impacted by the undertaking.

b) The Town may impose, as a condition of development approval, the implementation of appropriate conservation, restoration or mitigation measures identified in the studies to ensure the preservation of any affected cultural heritage resources.

## 6.3.7 Archaeological Assessments

- a) Areas of archaeological potential shall be determined through the use of provincial screening criteria, or criteria developed based on the known archaeological record within the Town and developed by a licensed archaeologist. Such criteria include features such as proximity to water, rolling topography, unusual landforms and any locally known significant heritage areas such as portage routes or other places of past human settlement.
- b) Archaeological assessments conducted by archaeologists licensed under the Ontario Heritage Act shall be required as a condition of any development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. Archaeological assessment reports conducted by licensed archaeologists shall be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing requirements developed under the Ontario Heritage Act.
- c) Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the Ontario Heritage Act.
- d) The Town recognizes that there may be a need for archaeological preservation in situ or rescue excavation of significant archaeological resources as a result of development proposals.
- e) The Zoning By-law may prohibit land use, buildings or structures on land which is the site of a significant archaeological resource.
- f) The Town shall ensure adequate archaeological assessments and consult the appropriate government agencies, including the Ministry of Culture, Tourism and Sport and the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services, when an identified and marked or unmarked cemetery is affected by land use development.

#### SECTION 7 - DEVELOPMENT POLICIES

It is intended that this Plan will provide direction and guidance for the Town's existing and future *development*. The Official Plan should not require amendment for the majority of *development* activity which can be expected to occur. Any large scale change in land use, however, will require an amendment to the Plan and shall be justified by a comprehensive planning analysis. All requirements of the <u>Planning Act</u> with respect to <u>complete applications</u>, public meetings and notification will be respected at all times.

Within this <u>sS</u>ection, there are general *development* policies which shall act as guidelines for all *development* within the Town of Shelburne. There are also specific *development* recommendations which apply to individual areas within the Town.

Furthermore, the Town has approved a detailed Design Criteria Policy mManual which includes operational standards and other criteria specific to *development* in the Town. All *development* shall comply with the Design Criteria Policy Manualies.

It is the intention of this Plan that any minor variation from the principles contained in this Section can be made without amendment to the Plan but that any major change in the land use characteristics of the *development* areas should result in an amendment to both the schedules and the text which are part of this Official Plan.

#### 7.1 RESIDENTIAL DEVELOPMENT

The small town character of Shelburne should be maintained by encouraging compatible residential development in the form of intensification and redevelopment within the Built-up Area and new development in designated growth areas in accordance with the policies of subsection 4.2 of this Plan, and mixed use development in accordance with the policies of subsection 4.4 of this Plan. The Town's housing mix shall be based on 75% single detached, 10% semi-detached and 15% multiple (townhomes and apartments).

The Town will encourage a mix of housing types and densities at locations identified on Schedule <u>'B2'</u> of this Plan.

#### **Development Staging**

Residential development shall be staged in accordance with the Town's servicing capabilities. Schedule A1 outlines a development staging plan for Shelburne. The Stage I development areas may develop on the basis of the availability of sewage treatment capacity in the Shelburne Sewage Treatment Plan, as it existed on the date of adoption of this Plan, namely capacity to service approximately 6,529 persons.

The division of capacity between the areas designated in Stage I shall be divided equally.

Development within the Stage II development area is contingent upon the Shelburne Sewage Treatment Plan being upgraded or achieving efficiencies to provide for a serviced population of approximately 6,811 people. The Stage II development areas may develop on the basis of availability of sewage treatment capacity in the Shelburne Sewage Treatment Plan as upgraded or expanded.

All residential development shall be developed in conformity with Section 4 – Residential Policies of this Plan-

New residential development shall be developed predominantly through plans of subdivision or through the site plan process (multiple forms). All plans of subdivision shall first be judged as to whether or not they are premature and in the public interest. Factors to be reviewed when the plans of subdivision are considered shall include those matters as required under the Planning Act.

All draft plans of subdivision applications will require supporting information including but not limited to a traffic impact study, functional engineering/servicing report, environmental impact assessment and planning report. Draft plans will also provide for adequate park space and connecting open space links/trails as well as adequate buffering.

All residential development shall be developed in conformity with Section 4 – Residential Policies of this Plan.

New residential *development* shall be developed predominantly through plans of subdivision <u>or condominium</u> or through the site plan process (multiple forms). All plans of subdivision <u>or condominium</u> shall first be judged as to whether or not they are premature and in the public interest. Factors to be reviewed when the plans of subdivision are considered shall include those matters as required under the Planning Act <u>and the criteria established in subsection 4.2 of this Plan</u>.

All draft plans of subdivision and condominium applications will require supporting information including but not limited to a traffic impact study, functional engineering/servicing report, environmental impact assessment study and planning report. Draft plans will also provide for adequate park space and connecting open space links/trails as well as adequate buffering in accordance with the policies of this Plan.

#### 7.2 COMMERCIAL DEVELOPMENT

The *development* of lands for commercial purposes shall take place in accordance with the land use policies for commercially designated areas as defined in <u>subsection 4.3</u>, <u>4.C and 4.D</u> of this Plan and based on the Commercial Structure Plan shown on Schedule 'B2', and where permitted as part of mixed <u>use development</u> in accordance with the policies of subsection 4.4 of this Plan. The <u>Central Business Districtdowntown core</u> is defined on Schedule 'A' – Land Use Plan.

Owners of commercial properties and/or businesses in the Central Business District downtown core should be encouraged to renovate their facilities in a manner in keeping with the atmosphere of the Town and the unique nature of the Central Business District downtown core. The Town will endeavour to provide off-street parking through municipal parking areas.

The Central Business DistrictCommercial Core shall remain as the primary commercial area for the Town. The Town will also recognize the need for Special Community Commercial areas and Arterial Commercial areas to develop outside of the Central Business Districtdowntown core to serve the additional commercial needs of the Town and the surrounding region.

## 7.3 MIXED USE DEVELOPMENT

The development of lands for mixed uses shall take place in accordance with the land use policies for mixed use areas as defined in subsection 4.4 of this Plan and designated on Schedule 'B2'. Mixed Use areas in the downtown core should be encouraged to be intensified with residential development, and all-mixed use areas should include a balance of commercial and residential land uses based on their locational attributes and advantages and opportunities for mutually supportive uses.

## 7.34 INDUSTRIAL EMPLOYMENT LAND DEVELOPMENT

It shall be the policy of this Plan that <u>a range of employment uses</u> <u>clean, quiet manufacturing industries</u> will be encouraged to locate in the designated <u>industrial Employment areas</u> in the Town <u>in accordance with the policies of subsection 4.5 of this Plan</u>. The Town will encourage a balanced assessment and protection against environmental degradation. The Town will generally encourage <u>the development and use of employment land for the dry industrial operations and other employment uses</u> which minimize <u>potential impacts to sensitive land uses and which minimize</u> water use.

## 7.45 RECREATIONAL DEVELOPMENT

The Town shall ensure that adequate recreational facilities are developed that meet the standards of the Town in accordance with the Parks Master Plan, Active Transportation Plan and the policies of subsection 4.7 of this Plan. Council will encourage the further development and periodic review and updating of a comprehensive plan for recreation in the Town. The connection of open space areas for passive recreational use (pathways and trails) shall be an integral part of the Town's overall open space and recreational land use system.

# 7.6 PUBLIC USES AND DEVELOPMENT OF TOWN LANDS

- a) Public uses include educational, institutional, administrative, cultural, recreational and public works facilities that are operated by a public authority or by an authorized agent of a public authority, and public utilities such as hydro, natural gas, cable and telephone transmission facilities. Unless otherwise prohibited in this Plan, public uses shall be permitted in all land use designations subject to the criteria for development within the applicable land use designation. Permitted public uses shall not include waste management facilities, waste disposal operations or other similar uses which shall only be permitted by an amendment to this Plan supported by studies addressing the environmental, social, financial and servicing impacts of the use to the satisfaction of the Town.
- b) Notwithstanding (a) of this subsection, the *development* of electric power facilities and other transmission facilities and related *infrastructure* shall occur in an orderly manner to facilitate the efficient and reliable provision of services to address the needs of the population of the Town of Shelburne. The location of electrical power and other transmission facilities and *infrastructure* within the Town shall be discouraged if it is not directly required to meet the needs of the local population for these services. The Town may participate and provide comments to the proponent through the planning, and environmental assessment or other approval processes for *infrastructure* projects to ensure local interests are represented and there is a net benefit to the local community.
- c) The Town will be directly involved in the *development* of municipally-owned lands to achieve the best result for the residents of the Town.
- d) To encourage local food production through *compatible urban agriculture*, Council may permit the use of Town-owned property for the establishment of community allotment gardens subject to consideration of the following:
  - i) confirmation of suitable soil conditions and the absence of potential contaminants;
  - ii) availability of a sustainable water supply, where required, without negatively impacting the capacity of the municipal water supply system to support existing and planned development;
  - <u>iii) suitable grading and drainage characteristics of the site with no significant change to existing site topography and drainage patterns;</u>
  - iv) the level of interest in participation based on input from the community;
  - v) the availability of required equipment and operational support;

- vi) there shall be no *negative impact* on the municipality's operations and financial position;
- <u>vii)</u> there shall be no *negative impact* on adjacent lands and natural heritage features;
- viii) the raising or keeping of livestock shall not be permitted.

## 7.67 INTER-MUNICIPAL COOPERATION

The Town will make all efforts to cooperate with neighbouring municipalities in consideration of planning issues and development applications of mutual concern. Fringe development and development proposals on private servicing that could hinder the efficient expansion of the Town shall be discouraged. The Town will work with the County and the local municipalities within Dufferin County to monitor the achievement of the County-wide population and employment growth forecasts, and intensification and density targetsset out in the Growth Plan and the population and employment growth forecasts allocated to the Town of Shelburne and other local municipalities by the County and to the County of Dufferin by the Ministry of Infrastructure. The Town will work with adjacent municipalities and participate in opportunities to review and comment on their official plans and zoning by-laws to ensure planned land use and development surrounding Shelburne is compatible with and will not result in adverse effects for existing land uses and the future land use pattern embodied in this Official Plan, and further to ensure that the municipal wellhead protection areas for the Town's drinking water supplies are identified and protected. The Town will also review proposals for land use changes and development affecting land adjoining or near the Town limits and provide comments to the applicable local municipality and/or the County where appropriate. Proposed development and land use patterns near the Town limits that could result in a land use conflict, adverse effects, restrict planned growth and development within the Town or prevent the efficient expansion of the urban area in the future will be discouraged.

#### 7.78 SERVICING

- a) All new development in the Town-within the urban area shall be connected to full municipal sewage and municipal water services, where the proposed use requires servicing.
- b) Notwithstanding (a) of this subsection, existing permitted uses that are on private individual on-site water and/or private individual on-site sewage services, or partial services, shall be permitted to continue and may be expanded in accordance with the applicable land use designation and the Zoning By-law subject to demonstration of capacity within the existing private servicing system(s) or connection to municipal services, where the use or

the expansion thereof requires servicing. Existing vacant lots of record that are located in areas where municipal services are not available or planned may be used in accordance with the permitted uses of the applicable land use designation and the Zoning By-law, subject to approval of private individual on-site servicing system(s) by the Town and the County, where the use requires servicing. The Town may require geotechnical, hydrogeological or other technical studies to demonstrate the viability and sustainability of the proposed private individual on-site servicing system(s). All private individual on-site sewage systems shall only be permitted where the existing lot size is based on the most current version of the Ministry of Environment, Energy and Climate Change (MOECC) guidelines for individual on-site servicing. No new lot creation shall be permitted on the basis of private services.

- Servicing shall be carefully monitored and all development shall be subject to the development staging policies of thise Plan.
- d) No new *development* shall be approved unless uncommitted sewage treatment and water supply capacity is available and allocation of required servicing capacity is granted by Council in accordance with the policies of this Plan and a Council approved Servicing Allocation Policy.
- e) It is the intention of this Plan to provide and reserve servicing capacity for development within the urban area to accommodate the population and employment forecasts of this Plan and to allow for the achievement of the infillintensification targets consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe concurrent with development in designated greenfield areas that will achieve the greenfield density target.
- a)f) The Town shall encourage the conversion of private systems to municipal servicing upon any redevelopment application or upon the construction of new watermains or trunk sewers which pass through areas on private servicing systems. Servicing capacity will be reserved to allow for the connection of existing privately serviced properties to the municipal water and municipal sewage systems, and the determination of sufficient sewage system capacity shall include treatment capacity for hauled sewage from private systems.
- b)g) All stormwater management plans and programs shall be developed in accordance with the requirements of the Nottawasaga Valley Conservation Authority and applicable Town standards. Stormwater <a href="Mmanagement">Mmanagement</a> works considered as sewage may require approval pursuant to Section 53 of the Ontario Water Resources Act.

- c)h)All municipal transportation facilities and new roads shall be developed in accordance with Section 5 – Roads Transportation Policies of this Plan and in consultation with the Ministry of Transportation and the County should such roads or access points fall within their respective jurisdictions.
- d)i) All wWater, sanitary, and SWMstormwater management facilities and services and roads shall—also be subject to the Municipal Environmental Assessment Class Environmental Assessment process, where applicable.

## 7.89 SERVICING COSTS

It shall be the policy of this Plan to minimize the cost incurred by the Municipality and public agencies. *Development* in the Town should be in areas which would not create a demand for public services which are not economical to provide, improve or maintain. *Development* should be allowed\_promoted\_in areas as follows:

- a) where requirements for new public services will be minimal;
- b) where the *development* would make a significant contribution towards existing services; or,
- c) where the provision of new services would be most economical.

# 7.10 DEVELOPMENT STAGING

The Development Staging policies of this Plan are intended to ensure orderly development aligned with the provision of municipal services and within the Town's servicing capabilities. Schedule 'AB1' identifies the Development Staging Plan:

- Stage 1 areas represent areas of existing land use or approved *development* that are serviced by existing municipal water and wastewater services, as well as existing privately or partially serviced areas where connection to municipal water and wastewater services is available or is reserved for the future connection of these areas to the municipal systems. The Town will reserve servicing capacity to allow for *intensification* and redevelopment and to allow for the connection of privately serviced properties to existing municipal services within Stage 1 areas. Allocation of servicing capacity to specific properties and *developments* within Stage 1 will be based on confirmation of sufficient Stage 1 reserve capacity by the Town Engineer, and will occur at the time of *development* approval, service connection or building permit, as applicable.
- Stage 2 areas represent the primary areas designated for residential intensification and redevelopment, areas of municipally serviced vacant or under-utilized land within the built boundary, and municipally serviced vacant

land in designated greenfield areas the first phase of available for development within the Mixed Use, Commercial, Employment and Institutional land use designations. growth—Servicing capacity for Stage 2 areas and may will be reserved by the Town to provide for the development of these areas in accordance with the applicable land use designations. aAllocationed of servicing capacity to specific properties and developments within Stage 2 will be based on confirmation of provided—sufficient Stage 2 reserve capacity by the Town Engineer, and will occur at the time of development approval. can be retained within the Shelburne Sewage Treatment Plant to meet the minimum 40% intensification target for residential development within the Built Boundary.

- Stage 3 areas are represent land to be developed in accordance with the applicable land use designation based on allocation of capacity after all land within Stage 2 has been committed confirmation of available reserve capacity to service all land within the Stage 1 and 2 areas. The servicing of Stage 3 areas relates to planned capital improvements to the municipal water supply and wastewater treatment systems and servicing capacity for these areas may also relate to the implementation of the Town's inflow and infiltration reduction program, conservation and other measures that will optimize the efficient use of existing infrastructure. Allocation of servicing capacity to specific properties and developments within Stage 3 will be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required capacity improvements, and on the basis of maintaining reserve capacity for Stage 1 and 2, and will occur at the time of development approval.
- Future upgrades to the Town's wastewater treatment infrastructure may be required to service the development of all or a portion of development within Stage 3 areas. [Stage 4 areas represent land where the extension of sanitary services and confirmation of assimilative capacity within the receiving water body for wastewater are required along with approval for the re-rating of the capacity of the Sewage Treatment Plant. Sufficient reserve capacity for the development of all land within Stages 1, 2 and 3 areas shall be demonstrated prior to establishing a reserve for development in Stage 4 areas and prior to any future consideration of an urban boundary expansion allocation of servicing capacity for development in accordance with the applicable land use designations in Stage 4. Allocation of servicing capacity to specific properties and developments within Stage 4 will be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required *infrastructure* improvements, and on the basis of maintaining reserve capacity for Stages 1, 2 and 3, and shall occur at the time of development approval.

NOTE: Stage 4 area deferred.

The following criteria will be considered by Council for the allocation of servicing capacity to development shall be in accordance with the following policies:

- a) Residential d Development shall be staged in accordance with Schedule 'AB1' Development Staging Plan, the policies of this Plan, and a Council approved Servicing Allocation Policy.
- b) In accordance with the Provincial Policy Statement and the *Growth Plan* for the *Greater Golden Horseshoe*, staging of *development* and the provision of municipal services will be based on the specified targets for *intensification* within the existing *Built-up Area* prior to, or concurrent with, new *development* in designated growthgreenfield areas.
- c) To ensure wastewater treatment services are available to achieve the minimum residential *intensification* target, sufficient reserve capacity shall be maintained to service *development* within Stage 1 and 24 areas identified on Schedule 'AB1'. the Town's servicing capabilities. Schedule A1 outlines a development staging plan for Shelburne. The Stage I development areas may develop on the basis of the availability of sewage treatment capacity in the Shelburne Sewage Treatment Plan, as it existed on the date of adoption of this Plan, namely capacity to service approximately 6,529 persons.
- i) The division of capacity between the areas designated in Stage I shall be divided equally.
- d) For Stage 1 areas shown on Schedule 'B1', the Town will reserve servicing capacity for *intensification* and redevelopment and for the connection of privately serviced properties to existing municipal services within Stage 1 areas. Allocation of servicing capacity to specific properties and developments within Stage 1 will be based on confirmation of sufficient Stage 1 reserve capacity by the Town Engineer, and will occur at the time of development approval, service connection or building permit, as applicable.
- e) For Stage 2 areas shown on Schedule 'B1', the Town will reserve servicing capacity for residential intensification and redevelopment, areas of municipally serviced vacant or under-utilized land within the built boundary, and municipally serviced vacant land in designated greenfield areas within the Mixed Use, Commercial, Employment and Institutional land use designations. Allocation of servicing capacity to specific properties and Ddevelopments within the Stage II2 development areas identified on Schedule 'A1' may proceed on the basis of will be based on confirmation of sufficient availability of reserve capacity by the Town Engineer, and will occur at the time of development approval, wastewater treatment capacity within the Shelburne Sewage Treatment Plant provided sufficient reserve capacity can be maintained to accommodate development within Stage I areas to meet the minimum intensification target, is contingent upon the Shelburne Sewage Treatment Plan being upgraded or achieving efficiencies

- to provide for a serviced population of approximately 6,811 people. The Stage II development areas may develop on the basis of availability of sewage treatment capacity in the Shelburne Sewage Treatment Plan as upgraded or expanded.
- Development within-For Stage 3III areas identified shown on Schedule 'AB1', the establishment of reserve servicing capacity shall be based on availability of servicing capacity within the rated capacities of the municipal water supply and wastewater treatment systems after Stage 1 and 2 reserves and with planned capital improvements to the municipal water supply and wastewater treatment systems, and may also relate to the implementation of the Town's inflow and infiltration reduction program, conservation and other measures that will optimize the efficient use of existing infrastructure. Allocation of servicing capacity to specific properties and developments within Stage 3 will be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required infrastructure improvements, and on the basis of maintaining reserve capacity for Stage 1 and 2, and will occur at the time of development approval. may proceed on the basis of availability of reserve wastewater treatment capacity within the Shelburne Sewage Treatment Plant provided sufficient reserve capacity can be maintained to accommodate development within Stage I areas to meet the minimum intensification target, and to accommodate full development of Stage II areas in accordance with the policies of this Plan. Future upgrades to the Town's wastewater treatment infrastructure may be required to service all or a portion of the land within Stage III areas.
- g) [For Stage 4 areas shown on Schedule 'B1', the establishment of reserve servicing capacity shall be based on demonstration of sufficient reserve capacity for Stages 1, 2 and 3 areas and for the connection of privately serviced properties to existing municipal services within Stage 4, the extension of sanitary services, confirmation of assimilative capacity within the receiving water body for wastewater and approval for the re-rating of the capacity of the Sewage Treatment Plant. Allocation of servicing capacity to specific properties and *developments* within Stage 4 will be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required *infrastructure* improvements, and on the basis of maintaining reserve capacity for Stages 1, 2 and 3, and shall occur at the time of *development* approval, service connection or building permit, as applicable.] NOTE: Stage 4 areas deferred.
- h) Confirmation of wastewater treatment capacity commitments will occur at the time of development approvals in accordance with the policies of this Plan and a Council approved Servicing Allocation Policy. Commitments will be reviewed annually by the Town and may also be re-evaluated upon expiry of development approvals where development does not proceed in a timely manner.

- i) In evaluating the allocation of servicing capacity to *development* proposals, preference will be given to *developments* that:
  - i) Optimize the use of existing municipal infrastructure or represent a logical, cost-efficient extension of existing services;
  - <u>ii) Include energy and/or water conservation measures, sustainable technologies and design measures;</u>
  - iii) Contribute to meeting the affordable housing targets of this Plan;
  - iv) Maximize parks and open space provision;
  - v) Contribute to enhanced urban design; and,
  - i)vi) Contribute to achieving a complete community and compact urban form.

<u>All residential development shall be developed in conformity with Section 4 – Residential Policies of this Plan.</u>

New residential development shall be developed predominantly through plans of subdivision or through the site plan process (multiple forms). All plans of subdivision shall first be judged as to whether or not they are premature and in the public interest. Factors to be reviewed when the plans of subdivision are considered shall include those matters as required under the Planning Act.

All draft plans of subdivision applications will require supporting information including but not limited to a traffic impact study, functional engineering/servicing report, environmental impact assessment and planning report. Draft plans will also provide for adequate park space and connecting open space links/trails as well as adequate buffering.

## 7.9110 **UTILITIES**

*Utilities* shall be permitted in all land use designations and shall be located underground wherever possible and feasible.—to maximize safety and minimize the risk of *infrastructure* damage during severe weather and in keeping with the urban design policies of this Plan.

#### 7.10 WASTE MANAGEMENT

The Town shall regularly review its solid waste disposal practices and work with the County towards a future long term plan for the community with the goal of reducing waste.

Accommodation of waste from future growth and development shall be considered with new development. The Town's waste management practices will facilitate, encourage and promote reduction, reuse and recycling objectives.

#### 7.11 ENVIRONMENTAL FEATURES AND PROTECTION

Natural heritage features shall be protected by the Town through the designation of such areas within the Natural Environment designation. The Town shall not permit any development on lands adjacent to Natural Environment lands that would be detrimental to the ecological integrity of the feature. All adjacent land uses must comply with the Natural Environment policies of this Plan.

#### 7.12 TREE PRESERVATION

Given their aesthetic contribution to the community, the Town shall ensure that mature trees, tree stands and tree lines are preserved. The preservation of trees along streets and roads shall be encouraged and removal shall only take place due to disease or necessary works. The Town may wish to consider additional tree preservation policies such as specific site plan policies for older residential areas and a possible tree-cutting by-law.

When considering subdivision, development or redevelopment proposals, the Town may enter into an agreement with the proponent wherein only those trees directly preventing construction and servicing will be removed and may be required to be replaced. The Town shall require developers to provide and plant trees along road rights-of-way, at no cost to the Town, the size and number to be set out in the development or subdivision agreement.

#### 7.14 HAZARD LANDS AND WATERCOURSE SETRACKS

No development shall take place in any area having physical or environmental hazards such as poor drainage, organic solids, flood susceptibility, erosion, steep slopes or other adverse conditions. Appropriate setbacks will be imposed and maintained near these hazard lands and features.

Development and site alteration will be setback from the Besley Drain, Walter's Creek and all other watercourses within the Town in order to protect their natural features and functions, provide riparian habitat and minimize the risk to public safety and property. In general, development and site alteration should be set back a minimum of 30 metres from watercourses.

#### 7.15 VACANT LOTS

The development of existing vacant lots shall be encouraged by the Town provided that the requirements of the Zoning Bylaw can be met and there is compliance with the policies of this Plan.

# 7.9124 DEVELOPMENT PROPOSALS

When assessing any *development* proposal, the Town will give consideration to the following:

- a) The criteria of the applicable land use designation within which the development is located in accordance with Section 4 of this Plan;
- a)b) The need for the development in relation to creating a complete community and having regard to the sustainability policies of this Plan;
- b)c) The timing of its commencement and if necessary, the staging phasing of the development;
- e)d) The impact of the development on the existing human, cultural and natural environments;
- <u>d)e)</u> The impact of the *development* on both the existing and anticipated adjacent land uses and compatibility with such adjacent land uses;
- e)f) The efficiency with which the development can be serviced;
- f)g) The adequacy of access to and within the *development* and the effect on traffic flows;
- g)h) The impact on the Town's financial capability;
- h)i) The effects of the development on full municipal sewage and water services and facilities, the capability of such services and facilities to be expanded and the financial capabilities of the Town to provide adequate services and facilities; and,
- The desirability of the development proposal and;-
- i)k) The adequacy of *infrastructure*, waste management systems and public service facilities to accommodate proposed *development*.

# **7.142.1** Review of Development Proposals

Prior to any planning application being approved, the following shall be confirmed:

a) the proposal conforms with the policies and land use designation of this Plan and the provisions of the Zoning Bylaw;

- b) that all *development* will be located outside of the regulatory floodplainnatural hazardous lands and sitess, as defined by to the satisfaction of the Town and the NVCAottawasaga Conservation Authority;
- c) soil and drainage conditions are suitable to permit the proper siting of buildings;
- suitable arrangements have been made for water supply, sewage disposal, storm drainage, and all other necessary services and that there is no danger of pollution;
- e) no traffic hazards will occur because of excess traffic generated or limited sight lines on curves or grades;
- f) the land fronts on a public road which is of a reasonable standard of construction and maintained year round; and,
- g) the proposed use is *compatible* with adjacent uses or can be made *compatible* though the use of buffering:
- h) significant built heritage resources and/or significant cultural heritage landscapes located on, or adjacent to, a proposed use are conserved; and,
- h)i) natural heritage features have been protected in accordance with subsection 4.8.

## **7.1237 BUFFERING**

Where conflicts between land uses could occur, buffering in accordance with the Town's requirements will be necessary and shall consist of one or more of the following measures as required by the Town:

- a) Landscaped strips along the periphery of the lot containing a combination of trees, shrubs and grassed areas in a sufficient amount and height to provide an effective screen;
- b) A physical barrier such as perforated or solid wall, fence or other appropriate structure or an earthen berm of a sufficient height; and,
- c) Increasing the distance between such uses to a suitable amount, only where the measures contemplated in i) and ii) and other measures are insufficient to mitigate the potential impacts.

In addition, all development shall conform with the Ministry of the Environment's Land Use Guidelines (D-1, D-2, D-4 and D-6) to ensure appropriate separation distances between various potential incompatible land uses and sensitive land uses. In the review of Any developments where sensitive land uses are proposed within or in proximity to the industrial areas where the existing or permitted uses

could have adverse effects on sensitive uses, and where industrial or other uses are proposed where the nature of the use could have adverse effects on sensitive land uses, shall comply with the Ministry of the Environment the Town will have regard for Provincial guidelines (D-6)and standards for separation between uses to ensure that impacts from the industrial area are minimized for land use compatibility, dust, noise, vibration, light, odour, contaminants and other emissions. Potential adverse effects shall be addressed through appropriate mitigation measures as required by the Town and to ensure compliance with Provincial standards. Proposed development and land use configurations that would require minimum separation distances that will result in the inefficient use of land, prevent compact development within the urban area, or that could hinder the achievement of the intensification and/or greenfield density targets of this Plan will be avoided. The separation distances recommended in the Ministry of Environment D-6 guidelines will not be required for development within the urban area where the Town is satisfied that potential adverse effects to sensitive land uses will be mitigated with the implementation of the measures contemplated in (a) and (b) of this subsection or by other measures that will achieve compliance with Provincial standards.

## 7.19 SAFETY POLICIES

Prior to any development or redevelopment being approved by the Town assurance shall be received that the necessary utilizes, and fire and police protection will be provided.

## **MAINTENANCE OF MUNICIPAL FACILITIES & BUILDINGS**

In order to encourage the continued maintenance and improvement to private property, the Town should consider adopting policies with respect to the standards of appearance of public buildings, facilities and works such as roads, curbs and ditches within the financial resources of the Municipality.

#### **ENERGY CONSERVATION**

Council shall encourage and support the utilization of the most recently accepted energy conservation practices in all plans of subdivision, and development or redevelopment proposals on individual lots.

Council shall encourage growth as a compact urban form.

Council shall encourage the mixed use development such as the combination of commercial and residential development in the Central Business District.

Council should support the use of conversions of older, large, single family dwellings to duplexes, the redevelopment of underutilized buildings and

the location of low density multiple developments adjacent to the core

Council should encourage and support innovative ideas through subdivision, site or building design for residential, commercial, industrial and institutional uses, where applicable to a community such as Shelburne.

Council should consider the use of bicycle and pedestrian paths as a means of encouraging energy conservation.

# **7.143** COMMUNITY IMPROVEMENT POLICIES

The Town of Shelburne intends to continue its ongoing program of maintenance and upgrading of its existing facilities and services. However in order to assess these needs within an overall planning program and to qualify for available provincial funding, a generalized assessment of its needs was carried out. The Community Improvement Area, as shown on Schedule 'D' was based upon the criteria included in Ssubsection 7.2114.2, Criteria for the Selection of the Community Improvement Area.

# 7.134.1 <u>7.134.1</u> General Goals & Objectives for Community Improvement

## 1. Goals

- a) To encourage the maintenance and/or improvement of the residential, commercial and industrial areas of Shelburne.
- b) To provide the residents and businesses in the community with an adequate level of municipal services.
- c) To encourage the broadening of the economic base of the Town.

## 2. Objectives

- a) To provide a comprehensive analysis and approach to community improvement within Shelburne based upon the improvements required, the prioritization of these improvements and the financial capabilities and resources of the Town.
- b) To support and encourage property owners to upgrade existing land and buildings.
- c) To continue to improve social, cultural and recreational services and facilities, to a reasonable level within the Town primarily through funding

- programs of senior levels of government and the support of special interest and service groups.
- d) To continue the ongoing program of improvements to the physical services such as water, sanitary, storm water drainage, roads and streetlights.
- e) To enhance the viability of the commercial areas of the community through such means as coordinated programs for streetscape and building façade improvements, and the encouragement of the establishment of a business improvement area.
- f) To enhance the viability of existing industrial areas through improvements to roads, water and boulevards.

# 7.143.2 Criteria for the Selection of a Community Improvement Area

The following criteria were used to delineate the community improvement area and are to be considered in the future when community improvements are determined:

- a) Deficiencies or inadequacies in physical services such as water supply and distribution during fire flows, water storage facilities, sanitary sewer systems and storm drainage.
- b) Deficiencies or inadequacies in the road system such as road condition, curbs, sidewalks, streetlights and trees and/or need for a new road for improved access.
- c) Deficiencies or inadequacies in recreational services and facilities such as ball diamonds, tennis courts, playground equipment, benches, etc.
- d) Deficiencies or inadequacies in cultural and social facilities and services such as library, banquet room at the Recreation Complex, etc.
- e) Existing buildings in need of rehabilitation and/or redevelopment.
- f) Existence of historically properties or buildings of cultural heritage value or interestsignificant buildings.
- g) Deficiencies or inadequacies in the commercial areas such as the need for improvement to the streetscape, building facades, sanitary and storm sewers, watermains and parking accessibility.
- Deficiencies or inadequacies in the industrial areas such as the need for improvements to roads, hydrants, storm drainage and to the appearance of the boulevards.

# **7.143.3** Community Improvement Areas

That portion of the Town of Shelburne designated as a Community Improvement Area is indicated on Schedule 'D'.

## 7.143.4 Phasing of Improvements

Except for significantly large vacant parcels the entire area of the Town of Shelburne is designated as a Community Improvement Area. When determining the priority of improvements, the Town shall take into consideration the preceding list of criteria in addition to the following:

- a) That the financial situation of the Town will enable improvements to be carried out without resulting in a significant increase in taxes for the ratepayers.
- b) That consideration has been given to the availability and criteria of funding from other government programs and grant besides those specifically directed to community improvement as well as funds available from service groups and other special interest groups.
- c) That while improvements are to be constructed to a proper standard, they should be organized in such a manner as to cause the least amount of disruption to the least number of ratepayers for the least amount time.
- d) That the opinions of the ratepayers received at the public meetings be considered when determining the priority of the improvements.

# 7.143.5 Implementation Measures

The Town of Shelburne may implement their community improvement program through the use of various implementation measures including the following:

- a) The designation, by by-law, of Community Improvement Project areas and thee preparation of a Community Improvement Plan for each area in accordance with the provisions of the Planning Act, including provisions for public input.
- b) The enactment and enforcement of a Minimum Maintenance and Occupancy Standards By-law.
- c) The utilization of federal and provincial government funding programs by the municipality and special groups.
- d) The utilization of municipal and senior government funds for the acquisition of land and/or buildings.
- e) The acquisition of land.

- f) The establishment and support of a Business Improvement Area to strengthen the downtown core.
- g) The utilization of local improvement through the Local Improvement Act.
- h) The disbursement of information to the ratepayers regarding special government programs designed to provide assistance for the redevelopment, renovation or maintenance of their properties.
- The encouragement of historical preservation of properties and buildings having cultural heritage value or interest through the utilization of such measures as the Ontario Heritage Act.
- j) The continued co-operation between the Town and special interest and service groups to provide new services and/or facilities for the community.
- k) The consideration of the utilization of other programs offered by private organizations such as the "Cause" program offered by the Ontario Association of Architects.

## 7.154 COMMUNITY SUSTAINABILITY POLICIES

The Town is committed to sustainability. It is the intent of the Town's Official Plan to ensure development and infrastructure are planned in a manner that minimizes the Town's ecological footprint, achieves sustainable building and community design, preserves and enhances the natural environment, maintains or improves air quality, minimizes energy and water consumption and mitigates the effects of climate change over the long-term. Specifically, the following policies are intended to contribute to achieving a sustainable community:

# 7.154.1 Energy Conservation

Council shall encourage and support the utilization of the most recently accepted energy conservation practices in all plans of subdivision, and *development* or redevelopment proposals on individual lots.

- a) Council shall encourage growth as a compact urban form.
- b) Council shall encourage the mixed use development such as the combination of commercial and residential development in the Central Business Districtin areas designated for these uses.
- c) Council should support the use of conversions of older, large, single family detached, semi-detached and townhouse dwellings to duplexes include a second unit subject to the policies of subsection 4.1.3.6, the redevelopment of underutilized buildings and the location of low density multiple residential developments uses within and adjacent to the downtown core-area.

- d) <u>Council should encourage and support innovative ideas through subdivision, site or building design for residential, commercial, mixed use, industrial employment and institutional uses, where applicable to a community such as Shelburne.</u>
- e) Council should considerpromote the use of bicycle and pedestrian paths for active transportation as a means of encouraging energy conservation.
- e)f) Council should encourage urban design and the use of appropriately selected and located vegetation to reduce the energy consumption of buildings.

# 7.154.2 Energy Generation

- a) The Town shall encourage proposals for renewable energy generation at appropriate scales, including facilities that generate energy from wind, solar and geothermal sources, subject to compatibility being achieved with surrounding land uses and the environment.
- b) Small scale energy generating structures and facilities designed to serve individual residences and uses on a lot shall not require amendment to this Plan. The implementing zZoning By-law shall establish regulations for this use. However, wind turbines that are subject to the Official Plan and Zoning By-law shall be subject to require an amendment to the Zoning By-law and will require the submission of studies which address the mitigation of visual and other impacts on adjacent land uses, except where such facilities are exempted from the Planning Act and approved under the Green Energy Act.
- c) District energy plants may be permitted in the Central Business District downtown core, Special Arterial Commercial, Mixed Use Centre and IndustrialEmployment land use designations provided they are designed to be compatible with surrounding land uses and further provided that no power generation facilities exceeding a total capacity of 10 megawatts will be permitted without an amendment to this Plan except where such facilities are exempted from the Planning Act and approved under the Green Energy Act and/or through an Environmental Assessment.

# 7.154.3 Water Conservation

- a) Council shall encourage efficient water use and water conservation.
- b) In order to reduce water demand, the Town may implement by-laws limiting the frequency and/or timing of outdoor water use.
- c) The Town may implement programs and strategies for water conservation in order to extend the capacity of existing water supply and wastewater treatment systems and delay requirements for capital upgrades to increase the capacity of these systems. The strategy may include conservation

- <u>programs</u>, <u>educational and regulatory initiatives</u>, <u>and structuring water rates</u> based on consumption as an incentive to reduce water usage.
- d) Developers will be encouraged to use drought-resistant grasses and provide an adequate soil base layer for new lawns and landscaped areas to reduce outdoor watering requirements.
- a)e) Developers and builders will also be encouraged to use low consumption, water-efficient facilities and appliances and water recycling measures in buildings wherever feasible.

## 7.154.4 Green Buildings

a) Council shall encourage innovative programs and construction methods which support the sustainable development and redevelopment of buildings, including but not limited to building and site developments that incorporate the following: renewable energy systems such as wind, geothermal and solar installations; energy efficient technologies that are consistent with high energy efficiency standards such as Energy Star and LEED programs, design features and construction practices; green roofs or high albedo roofs that reduce heating and cooling requirements; the use of recycling materials; permeable paving and other innovative stormwater management methods; water conservation, recycling and efficiency measures; and, conserving heritage resources thereby reducing landfill and lessening the demand for energy and resources for new construction.

# 7.154.57.10 Waste Management

- a) The Town shall regularly review its solid waste disposal practices and work with the County towards a future long term plan for the community with the goal of reducing waste.
- b) Accommodation of waste from future growth and development shall be considered with new development. The Town's waste management practices will facilitate, encourage and promote reduction, reuse, and recycling and other waste reduction and diversion objectives and programs.

## **7.117.154.6** Environmental Features and Protection

a) The nN atural heritage features system shall be protected by the Town through the designation of such areas within theas Natural Environment designation and related policies of this Plan, and through the implementing Zoning By-law. The Town shall not permit any development on lands adjacent to Natural Environment lands that would be detrimental to the ecological integrity of the feature. All adjacent land uses must comply with the Natural Environment policies of this Plan.

a)b) Council will encourage the conservation, protection and enhancement of the natural environment by promoting best practices in sustainable development and ensuring that development and infrastructure are within the carrying capacity of the Town's supporting ecosystems.

## 7.12154.7 Tree Preservation

- a) Given their contribution to maintaining and improving air quality, moderating climate, soil and slope stabilization, aesthetic contribution and other benefits to the community, the Town shall ensure that mature trees, tree stands and tree lines are preserved. The preservation of trees along streets and roads shall be encouraged and removal shall only take place due to disease or necessary works. The Town may wish to consider adopt additional tree preservation policies such as specific site plan policies for older residential areas and enact related by-laws such as a possible tree-cutting by-law and/or site alteration by-law.
- b) When considering subdivision, development or redevelopment proposals, the Town may enter into an agreement with the proponent wherein only those trees directly preventing construction and servicing will be removed and may be required to be replaced. The Town shall require developers to provide and plant trees along road rights-of-way, at no cost to the Town, the size and number to be set out in the development or subdivision agreement.
- b)c)A plan for tree conservation, planting and management may be required as a condition of *development* approval. Generally *development* will be required to achieve no net loss in the quantity of trees in the Town.

# 7.154.8 Subwatershed Planning

- a) To ensure planning is undertaken in a subwatershed context, individual development applications shall be reviewed in conjunction with the objectives and directions of the applicable subwatershed plan in consultation with the NVCA.
- b) Environmental Impact Studies may be required to be prepared by the applicant for lands adjacent to watercourses, headwaters, aquifers, natural features, and related physiographic or topographic formations that contribute to groundwater recharge or discharge.

## 7.13 7.154.9 Source Water Protection Groundwater Resources

The quality and quantity of groundwater and surface water resources in Shelburne will be protected for the provision of safe and clean drinking water in accordance with the Clean Water Act and the Source Protection Plan for the South Georgian Bay Lake Simcoe Source Protection Region as it applies to the

Nottawasaga Valley Source Water Protection Area. The Town recognizes that amendments to this Plan may be required to implement the final Source Protection Plan.

Within the Wellhead Protection Areas (WHPAs)and designated Vulnerable Areas shown on Schedule 'F' of this Plan, the following policies shall apply:

- a) The Town shall pre-screen proposed applications for Planning Act approvals, building permits, change of use and business licenses, excluding those for residential uses, to determine if there is potential for a significant drinking water threat:
- b) Where the Town has determined through pre-screening that there is the potential for a significant drinking water threat, the Risk Management Official (RMO) shall review the proposal and determine if there would be a significant drinking water threat, and the RMO will provide direction, in writing, indicating that:
  - i) The application may proceed, where it is determined that there will be no significant drinking water threat; or
  - ii) The specific circumstances under which the application may proceed, where the Town is satisfied that the application complies with the specified circumstances and the applicant has demonstrated that there will be no significant drinking water threat; or
  - iii) The application may not proceed due to the potential for a significant drinking water threat.
- c) In accordance with the Clean Water Act and the Source Protection Plan, the following land uses and facilities are prohibited where they would be a significant drinking water threat:
  - i) Waste disposal sites within the meaning of Part V of the Environmental Protection Act (excluding storage of wastes described in clauses (p), (q), (r), (s), (t), or (u) of the definition of hazardous waste (O.Reg 347) and storage of hazardous or liquid industrial waste);
  - ii) Large (more than 10,000L) on-site sewage systems;
  - iii) Agricultural source material storage facilities;
  - iv) Non-agricultural source material storage facilities;
  - v) Commercial fertilizer storage facilities;

- vi) Pesticide storage facilities;
- vii) Road salt storage facilities;
- viii) Snow storage facilities;
- ix) Fuel storage;
- x) Dense non-aqueous phase liquid (DNAPL) storage;
- xi) Organic solvent storage;
- xii) Outdoor confinement or farm animal yard in WHPA-A.
- d) The Zoning By-law will identify the WHPAs and designated Vulnerable Areas where the uses listed in (c) of this subsection are prohibited where they constitute a significant drinking water theat.
- a)e) The Town will encourage the design of parking and loading areas, roadways and sidewalks in a manner that minimizes impermeable areas and the need for road salt application, site and grading design that directs runoff outside of vulnerable areas or to storm sewers, and the implementation of salt management measures and best practices.
- f) The design of new stormwater management facilities shall reduce the risk of drinking water contamination, and where possible direct the discharge of stormwater outside of Vulnerable Areas, and shall not be located or designed in a manner that would result in a significant drinking water threat.
- g) Private individual on-site sewage systems shall not be permitted within a Vulnerable Area where it would be a significant drinking water threat.
- h) The Town may require that Master Environmental Servicing Plans (MESPs) or similar information required to be submitted as part of a complete application for *development* to demonstrate that the location and design of stormwater discharges, sanitary sewers and other *infrastructure* will avoid associated drinking water threats within all Vulnerable Areas.
- i) To Town shall notify the Source Protection Authority of applications under the Planning Act affecting a site identified as a significant drinking water threat condition.
- j) The Town will enact a by-law to require the removal of fuel tanks from abandoned properties within one year of known abandonment, and unused tanks from occupied properties once no longer in use within vulnerable areas

where the handling and storage of fuel would be a significant drinking water threat.

- k) The Town will encourage the identification and decommissioning of unused private water wells, septic system inspections and upgrades, run-off and erosion protection, and best practices for stormwater management, including Low Impact Development (LID) principles and measures, to protect groundwater and surface water resources and drinking water sources.
- The Town supports and may participate in establishing and providing education and outreach programs to raise awareness and promote best management practices regarding the protection of drinking water sources.
- m) Water-takings and de-watering shall only be permitted in accordance with the standards and permit requirements of the MOECC and the NVCA.

# 7.14 7.154.10 Setbacks from Hazard Lands Aand Watercourse Setbacks

- a) No development shall take place in any area having physical or environmental hazards such as poor drainage, organic solids, flood susceptibility, erosion, steep slopes or other adverse conditions that could result in adverse effects. Appropriate setbacks will be imposed and maintained near these hazard lands and features.
- b) <u>Development</u> and <u>site alteration</u> will be setback from the Besley Drain, Walter's Creek and all other <u>watercourses</u> within the Town in order to protect their natural features and functions, provide riparian habitat and minimize the risk to public safety and property. In general, <u>development</u> and <u>site alteration</u> should be set back a minimum of 30 metres from <u>watercourses</u>. Greater setbacks to <u>watercourses</u> may be required or reduced setbacks to <u>watercourses</u> may be considered in the Zoning By-law, where approved by the Town based on NVCA requirements.

# 7.154.11 Stormwater Management

- a) Stormwater management techniques shall be used in the design of new developments to control both the quantity and quality of stormwater runoff to the satisfaction of the Town, the NVCA and the Ministry of Environment. In areas where soil types permit, on-site infiltration shall be encouraged to the maximum extent feasible.
- b) Council shall encourage innovative designs for stormwater management that follow best management practices together with innovative design to provide a mechanism for habitat enhancement and restoration, balancing the engineering functions of stormwater management with habitat creation and diversity.

- c) The provision of stormwater drainage facilities shall be in accordance with master plans established through subwatershed studies, where applicable, or the engineering standards of the Town and NVCA.
- d) The use of permeable surfaces and soft landscaping shall be encouraged and existing groundwater recharge rates shall be maintained in development, where possible.

# **7.154.12 Air Quality**

a) The Town will work to improve air quality through decisions affecting land use and transportation, including but not limited to: ensuring compact urban form and mixed use developments; providing a well-connected pedestrian and bicycle network and encouraging pedestrian-oriented development; promoting transportation demand management; and, maximizing tree preservation and planting.

# 7.15 7.154.13 Development of Vacant Lots

a) In order to minimize land consumption by development and to optimize the delivery and use of existing infrastructure, Ithe development of existing vacant lots shall be encouraged by the Town provided that the requirements of the Zoning Bylaw can be met and there is compliance in conformity with the policies of this Plan.

## 7.154.14 Integrated Community Sustainability Plan

a) Council may pursue the preparation of an Integrated Community Sustainability Plan (ICSP) or similar plan for the Town that would include such things as the establishment of sustainability benchmarks, targets, implementation and monitoring components.

# 7.154.15 Sustainable Local Economy

- a) Commercial and employment areas in the Town will be planned to contribute to economic sustainability by providing opportunities for the retention of local jobs, businesses and retail expenditures.
- b) In order to attract further investment in green industries, businesses, housing developments and tourism, Council will promote the Town's efforts to become a green community as well as the opportunities offered in the surrounding region for the development of green industries, e.g. alternative energy development, bio-products, educational programming, green building product manufacturing and other green technologies.

# 7.154.16 Complete Community

- a) A complete community efficiently provides for all of the needs of its residents without the need for travel to other areas. Development in Shelburne shall be planned to contribute to achieving a "complete community" by ensuring that the needs of residents for daily living throughout an entire lifetime are provided through convenient access to an appropriate mix of jobs, local services, a full range of housing and community infrastructure including affordable housing, schools, recreation opportunities and open space areas, and access to active transportation options for safe, accessible, non-motorized travel.
- b) Council shall strive to ensure that community services such as recreational facilities, parks, open space, public spaces and other amenities, services and infrastructure needed to support growth and change are provided in a timely way relative to the population served.

# 7.154.17 Community Heritage and Creativity

- a) Council supports the retention and recognition of Shelburne's built and natural heritage assets to maintain a sense of community identity and a degree of continuity between the past and the present.
- b) The Town of Shelburne is committed to promoting and developing new cultural assets and sustaining a creative community, open and accessible to artists, the broadest range of artistic expression, and the widest participation.

## 7.154.18 Corporate Sustainability

- a) The Town will take a leadership role in achieving environmental sustainability by considering implementation of the following:
  - i) sustainable building principles in all new and existing municipal buildings achieving measurable life cycle cost savings;
  - <u>ii) evaluating and changing, as appropriate, Town processes to promote the development and operation of sustainable buildings;</u>
  - iii) establishing corporate targets for reducing greenhouse gas emissions;
  - iv) the use of low maintenance naturalized landscaping on Town properties;
  - v) the adoption of an energy and water conservation strategy including audits of energy and water use in existing municipal facilities to identify conservation opportunities;

- vi) adopting strategies to prevent pollution, reduce waste generation and respond to *climate change* issues;
- <u>vii) pursuing opportunities to engage, collaborate and partner with organizations and other levels of government in programs and legislative initiatives to improve the environment; and,</u>
- viii) continually seeking out new ways to improve its environmental performance, meet environmental goals and contribute to community sustainability.
- b) Council will ensure that all Town operations, including the work of contractors, comply with environmental legislation, standards and other requirements.
- c) In order to promote *sustainability*, the Town may implement a *climate change* protection program that is intended to reduce greenhouse gas emissions and reduce energy consumption, including the introduction of targets to reduce the Corporation's and community's greenhouse gas emissions.
- d) The Town may, by amendment to this plan, introduce specific policies and regulations requiring energy conservation and climate protection measures, including higher minimum standards of construction based on best available technology. Until such policies and regulations are introduced, the Town encourages the design, location and construction of all buildings with the objectives of reducing energy consumption and maximizing passive solar gain opportunities.

## a) MAINTENANCE OF MUNICIPAL FACILITIES & BUILDINGS

b)e) In order to encourage the continued maintenance and improvement to private property, the Town should may consider adopting policies with respect to the standards of appearance and sustainable design of public buildings, facilities and works such as roads, curbs and ditches within the financial resources of the Municipality.

## **7.154.19 Aggregates**

- a) New commercial pits and quarries shall not be permitted.
- b) Notwithstanding the (a) of this subsection above,

#### 7.22 WAYSIDE PITS AND QUARRIES

₩wayside pits and quarries and portable asphalt plants may be permitted for a temporary period for use by area municipal, County or Provincial governments in accordance with the Aggregate Resources Act without the requirement for an Official Plan Amendment.

## 7.<u>154.20</u> Safety Policies

- a) Prior to any development or redevelopment being approved by the Town assurance shall be received that the necessary utilizes utilities, and fire and police protection will be provided. Development approvals shall only be granted in locations where such services are economically feasible to maintain.
- a)b) Where land is required for utility easements or emergency access, such land shall be conveyed to the relevant agency as a condition of *development* approvals.

## 7.165 URBAN DESIGN POLICIES

The Town is committed to creating an attractive and sustainable urban environment that contributes to a sense of community identity, a safe and healthy physical and natural environment, functional urban form and a strong local economy by making Shelburne an appealing place to live, work, visit and play.

## **7.156.1 Public Realm**

- a) Development should extend, establish or reinforce a modified grid-like street pattern with an inter-connected network of roads designed to reduce and disperse traffic and provide alternative routes for pedestrians and enhance bicycle and other vehicular movement and preserve and respond to existing natural and topographical features.
- b) New cul-de-sacs shall only be permitted where warranted by natural site conditions and in accordance with the Transportation Policies of this Plan and Town standards.
- c) Blocks within new *development* should be of a walkable length which promotes convenient and efficient walking routes.
- d) Streetscapes shall be designed to promote a pedestrian-oriented environment that is safe, attractive and accessible and provides for seamless transitions between the public and private realm.
- e) New development shall contribute to an attractive and pedestrian-oriented streetscape through the placement of main building entrances towards the street and corner intersections where applicable, achieving variation in façade design and treatments and improving the visibility of and access to prominent and unique natural and cultural heritage resources.
- f) Utilities should be located underground, where possible.

## 7.1<del>5</del>6.2 Public Art

- a) Public art should be encouraged throughout the Town to contribute to community identity through the interpretation of local history, traditions and culture and to showcase local talent.
- b) Public art should be located in visible and publicly accessible places, such as parks, gateways and public building sites.

## 7.16<del>5</del>.3 Built Form

- a) Buildings should align with neighbouring buildings to create a continuous streetwall and to provide interest and pedestrian comfort at street level.
- b) Buildings located on corner lots shall provide a distinct architectural appearance with a high level of detailing and shall ensure that the design continues around the corner, with primary, articulated facades oriented towards both streets and building setbacks that align with the respective street frontages.
- c) New development shall ensure that proposed building heights are compatible with adjacent existing development by employing an appropriate transition of height from new to existing development.
- d) Continuous streetwalls of identical building height shall be discouraged.
- e) New development shall be designed to be universally accessible and incorporate barrier-free design for persons with disabilities.
- f) Mechanical equipment should be screened from view through planting and architectural features.

## 7.165.4 Parking, Access and Circulation

- a) The following should be provided for all new development involving driveway entrances and off-street parking areas:
  - i) Defined internal driving aisles to establish on-site circulation, direct traffic and frame parking areas;
  - ii) Walkways through the site to connect pedestrians to main building entrances, the public sidewalk, other pedestrian routes, and adjacent developments where applicable;
  - iii) Landscaping and tree planting integrated within and along the edges of parking areas.

- b) Consolidated driveway entrances are encouraged to minimize disruption of the public sidewalk, maximize the areas available for landscaping and minimize expanses of pavement.
- c) Surface parking areas should be located to the rear or sides of buildings in areas that can be appropriately screened so they do not dominate the streetscape while allowing sufficient visibility to achieve safety and functionality, connected to sidewalks, designed with landscaped islands of sufficient size to ensure growth of vegetation including healthy trees.

## 7.165.5 Service, Loading and Storage Areas

a) Service, Loading and storage areas should be located to minimize impacts on adjacent properties and the natural environment, oriented away from pedestrian facilities and driveways/parking aisles and areas, screened from view from the public realm, and buffered from residential areas.

# 7.165.6 Landscaping

a) Landscaping shall be provided for all new developments that enhances the visual appeal of the site, promotes pedestrian access to and movement within the site, preserves, complements and where possible enhances the existing natural landscape, and gives priority to indigenous plant species and trees having historic or cultural significance and/or minimal watering and maintenance requirements.

## 7.165.7 Signage and Lighting

- <u>a) The use of exterior signs and other exterior advertising devices shall be minimized in residential areas.</u>
- b) Signs located on cultural heritage properties or within heritage conservation districts shall be compatible with the architecture and character of the property or district.
- c) Lighting of buildings and sites shall be provided at levels sufficient for building identification and safety but shall be located, designed and oriented to minimize impacts on adjacent properties. The use of outdoor light fixtures that reduce energy consumption and direct light downwards minimizing illumination of the night sky are encouraged. Adequate pedestrian-scaled lighting should be provided along pedestrian walkways.

## 7.165.8 Urban Design Guidelines

a) The Town may adopt Urban Design Guidelines for various types and/or locations of development and may require that development applications have regard for such guidelines prior to granting development approvals.

#### SECTION 8 - IMPLEMENTATION

#### 8.1 GENERAL

It is intended that the policies established by this Plan shall be implemented by the exercise of the powers conferred on the Municipality, Boards and Committees by Statute, most particularly the Planning Act and the Municipal Act.

Future decisions related to land use and *developments* within the Municipality made by Council and any other municipal authorities shall be guided by this Plan.

## 8.2 ZONING BY-LAW

Following the adoption of each five-year review and amendment of this Plan it is intended that the present implementing Zoning By-law will be amended in order to establish development standards and control growth within the Town in conformity with the policies of this Plan.

#### 8.3 SUBDIVISION CONTROL

In accordance with the Planning Act, all lands within Shelburne are subject to subdivision control and part-lot control.

## 8.3.1 Draft Plans of Subdivision

The Town may not recommend approve a plan of subdivision to the Ministry of Municipal Affairs & Housing for approval if the subdivision:

- a) lands are not designated for the proposed use in the Official Plan and Council does not wish to amend the Plan to permit the *development*;
- b) is deemed to be premature or not in the best interest of the community;
- c) cannot be provided with adequate services and facilities set out in the Plan; or
- d) is deemed to impose a financial hardship on the Municipality.

# 8.3.2 Deeming By-laws

Existing registered plans of subdivision may be deemed not to be a plan of subdivision by by-law enacted by Council pursuant to the Planning Act. The use of deeming by-laws should generally be discouraged except where necessary to facilitate the assembly of land for *intensification* and redevelopment or in other circumstances that assist in achieving the targets and objectives of this Plan. When applications are made for the enactment of a deeming by-law, Council

shall apply the criteria of this Plan in the same manner as they are applied to proposals for the creation of a new lot.

#### 8.4 LAND DIVISION POLICIES

# 8.4.1 Authority

The land division policies contained within this document represent the opinion of the Townthis Plan apply regardingto the division of land either by plan of subdivision or consent application within Shelburne. The creation of lots can have a very significant and long term effect on a community. As such, these policies are to be utilized by any Board, Committee or Authority involved in the creation of new lots within the Town.

#### 8.4.2 Land Division Method

The division of land within Shelburne shall occur by means of a plan of subdivision or consent application in accordance with Section 50 of the Planning Act, RSO 1990. Prior to giving consideration to a consent application, the consent granting authority shall determine whether or not a plan of subdivision is necessary in the public interest and for the proper *development* of the subject lands.

As it is in the best interest of the community to create the majority of new lots by plan of subdivision, a plan will generally be required under the following circumstances:

- a) where more than two additional residential lots are created; or
- b) where a new road or an extension to an existing road is required.

# 8.4.3 Land Division by Consent

In assessing an application for consent, consideration shall be given to the following:

- a) that regard shall be given to those goals in the objectives of Sections 2 and 3 of thise Plan;
- b) that the severance will conform to Schedule 'A' and the appropriate land use policies in this Plan, and the provisions of the Zoning By-law; and
- c) that the severance will conform to the Land Division policies in this Plan.

## 8.4.4 General Land Division Policies

The consent granting authority shall utilize these The following policies shall apply in assessing all plan of subdivision and consent applications for the lands shown on Schedule 'A'.

## 1. Lot Size

- a) The lot area and frontage of both the proposed lot(s) to be severed and the lot to be and any retained lot(s) are to be adequate for the existing and the proposed uses and both all lots shall comply with the provisions of the Zoning By-law. If either the proposed or retained a lot does not meet the requirements of the Zoning By-law, the Town will require as a condition of consent approval an application for Zoning By-law Amendment and the must indicate that it will enactment of an amendment to the By-law to permit compliance or the approval of will support an application for a minor variance.
- b) The topography, soils and drainage of the lands must be satisfactory for the proposed size and use of the lots and must enable compliance with the requirements of the Ministry of Environment, Energy and Climate Change (MOECC) and the County-Health Unit.

# 2. Public Road Access & Improvements

- a) The All lots to be retained and the lot to be severed must front onto and have access to an existing public road, or a new public road to be constructed as the case may be for a plan of subdivision, or a condominium road, which built to the standards of the Town, the County and the Ministry of Transportation, as applicable. Lots shall not be created which would have access onto a public road where a traffic hazard would be created due to limited sight lines on curves or grades or where year round maintenance is not provided.
  - i) Direct access from Provincial highways and County roadsArterial Roads should generallyshall be restricted in accordance with the Transportation policies of this Plan and the requirements of the Town, the County and the Ministry of Transportation, as applicable. Residential lots shall, where possible, have access only from Municipal roads Local Roads or Collector Roads. Assurance should be received from An entrance permit from the appropriate authority shall be obtained for access to the applicable road, where required by the Town, the County and/or the Ministry of Transportation that an entrance permit will be issued.
  - ii) No severance or plan of subdivision shall be approved which would create a landlocked parcel unless such parcel is approved subject

to it merging with adjoining lands which front onto an open public road. Both the parcel to be retained and the parcel to be created All lots must front onto and have access to an open public road, or a new public road to be constructed within a plan of subdivision, or a condominium road, which can meet the requirements of the Town, the County and the Ministry of Transportation, as applicable.

<u>The consent granting authority may be requested to provide aAs</u> a condition of severance approval, any road widenings and severance approval, any road widenings and extensions to existing rights-of-way shall be provided when requested by the Town, the County or the Ministry of Transportation, as applicable.

# 1.3. Compatibility with Surrounding Area

a) That cConsideration has been shall be given to the compatibility and suitability of the proposed use, lot size or type of structure with the surrounding uses, structures and lot sizes.

# <del>2.</del>4. <mark>Natural Environment and</mark> <u>Hazard<mark>ous</mark> Lands <mark>and Sites</mark></u>

Altural Environment, or that is within or adjoining hazardous lands or sites, sufficient lands must be available outside of this designated area to permit the construction for the building or structure. Lot creation, where permitted by the policies of this Plan, shall not further subdivide the Natural Heritage System or hazardous lands and sites into separate lots and shall, wherever possible, consolidate land that forms part of the Natural Heritage System including the natural heritage features and areas, related buffers and required access, into one or more larger lots or blocks separate from the area to be developed. The Town will encourage the acquisition, conservation and management of the Natural Heritage System by such means as conservation easements and conveyance to public ownership.

## 8.5 PARKLAND DEDICATION

#### 3. Park Dedication

a) Where As a condition of development, a consent or plan of subdivision is approved for residential purposes it the Town shall be required in accordance with the Planning Act, RSO 1990 that as a condition of approval, land shall be conveyed to the Town suitable for park purposes pursuant to the Planning Act. All conveyances shall be made in accordance with the criteria and standards set out in the Town's Parks Master Plan at the following rates:

- i) In the case of residential *development*, 5% of the lands or 1 hectare per 300 dwelling units, whichever is greater;
- ii) in the case of industrial or commercial development, 2% of the lands; and,
- iii) 5% of the lands in all other cases.
- b) or tThe Town may, in lieu of land dedication, require agree to accept cash payment in lieu of the land conveyance otherwise required under the following circumstances:
  - i) Where the required land dedication fails to provide an area of suitable shape, size or location for *development* of public parkland. Generally a parcel of land may be considered to be of an unsuitable size if its area is less than 0.5 hectare.
  - ii) Where, using the guidelines established in the Parks Master Plan, it is determined that existing park facilities in the planning area are adequate to serve the projected increase in population.
- C) —The determination of the value of the land shall be in accordance with the Planning Act is its appraised value as of the day before the day of the giving of the consent application. Cash in lieu should generally be considered in consents. The amount of the payment shall be equal to the appraised value of the land as of the day before the day of the draft approval of a plan of subdivision or the giving of the consent application or the issuance of the building permit in the case of a development or redevelopment proposal. Such monies are to be paid into a special account and used for the acquisition, maintenance or improvement of lands or facilities for park purposes.

## **Conditions of Land Conveyed to the Town**

- a)d) In accepting the land to be conveyed to the Municipality for park purposes, the Town shall require the following:
  - i) the lands are to be easily accessible to the public and as centrally located as possible to the proposed users:
  - ii) the lands are to be in a condition acceptable to the Municipality;
  - iii) lands containing an open watercourse or other hazard area will not necessarily be accepted as part of the percent required dedication under the Planning Act, RSO 1990. However, where lands accepted by the Town do contain an open watercourse, sufficient lands must be included to permit proper maintenance of the area;

- iv) the lands should not be land locked but should be designed to meet the minimum requirements of the Zoning By-law; and
- v) the lands are to be suitable for the development of an open spacerecreational facility. Characteristics to be considered are that the site be level, and rectangular or square in shape for flexibility.
- Dedication Policies of this Plan and the Parks Master Plan, may consider portions of protected natural areas for parkland dedication purposes where sufficient active parkland is provided for the neighbourhood and / or community and where the lands are of particular value, either because of their physical, or if appropriate social or environmental character, or because their location provides a link with other portions of the open space system, such as trails. The acceptance of woodlots and other natural areas, in specific circumstances, will encourage the protection of the natural amenity and allow for passive recreational use and educational opportunities.

# Compatibility with Surrounding Area

That consideration has been given to the compatibility and suitability of the proposed use, lot size or type of structure with the surrounding uses, structures and lot sizes.

#### **Hazard Lands**

Where a lot is created which is partially designated Natural Environment, sufficient lands must be available outside of this designated area to permit the construction for the building or structure.

## 8.56 PUBLIC WORKS AND MUNICIPAL BY-LAWS

It is the intent of this Plan that future public works shall be undertaken and all bylaws enacted by the Municipality shall be in accordance with the policies established by this Plan and that no public works will be undertaken and no bylaws may be passed which would be in conflict with the proposals or policies of this Plan except when complying in accordance with Section 24 of the Planning Act, RSO 1990.

Further, nothing in this Plan shall be interpreted to mean that an undertaking, subject to the Environmental Assessment Act, may proceed except in compliance with that Act. The municipality will not give any license, permit or approval that may lead to the commencement of any such undertaking that is not approved or exempted under the Environmental Assessment Act.

The specific by-laws identified within this Plan are not intended to represent an inclusive list of all by-laws that may be contemplated and enacted by Council and this Plan shall not be interpreted to limit the number or title of by-laws that Council may enact. Council may enact other By-laws from time-to-time provided they conform to this Plan as indicated above.

#### 8.6 OFFICIAL PLAN REVIEW

This Plan shall be amended from time to time in the light of changing conditions and will be modified by amendment as needed to keep abreast of changing trends within the community. Council shall from time to time and not less frequently than every five years hold a special meeting of Council which is open to the public to determine if the Official Plan requires revision.

## 8.7 DEVELOPMENT AGREEMENTS

In order to apply the most appropriate *development* standards, and <u>ensure</u> that the Town will not be left with the cost of *development*, the municipality may enter into agreements with private or public developers. The *development* agreement may contain provisions relating to any policy within this <u>document\_Plan\_in</u> addition to the following:

- a) a description of the lands to which the agreement applies;
- b) the specifications to which the roads and *utilities* will be constructed;
- c) requirements regarding the submission of a <u>stormwater management and</u> drainage report;
- d) provisions for easements for hydro, telephone, and drainage;
- e) requirements regarding maintenance and guarantees;
- f) procedures regarding acceptance of works by the Municipality;
- g) requirements for the payment of *development*-levies charges and municipal fees;
- h) requirements for deposits of cash, lands or letters of credit to guarantee completion of the project;
- i) insurance requirements;
- j) provisions for sidewalks, underground wiring and street lights, etc. where necessary;

- requirements regarding the issuing of building permits, e.g. the permits must be applied for within a certain time period from the date of signing the agreement; and
- I) any other items deemed necessary from time to time by Council.

It may be the policy of the Town that all matters relating to the proposed development must be resolved prior to the signing of the development agreement and the rezoning of the subject lands.

## 8.8 SITE PLAN CONTROL

## 8.8.1 Introduction

Section 41 of the Planning Act, RSO 1990, enables a municipality to require as a condition of *development* or redevelopment, a parcel of land, the submission of a plan indicating the proposed location of buildings and structures on the property and the signing of a site plan agreement to ensure the property is developed in accordance with the approved site plan. 'Development' as defined in Section 41 of the Planning Act, RSO 1990, means the construction, erection or placing of one or more buildings or structures on land or the addition or alteration to a building or structure that has the effect of substantially increasing the size and usability of such building or structure. It may also include the laying out and establishment of a commercial parking lot.

Through the utilization of site plan control, it is the opinion of the Town will strive to ensure that development provides or contributes to the following benefits will result for the community:

- ensures the attractive design of the site to be developed and the utilization of consistent municipal standards to ensure the community would benefit aesthetically from such development.
- b) ensures the *development*, as approved by the Town is built and maintained in accordance with the plans and agreement as approved and signed by Council.
- c) minimizes any incompatibility between the existing land uses and the proposed *development*.
- d) ensures that both pedestrian and vehicular traffic can be handled safely and efficiently while on the site and when entering and leaving the site.
- e) ensures that all easements required for public *utilities*, drainage, water courses, etc. are conveyed to the proper authority.
- f) ensures proper grading of the site to control storm drainage.

- g) controls the location of buildings on the site which are in keeping with the size of the site and the surrounding *development*.
- h) ensures that location and design of facilities provided on site and in conjunction with buildings and structures have regard for accessibility for persons with disabilities;
- g)i) promotes or requires the incorporation of sustainable design elements and landscaping.

# 8.8.2 Proposed Site Plan Control Area

In order that property owners are aware as to whether they may be affected by site plan control, the Planning Act, 1990 requires that the Official Plan indicate those areas subject to site plan control. In accordance with Section 41 of the Planning Act, 1990 the entire Town of Shelburne is designated as a proposed site plan control area. It is the intent of Council to pass a by-law setting out the actual uses which will be subject to site plan control, however, the following land uses will be excluded from site plan control:

- a) single and two familyunit dwellings
- b) accessory buildings to single and two family unit dwellings
- c) in ground and above ground swimming pools accessory to single and two familyunit dwellings
- d) agricultural buildings which by their day to day use are not accessed by the general public and/or do not charge public user fees.

Council may require the submission of drawings showing plans, elevation and cross section views for each residential building with more than 2 dwelling units to be erected within the area of site plan control within the Town as identified above and in accordance with Section 41 of the Planning Act, 1990.

# 8.8.3 Road Widenings

Section 41 of the Planning Act, 1990, will enables the Town and the County to acquire road widening in a site plan control area as a condition to the approval of plans and drawings, provided that the roads that may be widened and the extent of the widenings are described in the Official Plan. In accordance with Section 41 of the Planning Act, 1990, the roads shown on in Table 3, Road Widenings, in subsection 5.3.7 of this Plan are those roads for which widening may be taken under Section 41 of the Planning Act, 1990 when applications are

received for the *development* or redevelopment of lands for uses which are subject to site plan control.

**Table 1-Road Widenings** 

Road	Location	Existing	Designated
Hoda	<b>Ecodition</b>	Right-of-Way	Right-of-Way
		Width	Width
	0 1 01 1 11 11 15 15	7710.011	777-01-01
<del>Jelly St.</del>	Centre St. to its limit 45.3 m	15.2 metres	<del>20.1 metres</del>
	(145 feet) north of Pine	<del>(50 feet)</del>	<del>(66 feet)</del>
	Grove Ave.		
<del>James St.</del>	Centre St. to Shelburne	<del>15.2 metres</del>	<del>20.1 metres</del>
	Plaza	<del>(50 feet)</del>	<del>(66)</del>
Cedar St.	Susan St. to the Centre	20.1 metres	23.2 metres
	Dufferin District High	<del>(66 feet)</del>	<del>(76 feet)</del>
	School		
Gordon St.	First Ave. to Main St.	Varies 5.8 15.2	20.1 metres
		metres (19-50	<del>(66 feet)</del>
		<del>feet)</del>	,
Owen Sound	O'Flynn St. to First Ave.	20.1 metres	26.21 metres
<del>St.</del>		(66 feet)	(86 feet)
Joseph St	CPR Line to Victoria St.	15.2 metres	20.1 metres
·		(50 feet)	<del>(66 feet)</del>
Centre St.	Victoria St. to Laneway	15.2 metres	20.1 metres
		(50 feet)	<del>(66 feet)</del>
Simon St.	Victoria St. to Laneway	15.2 metres	20.1 metres
		<del>(50 feet)</del>	<del>(66 feet)</del>
Franklin St.	Victoria St. 136.5 metres	15.2 metres	20.1 metres
	(448 feet) easterly	<del>(50 feet)</del>	<del>(66 feet)</del>

The extent of such road widening shall be determined by, among other matters, the physical characteristics of the land, the existence of mature trees, the proximity of structures and buildings to be retained on the lot, the existence of a heritage resource, existing and proposed road widths, drainage considerations and site lines. However, in all cases where road widening dedication may be required, the maximum land dedication would equal one half the additional width required to create the designated right-of-way width.

# 8.8.4 Urban Drainage Management

A surface drainage study and implementation plan addressing the principles of Stormwater management to the satisfaction of the Town, the Nottawasaga Valley Conservation Authority and the Ministry of Environment may be required as a condition of approval of a plan of subdivision or as part of a *development* control agreement entered into under Section 41 of the Planning Act RSO 1990.

## 8.9 SIGN BY-LAW

The Town may consider passing by-laws under the Municipal Act to regulate the size and location of signs.

## 8.10 CAPITAL IMPROVEMENT PROGRAM

Council may undertake the preparation of a Capital Works Program in accordance with the policies of this Plan to provide for the phasing of community facilities together with other programs which require public financing in order to assess major expenditures with regard to the Municipality's financial resources.

## 8.11 PROPERTY STANDARDS BY-LAW

In order to maintain and enhance the attractiveness of Shelburne as a community in which to live and work and to avoid blight and redevelopment problems in future, Council may consider undertaking a study regarding property conditions in the community. This study is required prior to adopting a Property Standards By law under the Planning Act, RSO 1990. Such a By law will help to maintain a reasonable standard of building and property maintenance within the Town and as a result, should assist in maintaining safe and healthful standards within all structures and maintain a satisfactory level of assessment on the residential areas. The Town may prescribe maintenance standards and conditions of occupancy for all types of property through the enactment of a property standards by-law in accordance with the Building Code Act.

The Property Standards By-law shall have regard to and may include any or all of the following matters:

- a) the physical conditions of yards, walkways, fences and driveways;
- b) the facilities for sewage, drainage and garbage;
- c) the condition of all residential and non-residential buildings and structures particularly with respect to the following:
  - i) pest prevention;
  - ii) structural conditions;
  - iii) access;
  - iv) control of moisture;
  - v) ventilation and lights;

- vi) conditions of walls, windows, ceilings and floors;
- vii) conditions of cleanliness;
- viii) kitchen and bathroom facilities;
- ix) heating, plumbing and electrical services.

A Property Standards By-law shall be enforced and administered by a By-law Enforcement Officer as appointed by Council.

The By-law shall include provisions for the establishment of a property standards committee which shall hear appeals from property owners who are not satisfied with the terms or conditions of the order received from the By-law Enforcement Officer regarding violations to the standards.

## 8.12 FINANCIAL RESTRICTIONS

In order to maintain tax levies at a reasonable level, future *development* will be regulated to ensure that the level of expenditures and debt is kept at an equable level with revenue and assessment. As such, Council may:

- a) limit residential growth if such development could cause a significant demand for a higher level of community services; or
- b) postpone approval of a proposed *development* where large scale public works are required, until the Municipality is capable of financing such works without undue hardship being imposed upon the residents;

b)c)require the submission of a Financial Impact Study to the satisfaction of Council prior to approval of a *development* application.

#### 8.13 LAND ACQUISITION

The Town may consider acquiring land to implement any portion of this Plan in accordance with the provisions of the Planning Act, the Municipal Act, or any other Act.

## 8.14 TEMPORARY USE CONTROLSBY-LAWS

Where Council deems it desirable to permit the temporary use of lands which otherwise would not conform to the permitted uses in the Zoning By-law, it may under Section 39 ofin accordance with the Planning Act\_, 1990 pass a temporary use by-law. Such by-law shall contain provisions indicating the permitted temporary use, the area to which it applies and the length of time that it will be a permitted use.

An example of the use of a temporary use by-law would be its utilization to permit lands to be used for a temporary parking area or recreation facilities.

### **8.15 HERITAGE RESOURCES**

Further to those measures outlineds in Section 6 with respect to the Ontario Heritage Act, the Council may investigate and adopt other measures available for the implementation of heritage resource conservation policies. These shall include:

- a) measures pursuant to the <u>Building Code Act and the Planning Act</u>, <u>RSO 1990</u>\_including <u>maintenance and occupancya property standards</u> by-law, demolition control areas, site plan control and subdivision agreements; and
- b) measures pursuant to the Municipal Act including sign by-laws, improvement area designation and tree preservation by-laws.

### 8.16 ENVIRONMENTAL MONITORING

The Town, in consultation with the NVCA, provincial ministries and other interested groups and organizations, will encourage the establishment of environmental monitoring programs in order to measure the effectiveness of the environmental policies of this Plan. A monitoring report should be prepared annually in support of the environmental monitoring program.

### 8.17 EXISTING LAND USES

- a) Certain uses of land which exist at the date of the adoption of this Plan, may be deemed to conform with the intent of this Plan for the purpose of any Zoning By-Law. Such uses may be zoned specifically in accordance with their present use and performance standards, provided:
  - i) The zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
  - ii) They do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;
  - iii) They do not pollute air or water to the extent of interfering with the ordinary enjoyment of the property; and
  - iv) They do not interfere with the desirable *development* or enjoyment of the adjacent area.

- b) Alternatively, such uses may be placed in a *development* zone in the Zoning By-law under which only the existing use is permitted. Any future change of use to one of compliance with this Plan may require the adoption by Council of a site planan amendment to the Zoning By-law and the approval of the Ontario Municipal Board.
- c) In the event of the substantial or total destruction by fire of a building or use under this category, an site plan amendment to the Zoning By-law may be required to be passed by Council and approved by the Ontario Municipal Board, if the proposed rebuilding does not conform with the provisions of the Implementing Zoning By-law.
- d) Any land use existing at the date of the approval of the Implementing Zoning By-law that does not conform with the land use designations shown on Schedules 'A', or 'B' to this Plan, should cease to exist in the long term. In special instances, however, it may be desirable to permit the extension or enlargement of the non-conforming use on the property owned on the above noted date, in order to prevent unnecessary hardship. Such extensions or enlargements will require the approval of the Committee of Adjustment.

### 8.18 HOLDING PROVISIONS

- a) A holding symbol may be used in conjunction with any land use zoning to specify the use to which lands, buildings or structures may be put at such time in the future when the symbol is removed by amendment to the Zoning By-law.
- b) Council may affix a holding symbol with the prefix "H" to any lands within the Town of Shelburne, and specify the future use of those lands that, at the present time, are considered premature or inappropriate for the *development*.
- c) A holding symbol may be used in a variety of situations and will require conditions to be met prior to the removal of the holding symbol.
- d) The Holding Symbol By-Law is to be amended by By-law to remove the symbol when all the requirements for removal as set out have been met.

### 8.19 INTERIM CONTROL BY-LAWS

a) The Town may pass an interim control by-law in accordance with the Planning Act in order to restrict the use of land, buildings or structures within a defined area where circumstances warrant the review or study of land use policies.

### 8.20 DEMOLITION CONTROL

a) The Town may enact a demolition control by-law to establish areas of demolition control in accordance with the Planning Act.

### **8.21 EMERGENCY PLAN**

a) The Emergency Plans Act provides for the formulation and implementation of emergency plans by municipalities. An Emergency Plan has been prepared for the Town of Shelburne to provide a guideline for the most effective response to an emergency situation and safeguard the health, safety, welfare and property of the Town's population. The Emergency Plan will govern the provision of requested services during an emergency.

### 8.22 BONUSING

- a) Development standards may be incorporated into the Zoning By-law to permit increases in height and/or density of development, where such development provides public benefits above and beyond what would otherwise be required, including but not limited to:
  - i) public parking;
  - ii) affordable housing for a wide array of socio-economic groups;
  - iii) conservation and preservation of *cultural heritage resources*;
  - iv) protection and/or enhancement of natural features and functions:
  - v) community centres and/or facilities and improvements thereto;
  - vi) parkland and improvements to parks;
  - vii) day care centres;
  - viii) public art;
  - ix) integration of office uses in mixed use *developments*:
  - x) green buildings; and,
  - xi) other local improvements that contribute to achieving the objectives of Section 3 of this Plan.

### 8.23 COMMITTEE OF ADJUSTMENT

a) The Town shall appoint a Committee of Adjustment to consider applications for consent and minor variance in accordance with the Planning Act.

### 8.24 DEVELOPMENT PERMITS

- a) The Town may, by by-law, designate one or more development permit areas within the Town pursuant to the provisions of the Planning Act, subject to compliance with applicable regulations, with the objectives of:
  - i) Preservation and improvement of the character of the affected and adjacent area(s);
  - ii) Protection of the natural environment;
  - iii) Promotion and rehabilitation of industrial properties; and
  - iv) Protection of heritage resources and landscapes.
- b) Council may delegate to Town staff the approval or issuance of development permits. Limits on and criteria for such delegation will be established in the Development Permit By-law.
- c) The Town may impose conditions permitted by Sections 34, 40, 41, 42 of the Planning Act and grant provisional approval prior to final approval of a development permit.
- d) As may be provided in the Development Permit By-law, a development permit may be issued to permit, as a discretionary use, any use not specifically listed as a permitted use in the Development Permit By-law, provided that the proposed use is similar to and compatible with the listed permitted uses, would have no adverse effect on adjoining properties, and would generally maintain the intent, principles and policies of this Official Plan. A development permit may also be issued to permit, as a discretionary use, an extension to a legal non-conforming use or change in use of a legal non-conforming use, provided that the proposal is desirable in order to avoid hardship, that it would have no adverse effect on adjoining properties, and that it would generally maintain the intent, principles and policies of this Official Plan.
- e) As may be provided in the Development Permit By-law, a development permit may be issued to permit variations to the standards and provisions outlined in the Development Permit By-law. Such variations will only be permitted if they are consistent with the policies of this Official Plan.
- f) Any proposal for a use which is not listed as a permitted use and which does not qualify as a discretionary use or a variation in accordance with these policies and the Development Permit By-law will require an amendment to the Development Permit By-law.

- g) The Development Permit By-law shall be developed and implemented in accordance with the requirements of the Planning Act.
- h) At the time of adopting a Development Permit By-law, an Official Plan Amendment may be required in order to refine the Town's goals and objectives in proposing a development permit system for the area, the scope of any delegation of authority and limitations, the types of conditions that may be included in the Development Permit By-law, the types of criteria that may be included in the Development Permit By-law for evaluating discretionary uses and variations, or any other matters mandated by Ontario Regulation 608/06 or any other regulation adopted under the Planning Act.

### 8.25 PRE-CONSULTATION AND COMPLETE APPLICATION SUBMISSION REQUIREMENTS

- a) Consultation with the Town shall be required prior to the submission of an application requiring approval under the Planning Act. Other affected agencies such as the County, the Ministry of Transportation and the NVCA shall be encouraged to participate, where appropriate.
- b) The following information and materials shall be required to be submitted to fulfill the Town's requirements for a complete application:
  - i) The completed application form and prescribed fee(s) including a signed agreement acknowledging that the applicant shall be responsible for all costs of external consultants used by the Town in the review and processing of the *development* application;
  - ii) A description of the site and proposal including a map or drawings illustrating existing site conditions and the proposed *development*;
  - iii) A draft plan of subdivision, draft plan of condominium and/or site plan, as applicable;
  - iv) A planning report where required in accordance with the policies of this Plan;
  - v) Engineering submissions where required in accordance with the policies of this Plan and based on preconsultation with the Town, the County, the Province and the NVCA which may include a functional servicing report, grading and drainage plan, stormwater management report, hydrogeology and/or geotechnical study; hydraulic analysis for floodplain delineation; erosion and sediment control plan; noise and vibration study;

- vi) Urban design submissions where required in accordance with the policies of this Plan and as required based on preconsultation with the Town which may include an urban design brief, streetscape design study, shadow analysis, park/open space plan, building elevations, landscape plan;
- vii) Environmental impact study where required in accordance with the policies of this Plan;
- viii) Traffic impact study where required in accordance with the policies of this Plan;
- ix) Market impact and/or financial impact studies where required in accordance with the policies of this Plan;
- x) Heritage impact study and/or archaeological studies where required in accordance with the policies of this Plan;
- xi) Any additional information identified by the Town during the preconsultation process.
- c) Exceptions to the submission requirements and any additional requirements shall be determined and specified in writing by the Town during the preconsultation process.
- d) All required reports and technical studies shall be prepared by qualified professionals and in accordance with Town standards.
- e) The Town may require a peer review by an appropriate public agency or by a professional consultant retained by the Town at the applicant's expense.

### **SECTION 9 – INTERPRETATION**

The Official Plan must be read in its entirety. The policies in this Section provide guidance for the interpretation of the text and schedules of this Plan.

### 9.1 LAND USE BOUNDARIES AND NUMERICAL FIGURES

It is intended that the boundaries of the land use classifications shown on the Schedules be considered as approximate and absolute only where bounded by arterial or area services roads, railways, rivers or streams or other similar geographical barriers. It is also intended that the location of roads and trails as indicated on the Schedules "A" be considered as approximate and not absolute. Therefore, amendments to the Official Plan will not be required in order to make minor adjustments to the approximate land use boundaries or to the location of roads and trails, provided the general intent of the Plan is preserved. Such minor deviation will not be reflected on the Schedules "A". Similarly any numerical figures in the plan will be considered as approximate only and not absolute.

- 9.2 Should changing conditions necessitate the need for an amendment to the Official Plan in accordance with Section 14 (1) of the Planning Act, the following procedure shall be followed to ensure that the general public receives adequate notification:
  - i) Notice of Official Plan or Zoning By law Amendments will be given in accordance with the requirements of the Planning Act, 1983;
  - ii) A record shall be made of the special meeting and it shall be appended to the amendment prior to its submission to the Council; and
  - iii) Following the Minister's approval of the amendment, sufficient copies shall be prepared for public distribution and a notice shall be placed in local newspaper advising of such approval and that copies of the amendment may be obtained from the Secretary of the Planning Board.

### 9.3-2 ACCESSORY USES

Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use be also permitted, provided they are in accordance with the Zoning By-law.

### 9.4-3 MINOR CHANGES

Changes to the text or schedules of this Plan to correct grammatical or reference errors, punctuation, or to alter formatting, numbering or sequencing may be made without a Plan amendment, provided the general intent of this Plan is maintained.

### 9.4 REFERENCES TO LEGISLATION

Where reference is made to any Act or portion thereof, it is intended that any subsequent amendments or replacements to the Act shall be included in the Plan.

### 9.5 CONFLICT

In the event of a conflict between this Plan and a Provincial Plan, the applicable Provincial Plan shall prevail.

### 9.6 GLOSSARY

Note: Italicized terms that are used in this Official Plan but are not defined below shall have the same meaning as defined by the Province in the Provincial Policy Statement (PPS).

### Adverse impact means an unfavourable or negative impact.

Affordable housing means housing with market price or rent that is affordable to households of low and moderate income spending 30 per cent of their gross household income without government subsidies. Such households would be able to afford, at the low end, at least three out of ten rental properties on the market and, at the high end, ownership housing with sufficient income left, after housing expenses, to sustain a basic standard of living.

**Built-up area** means all land within the built boundary.

Built boundary means the limits of the developed urban area as identified in the Provincial paper, Built Boundary for the Growth Plan for the Greater Golden Horseshoe, 2006 (2008).

<u>Climate change</u> is a change in the average weather that a given region experiences. Average weather includes all the features associated with weather such as temperature, wind patterns and precipitation. On a global scale, <u>climate change</u> refers to changes in the climate of the earth as a whole.

Compact urban form or compact development means a land use pattern that encourages 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 urban 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.

<u>Compatible</u> means the <u>development</u> or redevelopment of uses which may not necessarily be the same as, or similar to, the existing <u>development</u>, but can coexist with the surrounding area without <u>adverse</u> impacteffects.

Complete community means a community that 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 active transportation including options for safe, non-motorized travel is also provided.

<u>Cultural heritage resources</u> include buildings, structures and properties designated or listed under the Ontario Heritage Act, significant built heritage resources, and significant cultural heritage landscapes as defined and interpreted by the applicable Provincial Policy Statement.

**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 activities that create or maintain *infrastructure* authorized under an environmental assessment process or works subject to the Drainage Act. For the purposes of subsection 8.8 and all references to site plan control in this Plan, the meaning of *development* shall be as defined in Section 41 of the Planning Act. All references to *development* in this Plan shall include *site alteration*, except where the applicable policy or context requires otherwise.

**Ecological footprint** is a measure of the demands humans place on nature. It measures what humans consume from nature, for individuals, organizations, cities, regions, nations or humanity as a whole. It shows how much biologically productive land and water is occupied to produce all the resources consumed and to absorb waste.

Employment areas means areas designated in the Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. For the purposes of subsection 4.5.3.4 of this Plan, employment areas shall mean land designated as Employment on Schedule 'A'.

<u>The determination of the e</u><u>**Erosion hazard limit** means an area defined along a watercourse will be based on a combined influence:</u>

- a) of the toe erosion allowance
- b) of the stable slope allowance
- c) of the flooding hazard limit or meander belt allowance
- d) of the erosion access allowance

The erosion hazard limit will be defined on a site-by-site basis in consultation with the NVCA.

By definition, the **fFlooding hazard limit** is means a line defining the greater of the flood resulting from:

- Hurricane Hazel (1954) or the Timmins Storm (1961)
- The one hundred year flood

Greater Golden Horseshoe means the geographic area designated as the Greater Golden Horseshoe growth plan area in Ontario regulation 416/05.

**Greenfield** or **greenfield area** means the area within a settlement area that is not built-up area.

Gross Residential Density means the density of a proposed residential development calculated as the number of residential dwelling units proposed divided by the total gross land area involved in the development, including all local roads, parkland, natural environment areas and hazard land, and expressed in units per hectare. In mixed use developments, the area of land reserved exclusively for non-residential uses shall be excluded from the calculation.

Growth Plan means the Growth Plan for the Greater Golden Horseshoe. 2006.

**Headwater** means the source of a watercourse.

Infrastructure means 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.

Intensification means the development of a property, site or area at a higher density than currently exists through redevelopment, the development of vacant and/or underutilized lots within previously developed areas, infill development or the expansion or conversion of existing buildings.

Municipal Comprehensive Review means an official plan review, or an official plan amendment, initiated or adopted by the Town, which:

 a) is based on a review of population and growth projections and which reflect projections and allocations by the County of Dufferin and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;

- b) utilizes opportunities to accommodate projected growth through intensification and redevelopment;
- c) is integrated with planning for *infrastructure* and public service facilities;
- d) considers cross-jurisdictional issues; and
- e) comprehensively applies the policies and schedules of the *Growth Plan*.

**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.

<u>Sustainability</u> or <u>Sustainable</u> means <u>development</u> that meets the needs of the present without compromising the ability of future generations to meet their own needs.

<u>Urban agriculture</u> means gardening and food production within the <u>urban area</u> as an accessory use to a permitted land use and that is <u>compatible</u> with adjacent land uses.

<u>Urban area</u> means the land within the <u>Urban Boundary</u> as shown on Schedule 'A'.

<u>Urban boundary</u> means the boundary of the land area within the Town intended for urban land uses in accordance with the policies of this Plan.

<u>Utilities</u> include power, communications/telecommunications and other cable services, as well as gas and district energy services.

Watercourse means an identifiable depression in the ground in which a flow of water regularly or continuously occurs.

### **SECTION 10 – SCHEDULES (forming part of the Official Plan)**

Schedule 'A' - Land Use Plan
Schedule 'A1' - Development Staging Plan Shelburne West Secondary Plan
Schedule 'B1' - Development Staging Plan
Schedule 'B2' - Residential Density, Mixed Use and Commercial Structure Plan
Schedule 'C1' - Roads-Transportation Plan
Schedule 'C2' - Active Transportation Plan
Schedule 'D' - Community Improvement Areas
Schedule 'E' - Natural Heritage System and Natural Hazards
Schedule 'F' - Wellhead Protection Areas and Vulnerable Areas

# OF THE TOWN OF SHELBURNE

APRIL 2006 (CONSOLIDATION AND OPA 33)

### MARKED UP VERSION ILLUSTRATING PROPOSED DRAFT CHANGES AS A RESULT OF THE 2010 OFFICIAL PLAN REVIEW AND CONFORMITY AMENDMENT

DRAFT OPA 34 – May 2010 rev. #1 – November 2015 rev. #2 DRAFT OPA 36 – November 2015

**CLEAN VERSION – NO CHANGES TRACKED** 

FOR OFFICE USE ONLY
PLEASE REFER TO THE
ORIGINAL OFFICIAL PLAN
AND AMENDMENTS THERETO
FOR ADDITIONAL INFORMATION

## CONSOLIDATED OFFICIAL PLAN OF THE TOWN OF SHELBURNE

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## OFFICIAL PLAN OF THE TOWN OF SHELBURNE AND APPROVED OFFICAL PLAN AMENDMENTS

Amendment No. Official Plan	Date of Adoption By Council	Date of Approval By Ministry	Description
OFFICIAL PLAN	Mar.23, 1970		Entire Village of Shelburne
1		Nov.24, 1972	
2		Aug.8, 1973	
3	Apr.14, 1975		-Commercial designations NW & NE corners Greenwood and Main -Multiple Residential density Main Street east of Besley Drain
4	Nov.29, 1976	Feb.4, 1977	-Commercial designation NW corner of James Street and First Avenue
5	May 9, 1977	Sept.25, 1978	-Residential designation density E. Half of Lot 2, Conc.2, Old Survey, Twp. Of Melancthon & 50 acres in NW corner of Town -Incorporate Policies into Section 4-Residential
6	June 26, 1978	Jan.11, 1979	-Additions to Section 6- Development Policies and Section 7-Implementation to Control Development on Land annexed by the Town (50 acres in NW corner of Shelburne)
7	Jan.24,1977	Mar.25, 1977	-Text changes to Section 6 to clarify residential uses
8	June 13, 1977	Aug.6, 1977	-Residential designation SW corner of Owen Sound Street and Louise Street
9	Feb.14,1985		-Commercial designation SE corner of First Ave. and William Street
10	Dec.28,1982	Mar.4,1983	-Commercial designation Lots 7,8 and 9, Block 32 Reg. Plan 13A, 91 metres east of Main Street East and Dufferin
11	June 13, 1983	Aug.19,1983	-Residential designation NW corner of John Street and Main Street
12	July 25, 1983	Mar.16, 1984	-Comprehensive review

Amendment No. Official Plan	Date of Adoption By Council	Date of Approval By Ministry	Description
13	Dec.30, 1985	Feb.20,1986	-Incorporate Community Improvement policies, added Schedule 'D'
14	Feb.10,1986	Feb.27,1986	-Incorporate Site Plan Control Policies, deleted Subsection 8.a.8 and replaced
15	Dec.21,1987	Apr.24, 1989	-Residential, Industrial and Open Space Conservation designations-Part of North Half of East and West Halves of Lot 31, Conc.2, Town of Shelburne
16	Sept.26,1988	Apr.18, 1989	-Commercial designation SW corner of Main Street and CPR
17	Feb.13, 1989	May 23, 1989	-Commercial designation NW corner of Main Street and Centennial Road
18	Apr.9, 1990	June 16, 1990	-Residential designation of 4 Board of Education lots, Third Avenue, Schedules 'A' and 'B'
19	Apr.9, 1990	May 17, 1991	-Schedule 'B'-multiple development area, Shelburne Meadows, next to Centennial Highland and industrial park
20	June 25, 1990	Sept.21, 1990	-Special Institutional policies, Old Shelburne School, Second Avenue
21	Sept.24,1990	Jan.25,1991	-Revisions to Industrial Policies
22	Feb.24, 1992	June 19,1992	-Special Residential policies, Pitter Patter Restaurant, Owen Sound and Jane Streets
23	Approved by OMB	July 30,1991	Fiddler Hill Multiple, Park Avenue and Olde Village Lane
24	Sept.13,1993	Oct.8, 1993	
25	Jan.8, 1996		-Residential designation as Single and Semi-Detached, Semi-Detached, from Special Residential, for Block 76, Reg. Plan 322 on Park Avenue
26	Jan.8, 1996		-Residential designation, as 37 U.P.H. Single Detached, Semi-Detached and Multiple Dwelling, from Special Institutional on Second Avenue

Amendment No. Official Plan	Date of Adoption By Council	Date of Approval By Ministry	Description
27	May 27,1996		-Special Industrial, from Residential, in Part of the West Half Lot 31, Concession II on Victoria Street South
28	June 10, 1996		-Residential designation, from Special Tourism, as 24 u.p.h., single detached, semi- detached, duplex
29	June 9, 1997	July 16, 1997	Industrial designation in Part of the South Half Lot 31, Concession 2 and Part of East Half Lot 2, Concession 2, Old Survey
30	June 9, 1997		13.8 acres designated Special Commercial and Open Space Conservation in Part of the Northwest Half of Lot 32, Concession 1 to the Town of Shelburne
31			Allowance of residential apartment units on a portion of the ground floor in the Central Business district; housekeeping map change for property noting designation from Institutional to Commercial
32	May 26, 2003		Open Space Recreation to Residential, Residential to Open Space Conservation, Institutional to Residential in Part of West Half of Lot 1, Concession 2, Old Survey on Schedule 'A'; Maximum density of 24 u.p.h in Part of West Half of Lot 1, Concession 2, Old Survey on Schedule 'B'
33	February 28, 2005	November 24, 2005	Update and Consolidation
34			Revisions under section 26 of the Planning Act and section 12 of the Places to Grow Act
35	March 5, 2012	May 3, 2012	Residential density increased from 24 units per hectare to 37 units per hectare in Part of the East Halves of Lots 3 & 4, Concession 3, Old Survey (Shelburne North Phase 2)

Amendment No. Official Plan	Date of Adoption By Council	Date of Approval By Ministry	Description
36			Municipal Comprehensive Review and Part 1 of
			Shelburne West Secondary
			Plan Implementation

### SECTION 1 - FOUNDATIONS OF THE PLAN

### 1.1 INTRODUCTION

The Shelburne Planning Area was originally defined by the Minister of Planning and Development on August 11, 1955 and comprised the whole of the Village of Shelburne. The original Official Plan for the Shelburne Planning Area was approved on June 5, 1962, by F.M. Cass, the Minister of Municipal Affairs.

A new Official Plan was adopted for the Shelburne Planning Area in 1970. In 1982, the Planning Board and Shelburne Council undertook a major review of the Official Plan and updated the Plan's policies to reflect the Town's future growth and *development*. The 1982 Plan was intended to be in place until 1995 with reviews being undertaken every five years.

Since 1995, the Town of Shelburne has grown significantly in land area as a result of the annexation of lands in the Townships of Amaranth and Melancthon, in employment due to the introduction of new industry and in population due to increasing growth pressures and housing demands.

Entering the 21st century, the Town of Shelburne continues to plan and prepare for change and opportunity while maintaining its heritage and character. In 2002, the Town initiated an Official Plan Review and Update to address the future growth needs of the Town and determine the most appropriate land uses for the annexed lands. The changes introduced through the Official Plan Review and Update were approved by Council of the Town of Shelburne by the adoption of Official Plan Amendment No. 33 on February 28, 2005, which was subsequently approved with modifications by the Ministry of Municipal Affairs and Housing on November 24, 2005.

During the 2002-2005 Official Plan Review and Update, the new Provincial Policy Statement (March 2005) was approved. The changes introduced by Official Plan Amendment No. 33 were deemed to be consistent with the 2005 Provincial Policy Statement while the existing policies (those not affected by Official Plan Amendment No. 33) still have regard for the 1996 Provincial Policy Statement.

In 2006, the Province of Ontario approved the *Growth Plan* for the *Greater Golden Horseshoe* under the Places to Grow Act. Following completion of the Dufferin County Growth Management Study in 2009, Town Council initiated the process of reviewing and amending the Town's Official Plan to bring it into conformity with the *Growth Plan*, as required by the Places to Grow Act. The review of the Town's Official Plan is also intended to fulfill the requirements of Section 26 of the Planning Act.

The provincial planning framework has continued to evolve. In 2010, provincial regulations were finalized in support of the *development* of drinking water source protection plans under the Clean Water Act, 2006. The South Georgian Bay Lake Simcoe Source Protection Plan, which includes the Nottawasaga Valley Source Protection Area within which the Town of Shelburne is located, became effective on July 1, 2015. The Source Protection Plan requires municipal Official Plans and Zoning By-laws to be updated to conform with the applicable significant drinking water threat policies. In addition, a new Provincial Policy Statement came into effect in 2014 (PPS, 2014), and the Planning Act requires that the Town's Official Plan shall be consistent with the PPS. The review of the Town's Official Plan is intended to address these requirements.

In 2014, the County of Dufferin prepared its first Official Plan, which was approved by the Province in 2015. The Planning Act requires that local municipal Official Plans shall be amended to conform with the Official Plan of the upper-tier municipality. In addition, with the approval of the County Official Plan, the authority for approving local municipal Official Plans and Official Plan amendments shifted from the Province to the County, and approval authority for plans of subdivision and plans of condominium in Shelburne has been delegated to the Town. The review of the Town's Official Plan is intended to address these requirements and changes.

This Official Plan is prepared in the context of the Town's history, current needs, opportunities and the challenges of the future. The fundamental principles on which the Plan is based are as follows:

- The rate of population growth in the Town over the next 20 years is estimated to be approximately 2.2% annually on average subject to servicing constraints.
- The preservation of the quality of life and the quality of the environment are of greatest importance to the Town. These features should improve over the next 20 years.
- The financial health of the Town and economic opportunities for present and future inhabitants will be enhanced through the policies of this Plan which will provide continued confidence in the community.

### 1.2 PURPOSE AND SCOPE

The Official Plan establishes the pattern which *development* within the Town should follow during the planning period to 2036. In accordance with the Planning Act, this Plan will be reviewed every five years to consider revisions to the Plan as required to ensure that it:

• conforms with provincial plans or does not conflict with them;

- has regard to matters of provincial interest as set out in the Planning Act; and,
- is consistent with provincial policy statements...

### The policies in the Plan are intended:

- To assist Council, all public and private sector agencies and members of the public concerned with the *development* of the Town, in determining future policies and actions on all matters relating to the growth and *development* of the Town;
- To consider the financial status of the Town when considering future development in order that a healthy balance between residential and commercial/industrial assessment may be maintained;
- To make available to the public information regarding the future development pattern of the Town;
- To ensure that public works undertaken by the Town or by private developers conform with the provisions of the Plan;
- To ensure that land use planning within the Town contributes to the protection, maintenance and enhancement of water and water related resources and aquatic ecosystems, on an integrated watershed management basis;
- To ensure that growth and development within the Town occurs in a manner that will minimize public health and safety issues, including the protection of human life and property from water related hazards such as flooding and erosion;
- To ensure that all land use decisions promote water conservation and support the efficient use of water resources on a watershed basis;
- To manage land use change in a manner that has the greatest positive impact on the Town and encourages cooperation with other municipalities in Dufferin County and with the County itself in order to work towards common policies which will exercise firm control over the development of urban and rural areas;
- To manage land use change and development in the context of the larger growth areas outside of Dufferin County which may influence growth and settlement in the Town;
- To preserve and enhance the natural amenities of the community and surrounding area through environmental control of lands exhibiting ecological, environmental and/or hazardous characteristics; and,

 To maintain the historical, residential character of the Town and at the same time provide a framework within which future development can take place and within which long term needs of the community can be planned and met.

With respect to the scope of the Official Plan, the Plan is one of the most important legal documents in the community. However, it does not by itself, control or regulate the *development* of land by private or public interests. Rather the principles and policies contained in the Plan provide guidance to public administrators and private interests in such a way as to ensure the best form of *development* under the most desirable conditions. In addition, the Plan will also provide a basis for zoning and other by-laws which will implement the land use *development* policies of the Plan.

### 1.3 STRUCTURE

### 1.3.1 Foundations

Section 2 of the Plan describes the basic assumptions, observations, forecasts, technical information, public comment and political direction that form the basis for establishing objectives in Section 3 of the Plan.

### 1.3.2 Objectives

Section 3 of the Plan establishes the key direction for the future of the Town. Should uncertainty or conflict arise in the interpretation and implementation of the Plan, reference should be made to the objectives in Section 3.

### 1.3.3 Future Land Use, Environment and Transportation

Section 4 of the Plan outlines future land use policies and patterns for the Town. Schedule 'A', Land Use Plan and the related Secondary Plans, graphically depict the future land use areas throughout the Town. Schedules 'B1' and 'B2' depict the planned staging of *development* areas, and the residential density, mixed use and commercial structure plan, respectively. The policies in Section 4 describe how *development* will occur within the different land use designations on Schedule 'A' and within the residential density designations, mixed use and commercial structure plan designations on Schedule 'B'.

Schedule 'C1' provides a Transportation Plan and Schedule 'C2' provides the Active Transportation Plan. The Transportation Policies of the Plan are found in Section 5.

Schedule 'E' identifies the Natural Heritage System and Natural Hazards. Section 6 provides the *Cultural Heritage Resource* policies of the Plan.

### 1.3.4 Development Policies

Section 7 of the Plan establishes a series of *development* policy statements that are intended to direct *development* in the Town. This part of the Plan addresses the form, staging and servicing of *development* and the relationships among *development*, the natural environment and the residents of the Town. Community improvement, design and *sustainability* policies are also established in Section 7. The Community Improvement Area is identified on Schedule 'D'. Schedule 'F' identifies drinking water source protection areas.

### 1.3.5 Implementation and Interpretation

Section 8 of the Plan describes the *development* approval process and planning tools that the Town will use to implement the policies of the Plan. Section 9 provides direction to guide interpretation of the Plan.

### **SECTION 2 – BASIS**

The policies set out in the Official Plan have been determined by existing circumstances as well as certain fundamental objectives. The following description of the facts and objectives is included in the Plan to explain the reasoning behind the policy statements proposed by the Plan.

- a) Shelburne is a service centre for the surrounding rural areas as well as a transportation junction point. In the past two decades, Shelburne has seen significant growth in population, employment and land area.
- b) Shelburne has been faced with continuous *development* pressure as the Greater Toronto Area represents one of the fastest growing areas in Canada. Shelburne has continued to provide employment through a range of industries and commercial services and has a range of housing available from older heritage homes to new subdivision homes developed in the last 10 years.
- c) The provincial planning context has continued to evolve including changes to planning legislation, provincial planning policies and provincial plans that provide the basis for new or amended policies in the Town's Official Plan. In addition, the first Official Plan for the County of Dufferin came into effect in 2015. Pursuant to the Planning Act, the Town's Official Plan shall be consistent with the Provincial Policy Statement and conform with provincial plans and the County Official Plan.
- d) The Provincial Policy Statement and the *Growth Plan* for the *Greater Golden Horseshoe* require municipalities to direct growth to existing settlement areas through *intensification* of existing *Built-up Areas* and *development* in *Designated Greenfield Areas*. Additional growth within the existing community will permit a wider range of services and facilities to be provided. Growth within the community is contingent on the ability to provide adequate services on a *sustainable* basis.
- e) The Growth Plan for the Greater Golden Horseshoe establishes population and employment growth forecasts for Dufferin County for the years 2031, 2036 and 2041. The County Official Plan establishes population and employment growth forecasts for the County and each local municipality, including the Town of Shelburne, for the years 2031 and 2036, and policies for the allocation of reserved population and employment to the Town as one of the three designated urban settlement areas in the County where the majority of growth and development is directed. Based on these population and employment growth forecasts and policies of the County Official Plan, and the results of the 2015 municipal comprehensive review, this Plan provides for achieving the population and employment growth forecasts shown in Table 1. The achievement of the 2031 and 2036 population and employment growth targets will be contingent on demonstration of sufficient municipal water supply capacity and municipal wastewater treatment capacity to service the future population growth. Allocation of remaining municipal water supply capacity and municipal wastewater

treatment capacity will occur in a logical and *sustainable* manner, in accordance with the policies of this Plan and a Council-approved Servicing Allocation Policy.

**TABLE 1: Population and Employment Forecasts** 

	<u>Year</u>			
	<u>2016*</u>	2026**	2031**	2036**
Population	7,650	9,000	10,000***	10,000***
Employment	2,855	3,311	3,560	3,560

\*estimated

- f) The qualities that make Shelburne a desirable place to live are the small town character, the safety and comfort provided by the Town, and the opportunities and confidence in the community. Throughout the *development* of the Plan, Council and the public have indicated the desire to maintain the small town character, protect natural features and provide for orderly and well-defined *development*.
- g) The Town has been successful in providing efficient servicing to its residents and industries. All new *development* shall take place on full municipal services. New municipal *infrastructure* shall be developed in accordance with the recommendations of the Master Servicing Study and other municipal servicing studies approved by Council, and shall be financially feasible.
- h) It is a basic premise of the Plan that the following need to exist in the Town:
  - i) Continuous review of the financial status of the Town with emphasis on the need for additional non-residential sources of assessment and tax revenue.
  - ii) Continuous review of the social conditions including health, housing and welfare relating to both old and new residential areas.
  - iii) Annual review and monitoring of the Town's municipal water supply and municipal wastewater treatment servicing capacity available to support planned growth and *development*.
  - iv) Annual review of *development* activity to monitor the achievement of population and employment growth, *intensification* and *greenfield* residential density targets in accordance with the *Growth Plan* and the County Official Plan.
  - v) Recognition of the value of the *downtown core* to the economic life of the community and direct action to improve the ability of the *downtown core* to remain the centre of all major service and commercial activity for some time and to improve the level of service to the area by providing off-street parking and convenient pedestrian access.

<sup>\*\*</sup>forecast

<sup>\*\*\*2031</sup> and 2036 population forecasts deferred until completion of assimilative capacity study demonstrating sufficient wastewater treatment capacity

- vi) Decision-making that fully considers social, economic and environmental dimensions and supports healthy and *sustainable* community design and *development*.
- vii) The continued review of required improvements to the Town's transportation network.
- viii) The establishment of programs for recreation, public parks and open space *development*, taking advantage of the natural amenities of the area.
- ix) The provision of all needed information regarding areas of *development*, projected densities and priorities to the area school boards to select new school sites when required.
- i) Land use designations in the Plan shall be regulated in the Zoning By-law. Land uses not normally controlled in this manner will be regulated under licensing by-laws and through other means under the Municipal Act.

### **SECTION 3 – OBJECTIVES**

The following section establishes the primary objectives on which the Plan is based. These objectives relate to the entire Town and establish the framework for the remaining policies in the Plan. Each of the objectives is equally important when considering future *development*. Where situations of uncertainty or conflict arise in the interpretation or implementation of the Plan, reference should be made to these objectives.

- a) To encourage well planned, attractive new *development* and a high quality of urban design that will reflect the historic, small town character of the community.
- To strive towards a balanced assessment between residential and nonresidential development.
- c) To continue to provide a mix of housing forms and types of *affordable housing* similar to that which exists near the *downtown core*.
- d) To promote and monitor intensification in the downtown core and within the Builtup Areas with an intended target of 38% of new residential development in the form of intensification in such areas by the year 2015 and for each year thereafter.
- e) To address issues related to traffic and parking for existing and new *development* and to ensure that safe and effective pedestrian movement is available throughout the Town.
- f) To plan for specific land uses and *development* by staging *development* to ensure a fully integrated, connected and *sustainable* community and to provide a degree of certainty about the future.
- g) To provide a level of service that ensures community safety and quality of life.
- h) To ensure all planning is carried out with regard for accessibility for persons with disabilities.
- i) To protect environmental systems and features in the Town in a manner that recognizes the importance of their conservation.
- j) To promote the use of open space networks throughout the Town by implementing the Park Master Plan and Active Transportation Plan to create a system of parks, trails and walkways supporting both recreational enjoyment and active transportation.
- k) To encourage new retail and services to develop in the downtown core and encourage opportunities for improvements to the downtown core, and to provide opportunities for the development of new retail and commercial uses that cannot be accommodated within the downtown core to ensure that the diverse needs of

Shelburne residents can be met locally, to encourage local market retention of retail expenditures and to promote Shelburne's function as a service centre for the surrounding area.

- I) To identity and preserve properties and areas of cultural heritage value or interest.
- m) To provide for an appropriate mix and range of employment uses to meet the Town's long term needs and to preserve *employment areas* for current and future employment uses.
- n) To safeguard health, safety, welfare and quality of life for the Town's residents.
- o) To encourage all forms of development to be built and sustained in a manner that minimizes water and energy consumption, reduces associated waste and pollution, contributes to improved air quality and integrates sustainable design features and technologies.
- p) To protect and enhance the quality and quantity of groundwater and surface water and the function of groundwater recharge/discharge areas, and aquifers, including the *headwaters* of the Boyne River, and to ensure safe drinking water sources are sustained and protected in accordance with the Source Protection Plan.
- q) To provide for the protection and conservation of the natural environment including wetlands, woodlands, fish and wildlife habitat and streams, on an ecosystem management and natural heritage system basis.
- r) To plan for and provide *infrastructure* and public service facilities in a coordinated, efficient and cost-effective manner to accommodate current and projected needs.
- s) To plan for a *complete community* that meets the needs of residents throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, a range of housing types, retail and commercial services and community *infrastructure* including health services, schools, recreation facilities, and public parks and open space, and providing for mixed use *development*.
- t) To encourage local food production by protecting land in the Non-Urban area for continued farming as an interim use until such time as there is a demonstrated need and servicing capacity for *development* in accordance with the policies of this Plan, the Provincial Policy Statement, the *Growth Plan* and the County Official Plan, and by encouraging *compatible urban agriculture*.
- u) To minimize the environmental impact of municipal buildings, facilities, infrastructure and operations and integrate long-term sustainability considerations into the planning, design and renewal of these assets.

### **SECTION 4 - LAND USE POLICIES**

This section should be read in conjunction with the following Schedules:

Schedule 'A' – Land Use Plan

Schedule 'A1' – Shelburne West Secondary Plan

Schedule 'B1' – Development Staging Plan

Schedule 'B2' – Residential Density, Mixed Use and Commercial Structure Plan

Schedule 'E' – Natural Heritage System and Natural Hazards

Schedule 'A' shows the location of land use categories. The policies of the municipality with respect to the various land use categories are as follows:

- 4.2 Residential
- 4.3 Commercial
- 4.4 Mixed Use
- 4.5 Employment
- 4.6 Institutional
- 4.7 Open Space Recreation
- 4.8 Natural Environment
- 4.9 Non-Urban
- 4.10 Special Tourism

### 4.1 GENERAL LAND USE POLICIES

The policies applicable to the use of land in Shelburne as shown on Schedules 'A', 'A1' and 'B2' are described in the following sections and are intended to be interpreted in a broad manner and regulated by the implementing Zoning By-law. Each land use designation provides policies which provide an overall goal for the land use, objectives, permitted uses, specific policies and exceptions.

The Town's growth is to be focused in those land use designations within the *urban area* as delineated on Schedule 'A' for which *infrastructure* is provided for, or planned. Existing uses in the non-urban areas shall continue to be permitted on existing private services. *Development* in all areas shall be monitored to ensure efficient *development* and land use patterns, consistency with the Provincial Policy Statement and conformity with the *Growth Plan* for the *Greater Golden Horseshoe* and the County Official Plan.

Opportunities for *intensification* and redevelopment shall be promoted in all urban land use designations where it can be accommodated taking into account existing building stock, brownfield sites and the availability of suitable existing or planned *infrastructure* and public service facilities.

### 4.2 RESIDENTIAL

### 4.2.1 Introduction

The Town wishes to encourage residential *development* in the community which can satisfy the needs of a variety of individuals, ranging from young families to senior citizens through various housing types.

### 4.2.2 Objectives

The objectives from which the Residential polices evolved are as follows:

- a) To direct the majority of future housing *development* to the designated residential areas through *intensification*, redevelopment and *greenfield development* on full municipal services to promote *compact urban form*.
- b) To ensure a variety of housing types to accommodate the diverse economic and social needs and desires of the residents.
- c) To participate in government programs relating to housing where considered appropriate to the community.
- d) To encourage a high standard of urban design for all residential development.
- e) To encourage, and where possible require, the use of energy and water conservation measures, *sustainable* building technologies, landscape treatments and *infrastructure*.
- f) To protect the existing residential areas adjacent to the downtown core.
- g) To encourage and support the *intensification* of previously developed residential areas in order to optimize the use of land and *infrastructure*.

### 4.2.3 General Policies

### 1. Permitted Uses

The Residential land use designation shall mean that the primary use of land shall be for all forms of living accommodation except for mobile homes as defined in the Zoning By-law.

Secondary uses which are complementary to and serve the residential uses are permitted such as parks, open space and home occupations. Institutional and public uses such as schools, cemeteries, religious institutions, hospitals and nursing and group homes are permitted.

### 2. Criteria for Residential Development

- a) Residential uses shall be located in accordance with Schedule 'A' Land Use Plan and the Residential Density Plan shown on Schedule 'B2';
- b) When considering proposals for residential *development*, Council shall require demonstration of the following:
  - i) the proposed *development* will contribute to achieving the residential targets of this Plan and to creating a *complete community*;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the road system to accommodate the increased traffic volume:
  - iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
  - v) the adequate provision of parks and recreation facilities in accordance with subsection 4.7 Open Space Recreation and the proximity to existing or planned community facilities such as parks, schools, the downtown core and other commercial and mixed uses areas, and with local roads providing efficient access to arterial and/or collector streets to reduce consumption of energy for transportation to such areas and facilities;
  - vi) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
  - vii) land use compatibility and regard for the density and character of adjacent *development* and appropriate integration of the proposed use into the residential community with respect to building location, form, general exterior design features and landscaping of the site;
  - viii) the proposed development implements the Town's Urban Design Guidelines and Development Standards as may be adopted by Council:

- ix) the adequate provision for access and off-street parking facilities, with the latter generally being located in the rear or side yard in the case of an apartment building;
- x) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with Section 4.8;
- xi) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xii) the requirements of Section 7, Development Policies, have been met.

# 3. Criteria for Secondary Uses

Council shall require demonstration of the following when considering proposals for *secondary uses* within an area designated as Residential:

- a) the proposed use will have a positive impact upon the residential community;
- b) adequate access, off-street parking, storage requirements and screening will be provided, where applicable;
- the adequacy of municipal services to service the development in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of sustainable design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
- d) the road system is adequate to accommodate the increased traffic volume;
- e) the proposed densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
- f) land use compatibility and regard for the density and character of adjacent development and appropriate integration of the proposed use into the residential community by means of the use of site plan control with respect to building location, form, general exterior design features and landscaping of the site;

- g) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with Section 4.8;
- the physical layout and design of the development optimizes the available supply, means of supplying, efficient use and conservation of energy;
- i) the application of the Town's *Urban Design Guidelines* and *Development Standards* as may be adopted by Council;
- j) the uses will be appropriately zoned and adequately regulated by suitable provisions in the implementing Zoning By-law; and,
- k) the requirements of Section 7, Development Policies, have been met.

# 4. Residential Targets

- a) The Town shall maintain a sufficient supply of land designated for residential purposes, including consideration of residential intensification and redevelopment within the Built-up Area and land in Designated Greenfield Areas that is available for residential development, so that at least a ten year supply of residential land is maintained at all times, subject to the availability of sufficient servicing capacity within municipal water supply and wastewater treatment systems.
- b) The Town shall endeavour to ensure the availability of residential land with servicing capacity sufficient to provide at least a three year supply of residential units through land suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.
- c) Residential *development* shall be planned and located to contribute to achieving the following targets:
  - i) An overall Town-wide housing unit mix, including rental and owner-occupied units, of 70% low density in the form of single and semi-detached dwellings units, 15% medium density in the form of multi-unit dwellings such as townhomes, duplex, triplex, fourplex and apartments not exceeding 2 stories in height, and 15% high density in the form of multi-unit dwellings not exceeding 3 stories in height;
  - ii) A minimum of 38% of all new residential units to be developed in the form of *intensification* within the *Built-up Area* by the year 2015 and in each year thereafter;

- iii) A *greenfield* density target of 41 residents and jobs combined per hectare within *Designated Greenfield Areas*;
- iv) Minimum targets for the provision of housing which is affordable to low and moderate income households shall be established by Council and may be determined through the preparation and Council approval of an *Affordable Housing* Strategy.
- d) To preserve the character of the Town's residential neighbourhoods while contributing to meeting the residential targets of this Plan, all new residential *development* shall be in accordance with the primary permitted dwelling types and minimum and maximum densities shown in Table 2 and applicable to land within the residential density designations identified on Schedule 'B2'.
- e) Notwithstanding the minimum density targets identified in Table 2 and the residential density designations shown on Schedule 'B2', where existing residential *development* does not conform with the permitted dwelling types and/or does not meet the minimum density for the area, the *existing uses* shall be permitted to continue and may be redeveloped at existing densities where existing buildings are being rebuilt due to fire, flood, natural disaster or hazardous condition, subject to all other applicable policies of the Official Plan and the Town's Zoning By-law.
- f) It is recognized that the achievement of the residential targets of this Plan will be contingent upon adequate capacity in municipal water supply and wastewater treatment systems.
- g) The residential targets of this Plan do not imply an intention on the part of Council to develop or redevelop land.

# TABLE 2: Permitted Primary Dwelling Types and Minimum and Maximum Gross Residential Densities

Density Designation	Primary Dwelling Types and Gross Residential Densities		
Designation	Primary Dwelling Types	Min. Density	Max. Density
Low Density	Single detached, semi- detached, duplex dwellings	15 units per hectare	24 units per hectare
Medium Density	Multiple residential including apartment, townhouse, triplex, fourplex and other multi-unit dwellings not exceeding 2 storeys in height	24 units per hectare	40 units per hectare
High Density	Multiple residential including apartment, townhouse, triplex, fourplex and other multi-unit dwellings not exceeding 3 storeys in height	40 units per hectare	80 units per hectare

# 5. Intensification Strategy

- a) Council shall promote *intensification* of existing residential areas within the *Built-up Area* and within the downtown core to encourage *compact development*, efficient use of land and existing *infrastructure* and contribute to achieving the residential *intensification* target of this Plan.
- b) Intensification will be permitted in the form of accessory dwelling units in conjunction with non-residential uses, where permitted by this Plan and in the Zoning By-law, and by the conversion of existing dwellings to accommodate a second unit, or in residential accessory buildings, in accordance with section 4.2.3.6.
- c) Sufficient reserve servicing capacity shall be maintained for *intensification* and redevelopment to allow for the achievement of the *intensification* target in accordance with the *development* staging policies in section 7.10 of this Plan.
- d) The redevelopment of existing areas of low density residential development to higher densities shall require an amendment to the Zoning By-law and should generally occur by block plan rather than an individual lot basis.

# 6. Second Units and Conversion of Existing Dwellings

In order to preserve the existing housing stock, address the need to provide additional rental accommodation, and contribute to achieving the residential targets of this Plan, the conversion of existing single detached, semi-detached and street townhouse dwellings into two-unit dwellings, or the incorporation of a dwelling unit within a residential accessory building, shall be permitted subject to the following:

- a) the Zoning By-law which shall establish the permitted locations for second units/conversions, number of dwelling units permitted on a lot, minimum lot area and lot frontage, minimum floor area for the dwelling, minimum and maximum floor areas for second units/ conversions, permitted exterior alterations, parking requirements and other provisions;
- second units/converted dwellings shall not be permitted on private or partial services and shall be subject to confirmation of the availability of adequate servicing capacity in the municipal water supply and wastewater treatment systems in accordance with a Council approved servicing allocation policy;
- c) the requirements of the Ontario Building, Fire and Electrical Safety Codes and the Property Standards By-law must be satisfied and the Town may require the registration and periodic review/inspection of existing and proposed second units/ conversions to monitor and enforce compliance with these requirements;
- d) the Town's Urban Design Guidelines including the approval of an exterior design plan demonstrating that the character and amenities of the dwelling and/or accessory building, the lot and the surrounding area will not be detrimentally affected;
- e) other applicable guidelines and procedures and payment of any related administrative fees as may be required by the Town for approval, monitoring and periodic inspection of second units/ converted dwellings; and,
- second units/converted dwellings shall not be permitted in flood prone areas or locations having any other hazardous condition that could have adverse effects.

# 7. Group or Special Care Homes

A group or special care home is defined as a single housekeeping unit in a residential dwelling in which residents (excluding staff or the receiving owners/occupants) live under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under Provincial statute and in compliance with municipal by-laws and the Ontario Building, Fire and Electrical Safety Codes.

Foster homes as defined by the Ministry of Community and Social Services and administered by the Children's Aid Society Services are permitted in any permitted dwelling and are not subject to these policies.

The Town will consider the application for the establishment of a group home subject to the following:

- a) the home is to be located in a single detached dwelling or semi-detached dwelling;
- b) a maximum of six residents excluding staff or receiving occupants/owners;
- c) only the longer term residency will be permitted as opposed to short term residency, except for those persons with mental and/or physical disability who require short term relief due to illness or vacations in their regular caretakers; a longer-term residency is defined as one whose length of stay is over four months in duration;
- d) the home must meet the requirements of Provincial regulations and municipal by-laws;
- e) in order to determine that adequate services are available to the residents, the Town will request the comments of the Upper Grand District School Board and the Dufferin-Peel Catholic District School Board, Dufferin County Social Services Department, the Ministry of Community and Social Services and any other appropriate agency;
- f) compliance with the Zoning By-law which will establish applicable regulations.

#### 8. Dwelling Types

In order to maintain and enhance the community environment and contribute to achieving the residential targets of this Plan, the Town shall encourage a variety of dwelling types anddensities. Similar dwelling types should be grouped together for aesthetic and functional purposes. The Zoning By-law

shall contain several residential zones which contain among other matters detailed provisions indicating minimum lot size and maximum lot coverage. The primary permitted dwelling types and *gross residential density* within each residential density designation shown on Schedule 'B2' shall be in accordance with Table 2.

# 9. Housing Affordability

Given the high costs associated with housing, Council should be constantly aware of the costs of Town standards when considering *development* applications. Commenting agencies should be made aware of the Town's desire to provide *affordable housing*. Council should assist and/or encourage, whenever possible, *developments* and programs designed to meet the needs of the average household or special groups such as seniors. Council will update its residential policies relating to *affordable housing* consistent with Provincial Policy. In order to establish measurable targets for housing affordability, Council shall consider the preparation and adoption of an *Affordable Housing* Strategy.

# **10. Housing Programs**

Council shall encourage and promote the use of government programs particularly with respect to the upgrading of existing housing stock.

# 11. Lot Shape

New lots should be appropriately proportioned with a regular shape generally having a depth to width ratio of no greater than 3:1.

#### 12. Access

Access to individual lots shall be from public roads or condominium road with lot frontage on a local road or condominium road. Reverse lotting to any public road will be discouraged and the use of window streets, service roads, enhanced front, side and/or rear building facades will be promoted to provide for building orientation towards arterial and collector roads. The number of access points to County arterial roads will be limited to the minimum required for the proper *development* of the property.

# 13. Buffering

Adequate screening and/or buffer strips shall be required in accordance with Section 7, Development Policies where a proposed residential *development* abuts a commercial, industrial or other use considered non-*compatible* by the Municipality.

# 14. Energy and Water Conservation

Whether a proposed *development* is a plan of subdivision, infilling on one lot, redevelopment proposal or conversion, Council shall encourage and where possible, require the use of energy and/or water conservation measures in accordance with Section 7, Development Policies.

# 15. Urban Agriculture

- a) To support local food production and the conservation of agricultural land, the continuation of existing agricultural operations on land designated as Residential shall be encouraged until such time as the land is needed for *development*.
- b) To support local food production within existing residential areas, Council shall encourage the use of existing residential properties for compatible gardening as an accessory use to a permitted residential use and located entirely on the same lot as the dwelling. This shall not include the keeping or raising of livestock.
- c) Council may permit the use of Town-owned property for the establishment of community allotment gardens in accordance with subsection 7.5 of this Plan.

# 16. Servicing and Staging of Development

New residential uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing residential uses are on private services, the Town may require connection to full municipal services when they become available. All residential *development* shall be carried out in accordance with Schedule 'B1' and the policies in subsection 7.10 of this Plan. Residential *development* in the community shall be predominately by plan of subdivision in accordance with subsection 8.3 and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) The criteria of subsections 4.2.3.2 and 4.2.3.3;
- b) The residential targets in subsection 4.2.3.4;
- c) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- d) the need for *compact development* and the general location relative to the downtown core and community facilities;

- e) the need to develop in complete phases which should take into account the logical extensions of road patterns, *infrastructure* and *utilities* and the problems associated with partially completed *developments* such as weed control, drainage, etc;
- the routing which development traffic will have to follow in entering and leaving the proposed subdivision and the ability of adjacent roadways to handle the volumes of traffic to be generated;
- g) school site provision if this should become a factor, and the provision of safe pedestrian access to existing or planned school facilities;
- h) the sufficiency of the municipal water, supply and distribution system, municipal sanitary sewers and wastewater treatment and pumping facilities, and storm sewers and stormwater management facilities.

#### 17. Site Plan Control

The Town may require site plan control in accordance with subsection 8.8 to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for commercial *development*.

# 18. Zoning

Residential uses shall be placed in a separate zoning category in the Zoning By-law.

# 4.2.4 Residential Policy Exceptions

# 1. Residential Policy Exception Area 1

(Lot 15, Registered Plan 78)

Those lands described as Lot 15, Reg. Plan 78 at the northwest corner of Jane Street and Owen Sound Street may be used for the uses permitted in subsection 4.2.3.1, Permitted Uses, as well as a restaurant and variety store with a maximum building area of 111 square metres in the existing single detached dwelling.

# 2. Residential Policy Exception Area 2

Notwithstanding the designation of the land on the north side of Main Street West, west of John Street, and identified with reference to this Section on Schedule 'A' as "Natural Environment", this land may be developed in accordance with the Residential land use designation and the applicable designations shown on Schedule 'A1' and related policies for the Shelburne West Secondary Plan area, subject to the completion of a site-specific EIS

prepared in accordance with subsection 4.8.5 demonstrating that the natural features and areas on the site and related ecological functions are not significant independently or as part of the natural heritage system shown on Schedule 'E', and that the natural features and areas can be removed, or reduced in their extent provided that any significant features and areas shall be conserved or enhanced.

# 3. Residential Policy Exception Area 3 (Fiddle Park)

The lands identified as Part of Lots 31 and 32, Concession 1 West, known as Fiddle Park shall be permitted to continue to be used in accordance with the Special Tourism policies as provided for in this Plan until such time as the lands are developed for residential, commercial and/or other related uses in accordance with the applicable Residential density designation and subject to the demonstration of available servicing capacity and staging of development, as shown on Schedules 'B1' and 'B2', respectively. The Town will also consider the need for potential alternative locations to accommodate the uses and activities permitted within the Special Tourism designation.

#### 4.3 COMMERCIAL

#### 4.3.1 Introduction

Commercial areas shall provide for a wide range of commercial uses to meet the needs of residents and contribute to achieving a *complete community*. Commercial areas shall include the Commercial Core area within the defined downtown core including the historic downtown as the primary locations for concentrations of diverse local economic activity, Community Commercial areas which primarily contribute to meeting the retail and service needs of residents, and the Arterial Commercial area which contribute to meeting both local and regional retail and commercial service needs.

# 4.3.2 Objectives

The objectives for Commercial areas are as follows:

- a) To retain the Commercial Core area as the main focal point of the community and the dominant service and commercial centre serving the residents of the Town and surrounding areas.
- b) To encourage and support the local business community to upgrade and improve the Commercial Core particularly through the utilization of government programs.
- c) To direct new commercial *development* in a manner that contributes to providing a range of services to the community, surrounding areas and the regional market area to support the planned role and function of each commercial area based on the Commercial Structure Plan, Schedule 'B2' and related policies.
- d) To ensure that the diverse needs of Shelburne residents can be met locally, encourage local market retention of retail expenditures and promote Shelburne's function as a service centre to residents and visitors of the Town and surrounding areas.
- e) To encourage a high standard of urban design for all commercial development that recognizes the cultural heritage value of the downtown core, is compatible with the existing built form and overall character of the area, and supports pedestrian access, safety and convenience.
- f) To encourage, and where possible require the use of energy and water conservation measures, *sustainable* building technologies, landscape treatments and *infrastructure*.
- g) To promote opportunities for *intensification* and redevelopment in the downtown core.

#### 4.3.3 General Policies

#### 1. Permitted Uses

The Commercial land use designation shall permit a wide range of office, service commercial and retail commercial uses appropriate to the specific Commercial area. The Commercial land use designation and related policies shall apply to the following Commercial areas designated on Schedule 'B2':

- The Commercial Core area within the downtown core, where the primary permitted uses include a range of office, service commercial and retail commercial uses within existing buildings and *compatible* forms of *intensification* and redevelopment, and shall include associated residential uses located above street level or oriented to the rear lanes behind the primary commercial street frontage on Main Street and Owen Sound Street:
- Community Commercial areas, where the primary permitted uses include a range of office, service commercial and retail commercial uses of a community or neighbourhood scale and nature that are primarily intended to meet the day to day needs of local residents and businesses; and,
- Arterial Commercial areas, where the primary permitted uses include a range of office, service commercial and retail commercial uses of a larger scale or highway-oriented nature that generally cannot be accommodated within the Commercial Core and are intended to meet the commercial needs of the local community, and may also relate to the commercial needs of major traffic volumes on arterial roads and surrounding areas within the regional market area.

New automotive commercial uses will be directed to Commercial areas outside of the Commercial Core and Community Commercial areas. . Existing automotive uses within Community Commercial areas may be recognized in the Zoning By-law, and new automotive uses will be directed to Arterial Commercial areas.

Commercial accommodations such as hotels and motels will be directed to Arterial Commercial areas and may also be permitted in the Core Commercial area within existing buildings or through *compatible* forms of redevelopment. Seasonal, space-extensive and other similar forms of commercial, recreational and tourism accommodations such as camping establishments will be directed to locations where permitted outside of the Commercial land use designation.

Secondary uses, which are complementary to the primary permitted uses and supportive of the planned role and function of the Commercial area, shall

include recreational and cultural facilities, public, community and institutional uses, and parks and open space. Accessory dwelling units may be permitted as secondary uses within certain commercial establishments in the Community Commercial and Arterial Commercial areas as may be provided in the Zoning By-law, but shall not be located in conjunction with automotive uses or other potentially incompatible uses. In addition, some light manufacturing shall be permitted as an accessory use to a permitted commercial use provided it does not exceed 50% of the floor area devoted to retail sales or service.

All commercial areas shall be developed to ensure a high quality of urban design and integration with surrounding uses.

# 2. Criteria for Commercial Development

- a) Commercial uses shall be located in accordance with Schedule 'A' Land Use Plan and the Commercial Structure Plan shown on Schedule 'B2'.
- b) When considering proposals for commercial *development*, including permitted primary commercial uses and secondary uses, Council shall require demonstration of the following:
  - i) the proposed *development* is in keeping with the Commercial Structure Plan and will contribute to achieving the employment growth forecast and the *intensification* or *greenfield* density target, where applicable, and to creating a *complete community*;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the road system to accommodate the increased traffic volume:
  - iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
  - v) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
  - vi) land use compatibility and regard for the density and character of adjacent *development* and appropriate integration of the proposed

- use into the community with respect to building location, form, general exterior design features and landscaping of the site;
- vii) the proposed use implements the Town's *Urban Design Guidelines* and *Development Standards* as may be adopted by Council;
- viii) the adequate provision for access and off-street parking facilities, with the latter being located to the rear of buildings where required in the Core Commercial area:
- ix) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
- x) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xi) the requirements of Section 7, Development Policies, have been met.

# 3. Planned Commercial Structure

- a) The Core Commercial area is intended to recognize and support the continued development and revitalization of the historic downtown commercial core of Shelburne as the primary location for a concentration of diverse local economic activity and as an important regional destination and service centre. Within the Core Commercial area, new development and improvements shall be in keeping with the following additional policy direction establishing the intended planned function and design of the area:
  - The historic village mainstreet character and role of the Core Commercial area in providing for convenient access to local office, retail and commercial services and as a focal point for local economic and civic activity will be maintained or enhanced;
  - ii) Mixed use buildings that include commercial and residential uses and the location of residential uses within and in close proximity to the Core Commercial area will be encouraged to promote live-work opportunities, pedestrian access and convenience;
  - iii) The Core Commercial area should be well-defined and remain compact with consistent building massing, scale, setbacks and pedestrian-orientation, and the built form shall promote a pedestrian-friendly streetscape with active and engaging building facades at street level, with residential above and/or behind, accessible entry,

- and regular breaks in the street wall to facilitate pedestrian access and connectivity;
- iv) Wherever possible, existing buildings with architectural or historical significance will be preserved and adaptively reused;
- The planning and design of any future improvements to the public realm should consider opportunities for improved pedestrian comfort and safety with well-defined street crossings, traffic calming measures and controls, where possible, wide sidewalks, and barrierfree accessibility;
- vi) Off-street parking areas should be located to the rear of buildings and accessed primarily from the rear lanes to ensure they are deemphasized and do not dominate the physical appearance and function of the Core Commercial area. The Zoning By-law may establish parking and landscaping standards and provide for the payment of cash in lieu of parking, in accordance with the Planning Act.
- b) The Community Commercial areas are intended to recognize existing local commercial uses that are outside of the Commercial Core and to permit new community- and neighbourhood-scale commercial development that primarily meet the commercial needs of local residents and/or specific residential neighbourhoods and provide local convenience. Within the Community Commercial areas, new development and improvements shall be in keeping with the following additional policy direction establishing the intended planned function and design of these areas:
  - The primary role of the Community Commercial areas shall be to provide convenient access to local office, retail and commercial services primarily for residents of the community in locations that are adjoining or within a short walking distance of residential areas;
  - ii) As a secondary role, Community Commercial areas may also contribute to servicing the commercial needs of the travelling public and surrounding areas, provided the scale of the *development* and nature of the uses will not have *adverse effects* on adjoining residential areas and will maintain the primary function of providing for convenient community use including pedestrian access;
  - iii) Community Commercial areas shall be located along arterial and collector roads and at intersections of these roads to ensure adequate vehicular access, and sidewalks shall be provided and other facilities may be required for pedestrian and cycling access;

- iv) The design of *development* within Community Commercial areas shall address the street frontages and the interface with adjoining residential uses to address compatibility, access and the safe and efficient movement of vehicles, pedestrians and cyclists;
- v) Community Commercial areas that include multiple properties and/or businesses shall be designed to function as a single site through shared access and parking with cohesive building design and landscaping;
- vi) Commercial uses that provide for convenient local access to food and/or personal, health, educational, recreational and/or day care services will be promoted in the Community Commercial areas.
- c) The Arterial Commercial areas are intended to recognize existing larger scale and highway-oriented commercial uses located along arterial roads and at major intersections, and to permit expansion of existing uses and new commercial development of a scale or nature that cannot be accommodated within the Commercial Core and that relates to meeting the commercial needs of the local community, the travelling public and surrounding areas within the regional market area. Within the Arterial Commercial areas, new development and improvements shall be in keeping with the following additional policy direction establishing the intended planned function and design of these areas:
  - i) Arterial Commercial areas shall have a dual role of servicing both local commercial needs of the current and future population of the Town, and commercial needs generated from areas beyond relating to major traffic volumes travelling through the area on the Provincial Highways and County Roads, Shelburne's central location and role as a commercial service centre in Dufferin County, and the needs of the current and future population of the regional market/trade area;
  - ii) Arterial Commercial areas shall be located along arterial roads and at major intersections of these roads and should be as concentrated as possible with combined/shared points of access. Direct property access from arterial roads shall be limited in accordance with the Transportation Policies of this Plan. Where site access is required from an existing or future local road, approval of the Town shall be required for the access location and design details. Implementation of any related road and intersection improvements, traffic controls and calming measures, the provision of sidewalks, and other facilities as may be required for pedestrian and cycling access, shall be provided based on applicable transportation studies for the area, an environmental assessment where required, and approval of a traffic impact study for the proposed development.

- iii) The design of *development* within Arterial Commercial areas shall address the street frontages and the interface with adjoining uses to address compatibility, access and the safe and efficient movement of vehicles, pedestrians, and cyclists;
- iv) Arterial Commercial Areas that include multiple properties and/or businesses shall be designed to function as a combined site through shared access and parking with cohesive building design and landscaping;
- It shall be demonstrated that proposed *development* in the Arterial Commercial areas will not negatively impact the role and function of the Commercial Core as the primary focus of commercial activity and existing commercial areas. All development in the Arterial Commercial designation shall be limited to uses that cannot reasonably be located within the downtown core. To assist in ensuring that the primary commercial function of the Core Commercial area and downtown core is maintained, commercial uses in the Arterial Commercial designation will be subject to a minimum floor area to be established in the Zoning Bylaw. In addition, Council may require a Market Impact Assessment to be completed at the applicants' expense by a qualified professional for any proposed development in the Arterial Commercial area to provide a justification of need for the development and an analysis of the existing commercial inventory demonstrating no negative impact on the planned role and function of existing commercial areas. Additionally, a Market Impact Assessment may be required to demonstrate the need and justification for the proposed commercial uses and floor areas proposed and to provide evidence of long-term economic viability and sustainability in consideration of economic factors affecting the local and regional market/trade area.

# 4. Parking and Access

Adequate off-street parking shall be provided in easily accessible and convenient locations. New commercial *development* or redevelopment may require a traffic impact study to determine improvements to current access and parking facilities.

# 5. Buffering

Where conflict could result between Commercial uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7 Development Policies.

# 6. Servicing and Staging of Development

New commercial uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing commercial uses are on private services, the Town may require connection to full municipal services when they become available. All commercial *development* shall be carried out in accordance with Schedule 'B1' and the policies in subsection 7.10 of this Plan. Commercial *development* in the community shall be predominately by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) the criteria of subsection 4.3.3.2;
- b) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- c) the sufficiency of the municipal water, supply and distribution system, and storm sewers and stormwater management facilities.

#### 7. Site Plan Control

The Town may require site plan control in accordance with subsection 8.8 to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for commercial *development*.

#### 8. Zoning

Commercial uses shall be placed in separate categories in the Zoning Bylaw.

#### 4.3.4 Commercial Policy Exceptions

#### 1. Commercial Policy Exception Area 1

(Part Lot 32, Concession 1, Former Township of Amaranth)

Development on the subject property shall be subject to the following conditions:

a) The completion of a tree preservation and management plan for the woodlot on the property to include, but not be limited to, a feasibility assessment to maintain a mature tree landscape feature along the Provincial Highway; to maintain a mature tree landscape between parking areas and blocks to parking to minimize visual impact of the parking and lighting onsite, and to maintain the existing managed forest on the easterly portion of the property, and provision to ensure the

- longevity of the trees to be maintained or located at the cut edges of the existing woodlot;
- b) The completion of a Market Impact Assessment as required in subsection 4.3.3.3(c)(v) of the Official Plan, which shall include an evaluation of the impact on the existing downtown core, and an analysis of the potential vacancy rates which can be expected upon *development* of the commercial retail on the property; and,
- c) The approval of the Ministry of Transportation for any access proposed to the Provincial Highway system prior to any construction being undertaken. Alternatively, approvals are to be received from the County of Dufferin for any *development* proposing primary access from County Road 11 (Second Line).

#### 4.4 MIXED USE

#### 4.4.1Introduction

Mixed Use areas are intended to provide for *developments* that may include a range of *compatible* uses and activities as places to live, work and access a range of retail and commercial services and leisure opportunities. Mixed Use areas shall include the Downtown Mixed Use area to provide for the *development* of a range of uses in those areas surrounding the Commercial Core and within the downtown core, the Mixed Use Corridor to maintain the existing residential character along Main Street to the east of the downtown core by supporting *compatible* commercial and office employment use opportunities that will encourage the retention and improvement of existing dwellings in this area, and the Mixed Use Centre to provide for the integrated *development* of a commercial retail centre and community hub with housing and employment opportunities in the area to the north-east of the intersection of Highway 89 and County Road 124.

# 4.4.20bjectives

The objectives for the *Mixed Use* areas are as follows:

- a) To provide for a mix of land uses in the Downtown Mixed Use areas as a transitional area between the Commercial Core and the outlying residential neighbourhoods.
- b) To direct new mixed use *development* in a manner that contributes to providing a range of services, housing and employment opportunities to the community and supports the role and function of each mixed use area based on the Mixed Use areas designated on Schedule 'B2' and related policies.
- c) To encourage a high standard of urban design for all mixed use *development* that recognizes the cultural heritage value of the downtown core, is *compatible* with the existing built form and overall character of the area, and supports pedestrian access, safety and convenience.
- d) To promote mixed use buildings with *compatible* residential, commercial and office employment uses.
- e) To encourage, and where possible require, the use of energy and water conservation measures, *sustainable* building technologies, landscape treatments and *infrastructure*.
- f) To promote opportunities for *intensification* and redevelopment in the downtown core
- g) To support the *compatible* commercial of office employment use of existing dwellings fronting Main Street to the east of the *downtown core* that will

encourage the retention and improvement of these dwellings and maintain the residential character of this corridor.

- h) To promote live-work opportunities that reduce the need for daily commuting between areas of housing, commerce and employment.
- To provide for the integrated development of a mixed use centre with a range of retail and commercial services, supported with housing and local employment opportunities, as a community hub and regional destination and service centre.

#### 4.4.3General Policies

#### 1. Permitted Uses

The Mixed Use land use designation shall permit a range of *compatible* commercial, residential and employment uses appropriate to the specific Mixed Use area. The Mixed Use land use designation and related policies shall apply to the following Mixed Use areas designated on Schedule 'B2':

- The Downtown Mixed Use area, where the primary permitted uses in the Mixed Use designation shall include those uses permitted in the Commercial Core area. The primary permitted uses shall also include the conversion and/or redevelopment of existing properties to provide opportunities for residential intensification and redevelopment. Residential uses in the Mixed Use areas shall not be limited to the second floor or location behind the street frontage and oriented to the rear lanes. Existing residential uses shall be permitted and new residential development shall be permitted in accordance with the Zoning By-law.
- The Mixed Use Corridor, where the primary permitted uses shall include those uses permitted in the Residential designation. The primary permitted uses shall also include *compatible* commercial uses within a permitted dwelling, limited to office, service commercial and retail uses that maintain or enhance the existing residential character of Main Street East.
- The Mixed Use Centre, where the primary permitted uses shall include those of the Arterial Commercial area and the Community Commercial area oriented to Provincial Highway 89 and County Road 124, and those uses permitted in the Residential designation which shall be permitted, planned and developed only in conjunction with the permitted commercial uses and shall be setback from the arterial roads and oriented to local roads, with appropriate interface/integration with the permitted commercial uses.

New automotive commercial uses will be directed to locations where permitted in the Commercial land use designation in accordance with the policies of subsection 4.3.3.1, and may be permitted in the Mixed Use Centre in a location that can accommodate the use with adequate separation and buffering from permitted residential uses and subject to maintaining the intended role and function of the Mixed Use Centre.

Commercial accommodations will be directed to locations where permitted in the Commercial land use designation in accordance with the policies of subsection 4.3.3.1, and may be permitted in the form of bed and breakfast establishments in the Downtown Mixed Use area and Mixed Use Corridor, and in the form of hotels and motels in the Mixed Use Centre in a location that can accommodate the use with adequate separation and buffering from permitted residential uses and subject to maintaining the intended role and function of the Mixed Use Centre.

Secondary uses, which are complementary to the primary permitted uses and supportive of the intended role and function of the Mixed Use area, shall include recreational and cultural facilities, public, community and institutional uses, and parks and open space.

All Mixed Use areas shall be developed to ensure a high quality of urban design and integration of the permitted uses and with surrounding uses.

# 2. Criteria for Mixed Use Development

- a) Mixed use *development* shall be located in accordance with Schedule 'A' Land Use Plan and the Mixed Use Areas shown on Schedule 'B2'.
- b) When considering proposals for mixed use *development*, including permitted primary uses and secondary uses, Council shall require demonstration of the following:
  - i) the proposed *development* is in keeping with the intended role and function of the Mixed Use area and will contribute to achieving the employment growth forecast and meeting the residential targets, where applicable, and to creating a *complete community*;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the road system to accommodate the increased traffic volume:

- iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
- v) the adequate provision of parks and recreation facilities in accordance with subsection 4.7 Open Space Recreation and the proximity to existing or planned community facilities such as parks, schools, the downtown core and other commercial and mixed use areas, and with local roads providing efficient access to arterial and/or collector streets to reduce consumption of energy for transportation to such areas and facilities;
- vi) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vii) land use compatibility and regard for the density and character of adjacent *development* and appropriate integration of the proposed use(s) into the Mixed Use area and surrounding community with respect to building location, form, general exterior design features and landscaping of the site;
- viii) the proposed *development* implements the Town's *Urban Design Guidelines* and *Development Standards* as may be adopted by Council:
- ix) the adequate provision for access and off-street parking facilities, with the latter generally being located in the rear or side yard in the case of an apartment building;
- x) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8:
- xi) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xii) the requirements of Section 7, Development Policies, have been met.

#### 3. Role and Function of Mixed Use Areas

a) The Downtown Mixed Use area is intended to support the continued development and revitalization of the downtown core with a mix of housing, commercial and office employment and secondary uses, and to provide a transition from the Commercial Core to outlying residential areas. Within the Downtown Mixed use area, new *development* and improvements shall be in keeping with the following additional policy direction establishing the intended function and design of the area:

- The existing character and role of the Downtown Mixed Use area in providing for a mix of housing and local business with convenient access to local office, retail and commercial services, supporting the downtown core as a focal point for local economic and civic activity, and connecting surrounding residential areas with the Commercial Core, will be maintained or enhanced;
- Mixed use buildings that include commercial and residential uses within the Downtown Mixed Use area will be encouraged to promote live-work opportunities, pedestrian access and convenience;
- iii) Wherever possible, existing buildings with architectural or historical significance will be preserved and adaptively reused;
- iv) The planning and design of any future improvements to the public realm should consider opportunities for improved connections between the Commercial Core and surrounding areas, pedestrian comfort and safety with well-defined street crossings, traffic calming measures and controls, where possible, wide sidewalks, and barrierfree accessibility;
- v) Off-street parking areas should be located to the rear of buildings and accessed primarily from the rear lanes to ensure they are deemphasized and do not dominate the physical appearance and function of the Downtown Mixed Use area. The Zoning By-law may establish parking and landscaping standards and provide for the payment of cash in lieu of parking, in accordance with the Planning Act.
- b) The Mixed Use Corridor is intended to provide for compatible commercial and office employment uses within the existing homes fronting on Main Street to the east of the downtown core to encourage the retention and improvement of existing dwellings in this area for a range of uses and to recognize the commercial opportunities associated with the corridor while maintaining the residential character. Within the Mixed Use Corridor, new development and improvements shall in keeping with the following additional policy direction establishing the intended function and design of the area:
  - i) The role of the Mixed Use Corridor area is to preserve and add flexibility to the use of existing buildings originally designed and historically used for residential purposes by providing for small-scale commercial and office employment uses that may benefit from a

Main Street location, and to contribute to defining the limits of the downtown core by maintaining the residential appearance and character of this area:

- ii) Development and alterations to existing buildings within the Mixed Use Corridor shall maintain the residential appearance and character of existing buildings and new buildings shall complement existing adjacent properties in terms of scale, density and character and incorporate appropriate residential design features;
- iii) Wherever possible, existing buildings with architectural or historical significance will be preserved and adaptively reused;
- iv) Permitted commercial, office and secondary uses shall be of a scale and nature that is appropriate for the building and area and potential impacts to residential uses shall be minimized through measures such as screening and buffering of off-street parking areas and the use of low-impact lighting and signage;
- The planning and design of any future improvements to the public realm should consider opportunities for improved pedestrian comfort and safety with well-defined street crossings, traffic calming measures and controls, where possible, wide sidewalks, and barrierfree accessibility;
- vi) Off-street parking areas should be located to the rear of buildings and accessed primarily from the rear lanes, where possible, to ensure they are de-emphasized and do not dominate the physical appearance and function of the Mixed Use Corridor. The Zoning Bylaw may establish parking and landscaping standards and provide for the payment of cash in lieu of parking, in accordance with the Planning Act.
- vii) Commercial uses such as bed and breakfast establishments, small-scale offices, studios, personal services, health services and day cares will be promoted in the Mixed Use Corridor. Existing and new institutional uses such as religious institutions and funeral homes are also recognized and will be encouraged to locate in this area.
- c) The Mixed Use Centre is intended to provide for the integrated development of a commercial retail centre, including commercial uses of a local nature and those that may also relate to serving major traffic volumes and the surrounding area within the regional market area, as a community hub supported with a mix of housing and providing local employment opportunities, in the area to the north-east of the intersection of Highway 89 and County Road 124. Within the Mixed Use

Centre, new *development* and improvements shall in keeping with the following additional policy direction establishing the intended function and design of the area:

- i) The Mixed Use Centre is intended as a community hub, regional destination and service centre with several integrated roles that will contribute to meeting a variety of needs locally and more broadly, including arterial commercial functions as set out in the policies of subsection 4.3.3.3 (c) for the Arterial Commercial area, community commercial functions as set out in the policies of subsection 4.3.3.3 (b) for the Community Commercial area, to accommodate a range of housing types and densities and complementary secondary uses as set out in the policies of subsection 4.2.3.4 (g) for the Residential Density Designations in conjunction with the *development* of a commercial centre, and providing local employment opportunities;
- ii) Proposed development within the Mixed Use Centre shall be based on an overall concept plan that demonstrates how all land uses will be integrated and work together, including adjoining and surrounding land uses to the south and west, the proposed configuration of access from Provincial Highway 89 and County Road 124, intersections and local streets, and pedestrian access, and the proposed phasing of the development;
- iii) Arterial commercial uses shall be directed and oriented to the arterial road frontage on Highway 89 and County Road 124;
- iv) Community commercial uses and secondary uses shall be directed to local road frontages and intersections in areas between the arterial road frontages/intersections and residential uses, and shall be integrated at an appropriate scale and interface with adjoining residential uses;
- v) Residential uses shall only be permitted as part of a mixed use development in conjunction with a commercial centre, and other supporting uses, permitted secondary uses, and compatible employment uses will be encouraged. Residential uses shall be setback from the arterial roads and directed away from major commercial buildings, high traffic areas and any potentially incompatible uses which shall be minimized. A transition of residential densities from medium and/or high density areas located adjacent or nearest to commercial uses to low density areas further north should be established:
- vi) Buildings shall be oriented to front, face and feature public streets and intersections with articulation of street-facing building facades to provide a high quality of design, detail and variety, human-scale

and pedestrian orientation, and buildings abutting residential uses should be of a similar height as the dwellings;

- vii) Connectivity among land uses within the Mixed Use Centre should be maximized through the planning and design of the public streets and pedestrian pathways, including opportunities for improved pedestrian comfort and safety with well-defined street crossings, traffic calming measures and controls, sidewalks, and barrier-free accessibility;
- viii) Off-street parking, servicing and loading areas should be located, screened and appropriately landscaped so they are de-emphasized and do not detract from the physical appearance and function of the Mixed Use Centre. The Zoning By-law will establish parking and landscaping standards;
- ix) Public streets and land required for parks, stormwater management facilities and other public use, *infrastructure* and facility areas shall be reserved and dedicated to the Town.
- x) The development should be designed to allow for the incorporation of transit facilities and transportation demand management measures such as car-pooling and car-sharing facilities, services and programs.

#### 4. Parking and Access

Adequate off-street parking shall be provided in easily accessible and convenient locations. New mixed use *development* or redevelopment may require a traffic impact study to determine improvements to current access and parking facilities.

# 5. Buffering

Where conflict could result between uses in the Mixed Use designation and/or with adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7 Development Policies.

# 6. Servicing and Staging of Development

New mixed uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing mixed uses are on private services, the Town may require connection to full municipal services when they become available. All mixed use *development* shall be carried out in accordance with Schedule 'B1' and the policies in subsection 7.10 of this Plan. Mixed use *development* in the community shall be predominately by

site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) the criteria of subsection 4.4.3.2;
- b) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- c) the sufficiency of the municipal water, supply and distribution system, and storm sewers and stormwater management facilities.

#### 7. Site Plan Control

The Town may require site plan control in accordance with subsection 8.8 to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for mixed use *development*.

# 8. Zoning

Mixed use areas shall be placed in separate categories in the Zoning Bylaw. Existing residential uses in the Mixed Use Corridor may be recognized and zoned residential to recognize the existing dwellings, and amendments to the Zoning By-law may be required to regulate the introduction of commercial uses in this area in accordance with the policies of this Section.

# 4.4.4Mixed Use Policy Exceptions

#### 4.5 EMPLOYMENT

#### 4.5.1 Introduction

The Town of Shelburne wishes to expand its present industrial base and provide for economic diversity and resiliency in order to create a more suitable tax base and a more balanced community within Shelburne wherein a greater proportion of the residents are living and working in the community. This in turn could generate higher support for local businesses and greater involvement in and support for groups and organizations in the area, and contribute to achieving a complete community.

# 4.5.2 Objectives

The objectives from which the Employment policies evolved are as follows:

- a) To provide employment opportunities for the residents of the Town.
- b) To contribute to planning for the employment growth forecasts and achieving the *greenfield* density targets for the Town.
- c) To encourage a stronger tax base within the Town.
- d) To encourage a diversity of employment uses to locate within Shelburne in a variety of forms.
- e) To maintain the quality of the environment by controlling the type and land use/environmental impacts of industrial uses to be permitted in the community.
- f) To provide a framework for the Town's involvement in promoting and facilitating local economic *development*.
- g) To encourage a high standard of urban design for all new employment land *development*.
- h) To encourage, and where possible require the use of energy and water conservation measures, *sustainable* building technologies, landscape treatments and *infrastructure*.

#### 4.5.3 General Policies

#### 1. Permitted Uses

The Employment land use designation shall mean that the primary use of land shall be for a range of employment uses including manufacturing, processing, fabricating and assembly of materials as well as repair, servicing, distribution and storage of materials, and offices.

Specific permitted uses may be limited to dry forms of industry and other employment uses which do not require large amounts of water on a regular basis, and whose wastes are of a low discharge nature, as may be set out in the Zoning By-law. Noxious uses as defined under the Public Health Act or regulations shall not be permitted.

Secondary uses which are complementary to and serve the employment area are permitted such as associated retail, wholesale or other uses accessory to and supportive of the permitted employment uses, as well as cartage and truck or transportation facilities. A limited amount of outdoor storage may be permitted provided it is clearly accessory to the principal industrial uses and screened from view. In addition an accessory dwelling unit for a caretaker, security personnel or other employee(s) whose presence on the premises is essential to the maintenance of the employment use may be permitted, provided that no dwelling shall be located in an employment area where noise, vibration or other impacts would not be within acceptable limits at the dwelling based on provincial standards.

Other secondary uses permitted may include commercial uses supportive of the *employment area* such as financial institutions, vendors markets, hotels/motels, restaurants, banquet halls, conference facilities and recreational establishments, where permitted in the Zoning By-law.

# 2. Criteria for Employment Land Development

- a) Employment uses shall be located in accordance with Schedule 'A' Land Use Plan.
- b) When considering proposals for development of employment uses, including permitted primary uses and secondary uses, Council shall require demonstration of the following:
  - the proposed development will contribute to achieving the employment forecast and greenfield density target of this Plan and to creating a complete community;
  - i) the adequacy of municipal services to service the development in accordance with this Plan and a Council approved Servicing

- Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
- iii) the adequacy of the road system to accommodate the increased traffic volume;
- iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
- the physical layout and design of the development optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vi) land use compatibility and regard for the density and character of adjacent *development* and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
- vii) the nature of the industrial/business operation and the location of related buildings, structures, parking and loading areas and outdoor storage will not have *adverse effects* on residential and other sensitive land uses, or potential impacts can be sufficiently mitigated through appropriate buffering and setbacks in accordance with the policies of this Plan and the Zoning By-law;
- viii) the proposed use implements the *Town's Urban Design Guidelines* and *Development Standards* as may be adopted by Council;
- ix) the adequate provision for access and off-street parking facilities;
- x) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8:
- xi) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xii) the requirements of Section 7, Development Policies, have been met.

#### 3. Employment Forecast and Greenfield Density Target

a) The Town shall maintain a sufficient supply of land designated for employment uses, including consideration of *intensification* and

redevelopment of existing employment areas within the Built-up Area and land in Designated Greenfield Areas that is available for development of employment uses, to accommodate this Plan's employment forecast, subject to the availability of sufficient servicing capacity within municipal water supply and wastewater treatment systems.

b) Development of employment uses in Designated Greenfield Areas shall contribute to achieving the *greenfield* density target of 41 residents and jobs combined per hectare in accordance with the policies of this Plan;

# 4. Employment Land Conversion

The conversion of designated Employment land to non-employment uses shall only be considered through an amendment to this Plan supported by a *municipal comprehensive review* demonstrating that:

- a) the land is not required for employment purposes over the long term in order to achieve the employment forecast of this Plan;
- b) there is a need for the conversion and there are no alternative sites designated for the proposed use elsewhere in the Town;
- the conversion will not negatively impact the overall viability of the employment area and the proposed use will not have adverse effects on the long term viability and functioning of the adjacent employment uses including existing industrial facilities and sites and their ability to accommodate other permitted employment uses;
- d) the change in use is consistent with other policy objectives of the Town including the planned function of the Town's existing and planned commercial areas and the primary role of the downtown core;
- e) where the proposed conversion includes a residential use, the application will contribute to meeting the residential targets of this Plan;
- there is capacity available within existing or planned municipal servicing systems to accommodate the proposed conversion;
- g) the increased traffic volume can be accommodated by the local road system and the proposed use and location will provide opportunities for active transportation;
- h) the lands are not required in the long term for the employment purposes for which they are designated; and,
- i) cross-jurisdictional issues have been considered.

For the purposes of this policy, major retail uses are considered nonemployment uses, and Employment land includes all land designated as "Employment" on Schedule 'A'.

#### 5. Industrial Emissions

All storage and disposal of industrial waste and all emissions to the environment including dust, noise, vibration, light, odour, contaminants, water, wastewater and other emissions must satisfy the requirements of the Ministry of the Environment.

If, in the opinion of Council, a *development* proposal may have negative impacts on the Town's physical environment or land use compatibility due to dust, noise, vibration, light, odour, contaminants, water, wastewater or other emissions, any studies deemed necessary by the Town to assess the impacts of the proposed *development* on the physical environment shall be required to be completed at the applicants' expense by a qualified professional to the satisfaction of the Town. Such studies must prove the impacts of the proposal can be overcome prior to the proposal being implemented, and the recommended mitigation measures shall be implemented with the *development*.

# 6. Parking and Access

All Employment land *development* shall provide adequate access to offstreet parking and loading facilities. Whenever feasible, *development* shall have access from internal paved roads particularly when adjacent to a Provincial Highway or County Road, but not through interior residential streets. New Employment land *development* or redevelopment may require a traffic impact study to determine improvements to current access and parking facilities.

#### 7. Buffering

Where conflict could result between employment uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7, Development Policies. Landscaped buffering and setbacks, appropriate lighting, external design and signs shall be located and designed to minimize conflict with other uses. Fencing shall be required where necessary to ensure safety. Areas of outdoor storage shall be located in the rear yards and adequately fenced and screened from view from adjacent properties and public roads.

#### 8. Servicing and Staging of Development

New employment uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing employment uses are

on private services, the Town may require connection to full municipal services when they become available. All *development* of Employment land shall be carried out in accordance with Schedule 'B1' and the policies in subsection 7.10 of this Plan. Employment land *development* in the community shall be predominantly by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) the criteria of subsection 4.5.3.2;
- b) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- c) the sufficiency of the municipal water, supply and distribution system, and storm sewers and stormwater management facilities.

#### 9. Site Plan Control

The Town may require site plan control in accordance with subsection 8.8 to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for Employment land development. Employment land developments shall be encouraged to provide suitable design standards, site layout and landscaping in order to contribute to an attractive employment area. Any yard fronting onto a public road shall be landscaped in such a way in order to present an attractive development. Where Employment lands are adjacent to Residential, Institutional, Natural Environment and/or Open Space Recreation Areas, or Mixed Use Areas that include a sensitive land use, a site plan to be submitted by the developer will be required indicating adequate setbacks, landscaping to provide an immediate effective screen and one or a combination of fencing, walls or berms as determined by Council. The utilization of materials for buildings in the employment area which are appropriate given the adjoining uses will be encouraged by Council.

Outside storage shall be totally screened from view from adjacent properties and public roads through the use of a solid fence, wall or berms and appropriate landscaping.

#### 10. Zoning

Employment uses shall be placed in a separate category in the Zoning Bylaw.

# 4.5.4 Employment Policy Exceptions

# 1. Employment Policy Exception Area 1

(Mini Storage Facility, Part of West Half of Lot 32, Concession 2, Victoria Street)

The lands described as being Part of the West Half of Lot 32, Concession 2, fronting onto Victoria Street immediately south of the Town's transfer station property and comprising 5.03 acres (2.04 hectares) shall be permitted to be used for mini-storage units and accessory uses and shall be subject to the following policies:

# **Criteria for Development**

- a) access to be approved by the Town;
- b) adequate access to off street parking and loading facilities to be provided;
- adequate landscaped buffering and setbacks, appropriate lighting, external design, and signs to minimize conflict with other uses. Fencing shall be required where necessary to ensure safety;
- areas of outdoor storage shall be restricted to rear yard locations and shall be totally screened from view through the use of a solid fence, wall or berm; and,
- e) the *development* shall provide for a suitable design, site layout and landscaping in order to contribute to an attractive *development*. Any yard fronting onto a public road should be landscaped in such a way to present an attractive *development*.

#### Servicing

Notwithstanding the policies of this Plan to the contrary, the mini storage facility will not require full municipal services. Further *development* of the lands will require servicing by a municipal water supply and municipal sanitary sewers.

#### **Buffering**

Where conflict could result between the proposed land uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7, Development Policies.

#### Site Plan Control

The Town may require site plan control in accordance with subsection 8.8 to ensure that building location, general exterior design, and landscaping are suited to the general character of the area and result in a positive contribution to the area for Special Industrial *development*.

# **Storage**

No storage of flammable liquids or chemicals is permitted. Rental contracts shall contain a clause to this effect.

# Zoning

The Special Employment use shall be placed in a site-specific zone in the Zoning By-law.

# 2. Employment Policy Exception Area 2

Notwithstanding the designation of the land on the north side of Main Street East and east and south of the Besley Drain, and identified with reference to this Section on Schedule 'A' as "Residential" and "Employment", this land may be developed in accordance with either the Residential land use designation or the Employment land use designation and related policies, subject to demonstration of land use compatibility with existing residential and employment uses in the area. Proposed residential uses within this area shall not be subject to the employment land conversion policies of this Plan. Proposals to develop the land based on the mapping of the "Residential" and "Employment" designations as shown on Schedule 'A' shall demonstrate land use compatibility and address the interface between the residential and employment uses as well as adequate road access for each use.

#### 4.6 INSTITUTIONAL USES

#### 4.6.1 Introduction

Institutional uses are distributed throughout the Municipality. The Institutional land use designation is intended to provide sufficient land for institutional facilities that serve the Town and may also serve surrounding areas. These uses play an important role in providing many supportive services to the community, and contribute to achieving a *complete community*.

## 4.6.2 Objectives

The objective from which the Institutional polices evolved is as follows:

- a) To encourage institutional uses to be located in appropriate locations throughout the community.
- b) To provide sufficient land to address the needs of the community for public and private institutional facilities.
- c) To encourage a high standard of urban design for all new institutional development.
- d) To encourage, and where possible require the use of energy and water conservation measures, *sustainable* building technologies, landscape treatments and *infrastructure*.

#### 4.6.3 General Policies

### 1. Permitted Uses

The Institutional land use designation shall permit the use of land for: public and semi-public buildings, facilities and establishments; religious institutions; public and private schools; emergency facilities and services; community centres and recreation facilities; cemeteries; hospitals and other health care facilities and services, long-term care and retirement homes;; group homes; and other forms of special needs housing and assisted living facilities.

Other than those uses noted no residential dwellings shall be permitted in these areas with the exception of those required for essential operational personnel and those already in existence in the areas when the Implementing Zoning By-law comes into force.

## 2. Criteria for Institutional Development

- a) Institutional uses shall be located in accordance with Schedule 'A' Land Use Plan, and may also be permitted in other land use designations subject to implementing zoning in the Zoning By-law.
- b) When considering proposals for institutional *development*, Council shall require demonstration of the following:
  - the proposed development will contribute to achieving the employment growth forecast and the intensification or greenfield density target, where applicable, and to creating a complete community;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the road system to accommodate the increased traffic volume;
  - iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
  - v) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
  - vi) land use compatibility and regard for the density and character of adjacent *development* and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
  - vii) the proposed use implements the Town's *Urban Design Guidelines* and *Development Standards* as may be adopted by Council;
  - viii) the adequate provision for access and off-street parking facilities;
  - ix) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;

- x) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xi) the requirements of Section 7, Development Policies, have been met.

## 3. Parking and Access

Adequate off-street parking shall be provided in easily accessible and convenient locations. New institutional *development* or redevelopment may require a traffic impact study to determine improvements to current access and parking facilities. The site must have direct access to a public road with year round maintenance. Adequate parking facilities must be available with access to be designated to ensure minimal danger to vehicular traffic and pedestrians.

# 4. Buffering

Where conflict could result between institutional uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7 Development Policies.

# 5. Servicing and Staging of Development

New institutional uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing municipal uses are on private services, the Town may require connection to full municipal services when they become available. All institutional *development* shall be carried out in accordance with Schedule 'A1' and the policies in subsection 7.10 of this Plan. Institutional *development* in the community shall be predominately by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) the criteria of subsection 4.6.3.2;
- b) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- c) the sufficiency of the municipal water, supply and distribution system, and storm sewers and stormwater management facilities.

### 6. Site Plan Control

The Town may require site plan control in accordance with subsection 8.8 to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area.

# 7. Zoning

Institutional uses shall be placed in a separate zoning category in the Zoning By-law.

# 4.6.4 Institutional Policy Exceptions

#### 4.7 OPEN SPACE RECREATION

#### 4.7.1 Introduction

Public and private open space and recreation facilities are vital to the health and well-being of residents and the social, economic and physical environment. The Open Space Recreation designation includes municipal parks and recreation facilities, the fairgrounds and other public and private land generally intended to accommodate a wide range of indoor and outdoor recreational activities. These areas provide a range of services contributing to the quality of life in Shelburne and support the Objectives of Section 3 to plan for a complete, healthy, safe, attractive and sustainable community. It is Council's intent to ensure that a balance of active and passive recreational and open space venues, experiences and opportunities are available to residents by ensuring sufficient land is dedicated for public parks and recreation facilities and through ongoing implementation of the Town of Shelburne Parks Master Plan and Active Transportation Plan. Due to the costs of providing and maintaining such facilities, emphasis should continue to be placed on partnerships with special interest groups, service clubs and neighbourhood groups to assist in constructing and maintaining facilities on public lands or on private lands by agreement.

## 4.7.2 Objectives

The objectives from which the Open Space Recreation policies evolved are as follows:

- a) To provide sufficient land for a balanced distribution of accessible indoor and outdoor, active and passive leisure and recreational activities for groups or individuals of all ages and diverse interests in keeping with the needs of the community and within the financial resources of the Town.
- b) To provide a connected system of open space areas that provides pedestrian and cycling linkages among residential neighourhoods, recreation centres, community facilities, commercial areas and employment districts to support active transportation throughout the Town, and that can adapt to changing public needs and preferences.
- c) To promote the use of open space as a buffer between incompatible land uses.
- d) To preserve and enhance the natural environment of the municipality.
- e) To preserve treed areas wherever possible.
- f) To provide parks and recreation facilities in an efficient and *sustainable* manner that optimizes their use and minimizes environmental impacts.

### 4.7.3 General Policies

#### 1. Permitted Uses

The Open Space Recreation land use designation shall mean that the primary use of land shall be for recreational, leisure or conservation uses and shall include public and privately owned or operated parks, arenas, pools, community centres, museums and other recreational and cultural facilities and services.

Secondary uses which are complementary to and/or serve the principal uses are permitted such as *urban agriculture*, forestry, wildlife management, institutional and public uses, and public works facilities. Accessory dwelling units as may be permitted as secondary uses associated with certain primary uses as may be provided in the Zoning By-law provided that the open space and/or recreational character is maintained as the principal use.

# 2. Designated Open Space Recreation Areas

The Open Space Recreation areas on Schedule 'A' recognize existing land uses and that they should be maintained as such. Additional public parks shall be established primarily through the dedication of lands for such purposes as a condition of *development* approval and shall be permitted in all land use designations without the need for an amendment to this Plan. Land accepted by the Town for parkland or other public recreational purposes shall be of a size, location and condition acceptable to the Town in accordance with the policies of this Plan and the Parks Master Plan.

# 3. Land Acquisition for Public Open Space and Recreation

- a) The Municipal acquisition of land for public open space and recreational needs shall be primarily through land dedication in accordance with this Plan, the Parks Master Plan and the following policies: The conveyance of land to the Town suitable for park and other public recreational purposes shall be required as a condition of *development* in accordance with the Planning Act, subsection 8.5 of this Plan and the criteria and standards set out in the Parks Master Plan.
- b) If it is determined that lands for park purposes are not required based on the criteria and standards set out in the Parks Master Plan, the Town shall require cash-in-lieu of the land conveyance in accordance with the Planning Act, subsection 8.5 of this Plan and the Parks Master Plan.
- c) Council may consider the acquisition of land for public parks, trails, open space and recreation through direct purchase by the Town and/or in partnership with other agencies where appropriate based on the guidance of the Parks Master Plan. The Town may encourage

partnerships with other agencies, institutions and service providers such as the Conservation Authority and the Ministry of Natural Resources to secure lands into public ownership for conservation or public recreational purposes. If the Municipality wishes to acquire lands or secure easements, consideration should first be given to the utilization of any available funding from the senior levels of government.

d) Publicly owned lands to be used for open space recreation uses should generally be concentrated and as centrally located as possible in order to reduce maintenance costs and encourage walking to the area to reduce energy costs attributed to transportation.

## 4. Lands under Private Ownership

Where any land designated Open Space Recreation is under private ownership, the scope of this Plan does not infer that these lands will remain open space or that they are open to the general public or that the Town will purchase them. If any *development* proposals are received for such lands, and the Municipality or any other public authority does not wish to purchase them for the designated use, the Town may give consideration to those proposals only by an amendment to this Plan.

# 5. Criteria for Private Open Space and Recreation Development

- a) Private open space and recreation uses shall be located in accordance with Schedule 'A' Land Use Plan.
- b) When considering proposals to establish a private or commercial open space or recreational facility, Council shall require demonstration of the following:
  - the proposed development is consistent with the principles and recommendations of the Parks Master Plan and will contribute to creating a complete community;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the road system to accommodate the increased traffic volume;
  - iv) the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence and, where applicable, the continuity of public

- walkways to provide a continuous open space system will be maintained or enhanced by the *development*;
- the physical layout and design of the development optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vi) land use compatibility and regard for the density and character of adjacent *development* and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
- vii) the proposed use implements the Town's Urban Design Guidelines and Development Standards as may be adopted by Council;
- viii) the adequate provision for access and off-street parking facilities;
- ix) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
- x) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xi) the requirements of Section 7, Development Policies, have been met.
- c) The site must have frontage on and direct access to a public road built to standards of the Town, County and/or the Ministry of Transportation, as applicable, with year road maintenance and which can adequately handle the traffic generated by the *development*. Adequate parking facilities must be available with access designated to ensure minimal danger to vehicular traffic and pedestrians.

### 6. Zoning

Open Space Recreation uses may be placed in a separate zoning category.

# 4.7.4 Open Space Recreation Policy Exceptions

#### 4.8 NATURAL ENVIRONMENT

#### 4.8.1 Introduction

The Natural Environment areas within Shelburne play a vital role in supporting the health of residents, their quality of life and the *sustainable development* of the community. The areas are of considerable benefit as part of the ecological system and must be protected and maintained. The Natural Environment designation includes the Natural Heritage System comprised of natural heritage features and areas such as wetlands, woodlands, valleylands and wildlife habitat, and linkages. Natural hazard areas such as floodplains and areas that may be susceptible to erosion are also included within the Natural Environment designation where these natural hazards are within the areas identified as part of the Natural Heritage System. The boundaries of mapped natural hazards, including the portion that may extend beyond the limits of the Natural Environment designation, are also identified separately and related policies will be applied and addressed prior to *development* within these areas.

## 4.8.2 Objectives

The objectives from which the Natural Environment policies evolved are as follows:

- a) To prevent loss of life and minimize property damage and social disruption from flooding or other natural hazards.
- b) To protect and preserve all natural heritage features over the long term, recognize, maintain and support natural processes and ecological functions, and conserve biodiversity.
- c) To maintain and enhance the environmental health of the Boyne River subwatershed within which the Town of Shelburne is located.
- d) To preserve the quantity and quality of surface and groundwater resources upon which the Town relies and specifically protect municipal wellheads from land uses that could have *adverse effects* on the quantity or quality of the municipal water supply.
- e) To preserve and enhance the inherent scenic quality of the environment.
- f) To prevent the development of lands that are ecologically significant or sensitive lands that support natural features and functions and lands that exhibit hazardous characteristics such as steep slopes, unstable soils, etc.
- g) To preserve open space systems to provide a connected corridor within the municipality linking to the larger corridors and open space areas in surrounding municipalities.

- h) To encourage the conveyance of natural environment land into public ownership and provide for *compatible* levels of public access to publicly owned natural areas for passive recreation, where possible.
- To promote public awareness and understanding of the Town's natural heritage features, environmental issues and natural hazards by supporting educational programs that encourage environmental stewardship and community safety

### 4.8.3 General Policies

### 1. Permitted Uses

The predominant use of land in the "Natural Environment" designation shall be for conservation purposes. Specifically, the Natural Environment designation will include:

- a) The Natural Heritage System shown on Schedule 'E' comprised of natural heritage features and areas including wetlands, fish and wildlife habitat, habitat of endangered and threatened species, woodlands, valleylands, Areas of Natural and Scientific Interest (ANSI), and related linkages and buffers. While limited natural heritage features exist within the municipality, the Town will periodically review data sources and revise land use schedules as necessary to reflect updated information from the Ministry of Natural Resources (MNR) and the Nottawasaga Valley Conservation Authority (NVCA).
- b) Hazardous lands and sites including areas within the regulatory flood plain, or areas exhibiting erosion, unstable soils, or steep slopes, as defined by the flooding hazard limit (regional floodline) and the *erosion hazard limit* within the Natural Heritage System as shown on Schedule 'E'.
- c) For the purposes of this subsection, the term "buffer" means an area of land located adjacent to the defined edge of a natural heritage feature or area, which is to be protected from development and is intended for a vegetated protection zone to mitigate the impacts of development, site alteration and land use on the natural heritage feature and its ecological functions.

Passive recreation uses such as trails and connecting pathways, outdoor education, nature interpretation and similar uses and activities may be permitted in non-sensitive areas that can sustain these uses and activities without having *negative impacts* on the natural heritage features and areas or their ecological functions, and will be subject to the approval of the Town and the NVCA.

#### 2. Hazardous Lands and Sites

# 1. Flooding Hazards

Development and site alteration shall not be permitted on lands within the flooding hazard limit.

#### 2. Erosion Hazards

Development and site alteration shall not be permitted on lands within the erosion hazard limit.

#### 3. Wildland Fire Hazards

Some areas within the Town have been identified in the County Official Plan as potentially unsafe due to the presence of hazardous forest types for wildland fire. Development will generally be directed to locations outside of areas identified as potentially unsafe due to the presence of hazardous forest types for wildland fire, but may be permitted within these areas where risk is mitigated in accordance with provincial wildland fire assessment and mitigation standards. Areas of hazardous forest types for wildland fire have not been mapped in this Plan as the locations identified in the County Official Plan have not been verified through a detailed local assessment, and the areas shown in the County Official Plan are generally within the Natural Environment designation of this Plan or are not forested. The Town may complete a municipal assessment of wooded areas to determine if there are hazardous forest types for wildland fire within Shelburne and to map these areas, and/or may require site-specific assessments as a requirement of a complete application and the implementation of any recommended mitigation measures as a condition of *development*. Where mitigation is required, environmentally appropriate mitigation measures will be promoted and shall be subject to the Natural Heritage System policies of this Plan where the proposed mitigation requires site alteration.

#### 4. Permitted Uses

Notwithstanding subsection 4.8.3.2.1 to 4.8.3.2.3, the following uses may be permitted in hazardous lands provided written approval is obtained from the NVCA and the Town of Shelburne:

- Flood control works
- In-water works such as culverts and bridges
- Infrastructure works where there is no alternative location
- Passive and active recreation excluding buildings
- Existing uses
- Minor additions and accessory structures

In no case shall any of the following be located on hazardous land or sites including land that may be susceptible to a flooding hazard or erosion hazard:

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

# 5. Conservation Authority Approval

Under the Conservation Authorities Act, permission or written approval is required from the NVCA prior to any *development* within a regulated area and prior to altering or interfering with a *watercourse* or wetland.

## 6. Mapping of Hazardous Lands and Sites

The approximate limits of flooding hazards and erosion hazards are shown on Schedule 'E'. Where land is within the limits of the flooding and/or erosion hazards and within the Natural Heritage System as shown on Schedule 'E', all of the applicable policies of this subsection shall apply to the respective parts of the land that are within the flooding and erosion hazard limits and the identified natural heritage features and areas, and the applicable adjacent lands policies shall also apply. These areas are also within the Natural Environment designation shown on Schedule 'A', and no development shall be permitted except in accordance with this designation.

Where hazardous lands and sites may extend beyond the limits of the Natural Heritage System shown on Schedule 'E', or if new locations are identified, no new *development* shall be permitted except where the limits of the hazardous lands and sites have been delineated through more detailed study and approved by the Town and the NVCA, in which case the permitted uses and policies of the applicable land use designation shown on Schedule 'A' shall apply to the area outside of the hazardous lands and sites based on the new information, subject to the implementation of any required mitigation measures, buffers and/or restoration work/enhancements, permitted flood controls, authorized grading or drainage improvements/alterations, or other measures required or approved by the Town and the NVCA. Amendments to this Plan are not required to reflect the limits of flooding and erosion hazards which are defined more precisely through detailed studies approved by the Town and the NVCA. The boundaries of the natural hazards

including any related buffers shall be restrictively zoned in the Zoning By-law.

Where there is uncertainty regarding the presence of hazardous lands or sites, or the extents thereof, for any land that is proposed for development, even if the land is not within or abutting the Natural Environment designation shown on Schedule 'A' or the Natural Hazards shown on Schedule 'E', the proponent shall be required to prepare and submit an EIS to determine the presence or absence of natural hazards and to recommend any related limitations to development and any required mitigation measures. If the presence of one or more natural hazards is confirmed, such land or part thereof shall be deemed to be within the Natural Environment designation, shall be subject to the policies of this designation and the policies of this subsection for the identified natural hazard(s), and shall be restrictively zoned in the Zoning By-law. If it is determined by the Town, in consultation with the NVCA and based on the findings of the EIS, that there are no natural hazards affecting the land, the applicable land use designation for the land and related policies shall apply based on the Town's interpretation of Schedule 'A'.

# 3. Natural Heritage System

The Natural Heritage System is shown on Schedule 'E' and consists of the following natural heritage features and areas and linkages, including features and areas that may not be identified on Schedule 'E' but may be identified through new information or further study, and related policies are provided in this subsection as follows:

### 1. Habitat of Endangered Species and Threatened Species

Should an area within the Town of Shelburne be identified as a significant habitat of *endangered species* and *threatened species*, the following policies shall apply:

- a) Development and site alteration shall not be permitted in the significant habitat of endangered species and threatened species.
- b) Development proposed on lands within 120 metres of a significant habitat of endangered species and threatened species shall require a satisfactory EIS to demonstrate that there will be no negative impact on the significant habitat of endangered species and threatened species or its ecological function.

#### 2. Wetlands

Existing provincially, locally or regionally significant wetlands are included within the areas designated as Natural Environment on Schedule 'A' to this Plan and are shown on Schedule 'E'. The following policies shall apply to any *development* proposal that could impact locally or regionally or provincially significant wetlands:

- a) Development and site alteration shall not be permitted within provincially, regionally or locally significant wetlands or within the required buffer width. The required buffer shall generally be a minimum of 30 metres measured from the boundary of the wetland. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 30 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on Provincial and/or NVCA requirements.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 120 metres of a wetland shall require a satisfactory EIS to demonstrate that there will be no *negative impact* on the wetland or its ecological function.

### 3. Woodlands

Existing significant woodlands are included within the areas designated as Natural Environment on Schedule 'A' to this Plan and are shown on Schedule 'E'. The following policies shall apply to any *development* proposal that could impact significant woodlands:

- a) Development and site alteration shall not be permitted in significant woodlands or within the required buffer width. The required buffer shall generally be a minimum of 10 metres measured from the drip line of the woodland. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 10 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on NVCA requirements.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 120 metres of a significant woodland shall require a satisfactory EIS to demonstrate that there will be no *negative impact* on the woodland or its ecological function.

# 4. Valleylands

Existing valleylands are included within the areas designated as Natural Environment on Schedule 'A' to this Plan and are shown on Schedule 'E'. The following policies shall apply to any *development* proposal that could impact valleylands:

- a) Development and site alteration shall not be permitted in valleylands or within the required buffer width. The required buffer shall generally be a minimum of 7.5 metres measured from the long-term stable top-of-bank. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 7.5 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on NVCA requirements.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 120 metres of valleyland shall require a satisfactory EIS to demonstrate that there will be no *negative impact* on the valleyland or its ecological function. Geotechnical studies may also be required to establish the limit of the stable top-of-bank and identify measures to ensure long-term slope integrity, to the satisfaction of the Town and the NVCA.
- c) Valleyland shall be preserved in a natural state and further channelization of existing watercourses shall not be permitted except for flood control works by a public authority where required subject to approval of the NVCA.
- d) The Town shall encourage and may require as a condition of development the enhancement of riparian vegetation and tree canopies to contribute to the restoration and protection of valleyland.

#### 5. Wildlife Habitat

Existing wildlife habitat in Shelburne is generally included within the wetland, woodland and valleyland areas and associated buffers, and are designated as Natural Environment on Schedule 'A' to this Plan and shall be considered as part of the Natural Heritage System shown on Schedule 'E' to this Plan. The following policies shall apply to any development proposal that could impact wildlife habitat:

a) Development and site alteration shall not be permitted in significant wildlife habitat.

b) Unless otherwise directed by the NVCA, *development* proposed on lands within 120 metres of significant wildlife habitat shall require a satisfactory EIS to demonstrate that there will be no *negative impact* on the habitat features of functions.

# 6. Areas of Natural and Scientific Interest (ANSI)

Should an area within the Town of Shelburne be identified as an *ANSI*, the following policies shall apply:

- a) Development and site alteration shall not be permitted in a provincially or regionally significant ANSI unless it has been demonstrated through an EIS that such development will not have a negative impact on the feature or its ecological function.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 50 metres of a significant ANSI (earth science) or within 120 metres of a significant ANSI (life science) shall require a satisfactory EIS to demonstrate that there will be no *negative impact* on the ANSI or its ecological function.

### 7. Fish Habitat

The Natural Environment designation on Schedule 'A' to this Plan encompasses all mapped *watercourses* within the Town of Shelburne. These *watercourses* are tributaries of the Boyne River and have been identified as existing fish habitat or as having good to excellent potential as cold water habitat for sensitive fish species, and are therefore shown as Fish Habitat and included as part of the Natural Heritage System on Schedule 'E'. The following policies shall apply to any *development* proposal could impact existing or potential fish habitat:

- a) Development and site alteration shall not be permitted in fish habitat or within the required buffer width, except in accordance with Provincial, Federal and NVCA requirements. The required buffer shall generally be a minimum of 30 metres measured from the edge of the bankfull channel or meander belt allowance. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 30 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on Provincial, Federal and/or NVCA requirements.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 120 metres of fish habitat and/or that include stormwater management facilities and/or drains out letting to *watercourses*

identified as fish habitat shall require a satisfactory EIS and Stormwater Management Plan to demonstrate that there will be no negative impact on the fish habitat or its ecological function.

- c) Further channelization of existing *watercourses* shall not be permitted except for flood control works by a public authority where required subject to approval of the NVCA.
- d) The Town shall encourage and may require as a condition of development the enhancement of riparian vegetation and tree canopies to contribute to the restoration and protection of fish habitat.

### 8. Permitted Uses

Notwithstanding subsections 4.8.3.3.1 to 4.8.3.3.7, the following uses may be permitted within the natural heritage system subject to Federal and Provincial requirements where applicable, and written approval from the NVCA and the Town of Shelburne:

- Flood control works
- In-water works such as culverts and bridges
- Infrastructure works, approved through an Environmental Assessment (EA) where proposed to be located within provincially significant wetlands or the habitat of endangered species and threatened species, where there is no alternative location
- Passive and active recreation excluding buildings
- Existing uses
- Minor additions and accessory structures.

### 9. Mapping of the Natural Heritage System

The approximate limits of mapped components of the natural heritage system are shown on Schedule 'E'. Where land is within the limits of the natural heritage system as shown on Schedule 'E', all of the applicable policies of this subsection shall apply to the respective parts of the land that are within the identified natural heritage features and areas, and the applicable adjacent lands policies shall also apply. These areas are also within the Natural Environment designation shown on Schedule 'A', and no *development* shall be permitted except in accordance with this designation. Where land is also within the flooding and/or erosion limits shown on Schedule 'E', the policies of subsection 4.8.3.2 shall also apply.

It is intended by this Plan that the limits of the natural heritage features and areas, existing or potential linkages, and required buffers shall be mapped more precisely through more detailed study. Amendments to this Plan are not required to reflect the limits of natural heritage features and areas which are defined more precisely through detailed studies approved by the Town and the NVCA. The boundaries of the natural heritage features and areas including any related buffers shall be restrictively zoned in the Zoning By-law.

Where there is uncertainty regarding the presence of natural heritage features or areas, or the extents thereof, or potential linkages may exist or there is an opportunity for linkages to be created, for any land that is proposed for development, even if the land is not within or abutting the Natural Environment designation shown on Schedule 'A' or the natural heritage system shown on Schedule 'E', the proponent shall be required to prepare and submit an EIS to determine the presence or absence of natural heritage features and areas and existing and/or potential linkages and to recommend any related limitations to development and any required mitigation measures. If the presence of one or more natural heritage features or areas or linkages is confirmed, such land or part thereof shall be deemed to be within the Natural Environment designation, shall be subject to the policies of this designation and the policies of this subsection for the identified natural heritage feature or area, and shall be restrictively zoned in the Zoning By-law. If it is determined by the Town, in consultation with the NVCA and based on the findings of the EIS, that there are no natural heritage features or areas or linkages affecting the land, the applicable land use designation for the land and related policies shall apply based on the Town's interpretation of Schedule 'A'.

### 4.8.4 Natural Environment Boundaries

It is intended that the boundaries of Natural Environment areas as shown on Schedule 'A' of the Plan may be imprecise and subject to change. The Town shall determine the extent of the areas on a site-by-site basis when considering *development* proposals in consultation with the NVCA. Minor adjustments to the boundaries of the Natural Environment designation may occur without an amendment to the Plan. This subsection shall be read and applied in conjunction with subsections 4.8.3.2.6 and 4.8.3.3.9.

### 4.8.5 Environmental Impact Studies

An Environmental Impact Study (EIS) may be required for any *development* application located within 120 metres of any natural heritage feature or area identified through the Natural Environment designation. The proponent shall consult with the Municipality and the NVCA to discuss and determine the requirements of the Study. The Study shall:

- a) describe the proposed development;
- examine the existing conditions on-site and on adjacent lands;
- c) examine the functions of the natural environment area and its sensitivity;
- d) identify the location and extent of any sensitive or significant natural features or area;
- e) identify the potential impacts of the proposed *development* on the natural features and ecological functions;
- f) identify any lands to be preserved in their natural state;
- identify mitigating measures to address the negative impacts of development on the natural feature and its ecological function, including setbacks and buffers to development;
- h) identify the potential for enhancement and/or restoration of natural habitat;
- i) examine the cumulative impact of the proposed *development* and in particular the impact on groundwater function, quantity and quality; and,
- j) provide an environmental management plan, if required to enable monitoring of the area and to define implementation measures and ongoing requirements for the restoration and long term preservation and management of the natural heritage feature and how impacts will be mitigated during and after construction.

An area or site-specific scoped EIS may be permitted where appropriate to address issues of particular concern. A scoped EIS may include a reduction in content compared with that of a full EIS. The requirement for a full EIS versus a scoped EIS will depend on whether previous comprehensive studies have been completed, the nature and extent of the proposed *development*, and perceived degree of environmental impact. In some cases, the requirement for a full or scoped EIS may be waived by the Town in consultation with and subject to approval of the NVCA, if it is determined at the outset that the proposed *development* will not have a *negative impact* on the feature(s) or their ecological function(s).

# 4.8.6 Natural Environment Policy Exceptions

### 4.9 NON-URBAN

### 4.9.1 Introduction

Lands within the Non-Urban land use designation are predominantly vacant, undeveloped lands which are not designated for urban *development* due to potential limitations of wastewater servicing capacity related to the assimilative capacity of the receiving water body, and relate to projected needs to accommodate the deferred 2031 and 2036 population forecasts of this Plan.

# 4.9.2 Objectives

The objectives for the Non-Urban areas are as follows:

- a) To discourage premature fringe *development* that would create an adverse economic burden for the Town and/or that could prevent the efficient use of land for urban uses on the basis of a future expansion of the *urban area*.
- b) To reserve a land base which will be required to accommodate the deferred population growth forecast but is subject to confirmation of wastewater treatment servicing capacity related to the assimilative capacity of the receiving water body.

#### 4.9.3 General Policies

#### 1. Permitted Uses

Within the Non-Urban designation, the predominant use of land shall be for existing agricultural and rural purposes.

Uses that existed on lands prior to the designation of such lands as Non-Urban shall be permitted to continue. Land division shall be restricted to lot sizes that will not impact the future designation and orderly *development* of the area.

### 4.9.4 Non-Urban Policy Exceptions

### 4.10 SPECIAL TOURISM

#### 4.10.1 Introduction

Each year the Shelburne community hosts the Canadian Open Old Time Fiddle Championship, also known as Fiddleville or Fiddlefest. This is an important tourism event and annual attraction. This event has been successfully held for several decades and a dedicated site has been established to help ensure its continued success by providing land and building space for event, accommodation and facility requirements.

The Special Tourism designation provides for Fiddle Park and is intended as the primary location for camping and associated activities and events during Fiddleville and in association with other community events and uses of the park approved by the Town. Additional uses including a museum, workshop, eating establishments and other associated uses including tourism related and recreational uses may also be considered by the Town.

Prior to the Town's acquisition of this land as the site for Fiddle Park, the land was designated for residential purposes, dating back to prior to the Town's annexation of the land, and was subject to a residential *development* proposal. This Plan intends that the land may also be developed for residential purposes to facilitate the efficient use of this land and services within the *urban area*, should the land be declared surplus to the Town's needs in the future for Special Tourism uses, events and activities.

# 4.10.2 Objectives

The objectives from which the Special Tourism policies evolved are as follows:

- a) To encourage tourism in the Town of Shelburne.
- b) To recognize and support Fiddleville Week as a specific tourist attraction and an important event in the community.
- c) To provide a dedicated Fiddle Park site.
- d) To encourage other tourism and recreational uses of the lands.

#### 4.10.3 General Policies

### 1. Permitted Uses

The Special Tourism land use designation shall mean that the primary use of land shall be for Fiddle Park and shall include institutional and recreational uses of a tourism or economic *development* nature such as a park, a campground run under the auspice of the Fiddle Park Committee, a museum, facilities for workshops, meeting rooms, concerts, etc. and other

tourism and recreational uses which encourage economic growth in the community. Secondary uses which are complementary to and/or serve the principal uses are permitted such as eating facilities, gift shops, education or training activities associated with the tourism uses, public uses and a residence for the caretaker associated with the primary use provided the institutional/recreational character is maintained as the principal use.

The Town may permit the *development* of this land in accordance with the policies of the Residential land use designation as provided in subsection 4.2.4.3.

# 2. Servicing and Staging of Development

The Special Tourism lands are serviced by municipal water supply and connected to the municipal sanitary sewers. For the purposes of the permitted Special Tourism uses, the land shall be deemed to be within Stage 1 on the Development Staging Plan, Schedule 'B1'.

Any significant redevelopment or change in use of the land for residential uses shall be in accordance with Schedule 'B1' and the policies in subsections 4.2.4.3 and 7.10 of this Plan.

## 3. Access & Parking

*Development* shall have access from internal roads. Adequate access to off street parking areas is to be provided.

### 4. Buffering

Where conflict could result between the proposed land uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7 Development Policies.

### 5. Site Plan Control

The Town may require site plan control in accordance with subsection 8.8 to ensure that building location, general exterior design and landscaping are suited to the general character of the area and result in a positive contribution to the area for tourism *development*.

### 6. Zoning

The land uses shall be placed in a separate category in the Zoning By-law.

### 4.10.4 Special Tourism Policy Exceptions

### 4.11 SHELBURNE WEST SECONDARY PLAN

#### 4.11.1 Introduction

The Shelburne West area is one of the primary areas to accommodate new residential growth in the Town of Shelburne. This area also provides for existing and new commercial uses, parks and open spaces and institutional uses. Existing industrial uses are recognized and will be permitted to continue, and may be redeveloped as residential in the future with the majority of industrial uses directed to the *Employment areas* shown on Schedule 'A'.

The Secondary Plan for Shelburne West provides a statement of objectives and policies and a land use plan intended to guide and direct the nature of land *development* within this part of the community. The following text and Schedule 'A1' constitute the Shelburne West Secondary Plan and apply to the area delineated as the Shelburne West Secondary Plan area on the Schedules to the Official Plan. The Shelburne West Secondary Plan is part of and is intended to read and applied in conjunction with the Official Plan in its entirety. In the event of a conflict between this subsection and any other subsection of the Official Plan, the more restrictive policies shall apply.

## 4.11.2 Objectives

The objectives for the Shelburne West Secondary Plan are as follows:

- a) To provide for the development of new residential neighbourhoods on the west side and supporting and compatible commercial uses, parks and open space, and institutional uses, and address urban land requirements for these uses through intensification and redevelopment and compact urban form in greenfield areas;
- b) To support the downtown core and integration of the west side with the existing community by providing for residential intensification and redevelopment in close proximity to the downtown core with street connections and trails linking areas of existing and new housing on the west side with the areas to the east;
- To recognize existing industrial uses on the west side and provide for their continued operations and eventual transition and redevelopment of these areas to residential uses, and ensure land use compatibility through appropriate buffering;
- d) To encourage neighbourhood design that fosters place-making, community safety, barrier-free access, active and healthy lifestyles, and energy and water conservation and efficiency;

- e) To require full municipal services and direct new *development* in a logical and orderly manner in accordance with the servicing strategy for the area and the staging of *development* policies of the Official Plan;
- f) To plan for a safe and connected transportation network, promote active transportation and reduce automobile dependence;
- g) To conserve the natural heritage features and areas of the west side for the long-term as part of the natural heritage system, encourage the conveyance of natural open spaces into public ownership, and provide for *compatible* forms of public recreational use and enjoyment; and,
- h) To direct new *development* away from hazardous lands and sites and minimize risks to public safety and potential for property damage.

### 4.11.3 General Policies

### 1. Permitted Uses

The primary permitted uses within the Shelburne West Secondary Plan area shall be for a range and mix of housing types and densities, and will also include existing and new commercial uses, institutional uses, and existing industrial uses. The Shelburne West Secondary Plan and related policies shall apply to the following areas designated on Schedule 'A1':

- The Low Density Residential areas, where the primary permitted uses shall include a range of housing types such as single detached, semidetached, duplex and townhouse dwellings;
- The Medium Density Residential areas, where the primary permitted uses shall include a range of multiple residential housing types such as apartments, townhouses, triplex, fourplex and other multi-unit dwellings;
- The Community Commercial areas, where the primary permitted uses include a range of office, service commercial and retail commercial uses of a community or neighbourhood scale and nature that are primarily intended to meet the day to day needs of local residents and businesses; and,
- The Mixed Use Commercial/Employment/Institutional area where the primary permitted uses shall include those of the Community Commercial area oriented to Victoria Street, employment uses including light industry, repair and servicing, and offices, and institutional uses. Land uses that require heavy truck/heavy vehicle access, significant areas of outdoor storage, or buffering involving separation distances due

to the nature of the operations, shall be directed to appropriate locations in the designated *Employment areas* on Schedule 'A'.

Secondary uses, which are complementary to the primary permitted uses and supportive of the objectives and policies for the Shelburne West Secondary Plan, shall include recreational and cultural facilities, public and community uses, home occupations, second units, and parks and open space. Accessory dwelling units may be permitted as secondary uses within certain commercial establishments as may be provided in the Zoning Bylaw. Institutional uses shall be permitted provided that major institutional and other large scale uses shall be directed to the Mixed Use – Commercial/Employment/Institutional area.

Existing uses shall be permitted to continue and may be recognized in the implementing Zoning By-law. Existing industrial uses are recognized and shall be permitted to continue.

Existing public and utility uses are designated as Institutional on Schedule 'A1'. Any change in use or new *development* within these areas shall be in accordance with the policies of subsection 4.6 of this Plan and the implementing Zoning By-law.

Proposed changes in land use and new *development* shall be in accordance with the permitted uses and policies of this Plan.

All areas shall be developed to ensure a high quality of urban design and integration of the permitted uses with surrounding uses.

The Natural Environment areas designated on Schedule 'A1' are subject to the limited permitted uses and policies of subsection 4.8 of this Plan.

#### 2. Land Use and Street Pattern

- a) The land use and street pattern for the Shelburne West Secondary Plan area shall be based on Schedule 'A1'. The location of roads, intersections, trails, neighbourhood parks, stormwater management facilities and boundaries of land uses shown on Schedule 'A1' should be considered approximate. Amendments will not be required for minor adjustments to the location of these features provided the general intent of this Plan is maintained, and subject to the policies of subsection 9.1 of this Plan identifying circumstances where land use boundaries are to be considered absolute.
- b) The pattern of *development* is based on a distinction between private lands and the public realm. The public realm is composed of clearly defined and connected streets, parks and open spaces and trails and the Shelburne West Secondary Plan recognizes the need to plan for

these public spaces. *Development* shall provide landscaping adjacent to the public street or public sidewalk to promote an attractive landscaped transition between the public and private realm.

- c) Future land use and *development* proposals, as well as public works and other municipal projects, shall contribute to the establishment of balanced and integrated neighbourhoods with a mix of housing types and densities distributed among low and medium density residential areas, support retail, office and services within community commercial areas, public and community facilities, a connected network of trails and a linked parks and open space system, based on Schedule 'A1'.
- d) Buildings shall be oriented to front, face and feature public streets and intersections with articulation of street-facing building facades to provide a high quality of design, detail and variety, human-scale and pedestrian orientation, and buildings abutting residential uses should be of a similar height as the dwellings.

# 3. Criteria for Development

- a) All *development* shall be located in accordance with Schedule 'A1' Shelburne West Secondary Plan.
- b) When considering proposals for *development*, including permitted primary uses and secondary uses, Council shall require demonstration of the following:
  - the proposed development is in keeping with the objectives and policies of the Shelburne West Secondary Plan and will contribute to achieving the population and/or employment growth forecasts and meeting the residential targets, where applicable, of the Official Plan, and to creating a complete community;
  - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy and based on the servicing strategy for the Shelburne West Secondary Plan, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the road system to accommodate the increased traffic volume, with local roads and opportunities for active transportation providing efficient access to arterial and/or collector streets to minimize distances and energy consumption for transportation to and from existing or planned community facilities such as parks, schools, the downtown core and other commercial and mixed use areas;

- iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence, and are in keeping with the conceptual street network and trails system shown on Schedule 'A1';
- v) the adequate provision of parks and recreation facilities in accordance with subsection 4.7 Open Space Recreation, and the provision of new parks and recreation facilities in keeping with the conceptual neighbourhood park locations shown on Schedule 'A1';
- vi) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vii) land use compatibility and regard for the density and character of adjacent *development* through appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
- viii) the proposed use implements the Town's Urban Design Guidelines and Development Standards as may be adopted by Council;
- ix) the adequate provision for access, off-street parking facilities, and buffering/screening where required;
- x) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8:
- xi) the proposed *development* will conserve identified heritage resources, in accordance with Section 6;
- xii) the uses will be appropriately zoned and adequately regulated by suitable provisions in the implementing Zoning By-law; and,
- xiii) the requirements of Section 7, Development Policies, have been met.
- c) Development or redevelopment of the lands adjoining or near the west limit of the downtown core shall be complementary to the planned function of the Commercial Core and Downtown Mixed Use area, and shall provide for efficient access and a high level of connectivity to the downtown core including the provision of sidewalks and community trails, pedestrian road crossings and signage;

- d) Along Main Street West and Victoria Street, *development* proposals shall address the following:
  - Building orientation to address the street and intersections;
  - ii) Parking areas located behind or to the side of buildings;
  - iii) Landscape treatments and building design that create an attractive and unified streetscape and a sense of entrance and arrival to the community;
  - iv) High quality design and character of *development* that contributes to the image and identity of Shelburne.

### 4. Residential Areas

The following policies apply to the land designated as "Low Density Residential" and "Medium Density Residential" on Schedule 'A1' in addition to the policies of subsection 4.2:

- Residential uses shall be primarily accommodated within the residential density designations on Schedule 'A1', with a targeted housing mix of 60% low density and 40% medium density for the Shelburne West Secondary Plan area;
- b) Development within the Low Density Residential designation shall have a gross residential density ranging between 15 units per hectare and 24 units per hectare and should not exceed 2 storeys in height;
- c) Development within the Medium Density Residential designation shall have a gross residential density ranging between 24 units per hectare and 40 units per hectare and should not exceed 3 storeys in height;
- d) Reverse-lotting of housing units and direct property access along Main Street West shall not be permitted except where permitted for existing uses and where no other access can be provided, and where the building design addresses both street frontages with façade and landscape treatments that create an attractive streetscape, and in accordance with the permit and other requirements of the Ministry of Transportation, where applicable.
- e) Entrance features to new residential neighbourhood *development* shall be encouraged, provided that the features are landscape-related and require minimal maintenance, and are in keeping with the Urban Design policies of this Plan and have regard for the Town's Urban Design Guidelines.

- f) All residential development shall ensure appropriate orientation and massing of residential buildings to provide adequate private and public open spaces.
- g) Private garages for residential development shall not be located closer to the street than the habitable portion or porch on the main floor of the building and may be subject to maximum width and other requirements within the Town's Zoning By-law to limit the visual and streetscape impacts of garages and encourage a positive street frontage oriented to pedestrians, and shall have regard for the Town's Urban Design Guidelines.
- h) Existing industrial uses located within the Residential designations shall be permitted to continue and may be expanded within their existing sites or on land designated as Employment on Schedule 'A', in accordance with the applicable policies of this Plan and the implementing Zoning Bylaw. Prior to future redevelopment of existing industrial/brownfield sites for residential uses, the Town shall be satisfied that the land is safe for residential use, and a Record of Site Condition shall be provided. Proposed changes in land use and new *development* shall be in accordance with the applicable Residential density designation and the related permitted uses and policies of this Plan.
- i) Complete applications for development within the Residential designation shall include information to demonstrate land use compatibility with existing industrial uses, including but not limited to noise studies, and buffering shall be required to mitigate any impacts in accordance with subsection 7.13. The design, location and form of buffering to be provided shall consider need for interim mitigation measures and the potential for the redevelopment of existing industrial uses to residential.

# 5. Community Commercial Areas

The following policies apply to the land designated as "Community Commercial" on Schedule 'A1' in addition to the policies of subsection 4.3:

- a) Where commercial development is proposed adjacent to a residential area, building setbacks, visual screening of parking areas, landscaping, fencing and other forms of buffering will be required to mitigate potential adverse effects between the uses.
- b) No open storage of goods, materials, machinery or equipment is permitted. Outside display may be permitted in accordance with the Zoning By-law.

c) Development within the Community Commercial designation shall provide for building orientation, façade and landscape treatments that create an attractive streetscape along the north and south sides of Main Street West (Provincial Highway 89) and along any other existing or future street frontages.

## 6. Mixed Use - Commercial/Employment/Institutional Area

- a) Along the west side of Victoria Street, *development* shall provide for building orientation, façade and landscape treatments that create an attractive streetscape, and new property access shall be from internal public roads wherever possible.
- b) The following uses will be promoted in the Mixed Use Commercial/Employment/Institutional Area:
  - i) Commercial uses that provide services to, or an outlet for products from local farms in the surrounding area, such as farmers markets, local food retailers, livestock veterinary services, light equipment retailing and services, and similar uses that support the agricultural sector:
  - ii) Institutional and public uses such as recreational and cultural facilities, schools, religious institutions, funeral homes, health and social services; and,
  - iii) Employment uses such as light manufacturing and equipment sales and service, office and business park uses, construction and service trades, training facilities and other employment uses and services;

that do not require heavy truck/heavy vehicle access, significant areas of outdoor storage, or buffering involving large separation distances from sensitive uses due to the nature of the operations.

# 7. Neighbourhood Parks

Potential future Neighbourhood Park locations are shown on Schedule 'A1' to illustrate the conceptual location and distribution of parkland among future residential neighbourhoods north and south of Main Street West, and related trail connections. The location of future parks should be considered approximate and will be finalized through land dedications as a condition of *development* proposals in accordance with the policies of subsection 4.7 and the following:

a) Neighbourhood Parks shall be located, planned and designed in a manner that provides for street frontage and a high level of access and

visibility, with connections to existing and future trail routes and linkages among parks, recreational and open space areas.

- b) Neighbourhood Parks shall be planned and developed alongside new residential *development* and shall form part of a linked public open space system providing diverse settings for a range of passive and active recreational pursuits and cultural activities, barrier-free access and use, healthy lifestyles, social engagement, and active transportation.
- c) Parkland shall be dedicated as a condition of future *development* in accordance with subsection 4.7 of this Plan to facilitate the establishment of new Neighbourhood Parks approximately in the locations shown on Schedule 'A1', or in alternative locations provided that the intent of this Plan is maintained.
- d) The future location of Neighbourhood Parks should take advantage of site locations that provide natural amenities and access to other public open space areas.
- e) The future location of Neighbourhood Parks should be coordinated with the location of a future school site if additional school facilities are required by the School Board(s) to service the Shelburne West Secondary Plan area.

#### 8. Natural Environment

The following policies apply to the land shown on Schedule 'A1' as Natural Environment, in addition to the policies of subsection 4.8 of this Plan:

- a) Land designated as 'Natural Environment' are shown on Schedule 'A1' and are intended to be conserved in a natural state and to form part of the Natural Heritage System identified on Schedule 'E' including the maintenance and enhancement of linkages as follows:
  - i) Filling in natural area gaps via plantings of native trees and other vegetation, with species reflecting the existing conditions of the surrounding ecological communities and consideration to a combination of woodland, wetland and prairie restoration and enhancement:
  - ii) The conveyance of Natural Environment areas to the Town or other public authority for the purposes of conservation will be promoted, and these areas including required vegetative protection zones and buffers shall be reserved in a common block and shall not be subdivided into multiple private ownerships as a result of development of adjoining land;

- iii) Continuous natural open space corridors along *watercourses* and between significant woodland and wetland areas shall be provided;
- iv) Restoration and naturalization along water courses may be required as a condition of *development* approvals to establish a treed riparian community, to reduce impacts of flooding and erosion, and to protect coldwater fish habitat:
- v) For Natural Environment areas conveyed to the Town or other public ownership, and through agreements with private landowners, the Town working with the NVCA may establish and implement tree plantings and other enhancement programs within and along the edges of these areas; and,
- vi) The establishment of buffers on the basis of the recommendations of the NVCA through the review of site specific Environmental Impact Studies, which shall be provided as a condition of development.
- b) Opportunities for *compatible* forms of public access and passive recreational uses such as trails, wildlife viewing areas, outdoor education and interpretive signage shall be encouraged within Natural Environment areas and associated buffers. Where possible, the location of Neighbourhood Parks, open space and trails will be complementary to, and integrated and coordinated with, the Natural Environment areas and associated buffers, based on Schedule 'A1'.

## 9. Servicing Strategy

The following policies apply to the land shown on Schedule 'A1' in addition to the policies of subsections 7.8, 7.9, 7.10 and 7.11:

- a) Full municipal services shall be required for all land use and development proposals that require services within the Shelburne West Secondary Plan area, except where permitted otherwise by subsection 7.8 (b) for existing uses and existing lots of record where municipal services are not available or planned.
- b) The Town will encourage the connection of existing privately serviced land to the municipal systems when a connection is made available.
- c) The provision of local services and stormwater management facilities to be assumed by the Town as part of the public infrastructure will be required as a condition of development. Master Environmental Servicing Plans will be required as part of a complete application for land use and development proposals where new local services and stormwater management facilities are proposed to be assumed by the Town.

- d) The Town will update the Town-wide Master Servicing Plan and will consider the need for servicing improvements within the Shelburne West Secondary Plan area in the capital forecast and to ensure cost recovery through Development Charges for growth-related capital projects. The Town may establish an area-rated Development Charge for the Shelburne West Secondary Plan area or portions thereof to recover the growth-related capital cost of servicing improvements required to service this area. Identified priority works will be undertaken at the earliest opportunity within the financial capabilities of the Town. Front-ending agreements and Development Charges credit agreements will be utilized where possible to facilitate timely servicing improvements aligned with the phasing of development and to ensure the proper apportionment of costs among benefitting properties and developments.
- e) Services and *utilities* shall be provided in an orderly and coordinated manner that:
  - Provides for the phasing of development aligned with the availability of servicing capacity based on the development staging policies of this Plan;
  - ii) Provides for and encourages the construction and maintenance of services and *utilities* in an efficient manner while minimizing conflicts with other land uses;
  - iii) Provides for the future extension of services by developing sufficient capacity in the distribution, collection and treatment facilities to service the present and future needs of *development* in the Shelburne West Secondary Plan area;
  - iv) Protects the natural environment while providing the required services and *utilities*;
  - v) Is coordinated with public agencies in planning for and designing the multiple use of servicing and utility rights-of-way and corridors; and,
  - vi) Protects the services and *utilities* from encroachment that would constrain or increase the costs of its operation, access for maintenance, repair and future replacement, and in a manner that avoids potential risks to public health and safety and property damage.
- f) Servicing of the Shelburne West Secondary Plan area shall be based on the recommended servicing strategy in the Town's Master Servicing Plan, which will be updated from time to time.

- g) Conceptual locations for future Stormwater Management (SWM) facilities are shown on Schedule 'A1'. The location and number of future SWM facilities should be considered approximate and revised locations and/or additional facilities shall be determined through site-specific development applications, in accordance with the following:
  - The number of SWM facility locations shall be minimized wherever possible;
  - ii) The planning and design of SWM facilities shall consider opportunities for consolidated locations and the drainage requirements for the total build-out of the site and adjoining properties based on the planned future land uses shown on Schedule 'A1':
  - iii) Stormwater Management Plans shall be required as part of a complete application for future land use and *development* proposals, and shall be prepared in accordance with subsections 7.8(c) and 7.15.11 of this Plan and to address the policies of this subsection, storm drainage and stormwater management issues and best management practices; and,
  - iv) Where possible, the design and location of SWM facilities shall be coordinated and integrated with Neighbourhood Park locations, trails and other public open space areas, provided the overall function of the parks, trails and open space areas and public health and safety are protected.
  - h) As recommended in the Town's Master Servicing Plan, the embankment within the former rail corridor should remain in place to minimize downstream flows. Proposals to reduce the extent of the area within the Regional Floodline shown on Schedule 'E' by alteration to the embankment or culvert improvements, or to alter a municipal drain or other *watercourse* may only be permitted where it is demonstrated through flood modelling and an EIS that no increased risk of flooding and erosion downstream will result and that there will be no *negative impacts* to the Natural Heritage System and existing *watercourses*, to the satisfaction of the Town and the NVCA. Any culvert improvements or other alterations within the former rail corridor shall be subject to the permit and other requirements of the County of Dufferin.

# 10. Transportation Policies

The following policies apply to the land shown on Schedule 'A1' in addition to the policies of Section 5:

- a) The transportation system for the Shelburne West Secondary Plan area shall include a continuous and linked network of existing and future Arterial, Collector and Local Roads, on-road pedestrian and cycling facilities and trails, and shall be coordinated with the planned future land use based on Schedule 'A1'.
- b) Main Street West (Provincial Highway 89) is an Arterial Road and is under the jurisdiction of the Ministry of Transportation. *Development* located adjacent to or impacting Provincial Highways is subject to the requirements of the Ministry of Transportation and shall be subject to the policies of subsection 5.3.3. All new property access for future land use and *development* shall be from Local or Collector Roads, except where permitted by the Ministry of Transportation, or by the Town within the Connecting Link, where no other road access is available or planned.
- c) Improvements to Main Street West including, but not limited to, upgrades to an urban cross section with underground stormwater system and utilities, bike lanes, sidewalks and boulevards, may be required as a condition of development of the land on either side of Main Street West, as well as other means to create and enhance connections with the downtown core.
- d) As shown on Schedule 'A1', future intersections along the Arterial Road will be required to provide Collector Road or Local Road access to the land north and south of Main Street West (Provincial Highway 89). The number of intersections shall be minimized, and spacing between intersections shall be maximized. Intersections will be aligned with existing Local Roads (John Street) and located within the Connecting Link portion of Main Street West (Provincial Highway 89), where possible, based on Schedule 'A1'.
- e) The Town will work with the Ministry of Transportation, private property owners and developers to promote efficient connections and transportation choice and access to the downtown core from the west as part of area road improvements, including sidewalks and consideration of bike lanes, trail *development*, signage and future intersections/pedestrian road crossings.
- f) Victoria Street is a Collector Road and is under the jurisdiction of the Town of Shelburne. Direct property access to Victoria Street shall be minimized and access to the land along the west side of Victoria Street for future land use and development will be accommodated by future Local Roads or Collector Roads approximately in the locations shown on Schedule 'A1', where possible. Direct property access to Victoria Street may be permitted where the proposed land use or development will not negatively impact the Collector Road function, provided that land

- is reserved and dedicated to the Town for future Local and/or Collector Roads based on Schedule 'A1'.
- g) The future Collector Roads shown on Schedule 'A1' shall be constructed as a local service as a condition of *development* to the Town's satisfaction and assumed by the municipality. Where a future Collector Road is shown with a dashed line on Schedule 'A1', the following policies shall apply:
  - These Collector Roads shall be provided where possible to provide connections with existing local roads and to extend and complete the other future Collector Roads shown;
  - ii) The Town may determine that these roads/connections are not required as a condition of *development* approval where it is demonstrated through Traffic Impact Studies that existing roads and/or other future roads will provide an adequate level of service to the area based on the future land uses shown on Schedule 'A1' and related traffic generation allowing for current and future background traffic volumes;
  - iii) The northerly extension of John Street as shown on Schedule 'A1' shall only be permitted on the basis of an Environmental Impact Study or Environmental Assessment demonstrating that there will be no *negative impacts* to significant natural heritage features or areas and their ecological functions and in accordance with subsection 4.2.4.2 of this Plan:
  - iv) The potential need for and feasibility of a westerly extension of Wellington Street shall be determined as part of any proposed change in land use or redevelopment proposal for the existing industrial use located south of Main Street West and west of the former rail corridor, and the design shall address the trail crossing and any improvements required to the existing roadway;
  - v) Notwithstanding the identification of these potential future roads/ connections shown on Schedule 'A1' as Collector Roads, these future roads may alternatively be designed as Local Roads where a Collector Road function and capacity are not required based on the anticipated traffic volumes; and,
  - vi) Where it is determined that any of the potential future roads/ connections shown on Schedule 'A1' are not required, the Town may alternatively require the dedication of pedestrian and cycling pathways.

- h) The location of the future Collector Road crossing of Walter's Creek is conceptual and is not intended to reflect a chosen alignment or crossing location. The precise location of the watercourse crossing shall be determined through the review of future land use and development proposals for the affected land, and shall be based on the optimal crossing location that will minimize impacts to the watercourse and valleyland and address intersection spacing requirements along Fourth Line and Main Street West (Highway 89).
- i) North of Main Street West, Fourth Line is an existing Local Road under the shared jurisdiction of the Town of Shelburne and the Township of Melancthon. Fourth Line is planned as a future Collector Road to provide a transportation connection for future land use and *development* along the east side of Fourth Line to Main Street West to the south. The required upgrades to Fourth Line to an urban standard or a semi-urban standard and the location and design of any new driveway entrances and intersections with new public roads shall be determined and constructed as a condition of *development* of land that will require access to Fourth Line based on the future land uses shown on Schedule 'A1', and to the satisfaction of the Town of Shelburne and the Township of Melancthon, and in accordance with the permit and other requirements of the Ministry of Transportation, where applicable.
- j) The future westerly extension of Maple Court shall only be considered as a Local Road connection to be developed as part of a future land use and development proposal that comprehensively addresses the primary means of road access via a separate Future Collector Road connecting to Fourth Line and providing for a future northerly connection to a westerly extension of Col. Phillips Drive. The design of the future Collector Road shall address the trail crossing within the former rail corridor to the satisfaction of the Town.
- k) Conceptual future Local Roads are shown on Schedule 'A1' and are intended to illustrate a potential street pattern based on a modified grid, ensuring multiple access points, providing for the efficient movement of vehicles, cyclists and pedestrians, minimizing crossings of watercourses and avoiding Natural Environment areas. The precise location and alignment of future Local Roads will be determined through the review of future land use and development proposals, shall be in keeping with the intent of this policy, and shall be developed and dedicated to the Town as public roads. Street connections to existing Local Roads should be provided wherever possible.
- I) Conceptual future trails are shown on Schedule 'A1' and are intended to illustrate a potential west side trail network based on completing and providing connections with the existing and future trails system shown on Schedule 'C2' and establishing an expanded and connected future

trails system linking residential neighbourhoods with on road routes and a future trail within the former rail corridor, Neighbourhood Parks and open space areas, the downtown core and other commercial areas, and to provide recreational amenities and convenient active transportation routes for pedestrians and cyclists. The precise location and alignment of future trails will be determined through the review of future land use and *development* proposals, shall be in keeping with this policy, and shall be dedicated to the Town as pedestrian and/or cycling pathways as a condition of *development*.

m) Any future road crossings, trail *development* or other works within the former rail corridor shall be subject to the permit and other requirements of the County of Dufferin.

# 11. Implementation

The Shelburne West Secondary Plan will be implemented through zoning, plans of subdivision and condominium, severances, zoning by-laws and site plans where applicable, in accordance with the implementation policies of Section 8 of this Plan.

## SECTION 5 - TRANSPORTATION POLICIES

#### 5.1 INTRODUCTION

The predominant means of transportation in the community is by means of private vehicles utilizing the road system. The existing road network is a hierarchical system incorporating arterial roads, including Provincial Highways 10 and 89 and County Roads 11 and 124, in conjunction with the collector roads and local roads under the jurisdiction of the Town. In order to protect the function of the higher order Provincial and County components, special consideration shall be given to access locations onto these roads in order to enable the continued movement of major traffic volumes.

Based on a continual and reasonable maintenance and reconstruction program, the existing local road network should be sufficient to meet the needs of the existing community. The construction of new roads and capacity and operational improvements to certain existing roads and intersections will be required to accommodate forecast population and employment growth as well as growth in regional and through traffic volumes on arterial roads. It is the intent of the Town to ensure that new roads and improvements to existing roads are required where necessary as a condition of *development*, and to work with the Province and the County to ensure timely improvements to Provincial Highways and County Roads and intersections to support the safe and efficient movement of traffic and provide additional capacity to accommodate traffic generated by continued growth in the community and growth in regional and through traffic volumes. The Town also intends to maximize the availability and use of alternative means of transportation, including active transportation, and transit services should such services be provided within the planning period.

## 5.2 OBJECTIVES

The basic objectives from which the Transportation Policies evolved are as follows:

- a) To ensure an adequate road system is provided for the efficient movement of people and goods within and through the Town with particular regard for the safety and the economic and social impact of such a system.
- b) To ensure that land use and transportation policies are mutually supportive recognizing that land use can have a significant impact on the transportation network and conversely that the transportation system can have a major influence on the use of land and energy consumption.
- c) To provide a network of pedestrian and cycling facilities that support active transportation as an alternative to the automobile.

d) To ensure that land use and *development* is supportive of active transportation and the potential for future transit services.

## 5.3 GENERAL POLICIES

# 5.3.1 Schedule 'C' Transportation Plan

- a) These policies shall be read in conjunction with Schedule 'C' Transportation Plan, including Schedules 'C1' and 'C2', which reflect the objectives of subsection 5.2.
- b) The transportation network identified on Schedule 'C' shall be protected to meet current and projected needs for various modes of travel for the movement of people and goods. *Development* shall not be permitted where it precludes the implementation of the transportation network shown on Schedule 'C'.
- c) While the Official Plan is considered to be flexible, any major land use change will necessitate a review of the transportation system. The review will examine whether the transportation system would remain adequate and appropriate if the proposed land use change is approved. If not, an amendment to Schedule 'C' Transportation Plan is required.
- d) Roads and on and off road active transportation/trail routes shown on Schedule 'C' as 'Proposed' are intended to show access and connection points and conceptual route alignments and are not intended to precisely delineate chosen routes. Updates to the Transportation Plan as a result of new subdivision development shall identify confirmed routes. Amendments to this Plan shall not be required for changes in the alignment of existing and proposed roads and pedestrian/cycling trails provided that the general intent and purpose of this Plan are maintained.

#### 5.3.2 Function of Roads

The road classification system as shown on Schedule 'C1' reflects the ultimate function envisaged for these roads. Where a change in function is proposed, an amendment to this Plan will be required.

## 5.3.3 Arterial Roads

- a) Arterial Roads designated on Schedule 'C1' to this Plan include Provincial Highways 10 and 89 and County Roads 11 and 124.
- b) The intended primary function of Arterial Roads is to distribute traffic to or from other classes of roads and facilitate the efficient movement of through traffic.

- c) Provincial Highways are under the jurisdiction of the Ministry of Transportation. The following policies shall apply to *development* located adjacent to or impacting Provincial Highways:
  - i) All *development* located adjacent to a Provincial Highway or located within the Minister's area of permit control will be subject to the requirements of the Ministry of Transportation.
  - ii) Permits must be obtained from the Ministry of Transportation prior to any grading and/or construction being undertaken. Entrance permits on to Provincial Highways are subject to approval by the Ministry of Transportation in accordance with the Public Transportation and Highways Improvement Act.
  - iii) The Town will circulate *development* applications involving land within the Ministry's permit control area to the Ministry of Transportation for review and comment, in accordance with Ministry policy.
  - iv) Right-of-way widths for Provincial Highways shall be in accordance with Ministry of Transportation requirements.
- d) As shown on Schedule 'C1', a portion of the Provincial Highways is designated as a Connecting Link. The following policies shall apply to *development* located adjacent to or impacting the Connecting Link portion of the Provincial Highways:
  - i) Access to Connecting Links is subject to Municipal approval.
  - ii) The Town will circulate *development* applications involving land adjacent to or impacting the Connecting Links to the Ministry of Transportation for review and comment.
  - iii) Right-of-way widths for Connecting Links shall be in accordance with the requirements of the Town and the Ministry of Transportation.
- e) The Town will continue to pursue Provincial approval of an extension of the Connecting Link designation for the sections of the Provincial Highways located within the Town limits that are currently not part of the Connecting Link Agreement.
- f) County Roads are under the jurisdiction of the County of Dufferin and shall be subject to the following policies:
  - An entrance permit shall be obtained from the County of Dufferin for any access to a County Road.

- ii) Development applications will be circulated to the County of Dufferin for review and comment in accordance with the Planning Act.
- iii) Right-of-way widths for County Roads shall be in accordance with County requirements.
- g) The Town shall work with the Ministry of Transportation and County of Dufferin to ensure the provision of safe and appropriately located pedestrian crossings along Arterial Roads which shall generally be directed to signalized intersections.
- h) Sidewalks will generally be required along both sides of Arterial Roads and may be imposed as a condition of *development* located along Arterial Roads. Cycling lanes should be considered within the Connecting Link in conjunction with scheduled or planned road improvements subject to appropriate engineering study and design solutions demonstrating that onroad cycling routes can be safely accommodated without compromising the through traffic function of the Arterial Road.
- Maintenance responsibilities for Arterial Roads shall be in accordance with agreements between the Municipality and the Ministry of Transportation or the County of Dufferin, as applicable.
- j) Transportation improvements within the Shelburne East Area limits shown on Schedule 'C1' shall be implemented based on the recommendations of the Shelburne East Area Transportation Study, the results of approved environmental assessment(s) where required, and approval of a traffic impact study for proposed development(s) in the area.

## 5.3.4 Collector Roads

- a) Collector Roads designated on Schedule 'C1' to this Plan include:
  - Victoria Street
  - Simon Street
  - Greenwood Street
  - Fiddle Park Lane
  - Susan Street
  - Jane Street
  - Cedar Street from Jane Street to its northerly limit
  - Wansburgh Way
  - Col. Phillips Drive
- b) Future Collector Roads are planned in the Shelburne East Area, including a north-south street intersecting Main Street East / Highway 89 east of County Road 124, and an east-west street intersecting County Road 124 north of

Main Street East / Highway 89. The details of the design of these roads and intersections shall be established based on an environmental assessment, if required, in conjunction and coordinated with proposed *development* in the area, and based on the recommendations of the Shelburne East Area Transportation Study.

- c) Collector Roads are intended to serve a dual function of facilitating through traffic movement and providing direct access from adjacent land uses.
- d) Collector Roads shall be located and designed to distribute traffic between local and arterial roads and carry lighter volumes for shorter trips than an Arterial Road.
- e) Access to Collector Roads shall be subject to Municipal approval.
- f) Right-of-way widths for Collector Roads shall be a minimum of 20 metres.
- g) The Town shall continue to provide year-round maintenance of Collector Roads upon municipal assumption.
- h) The provision of sidewalks and bicycle lanes should be considered where new Collector Roads are proposed and in conjunction with scheduled or planned improvements to existing Collector Roads.

#### 5.3.5 Local Roads

- a) Existing and proposed Local Roads are illustrated on Schedule 'C1' to this Plan.
- b) The primary function of Local Roads is to provide access to adjacent land uses.
- c) Local Roads should be designed to discourage use by through traffic.
- d) Access to Local Roads shall be subject to Municipal approval. Restrictions on access generally relate to sight distances.
- e) Generally the minimum right-of-way for Local Roads should be 20 metres.
- f) The Town shall continue to provide year-round maintenance of Local Roads upon municipal assumption.
- g) Sidewalks shall be required along both sides of all new Local Roads to be developed within residential plans of subdivision.

# 5.3.6 Municipal Lanes

- a) Municipal Lanes are identified on Schedule 'C1' to this Plan and are generally located to the rear of existing properties within the downtown core and existing residential blocks in the surrounding area.
- b) Municipal Lanes are Town-owned rights-of-way that are intended to provide secondary access to properties. The creation of new lots and any proposed *development* having frontage only on a Municipal Lane shall not be permitted.
- c) Municipal Lanes have a right-of-way width of less than 20 metres. Generally the existing right-of-way widths for Municipal Lanes will be maintained as a minimum.
- d) The existence of a Municipal Lane right-of-way does not imply any obligation on the Municipality to develop or maintain roadways or other forms of public access with these rights-of-way.
- e) The provision of Municipal Lanes within existing rights-of-way or the creation of new Municipal Lanes will only be considered where sufficient right-of-way width can be provided to address issues related to maintenance, snow storage and other issues to the satisfaction of the Town, and where the construction and operation costs are warranted at Council's discretion.
- f) Maintenance levels for Municipal Lanes shall be at Council's discretion based on the financial resources and operational capabilities of the Town. Consideration may be given to maintaining Municipal Lanes on a year-round or seasonal basis, or leaving them unmaintained temporarily or for extended periods of time provided appropriate regard is given to public safety.
- g) Council may consider the closure of Municipal Lane rights-of-way to address matters of public safety and/or to facilitate the conveyance and assembly of land for *intensification* and redevelopment or the provision of public services and facilities.
- h) Council may restrict public access to Municipal Lanes. Access may be limited to pedestrian and other non-motorized use where required to achieve the objectives of this Plan, the Active Transportation Plan and the Parks Master Plan to create a linked pedestrian and cycling network.
- i) Development and alterations to the land other than required maintenance activity shall not be permitted within unopened Municipal Lanes except as specifically permitted in writing by the Town where it is demonstrated that there will be no negative impacts to the Town property or adjacent lands or the existing or potential future use of the Municipal Lane for access, servicing or other municipal purposes.

# 5.3.7 Road Improvements, Right-of-Way Acquisition and Road Widenings

- a) The Town shall continue its program of road maintenance, of improvements to road alignments and intersections and of acquiring adequate rights-of-way where those in existence are deficient or where new *development* occurs by plan of subdivision.
- b) Council shall reserve or obtain the necessary rights-of-way for future roads as a condition of *development* approval. Existing and planned municipal rights-of-way shall be protected for future roadways in accordance with the intended right-of-way widths established in this Plan.
- c) As a condition of *development* approval, Council will require the dedication of a road widening strip to the Town, the County of Dufferin or the Ministry of Transportation to achieve the intended right-of-way widths established in this Plan. Road Widenings required for specific roads are identified in Table 3.

**Table 3-Road Widenings** 

Road	Location	Existing Right-of-Way Width	Designated Right-of-Way Width
Jelly St.	Centre St. to its limit 45.3 m (145 feet) north of Pine Grove Ave.	15.2 metres (50 feet)	20 metres (66 feet)
James St.	Centre St. to Shelburne Plaza	15.2 metres (50 feet)	20 metres (66)
Cedar St.	Susan St. to the Centre Dufferin District High School	20.1 metres (66 feet)	23.2 metres (76 feet)
Gordon St.	First Ave. to Main St.	Varies 5.8-15.2 metres (19-50 feet)	20 metres (66 feet)
Owen Sound St.	O'Flynn St. to First Ave.	20.1 metres (66 feet)	26.21 metres (86 feet)
Joseph St	CPR Line to Victoria St.	15.2 metres (50 feet)	20 metres (66 feet)
Centre St.	Victoria St. to Laneway	15.2 metres (50 feet)	20 metres (66 feet)
Simon St.	Victoria St. to Laneway	15.2 metres (50 feet)	20 metres (66 feet)
Franklin St.	Victoria St. 136.5 metres (448 feet) easterly	15.2 metres (50 feet)	20 metres (66 feet)

d) The width of the road widening strip will not exceed that required to achieve the right-of-way widths set out in this Plan, except in cases where additional

road width is required for grading purposes and/or to accommodate turning lanes at intersections or service driveways that eliminate individual points of access to and from an arterial or collector road.

- e) The extent of such road widening shall be determined by, among other matters, the physical characteristics of the land, the existence of mature trees, the proximity of structures and buildings to be retained on the lot, the existence of a heritage resource, existing and proposed road widths, drainage considerations and site lines.

  Where possible, equal amounts of widening will be required from either side of a road allowance, but in specific cases, it may be necessary to deviate from this policy where physical characteristics of the land, the location of existing buildings, the existence of mature trees or woodlot areas and/or a heritage resource make it impossible. In such cases, it may be necessary to acquire more than half or even all of the total required widening from one side in order to attain the full required width. Where widenings are required on existing streets which are lined with trees, discretion will be used and all methods explored to reduce loss of such trees, where possible.
- f) Minor road realignments and widenings will not require an amendment to this Plan

## 5.3.8 Setbacks

Adequate setbacks from buildings and structures to the road allowance shall be established by the provisions of the Zoning By-law. In addition, by-laws may be passed by the Town requiring that, where applicable, all septic tank tile fields are kept at least 6 metres back from all road allowances to protect the Municipality from substantial relocation costs during any road rebuilding operations. Setbacks from Provincial Highways and County Roads shall be in accordance with the requirements of the Ministry of Transportation and the County of Dufferin, respectively.

## 5.3.9 Plans of Subdivision

- a) In considering proposed plans of subdivision, Council will follow a policy of requiring direct property access to be from local and collector roads. Reverse lotting to any public road will be discouraged and the use of window streets, service roads, enhanced front, side and/or rear building facades will be promoted to provide for building orientation towards arterial and collector roads.
- b) While utilizing good design and energy conservation principles in the plan, the length of roads should be kept to a minimum whenever possible in order to lower construction and maintenance costs as well as reduce trip lengths in the community. Additional energy conservation measure to be considered

- include minimizing requirements for stops and providing road alignments that create lot orientations which maximize solar access.
- c) A modified grid street pattern will be provided wherever possible, while maximizing connectivity with existing roads, incorporating traffic calming and promoting reduced speeds, and ensuring convenient walking distances and pedestrian/cycling routes. Pedestrian and/or cycling pathways/connections may be required for long blocks of *development* to shorten walking/cycling distances and to maximize connectivity of parks, open spaces and trails.

#### 5.3.10 Road Access

- a) No land may be developed which does not have adequate access to roads with the proper maintenance and capacity to handle the proposed traffic.
- b) No new lot creation shall be permitted except where adequate street frontage on a public road is available or will be provided through the *development* of new public roads within a plan of subdivision.
- c) Frontage on a public road shall be required for all new *development*, and the *development* of new private roads shall not be permitted, except as otherwise approved through a registered plan of condominium.
- d) Access needs for emergency services shall be considered for all development, and the Town may require a secondary or dedicated access for emergency services in addition to the primary road access. A second point of access shall be required for all streets that exceed 150 metres in length, provided that exceptions to this standard may be permitted by Council for existing streets and where the Town is satisfied that adequate fire protection and emergency access will be provided.
- e) New cul-de-sacs or dead-end streets will be discouraged and will only be permitted where warranted by site conditions. For phased *development*, or where any proposed street will terminate on a dead-end, a turn-around shall be provided of sufficient radius to enable the turning of snow ploughs, emergency vehicles, waste management vehicles and school buses.

## 5.3.11 Road Closure

a) n addition to the Town's procedural by-laws and guidelines, Council shall have regard to the policies of this Plan to ensure that a proposed road closure under the Municipal Act will not have *adverse effects* on the long term planning of the community.

# 5.3.12 Pedestrian & Bicycle Trails and Routes

- a) Existing and proposed pedestrian/cycling off road trails and on road routes are illustrated on Schedule 'C2' – Active Transportation Plan, including the following:
  - i) Existing and future off road trails, which may include a range and variety of trail types that are not located within a road right-of-way, ranging from nature trails to paved multi-use pathways, and related supporting facilities and amenities such as trail maps, signage, points of interest and viewing areas, trailheads, benches, play equipment and fitness equipment.
  - ii) Existing and future on road routes, which may include sidewalks and signed on-street walking and/or cycling routes that provide connections with and among off road trails to create a complete loop or linked route and provide walking and cycling routes to schools, parks, recreation facilities, the downtown core and other key destinations in the community;
  - iii) Future bike lanes, which include sections of arterial and collector roads where dedicated on-street cycling lanes may be considered in conjunction with future road projects, where possible within the existing or planned right-of-way and where permitted by the Ministry of Transportation within the Connecting Links for Provincial Highways 10 and 89.
- b) Council shall pursue the *development* of proposed off road trails and on road routes in accordance with this Plan, the Active Transportation Plan and the Parks Master Plan as the Town's financial and operational resources and capacities allow.
- c) In accordance with the Planning Act, the dedication of rights-of-way for pedestrian and cycling pathways may be required as a condition of development approval. The Town's acquisition of land for pedestrian and cycling pathways through mandatory land dedications as a condition of development approvals and through other means will be based on the trails and routes shown on Schedule 'C2'.
- d) In new *developments*, sidewalks shall generally be required on both sides of arterial and collector roads, and one side of local roads.
- e) In order to create a pedestrian-friendly environment, Council will consider investing in enhanced streetscaping measures such as landscaping, lighting, street furniture and weather protection, particularly within thedowntown core.

# 5.3.13 Former Railway Right-of-Way

- a) The former railway right-of-way is identified as a trail on Schedule 'C2' to this Plan and continued trail use shall be permitted.
- b) The Town will monitor proposals for the redevelopment of rail facilities within the rail corridor and potential impacts on existing and proposed developments located in proximity to the former railway.
- c) Where possible, the Town shall participate in the review of any proposals and related studies undertaken for the re-establishment of an operational railway, or for other proposed uses of the corridor, to ensure public safety considerations and potential land use impacts are addressed to Council's satisfaction
- d) In the event that the re-establishment of an operational railway or other use is proposed within the former rail corridor, trail opportunities will be investigated at that time to determine whether continued trail use may safely occur within or adjacent to the rail corridor in conjunction with the proposed use. Uses of the corridor that preclude a trail or that could have adverse effects on public health and safety related to trail use within the corridor will be discouraged.

# **5.3.14 Parking**

- a) Off-street parking spaces shall be required for all new *development* in accordance with the Zoning By-law.
- b) The Town may consider the establishment of both minimum and maximum parking standards to maximize the efficient use of land and promote active transportation.
- c) On-street parking will continue to be permitted within the downtown core to increase activity along the street and serve as a protective buffer between pedestrians and moving vehicles. Reduced off-street parking standards may be permitted within the downtown core.
- d) Reduced surface parking may be considered as part of a TDM plan in accordance with the policies of subsection 5.3.16.
- e) Cash-in-lieu of parking may be considered in accordance with the Planning Act and a Cash-in-Lieu of Parking By-law.
- f) Bicycle parking standards may be implemented through the Zoning By-law.
- g) Design standards for location, layout, construction, lighting and landscaping of off-street parking areas will be applied through the Zoning By-law and site

plan control, as well as *development* standards and urban design guidelines as may be adopted by Council.

## 5.3.15 Transit Services

- a) The Town will monitor and may pursue opportunities for the connection/extension of regional transit services to Shelburne where this would provide affordable transportation alternatives and benefits to residents of Shelburne and the surrounding area.
- b) The potential need for, and location of, facilities for transit services will be considered in the review of *development* proposals and in the design of new public roads and *infrastructure* and planning for improvements to existing roads and *infrastructure*.
- c) The Town's involvement in the establishment and/or operation of local transit services, if planned in the future, will be based on a feasibility/business case analysis confirming the viability and sustainability of local transit services prior to significant capital investments in municipal transit services and facilities or entering into partnerships or agreements for the provision of local transit services and facilities.
- d) Small scale facilities for private transit services may be permitted where associated with or servicing a permitted use of land for residential, commercial, mixed use, employment, institutional, recreational or special tourism purposes, subject to the policies and criteria of the applicable land use designation and the permitted uses and regulations of the Zoning Bylaw. Large scale transit terminals, maintenance and repair facilities shall be directed to land in the Arterial Commercial and Employment land use designations and shall be appropriately zoned in the Zoning By-law.

# 5.3.16 Transportation Demand Management (TDM)

- a) Council will encourage car-sharing and car-pooling programs, walking and cycling initiatives and businesses and organizations that promote these and/or other programs and make provisions to reduce demands on the road network. Car-pooling and walk-to-work initiatives will be promoted for municipal staff and the community.
- b) As an incentive to encourage TDM, the Town may permit reduced parking standards for *developments* that demonstrate a commitment to TDM and provide justification for reduced parking standards through a TDM strategy.

## 5.3.17 Anti-Idling

a) Council may develop and enact an anti-idling by-law, post signage and adopt education and awareness strategies to regulate and discourage the

unnecessary idling of motor vehicles. Council will encourage responsible use of municipal fleet vehicles to reduce idling.

## 5.3.18 Commercial Truck Traffic

- a) In an effort to reduce the volume of commercial truck traffic travelling through Shelburne, particularly through the downtown core, the Town will:
  - i) Continue to work with the County and the Ministry of Transportation to improve Provincial Highway and County Road connections within and around Shelburne to provide an adequate alternative route for truck traffic moving goods across the Province;
  - ii) Consult with major trucking agencies and industries to establish truck routes for their operations that will avoid residential areas and activity nodes in the Town;
  - iii) Restrict land uses that generate substantial truck traffic to industrial or commercial areas and work with the County and the Province to ensure that these areas are adequately served by arterial/commercial roadways away from residential areas and activity nodes in the Town;
  - iv) Monitor proposals for resource extraction and other operations involving trucking within surrounding municipalities that would involve the use of roadways within Shelburne as haul routes, and participate as a stakeholder in the review of these *development* applications where possible to ensure the interests and well-being of the residents of Shelburne are represented.
  - v) Develop a truck route by-law to identify particular road sections where trucks are prohibited or restricted to certain times of the week and/or times of day.

## 5.3.19 Traffic Impact Studies

- a) A Traffic Impact Study (TIS) may be required for any *development* application that could impact the safe and efficient movement of people and goods within and through the community. A TIS will generally be required where a proposed *development* involves any of the following:
  - Retail commercial having a Gross Leasable Floor Area of 900 square metres or larger;
  - ii) Residential *development* of 50 dwelling units or greater;
  - iii) Office uses having a Gross Floor Area of 2,500 square metres or larger;

- iv) Industrial uses having a Gross Floor Area of 4,500 square metres or greater;
- v) Educational facilities accommodating 120 or more students;
- vi) A drive-through facility;
- vii) Peak hour trip generation of 100 two-way trips or more on adjacent streets.
- b) Exceptions to policy (a) may be granted at the discretion of Council. Development applications that do not involve any of the items listed in policy (a) may still be required to undertake a TIS at the discretion of Council based on advice from the Town Engineer due to the cumulative impact of smaller developments and depending on specific site and situational characteristics of the application.
- c) The proponent shall consult with the Town and the Ministry of Transportation and the County of Dufferin, where applicable, to discuss and determine the need for and requirements of the Study. The Study shall:
  - i) describe the proposed development;
  - ii) examine the existing traffic conditions in the area;
  - examine the function of area roadways and the impacts of the proposed development on the ability of area roadways to serve their intended function;
  - iv) identify the volume of traffic to be generated by the proposed development and the examine the capacity of area roadways to accommodate the additional traffic;
  - v) identify mitigating measures to address impacts on area roadways and ensure the safe movement of vehicle traffic, pedestrians and cyclists within and in the area surrounding the site;
  - vi) examine the cumulative traffic impact of the proposed *development* and other planned or approved *developments*;
  - vii) illustrate proposed access and parking layout on the site;
  - viii) identify requirements for auxiliary lanes and other improvements to area roadways and intersections;
  - ix) identify special access arrangements with adjacent landowners, where applicable.

## 5.3.20 Noise and Vibration

- a) As a condition of *development* approval, the Town shall require appropriate mitigation of *adverse effects* on sensitive land uses related to noise and vibration generated by traffic on arterial roadways.
- b) Sensitive land uses shall be buffered from the impacts of noise and vibration by means such as restrictions on the type of use, building design, location of outdoor living areas, setbacks and the provision of landscaping and fencing for noise attenuation.

## SECTION 6 - CULTURAL HERITAGE RESOURCE POLICIES

#### 6.1 INTRODUCTION

Cultural heritage resources comprise those human-made features, either on their own or in a human-made or natural setting, which are indicative of past human activities, events or achievements. Such resources include, but are not restricted to, archaeological sites, buildings, structures and artifacts of cultural heritage value or interest, human-made or modified landscapes and their respective features.

## 6.2 OBJECTIVES

The objectives from which the *Cultural Heritage Resource* Policies evolved are as follows:

- a) To identify andconserve *cultural heritage resources* which may include buildings, structures and landscapes of cultural heritage value or interest and archaeological sites.
- b) To protect *cultural heritage resources* that contribute significantly to the identity and character of the Town.
- c) To encourage the maintenance, restoration and enhancement of *cultural heritage resources*.
- d) To ensure new *development* and redevelopment is sensitive to and *compatible* with *cultural heritage resources*.
- e) To promote public awareness and participation in the preservation, improvement and appreciation of the Town's *cultural heritage resources* in a *sustainable* manner which will perpetuate their functional use.

## 6.3 GENERAL POLICIES

## 6.3.1 Development Criteria

All *development* permitted by the land use policies and designations of this Plan shall have regard for heritage resources and shall, wherever possible, incorporate these resources into any site plan or design that may be prepared for such new *development* within the Municipality. Encouragement shall be given to conservation, protection, renovation, rehabilitation and re-use of heritage resources. Heritage impact studies and archaeological assessments may be required prior to *development*, as set out in the policies of subsections 6.3.6 and 6.3.7.

# 6.3.2 Identification of Properties, Buildings and Areas of Cultural Heritage Value or Interest

As a means of ensuring the preservation and maintenance of historical sites and buildings within the community, the Town may where it is deemed to be appropriate, identify those buildings, structures and areas which are recognized as having cultural heritage value or interest, by using existing legislation to ensure the continued presence of heritage resources and to seek to develop within the community a greater awareness of the value of heritage conservation.

# 6.3.3 The Ontario Heritage Act

The Ontario Heritage Act may be implemented to conserve, protect and enhance the heritage of the community through the designation of individual properties and areas of cultural heritage value or interest.

- a) In addition to the criteria of the Ontario Heritage Act for determining whether a property is of cultural heritage value or interest, the Town may consider the following:
  - i) Criteria for identification of properties: The significance of the property in illustrating or interpreting the heritage of Shelburne should be judged by the basic criteria of architectural merit and historical association. In general, the property should illustrate effectively the broad architectural, cultural, social, political and economic patterns of Shelburne's history or should be associated or identified with events or persons that have shaped that history in a significant way.
  - ii) Criteria for identification of districts: An area identified as a potential Heritage Conservation District should contain a number of properties of architectural and historical value which when seen together form a unit that reflects an aspect of the Town's historical or cultural *development* or that contains important aesthetic or environmental characteristics, which warrant that the area be protected in its entirety.
- b) The Town may regulate the alteration, demolition or removal of buildings or structures identified as heritage resources by enacting by-laws pursuant to the provisions of the Ontario Heritage Act.
- c) Municipal Register: the municipal clerk shall, as per Section 28 of the Ontario Heritage Act, maintain a register of all property designated under Part IV of the Act and to assist Council on other matters of cultural heritage conservation.

# 6.3.4 Municipal Heritage Committee

The Town may establish a Municipal Heritage Committee pursuant to Section 28 of the Ontario Heritage Act to advise and assist Council on matters related to Parts IV and V of the Act and to assist Council on other matters of cultural heritage conservation.

# 6.3.5 Heritage Conservation District Plan

Council may prepare a Heritage Conservation District Plan in the following way:

- a) By-laws enacted under the Ontario Heritage Act, identifying an area for study may be passed by Council;
- b) A survey may be conducted to locate and categorize all buildings, structures and sites of cultural heritage value or interest in the Study Area;
- A study may be prepared to examine those aspects of the Study Area that contribute to its special character and contain recommendations as to what actions or policy directions should be initiated to conserve the heritage of the District;
- d) Based on the Study, a Heritage Conservation District Plan for the area shall be prepared;
- e) The Town may seek endorsement by the Ministry of Culture, Tourism and Sport of its Heritage Conservation District Plan;
- f) In order to make the public more aware of the objectives of heritage conservation, it may be the policy to involve the public in all aspects of the heritage conservation programs and especially in the study and designation of a Heritage Conservation District;
- g) By-laws implementing the Plan may be enacted under the Ontario Heritage Act and Section 39 of the Planning Act, RSO 1990.

## 6.3.6 Heritage Impact Studies

- a) A Heritage Impact Study may be required to the satisfaction of the Town and the Ministry of Culture for any *development* application that could impact identified *cultural heritage resources* and for protected heritage properties located on lands adjacent to the *development* and *site alteration* location that may be impacted by the undertaking.
- b) The Town may impose, as a condition of *development* approval, the implementation of appropriate conservation, restoration or mitigation

measures identified in the studies to ensure the preservation of any affected *cultural heritage resources*.

# 6.3.7 Archaeological Assessments

- a) Areas of archaeological potential shall be determined through the use of provincial screening criteria, or criteria developed based on the known archaeological record within the Town and developed by a licensed archaeologist. Such criteria include features such as proximity to water, rolling topography, unusual landforms and any locally known significant heritage areas such as portage routes or other places of past human settlement.
- b) Archaeological assessments conducted by archaeologists licensed under the Ontario Heritage Act shall be required as a condition of any development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. Archaeological assessment reports conducted by licensed archaeologists shall be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing requirements developed under the Ontario Heritage Act.
- c) Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the Ontario Heritage Act.
- d) The Town recognizes that there may be a need for archaeological preservation in situ or rescue excavation of significant archaeological resources as a result of *development* proposals.
- e) The Zoning By-law may prohibit land use, buildings or structures on land which is the site of a significant archaeological resource.
- f) The Town shall ensure adequate archaeological assessments and consult the appropriate government agencies, including the Ministry of Culture, Tourism and Sport and the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services, when an identified and marked or unmarked cemetery is affected by land use *development*.

## SECTION 7 - DEVELOPMENT POLICIES

It is intended that this Plan will provide direction and guidance for the Town's existing and future *development*. The Official Plan should not require amendment for the majority of *development* activity which can be expected to occur. Any large scale change in land use, however, will require an amendment to the Plan and shall be justified by a comprehensive planning analysis. All requirements of the <u>Planning Act</u> with respect to complete applications, public meetings and notification will be respected at all times.

Within this Section, there are general *development* policies which shall act as guidelines for all *development* within the Town of Shelburne. There are also specific *development* recommendations which apply to individual areas within the Town.

Furthermore, the Town has approved a detailed Design Criteria Policy Manual which includes operational standards and other criteria specific to *development* in the Town. All *development* shall comply with the Design Criteria Policy Manual.

It is the intention of this Plan that any minor variation from the principles contained in this Section can be made without amendment to the Plan but that any major change in the land use characteristics of the *development* areas should result in an amendment to both the schedules and the text which are part of this Official Plan.

## 7.1 RESIDENTIAL DEVELOPMENT

The small town character of Shelburne should be maintained by encouraging compatible residential development in the form of intensification and redevelopment within the Built-up Area and new development in designated growth areas in accordance with the policies of subsection 4.2 of this Plan, and mixed use development in accordance with the policies of subsection 4.4 of this Plan..

The Town will encourage a mix of housing types and densities at locations identified on Schedule 'B2' of this Plan.

## 7.2 COMMERCIAL DEVELOPMENT

The *development* of lands for commercial purposes shall take place in accordance with the land use policies for commercially designated areas as defined in subsection 4.3 of this Plan and based on the Commercial Structure Plan shown on Schedule 'B2', and where permitted as part of mixed use *development* in accordance with the policies of subsection 4.4 of this Plan. The downtown core is defined on Schedule 'A' – Land Use Plan.

Owners of commercial properties and/or businesses in the downtown core should be encouraged to renovate their facilities in a manner in keeping with the atmosphere of the Town and the unique nature of the downtown core. The Town will endeavour to provide off-street parking through municipal parking areas.

The Commercial Core shall remain as the primary commercial area for the Town. The Town will also recognize the need for Community Commercial areas and Arterial Commercial areas to develop outside of the downtown core to serve the additional commercial needs of the Town and the surrounding region.

## 7.3 MIXED USE DEVELOPMENT

The *development* of lands for mixed uses shall take place in accordance with the land use policies for mixed use areas as defined in subsection 4.4 of this Plan and designated on Schedule 'B2'. Mixed Use areas in the downtown core should be encouraged to be intensified with residential *development*, and all mixed use areas should include a balance of commercial and residential land uses based on their locational attributes and advantages and opportunities for mutually supportive uses.

## 7.4 EMPLOYMENT LAND DEVELOPMENT

It shall be the policy of this Plan that a range of employment uses will be encouraged to locate in the designated *Employment areas* in the Town in accordance with the policies of subsection 4.5 of this Plan. The Town will encourage a balanced assessment and protection against environmental degradation. The Town will generally encourage the *development* and use of employment land for industrial operations and other employment uses which minimize potential impacts to sensitive land uses and which minimize water use.

#### 7.5 RECREATIONAL DEVELOPMENT

The Town shall ensure that adequate recreational facilities are developed that meet the standards of the Town in accordance with the Parks Master Plan, Active Transportation Plan and the policies of subsection 4.7 of this Plan. Council will encourage the further *development* and periodic review and updating of a comprehensive plan for recreation in the Town. The connection of open space areas for passive recreational use (pathways and trails) shall be an integral part of the Town's overall open space and recreational land use system.

## 7.6 PUBLIC USES AND DEVELOPMENT OF TOWN LANDS

a) Public uses include educational, institutional, administrative, cultural, recreational and public works facilities that are operated by a public authority or by an authorized agent of a public authority, and public *utilities* such as hydro, natural gas, cable and telephone transmission facilities. Unless otherwise prohibited in this Plan, public uses shall be permitted in all land use designations subject to the criteria for *development* within the applicable

land use designation. Permitted public uses shall not include waste management facilities, waste disposal operations or other similar uses which shall only be permitted by an amendment to this Plan supported by studies addressing the environmental, social, financial and servicing impacts of the use to the satisfaction of the Town.

- b) Notwithstanding (a) of this subsection, the development of electric power facilities and other transmission facilities and related infrastructure shall occur in an orderly manner to facilitate the efficient and reliable provision of services to address the needs of the population of the Town of Shelburne. The location of electrical power and other transmission facilities and infrastructure within the Town shall be discouraged if it is not directly required to meet the needs of the local population for these services. The Town may participate and provide comments to the proponent through the planning, environmental assessment or other approval processes for infrastructure projects to ensure local interests are represented and there is a net benefit to the local community.
- c) The Town will be directly involved in the *development* of municipally-owned lands to achieve the best result for the residents of the Town.
- d) To encourage local food production through *compatible urban agriculture*, Council may permit the use of Town-owned property for the establishment of community allotment gardens subject to consideration of the following:
  - i) confirmation of suitable soil conditions and the absence of potential contaminants:
  - ii) availability of a *sustainable* water supply, where required, without negatively impacting the capacity of the municipal water supply system to support existing and planned *development*;
  - iii) suitable grading and drainage characteristics of the site with no significant change to existing site topography and drainage patterns;
  - iv) the level of interest in participation based on input from the community;
  - v) the availability of required equipment and operational support;
  - vi) there shall be no *negative impact* on the municipality's operations and financial position;
  - vii) there shall be no *negative impact* on adjacent lands and natural heritage features;
  - viii) the raising or keeping of livestock shall not be permitted.

## 7.7 INTER-MUNICIPAL COOPERATION

The Town will make all efforts to cooperate with neighbouring municipalities in consideration of planning issues and development applications of mutual concern. Fringe development and development proposals on private servicing that could hinder the efficient expansion of the Town shall be discouraged. The Town will work with the County and the local municipalities within Dufferin County to monitor the achievement of the County-wide population and employment growth forecasts and intensification and density targets and the population and employment growth forecasts allocated to the Town of Shelburne and other local municipalities by the County and to the County of Dufferin by the Ministry of Infrastructure. The Town will work with adjacent municipalities and participate in opportunities to review and comment on their official plans and zoning by-laws to ensure planned land use and development surrounding Shelburne is compatible with and will not result in adverse effects for existing land uses and the future land use pattern embodied in this Official Plan, and further to ensure that the municipal wellhead protection areas for the Town's drinking water supplies are identified and protected. The Town will also review proposals for land use changes and *development* affecting land adjoining or near the Town limits and provide comments to the applicable local municipality and/or the County where appropriate. Proposed development and land use patterns near the Town limits that could result in a land use conflict, adverse effects, restrict planned growth and development within the Town or prevent the efficient expansion of the urban area in the future will be discouraged.

## 7.8 SERVICING

- a) All new *development* within the *urban area* shall be connected to full municipal sewage and municipal water services, where the proposed use requires servicing.
- b) Notwithstanding (a) of this subsection, existing permitted uses that are on private individual on-site water and/or private individual on-site sewage services, or partial services, shall be permitted to continue and may be expanded in accordance with the applicable land use designation and the Zoning By-law subject to demonstration of capacity within the existing private servicing system(s) or connection to municipal services, where the use or the expansion thereof requires servicing. Existing vacant lots of record that are located in areas where municipal services are not available or planned may be used in accordance with the permitted uses of the applicable land use designation and the Zoning By-law, subject to approval of private individual on-site servicing system(s) by the Town and the County, where the use requires servicing. The Town may require geotechnical, hydrogeological or other technical studies to demonstrate the viability and sustainability of the proposed private individual on-site servicing system(s). All private individual on-site sewage systems shall only be permitted where

the existing lot size is based on the most current version of the Ministry of Environment, Energy and Climate Change (MOECC) guidelines for individual on-site servicing. No new lot creation shall be permitted on the basis of private services.

- c) Servicing shall be carefully monitored and all *development* shall be subject to the *development* staging policies of this Plan.
- d) No new *development* shall be approved unless uncommitted sewage treatment and water supply capacity is available and allocation of required servicing capacity is granted by Council in accordance with the policies of this Plan and a Council approved Servicing Allocation Policy.
- e) It is the intention of this Plan to provide and reserve servicing capacity for development within the urban area to accommodate the population and employment forecasts of this Plan and to allow for the achievement of the intensification target concurrent with development in designated greenfield areas that will achieve the greenfield density target.
- f) The Town shall encourage the conversion of private systems to municipal servicing upon any redevelopment application or upon the construction of new watermains or trunk sewers which pass through areas on private servicing systems. Servicing capacity will be reserved to allow for the connection of existing privately serviced properties to the municipal water and municipal sewage systems, and the determination of sufficient sewage system capacity shall include treatment capacity for hauled sewage from private systems.
- g) All stormwater management plans and programs shall be developed in accordance with the requirements of the Nottawasaga Valley Conservation Authority and applicable Town standards. Stormwater management works considered as sewage may require approval pursuant to Section 53 of the Ontario Water Resources Act.
- All municipal transportation facilities and new roads shall be developed in accordance with Section 5 – Transportation Policies of this Plan and in consultation with the Ministry of Transportation and the County should such roads or access points fall within their respective jurisdictions.
- Water, sanitary and stormwater management facilities and services and roads shall be subject to the Municipal Environmental Assessment Class Environmental Assessment process, where applicable.

#### 7.9 SERVICING COSTS

It shall be the policy of this Plan to minimize the cost incurred by the Municipality and public agencies. *Development* in the Town should be in areas which would not create a demand for public services which are not economical to provide, improve or maintain. *Development* should be promoted in areas as follows:

- a) where requirements for new public services will be minimal;
- b) where the *development* would make a significant contribution towards existing services; or,
- c) where the provision of new services would be most economical.

## 7.10 DEVELOPMENT STAGING

The *Development* Staging policies of this Plan are intended to ensure orderly *development* aligned with the provision of municipal services and within the Town's servicing capabilities. Schedule 'B1' identifies the *Development* Staging Plan:

- Stage 1 areas represent areas of existing land use or approved development that are serviced by existing municipal water and wastewater services, as well as existing privately or partially serviced areas where connection to municipal water and wastewater services is available or is reserved for the future connection of these areas to the municipal systems. The Town will reserve servicing capacity to allow for intensification and redevelopment and to allow for the connection of privately serviced properties to existing municipal services within Stage 1 areas. Allocation of servicing capacity to specific properties and developments within Stage 1 will be based on confirmation of sufficient Stage 1 reserve capacity by the Town Engineer, and will occur at the time of development approval, service connection or building permit, as applicable.
- Stage 2 areas represent the primary areas designated for residential intensification and redevelopment, areas of municipally serviced vacant or under-utilized land within the built boundary, and municipally serviced vacant land in designated greenfield areas available for development within the Mixed Use, Commercial, Employment and Institutional land use designations. Servicing capacity for Stage 2 areas will be reserved by the Town to provide for the development of these areas in accordance with the applicable land use designations. Allocation of servicing capacity to specific properties and developments within Stage 2 will be based on confirmation of sufficient Stage 2 reserve capacity by the Town Engineer, and will occur at the time of development approval.

- Stage 3 areas represent land to be developed in accordance with the applicable land use designation based on confirmation of available reserve capacity to service all land within the Stage 1 and 2 areas. The servicing of Stage 3 areas relates to planned capital improvements to the municipal water supply and wastewater treatment systems and servicing capacity for these areas may also relate to the implementation of the Town's inflow and infiltration reduction program, conservation and other measures that will optimize the efficient use of existing *infrastructure*. Allocation of servicing capacity to specific properties and *developments* within Stage 3 will be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required capacity improvements, and on the basis of maintaining reserve capacity for Stage 1 and 2, and will occur at the time of *development* approval.
- [Stage 4 areas represent land where the extension of sanitary services and confirmation of assimilative capacity within the receiving water body for wastewater are required along with approval for the re-rating of the capacity of the Sewage Treatment Plant. Sufficient reserve capacity for the development of all land within Stages 1, 2 and 3 areas shall be demonstrated prior to establishing a reserve for development in Stage 4 areas and prior to any consideration of allocation of servicing capacity for development in accordance with the applicable land use designations in Stage 4. Allocation of servicing capacity to specific properties and developments within Stage 4 will be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required infrastructure improvements, and on the basis of maintaining reserve capacity for Stages 1, 2 and 3, and shall occur at the time of development approval.]

NOTE: Stage 4 area deferred.

The following criteria will be considered by Council for the allocation of servicing capacity to *development*:

- a) Development shall be staged in accordance with Schedule 'B1' Development Staging Plan, the policies of this Plan, and a Council approved Servicing Allocation Policy.
- b) In accordance with the Provincial Policy Statement and the *Growth Plan* for the *Greater Golden Horseshoe*, staging of *development* and the provision of municipal services will be based on the specified targets for *intensification* within the existing *Built-up Area* prior to, or concurrent with, new *development* in designated *greenfield areas*.
- c) To ensure wastewater treatment services are available to achieve the minimum residential intensification target, sufficient reserve capacity shall be maintained to service development within Stage 1 and 2 areas identified on Schedule 'B1'.

- d) For Stage 1 areas shown on Schedule 'B1', the Town will reserve servicing capacity for intensification and redevelopment and for the connection of privately serviced properties to existing municipal services within Stage 1 areas. Allocation of servicing capacity to specific properties and developments within Stage 1 will be based on confirmation of sufficient Stage 1 reserve capacity by the Town Engineer, and will occur at the time of development approval, service connection or building permit, as applicable.
- e) For Stage 2 areas shown on Schedule 'B1', the Town will reserve servicing capacity for residential *intensification* and redevelopment, areas of municipally serviced vacant or under-utilized land within the *built boundary*, and municipally serviced vacant land in designated *greenfield areas* within the Mixed Use, Commercial, Employment and Institutional land use designations. Allocation of servicing capacity to specific properties and *developments* within the Stage 2 areas will be based on confirmation of sufficient reserve capacity by the Town Engineer, and will occur at the time of *development* approval.
- f) For Stage 3 areas shown on Schedule 'B1', the establishment of reserve servicing capacity shall be based on availability of servicing capacity within the rated capacities of the municipal water supply and wastewater treatment systems after Stage 1 and 2 reserves and with planned capital improvements to the municipal water supply and wastewater treatment systems, and may also relate to the implementation of the Town's inflow and infiltration reduction program, conservation and other measures that will optimize the efficient use of existing *infrastructure*. Allocation of servicing capacity to specific properties and *developments* within Stage 3 will be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required *infrastructure* improvements, and on the basis of maintaining reserve capacity for Stage 1 and 2, and will occur at the time of *development* approval.
- g) [For Stage 4 areas shown on Schedule 'B1', the establishment of reserve servicing capacity shall be based on demonstration of sufficient reserve capacity for Stages 1, 2 and 3 areas and for the connection of privately serviced properties to existing municipal services within Stage 4, the extension of sanitary services, confirmation of assimilative capacity within the receiving water body for wastewater and approval for the re-rating of the capacity of the Sewage Treatment Plant. Allocation of servicing capacity to specific properties and *developments* within Stage 4 will be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required *infrastructure* improvements, and on the basis of maintaining reserve capacity for Stages 1, 2 and 3, and shall occur at the time of *development* approval, service connection or building permit, as applicable.] NOTE: Stage 4 areas deferred.

- h) Confirmation of wastewater treatment capacity commitments will occur at the time of development approvals in accordance with the policies of this Plan and a Council approved Servicing Allocation Policy. Commitments will be reviewed annually by the Town and may also be re-evaluated upon expiry of development approvals where development does not proceed in a timely manner.
- i) In evaluating the allocation of servicing capacity to *development* proposals, preference will be given to *developments* that:
  - Optimize the use of existing municipal infrastructure or represent a logical, cost-efficient extension of existing services;
  - ii) Include energy and/or water conservation measures, *sustainable* technologies and design measures;
  - iii) Contribute to meeting the affordable housing targets of this Plan;
  - iv) Maximize parks and open space provision;
  - v) Contribute to enhanced urban design; and,
  - vi) Contribute to achieving a complete community and compact urban form.

## 7.11 UTILITIES

*Utilities* shall be permitted in all land use designations and shall be located underground wherever possible and feasible to maximize safety and minimize the risk of *infrastructure* damage during severe weather and in keeping with the urban design policies of this Plan.

## 7.12 DEVELOPMENT PROPOSALS

When assessing any *development* proposal, the Town will give consideration to the following:

- a) The criteria of the applicable land use designation within which the *development* is located in accordance with Section 4 of this Plan;
- b) The need for the *development* in relation to creating a *complete community* and having regard to the *sustainability* policies of this Plan;
- c) The timing of its commencement and if necessary, the phasing of the *development*;
- d) The impact of the *development* on the existing human, cultural and natural environments;

- e) The impact of the *development* on both the existing and anticipated adjacent land uses and compatibility with such adjacent land uses;
- f) The efficiency with which the *development* can be serviced;
- g) The adequacy of access to and within the *development* and the effect on traffic flows:
- h) The impact on the Town's financial capability;
- The effects of the development on full municipal sewage and water services and facilities, the capability of such services and facilities to be expanded and the financial capabilities of the Town to provide adequate services and facilities;
- j) The desirability of the *development* proposal and;
- k) The adequacy of *infrastructure*, waste management systems and public service facilities to accommodate proposed *development*.

# 7.12.1 Review of Development Proposals

Prior to any planning application being approved, the following shall be confirmed:

- a) the proposal conforms with the policies and land use designation of this Plan and the provisions of the Zoning Bylaw;
- b) that all *development* will be located outside of hazardous lands and sites to the satisfaction of the Town and the NVCA;
- c) soil and drainage conditions are suitable to permit the proper siting of buildings;
- d) suitable arrangements have been made for water supply, sewage disposal, storm drainage, and all other necessary services and that there is no danger of pollution;
- e) no traffic hazards will occur because of excess traffic generated or limited sight lines on curves or grades;
- f) the land fronts on a public road which is of a reasonable standard of construction and maintained year round;
- g) the proposed use is *compatible* with adjacent uses or can be made *compatible* though the use of buffering;

- h) significant built heritage resources and/or significant cultural heritage landscapes located on, or adjacent to, a proposed use are conserved; and,
- natural heritage features have been protected in accordance with subsection 4.8.

#### 7.13 BUFFERING

Where conflicts between land uses could occur, buffering in accordance with the Town's requirements will be necessary and shall consist of one or more of the following measures as required by the Town:

- Landscaped strips along the periphery of the lot containing a combination of trees, shrubs and grassed areas in a sufficient amount and height to provide an effective screen;
- b) A physical barrier such as perforated or solid wall, fence or other appropriate structure or an earthen berm of a sufficient height; and,
- c) Increasing the distance between such uses to a suitable amount, only where the measures contemplated in i) and ii) and other measures are insufficient to mitigate the potential impacts.

In the review of *developments* where sensitive land uses are proposed within or in proximity to areas where the existing or permitted uses could have adverse effects on sensitive uses, and where industrial or other uses are proposed where the nature of the use could have adverse effects on sensitive land uses, the Town will have regard for Provincial guidelines and standards for land use compatibility, dust, noise, vibration, light, odour, contaminants and other emissions. Potential adverse effects shall be addressed through appropriate mitigation measures as required by the Town and to ensure compliance with Provincial standards. Proposed development and land use configurations that would require minimum separation distances that will result in the inefficient use of land, prevent compact development within the urban area, or that could hinder the achievement of the intensification and/or greenfield density targets of this Plan will be avoided. The separation distances recommended in the Ministry of Environment D-6 guidelines will not be required for *development* within the *urban* area where the Town is satisfied that potential adverse effects to sensitive land uses will be mitigated with the implementation of the measures contemplated in (a) and (b) of this subsection or by other measures that will achieve compliance with Provincial standards.

## 7.14 COMMUNITY IMPROVEMENT POLICIES

The Town of Shelburne intends to continue its ongoing program of maintenance and upgrading of its existing facilities and services. However in order to assess these needs within an overall planning program and to qualify for available provincial funding, a generalized assessment of its needs was carried out. The Community Improvement Area, as shown on Schedule 'D' was based upon the criteria included in subsection 7.14.2, Criteria for the Selection of the Community Improvement Area.

# 7.134.1 General Goals & Objectives for Community Improvement

## 1. Goals

- a) To encourage the maintenance and/or improvement of the residential, commercial and industrial areas of Shelburne.
- b) To provide the residents and businesses in the community with an adequate level of municipal services.
- c) To encourage the broadening of the economic base of the Town.

# 2. Objectives

- a) To provide a comprehensive analysis and approach to community improvement within Shelburne based upon the improvements required, the prioritization of these improvements and the financial capabilities and resources of the Town.
- b) To support and encourage property owners to upgrade existing land and buildings.
- c) To continue to improve social, cultural and recreational services and facilities, to a reasonable level within the Town primarily through funding programs of senior levels of government and the support of special interest and service groups.
- d) To continue the ongoing program of improvements to the physical services such as water, sanitary, storm water drainage, roads and streetlights.
- e) To enhance the viability of the commercial areas of the community through such means as coordinated programs for streetscape and building façade improvements, and the encouragement of the establishment of a business improvement area.
- f) To enhance the viability of existing industrial areas through improvements to roads, water and boulevards.

# 7.14.2 Criteria for the Selection of a Community Improvement Area

The following criteria were used to delineate the community improvement area and are to be considered in the future when community improvements are determined:

- Deficiencies or inadequacies in physical services such as water supply and distribution during fire flows, water storage facilities, sanitary sewer systems and storm drainage.
- b) Deficiencies or inadequacies in the road system such as road condition, curbs, sidewalks, streetlights and trees and/or need for a new road for improved access.
- c) Deficiencies or inadequacies in recreational services and facilities such as ball diamonds, tennis courts, playground equipment, benches, etc.
- d) Deficiencies or inadequacies in cultural and social facilities and services such as library, banquet room at the Recreation Complex, etc.
- e) Existing buildings in need of rehabilitation and/or redevelopment.
- f) Existence of properties or buildings of cultural heritage value or interest.
- g) Deficiencies or inadequacies in the commercial areas such as the need for improvement to the streetscape, building facades, sanitary and storm sewers, watermains and parking accessibility.
- Deficiencies or inadequacies in the industrial areas such as the need for improvements to roads, hydrants, storm drainage and to the appearance of the boulevards.

# 7.14.3 Community Improvement Areas

That portion of the Town of Shelburne designated as a Community Improvement Area is indicated on Schedule 'D'.

## 7.14.4 Phasing of Improvements

Except for significantly large vacant parcels the entire area of the Town of Shelburne is designated as a Community Improvement Area. When determining the priority of improvements, the Town shall take into consideration the preceding list of criteria in addition to the following:

a) That the financial situation of the Town will enable improvements to be carried out without resulting in a significant increase in taxes for the ratepayers.

- b) That consideration has been given to the availability and criteria of funding from other government programs and grant besides those specifically directed to community improvement as well as funds available from service groups and other special interest groups.
- c) That while improvements are to be constructed to a proper standard, they should be organized in such a manner as to cause the least amount of disruption to the least number of ratepayers for the least amount time.
- d) That the opinions of the ratepayers received at the public meetings be considered when determining the priority of the improvements.

# 7.14.5 Implementation Measures

The Town of Shelburne may implement their community improvement program through the use of various implementation measures including the following:

- a) The designation, by by-law, of Community Improvement Project areas and the preparation of a Community Improvement Plan for each area in accordance with the provisions of the Planning Act, including provisions for public input.
- b) The enactment and enforcement of a Minimum Maintenance and Occupancy Standards By-law.
- c) The utilization of federal and provincial government funding programs by the municipality and special groups.
- d) The utilization of municipal and senior government funds for the acquisition of land and/or buildings.
- e) The acquisition of land.
- f) The establishment and support of a Business Improvement Area to strengthen the downtown core.
- g) The utilization of local improvement through the Local Improvement Act.
- h) The disbursement of information to the ratepayers regarding special government programs designed to provide assistance for the redevelopment, renovation or maintenance of their properties.
- i) The encouragement of preservation of properties and buildings having cultural heritage value or interest through the utilization of such measures as the Ontario Heritage Act.
- j) The continued co-operation between the Town and special interest and service groups to provide new services and/or facilities for the community.

k) The consideration of the utilization of other programs offered by private organizations such as the "Cause" program offered by the Ontario Association of Architects.

## 7.15 COMMUNITY SUSTAINABILITY POLICIES

The Town is committed to *sustainability*. It is the intent of the Town's Official Plan to ensure *development* and *infrastructure* are planned in a manner that minimizes the Town's *ecological footprint*, achieves *sustainable* building and community design, preserves and enhances the natural environment, maintains or improves air quality, minimizes energy and water consumption and mitigates the effects of *climate change* over the long-term. Specifically, the following policies are intended to contribute to achieving a *sustainable* community:

# 7.15.1 Energy Conservation

Council shall encourage and support the utilization of the most recently accepted energy conservation practices in all plans of subdivision, and *development* or redevelopment proposals on individual lots.

- a) Council shall encourage growth as a *compact urban form*.
- b) Council shall encourage mixed use *development* in areas designated for these uses.
- c) Council should support the use of conversions of single detached, semidetached and townhouse dwellings to include a second unit subject to the policies of subsection 4.1.3.6, the redevelopment of underutilized buildings and the location of residential uses within and adjacent to the downtown core.
- d) Council should encourage and support innovative ideas through subdivision, site or building design for residential, commercial, mixed use, employment and institutional uses, where applicable to Shelburne.
- e) Council should promote the use of bicycle and pedestrian paths for active transportation as a means of encouraging energy conservation.
- f) Council should encourage urban design and the use of appropriately selected and located vegetation to reduce the energy consumption of buildings.

# 7.15.2 Energy Generation

a) The Town shall encourage proposals for renewable energy generation at appropriate scales, including facilities that generate energy from wind, solar and geothermal sources, subject to compatibility being achieved with surrounding land uses and the environment.

- b) Small scale energy generating structures and facilities designed to serve individual residences and uses on a lot shall not require amendment to this Plan. The implementing Zoning By-law shall establish regulations for this use. However, wind turbines that are subject to the Official Plan and Zoning By-law shall require an amendment to the Zoning By-law and will require the submission of studies which address the mitigation of visual and other impacts on adjacent land uses.
- c) District energy plants may be permitted in the downtown core, Arterial Commercial, Mixed Use Centre and Employment land use designations provided they are designed to be compatible with surrounding land uses and further provided that no power generation facilities exceeding a total capacity of 10 megawatts will be permitted without an amendment to this Plan except where such facilities are exempted from the Planning Act and approved under the Green Energy Act and/or through an Environmental Assessment.

# 7.15.3 Water Conservation

- a) Council shall encourage efficient water use and water conservation.
- b) In order to reduce water demand, the Town may implement by-laws limiting the frequency and/or timing of outdoor water use.
- c) The Town may implement programs and strategies for water conservation in order to extend the capacity of existing water supply and wastewater treatment systems and delay requirements for capital upgrades to increase the capacity of these systems. The strategy may include conservation programs, educational and regulatory initiatives, and structuring water rates based on consumption as an incentive to reduce water usage.
- d) Developers will be encouraged to use drought-resistant grasses and provide an adequate soil base layer for new lawns and landscaped areas to reduce outdoor watering requirements.
- e) Developers and builders will also be encouraged to use low consumption, water-efficient facilities and appliances and water recycling measures in buildings wherever feasible.

# 7.15.4 Green Buildings

a) Council shall encourage innovative programs and construction methods which support the sustainable development and redevelopment of buildings, including but not limited to building and site developments that incorporate the following: renewable energy systems such as wind, geothermal and solar installations; energy efficient technologies that are consistent with high energy efficiency standards such as Energy Star and LEED programs, design features and construction practices; green roofs or high albedo roofs that reduce heating and cooling requirements; the use of recycling materials; permeable paving and other innovative stormwater management methods; water conservation, recycling and efficiency measures; and, conserving heritage resources thereby reducing landfill and lessening the demand for energy and resources for new construction.

# 7.15.5 Waste Management

- a) The Town shall regularly review its solid waste disposal practices and work with the County towards a future long term plan for the community with the goal of reducing waste.
- b) Accommodation of waste from future growth and *development* shall be considered with new *development*. The Town's waste management practices will facilitate, encourage and promote reduction, reuse, recycling and other waste reduction and diversion objectives and programs.

#### 7.15.6 Environmental Features and Protection

- a) The natural heritage system shall be protected by the Town through the designation of such areas as Natural Environment and related policies of this Plan, and through the implementing Zoning By-law. The Town shall not permit any development on lands adjacent to Natural Environment lands that would be detrimental to the ecological integrity of the feature. All adjacent land uses must comply with the Natural Environment policies of this Plan.
- b) Council will encourage the conservation, protection and enhancement of the natural environment by promoting best practices in *sustainable development* and ensuring that *development* and *infrastructure* are within the carrying capacity of the Town's supporting ecosystems.

# 7.15.7 Tree Preservation

- a) Given their contribution to maintaining and improving air quality, moderating climate, soil and slope stabilization, aesthetic contribution and other benefits to the community, the Town shall ensure that mature trees, tree stands and tree lines are preserved. The preservation of trees along streets and roads shall be encouraged and removal shall only take place due to disease or necessary works. The Town may adopt additional tree preservation policies such as specific site plan policies for older residential areas and enact related by-laws such as a tree-cutting by-law and/or site alteration by-law.
- b) When considering subdivision, development or redevelopment proposals, the Town may enter into an agreement with the proponent wherein only those trees directly preventing construction and servicing will be removed and may be required to be replaced. The Town shall require developers to provide and plant trees along road rights-of-way, at no cost to the Town, the size and number to be set out in the development or subdivision agreement.

c) A plan for tree conservation, planting and management may be required as a condition of *development* approval. Generally *development* will be required to achieve no net loss in the quantity of trees in the Town.

# 7.15.8 Subwatershed Planning

- a) To ensure planning is undertaken in a subwatershed context, individual development applications shall be reviewed in conjunction with the objectives and directions of the applicable subwatershed plan in consultation with the NVCA.
- b) Environmental Impact Studies may be required to be prepared by the applicant for lands adjacent to *watercourses*, *headwaters*, aquifers, natural features, and related physiographic or topographic formations that contribute to groundwater recharge or discharge.

# 7.15.9 Source Water Protection

The quality and quantity of groundwater and surface water resources in Shelburne will be protected for the provision of safe and clean drinking water in accordance with the Clean Water Act and the Source Protection Plan for the South Georgian Bay Lake Simcoe Source Protection Region as it applies to the Nottawasaga Valley Source Water Protection Area.

Within the Wellhead Protection Areas (WHPAs)and designated Vulnerable Areas shown on Schedule 'F' of this Plan, the following policies shall apply:

- a) The Town shall pre-screen proposed applications for Planning Act approvals, building permits, change of use and business licenses, excluding those for residential uses, to determine if there is potential for a significant drinking water threat;
- b) Where the Town has determined through pre-screening that there is the potential for a significant drinking water threat, the Risk Management Official (RMO) shall review the proposal and determine if there would be a significant drinking water threat, and the RMO will provide direction, in writing, indicating that:
  - The application may proceed, where it is determined that there will be no significant drinking water threat; or
  - ii) The specific circumstances under which the application may proceed, where the Town is satisfied that the application complies with the specified circumstances and the applicant has demonstrated that there will be no significant drinking water threat; or

- iii) The application may not proceed due to the potential for a significant drinking water threat.
- c) In accordance with the Clean Water Act and the Source Protection Plan, the following land uses and facilities are prohibited where they would be a significant drinking water threat:
  - i) Waste disposal sites within the meaning of Part V of the Environmental Protection Act (excluding storage of wastes described in clauses (p), (q), (r), (s), (t), or (u) of the definition of hazardous waste (O.Reg 347) and storage of hazardous or liquid industrial waste);
  - ii) Large (more than 10,000L) on-site sewage systems;
  - iii) Agricultural source material storage facilities;
  - iv) Non-agricultural source material storage facilities;
  - v) Commercial fertilizer storage facilities;
  - vi) Pesticide storage facilities;
  - vii) Road salt storage facilities;
  - viii) Snow storage facilities;
  - ix) Fuel storage;
  - x) Dense non-aqueous phase liquid (DNAPL) storage;
  - xi) Organic solvent storage;
  - xii) Outdoor confinement or farm animal yard in WHPA-A.
- d) The Zoning By-law will identify the WHPAs and designated Vulnerable Areas where the uses listed in (c) of this subsection are prohibited where they constitute a significant drinking water theat.
- e) The Town will encourage the design of parking and loading areas, roadways and sidewalks in a manner that minimizes impermeable areas and the need for road salt application, site and grading design that directs run-off outside of vulnerable areas or to storm sewers, and the implementation of salt management measures and best practices.

- f) The design of new stormwater management facilities shall reduce the risk of drinking water contamination, and where possible direct the discharge of stormwater outside of Vulnerable Areas, and shall not be located or designed in a manner that would result in a significant drinking water threat.
- g) Private individual on-site sewage systems shall not be permitted within a Vulnerable Area where it would be a significant drinking water threat.
- h) The Town may require that Master Environmental Servicing Plans (MESPs) or similar information required to be submitted as part of a complete application for *development* to demonstrate that the location and design of stormwater discharges, sanitary sewers and other *infrastructure* will avoid associated drinking water threats within all Vulnerable Areas.
- i) To Town shall notify the Source Protection Authority of applications under the Planning Act affecting a site identified as a significant drinking water threat condition.
- j) The Town will enact a by-law to require the removal of fuel tanks from abandoned properties within one year of known abandonment, and unused tanks from occupied properties once no longer in use within vulnerable areas where the handling and storage of fuel would be a significant drinking water threat.
- k) The Town will encourage the identification and decommissioning of unused private water wells, septic system inspections and upgrades, run-off and erosion protection, and best practices for stormwater management, including Low Impact Development (LID) principles and measures, to protect groundwater and surface water resources and drinking water sources.
- I) The Town supports and may participate in establishing and providing education and outreach programs to raise awareness and promote best management practices regarding the protection of drinking water sources.
- m) Water-takings and de-watering shall only be permitted in accordance with the standards and permit requirements of the MOECC and the NVCA.

#### 7.15.10 Setbacks from Hazard Lands and Watercourses

a) No development shall take place in any area having physical or environmental hazards such as poor drainage, organic solids, flood susceptibility, erosion, steep slopes or other conditions that could result in adverse effects. Appropriate setbacks will be imposed and maintained near these hazard lands and features. b) Development and site alteration will be setback from the Besley Drain, Walter's Creek and all other watercourses within the Town in order to protect their natural features and functions, provide riparian habitat and minimize the risk to public safety and property. In general, development and site alteration should be set back a minimum of 30 metres from watercourses. Greater setbacks to watercourses may be required or reduced setbacks to watercourses may be considered in the Zoning By-law, where approved by the Town based on NVCA requirements.

# 7.15.11 Stormwater Management

- a) Stormwater management techniques shall be used in the design of new *developments* to control both the quantity and quality of stormwater runoff to the satisfaction of the Town, the NVCA and the Ministry of Environment. In areas where soil types permit, on-site infiltration shall be encouraged to the maximum extent feasible.
- b) Council shall encourage innovative designs for stormwater management that follow best management practices together with innovative design to provide a mechanism for habitat enhancement and restoration, balancing the engineering functions of stormwater management with habitat creation and diversity.
- c) The provision of stormwater drainage facilities shall be in accordance with master plans established through subwatershed studies, where applicable, or the engineering standards of the Town and NVCA.
- d) The use of permeable surfaces and soft landscaping shall be encouraged and existing groundwater recharge rates shall be maintained in *development*, where possible.

# **7.15.12 Air Quality**

a) The Town will work to improve air quality through decisions affecting land use and transportation, including but not limited to: ensuring compact urban form and mixed use developments; providing a well-connected pedestrian and bicycle network and encouraging pedestrian-oriented development; promoting transportation demand management; and, maximizing tree preservation and planting.

# 7.15.13 Development of Vacant Lots

a) In order to minimize land consumption by *development* and to optimize the delivery and use of existing *infrastructure*, the *development* of existing vacant lots shall be encouraged by the Town provided that the requirements of the Zoning Bylaw can be met and in conformity with the policies of this Plan.

# 7.15.14 Sustainability Plan

a) Council may pursue the preparation of an Integrated Community Sustainability Plan (ICSP) or similar plan for the Town that would include such things as the establishment of *sustainability* benchmarks, targets, implementation and monitoring components.

# 7.15.15 Sustainable Local Economy

- a) Commercial and *employment areas* in the Town will be planned to contribute to economic *sustainability* by providing opportunities for the retention of local jobs, businesses and retail expenditures.
- b) In order to attract further investment in green industries, businesses, housing *developments* and tourism, Council will promote the Town's efforts to become a green community as well as the opportunities offered in the surrounding region for the *development* of green industries, e.g. alternative energy *development*, bio-products, educational programming, green building product manufacturing and other green technologies.

# 7.15.16 Complete Community

- a) Development in Shelburne shall be planned to contribute to achieving a complete community by ensuring that the needs of residents for daily living throughout an entire lifetime are provided through convenient access to an appropriate mix of jobs, local services, a full range of housing and community infrastructure including affordable housing, schools, recreation opportunities and open space areas, and access to active transportation options for safe, accessible, non-motorized travel.
- b) Council shall strive to ensure that community services such as recreational facilities, parks, open space, public spaces and other amenities, services and *infrastructure* needed to support growth and change are provided in a timely way relative to the population served.

# 7.15.17 Community Heritage and Creativity

- a) Council supports the retention and recognition of Shelburne's built and natural heritage assets to maintain a sense of community identity and a degree of continuity between the past and the present.
- b) The Town of Shelburne is committed to promoting and developing new cultural assets and sustaining a creative community, open and accessible to artists, the broadest range of artistic expression, and the widest participation.

# 7.15.18 Corporate Sustainability

- a) The Town will take a leadership role in achieving environmental *sustainability* by considering implementation of the following:
  - i) sustainable building principles in all new and existing municipal buildings achieving measurable life cycle cost savings;
  - ii) evaluating and changing, as appropriate, Town processes to promote the *development* and operation of *sustainable* buildings;
  - iii) establishing corporate targets for reducing greenhouse gas emissions;
  - iv) the use of low maintenance naturalized landscaping on Town properties;
  - v) the adoption of an energy and water conservation strategy including audits of energy and water use in existing municipal facilities to identify conservation opportunities;
  - vi) adopting strategies to prevent pollution, reduce waste generation and respond to *climate change* issues;
  - vii) pursuing opportunities to engage, collaborate and partner with organizations and other levels of government in programs and legislative initiatives to improve the environment; and,
  - viii) continually seeking out new ways to improve its environmental performance, meet environmental goals and contribute to community sustainability.
- b) Council will ensure that all Town operations, including the work of contractors, comply with environmental legislation, standards and other requirements.
- c) In order to promote sustainability, the Town may implement a climate change protection program that is intended to reduce greenhouse gas emissions and reduce energy consumption, including the introduction of targets to reduce the Corporation's and community's greenhouse gas emissions.
- d) The Town may, by amendment to this plan, introduce specific policies and regulations requiring energy conservation and climate protection measures, including higher minimum standards of construction based on best available technology. Until such policies and regulations are introduced, the Town encourages the design, location and construction of all buildings with the objectives of reducing energy consumption and maximizing passive solar gain opportunities.

e) In order to encourage the continued maintenance and improvement to private property, the Town may adopt policies with respect to the standards of appearance and *sustainable* design of public buildings, facilities and works such as roads, curbs and ditches within the financial resources of the Municipality.

# 7.15.19 Aggregates

- a) New commercial pits and quarries shall not be permitted.
- b) Notwithstanding (a) of this subsection,

wayside pits and quarries and portable asphalt plants may be permitted for a temporary period for use by area municipal, County or Provincial governments in accordance with the Aggregate Resources Act without the requirement for an Official Plan Amendment.

# 7.15.20 Safety Policies

- a) Prior to any *development* or redevelopment being approved by the Town assurance shall be received that the necessary *utilities*, and fire and police protection will be provided. *Development* approvals shall only be granted in locations where such services are economically feasible to maintain.
- b) Where land is required for utility easements or emergency access, such land shall be conveyed to the relevant agency as a condition of *development* approvals.

#### 7.16 URBAN DESIGN POLICIES

The Town is committed to creating an attractive and *sustainable* urban environment that contributes to a sense of community identity, a safe and healthy physical and natural environment, functional urban form and a strong local economy by making Shelburne an appealing place to live, work, visit and play.

#### 7.16.1 Public Realm

- a) Development should extend, establish or reinforce a modified grid-like street pattern with an inter-connected network of roads designed to reduce and disperse traffic and provide alternative routes for pedestrians and enhance bicycle and other vehicular movement and preserve and respond to existing natural and topographical features.
- b) New cul-de-sacs shall only be permitted where warranted by natural site conditions and in accordance with the Transportation Policies of this Plan and Town standards.

- c) Blocks within new *development* should be of a walkable length which promotes convenient and efficient walking routes.
- d) Streetscapes shall be designed to promote a pedestrian-oriented environment that is safe, attractive and accessible and provides for seamless transitions between the public and private realm.
- e) New *development* shall contribute to an attractive and pedestrian-oriented streetscape through the placement of main building entrances towards the street and corner intersections where applicable, achieving variation in façade design and treatments and improving the visibility of and access to prominent and unique natural and *cultural heritage resources*.
- f) Utilities should be located underground, where possible.

#### 7.16.2 Public Art

- a) Public art should be encouraged throughout the Town to contribute to community identity through the interpretation of local history, traditions and culture and to showcase local talent.
- b) Public art should be located in visible and publicly accessible places, such as parks, gateways and public building sites.

#### 7.16.3 Built Form

- a) Buildings should align with neighbouring buildings to create a continuous streetwall and to provide interest and pedestrian comfort at street level.
- b) Buildings located on corner lots shall provide a distinct architectural appearance with a high level of detailing and shall ensure that the design continues around the corner, with primary, articulated facades oriented towards both streets and building setbacks that align with the respective street frontages.
- c) New *development* shall ensure that proposed building heights are *compatible* with adjacent existing *development* by employing an appropriate transition of height from new to existing *development*.
- d) Continuous streetwalls of identical building height shall be discouraged.
- e) New *development* shall be designed to be universally accessible and incorporate barrier-free design for persons with disabilities.
- f) Mechanical equipment should be screened from view through planting and architectural features.

# 7.16.4 Parking, Access and Circulation

- a) The following should be provided for all new *development* involving driveway entrances and off-street parking areas:
  - i) Defined internal driving aisles to establish on-site circulation, direct traffic and frame parking areas;
  - ii) Walkways through the site to connect pedestrians to main building entrances, the public sidewalk, other pedestrian routes, and adjacent developments where applicable;
  - iii) Landscaping and tree planting integrated within and along the edges of parking areas.
- b) Consolidated driveway entrances are encouraged to minimize disruption of the public sidewalk, maximize the areas available for landscaping and minimize expanses of pavement.
- c) Surface parking areas should be located to the rear or sides of buildings in areas that can be appropriately screened so they do not dominate the streetscape while allowing sufficient visibility to achieve safety and functionality, connected to sidewalks, designed with landscaped islands of sufficient size to ensure growth of vegetation including healthy trees.

# 7.16.5 Service, Loading and Storage Areas

a) Service, loading and storage areas should be located to minimize impacts on adjacent properties and the natural environment, oriented away from pedestrian facilities and driveways/parking aisles and areas, screened from view from the public realm, and buffered from residential areas.

# 7.16.6 Landscaping

a) Landscaping shall be provided for all new developments that enhances the visual appeal of the site, promotes pedestrian access to and movement within the site, preserves, complements and where possible enhances the existing natural landscape, and gives priority to indigenous plant species and trees having historic or cultural significance and/or minimal watering and maintenance requirements.

# 7.16.7 Signage and Lighting

a) The use of exterior signs and other exterior advertising devices shall be minimized in residential areas.

- b) Signs located on cultural heritage properties or within heritage conservation districts shall be *compatible* with the architecture and character of the property or district.
- c) Lighting of buildings and sites shall be provided at levels sufficient for building identification and safety but shall be located, designed and oriented to minimize impacts on adjacent properties. The use of outdoor light fixtures that reduce energy consumption and direct light downwards minimizing illumination of the night sky are encouraged. Adequate pedestrian-scaled lighting should be provided along pedestrian walkways.

# 7.16.8 Urban Design Guidelines

a) The Town may adopt Urban Design Guidelines for various types and/or locations of *development* and may require that *development* applications have regard for such guidelines prior to granting *development* approvals.

#### SECTION 8 - IMPLEMENTATION

#### 8.1 GENERAL

It is intended that the policies established by this Plan shall be implemented by the exercise of the powers conferred on the Municipality, Boards and Committees by Statute, most particularly the Planning Act and the Municipal Act.

Future decisions related to land use and *developments* within the Municipality made by Council and any other municipal authorities shall be guided by this Plan.

#### 8.2 ZONING BY-LAW

Following each five-year review and amendment of this Plan it is intended that the implementing Zoning By-law will be amended in order to establish *development* standards and control growth within the Town in conformity with the policies of this Plan.

#### 8.3 SUBDIVISION CONTROL

In accordance with the Planning Act, all lands within Shelburne are subject to subdivision control and part-lot control.

#### 8.3.1 Draft Plans of Subdivision

The Town may not approve a plan of subdivision if the subdivision:

- a) lands are not designated for the proposed use in the Official Plan and Council does not wish to amend the Plan to permit the *development*;
- b) is deemed to be premature or not in the best interest of the community;
- c) cannot be provided with adequate services and facilities set out in the Plan;
   or
- d) is deemed to impose a financial hardship on the Municipality.

# 8.3.2 Deeming By-laws

Existing registered plans of subdivision may be deemed not to be a plan of subdivision by by-law enacted by Council pursuant to the Planning Act. The use of deeming by-laws should generally be discouraged except where necessary to facilitate the assembly of land for *intensification* and redevelopment or in other circumstances that assist in achieving the targets and objectives of this Plan. When applications are made for the enactment of a deeming by-law, Council shall apply the criteria of this Plan in the same manner as they are applied to proposals for the creation of a new lot.

#### 8.4 LAND DIVISION POLICIES

# 8.4.1 Authority

The land division policies this Plan apply to the division of land either by plan of subdivision or consent within Shelburne. The creation of lots can have a very significant and long term effect on a community. As such, these policies are to be utilized by any Board, Committee or Authority involved in the creation of new lots within the Town.

# 8.4.2 Land Division Method

The division of land within Shelburne shall occur by means of a plan of subdivision or consent application in accordance with the Planning Act. Prior to giving consideration to a consent application, the consent granting authority shall determine whether or not a plan of subdivision is necessary in the public interest and for the proper *development* of the subject lands.

As it is in the best interest of the community to create the majority of new lots by plan of subdivision, a plan will generally be required under the following circumstances:

- a) where more than two additional residential lots are created; or
- b) where a new road or an extension to an existing road is required.

# 8.4.3 Land Division by Consent

In assessing an application for consent, consideration shall be given to the following:

- a) that regard shall be given to the objectives of Section 3 of this Plan;
- b) that the severance will conform to Schedule 'A' and the appropriate land use policies in this Plan, and the provisions of the Zoning By-law; and
- c) that the severance will conform to the Land Division policies in this Plan.

#### 8.4.4 General Land Division Policies

The following policies shall apply in assessing all plan of subdivision and consent applications for the lands shown on Schedule 'A'.

#### 1. Lot Size

a) The lot area and frontage of the proposed lot(s) and any retained lot(s) are to be adequate for the existing and the proposed uses and all lots shall comply with the provisions of the Zoning By-law. If a lot does not

meet the requirements of the Zoning By-law, the Town will require as a condition of approval an application for Zoning By-law Amendment and the enactment of an amendment to the By-law to permit compliance or the approval of an application for a minor variance.

b) The topography, soils and drainage of the lands must be satisfactory for the proposed size and use of the lots and must enable compliance with the requirements of the Ministry of Environment, Energy and Climate Change (MOECC) and the County.

# 2. Public Road Access & Improvements

- a) All lots must front onto and have access to an existing public road, or a new public road to be constructed as the case may be for a plan of subdivision, or a condominium road, built to the standards of the Town, the County and the Ministry of Transportation, as applicable. Lots shall not be created which would have access onto a public road where a traffic hazard would be created due to limited sight lines on curves or grades or where year round maintenance is not provided.
  - i) Direct access from Arterial Roads shall be restricted in accordance with the Transportation policies of this Plan and the requirements of the Town, the County and the Ministry of Transportation, as applicable. Residential lots shall, where possible, have access only from Local Roads or Collector Roads. An entrance permit from the appropriate authority shall be obtained for access to the applicable road, where required by the Town, the County and/or the Ministry of Transportation.
  - ii) No severance or plan of subdivision shall be approved which would create a landlocked parcel unless such parcel is approved subject to it merging with adjoining lands which front onto an open public road. All lots must front onto and have access to an open public road, or a new public road to be constructed within a plan of subdivision, or a condominium road, which can meet the requirements of the Town, the County and the Ministry of Transportation, as applicable.
  - iii) As a condition of approval, any road widenings and extensions to existing rights-of-way shall be provided when requested by the Town, the County or the Ministry of Transportation, as applicable.

# 3. Compatibility with Surrounding Area

 a) Consideration shall be given to the compatibility and suitability of the proposed use, lot size or type of structure with the surrounding uses, structures and lot sizes.

#### 4. Natural Environment and Hazardous Lands and Sites

a) Where a lot is proposed to be created which is partially designated Natural Environment, or that is within or adjoining hazardous lands or sites, sufficient lands must be available outside of this designated area to permit the construction of the building or structure. Lot creation, where permitted by the policies of this Plan, shall not further subdivide the Natural Heritage System or hazardous lands and sites into separate lots and shall, wherever possible, consolidate land that forms part of the Natural Heritage System including the natural heritage features and areas, related buffers and required access, into one or more larger lots or blocks separate from the area to be developed. The Town will encourage the acquisition, conservation and management of the Natural Heritage System by such means as conservation easements and conveyance to public ownership.

# 8.5 PARKLAND DEDICATION

- a) As a condition of development, a consent or plan of subdivision the Town shall require that as a condition of approval, land shall be conveyed to the Town suitable for park purposes pursuant to the Planning Act. All conveyances shall be made in accordance with the criteria and standards set out in the Town's Parks Master Plan at the following rates:
  - i) In the case of residential *development*, 5% of the lands or 1 hectare per 300 dwelling units, whichever is greater;
  - ii) in the case of industrial or commercial *development*, 2% of the lands; and,
  - iii) 5% of the lands in all other cases.
- b) The Town may, in lieu of land dedication, require cash payment in lieu of the land conveyance otherwise required under the following circumstances:
  - i) Where the required land dedication fails to provide an area of suitable shape, size or location for *development* of public parkland. Generally a parcel of land may be considered to be of an unsuitable size if its area is less than 0.5 hectare.
  - ii) Where, using the guidelines established in the Parks Master Plan, it is determined that existing park facilities in the planning area are adequate to serve the projected increase in population.
- c) The determination of the value of the land shall be in accordance with the Planning Act. The amount of the payment shall be equal to the appraised value of the land as of the day before the day of the draft approval of a plan

of subdivision or the giving of the consent application or the issuance of the building permit in the case of a *development* or redevelopment proposal. Such monies are to be paid into a special account and used for the acquisition, maintenance or improvement of lands or facilities for park purposes.

- d) In accepting the land to be conveyed to the Municipality for park purposes, the Town shall require the following:
  - i) the lands are to be easily accessible to the public and as centrally located as possible to the proposed users;
  - ii) the lands are to be in a condition acceptable to the Municipality;
  - iii) lands containing an open *watercourse* or other hazard area will not necessarily be accepted as part of the required dedication under the Planning Act, RSO 1990. However, where lands accepted by the Town do contain an open *watercourse*, sufficient lands must be included to permit proper maintenance of the area;
  - iv) the lands should not be land locked but should be designed to meet the minimum requirements of the Zoning By-law; and
  - v) the lands are to be suitable for the *development* of an open spacerecreational facility. Characteristics to be considered are that the site be level, and rectangular or square in shape for flexibility.
- e) The Town, where appropriate and in compliance with the Parkland Dedication Policies of this Plan and the Parks Master Plan, may consider portions of protected natural areas for parkland dedication purposes where sufficient active parkland is provided for the neighbourhood and / or community and where the lands are of particular value, either because of their physical, or if appropriate social or environmental character, or because their location provides a link with other portions of the open space system, such as trails. The acceptance of woodlots and other natural areas, in specific circumstances, will encourage the protection of the natural amenity and allow for passive recreational use and educational opportunities.

#### 8.6 PUBLIC WORKS AND MUNICIPAL BY-LAWS

It is the intent of this Plan that future public works shall be undertaken and all bylaws enacted by the Municipality shall be in accordance with the policies established by this Plan and that no public works will be undertaken and no bylaws may be passed which would be in conflict with the proposals or policies of this Plan except in accordance with Section 24 of the Planning Act. Further, nothing in this Plan shall be interpreted to mean that an undertaking, subject to the Environmental Assessment Act, may proceed except in compliance with that Act. The municipality will not give any license, permit or approval that may lead to the commencement of any such undertaking that is not approved or exempted under the Environmental Assessment Act.

The specific by-laws identified within this Plan are not intended to represent an inclusive list of all by-laws that may be contemplated and enacted by Council and this Plan shall not be interpreted to limit the number or title of by-laws that Council may enact. Council may enact other By-laws from time-to-time provided they conform to this Plan as indicated above.

#### 8.7 DEVELOPMENT AGREEMENTS

In order to apply the most appropriate *development* standards, and ensure that the Town will not be left with the cost of *development*, the municipality may enter into agreements with private or public developers. The *development* agreement may contain provisions relating to any policy within this Plan in addition to the following:

- a) a description of the lands to which the agreement applies;
- b) the specifications to which the roads and *utilities* will be constructed;
- requirements regarding the submission of a stormwater management and drainage report;
- d) provisions for easements for hydro, telephone, and drainage;
- e) requirements regarding maintenance and guarantees;
- f) procedures regarding acceptance of works by the Municipality;
- g) requirements for the payment of *development* charges and municipal fees;
- h) requirements for deposits of cash, lands or letters of credit to guarantee completion of the project;
- insurance requirements;
- j) provisions for sidewalks, underground wiring and street lights;
- requirements regarding the issuing of building permits, e.g. the permits must be applied for within a certain time period from the date of signing the agreement; and

any other items deemed necessary from time to time by Council.

It may be the policy of the Town that all matters relating to the proposed development must be resolved prior to the signing of the development agreement and the rezoning of the subject lands.

#### 8.8 SITE PLAN CONTROL

#### 8.8.1 Introduction

Section 41 of the Planning Act, enables a municipality to require as a condition of *development* or redevelopment, a parcel of land, the submission of a plan indicating the proposed location of buildings and structures on the property and the signing of a site plan agreement to ensure the property is developed in accordance with the approved site plan.

Through the utilization of site plan control, the Town will strive to ensure that *development* provides or contributes to the following benefits for the community:

- a) ensures the attractive design of the site to be developed and the utilization of consistent municipal standards to ensure the community would benefit aesthetically from such *development*.
- b) ensures the *development*, as approved by the Town is built and maintained in accordance with the plans and agreement as approved and signed by Council.
- c) minimizes any incompatibility between the existing land uses and the proposed *development*.
- d) ensures that both pedestrian and vehicular traffic can be handled safely and efficiently while on the site and when entering and leaving the site.
- e) ensures that all easements required for public *utilities*, drainage, water courses, etc. are conveyed to the proper authority.
- f) ensures proper grading of the site to control storm drainage.
- g) controls the location of buildings on the site which are in keeping with the size of the site and the surrounding *development*.
- ensures that location and design of facilities provided on site and in conjunction with buildings and structures have regard for accessibility for persons with disabilities;
- i) promotes or requires the incorporation of *sustainable* design elements and landscaping.

# 8.8.2 Proposed Site Plan Control Area

In order that property owners are aware as to whether they may be affected by site plan control, the Planning Act requires that the Official Plan indicate those areas subject to site plan control. In accordance with Section 41 of the Planning Act the entire Town of Shelburne is designated as a proposed site plan control area. It is the intent of Council to pass a by-law setting out the actual uses which will be subject to site plan control, however, the following land uses will be excluded from site plan control:

- a) single and two unit dwellings
- b) accessory buildings to single and two unit dwellings
- in ground and above ground swimming pools accessory to single and two unit dwellings
- d) agricultural buildings which by their day to day use are not accessed by the general public and/or do not charge public user fees.

Council may require the submission of drawings showing plans, elevation and cross section views for each building to be erected within the area of site plan control within the Town as identified above and in accordance with Section 41 of the Planning Act.

# 8.8.3 Road Widenings

Section 41 of the Planning Act enables the Town and the County to acquire road widening in a site plan control area as a condition to the approval of plans and drawings, provided that the roads that may be widened and the extent of the widenings are described in the Official Plan. In accordance with Section 41 of the Planning Act the roads shown in Table 3, Road Widenings, in subsection 5.3.7 of this Plan are those roads for which widening may be taken under Section 41 of the Planning Act when applications are received for the *development* or redevelopment of lands for uses which are subject to site plan control.

# 8.8.4 Urban Drainage Management

A surface drainage study and implementation plan addressing the principles of Stormwater management to the satisfaction of the Town, the Nottawasaga Valley Conservation Authority and the Ministry of Environment may be required as a condition of approval of a plan of subdivision or as part of a development control agreement entered into under Section 41 of the Planning Act.

#### 8.9 SIGN BY-LAW

The Town may consider passing by-laws under the Municipal Act to regulate the size and location of signs.

#### 8.10 CAPITAL IMPROVEMENT PROGRAM

Council may undertake the preparation of a Capital Works Program in accordance with the policies of this Plan to provide for the phasing of community facilities together with other programs which require public financing in order to assess major expenditures with regard to the Municipality's financial resources.

#### 8.11 PROPERTY STANDARDS BY-LAW

The Town may prescribe maintenance standards and conditions of occupancy for all types of property through the enactment of a property standards by-law in accordance with the Building Code Act.

The Property Standards By-law shall have regard to and may include any or all of the following matters:

- a) the physical conditions of yards, walkways, fences and driveways;
- b) the facilities for sewage, drainage and garbage;
- c) the condition of all residential and non-residential buildings and structures particularly with respect to the following:
  - i) pest prevention;
  - ii) structural conditions;
  - iii) access;
  - iv) control of moisture;
  - v) ventilation and lights;
  - vi) conditions of walls, windows, ceilings and floors;
  - vii) conditions of cleanliness;
  - viii) kitchen and bathroom facilities;
  - ix) heating, plumbing and electrical services.

A Property Standards By-law shall be enforced and administered by a By-law Enforcement Officer as appointed by Council.

The By-law shall include provisions for the establishment of a property standards committee which shall hear appeals from property owners who are not satisfied with the terms or conditions of the order received from the By-law Enforcement Officer regarding violations to the standards.

#### 8.12 FINANCIAL RESTRICTIONS

In order to maintain tax levies at a reasonable level, future *development* will be regulated to ensure that the level of expenditures and debt is kept at an equable level with revenue and assessment. As such, Council may:

- a) limit residential growth if such *development* could cause a significant demand for a higher level of community services;
- b) postpone approval of a proposed *development* where large scale public works are required, until the Municipality is capable of financing such works without undue hardship being imposed upon the residents;
- c) require the submission of a Financial Impact Study to the satisfaction of Council prior to approval of a *development* application.

#### 8.13 LAND ACQUISITION

The Town may consider acquiring land to implement any portion of this Plan in accordance with the provisions of the Planning Act, the Municipal Act, or any other Act.

#### 8.14 TEMPORARY USE BY-LAWS

Where Council deems it desirable to permit the temporary use of lands which otherwise would not conform to the permitted uses in the Zoning By-law, it may in accordance with the Planning Act pass a temporary use by-law. Such by-law shall contain provisions indicating the permitted temporary use, the area to which it applies and the length of time that it will be a permitted use.

#### 8.15 HERITAGE RESOURCES

Further to those measures outlined in Section 6 with respect to the Ontario Heritage Act, the Council may investigate and adopt other measures available for the implementation of heritage resource conservation policies. These shall include:

- a) measures pursuant to the Building Code Act and the Planning Act including a property standards by-law, demolition control areas, site plan control and subdivision agreements; and
- b) measures pursuant to the Municipal Act including sign by-laws, improvement area designation and tree preservation by-laws.

#### 8.16 ENVIRONMENTAL MONITORING

The Town, in consultation with the NVCA, provincial ministries and other interested groups and organizations, will encourage the establishment of environmental monitoring programs in order to measure the effectiveness of the environmental policies of this Plan. A monitoring report should be prepared annually in support of the environmental monitoring program.

#### 8.17 EXISTING LAND USES

- a) Certain uses of land which exist at the date of the adoption of this Plan may be deemed to conform with the intent of this Plan for the purpose of any Zoning By-Law. Such uses may be zoned specifically in accordance with their present use and performance standards, provided:
  - The zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
  - ii) They do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;
  - iii) They do not pollute air or water to the extent of interfering with the ordinary enjoyment of property; and
  - iv) They do not interfere with the desirable *development* or enjoyment of the adjacent area.
  - b) Alternatively, such uses may be placed in a *development* zone in the Zoning By-law under which only the existing use is permitted. Any future change of use to one of compliance with this Plan may require the adoption by Council of an amendment to the Zoning By-law and the approval of the Ontario Municipal Board.
  - c) In the event of the substantial or total destruction by fire of a building or use under this category, an amendment to the Zoning By-law may be required to be passed by Council and approved by the Ontario Municipal Board, if the proposed rebuilding does not conform with the provisions of the Implementing Zoning By-law.

d) Any land use existing at the date of the approval of the Implementing Zoning By-law that does not conform with the land use designations shown on Schedules 'A', or 'B' to this Plan, should cease to exist in the long term. In special instances, however, it may be desirable to permit the extension or enlargement of the non-conforming use on the property owned on the above noted date, in order to prevent unnecessary hardship. Such extensions or enlargements will require the approval of the Committee of Adjustment.

#### 8.18 HOLDING PROVISIONS

- a) A holding symbol may be used in conjunction with any land use zoning to specify the use to which lands, buildings or structures may be put at such time in the future when the symbol is removed by amendment to the Zoning By-law.
- b) Council may affix a holding symbol with the prefix "H" to any lands within the Town of Shelburne, and specify the future use of those lands that, at the present time, are considered premature or inappropriate for the *development*.
- c) A holding symbol may be used in a variety of situations and will require conditions to be met prior to the removal of the holding symbol.
- d) The Holding Symbol By-Law is to be amended by By-law to remove the symbol when all the requirements for removal as set out have been met.

# 8.19 INTERIM CONTROL BY-LAWS

a) The Town may pass an interim control by-law in accordance with the Planning Act in order to restrict the use of land, buildings or structures within a defined area where circumstances warrant the review or study of land use policies.

#### 8.20 DEMOLITION CONTROL

a) The Town may enact a demolition control by-law to establish areas of demolition control in accordance with the Planning Act.

#### 8.21 EMERGENCY PLAN

a) The Emergency Plans Act provides for the formulation and implementation of emergency plans by municipalities. An Emergency Plan has been prepared for the Town of Shelburne to provide a guideline for the most effective response to an emergency situation and safeguard the health,

safety, welfare and property of the Town's population. The Emergency Plan will govern the provision of requested services during an emergency.

#### 8.22 BONUSING

- a) Development standards may be incorporated into the Zoning By-law to permit increases in height and/or density of development, where such development provides public benefits above and beyond what would otherwise be required, including but not limited to:
  - i) public parking;
  - ii) affordable housing for a wide array of socio-economic groups;
  - iii) conservation and preservation of *cultural heritage resources*;
  - iv) protection and/or enhancement of natural features and functions;
  - v) community centres and/or facilities and improvements thereto;
  - vi) parkland and improvements to parks;
  - vii) day care centres;
  - viii) public art;
  - ix) integration of office uses in mixed use *developments*;
  - x) green buildings; and,
  - xi) other local improvements that contribute to achieving the objectives of Section 3 of this Plan.

#### **8.23 COMMITTEE OF ADJUSTMENT**

a) The Town shall appoint a Committee of Adjustment to consider applications for consent and minor variance in accordance with the Planning Act.

#### 8.24 DEVELOPMENT PERMITS

- a) The Town may, by by-law, designate one or more development permit areas within the Town pursuant to the provisions of the Planning Act, subject to compliance with applicable regulations, with the objectives of:
  - i) Preservation and improvement of the character of the affected and adjacent area(s);
  - ii) Protection of the natural environment;

- iii) Promotion and rehabilitation of industrial properties; and
- iv) Protection of heritage resources and landscapes.
- Council may delegate to Town staff the approval or issuance of development permits. Limits on and criteria for such delegation will be established in the Development Permit By-law.
- c) The Town may impose conditions permitted by Sections 34, 40, 41, 42 of the Planning Act and grant provisional approval prior to final approval of a *development* permit.
- d) As may be provided in the Development Permit By-law, a *development* permit may be issued to permit, as a discretionary use, any use not specifically listed as a permitted use in the Development Permit By-law, provided that the proposed use is similar to and *compatible* with the listed permitted uses, would have no *adverse effect* on adjoining properties, and would generally maintain the intent, principles and policies of this Official Plan. A *development* permit may also be issued to permit, as a discretionary use, an extension to a legal non-conforming use or change in use of a legal non-conforming use, provided that the proposal is desirable in order to avoid hardship, that it would have no *adverse effect* on adjoining properties, and that it would generally maintain the intent, principles and policies of this Official Plan.
- e) As may be provided in the Development Permit By-law, a *development* permit may be issued to permit variations to the standards and provisions outlined in the Development Permit By-law. Such variations will only be permitted if they are consistent with the policies of this Official Plan.
- f) Any proposal for a use which is not listed as a permitted use and which does not qualify as a discretionary use or a variation in accordance with these policies and the Development Permit By-law will require an amendment to the Development Permit By-law.
- g) The Development Permit By-law shall be developed and implemented in accordance with the requirements of the Planning Act.
- h) At the time of adopting a Development Permit By-law, an Official Plan Amendment may be required in order to refine the Town's goals and objectives in proposing a *development* permit system for the area, the scope of any delegation of authority and limitations, the types of conditions that may be included in the Development Permit By-law, the types of criteria that may be included in the Development Permit By-law for evaluating

discretionary uses and variations, or any other matters mandated by Ontario Regulation 608/06 or any other regulation adopted under the Planning Act.

# 8.25 PRE-CONSULTATION AND COMPLETE APPLICATION SUBMISSION REQUIREMENTS

- a) Consultation with the Town shall be required prior to the submission of an application requiring approval under the Planning Act. Other affected agencies such as the County, the Ministry of Transportation and the NVCA shall be encouraged to participate, where appropriate.
- b) The following information and materials shall be required to be submitted to fulfill the Town's requirements for a complete application:
  - i) The completed application form and prescribed fee(s) including a signed agreement acknowledging that the applicant shall be responsible for all costs of external consultants used by the Town in the review and processing of the *development* application;
  - ii) A description of the site and proposal including a map or drawings illustrating existing site conditions and the proposed *development*;
  - iii) A draft plan of subdivision, draft plan of condominium and/or site plan, as applicable;
  - iv) A planning report where required in accordance with the policies of this Plan:
  - v) Engineering submissions where required in accordance with the policies of this Plan and based on preconsultation with the Town, the County, the Province and the NVCA which may include a functional servicing report, grading and drainage plan, stormwater management report, hydrogeology and/or geotechnical study; hydraulic analysis for floodplain delineation; erosion and sediment control plan; noise and vibration study;
  - vi) Urban design submissions where required in accordance with the policies of this Plan and as required based on preconsultation with the Town which may include an urban design brief, streetscape design study, shadow analysis, park/open space plan, building elevations, landscape plan;
  - vii) Environmental impact study where required in accordance with the policies of this Plan;

- viii) Traffic impact study where required in accordance with the policies of this Plan;
- ix) Market impact and/or financial impact studies where required in accordance with the policies of this Plan;
- x) Heritage impact study and/or archaeological studies where required in accordance with the policies of this Plan;
- xi) Any additional information identified by the Town during the preconsultation process.
- c) Exceptions to the submission requirements and any additional requirements shall be determined and specified in writing by the Town during the preconsultation process.
- d) All required reports and technical studies shall be prepared by qualified professionals and in accordance with Town standards.
- e) The Town may require a peer review by an appropriate public agency or by a professional consultant retained by the Town at the applicant's expense.

#### SECTION 9 - INTERPRETATION

The Official Plan must be read in its entirety. The policies in this Section provide guidance for the interpretation of the text and schedules of this Plan.

#### 9.1 LAND USE BOUNDARIES AND NUMERICAL FIGURES

It is intended that the boundaries of the land use classifications shown on the Schedules be considered as approximate and absolute only where bounded by arterial or area services roads, railways, rivers or streams or other similar geographical barriers. It is also intended that the location of roads and trails indicated on the Schedules be considered as approximate and not absolute. Therefore, amendments to the Official Plan will not be required in order to make minor adjustments to the approximate land use boundaries or to the location of roads and trails, provided the general intent of the Plan is preserved. Such minor deviation will not be reflected on the Schedules. Similarly any numerical figures in the plan will be considered as approximate only and not absolute.

#### 9.2 ACCESSORY USES

Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use be also permitted, provided they are in accordance with the Zoning By-law.

#### 9.3 MINOR CHANGES

Changes to the text or schedules of this Plan to correct grammatical or reference errors, punctuation, or to alter formatting, numbering or sequencing may be made without a Plan amendment, provided the general intent of this Plan is maintained.

# 9.4 REFERENCES TO LEGISLATION

Where reference is made to any Act or portion thereof, it is intended that any subsequent amendments or replacements to the Act shall be included in the Plan.

#### 9.5 CONFLICT

In the event of a conflict between this Plan and a Provincial Plan, the applicable Provincial Plan shall prevail.

#### 9.6 GLOSSARY

Note: Italicized terms that are used in this Official Plan but are not defined below shall have the same meaning as defined by the Province in the Provincial Policy Statement (PPS).

**Affordable housing** means housing with market price or rent that is affordable to households of low and moderate income spending 30 per cent of their gross household income without government subsidies. Such households would be able to afford, at the low end, at least three out of ten rental properties on the market and, at the high end, ownership housing with sufficient income left, after housing expenses, to sustain a basic standard of living.

Built-up area means all land within the built boundary.

**Built boundary** means the limits of the developed *urban area* as identified in the Provincial paper, *Built Boundary* for the *Growth Plan* for the *Greater Golden Horseshoe*, 2006 (2008).

**Climate change** is a change in the average weather that a given region experiences. Average weather includes all the features associated with weather such as temperature, wind patterns and precipitation. On a global scale, *climate change* refers to changes in the climate of the earth as a whole.

**Compact urban form** or **compact development** means a land use pattern that encourages 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 urban 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.

**Compatible** means the *development* or redevelopment of uses which may not necessarily be the same as, or similar to, the existing *development*, but can coexist with the surrounding area without *adverse effects*.

**Complete community** means a community that 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 active transportation including options for safe, non-motorized travel is also provided.

Cultural heritage resources include buildings, structures and properties designated or listed under the Ontario Heritage Act, significant built heritage

resources, and significant cultural heritage landscapes as defined and interpreted by the applicable Provincial Policy Statement.

**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 activities that create or maintain *infrastructure* authorized under an environmental assessment process or works subject to the Drainage Act. For the purposes of subsection 8.8 and all references to site plan control in this Plan, the meaning of *development* shall be as defined in Section 41 of the Planning Act. All references to *development* in this Plan shall include *site alteration*, except where the applicable policy or context requires otherwise.

**Ecological footprint** is a measure of the demands humans place on nature. It measures what humans consume from nature, for individuals, organizations, cities, regions, nations or humanity as a whole. It shows how much biologically productive land and water is occupied to produce all the resources consumed and to absorb waste.

**Employment areas** means areas designated in the Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. For the purposes of subsection 4.5.3.4 of this Plan, employment areas shall mean land designated as Employment on Schedule 'A'.

**Erosion hazard limit** means an area defined along a watercourse based on a combined influence:

- a) of the toe erosion allowance
- b) of the stable slope allowance
- c) of the *flooding hazard limit* or meander belt allowance
- d) of the erosion access allowance

The *erosion hazard limit* will be defined on a site-by-site basis in consultation with the NVCA.

**Flooding hazard limit** means a line defining the greater of the flood resulting from:

- Hurricane Hazel (1954) or the Timmins Storm (1961)
- The one hundred year flood

**Greater Golden Horseshoe** means the geographic area designated as the *Greater Golden Horseshoe growth plan* area in Ontario regulation 416/05.

**Greenfield** or **greenfield area** means the area within a settlement area that is not *built-up area*.

**Gross Residential Density** means the density of a proposed residential development calculated as the number of residential dwelling units proposed divided by the total gross land area involved in the development, including all local roads, parkland, natural environment areas and hazard land, and expressed in units per hectare. In mixed use developments, the area of land reserved exclusively for non-residential uses shall be excluded from the calculation.

**Growth Plan** means the *Growth Plan* for the *Greater Golden Horseshoe*, 2006.

**Headwater** means the source of a watercourse.

*Infrastructure* means 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.

**Intensification** means the *development* of a property, site or area at a higher density than currently exists through redevelopment, the *development* of vacant and/or underutilized lots within previously developed areas, infill *development* or the expansion or conversion of existing buildings.

**Municipal Comprehensive Review** means an official plan review, or an official plan amendment, initiated or adopted by the Town, which:

- a) is based on a review of population and growth projections and which reflect projections and allocations by the County of Dufferin and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests:
- b) utilizes opportunities to accommodate projected growth through *intensification* and redevelopment;
- c) is integrated with planning for *infrastructure* and public service facilities;
- d) considers cross-jurisdictional issues; and
- e) comprehensively applies the policies and schedules of the *Growth Plan*.

**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.

**Sustainability** or **Sustainable** means *development* that meets the needs of the present without compromising the ability of future generations to meet their own needs.

**Urban agriculture** means gardening and food production within the *urban area* as an accessory use to a permitted land use and that is *compatible* with adjacent land uses.

**Urban area** means the land within the *Urban Boundary* as shown on Schedule 'A'

**Urban boundary** means the boundary of the land area within the Town intended for urban land uses in accordance with the policies of this Plan.

*Utilities* include power, communications/telecommunications and other cable services, as well as gas and district energy services.

**Watercourse** means an identifiable depression in the ground in which a flow of water regularly or continuously occurs.

# **SECTION 10 – SCHEDULES (forming part of the Official Plan)**

Schedule 'A' - Land Use Plan

Schedule 'A1' - Shelburne West Secondary Plan

Schedule 'B1' - Development Staging Plan

Schedule 'B2' - Residential Density, Mixed Use and Commercial Structure Plan

Schedule 'C1' - Transportation Plan

Schedule 'C2' - Active Transportation Plan

Schedule 'D' - Community Improvement Areas

Schedule 'E' – Natural Heritage System and Natural Hazards Schedule 'F' – Wellhead Protection Areas and Vulnerable Areas

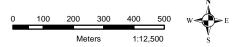


# TOWN OF SHELBURNE OFFICIAL PLAN

# **SCHEDULE 'A'**

# LAND USE PLAN





This map only provides graphical illustrations and data for planning purposes. Legal property data and descriptions, detailed engineering data, CAD drawings and other data should be used when greater accuracy is required for design or other purposes.

Restrictions under the Municipal Freedom of Information and Protection Privacy Act, RSO 1990, M56, Part II, may apply if your municipality is contemplating the release of data collected. Please consult with your lawyer for advice.

License agreements may apply to this data and license agreements should be referenced for terms and conditions on its use if the municipality is contemplating provisions of copies or use of the data by unlicensed parties.

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# DRAFT - OPA 34 STAGE 2 Township of Melanchton STAGE 2 STAGE 1 Township of Melanchton STAGE 3 STAGE 1 STAGE 2 STAGE 4 STAGE 1 STAGE 3 STAGE 2 STAGE 2 Township of Township of STAGE 4 Amaranth Amaranth STAGE 1 Legend

# TOWN OF SHELBURNE OFFICIAL PLAN

# **SCHEDULE 'B1'**

# DEVELOPMENT STAGING PLAN

# **Development Staging**

Staging Boundary

Stage 4 (Deferred Area)

# **Urban Structure Boundaries**

**---** Downtown Core

--- Built Boundary

Urban Area

Town Boundary

#### **Base Features**

Watercourses

Streets, Lanes, and Corridors



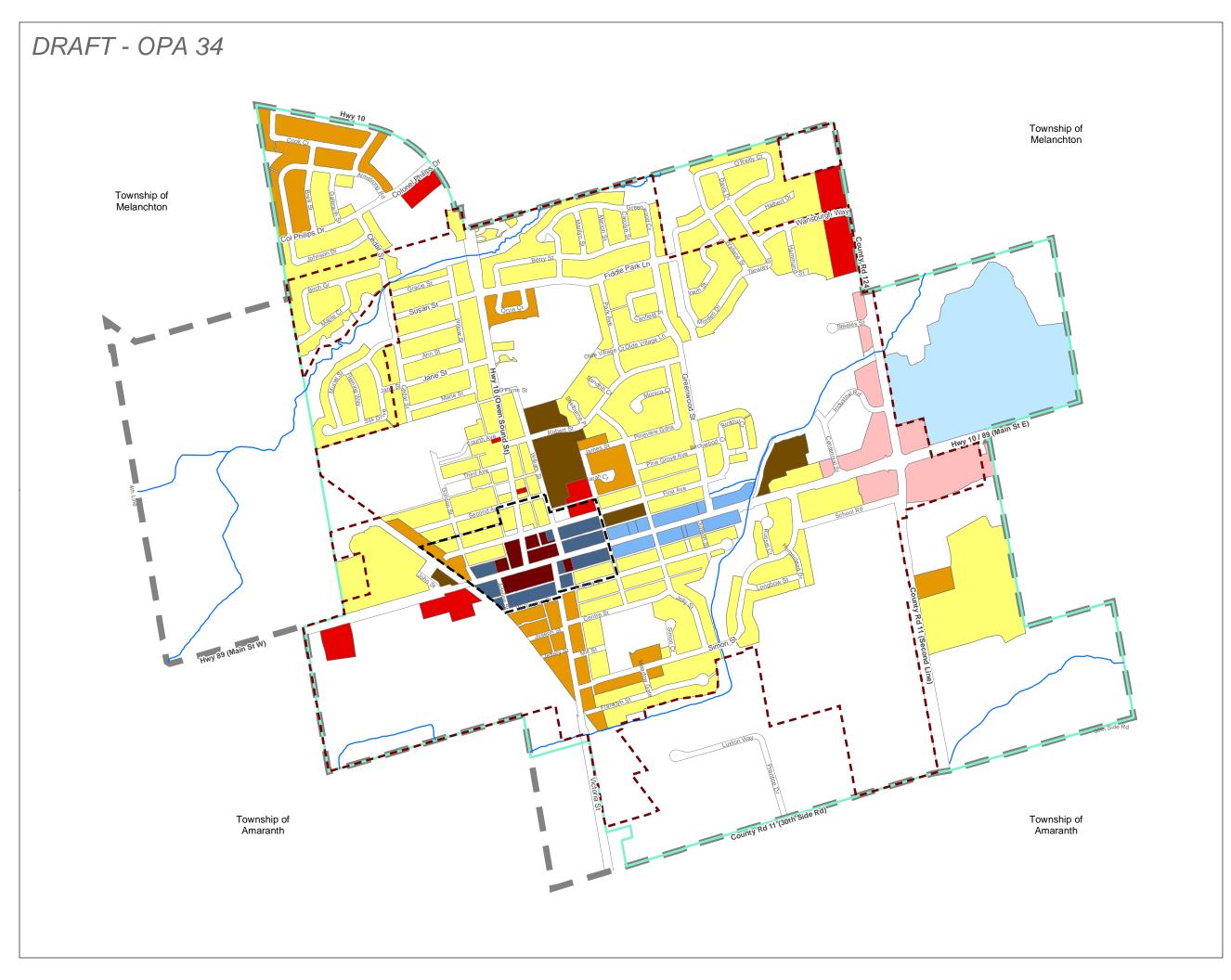
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#### **SCHEDULE 'B2'**

## RESIDENTIAL DENSITY, MIXED USE, AND COMMERCIAL STRUCTURE PLAN

#### **Residential Density Designations**

High Density

Medium Density

Low Density

#### **Commercial Area Designations**

Commercial Core

Community Commercial

Arterial Commercial

#### **Mixed Use Area Designations**

Downtown Mixed Use

Mixed Use Corridor

Mixed Use Centre

#### **Urban Structure Boundaries**

**---** Downtown Core

--- Built Boundary

Urban Area

Town Boundary

#### Base Features

Watercourses

Streets, Lanes, and Corridors



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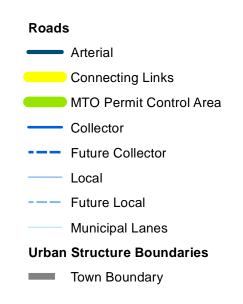
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#### **SCHEDULE 'C1'**

#### TRANSPORTATION PLAN





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#### **SCHEDULE 'C2'**

### ACTIVE TRANSPORTATION PLAN

#### **Active Transportation**

Existing Off Road Trails

--- Future Off Road Trails

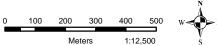
Existing On Road Route

--- Future On Road Route

--- Future Bike Lane

#### **Urban Structure Boundaries**

Town Boundary



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# DRAFT - OPA 34 Township Of Melanchton Township Of Melanchton Township Of Township Of . Amaranth Amaranth

## TOWN OF SHELBURNE OFFICIAL PLAN

#### SCHEDULE 'D'

### COMMUNITY IMPROVEMENT AREA





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## DRAFT - OPA 34 Township of Melanchton Township of Melanchton County Rd 11 (30th Side Rd) Township of Township of Amaranth Amaranth

## TOWN OF SHELBURNE OFFICIAL PLAN

#### SCHEDULE 'E'

#### NATURAL HERITAGE SYSTEM AND NATURAL HAZARDS

#### **Natural Heritage System Designations**

Woodlands

Wetlands

Valleylands

Linkages

Fish Habitat

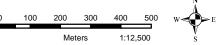
#### **Natural Hazard Boundaries**

Regional Floodline

Erosion Limit

**Urban Structure Boundaries** 

Town Boundary

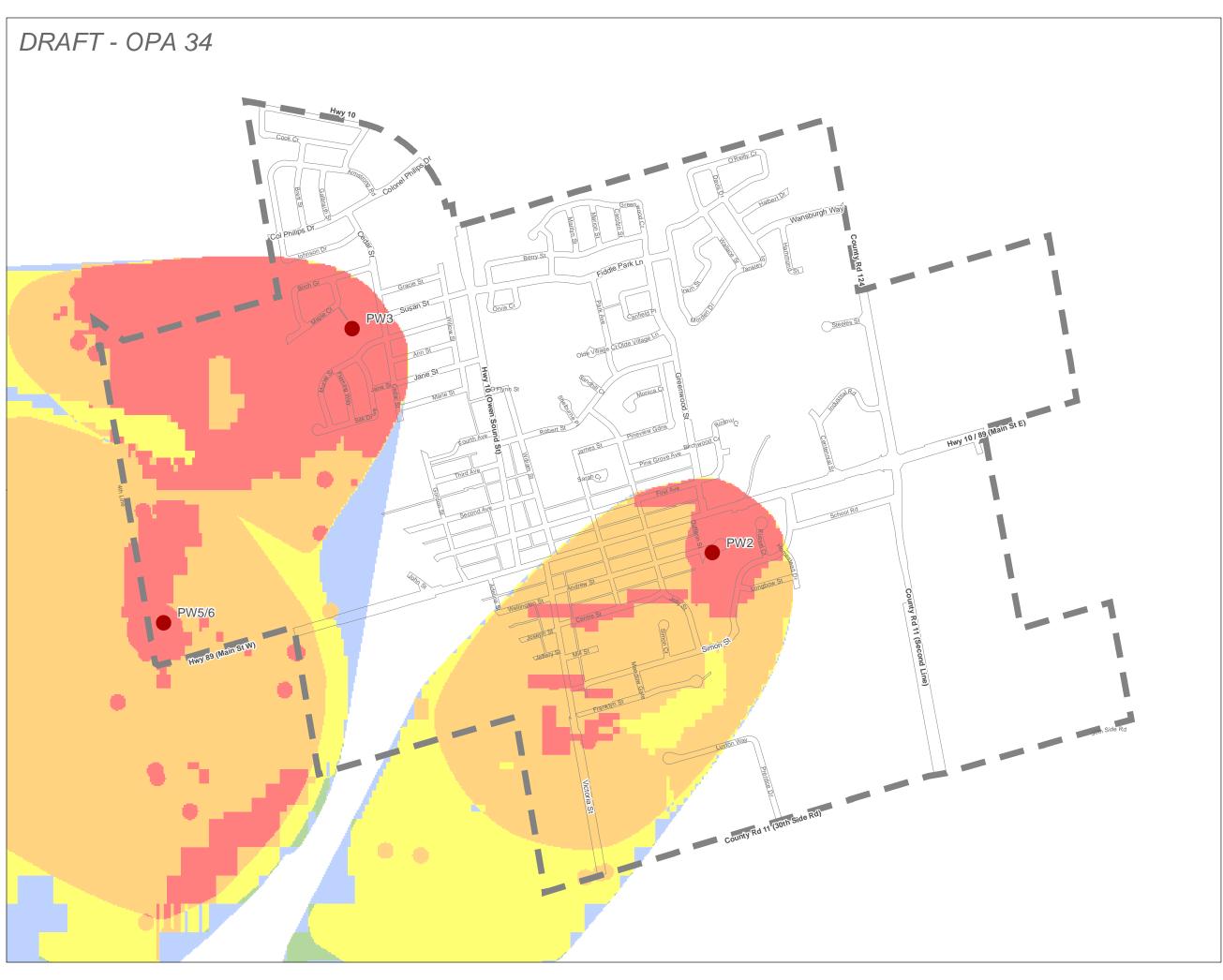


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#### SCHEDULE 'F'

#### DRINKING WATER SOURCE PROTECTION AREAS

#### **Vulnerability Scores**

4

6

۶

10

Municipal Wells

**Urban Structure Boundaries** 

Town Boundary



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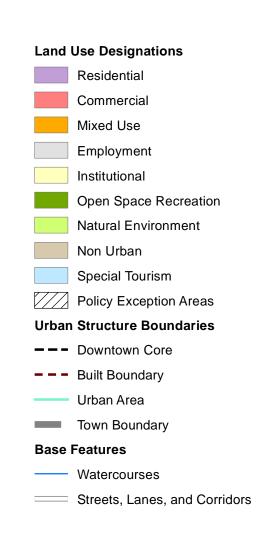
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#### SCHEDULE 'A'

#### LAND USE PLAN



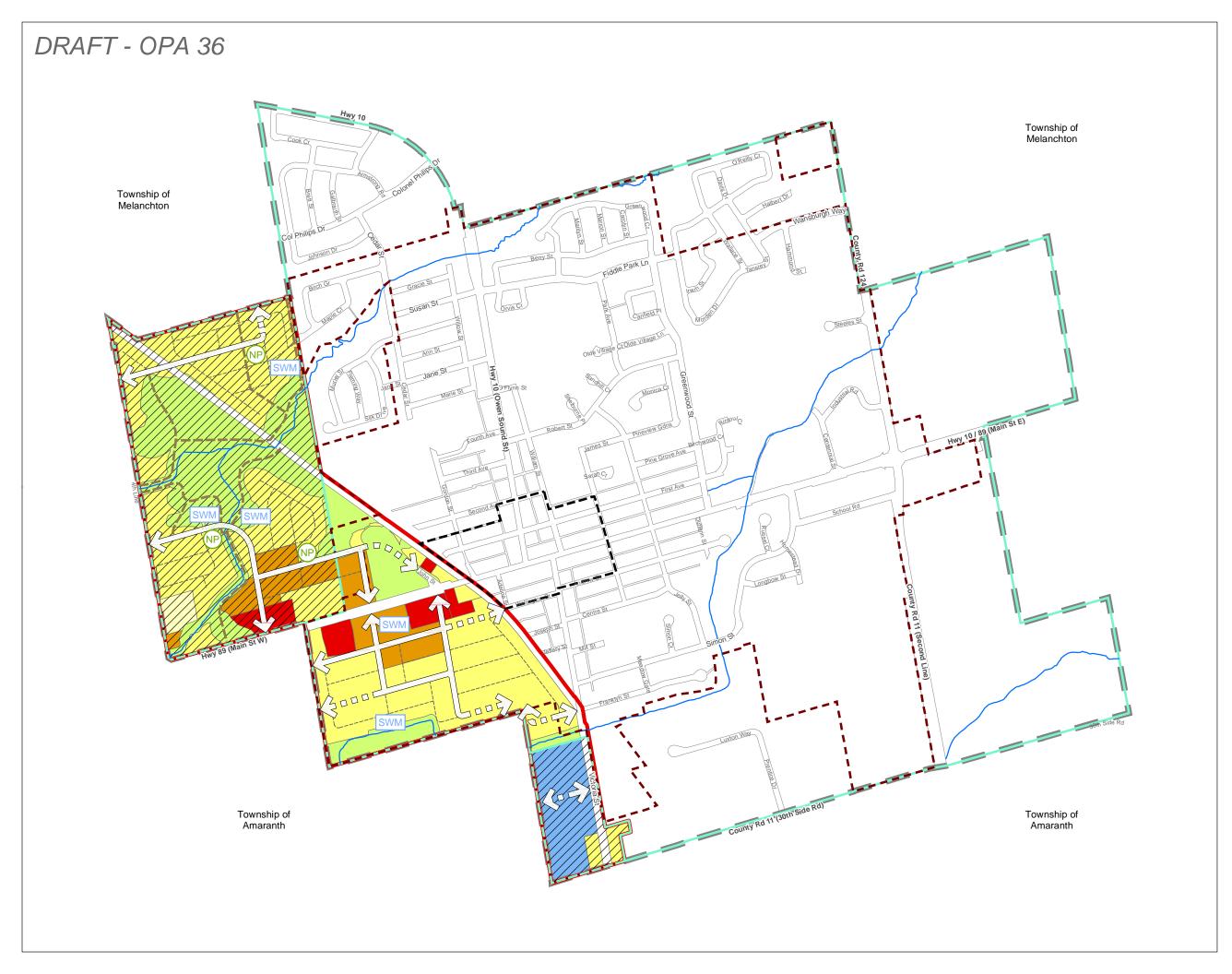


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#### **SCHEDULE 'A1'**

### SHELBURNE WEST SECONDARY PLAN

#### Land Use Designations

Low Density Residential

Medium Density Residential

Community Commercial

Mixed Use - Commercial / Employment / Institutional

Employment

Institutional

Institutional

Natural Environment

Deferred Area

Potential Neighbourhood
Park Locations

Potential SWM Facility Locations

#### **Urban Structure Boundaries**

Shelburne West Secondary Plan

--- Downtown Core

--- Built Boundary

Urban Area

Town Boundary

#### **Base Features**

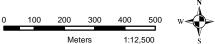
Watercourses

Existing Trails

--- Future Trails

Future Collector Street

---- Future Local Street

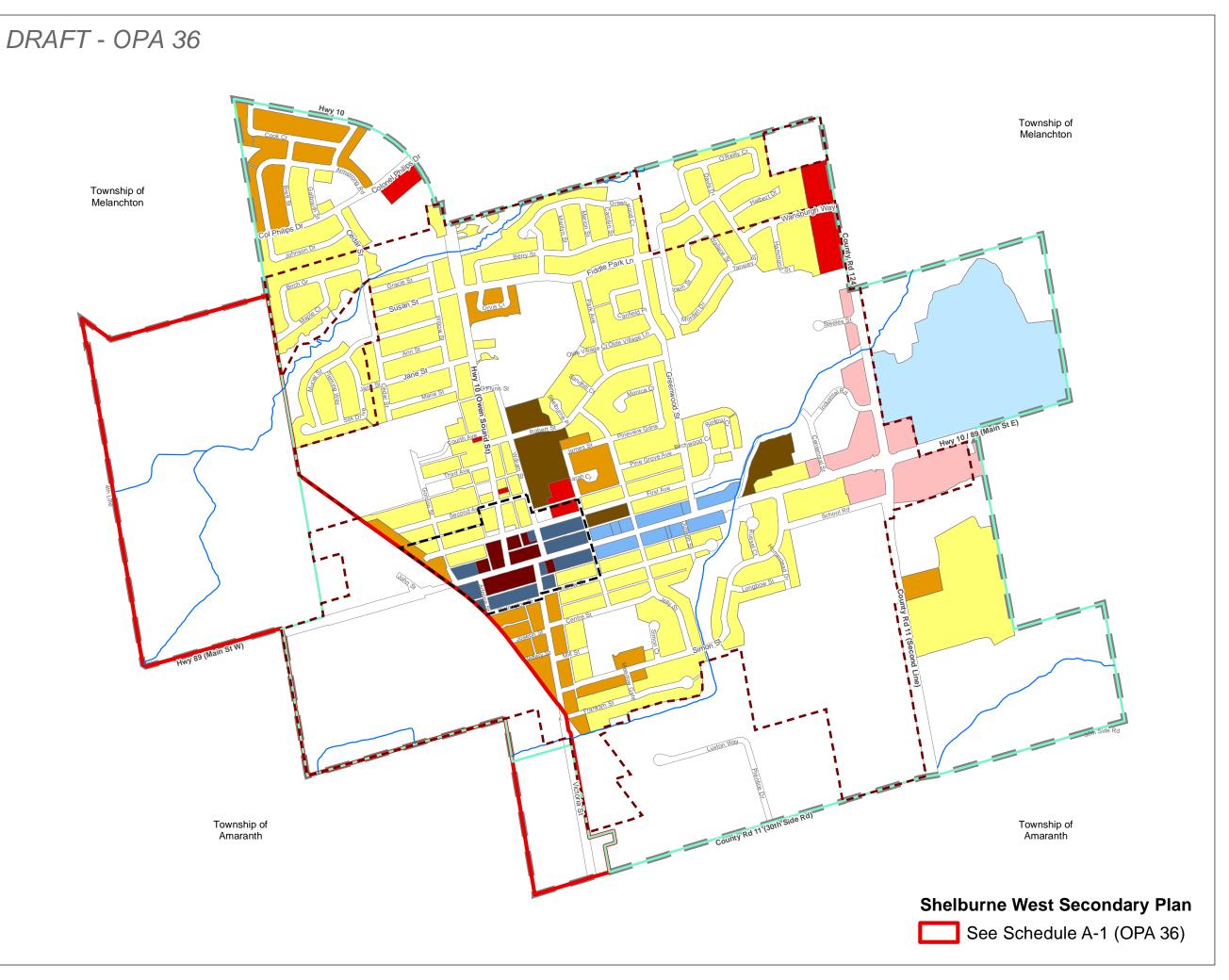


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#### **SCHEDULE 'B2'**

## RESIDENTIAL DENSITY, MIXED USE, AND COMMERCIAL STRUCTURE PLAN

#### **Residential Density Designations**

High Density

Medium Density

Low Density

#### **Commercial Area Designations**

Commercial Core

Community Commercial

Arterial Commercial

#### Mixed Use Area Designations

Downtown Mixed Use

Mixed Use Corridor

Mixed Use Centre

#### **Urban Structure Boundaries**

--- Downtown Core

--- Built Boundary

Urban Area

Town Boundary

#### **Base Features**

Watercourses

Streets, Lanes, and Corridors



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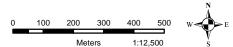
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#### **SCHEDULE 'C1'**

#### TRANSPORTATION PLAN



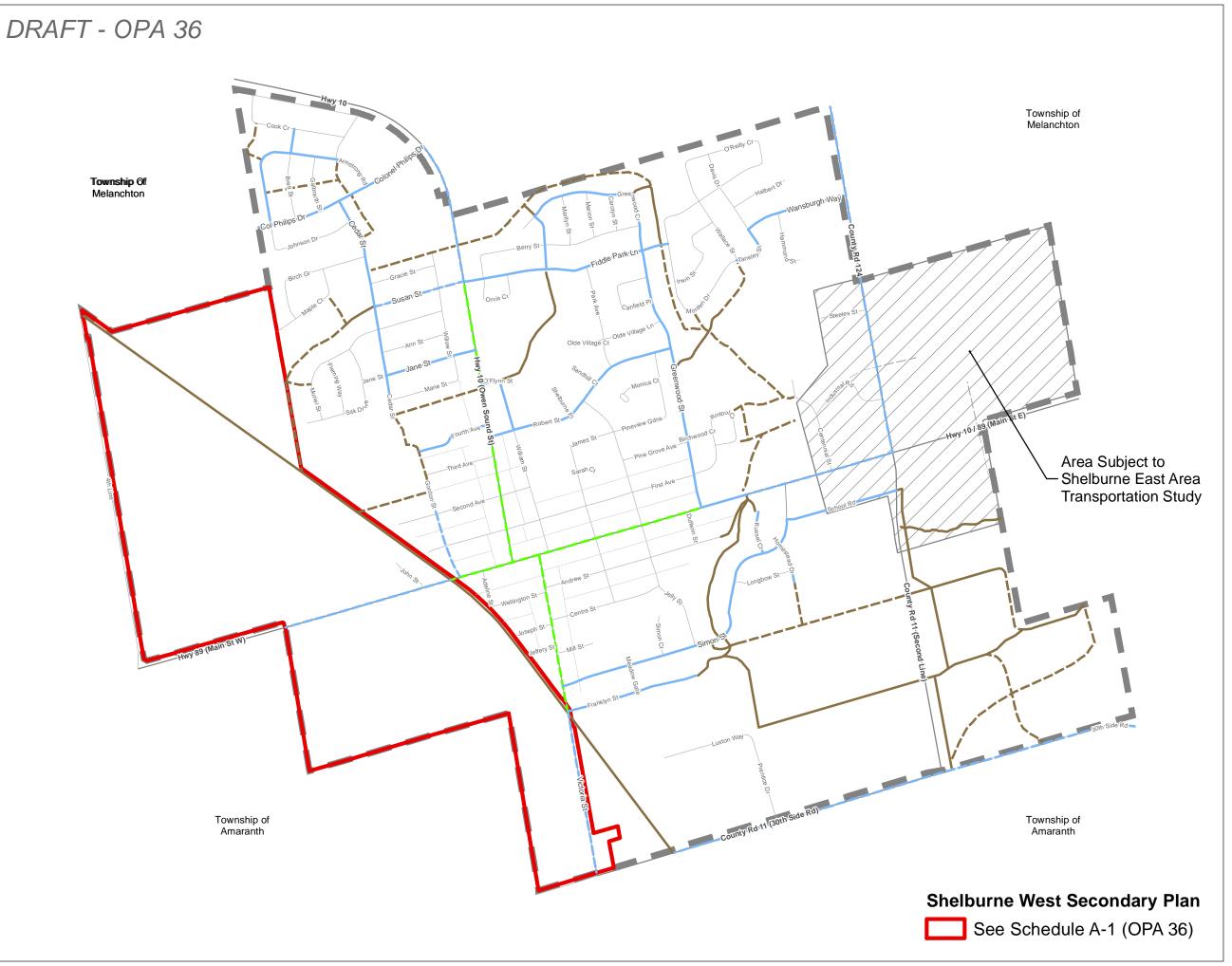


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#### **SCHEDULE 'C2'**

### ACTIVE TRANSPORTATION PLAN

#### **Active Transportation**

Existing Off Road Trails

--- Future Off Road Trails

Existing On Road RouteFuture On Road Route

--- Future Bike Lane

**Urban Structure Boundaries** 

Town Boundary



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## COMPREHENSIVE REVIEW & SHELBURNE WEST SECONDARY PLAN

#### **SUMMARY REPORT**

Town of Shelburne

Draft - November 2015





## COMPREHENSIVE REVIEW & SHELBURNE WEST SECONDARY PLAN

#### **SUMMARY REPORT**

Town of Shelburne

Draft - November 2015

#### **Prepared for:**

Town of Shelburne 203 Main Street East Shelburne, ON L9V 3K7

#### Prepared by:

GSP Group Inc. 72 Victoria St. S., Suite 201 Kitchener, ON N2G 4Y9



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APPENDIX A: Existing Property Inventory

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MAP 1: Study Area and Official Plan Schedule 'A' - Land Use Plan

MAP 2: Study Area and Official Plan Schedule 'A1' – Development Staging Plan

MAP 3: Study Area and Official Plan Schedule 'B' – Residential Density Plan

MAP 4: Study Area and Official Plan Schedule 'C' - Transportation Plan

MAP 5: Land Inventory

MAP 6: Existing Land Use Context and Property Inventory (Shelburne West)

MAP 7: Opportunities and Constraints (Shelburne West)

MAP 8: Land Use Concept 1 (Shelburne West)

MAP 9: Land Use Concept 2 (Shelburne West)

#### 1. INTRODUCTION

The Town of Shelburne is a growing urban municipality located in the central part of Dufferin County. The current 2015 population is approximately 7,500 and employment is estimated to be approximately 2,800.<sup>1</sup> The Town has experienced rapid population and housing growth over the past two decades and in particular in the past 4 years increasing by over 30% since the last census in 2011. Continued population growth is anticipated but is constrained by a shortage of vacant residential land and limited intensification opportunities. Employment growth has been slower but steady in recent years with the growing population, after a period of no local job growth from 2006 to 2011. A significant amount of land is available for industrial, commercial and institutional development to accommodate future employment growth.

As one of three primary urban centres in Dufferin County, the Town has been proactive in bringing land within its municipal boundaries to address the needs of future growth. In 1999 the Town reviewed options for expanding its municipal boundaries, and in 2001 an agreement was reached with the Township of Melancthon which resulted in 164.5 hectares (406.5 acres) of land annexed to the Town of Shelburne which became effective on January 1, 2002. At that time, the Town initiated an Official Plan Review and Update (OPRU) to address the future growth needs of the Town and determine the most appropriate land uses for the annexed lands. The Town amended its Official Plan in 2005 and subsequently adopted a new Zoning By-law in 2007 to apply land use designations and zoning to the annexed land, and to other land annexed from the Township of Amaranth. Official Plan Amendment Number 33 (OPA 33), adopted by Council of the Town of Shelburne on February 28, 2005, and subsequently approved with modifications by the Ministry of Municipal Affairs and Housing on November 24, 2005, implemented land use and policy changes identified through the OPRU including the application of land use designations to the annexed land.

As a result of OPA 33 most of the annexed land is included within the "Urban Area" boundary delineated in the Town's Official Plan, with exception to approximately 75 hectares (185 acres) on the west side, north of Main Street West (Highway 89), as well as approximately 10 hectares (25 acres) of land along the west side of Victoria Street which was not part of the annexed land but was excluded from the urban area due to servicing considerations at that time. In total, approximately 85 hectares (210 acres) of land that is located within the municipal limits of Shelburne on the west side remains outside of the "Urban Area" boundary and is designated "Non-Urban" in the Official Plan.

Comprehensive Review & Shelburne West Secondary Plan | Summary Report GSP Group Inc. | Draft – November 2015

<sup>&</sup>lt;sup>1</sup> Hemson Consulting Ltd. Development Charges Background Study, April 23, 2015.

As an urban municipality, and given that the purpose of the previous annexations was to provide land for future urban development, it has always been the Town's intent to include all of the land that is within the municipal boundary of Shelburne within the "Urban Area" delineated in the Official Plan. OPA 33, as adopted by the Town in February 2005, did not establish an urban area boundary and designated the west side land as "Future Development" with policies to direct the eventual urban development of this land through subsequent Official Plan Amendments supported by information to address servicing and other matters. However, the approval of OPA 33 by the Ministry of Municipal Affairs and Housing in November 2005 resulted in a number of modifications, including the establishment of the current "Urban Area" boundary and the designation of the west side land as "Non-Urban".

Since that time, the Provincial and upper-tier planning context has evolved and new requirements have been established for expanding urban settlement areas. The current 2014 Provincial Policy Statement (the "PPS"), the 2006 Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") and the recently approved 2015 County of Dufferin Official Plan (the "County Plan") require a comprehensive review and establish related policies for proposed expansions to settlement areas and requirements for the conversion of employment areas to other land uses, among a number of other policies and directions that apply to local planning decisions. The Planning Act requires that decisions by the council of a municipality affecting planning matters shall be consistent with the PPS and shall conform with the Growth Plan, and also requires that the Town ensure its Official Plan is consistent with the PPS and conforms with the Growth Plan. The Act also requires that the Town's Official Plan shall conform with the County Plan. In 2009, the County completed the Dufferin County Growth Management Study (the "Dufferin GMS") which established population and employment allocations to the local municipalities to implement the Growth Plan population and employment forecast for the County as a whole. However, a portion of the Growth Plan forecast for the County was unallocated and some of the future population and employment remains unallocated to local municipalities in the County Plan.

The Town of Shelburne has initiated this Comprehensive Review and a Secondary Plan:

- To determine the need and justification for settlement area expansion to include the
  west side land and/or the conversion of employment land, primarily to address the
  shortage of available residential development opportunities and to accommodate some
  of the unallocated forecast growth identified in the County Plan;
- 2) To identify a land use plan and policies for the west side of Shelburne;
- 3) To amend the Official Plan to implement changes based on the above; and,
- 4) To satisfy related Provincial and County requirements.

# 2. PLANNING CONTEXT

#### 2.1 Provincial Planning Direction

The **Provincial Policy Statement** (PPS) is issued under the authority of Section 3(1) of the Planning Act and came into effect on April 30, 2014. It provides policy direction on matters of provincial interest related to land use planning and development. The policies focus on the key provincial interests related to land use planning. Section 3(5) of the Planning Act requires that municipal planning decisions shall be consistent with the PPS. The policies of the PPS are minimum standards and municipalities may go beyond these minimum standards except where doing so conflicts with any PPS policy.

Based on a review of the key policy directions of the PPS, planning for growth and development should:

- · Minimize land consumption and servicing costs;
- Provide sufficient land to accommodate anticipated growth;
- Focus growth within settlement areas in a compact form;
- Optimize the long-term efficient use of land, energy and infrastructure;
- Protect employment areas for economic diversity;
- Accommodate a range of housing types and densities;
- Support municipal sewage and water services as the preferred form of servicing;
- Minimize automobile dependence and promote use of alternative transportation modes;
- Protect prime agricultural areas and continued viability of farming;
- Protect natural features and resources for the long-term; and,
- Avoid areas of natural and human-made hazards.

Settlement areas are to be the focus of growth and development, and their vitality and regeneration promoted (PPS, s. 1.1.3.1). Within settlement areas, the PPS directs that land use patterns shall be based on densities and a mix of land uses that efficiently use land and infrastructure, promote energy efficiency while minimizing negative impacts to air quality and climate change, support active transportation and transit (where it is existing, planned or may be developed) and are freight-supportive. Municipal Official Plans are required to identify areas for intensification and redevelopment and establish intensification targets (as identified in the Growth Plan) and phasing policies to ensure that the targets are achieved

concurrent with the orderly progression of development in designated growth areas (PPS, s. 1.1.3.3, 1.1.3.5, 1.1.3.6, 1.1.3.7).

The PPS limits the expansion of settlement areas to the time of a comprehensive review and subject to the demonstration of need and addressing applicable criteria regarding infrastructure, public health and safety, natural environment and agricultural impacts (PPS, s. 1.1.3.8). Similarly, the PPS limits the conversion of lands within employment areas to non-employment uses to the time of a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and there is a need for the conversion (PPS, s. 1.3.2.2). For the purposes of these policies (s. 1.1.3.8 and 1.3.2.2), a *comprehensive review* is defined in the PPS as follows:

#### "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:
  - 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;
  - 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.

. .

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."

Further policy direction for managing and directing growth and development is provided in other sections of Part V of the PPS related to Employment (PPS, s. 1.3), Housing (PPS, s. 1.4), Public Spaces, Recreation, Parks, Trails and Open Space (PPS, s.1.5), Infrastructure and Public Service Facilities (PPS, s. 1.6), Long-Term Economic Prosperity (PPS, s. 1.7) and Energy Conservation, Air Quality and Climate Change (PPS, s. 1.8). The policies of Section 2: Wise Use and Management of Resources, and Section 3: Protecting Public Health and Safety must also be applied in determining settlement area expansions.

The provincial **Growth Plan for the Greater Golden Horseshoe** (the "Growth Plan") became effective on June 16, 2006 under the enabling legislation, the Places to Grow Act, 2005. Under the Planning Act, municipalities within the Greater Golden Horseshoe (GGH) area are required to conform to the Growth Plan, which applies to local land use decision-making on applications for development and requires municipalities to amend their official plans to address the Growth Plan requirements.

The Growth Plan provides a framework for accommodating forecasted growth in the GGH region to 2041. The Guiding Principles are established in Section 1.1.2 of the Growth Plan and include:

- Build compact, vibrant and complete communities;
- Plan and manage growth to support a strong and competitive economy;
- Protect, conserve, enhance and wisely use the valuable natural resources of land, air and water for current and future generations;
- Optimize the use of existing and new infrastructure to support growth in a compact, efficient form;
- Provide for different approaches to managing growth that recognize the diversity of communities in the GGH;
- Promote collaboration among all sectors government, private and non-profit and residents to achieve the vision.

The Growth Plan prescribes more specific policy direction for managing growth and development in the plan area. The following points summarize key policy directives of the Growth Plan:

- Build compact, transit-supportive communities in designated greenfield areas (s. 2.2.2.1 (c));
- Reduce dependence on the automobile through the development of mixed-use, transitsupportive, pedestrian-friendly urban environments (Growth Plan, s.2.2.2.1 (d));
- Ensure the availability of sufficient land for employment to accommodate forecasted growth to support the GGH's economic competitiveness (Growth Plan, s.2.2.2.1 (f));
- Encourage cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services (Growth Plan, s.2.2.2.1 (h));
- Prohibit the establishment of new settlement areas (Growth Plan, s.2.2.2.1 (k));
- Promote economic development and competitiveness by –

- Providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs;
- 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 (Growth Plan, s.2.2.6.2 (a – b));
- Create complete communities with a range of housing types (Growth Plan, s. 2.2.1 (h), s. 2.2.7.1 (a));
- Create densities and an urban form that supports transportation choices and viability of transit services (Growth Plan, s. 2.2.7.1 (b), s. 3.2.2.1);
- Designate and preserve lands within settlement areas in the vicinity of existing major highway interchanges, ports, rail yards and airports as areas for manufacturing, warehousing, and associated retail, office and ancillary facilities, where appropriate (Growth Plan, s.2.2.6.9);
- New development taking place in designated Greenfield areas will be planned, designated, zoned and designed in a manner that –
  - Contributes to creating complete communities;
  - Creates street configuration, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services;
  - Provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods (Growth Plan, s.2.2.7.1 (a-c)); and
- Plan for land uses in settlement areas adjacent to, or in the vicinity of, transportation facilities such as inter-modal facilities, rail yards, airports, dockyards, and major highway interchanges that are compatible with, and supportive of, the primary goods movement function of these facilities (Growth Plan, s.3.2.4.5).

To accommodate the forecasted growth within the GGH, population and employment growth targets for upper- and single-tier municipalities in the GGH are provided in Schedule 3 to the Growth Plan and are to be used for planning and managing growth. The following growth forecast is identified for Dufferin County:

	Population				Employment			
	2031A	2031B	2036	2041	2031A	2031B	2036	2041
Dufferin County	80,000	80,000	81,000	85,000	27,000	29,000	31,000	32,000

SOURCE: Growth Plan for the Greater Golden Horseshoe, Schedule 3.

NOTE: There are two forecasts provided in the Growth Plan for the year 2031 (2031A and 2031B), and there are related transition policies in section 5.4.5 of the Growth Plan directing when to use the 2031A and 2031B forecast.

Section 2.2.8 of the Growth Plan establishes the requirements for settlement area boundary expansions, as follows:

#### "2.2.8 Settlement Area Boundary Expansions

- 1. The policies in this section apply only to the expansion of a *settlement* area within a municipality.
- 2. A *settlement area* boundary expansion may only occur as part of a *municipal comprehensive review* where it has been demonstrated that
  - a) sufficient opportunities to accommodate forecasted growth contained in Schedule 3, through *intensification* and in *designated greenfield* areas, using the *intensification target* and *density targets*, are not available:
    - i. within the *regional market area*, as determined by the upper- or single-tier municipality, and
    - ii. within the applicable lower-tier municipality to accommodate the growth allocated to the municipality pursuant to this Plan
  - b) the expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in Policy 2.2.8.2(a)
  - c) the timing of the expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the intensification target and density targets, and the other policies of this Plan
  - d) where applicable, the proposed expansion will meet the requirements of the Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plans
  - e) the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner
  - f) in prime agricultural areas:
    - i. the lands do not comprise specialty crop areas
    - ii. there are no reasonable alternatives that avoid prime agricultural areas
    - iii. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*
  - g) impacts from expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement areas* are mitigated to the extent feasible
  - h) in determining the most appropriate location for expansions to the boundaries of *settlement areas*, the policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS, 2005 are applied
  - i) for expansions of *small cities and towns* within the *outer ring*, municipalities will plan to maintain or move significantly towards a minimum of one full-time job per three residents within or in the immediate vicinity of the small city or town."

A *municipal comprehensive review* is defined in the Growth Plan as "An official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan."

Section 2.2.6 of the Growth Plan also requires a *municipal comprehensive review* for the conversion of land within *employment areas* to non-employment uses, as follows:

- "5. Municipalities may permit conversion of lands within *employment areas*, to non-employment uses, only through a *municipal comprehensive review* where it has been demonstrated that
  - a) there is a need for the conversion
  - b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan
  - c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan
  - d) there is existing or planned infrastructure to accommodate the proposed conversion
  - e) the lands are not required over the long term for the employment purposes for which they are designated
  - f) cross-jurisdictional issues have been considered.

For the purposes of this policy, major retail uses are considered non-employment uses.

6. Policy 2.2.6.5 only applies to *employment areas* that are not downtown areas or regeneration areas. For those *employment areas* that are downtown areas or regeneration areas, Policy 1.3.2 of the PPS, 2005 continues to apply."

Additional policy direction is provided in the Growth Plan regarding Infrastructure to Support Growth (Growth Plan, s. 3) and Protecting What is Valuable (Growth Plan, s. 4). Section 5 of the Growth Plan establishes policies for implementation and interpretation, including the following direction with respect to co-ordination between upper-tier and lower-tier municipalities in section 5.4.2:

- "2. Where planning is conducted by an upper-tier municipality, the upper-tier municipality, in consultation with the lower-tier municipalities, will
  - a) allocate the growth forecasts provided in Schedule 3 to the lower-tier municipalities
  - b) identify intensification targets for lower-tier municipalities, to achieve the intensification target and density targets for urban growth centres where applicable
  - c) identify density targets for the designated greenfield areas of the lower-tier municipalities, to achieve the density target for designated greenfield areas
  - d) provide policy direction on matters that cross municipal boundaries."

Population and employment growth forecasts, intensification targets and greenfield density targets for the Town of Shelburne and related policy direction have been established at the County level through the County of Dufferin Official Plan and are based on supporting background work and planning analysis documented in the 2014 Background, Issues and Options Report, as well as the 2009 Growth Management Strategy (Dufferin GMS).

#### 2.2 County Planning Direction

At the County level, the process of addressing the conformity requirements of the Places to Grow Act and the Growth Plan began in 2007 with the initiation of a County-wide **Growth Management Study (GMS)**. The purpose of the Dufferin GMS was to assist local municipalities with the implementation of the provincial Growth Plan and to provide a recommended growth option to address the Growth Plan requirements.

Although there was no upper-tier planning function in Dufferin County at the time the Dufferin GMS was prepared, the study was required to determine whether the Growth Plan forecast population and employment for the County could be accommodated within the settlement areas designated within the Official Plans of the local municipalities and in consideration of existing lots of record and severance potential in the rural area, and whether the intensification and density targets could be met. The key findings of the Dufferin GMS are summarized below:

- Based on the continuation of existing development patterns, the County had, at that time, a potential supply of approximately 8,400 new housing units, approximately 1,600 units short of the 10,000 units required to meet the 2031 forecast population of 80,000;
- The County had, at that time, a sufficient supply of employment lands to accommodate 6,000 jobs to meet the 2031 forecast employment of 27,000 jobs;
- Some changes to then-current growth practices were identified as necessary to meet the
  residential projections (i.e., a shortfall of 1,600 units) and to meet the density target of 50
  residents and jobs per hectare;
- No urban boundary expansions were identified as required at that point in time; the study recommended that, should an expansion be required in the future, it will be considered during a comprehensive review of the Official Plan;
- Dufferin County can meet the Provincial intensification target based on the existing approved land supply in the urban areas at that time;
- Approval of any future/new growth will be contingent on demonstrating that servicing can be economically provided and approved;
- New growth will be compact, transit-supportive, pedestrian friendly and provide a mix of land uses.

Three options were presented by the Dufferin GMS for managing growth, each based on different density targets and accommodating different volumes of growth within the existing urban areas. Option A was based on existing densities, Option B was based on balancing an increase to existing densities and a greater mix of housing, and Option C was based on achieving the Growth Plan target of 50 residents and jobs per hectare. A number of concerns were raised at the local level as Option C represented a significant shift from current

densities and change in mix of housing types. An alternative density target was requested under section 2.2.7.5 of the Growth Plan to satisfy the concerns of the local municipalities while bringing the overall County-wide density target as close as possible to the 50 residents and jobs per hectare identified in the Growth Plan. A density target of 44 residents and jobs per hectare was ultimately approved by the Province as the County-wide density target applicable to and to be measured across the entire greenfield area of the three urban municipalities (Shelburne, Orangeville and the urban area of Grand Valley), as per Option B of the Dufferin GMS.

For Shelburne, the outcome of the Dufferin GMS resulted in the following growth forecast and targets assigned by the Ministry of Energy and Infrastructure (now the Ministry of Economic Development, Employment & Infrastructure) in August 2010:

2031 Population Forecast: 8,400 people2031 Employment Forecasts: 3,560 jobs

• Intensification Target: 38%

Greenfield Density Target: 41 residents and jobs per hectare.

The Ministry letter identified a "Future allocated growth within the County of Dufferin" of 4,000 people to achieve the total forecast 2031 total County population of 80,000. This future population growth of 4,000 people was not allocated to any local municipality but is identified as growth that is expected to be accommodated within the County.

In 2013 the County initiated the preparation of the first County Official Plan. The following points highlight key findings from the **2014 Background**, **Issues and Options** report prepared in support of the development of the County Plan:

- Shelburne is identified as an "Urban Settlement Area" along with Orangeville and the urban area of Grand Valley. There are a number of "Community Settlement Areas" identified in the rural municipalities.
- The report identifies the current provincial Growth Plan allocation to the Town of Shelburne: 8,400 population and 3,560 jobs by 2031.
- The report recognizes that the Town is in the process of completing an assimilative capacity study to support additional population growth to 10,000 by urban expansion to include the west side land to the Town's municipal boundaries, and that servicing feasibility must be demonstrated in order to include this allocation in the County OP.
- Regarding the intensification target of 38% currently identified for Shelburne, the report
  projects that intensification opportunities will be exhausted by the year 2025 at the
  prescribed rate. The report tests an alternative scenario whereby Shelburne's
  intensification rate is reduced to 24% to extend the life of the limited available
  intensification opportunities while allowing for additional Greenfield development to

occur. Under this scenario, the report calculates that the Town's intensification unit supply can be extended to 2036.

- Regarding greenfield development in Shelburne, the report projects that the current residential lot supply will be exhausted by 2021 (potentially sooner based on the current rapid pace of growth, as noted in the County report) and that, in order to accommodate a total 2031 forecast population of 10,000, the Town will require an additional 28 net hectares of land by 2031, 31 net hectares of land by 2036 and 32 net hectares of land by 2041. Under the alternative scenario, the Town would require an additional 40 net hectares of urban land to accommodate residential growth to 2031, 44 net hectares for residential growth to 2036, and 45 net hectares for growth to 2041.
- Currently, the Town has 85 gross hectares of land within its municipal boundary that is
  outside of the urban boundary (the west side land). The potential net developable area
  of the west side land is considered later in this report.
- The report states that the Town has sufficient employment land designated in its Official Plan to accommodate forecast job growth in Shelburne to 2036. Based on the assumption that "Employment Land Employment" includes 100% of industrial employment, 70% of office commercial employment, 20% of other commercial employment and 5% of institutional employment, the report forecasts a demand for 32 net hectares of employment land by 2031, and one additional hectare of employment land to 2041, for a total of 33 net hectares of employment land. With an existing supply of 57 net hectares of vacant employment land, the report indicates that no additional employment land will be required to the year 2041, and that there is a surplus of 24 net hectares of employment land currently available. The County report anticipates that these forecasts would be supplemented through more detailed work at the local level.
- The report recommends using a 20-year planning period (to 2036) for the purposes of the County Official Plan, involving the allocation of a total forecast County-wide population of 81,000 people and forecast employment of 31,000 jobs.

The **Dufferin County Official Plan** was adopted by County Council on September 11, 2014 and approved by the Minister of Municipal Affairs and Housing on March 25, 2015. The County Plan provides upper-tier municipal planning direction for matters of County significance, and is intended to be implemented through more detailed land use and development policies in the local municipal official plans (County Plan, s. 1.2.1).

In regards to growth management and settlement areas, the County Plan establishes the following goals, objectives and policy direction:

#### Goals (County Plan, s. 1.1.5)

- Foster complete, healthy and sustainable communities and enhance quality of life;
- Direct the majority of population and employment growth to settlement areas;

- Promote economic development and diversification;
- Encourage growth and vitality of the core commercial areas and historic downtowns;
- Encourage the provision of a range of housing opportunities;
- Promote healthy lifestyles and support active transportation;
- Ensure coordination among local municipalities.

#### **Objectives (County Plan, s. 3.1)**

- Direct the majority of urban development on full municipal services to the three urban settlement areas (Orangeville, Shelburne, urban area of Grand Valley) and to a lesser extent the community settlement areas;
- Promote development patterns in settlement areas that efficiently use land, resources, infrastructure, and public service facilities through compact urban forms and a mix of land uses at appropriate densities;
- Encourage redevelopment, revitalization and intensification in appropriate locations and compatible with the community;
- Encourage economic development opportunities by protecting employment areas and providing for a range and mix of uses to meet long-term needs and attract businesses;
- Encourage the provision of a broad range of housing types and affordability.

#### Policies – Growth Projections (County Plan, s. 3.2)

- Plan to accommodate a population of 81,000 persons and 31,000 jobs to 2036;
- The population and employment forecasts in the County Plan form the basis for the establishment of land needs to accommodate growth over the planning horizon (Tables 3.1, 3.2a and 3.2b):
  - A 2031 and 2036 population forecast of 8,400 is allocated to Shelburne, with a notation that the population forecast is constrained by lack of approved municipal water services and municipal sewage services
  - A Future Reserved Allocation of population of 2,332 in 2031 and 3,057 in 2036 are identified with a notation that "Approximately 1,600 persons of the Future Reserved Allocation is intended to be accommodated within Shelburne, for a total population of approximately 10,000 persons, subject to satisfying the Shelburne Urban Settlement Area Expansion policies of Section 3.5.1.2.";
  - A 2031 and 2036 employment forecast of 3,560 jobs is allocated to Shelburne;

- A Future Reserved Allocation of employment of 2,000 jobs in 2031 and 4,000 jobs in 2036 are identified with a notation that "The Future Reserved Allocation is directed to Urban Settlement Areas and Community Settlement Areas.";
- The allocation of the reserved future population growth is intended to be accommodated as a first priority within the urban settlement areas and is largely contingent on the demonstration of adequate available or planned municipal water services and municipal wastewater services;
- Monitor population and employment growth, no less than every 5 years;
- Direct the majority of employment growth to designated employment areas within the urban settlement areas;
- Undertake long-range planning for infrastructure and public service facilities beyond the 20-year planning horizon.

#### Policies - Settlement Structure (County Plan, s. 3.3)

- Local municipal official plans will detail the locations of various types of land uses within settlement areas and local municipalities are encouraged to:
  - Plan for healthy and complete communities, with a diverse mix of land uses, a range and mix of employment and housing types, including special needs housing, high quality public open space and convenient access to local services;
  - Establish land use patterns based on densities and a mix of land uses which efficiently use land, resources, infrastructure facilities and public services and avoid the need for their unjustified or uneconomical expansion, minimize negative impacts to air quality and climate change and promote energy efficiency, support active transportation, and are appropriate to the type of sewage and water services planned or available:
  - Promote the long term economic prosperity of settlement areas through compact, mixed use development that supports active transportation, with a broad range of housing types, services and amenities, optimize the use of land, resources, infrastructure and public service facilities, provide for efficient, cost effective and reliable multi-modal transportation, reduce automobile dependence, increase opportunities for job creation, provide for water and energy efficiency, maintain the well-being of downtowns and mainstreets, and plan so that major facilities, industries and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects;
  - Develop growth management strategies as part of their official plans to establish the type, amount, location and timing of growth and development including a servicing strategy that is in keeping with the servicing and growth forecasts;

- The establishment of new settlement areas is not permitted;
- Urban settlement areas function as the primary centres for growth, development and urban activities, and will be the focus of residential, commercial, industrial, institutional, cultural, recreational and open space uses;
- Urban settlement areas accommodate a broad range of uses, and the permitted uses and associated land use policies will be established in the local municipal official plans and in accordance with the County Plan;
- Expansions to the boundaries of an urban settlement area will only occur in accordance with the County municipal comprehensive review policies;
- Local municipalities are encouraged to identify and promote intensification, infill and redevelopment of vacant and/or underutilized sites in urban settlement areas;
- Historic downtowns and mainstreets should be maintained and/or enhanced through compatible development, and mixed used development and an accessible pedestrian oriented streetscape are encouraged;
- The redevelopment of greyfield and brownfield sites is encouraged;
- Cost effective development patterns and those which minimize land consumption and reduce servicing costs are encouraged, and land use patterns that may cause environmental, heritage conservation and public health and safety concerns will be avoided.

#### Policies – Intensification and Greenfield Development (County Plan, s. 3.4)

- Intensification is encouraged wherever feasible and appropriate, subject to appropriate scale and character, the availability of servicing and protection of existing stable neighbourhoods;
- Table 3.4 identifies Shelburne's intensification target at 38%;
- Local municipal official plans will identify appropriate locations and the type and form of intensification, including second units, infill and redevelopment;
- Criteria are identified for evaluation and consideration of intensification proposals;
- Monitor intensification activity and ensure opportunities exist;
- Develop and implement policies and strategies to phase in and achieve intensification targets based on the growth forecasts in the County Plan, the built boundary as shown on Schedule B1 of the County Plan, identification of intensification areas, plans for a range and mix of housing, and the identified intensification criteria;
- Land within designated greenfield areas will be planned to achieve the minimum density targets, measured in accordance with the Growth Plan;

- Table 3.5 identifies Shelburne's greenfield density target at 41 residents and jobs per hectare;
- Develop and implement official plan policies to achieve the density targets;
- Secondary Plans are encouraged for new greenfield areas.

#### Policies – Settlement Area Expansions and Growth Allocations (County Plan, s. 3.5)

- The County's settlement area structure does not provide sufficient land for the County as a whole to accommodate all of the forecast residential and employment growth over the planning horizon;
- It is anticipated that urban settlement area expansions will be required to allocate the future reserved population and future reserved employment growth;
- Settlement area expansion will only be considered through a County municipal comprehensive review, which may be initiated by the County in consultation with the local municipalities or adopted at any time by the County;
- A County municipal comprehensive review must demonstrate that:
  - Sufficient opportunities to accommodate forecasted growth are not available within the County and within the existing settlement area within the municipality in which the settlement area is located, through intensification, redevelopment and in designated greenfield areas, using the identified intensification and density targets;
  - The expansion makes sufficient land available to accommodate the forecasted growth not exceeding the horizon of this Plan;
  - The timing of the expansion and phasing of development will not adversely affect the achievement of the County's intensification and greenfield density targets;
  - The proposed expansion is an efficient, sustainable and logical extension of the settlement area and the existing or planned infrastructure, services and facilities required to accommodate the forecasted growth 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;
  - The land is physically suitable for development, considering any constraints to development, including topography, hazard land, natural heritage features and areas, systems, natural resources and sourcewater considerations, and the protection of prime agricultural areas for the long term;
  - The proposed expansion will meet the requirements of the Growth Plan;
  - The transportation system can accommodate the additional volume of traffic and demand for services;

- A suitable plan for phasing, financing, and constructing of the infrastructure for the expansion is demonstrated;
- There is an adequate supply of land designated for employment within or in the immediate vicinity of the settlement area to plan to maintain or move towards accommodating a minimum of one full-time job per three residents within or in the immediate vicinity of the settlement area;
- The proposed expansion will not negatively impact cultural heritage resources;
- Where appropriate, cross-jurisdictional issues are considered;
- Impacts from expanding the settlement area on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible; and
- In determining the most appropriate direction for expansions the policies of the County Plan shall be applied.
- Amendments to the County Official Plan and the local municipal official plan are required to implement a settlement area boundary expansion;
- Upon confirmation of existing and planned servicing capacity to accommodate a population of approximately 10,000 persons, the Town of Shelburne will complete a municipal comprehensive review to determine the quantity of land needed and, if necessary, the most suitable location to expand the urban settlement area boundary. This assessment will apply, at a minimum, the specified intensification (38%) and greenfield density targets (41 residents and jobs per hectare). An amendment to the County Plan and the Town's Official Plan will be required. In the event that the Town is unable to demonstrate servicing capacity for the future reserved population growth prior to the first County review of the Official Plan, the County may allocate the future reserved population growth to urban settlement areas or community settlement areas.
- The allocation of the future reserved population growth, where a settlement area boundary expansion is not proposed, does not require a County municipal comprehensive review, but the following criteria must be addressed:
  - The allocation of the future reserved population growth will only be directed to urban settlement areas where it is demonstrated that municipal water services and municipal sewage services are available or planned to accommodate the growth;
  - Sufficient opportunities to accommodate the future reserved population growth, beyond the allocated growth, are available within the existing urban settlement area through intensification, redevelopment and in greenfield areas, which achieve the intensification and greenfield density targets;
  - The existing or planned infrastructure, services and facilities 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;

- The land is physically suitable for development, considering any constraints;
- The transportation system can accommodate the additional traffic volume;
- A suitable plan for phasing, financing, and constructing the infrastructure;
- Cultural heritage resources will not be negatively impacted; and
- Where appropriate, cross-jurisdictional issues are considered.
- Similar policies and criteria as listed above apply to the allocation of future reserved employment growth where a settlement area boundary expansion is not proposed;
- Local municipalities are encouraged to undertake a local municipal comprehensive review concurrent with or following a County municipal comprehensive review including, at a minimum, the following requirements:
  - Pre-application consultation with the County to establish the methodology, analysis and level of detail;
  - Review of the growth forecasts and allocations to the municipality, and current Census information as the basis of the analysis;
  - Compile the aggregate amount of employment and residential land;
  - Identify and assess land use constraints;
  - Identify and analyze intensification opportunities;
  - Prepare a Master Servicing Report outlining the method of servicing;
- If a review concludes that a settlement area boundary should be altered, any adjustment to the boundary must satisfy the requirements for a County municipal comprehensive review.

#### Policies – Economic Development (County Plan, s. 3.6)

- Local municipal official plans are required to designate and protect employment areas and provide for an appropriate mix and range of economic development opportunities and employment uses;
- Focus new industrial and employment-related development in settlement areas;
- Promote major commercial, retail and office employment uses in the urban settlement areas and encourage the creation of strong central business districts;
- Support the long-term protection of employment areas within the County, which include employment areas in proximity to Highway 10 and 89;
- Plan beyond 20 years for the long term protection of employment areas provided the lands are not designated beyond the 20-year planning horizon;

- The County discourages the conversion of employment areas unless suitable justification is provided;
- Proposal to convert employment land to another type of land use will be reviewed through a municipal comprehensive review. An amendment to the County Plan is not required for an employment land conversion within settlement area in a local municipal official plan. The intent is to ensure an adequate supply of employment land, and it must be demonstrated that:
  - There is a need for the conversion;
  - The municipality will meet the employment forecasts allocated to the municipality;
  - The conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification and density targets and other policies;
  - There is existing or planned infrastructure available for the conversion;
  - The lands are not required over the long term for employment purposes; and
  - Cross-jurisdictional issues have been considered.

#### Policies – Housing and Affordability (County Plan, s. 3.7)

- Maintain at all times the ability to accommodate residential growth for a minimum of 10
  years through residential intensification, redevelopment and land which is designated
  and available for residential development;
- Maintain at all times land with servicing capacity to provide at least a 3 year supply of residential units in draft approved and registered plans, or land appropriately zoned for development or redevelopment;
- Ensure a full range of housing types and densities, where appropriate, are provided.

Additional policy direction is provided in the County Plan regarding Housing and Affordability (County Plan, s. 3.7), Community Services and Parks and Open Space (County Plan, s. 3.8), Community Design and Revitalization (County Plan, s. 3.9) and Cultural Heritage (County Plan, s. 3.10). Further, the County Plan provides policy direction regarding Natural Heritage (County Plan, s. 5), Natural and Human-Made Hazards (County Plan, s. 6), and Transportation, Infrastructure and Servicing (County Plan, s. 7).

These policies and the County Plan as well as the Growth Plan and the PPS have each been reviewed in their entirety and have been considered and applied as required in preparing this Comprehensive Review and Shelburne West Secondary Plan Summary Report for the Town of Shelburne. Related amendments to the County Plan and Town of Shelburne Official Plan will be consistent with the PPS and conform with the Growth Plan, and the local Official Plan Amendment(s) will conform with the County Plan, as required.

#### 2.3 Local Planning Direction

Local land use planning policy in Shelburne is established in the Town's Official Plan. The Town of Shelburne Official Plan was initially created and approved in 1970 and was most recently comprehensively amended in 2005 through the approval of OPA 33 as summarized in the Introduction to this report. A further amendment has been drafted, OPA 34, to address the requirements of the Planning Act respecting the review of the Official Plan and requirements to ensure the Official Plan is consistent with the PPS and conforms with the Growth Plan as well as the County Plan. Draft OPA 34 has been circulated and the amendment has been revised to address comments received, and further revisions have been made as required to finalize OPA 34 to address the 2014 PPS and the County Plan as well as Source Protection Plan implementation. No settlement area boundary changes are proposed in Draft OPA 34, and it is the Town's intent that any such changes determined through this Comprehensive Review, as well as the implementation of a Secondary Plan for the west side, will be addressed by separate amendment(s).

Map 1 appended to this report shows the draft OPA 34 Schedule "A", and the location of the west side land that is currently designated "Non-Urban". Draft OPA 34 introduces the following changes to the current, approved Schedule "A" Land Use Plan:

- Updated mapping of natural heritage features as the basis for the Natural Environment designation;
- Updated base mapping including roads and assessment parcels for new subdivisions;
- Additional areas designated Open Space Recreation reflecting existing and planned park locations and areas;
- Additional areas designated Mixed Use along the north and south sides of Main Street east of the Central Business District;
- The location of the Built Boundary.

In addition to the "Non-Urban" land, the Study Area for the west side includes land that is currently within the Urban Area boundary, west of the former rail corridor, and is designated as "Residential", "Commercial", "Industrial" or "Natural Environment."

Draft OPA 34 also introduces an updated Development Staging Plan (Schedule "B1"), Residential Density Plan (Schedule "B2"), Transportation Plan (Schedule "C") and a Natural Heritage System (NHS) (Schedule "E"), as shown on Maps 2, 3, 4 and 5. Some of the west side land is affected by natural heritage features and/or is located within the regional floodline and/or erosion limit (see Map 7). The NHS has been mapped in consultation with and based on information provided by the Nottawasaga Valley Conservation Authority (NVCA) and will assist in assessing the development potential of vacant land on the west side for the purposes of the Comprehensive Review and Secondary Plan.

#### 2.4 Existing Land Use Context

The west side lands in Shelburne accommodate a range of existing land uses, including residential, commercial, industrial and agricultural/rural land uses as well as public and private utilities and infrastructure. Map 6 appended to this report illustrates the existing land use context within the Study Area and surroundings. An inventory of the existing properties within the Study Area is provided in Appendix A. Maps 1 to 4 illustrate the location of the Study Area within the context of the current land use designations, staging plan, density plan and transportation plan of the Town's Official Plan as shown on the Schedules to the Official Plan.

#### Residential

There are approximately 36 existing residential dwellings in the Study Area providing up to 50 dwelling units. All but 2 of the existing dwellings are single detached; in addition there is a six-unit apartment dwelling on John Street and a 10-unit apartment dwelling at the northeast corner of Fourth Line and Highway 89. The majority of the existing dwellings in the Study Area are located within the Town of Shelburne, and there are 3 dwellings in the Study Area that are located in the Township of Melancthon and 5 dwellings in the Township of Amaranth. The existing residential uses in Shelburne are located on land designated "Residential" (6 dwellings), "Non-Urban" (20 dwellings) and "Commercial" (2 dwellings). The residential use of these properties was established before the land was included within the Town of Shelburne. Most of these properties are currently serviced by private individual onsite water supply and septic systems.

Vacant residential land in the Study Area is limited and includes the following:

- Approximately 6.5 hectares of land involving a triangular property (4.8 ha) located within the "Built Boundary" limit on the north side of Main Street West (Highway 89) along the west side of the former rail bed and north and west of John Street; and,
- A portion of an existing residential property (1.7 ha) that straddles the current "Urban Area" boundary with the existing residence located on the portion of the property that is designated "Non-Urban" and the vacant portion located within "Urban Area", designated as "Residential" and located outside of the "Built Boundary".

These two properties are identified as #40 and #21 on Map 6, and are not contiguous. As shown on Map 7, there are existing wetland and woodland areas that may limit the future intensification and development potential of these properties. It is estimated that up to 30 housing units could be accommodated on this land if the environmental and other constraints (access, configuration, land assembly) affecting these properties can be addressed.

There are no other vacant residential lands designated in the Study Area. Current residential intensification potential would be limited to second units within existing dwellings that are designated and zoned Residential, where parking and other standards for second units can be addressed.

#### Commercial

Existing commercial uses in the Study Area include a fuel distribution business on John Street, office space on commercially designated land at 309 Main Street West associated with the Bluewood Canada / Shelburne Wood Protection industrial operation to the south, and a vacant building formerly used for a show service contracting company at 443 Main Street West, currently this site is used for school bus parking. Vacant commercial land in the Study Area consists of 0.5 hectare of land on the south side of Main Street West (Highway 89) across from the John Street intersection, in the area identified as #4 on Map 6 (313 Main Street West). Other commercial land in the Study Area is occupied by existing residential (2 properties) and a hydro substation (1 property).

#### Industrial

Approximately 33 hectares of land in the Study Area is designated "Industrial" in the Town's Official Plan, involving 6 properties. The largest existing industry in the Study Area is Bluewood Canada / Shelburne Wood Protection which occupies approximately 11 hectares of land along the west side of the former rail corridor, south of Main Street West (Highway 89). This industrial operation involves land-extensive outdoor storage of lumber and a low density of employment (approximately 30 employees for an employment density of 3 jobs per hectare). This property is shown as #13 on Map 6 and is serviced by municipal water and a private sewage system. This property is located within the "Built Boundary" and "Urban Area" boundary.

Located at the westerly limit of the "Urban Area" boundary and at the Town's municipal boundary, I.K. World Trading is an existing wood processing and product industry which occupies approximately 6.3 hectares of industrial land at 501 Main Street West (Highway 89). This industry is also land-extensive with a low employment density, with between 2 and 3 jobs per hectare, and is privately serviced. This property is identified as #15 on Map 6 and is located within the "Built Boundary" and "Urban Area" boundary.

Vacant industrial land in the Study Area includes a 16.4 hectare property located on the south side of Main Street West (Highway 89) between the two existing industries noted above. This property, identified as #14 on Map 6, is also located within the "Built Boundary" and "Urban Area" boundary. Another vacant industrial property (0.5 ha) is located to the west and is identified as #8 on Map 6. Additional vacant industrial land is located along the west side of Victoria Street at the former railway corridor, north of the Besley Drain. This includes the vacant property at 600 Victoria Street (0.8 ha) which is located within the "Built

Boundary" and "Urban Area" boundary and is identified as #16 on Map 6, as well as part of the northerly portion of the property at 716 Victoria Street (1.3 ha) which is also designated as "Industrial" within the "Urban Area" boundary.

For the above industrial land, the Town's Official Plan policies for the "Industrial" land use designation notes that exceptions to the requirement for industrial development to be serviced by municipal water and municipal sanitary sewer services may be required.

#### Other Land Uses

The Study Area includes some properties that are currently used for farming, as identified in Appendix A and shown on Map 6. There are no existing livestock operations within the Study Area. Other land uses in the Study Area include the existing trail and underground hydro transmission line within the former rail corridor, a hydro substation, and the Town of Shelburne municipal water supply well and related buildings (Well 5/6).

#### Land in the Township of Melancthon and Township of Amaranth

The Study Area limits include land within the Township of Amaranth and the Township of Melancthon immediately adjoining the west side of the Town of Shelburne. In both municipalities, this land includes existing rural non-farm residences as well agricultural uses and natural heritage features.

It is not within the scope or intent of this Comprehensive Review and Secondary Plan to determine the potential need for future municipal boundary changes. The adjoining land beyond the Town limits is included in the Study Area for the purposes of identifying the rural area where a westerly settlement area expansion within the Town limits could have an impact on current or future land uses on the adjoining land in Amaranth and Melancthon.

In addition, a long-term perspective should be considered in determining the appropriate land use, servicing and street configuration for the land currently within Shelburne to ensure that further westerly expansion could be efficiently achieved in the future, if warranted and facilitated through a subsequent municipal boundary re-structuring agreement among the municipalities. This community design approach has been used previously in Shelburne, for example with the design of the Neighbourhoods of Summerhill plan of subdivision in the north part of Shelburne which reserves a block of land in Town ownership for a potential future westerly road extension of Col. Phillips Drive where the west limit of the development currently abuts the municipal boundary with the Township of Melancthon.

The inclusion of land in the adjoining Townships within the Study Area is not intended to imply that there is a proposal or obligation by any of the municipalities to pursue an agreement for the restructuring of the municipal boundaries nor is it intended to prejudice any related discussions and negotiations among the municipalities in the future.

#### Infrastructure and Transportation Facilities

Most of the existing properties within the Study Area are privately serviced with individual onsite water supply and sewage disposal systems, as summarized in Appendix A. Connection to the municipal water supply is available from Main Street and Victoria Street, which is supplied from Well 5/6 located on the east side of Fourth Line north of Main Street West (Highway 89) in the Study Area and the Town's new well under construction further to the west (Well 7/8) in the Township of Melancthon, and municipal Wells 2 and 3. The current municipal sanitary sewer service area is generally limited to the area east of the former rail corridor and to the east of Victoria Street in the southerly portion of the Study Area. Two existing sanitary sewers cross the former rail corridor, one to service the Bluewood property and one to service property on the east side of John Street. There are no existing municipal storm sewers or stormwater management facilities within the Study Area.

Provincial Highway 89 (Main Street West) provides east-west traffic movement through the Study Area and access to the local road network and direct access to many of the existing properties. As shown on Map 4, a portion of Highway 89 is subject to a Connecting Link Agreement, and the westerly portion is within the Ministry of Transportation Ontario (MTO) Permit Control Area. From west of the Study Area to John Street, Highway 89 is a two-lane, paved road with a rural cross-section, transitioning to an urban cross-section east of John Street, with a sidewalk on the north side.

Within the Study Area, local roads that are under the jurisdiction of the Town include a portion of Victoria Street (Collector Road, paved, two lanes, rural cross-section from the south limit of the Town to the former rail corridor), and John Street (Local Road, two lanes, urban cross-section). Additionally, Maple Court terminates at the easterly limit of the Study Area north of the former rail corridor and provides an opportunity for a local road connection. South of Main Street West (Highway 89), Wellington Street / Adeline Street, Joseph Street and Jeffrey Street provide additional opportunities for potential extension of existing local roads into the Study Area; however, would require crossing the former rail corridor as well as changes to the land currently occupied by existing industry.

The Study Area is also bound by Provincial Highway 10 to the north, Fourth Line to the west (Township of Melancthon north of Highway 89 and Township of Amaranth south of Highway 89), and 30<sup>th</sup> Sideroad to the south (Township of Amaranth). Fourth Line is a rural road with paved and gravel sections through the Study Area, and the 30<sup>th</sup> Sideroad is gravel. Intersections in the Study Area are currently under stop control on the minor street.

#### Surrounding Land Uses

North of Main Street West (Highway 89) and to the east of the Study Area, the land in Shelburne is developed for urban purposes including residential areas, the existing Hyland

Heights elementary school, Centre Dufferin District High School and Hyland Park. The Central Business District also adjoins the Study Area to the east as shown on Map 1.

South of Main Street West (Highway 89) and to the east of the Study Area is an existing residential area north of the Besley Drain, as well as existing industrial uses and vacant industrial land to the south of the Besley Drain.

Land to the north, west and south of the Study is designated and used for agricultural and rural land uses within the Township of Melancthon and the Township of Amaranth.

# 3. COMPREHENSIVE REVIEW

#### 3.1 Overview

Section 2 of this report summarizes current Provincial and County policies for settlement area expansions and employment land conversions which may only occur through the preparation of a *comprehensive review*. This section summarizes the information required to satisfy the policies of the PPS, the Growth Plan and the County Plan for a *comprehensive review*.

# 3.2 Population Growth

The Town of Shelburne has experienced rapid population growth over the past two decades and this trend has continued and accelerated in recent years. The Town's 2015 Development Charges Background Study (the "DC Study") establishes the current forecast, and indicates that the Town will reach its 2031 population growth allocation of 8,400 people established in the County Plan by the year 2024. Table 3-1 summarizes the historic, current and forecast population, and compares the current growth allocation to Shelburne identified in the County Plan with the Town's census population growth forecast identified in the DC Study.

Table 3-1: Historic, Current and Forecast Population, Town of Shelburne, 1996-2036

Varu	Danislatian?	0/ 1	County Pla	n Allocation³	
Year	Population <sup>2</sup>	% Increase	Current	Proposed	
1996	3,790	-			
2001	4,122	8.8	-	-	
2006	4,984	20.9			
2011	5,846	17.3	5,846		
2016	7,649	30.8			
2021	7,977	4.3			
2024 <sup>1</sup>	8,121	5.3	-		
2026					
2031	(no remaining potential intensification or greenfield land supply beyond 2024)		0.400	10,000	
2036	5. c c		8,400	(subject to s. 3.5.1.2)	

<sup>&</sup>lt;sup>1</sup> Note: 2024 population is equivalent to County OP forecast of 8,400 which includes provision for net undercoverage <sup>2</sup>Source: Statistics Canada. 1996-2011 Census: Community Profiles.

Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015.

<sup>&</sup>lt;sup>3</sup>Source: Dufferin County Official Plan, 2015.

Shelburne has remained the third largest municipality in Dufferin County by population (Orangeville and Mono have larger populations) from 1986 to 2011.<sup>2</sup> From 1986 to 2001, population growth in Shelburne's share of total population growth in the County was 6.7%, which increased significantly to 27.8% of total County-wide population growth from 2001 to 2011.<sup>3</sup>

#### 3.3 Housing Demand

Shelburne has experienced steady housing demand with recent high levels of growth as indicated by the continued increase in occupied households. New housing starts have increased over the past 5 years with the availability of new lots and units. Housing supply and new housing starts peaked in 2014 with the availability of new dwellings in two registered plans of subdivision known as Greenbrook Village and the Neighbourhoods of Summerhill. Lots in the first phases of Greenbrook Village became available for new home construction in 2012, and home construction in Summerhill started in early 2014. These subdivisions provided a total supply of 675 lots for new homes and permits for all lots have issued as of August 2015. Prior to 2012, the available housing supply was constrained by a lack of available lots in registered plans of subdivision and intensification opportunities which remain limited.

Table 3-2 summarizes the growth in occupied households, total occupied households and the average household size from 2001 to 2015.

<sup>&</sup>lt;sup>2</sup> MMM Group and C₄SE. Dufferin County Official Plan Background Issues and Options Report. 2014.

<sup>&</sup>lt;sup>3</sup> Ibid.

Table 3-2: Housing Growth, Total Occupied Households and Average Household Size, 2001 to 2015

Year	Growth in Occupied Households <sup>2</sup>	Total Occupied Households <sup>2</sup>	Average Household Size <sup>2</sup>
2001	-	1,460	2.82
2002	71	1,531	2.82
2003	74	1,605	2.81
2004	78	1,683	2.80
2005	82	1,765	2.79
2006	85	1,850	2.78
2007	46	1,896	2.79
2008	47	1,943	2.79
2009	48	1,991	2.79
2010	49	2,040	2.79
2011	51	2,091	2.80
2012	96	2,187	2.79
2013	116	2,303	2.78
2014	320	2,623	2.77
2015 <sup>1</sup>	187	2,810	2.72

<sup>&</sup>lt;sup>1</sup> Note: 2024 populatio <sup>1</sup> includes <sup>1</sup> Source: County of Dufferin Building Permit Reports, 2015 (to October 31, 2015). <sup>2</sup>Source: Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015.

Note: 2015 average household size estimated based on estimated 2016 population (see Table 3-1).

New housing starts over the past 5 years include a range of housing types and sizes, predominantly single detached and also including semi-detached, townhouses and apartments, and both ownership and rental housing. There have also been recent proposals for condominium housing in the form of apartments and townhouses.

Despite the growth in occupied households from 2008 to 2011, there was a significant reduction in new housing starts over this period when there were very few remaining new residential lots and units available.

Table 3-3 summarizes the number of building permits issued by housing unit type for the years 2002 to 2015.

Table 3-3: Residential Building Permits Issued for New Home Starts by Housing Type, 2002 to 2015

		Building Pern	nits Issued	
Year	Singles/Semis	Row/Townhouses	Apartments	Total
2002	54	2	3	59
2003	108	0	0	108
2004	53	0	0	53
2005	89	1	3	93
2006	64	0	0	64
2007	86	0	0	86
2008	32	1	3	36
2009	10	0	0	10
2010	19	0	0	19
2011	8	0	0	8
2012	89	0	7	96
2013	92	0	24	116
2014	224	96	0	320
2015 <sup>1</sup>	157	24	6	187

<sup>&</sup>lt;sup>1</sup> Note: 2024 populatio <sup>1</sup> includ <sup>1</sup> Source: County of Dufferin Building Permit Reports, 2015 (to October 31, 2015). <sup>2</sup> Source: Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015.

New housing activity over the past 5 years has increased and diversified when compared with the average of the past 10 years. From 2006 to 2015, an average of 94 building permits were issued for new home starts each year, with a housing mix of 83% single and semi-detached, 13% townhouses and 4% apartments. Over the past 5 years, the annual average number of building permits issued for new home starts increased by 50 per year to 145 new dwellings, with a housing mix of 78% single and semi-detached, 17% townhouses and 5% apartments. Over the past 3 years, the annual average is over 200 building permits issued for new housing starts.

Shelburne has accommodated an increasing share of total housing growth in Dufferin County. From 1986 to 2001, 6.2% of the growth in the number of dwellings in the County occurred in Shelburne, and this increased to 17.4% over the period of 2001 to 2011.<sup>4</sup>

<sup>&</sup>lt;sup>4</sup> MMM Group and C₄SE. Dufferin County Official Plan Background Issues and Options Report. 2014.

Continued housing demand is expected in the future related to a combination of factors including:

- Recent expansion of the Town's largest industry (KTH Manufacturing) and related local employment opportunities;
- Shelburne's central location in Dufferin County as one of only three urban areas and its role in accommodating a range of housing needs including those of the aging population and retirees within the Town and surrounding areas;
- Proximity to the Greater Toronto Area (GTA) and the affordability and type of housing available relative to higher priced and smaller housing units and residential lots in the GTA;
- Shelburne's location along the Highway 10 and 89 corridor and County Road 124
  which provide strong regional transportation connections and may also present
  opportunities for inter-municipal/regional transit services in the future;
- The small town environment, historic main street and similar qualities of the local area and characteristics of Shelburne as a complete community, including:
  - A mix and range of housing types and densities;
  - Existing industry and local businesses providing employment in a range of sectors as well retail and commercial services, financial institutions and professional offices;
  - Community facilities, educational services and programs offered through 3
    elementary schools and 1 secondary school, the public library, medical services,
    emergency services, municipal offices, parks, trails, sports fields and indoor
    recreational facilities and programs, day cares, service clubs, places of worship
    and other institutions; and,
  - Municipal sanitary and municipal water services.

As of the date of this report, the remaining supply of residential lots and units consists of 45 draft approved lots for single detached dwellings, and limited intensification opportunities. There are also a number of proposed residential developments, including a proposed townhouse development (36-40 units), a mixed residential development of single detached and townhouse units (approximately 240 units total) to the west of the downtown core, which would require the re-designation of industrial land for residential use, and a proposed mixed use development in the area to the north-east of Main Street East (Highway 89) and County Road 124 (approximately 200 units total) which would require the re-designation of industrial/commercial land to a mixed use designation to allow for a residential component to the development. The ability to accommodate forecast housing demands will depend on whether sufficient new housing can be made available through intensification and additional land made available for proposed residential development, the expansion of the urban area on Shelburne's west side, and the capacity of municipal services.

Table 3-4 shows the forecast growth in occupied households on the basis of accommodating the forecast population growth indicated in Table 3-1.

Table 3-4: Forecast Annual Growth in Occupied Households
Town of Shelburne, 2016-2036

Year	Occupied Households <sup>2</sup>	% Increase	Growth				
2015 <sup>1</sup>	2,810	-	-				
2016 <sup>1</sup>	2,855	1.6%	45				
2017¹	2,891	1.3%	36				
2018 <sup>1</sup>	2,904	0.4%	13				
2019 <sup>1</sup>	2,918	0.5%	14				
2020	2,944	0.9%	26				
2021	2,975	1.1%	31				
2022	3,006	1.0%	31				
2023	3,037	1.0%	31				
2024	3,068	1.0%	31				
2026	/		- 11				
2031	· ·	(no remaining potential intensification or greenfield land supply beyond 2024)					
2036	o. g.comola i	and supply sojoliu	/				

<sup>&</sup>lt;sup>1</sup>Note: 2016 to 2019 forecast occupied households adjusted for actual 2015 building permit data.
<sup>2</sup>Source: County of Dufferin Building Permit Reports, 2015 (to October 31, 2015) (2015 estimated occupied households) Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015.

#### 3.4 Intensification Potential

Residential intensification potential includes some infill opportunities on a small number of existing vacant residential lots, lots within a draft approved subdivision within the built boundary, land zoned for medium and high density residential development within the built boundary, potential for second units within existing dwellings within the built boundary, and mixed use buildings in the downtown core where there may be some redevelopment potential for additional dwelling units within commercial buildings.

Potential intensification sites, vacant and draft approved residential lots within the built boundary are shown on Map 5 and are summarized in Table 3-5.

**Table 3-5: Intensification Potential** 

# on Map 5	Location	Potential Housing Type(s)	Potential # of Dwelling Units
1	Greenbrook Village Phase 8 – south block	Single detached	27
3	Stoneridge Holdings – Main Street West / Gordon Street / First and Second Ave. West	Single detached, semi-detached, townhouse	36-40
4	Vacant residential lots/infill potential – Maple Court, Owen Sound Street, James Street, Main Street East / School Road	Single detached	10
5*	Main Street East (north side at Besley Drain)	Townhouses, apartments	40
6*	Main Street West (north side, west of John St.)	Single detached, semi-detached	15
-	Potential second units, additional/new units in mixed use buildings in downtown core	Apartments	14
	Total Intens	sification Potential	142 - 146

\*Note: Sites #5 and #6 are subject to environmental and other constraints to potential development.

Site #1 on Map 5 is draft approved and anticipated to be built out in 2016. Site #3 on Map 5 is a proposed development along the east side of the former railway corridor and is subject to further planning approvals including a draft plan of subdivision/condominium and/or site plan approvals, and lifting of holding provisions applied in the Zoning By-law.

Site #4 includes vacant residential lots and infill potential in various locations as shown on Map 5, including land on the north side of School Road which is subject to conditional severance approvals for 3 lots for single detached dwellings, 4 other vacant lots and infill potential on School Road and Main Street East, one vacant residential lot on Owen Sound Street, one lot on James Street and one on Maple Court (subject to extension of municipal sewers or approval of a private septic system).

Site #5 is designated and zoned for high density residential development in the Town's Official Plan and Zoning By-law, and includes a 1.1 hectare irregularly shaped property which could accommodate some residential development but is constrained with a portion of the site located within the flood plain of the Besley Drain, existing servicing easements which cross the property, access limitations, potential buffering requirements related to vacant and developed industrial land to the east. Site #6 has a land area of approximately 3.5 hectares within the built boundary, but there are existing wetlands and much of the site

is treed and has been recommended as a potential part of the natural heritage system in draft OPA No. 34.

With several constraints and challenges affecting the development potential of Sites #5 and #6, and no active development proposals put forward for either of these sites despite the residential land use designations which have been in place for these properties since approximately 1992 or earlier for Site #5 and since 2005 for Site #6, the actual remaining intensification potential is in the range of 87 to 91 units. The intensification potential for Site #5 could be enhanced by re-designating the adjacent vacant industrial land to the east for residential purposes. Special policies allowing these two sites to be developed as a consolidated site for either residential or employment uses could also be considered. The consolidated development of these two vacant sites (#5 and #16 on Map 5) may also help to better address access and buffering requirements related to existing automotive and industrial uses on Centennial Street and existing residential uses on Main Street East. A special policy should also be considered for Site #6 to provide for potential intensification within this area subject to an EIS demonstrating that there are no sensitive natural heritage features or areas that require conservation, and that there will be no negative impacts to other natural heritage features or areas on adjoining land.

Assuming the full residential intensification potential can be realized with all residential units identified in Table 3-5 developed, these units would provide 1 year supply of residential units based on the average annual housing demand of the past 5 years, and a 1.5 year supply of residential units based on the average annual housing demand of the past 10 years. Additional intensification opportunities will be needed to address the shortage of available residential units relative to housing demand and to meet the Town's residential intensification target of 38%.

Table 3-6 summarizes the rates of intensification achieved in Shelburne based on building permits issued new housing starts from 2011 to 2015 and Table 3-7 summarizes forecast intensification and greenfield development based on remaining supply of residential intensification potential and greenfield residential units.

The future intensification analysis assumes that intensification and greenfield sites that have the greatest constraints to development would be developed in the latter years of the 2016 to 2024 forecast period, and also assumes that a proposed greenfield development (Summerhill 80 unit mid-rise) advances to building permit stage between the years 2018 and 2022. This proposed development is discussed further in the greenfield residential unit/land supply summary provided in section 3.5. The analysis also assumes that up to 18 new residential units would be established in the greenfield area by 2024.

Table 3-6: Intensification and Greenfield Residential Building Permits, 2011-2015

Vacu	Building Permits Issued for New Housing Starts					
Year	Intensification	%	Greenfield	%	Total	
2011	-	-	8	100%	8	
2012	18	19%	78	81%	96	
2013	25	22%	91	78%	116	
2014	43	13%	279	87%	320	
2015	86	46%	101	54%	187	
Totals	172	24%	557	76%	727	

Source: County of Dufferin Building Permit Reports, 2011 to 2015 (to October 31, 2015)

Table 3-7: Forecast Residential Intensification and Greenfield Residential Units, 2016-2031

Voor	Forecast Growth in Occupied Households					
Year	Intensification	%	Greenfield	%	Total	
2016 <sup>1</sup>	27	60%	18	40%	45	
2017¹	36-40	100%	-	-	36-40	
2018 <sup>1</sup>						
2019 <sup>1</sup>				70%	115	
2020	35	30%	0% 80*			
2021						
2022						
2023	4.4	700/	40	200/	60	
2024	44	70%	18	30%	62	
2026						
2031	(no remaining potential intensification or greenfield land supply beyond 2024)					
2036						
Totals	142-146	62%	116	38%	258-262	

<sup>&</sup>lt;sup>1</sup> Note: 2016 to 2019 forecast occupied households adjusted for actual 2015 building permit data.

<sup>&</sup>lt;sup>2</sup>Source: Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015.

<sup>\*</sup>Previously proposed Summerhill mid-rise development

# 3.5 Residential Greenfield Land Supply

At the time of this report, the remaining greenfield residential land and unit supply consists of 18 draft approved lots in the north block of Greenbrook Village (Phase 8) identified as Site #1.1 on Map 5, which is anticipated to be built out in 2016.

Other greenfield residential land consists of a small landlocked parcel (approx. 1.5 ha) located to the north of Main Street West and west of John Street identified as part of Site #6 on Map 5. The greenfield portion of Site #6 is constrained by lack of road access and environmental factors as described in section 3.4.

Site #11 identified on Map 5 is a greenfield commercial site that was previously proposed for mixed use development including a residential component. While the site is designated and zoned for commercial uses only in the Town's Official Plan and Zoning By-law, applications for Official Plan and Zoning By-law Amendment were filed in 2014 to redesignate the property for a mixed use development including an 80-unit mid-rise apartment condominium residence. However, it is unclear if these development applications will be moving forward.

The remaining greenfield residential draft approved lots and available greenfield land designated for residential development, including the previously proposed Summerhill midrise development, amount to less than a one year supply of residential units based on the average annual housing demand over the past 5 years, and approximately one year supply based on the average annual housing demand over the past 10 years. Excluding the previously proposed Summerhill mid-rise development (80 units) there is less than one year supply of greenfield residential units and land available. Additional greenfield land should be designated for residential purposes to address the shortage of available residential land and units to accommodate future growth and housing needs.

# 3.6 Employment Growth

Historic and forecast employment growth figures for Shelburne are provided in the Town's DC Study and are summarized in Table 3-8. The forecast employment allocation to Shelburne identified in the County Official Plan is also identified in Table 3-8. As summarized in the DC Study, the employment forecast is based on the County Official Plan employment allocation to Shelburne adjusted as follows:

 430 of the jobs with no fixed place of work shown in Table 3.2b (p.15) of the County Official Plan (about 15%) were allocated to Shelburne to increase the jobs target from 3,560 to 3,990.<sup>5</sup> The 15% allocation is based on the ratio of 2031 Shelburne jobs to the County total.<sup>6</sup>

 185 jobs representing work at home employment (about 5% of Shelburne jobs) were then subtracted from the new jobs target of 3,990.<sup>7</sup> This assumption is based on the current ratio of work at home employment to total employment in Shelburne remaining constant over the period to 2031.<sup>8</sup>

Table 3-8: Historic, Current and Forecast Employment,
Town of Shelburne, 2001-2036

Vasu	Franksymant1	0/ 1	County Pla	n Allocation <sup>2</sup>
Year	Employment <sup>1</sup>	% Increase	Current	Proposed
1996	1,890	-		
2001	2,015	6.6	-	-
2006	2,550	26.6		
2011	2,561	0.4	2,	866
2016	2,855	11.5		
2021	3,075	7.7		
2024	3,142	2.2	-	
2026	3,311	5.4		
2031	3,805	14.9	2	500
2036	(2036 forecast not provid	ded in DC Study)	3,560	

<sup>&</sup>lt;sup>1</sup>Source: Statistics Canada. Employment by Place of Work. 1996. Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015. Includes No Fixed Place of Work employment, excludes work at home employment.

Non-residential building permit activity in Shelburne includes a recent industrial expansion at KTH Manufacturing, the first phase of an industrial mall development, a new elementary school, a small addition to an existing retail store, a retrofit of an existing commercial plaza, and a new municipal public works facility and road salt storage building.

Table 3-9 summarizes the commuting characteristics of the working residents (who had fixed places of work) of Shelburne in 2011.

<sup>&</sup>lt;sup>2</sup>Source: Dufferin County Official Plan, 2015. Forecast employment excludes No Fixed Place of Work employment.

<sup>&</sup>lt;sup>5</sup> Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015.

<sup>&</sup>lt;sup>6</sup> Ibid.

<sup>&</sup>lt;sup>7</sup> Ibid.

<sup>&</sup>lt;sup>8</sup> Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015.

Table 3-9: Commuting Characteristics of Working Residents,
Town of Shelburne, 2011

	Residents of Shel	burne by Place of Work
Place of Work	#	%
Dufferin County	1,260	63%
Shelburne	650	32.5%
Orangeville	475	23.8%
Mono	95	4.8%
Mulmur	40	2.0%
Commuted to Work Outside County	740	37%
Peel	440	22%
Simcoe	195	9.8%
Toronto	30	1.5%
York	30	1.5%
Grey	25	1.3%
Wellington	20	1.0%
Total	2,000	100%

Source: Statistics Canada - 2011 National Household Survey

Table 3-10 summarizes the communities from which those with fixed places of work in Shelburne commuted in 2011.

Table 3-10: Commuting Characteristics of Those Employed in Shelburne, 2011

	Working	g in Shelburne
Place of Residence	#	%
Dufferin County	1,280	78%
Shelburne	650	50.8%
Mulmur	225	17.6%
Orangeville	185	14.4%
Mono	95	7.4%
East Luther Grand Valley	85	6.6%
East Garafraxa	40	3.1%
Outside of Dufferin County	355	22%
Grey	300	18.3%
Simcoe	35	2.1%
Wellington	20	1.2%
Total	1,635	100%

Source: Statistics Canada - 2011 National Household Survey

The employment by place of work and by place of residence data summarized in Tables 3-9 and 3-10 indicate that the majority (approximately 68%) of the employed labour force living in Shelburne commuted to locations outside of Shelburne for their usual place of work in 2011, and that nearly half (49.2%) of the jobs in Shelburne are held by people who live outside of the Town. The data also indicates a strong transportation-commuting relationship with Orangeville and some of the predominantly rural municipalities of Dufferin County and with areas in the adjoining Counties of Grey, Simcoe and Wellington and the Region of Peel (Mississauga, Brampton, Caledon). The number of residents in the employed labour force exceeds the number of local jobs in Shelburne based on the 2011 employment data, by a margin of 365.

From 1996 to 2011 Shelburne has maintained its role as the second largest place of employment (second to Orangeville) in the County with a steady share of approximately 13% of total employment in the County. From 2001 to 2011, the growth of employment in Shelburne represented 17.5% of total employment growth in the County. 10

#### 3.7 Employment Land Needs

The Town's DC Study provides a forecast of non-residential floor space expected to be required to accommodate the forecast employment growth, on the basis of an employment density of 1 job per 120 m² of floor area for employment land (predominantly industrial) employment and 55 m² of floor area for population related (commercial and institutional) employment. These employment densities are similar to existing employment densities observed in the Town based on an inventory of existing industrial, commercial and institutional floor space and the number of local jobs held within the Town in each sector.

Table 3-11 summarizes the employment land employment, population related employment and total employment forecasts and related non-residential floor area forecasts.

 $<sup>^9</sup>$  MMM Group and C<sub>4</sub>SE. Dufferin County Official Plan Background Issues and Options Report. 2014.

<sup>&</sup>lt;sup>10</sup> Ibid.

Table 3-11: Employment Forecast and Non-Residential Floor Space Forecast

	Emp	oloyment Growth	Forecast ar	nd Non-Residen	itial Floor	Space	
	Employ	ment Land	Populat	ion Related	Total Employment		
	Emp	loyment	Emp	loyment			
Year	#	Space (m²)	#	Space (m²)	#	Space (m²)	
2016	2	288	83	4,562	85	4,850	
2017	2	288	78	4,311	80	4,599	
2018	2	288	73	4,005	75	4,293	
2019	2	288	19	1,041	21	1,329	
2020	2	288	19	1,052	21	1,340	
2021	2	288	19	1,062	21	1,350	
2022	2	288	20	1,073	22	1,361	
2023	2	288	20	1,084	22	1,372	
2024	2	288	20	1,094	22	1,382	
2025	63	7,560	20	1,105	83	8,665	
2026	66	7,920	20	1,116	86	9,036	
2027	70	8,400	21	1,128	91	9,528	
2028	74	8,880	21	1,139	95	10,019	
2029	78	9,360	21	1,150	99	10,510	
2030	82	9,840	21	1,162	103	11,002	
2031	86	10,303	21	1,173	107	11,476	
Total	537	64,855	496	27,257	1,033	92,112	

Source: Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015. Includes No Fixed Place of Work employment, excludes work at home employment.

GSP Group has related the growth in non-residential floor areas for forecast employment land employment and population-related employment with associated gross land areas that would be required to accommodate this additional floor space, conservatively assuming one storey buildings, typical lot coverage based on applicable zoning, and an allowance for land areas that would potentially be needed for roads, stormwater management and buffering.

On this basis, the employment floor space forecast for employment land employment would require approximately 16 gross hectares of land and the floor space forecasts for population related employment would require approximately 11 gross hectares of land, for a total of 27 hectares of land. These calculations include a 25% land area allowance for roads, stormwater management, buffering and other functional and open space areas that may be required. However, the industrial park shown as area #15 on Map 5 is already serviced with roads and a stormwater management pond, and existing berms and buffer areas have been

established along the northerly limit of the industrial park. Further, if higher employment densities can be achieved, in the order of 41 jobs per hectare as per the Town's greenfield density target, only 13 gross hectares of land would be required to accommodate the forecast growth in employment land employment. In addition, there is vacant space available within some existing commercial and industrial buildings, and potential for intensification of employment within existing industries and in the downtown core and mixed use areas. Also of note, the forecast non-residential floor space requirement includes floor areas for no fixed place of work employment. Therefore, it is possible that the 2031 and 2036 employment forecasts could be accommodated on less land than calculated here.

Employment projections are also provided in the 2014 Background, Issues and Options Report prepared by MMM Group and C<sub>4</sub>SE for the County of Dufferin Official Plan. The County's employment projection indicates the following for Shelburne:

- Projected growth in employment land employment of 392 jobs from 2011 to 2031 reaching a total of 1,180 jobs by 2031 and decreasing slightly to 1,148 jobs by 2036 and to 1,124 jobs by 2041;
- Projected growth in commercial employment of 320 jobs from 2011 to 2031 reaching a total of 753 jobs by 2031 increasing to 764 jobs by 2036 and 776 jobs by 2041;
- Projected growth in institutional employment of 44 jobs from 2011 to 2031 reaching a total of 81 jobs by 2031 increasing to 84 jobs by 2036 and 87 jobs by 2041.
- Projected total employment of 2,014 jobs by 2031 representing a total growth of 752 jobs from 2011 to 2031, decreasing slightly to a total of 1,995 jobs by 2036 and 1,987 jobs by 2041.

The employment figures summarized above from the County Official Plan background report reflect place of work statistics from the 2011 National Household Survey and place of work based employment forecasts according to industrial, commercial and institutional industry sectors by local municipality, which are significantly lower than the total employment statistics for 2011 and forecast total 2031 and 2036 employment identified for each local municipality in the County Official Plan. However, the employment growth forecast of 752 new jobs from 2031 to 2036 aligns with the employment growth forecast identified for Shelburne based on the 2031 and 2036 employment allocation established in the County Official Plan. Therefore, the land needs analysis provided in the County Official Plan background report provides a useful point of comparison for the purposes of determining future land requirements in Shelburne to accommodate the forecast employment growth.

The County report projects the following land needs for Shelburne:

- A total cumulative land need of 25 net hectares of industrial land to accommodate forecast employment land employment to 2031, 2036 and 2041;
- A total cumulative land need of 6 to 7 net hectares of commercial land to accommodate forecast commercial employment to 2031, 2036 and 2041;
- A total cumulative land need of 1 to 2 net hectares of institutional land to accommodate forecast institutional employment to 2031, 2036 and 2041;
- A grand total cumulative land need of 32 to 33 net hectares of land to accommodate forecast industrial, commercial and institutional employment to 2031, 2036 and 2041.

The employment densities assumed in the County report are lower than those used in the Town's DC Study, which is the primary reason for the slightly higher land need identified in the County report. Depending on the employment density assumptions, between 20 and 33 net hectares of land are required to accommodate the 2031 and 2036 employment forecast for Shelburne.

# 3.8 Employment Land Supply

Vacant industrial, commercial and institutional land and potential redevelopment sites are shown on Map 5 and the inventory is described as follows.

The industrial land supply includes 65 hectares of land across 7 site locations. The largest land base available for industrial development is in the Shelburne industrial park shown as #15 on Map 5. The industrial park provides approximately 28 net hectares of vacant, serviced and rough graded "shovel-ready" land that is zoned for a wide range of industrial and related secondary uses, with existing road access and an existing stormwater management facility. This land has been positioned for industrial development since 2008, servicing capacity has been reserved to provide for the development of this area, and the Town's new public works facility is centrally located within the development area.

To the west of the industrial park is the Turnstone development (#14 on Map 5) where a site plan approval is in place for a 14-unit industrial mall. The first phase of the development (4 units) has been constructed and additional phases are proposed for employment and secondary uses. The total site is approximately 2.4 hectares in area.

In the easterly part of Shelburne, there are two areas of vacant commercial land located in the existing industrial / automotive commercial area accessed by Centennial Street and Industrial Road, identified as #16 and #17 on Map 5. These properties provide a total of approximately 1.8 hectares of land that is designated and zoned for employment uses.

Previous estimates of potential industrial building floor areas for each of these employment areas were prepared for the purposes of the Shelburne East Area Transportation Study and servicing analyses indicating a total potential build-out of approximately 64,000 square metres of floor space. These calculations were based on single storey buildings and only 20% lot coverage whereas the M1 Zone in the Town of Shelburne Zoning By-law permits up to 50% lot coverage in these areas. Based on the non-residential floor space forecast for employment land (see Table 3-11) and increased employment and expansion potential of existing industries within existing industrial sites, it is anticipated that the employment land employment forecasts to 2031 and 2036 can be accommodated by these existing vacant industrial sites and the intensification/expansion potential of existing industries. If an average employment density of 41 jobs per hectare were achieved through the build-out of these areas for employment uses, these sites could provide 2,650 jobs. If developed at existing industrial employment densities observed in Shelburne, these sites would provide for 1,100 jobs. In either scenario, these existing vacant industrial sites provide sufficient land area to accommodate the 2031 and 2036 forecast growth of 537 new jobs as employment land employment.

Other vacant industrial land includes approximately 14 hectares of land to the north-east of the intersection of Main Street East / Highway 89 and County Road 124 identified as #18 on Map 5 and approximately 19 hectares of land on Shelburne's west side, identified as #19 and #20 on Map 5. Site #18 is part of the land area that was annexed from the Township of Melancthon and has been designated for industrial and specific commercial uses such as a building supply outlet in the Town's Official Plan since 2005. Sites #19 and #20 have been designated for industrial use in the Town's Official Plan since approximately 1992 or earlier and are within the urban area boundary and the built boundary. There have been no industrial development proposals for these properties.

Site #19 on Map 5 is proposed for residential redevelopment/intensification and is subject to employment land conversion requirements to allow for residential uses. Site #18 on Map 5 is proposed for a mixed use development including a residential component as well as commercial uses and potential employment uses such as offices and other compatible employment opportunities. Extension of municipal services is required to develop these sites.

With the surplus of employment land, conversion of #18, #19 and #20 on Map 5 to other uses should be considered, particularly to address the shortage of greenfield residential land and intensification opportunities. As noted earlier, special policies should also be considered for Site #16 to allow for the consolidated development of this site with the adjoining residential land for either employment or residential uses, or compatible mixed use development.

The commercial land inventory includes several sites at or near the intersection of Main Street East / Highway 89 and County Road 124 (the Shelburne East Area) identified as #7, #8, #10 and #13 on Map 5. Site #10 is proposed for a commercial retail / service commercial development, and provides approximately 1.4 hectares of land at the south-west corner of the intersection. Site #7 and #18 on Map 5 comprise one property that is proposed for a mixed use commercial/residential development with potential for related/compatible employment uses.

Site #13 on Map 5 contains an existing dwelling used for a veterinary clinic but could accommodate additional commercial uses or redevelopment to make full use of the available land area. In addition, there is an existing vacant commercial building and site located at the southwest corner of Industrial Road and County Road 124 which is designated and zoned for commercial uses and could be re-used or redeveloped for a range of potential commercial uses.

There are 3 commercial blocks available within registered plans of subdivision, identified as #9 (2 blocks) and #11 (1 block) that collectively provide a total vacant and serviced commercial land area of 4.3 hectares.

There are two vacant commercial sites in the west side area, identified as #2 on Map 5.

In total the vacant commercial land inventory includes approximately 24 hectares of land available for commercial development, which could provide between 900 and 1,200 commercial jobs. This is more than sufficient to accommodate the 2031 and 2036 forecast population-related employment growth of 496 jobs.

Vacant institutional land in Shelburne is limited to one parcel located at the northerly limits of the Town identified as #21 on Map 5. This property has a land area of approximately 2 hectares and could accommodate between 50 and 80 jobs depending on the nature of the use and density of employment. While there are no other vacant properties specifically designated for institutional uses, the Town's Official Plan provides for institutional uses to be located in other land use designations subject to the policies of the Plan and zoning that is appropriate for the use in the Zoning By-law.

Opportunities to direct and encourage community facilities and other institutional uses in appropriate locations should be considered with the planning for the west side land and in mixed use areas to ensure sufficient opportunities are available to accommodate institutional land needs and forecast employment growth as part of the population-based employment forecast to 2031 and 2036.

# 3.9 Employment Land Conversion

In order to address the shortage of residential intensification and greenfield land, and recognizing the surplus of land designated for employment purposes, consideration should be given to amending the land use designations on Schedule "A" of the Town's Official Plan to reduce the amount of land designated for employment uses and designate additional land for residential uses. The PPS, Growth Plan and County Official Plan direct that changes to the designation of an employment area to another type of land use in a local official plan require a municipal comprehensive review to ensure that an adequate supply of employment land is available at all times. Policy 3.6.2 of the County Plan requires demonstration of the following:

- There is a need for the conversion;
- The municipality will meet the employment forecasts allocated to the municipality;
- The conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification and density targets and other policies;
- There is existing or planned infrastructure available for the conversion;
- The lands are not required over the long term for employment purposes; and
- Cross-jurisdictional issues have been considered.

The overall need for the conversion is established through section 3.2 to 3.9 of this report, which provide a comprehensive review of historic and forecast population and employment growth, housing demand and non-residential floor space forecasts, intensification potential, greenfield residential land supply, employment land supply, and considers Shelburne role as an urban settlement area and in accommodating some of the planned population and employment growth in Dufferin County as directed by the County Official Plan. This information demonstrates that the planned 2031 and 2036 employment forecasts allocated to Shelburne in the County Official Plan can still be met if employment land on Shelburne's west side is re-designated for residential uses and employment land on in the area to the north-east of Main Street East/Highway 89 and County Road 124 is re-designated for mixed use development.

These conversions will help to address the deficiency of potential residential intensification and greenfield residential land and will contribute to meeting the intensification and greenfield density targets while also ensuring that an adequate supply of land for housing can be maintained consistent with the PPS. The conversion of the west side land for residential purposes will increase the residential intensification supply by approximately 240 units and will optimize the use of existing and planned infrastructure. By adding a residential component as part of a mixed use land use designation for the development of the east side land, the viability of the planned commercial uses and other potential uses that will provide local population-related employment and other potential employment opportunities will be enhanced. Related infrastructure including the extension of services and the planned

transportation system improvements identified in the Shelburne East Area Transportation Study will also be made possible by facilitating the distribution of the costs of these investments among a greater range of land uses and properties and opportunities for cost recovery through a combination of residential and non-residential development charges.

Table 3-12 provides a revised population and housing forecast that could be accommodated with the proposed employment land conversions. The employment forecast would not change as a result of the conversions as the planned employment growth can be accommodated by the remaining industrial, commercial and institutional land base designated for these uses in the Town's Official Plan.

Table 3-12: Forecast Population and Housing Growth with Proposed Employment Land Conversions

Voor	Banalattan	Occupied Households		Loc	Location of New Housing <sup>2</sup>		sing <sup>2</sup>
Year	Population	Total	O	Intensi	fication	Gree	nfield
		Total	Growth	#	%	#	%
2016	7,649	2,855	45	27	60%	18	40%
2017	8,023	2,939	84	84	100%	-	-
2018	8,233	3,027	88	48	55%	40	45%
2019	8,411	3,115	88	48	55%	40	45%
2020	8,616	3,203	88	48	55%	40	45%
2021	8,820	3,291	88	48	55%	40	45%
2022	8,894	3,331	40	15	38%	25	62%
2023	8,956	3,367	36	16	44%	20	26%
2024	8,978	3,388	21	16	76%	5	24%
2025	8,997	3,408	20	16	80%	4	20%
2026	9,016	3,428	20	16	80%	4	20%
2031	(no romaining no	tontial inton	oification or c	roonfield	land augn	ly bayand	2026/
2036	(no remaining po	nentiai intens	Silication of G	ji eeriiiela	ianu supp	iy beyond	2020)

<sup>&</sup>lt;sup>1</sup> Note: Population estimated based on forecast average household size for 2016 to 2024 from Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015.

As shown in Table 3-12, the intensification target can be met through the ten period of 2016 to 2026 with the additional intensification and greenfield residential development potential that would be available with the proposed employment land conversions. The re-designation of the west side employment land for residential uses will provide new housing opportunities in close proximity to the downtown core which and to support convenient pedestrian access

<sup>&</sup>lt;sup>2</sup> Previously proposed Summerhill mid-rise development (80 units) excluded.

to the downtown, and to support new community commercial development on available vacant commercial land on the west side.

As summarized in section 2.4, there are two existing industries within the west side employment area. The conversion of all or part of this area to residential use will require appropriate policy direction to ensure more detailed study prior to development to address land use compatibility among the existing and future uses. Both of the existing industries are adjoining or located near existing residential uses in the west side area. The designation of the area for residential use should recognize the existing industries and allow for their continued operation. New industries that require separation or other forms of buffering from residential and other sensitive land uses should be directed to the industrial park. More detailed policy direction should be developed through the Shelburne West Secondary Plan regarding the interface between future residential uses and existing industrial uses on the west side, and to provide for the transition and redevelopment of existing industrial sites to residential use, particularly adjoining the downtown core.

Section 3.11 outlines a servicing strategy for the east and west employment land conversions to address the availability of existing or planned infrastructure for the development of these areas for residential uses.

As described above and summarized in detail earlier in this report, the east and west industrial lands under consideration for conversion to residential use and mixed use are not required for employment purposes over the long-term due to the significant supply of vacant industrial and commercial land in Shelburne. The employment forecasts in the County Official Plan establish a future reserved allocation of 2,000 jobs in 2031 and 4,000 jobs in 2036, and notes that the reserved allocation is directed to Urban Settlement Areas and Community Settlement Areas. The employment forecasts and policies of the County Official Plan do not establish a specific reserve or policy for directing a specified amount or portion of this future reserved employment allocation to Shelburne. With the conversion of the east and west employment areas to residential use and mixed use there is sufficient industrial, commercial and institutional land that will remain available to accommodate the 2031 and 2036 employment forecast of 3,560 jobs in Shelburne, and potential to accommodate a portion of the future reserved employment allocation particularly if employment densities are increased in the future.

A review of cross-jurisdictional matters related to future land use and transportation in the Shelburne West Secondary Plan area is provided in section 4. The primary issue that requires cross-jurisdictional review and coordination for the east side employment land conversion relates to road access and traffic impact considerations along Provincial Highway 89 and County Road 124. The Shelburne East Area Transportation Study was completed in 2012 as a joint initiative among the Ministry of Transportation, the County of

Dufferin and the Town of Shelburne, and provides a recommended transportation plan has been prepared for this area identified required transportation improvements and a highway access management plan. As the land is within the existing settlement area boundary, and there are no livestock operations identified in the surrounding area, there are no Minimum Distance Separation (MDS) implications or other agricultural land use impacts anticipated as a result of employment land conversions in Shelburne.

# 3.10 Settlement Area Expansion

As summarized in sections 1 and 2 of this report, approximately 85 hectares of land on Shelburne's west side is within the municipal boundary but remains outside of the limits of the urban area designated in the Town's Official Plan. The Official Plan currently designates the land as "Non-Urban" and "Natural Environment".

The west side Non-Urban land provides additional opportunities to address the shortage of residential land and potential for other urban land uses to promote mixed use, complete community development and logical extension of the existing and planned land use pattern.

The PPS, Growth Plan and County Official Plan direct that proposed settlement area expansions require a municipal comprehensive review. The County Official Plan provides specific policy direction for the Town of Shelburne to complete a municipal comprehensive review to accommodate a forecast 2031 or 2036 population of approximately 10,000 persons, to determine the quantity of land needed and, if necessary, the most suitable location to expand the urban settlement area boundary (County Official Plan, policy 3.5.1.2). The comprehensive review must demonstrate the following in accordance with County Official Plan policy 3.5.1.1:

- Sufficient opportunities to accommodate forecasted growth are not available within the County and within the existing settlement area;
- The expansion makes sufficient land available to accommodate the forecasted growth not exceeding the horizon of the County Plan (2036);
- The timing of the expansion and phasing of development will not adversely affect the achievement of the County's intensification target, and policies and the density target and policies for the designated greenfield areas;
- There is an adequate supply of land designated for employment within or in the immediate vicinity of the settlement area to plan to maintain or move towards accommodating a minimum of one full-time job per three residents within or in the immediate vicinity of the settlement area;
- The proposed expansion is an efficient, sustainable and logical extension of the settlement area and the existing or planned infrastructure, services and facilities required to accommodate the forecasted growth, 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;
- The land is physically suitable for development, considering any constraints to development, including topography, hazard lands, natural heritage features and areas, systems, natural resources and sourcewater considerations, and the protection of prime agricultural areas for the long term;
- The transportation system can accommodate the additional traffic volume;
- A suitable plan for phasing, financing, and constructing the infrastructure;
- Cultural heritage resources will not be negatively impacted;
- Where appropriate, cross-jurisdictional issues are considered;
- Impacts from expanding the settlement area on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible;
- The expanding settlement area is in compliance with the Province's Minimum Distance Separation Formulae;
- In determining the most appropriate direction for expansions to the boundaries of settlement areas, the policies of the County Official Plan shall be applied;
- The proposed expansion will meet the requirements of the Growth Plan:

A settlement area boundary expansion may only occur as part of a municipal comprehensive review where it has been demonstrated that —

- a) sufficient opportunities to accommodate forecasted growth contained in Schedule 3, through intensification and in designated greenfield areas, using the intensification target and density targets, are not available:
  - iii. within the *regional market area*, as determined by the upper- or single-tier municipality, and
  - iv. within the applicable lower-tier municipality to accommodate the growth allocated to the municipality pursuant to this Plan
- b) the expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in Policy 2.2.8.2(a)
- c) the timing of the expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the intensification target and density targets, and the other policies of this Plan
- d) where applicable, the proposed expansion will meet the requirements of the Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plans
- e) the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner
- f) in prime agricultural areas:
  - iv. the lands do not comprise *specialty crop areas*
  - v. there are no reasonable alternatives that avoid *prime agricultural* areas
  - vi. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*

- g) impacts from expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement areas* are mitigated to the extent feasible
- h) in determining the most appropriate location for expansions to the boundaries of settlement areas, the policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS, 2005 are applied
- i) for expansions of small cities and towns within the outer ring, municipalities will plan to maintain or move significantly towards a minimum of one full-time job per three residents within or in the immediate vicinity of the small city or town."

The lack of sufficient opportunities to accommodate forecasted growth is discussed earlier in this report. On a County-wide bases, through the process of developing the County Official Plan it was shown that residential intensification opportunities and designated greenfield lands are insufficient to accommodate the 2031 and 2036 population forecasts, which resulted in the future reserved population allocation in the County Plan.

As summarized in section 3.9 of this report, the conversion of surplus employment land in Shelburne to accommodate residential uses and mixed land uses will contribute to addressing the shortage of residential intensification and greenfield residential land. With these conversions it is anticipated that the Town of Shelburne could accommodate a total population of approximately 9,000 residents on land within the existing urban area boundary, and the residential intensification and greenfield density targets can be met and sufficient land would be maintained to achieve the 2031 and 2036 employment forecast of 3,560 jobs.

Additional residential intensification opportunities and greenfield residential lands will be required to accommodate a total population of 10,000 persons in Shelburne, and to ensure an available supply of residential land to meet future housing needs, and to ensure that the residential intensification target can continue to be met alongside future greenfield residential development.

Table 3-13 provides a revised population and housing forecast that could be accommodated with an urban area expansion. The west side lands also provide an opportunity to support additional mixed use development which could contribute to accommodating a portion of the future reserved allocation of the employment forecast identified in the County Official Plan over the long term. The potential for some non-residential urban land uses to be accommodated through a settlement area expansion in Shelburne relates to the increased population that is being planned for and would be accommodated in the area, and the need to plan comprehensively for the west side of Shelburne as a complete and balanced community and to ensure a logical extension of the existing land use pattern. Therefore, while the need for a settlement area expansion is generated by residential land needs for future housing, related commercial, institutional and compatible employment uses and

mixed use development opportunities should also be considered in planning for the Shelburne West area.

Table 3-13: Forecast Population and Housing Growth with Settlement Area Expansion

	Population	Occupied Households		Location of New Housing <sup>2</sup>			
Year		Total	Growth	Intensification		Greenfield	
				#	%	#	%
2016	7,649	2,855	45	27	60%	18	40%
2017	8,023	2,939	84	84	100%	-	-
2018	8,233	3,027	88	48	55%	40	45%
2019	8,411	3,115	88	48	55%	40	45%
2020	8,616	3,203	88	48	55%	40	45%
2021	8,820	3,291	88	48	55%	40	45%
2022	9,027	3,381	90	35	39%	55	61%
2023	9,222	3,467	86	35	40%	51	60%
2024	9,389	3,543	76	39	51%	37	49%
2025	9,552	3,618	75	42	56%	33	44%
2026	9,713	3,693	75	42	56%	33	44%
2027	9,846	3,758	65	25	38%	40	62%
2028	9,978	3,823	65	25	38%	40	62%
2029	10,109	3,888	65	25	38%	40	62%
2030	10,238	3,953	65	25	38%	40	62%
2031	10,366	4,018	65	25	38%	40	62%
2032	10,455	4,068	50	No remaining intensification potential beyond 2031		50	100%
2033	10,542	4,118	50			50	100%
2034	10,587	4,168	50			50	100%
2035	10,672	4,218	50			50	100%
2036	10,755	4,268	50			50	100%
Total 2016-2031			1,208	621	51%	587	49%
Total 2016-2036			1,458	621	43%	837	57%

<sup>&</sup>lt;sup>1</sup> Note: Population estimated based on forecast average household size for 2016 to 2024 from Hemson Consulting Ltd. Town of Shelburne Development Charges Background Study. April 2015.

The assumed timing and rate of new housing development used in Table 3-13 results in the remaining intensification supply being exhausted by 2031. Through phasing policies, allocation of servicing capacity and development agreements the Town could potentially

<sup>&</sup>lt;sup>2</sup> Previously proposed Summerhill mid-rise development (80 units) excluded.

extend the remaining supply of residential intensification opportunities and align with greenfield development to address compliance with the intensification target on an annual basis. The total forecast housing development indicates that the intensification target can be met for the period of 2016 to 2031 and to 2036. This forecast assumes that existing industrial uses on the west side are redeveloped for residential uses over the long term based on the conversion and transition of this area to residential.

Based on the total 2031 and 2036 population forecasts associated with the build out of the west side land and proposed employment land conversions, and the 2031 and 2036 employment forecasts, the ratio of employment population would be 1 job for every 3 residents as per the Growth Plan. This calculation does not factor in the increase in population-related employment for the additional population growth that would be accommodate or the opportunities for additional employment uses that can be created with the settlement area expansion.

Through the development of a Secondary Plan for Shelburne West, the proposed land use and street pattern can be configured as an efficient, sustainable and logical extension of the settlement area. Two alternative land use concepts for the west side are evaluated in section 4 of this report. The Town's servicing strategy and transportation considerations are outlined in section 3.11. Opportunities and constraints related to the potential future development of the west side lands are also considered in section 4.

There are no known cultural heritage resources identified within the study area for the Shelburne West Secondary Plan. The Town's Official Plan, with amendments introduced by draft OPA 34, requires the preparation of archaeological assessments as a requirement of a complete application for development, and heritage impact assessments may also be required if a cultural heritage resource is identified.

A review of cross-jurisdictional matters related to future land use and transportation in the Shelburne West Secondary Plan area is provided in section 4.

There are no existing livestock operations within the Study Area, and based on a review of aerial photography there does not appear to be any significant livestock facilities within approximately 2 kilometres of the Town's westerly limits. The Town should confirm this with the adjoining Townships of Amaranth and Melancthon based on available information. There are no impacts anticipated to existing agricultural operations in the surrounding area as a result of the settlement area expansion to include the west side land.

The Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plans do not apply to the area included in the settlement area expansion or to the surrounding area.

3.11 Servicing Strategy

The Town's servicing The Town's servicing strategy is established through a number of plans, environmental assessments, servicing and transportation studies and related asset management and funding/financing initiatives, including:

- Master Servicing Study (2003), prepared by R.J. Burnside & Associates;
- Environmental Assessment/Environmental Impact Statement for the Town of Shelburne Long-Term Well for Additional Water Supply Project (2013), prepared by Golder Associates and Banks Groundwater Engineering;
- Water Distribution System Modelling (2012), prepared by Genivar (WSP Canada)
- Shelburne East Area Transportation Study (2012), prepared by Cole Engineering;
- Schedule B Class Environmental Assessment, Town of Shelburne Water Storage Capacity (2013) prepared by WSP Canada;
- Asset Management Plan (2013), prepared by Public Sector Digest;
- Sanitary Sewage Inflow & Infiltration Analysis (2013 and 2015), prepared by Genivar (WSP Canada) and the Town of Shelburne;
- Technical Memoranda regarding water and wastewater infrastructure requirements (2014), prepared by WSP Canada;
- Wastewater Capacity Allocation Confirmation of System Firm Available Capacity (2015), prepared by WSP Canada;
- Development Charges Study (2015), prepared by Hemson Consulting Ltd.;
- Assimilative Capacity Study (ongoing), prepared by WSP Canada;
- Road Needs Study (underway), prepared by Golder Associates.

Based on a review of these studies and discussions with the Town and its engineering consultants, the overall servicing strategy is summarized as follows:

- Optimize the use and efficiency of existing water and wastewater services to continue to free up capacity for development (i.e. through reduction of inflow and infiltration, water metering/conservation, resolving bottlenecks in the water distribution system and sanitary collection system, backflow reduction with filter replacements, etc.);
- Where required, undertake required studies and environmental assessments to increase the rated capacity of water and wastewater systems servicing to accommodate long-term growth (Long-Term Well for Additional Water Supply EA/EIS and Water Storage EA completed, Assimilative Capacity Study ongoing to be followed by EA for increasing the rated capacity of the sewage treatment plant);
- Align infrastructure and transportation improvements with planned growth and development and address cross-jurisdictional issues (e.g. Long-Term Well and Water Storage EAs, Shelburne East Area Transportation Study);

- Identify, plan for an recover costs of growth-related infrastructure investments through Development Charges, defer projects until required for development with funding available;
- Minimize the need for pumping stations and the number and distribution of stormwater management facility locations wherever possible;
- Ensure maintenance and operational resource needs of new infrastructure and lifecycle/replacement costs are understood and addressed;
- Require full municipal services for new development and the connection of existing privately serviced properties to municipal systems, when available.

The Town's long-term water supply project is currently being implemented by construction of a new well (Well 7) and watermains and additional water storage is also planned to address the water supply needs of Shelburne's current and future population.

Remaining reserve wastewater treatment capacity is 1,032 m<sup>3</sup>/day or 30% of the sewage treatment plant current rated capacity of 3,420 m<sup>3</sup>/day. <sup>11</sup> A number of municipal projects are underway or planned to free up additional capacity within the existing treatment plant and address future capacity requirements. Inflow and infiltration reductions are being pursued through replacements of existing sewers and drainage improvements. In addition, filter replacements at the treatment plant are expected to reduce backflow and provide filter capacity to service future population growth. The Town is also completing an assimilative capacity study and planning for increased sewage treatment plant capacity to 4,400 m<sup>3</sup>/day.<sup>12</sup> In September 2015, WSP Canada prepared an updated analysis of remaining capacity in the sewage treatment plant. A reserve has been established for future ICI (industrial/ commercial/institutional) development based on accommodating 9.64 hectares (1,038,048 square feet) of non-residential floor area based on the inventory of vacant land designated in the Official Plan for ICI land uses and to accommodate forecast employment growth. As summarized in Table 3-11, this is similar to the non-residential floor space forecast of 92,112 square metres (9.2 hectares) of floor area identified in the Town's 2015 DC Study to accommodate the forecast employment growth to 2031.

Capacity is also reserved in the WSP analysis to allow for the connection of existing privately serviced residential and ICI properties to the municipal sanitary system. After subtracting these capacity reserves and capacity allocated for building permits issued but not occupied as of the date of the report, the WSP analysis indicates that there is capacity remaining in the residential reserve for 420 dwellings. Allocation of capacity to draft approved development

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<sup>&</sup>lt;sup>11</sup> WSP Canada Inc. Wastewater Capacity Allocation – Confirmation of System Firm Available Capacity. September 23, 2015.

<sup>&</sup>lt;sup>12</sup> WSP Canada Inc. Shelburne Water Pollution Control Plant. Assimilative Capacity Study (presentation). June 6, 2014.

(45 draft approved lots – Greenbrook Village Phase 8) is then subtracted and a contingency of 100 dwelling units is also subtracted to account for late residential occupancies in the previous year. WSP calculated that the net remaining reserve capacity is sufficient for 275 additional dwelling units which could be made available for new residential development.

The Town is planning for additional sewage treatment capacity to be made available for residential development on the basis of current and planned inflow and infiltration improvements, filter replacements at the sewage treatment plant, and efficiencies in new development. Based on the planned improvements and intensification and greenfield development potential, conversion opportunities, and future settlement area expansion, a new development staging plan is recommended in draft OPA 34 to guide the future allocation of the remaining capacity in the plant as follows:

- Stage 1: areas of existing land use and approved developments that are serviced by existing municipal water and wastewater services, as well as existing privately or partially serviced areas where connection to municipal water and wastewater services is available or is reserved for the future connection of these areas to the municipal systems. The Town will reserve servicing capacity to allow for intensification and redevelopment and to allow for the connection of privately serviced properties to existing municipal services within Stage 1 areas. Allocation of servicing capacity to specific properties and developments within Stage 1 would be based on confirmation of sufficient Stage 1 reserve capacity by the Town Engineer, and would occur at the time of development approval, service connection or building permit, as applicable.
- Stage 2: primary areas designated for residential intensification and redevelopment, areas of municipally serviced vacant or under-utilized land within the built boundary, and municipally serviced vacant land in designated greenfield areas available for development within the Mixed Use, Commercial, Employment and Institutional land use designations. Servicing capacity for Stage 2 areas will be reserved by the Town to provide for the development of these areas in accordance with the applicable land use designations. Allocation of servicing capacity to specific properties and developments within Stage 2 would be based on confirmation of sufficient Stage 2 reserve capacity by the Town Engineer, and would occur at the time of development approval.
- Stage 3: areas of land to be developed in accordance with the applicable land use
  designation in the Official Plan based on confirmation of available reserve capacity to
  service all land within the Stage 1 and 2 areas. The servicing of Stage 3 areas relates
  to planned capital improvements to the municipal water supply and wastewater
  treatment systems and servicing capacity for these areas may also relate to the
  implementation of the Town's inflow and infiltration reduction program, conservation

and other measures that will optimize the efficient use of existing infrastructure. Allocation of servicing capacity to specific properties and developments within Stage 3 would be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required capacity improvements, and on the basis of maintaining reserve capacity for Stage 1 and 2, and would occur at the time of development approval.

• Stage 4: areas of land where the extension of sanitary services and confirmation of assimilative capacity within the receiving water body for wastewater are required along with approval for the re-rating of the capacity of the Sewage Treatment Plant. Sufficient reserve capacity for the development of all land within Stages 1, 2 and 3 areas would be required to be demonstrated prior to establishing a reserve for development in Stage 4 areas and prior to any consideration of allocation of servicing capacity for development in accordance with the applicable land use designations in Stage 4. Allocation of servicing capacity to specific properties and developments within Stage 4 would be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required infrastructure improvements, and on the basis of maintaining reserve capacity for Stages 1, 2 and 3, and would occur at the time of development approval.<sup>13</sup>

A new Schedule 'B1' is proposed in draft OPA 34 which illustrates the boundaries of each stage of development. The staging of development plan will ensure that the order of development is aligned with current reserve servicing capacity and planned servicing capacity improvements, and that sufficient servicing capacity is reserved to achieve the intensification target and accommodate forecast employment growth.

As per the County Official Plan, confirmation of assimilative capacity will be required prior to settlement area expansion. Therefore, it is recommended that the west side settlement area expansion and Stage 4 area be deferred until the Town's Assimilative Capacity Study is completed and demonstrates that adequate capacity can be provided.

The Town's Master Servicing Study (2003) provides servicing recommendations for vacant lands that were previously annexed by the Town for future growth and development, including the west side expansion area and the east side employment area proposed for conversion. An estimate of capital costs is also provided in the study. The required growth-related servicing improvements will be primarily funded through development charges, and local services will be required to be constructed as part of specific developments at the cost of the landowner/developer.

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<sup>&</sup>lt;sup>13</sup> NOTE: The Stage 4 area is recommended to be deferred pending the outcome of the Town's assimilative capacity study.

Growth-related capital costs for the intersection and road improvements recommended in the Shelburne East Area Transportation Study are included in the Town's current capital forecast and DC Study.

The proposed employment land conversions and future settlement area expansion on the west side represent logical extensions of existing services and will contribute to the optimization and efficient use of existing and planned infrastructure. The Town's existing Well 5/6 municipal water supply and new watermain for the Well 7 municipal water supply, and the planned water storage facility are located on the west side. Municipal sanitary servicing connections are also available to be extended to the west side area, and are planned for extension to service the west side and the east side lands as per the Master Servicing Study. The development of the west side has been planned and anticipated through recent sanitary sewer upsizing and extension of services from the Summerhill and Cedar Hills subdivision developments to the east.

Draft OPA 34 includes new and more elaborate policies and criteria for development within each land use designation to ensure that servicing requirements are fully addressed and understood through required functional servicing, stormwater management and transportation studies prior to development approval, including water supply and distribution, sanitary sewer collection and treatment capacity, drainage and stormwater management, road and intersection improvements, parking, access, pedestrian and cycling corridors and facilities, and other matters.

# 4. LAND USE CONCEPTS

# 4.1 Opportunities and Constraints

Map 7 appended to this report illustrates opportunities and constraints for land use and development within the Study Area for the Shelburne West Secondary Plan.

Environmental lands include natural heritage features and areas indicated as Natural Environment on Map 7, and natural hazards which include the regional floodline and erosion limit associated with Besley Drain (south of Main Street) and Walter's Creek (north of Main Street). These lands will impact the location and amount of developable land that can be considered for future urban land uses within the Town of Shelburne and also represent opportunities for conservation and enhancement, public acquisition and potential public access for compatible forms of passive recreation and enjoyment, and to create a linked open space system on the west side with connections to existing parks and open spaces to the east. Development and site alteration will also be required to avoid hazard lands, which should be delineated more precisely through detailed study required for individual sites prior to development.

The existing land uses within the Study Area and to the east are described earlier in this report. Existing land uses should be recognized and should also be considered in planning for opportunities for intensification or redevelopment to promote compact development and efficient land use and/or to transition to other land uses in the future to address land needs, compatibility, connectivity and other factors.

Opportunities for local and collector street connections are also identified on Map 7, in addition to the existing arterial road connection along Main Street West / Highway 89 which is the primary transportation corridor providing access to and from the area. There are opportunities to connect the west side land to the downtown core which adjoins the Study Area on the east side, and to create a sidewalk connection along Main Street. Direct property access to Main Street West / Highway 89 is restricted by the Town's Official Plan within the connecting link and Ministry of Transportation requirements for the controlled access portion of the highway (west of the connecting link). New local and collector roads should be considered to provide new public road access opportunities and intersections should be aligned north-south on both side of Main Street and located within the connecting link, where possible, and intersection spacing should be maximized and will be subject to MTO approvals where proposed along the controlled access portion of the highway.

Upgrades to Fourth Line would be required to bring this road to an urban or semi-urban standard to provide a primary road access to the northerly vacant land.

The former rail corridor provides a trail opportunity to and through the area and an opportunity to connect the west side land with the existing trail system to the east and provide an active transportation and recreational trail joining the area north/south.

Existing utilities in the area include the Town's municipal water supply well (Well 5/6) on the east side of Fourth Line north of Main Street, and a hydro substation at the south side of Main Street across from John Street. Wellhead Protection Areas (WHPAs) related to Well 5/6 and the Town's other municipal wells to the east extend through parts of the Study Area as shown on Schedule 'F' to draft OPA 34. Certain land uses and activities are prohibited within the WHPAs where they would be a significant drinking water threat, as per the Source Protection Plan.

The vacant lands shown on Map 7 include approximately 45 net hectares of land north of Main Street, 15 net hectares south of Main Street and 5 net hectares along the west side of Victoria Street, for a total of 65 net hectares of land. A detailed inventory of existing properties in the Study Area is shown on Map 6 and

The municipal boundary is shown on Map 7. In the northerly part of the Study Area the boundary with the Township of Melancthon follows the westerly limit of the Neighbourhoods Summerhill and a portion of the Cedar Hills subdivision developments and the northerly limit of a triangular property located to the north-east of the former rail corridor. The Town's 2003 Master Servicing Study recommended that the Town should engage in annexation discussions with the Township of Melancthon regarding this area, in light of servicing and road connections that were planned and are now available from the east and to provide additional access to the land north of the former rail corridor. Discussions regarding potential annexation of these lands has not been initiated by the Town due to servicing capacity limitations. In keeping with the recommendations of the Master Servicing Study, the proposed street pattern for the northerly triangular parcel to north-east of the former rail corridor should include provisions for a street connection to the north to allow a connection to Highway 10 (via Col. Philips Drive) and in view of potential long-term growth needs beyond the current municipal limits and to preserve future opportunities for efficient urban area expansion. South of this area, Fourth Line forms the westerly limit of the Town boundary to Main Street.

To the south of Main Street, the municipal boundary with the Township of Amaranth follows the westerly and southerly limit of the IK World Trading industrial property and the southerly limit of the vacant industrial land and the Bluewood property to a point west of Victoria Street. The Besley Drain provides a natural open space corridor and potential north-south land use buffer through this area.

The portion of the existing farm property located on the west side of Victoria Street that is within the Town boundary is part of a larger property that straddles the municipal boundary with the Township of Amaranth. A conditionally approved consent would sever the existing farm building cluster (the Besley Country Market) at the southerly limit of this property from the balance of the farm parcel. Based on discussions with the property owner, there is an intention to sever the remaining retained portion of the property located in Shelburne from the balance of the property located in the Township of Amaranth.

There are no proposals by the Town at this time to enter into discussions with the Township of Amaranth regarding potential future municipal boundary restructuring/annexations in this location. Planning for future land use along the west side of Victoria Street in Shelburne should preserve opportunities for a potential long-term street connection to the west; however, access for future land use proposals in this area should be accommodated locally within Shelburne via new local road(s) connecting to the west side of Victoria Street and/or by direct access from Victoria Street, and should not rely on a future connection to the west to provide adequate means of ingress and egress and emergency access.

## 4.2 Alternative Land Use Concepts

Based on the identified opportunities and constraints, two alternative land use concepts have been prepared for the Shelburne West area and are shown on Maps 8 and 9 appended to this report. The concepts show potential alternative land use configurations and street patterns. The land use options and potential street configurations are limited by the location and extent of environmental areas, particularly in the area north of Main Street, and by existing and surrounding land uses. As such, the land use concepts for the area north of Main Street are very similar.

The primary difference among the two land use concepts is the land use designations considered for the area south of Main Street. Concept 1 maintains the current industrial land use designations in this area and shows a potential internal street configuration. Concept proposes a conversion of this area to residential land use and illustrates a potential collector and local street pattern for residential uses.

In consideration of the findings of the municipal comprehensive review in section 3 of this report, Concept 1 would not provide any new residential intensification opportunities and would maintain the current surplus of employment land. Concept 1 is also unlikely to contribute to the servicing and development of this area in the near future given the availability of serviced employment land in the Shelburne Industrial Park. The residential intensification target cannot be met by this scenario due to the lack of intensification potential.

Concept 2 would contribute to addressing the addressing the immediate shortage of available residential land intensification potential within the existing urban area, to the extension of services to the area and provides an opportunity to support the downtown core and existing and future commercial uses on the west side, and in close proximity to the existing elementary schools and Hyland Park to the north/east. A mix of residential housing types and densities should be planned with medium density residential uses oriented to areas along Main Street and where future parks will be provided. Policy direction should also be established to ensure land use compatibility with the existing Bluewood and IK World Trading industrial uses and to allow for the eventual transition of these uses to residential use. Large separation distances from the existing industries would impact the efficient use of land and compact residential development and intensification potential. Noise impact studies are currently being prepared for the property and it is anticipated that any impacts can be mitigated without the need for large separation distances based on a development concept prepared for the property and discussions with the proponent, and considering that there are existing residential uses located adjacent to or in close proximity to the existing industries. New/amended land use compatibility policies are included in draft OPA 34 to require that development that would require large separation distances to mitigate potential land use conflicts between industrial uses and sensitive uses will not be permitted where it could impact the achievement of the intensification and/or greenfield density target and to require other forms of mitigation measures and buffering that will allow for the efficient use of land and achieve the required mitigation in accordance with Provincial standards.

Both of the concepts show a potential mixed use area designation along the west side of Victoria Street. This area is not as well suited for residential uses given its small land area and somewhat isolated location relative to other existing residential neighbourhoods. This area would be a logical westerly land use extension of the employment area and Shelburne Industrial Park located to the east of Victoria Street and north of County Road 11/30<sup>th</sup> Sideroad. There are 5 existing dwellings located near the corner of Victoria Street and County Road 11/30<sup>th</sup> Sideroad, including an existing cluster of farm buildings known as the Besley Country Market to the west of Victoria Street and north of 30<sup>th</sup> Sideroad.

A mixed use designation along the west side of Victoria Street could provide an opportunity for a range of potential commercial, institutional and employment uses. Recognizing Shelburne's role as a service centre for the surrounding agricultural area, consideration should be given to commercial uses that would be compatible with and complement the existing farm market and provide services to, or an outlet for, products from local farms in the surrounding area, such as farmers markets, local food retailers, livestock veterinary services, light equipment retailing and services, and similar uses that support the agricultural sector. This location should also be considered for institutional and public uses such as recreational and cultural facilities, schools, religious institutions, funeral homes, health and

social services, to contribute to addressing the community facility needs of planned population growth in Shelburne, particularly on the west side, and those of the surrounding rural/agricultural community. Potential employment uses could include light manufacturing and equipment sales and service, office and business park uses, construction and service trades, training facilities and other employment uses and services. The mixed use designation of this area for these types of land uses may contribute to accommodating a portion of the 2031 and 2036 future reserve allocation of the employment forecast identified in the County Official Plan.

## 4.3 Recommended Land Use Concept

A recommended draft land use plan for Shelburne West has been prepared based on Concept 2. A draft Secondary Plan including the recommended land use plan and recommended policies are provided in Appendix B. The objectives, rationale and key directions of the draft Shelburne West Secondary Plan are summarized as follows:

- A land use plan and policies for the development of new residential neighbourhoods on the west side with supporting and compatible commercial uses, parks and open space, and institutional uses;
- The downtown core will be supported with the integration of the west side with existing community and provisions for residential intensification and redevelopment on land adjacent and in close proximity to the downtown for residential uses, and related street connections and trail linkages;
- The development of the area for residential uses will support efficient access within a short distance to the existing elementary and secondary school and Hyland Park;
- Existing industrial uses are recognized with provisions for their continued operations and eventual transition and redevelopment of these areas to residential land uses, and policies to ensure land use compatibility through appropriate buffering in the interim:
- Neighbourhood design direction to create a built environment and integration with the existing community in a manner that will foster place-making, community safety, barrier-free access, active and healthy lifestyles, and energy and water conservation and efficiency;
- Requirements for new development to be on full municipal services and to occur in a logical and orderly manner based on the identified servicing strategy;
- Policies for the conservation and enhancement of the natural heritage features and areas as part of the natural heritage system and to encourage conveyance of natural open space spaces to public ownership and provide for compatible forms of public recreational use;

- Policies to direct development away from hazardous lands and sites and to require more precise delineation of the limits of these areas and developable lands through more detailed study required in connection with development proposals;
- A plan and policies to direct community commercial uses of a neighbourhood scale to the designated commercial areas and a mixed use designation providing for commercial/institutional/employment uses west of Victoria Street;
- Provisions for secondary uses, public and utility uses, and policies to recognize existing uses;
- The planned land use and street pattern will promote connectivity of land uses and integration with the existing community, guides the future location of roads, intersections, trails, neighbourhood parks and stormwater management facilities, provides for distinction between the public realm and private lands, and addresses the overall community design and contribution and role of the area as part of complete community development;
- Specific criteria for development are included in the policies to require that development will contribute to meeting the population and/or employment growth forecasts and intensification and greenfield density targets, and to ensure servicing, transportation, parks and recreation needs, land use compatibility, urban design, natural heritage, natural hazards, cultural heritage and zoning matters are addressed through complete application submissions prior to development;
- Design direction is provided for building orientation, façade and landscaping treatments along Main Street and Victoria Street and future collector and local roads, the location of parking areas, and to address the provision of sidewalks, community trails, pedestrian crossings and signage;
- A housing mix target is established to promote a range of housing types and densities, and areas for low density and medium density residential uses are identified on the land use plan with related built form and density provisions set out in the draft policies;
- Polices are included to require a Record of Site Condition prior to future redevelopment of existing industrial/brownfield sites for residential uses;
- Potential future neighbourhood park locations and a trails system are identified with related policies to require parkland dedications as a condition of development and to create a linked parks and open space system with connections to existing planned trails and open spaces;
- The servicing strategy addresses the provision of municipal services for future development, connection of existing privately serviced development to the municipal system, future updates to the Master Servicing Plan, policies for the establishment of development charges to recover the costs of servicing improvements, phasing of development, direction for the construction and maintenance of services and utilities, extension of services and protection of

- servicing corridors, and conceptual locations and policy direction for stormwater management facilities;
- A transportation plan and policies addressing the hierarchy of arterial, collector and local roads, pedestrian and cycling facilities and trails to be coordinated with planned future land uses, including access requirements, potential future intersections and conceptual road alignments, extensions of existing local streets into the area, watercourse crossing, and improvements to existing roads; and,
- Policy direction for implementation of the Secondary Plan.

Amendments to the Town's Official Plan will be required to implement the Secondary Plan and incorporate the plan into the overall planning and policy framework. A staged implementation of the Secondary Plan is proposed through amendments to the Official Plan as follows:

- The first amendment to the Official Plan would incorporate the complete policies of the Secondary Plan, and the land use plan for the land that is within the current urban boundary. Through this amendment, the portion of the Secondary Plan land use plan for the area outside of the current urban boundary, and the expansion of the settlement area, should be deferred until capacity for this area is confirmed through the Assimilative Capacity Study.
- 2. The second amendment would extend the settlement area boundary to include the remaining land on the west side within the municipal boundary, and implement the deferred portions of the Shelburne West Secondary Plan land use plan, when capacity for this area is confirmed through the Assimilative Capacity Study.

An amendment to the County of Dufferin Official Plan will be required to increase the 2031 and 2036 forecast population allocation to Shelburne from 8,400 to approximately 9,000 based on the proposed employment land conversions and stage 1 of the Shelburne West Secondary Plan. A further amendment to the County Official Plan will be required for the settlement area expansion and population forecast associated with the implementation of stage 2 of the Shelburne West Secondary Plan.

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## 5. CONCLUSIONS

The Town of Shelburne has experienced periods of rapid population and housing growth over the past two decades. Employment growth has been slower but has increased in recent years with expansion of existing industry and a new industrial use in a previously vacant industrial buildings, and population-related employment with the growing population. There is a shortage of residential intensification and greenfield residential land, approximately a 1.5 to 2 year supply remaining based on annual average housing demand over the past 5 to 10 years. A significant amount of land is available for employment uses, including industrial, commercial, and it is anticipated that this land base is sufficient to accommodate employment growth beyond the 20 year forecast period to 2036.

There are opportunities to address the shortage of residential intensification and greenfield development opportunities through the conversion of surplus of employment land for residential and mixed use development, and to establish new greenfield residential land through settlement area expansion on the west side of Shelburne. Continued housing growth and mixed use development provides opportunities for an array of benefits to Shelburne and to the County as a whole, including:

- Potential for local job growth particularly in new housing construction and populationrelated employment in the commercial and institutional sectors as the larger population base will support existing and future local businesses, increase potential for more home-based businesses, and enhance local availability of a larger and more diverse labour pool to help maintain local industries and enhance opportunities for new/expanded industries;
- Increased demands for local services and community facilities and opportunities to enhance their availability, diversity and viability with the larger population base;
- Directing local housing demands to the urban settlement area on full municipal services which contributes to efficient land use and protection of the rural area of the County for continued agricultural use;
- Opportunities to fund community facilities, optimize and improve infrastructure and the transportation system through redevelopment and revenue from development fees and increased property tax assessment; and,
- Potential for increased need for and participation in a range of local programs and activities.

Absent continued population and housing growth in Shelburne, the population may begin to decline over the long term due to related trends including the aging population and decreasing average household size across the municipality and more widely observed throughout the County and the Province. Achieving positive change in the community and

enhancing Shelburne's role in the County as a complete community would be a significant challenge in an environment of population decline. Opportunities for continued community improvement will depend in part on continued growth to expand the resources necessary for related investments and initiatives to create a more complete community.

With the conversion of surplus employment land to accommodate residential and mixed use development on the east and west side of Shelburne, respectively, the immediate shortage of residential intensification and greenfield land will be addressed to accommodate housing demands over the next 5 to 10 years, accommodating a forecast 2026 population of approximately 9,000 persons within the existing urban area boundary, in keeping with the 38% intensification target and the greenfield density target.

With a settlement area expansion to add the remaining land within the Town's municipal boundary to the urban area for residential and mixed use development, the medium and longer-term shortage of residential greenfield land will be addressed to accommodate housing demands over the next 10 to 20 years, accommodating a forecast 2031 population of approximately 10,400 persons and a forecast 2036 population of approximately 10,750 persons reflecting the net population growth adjusted for the projected decline in average household sizes. The residential intensification and greenfield density targets can be met to 2031 with the settlement area expansion, and to 2036 through development phasing requirements via the allocation of servicing capacity.

The Town's servicing strategy for providing additional residential development opportunities to accommodate continued housing demands is established through several plans, environmental assessments, servicing and transportation studies. The Town's Master Servicing Study provides servicing recommendations and identifies required infrastructure improvements to the west side land and the east side land proposed for mixed uses, as well as other areas of the Town that have recently been developed or are currently being developed for residential and other uses.

Based on future land needs and a review of opportunities and constraints related to the development of the west side land, two land use concepts have been prepared and considered for the Shelburne West area, including land within the current urban area boundary a future settlement area expansion to include the balance of the land within the Town limits. The land use concepts explore residential and employment land use alternatives and potential options for future land use and street configurations. A recommended land use concept has been developed as the draft land use plan for the Shelburne West Secondary Plan. The draft Secondary Plan including related objectives and policies is provided in Appendix B. Implementation of the Secondary Plan is recommended in two stages involving amendments to the Town's Official Plan and the County Plan.

## **APPENDIX A: Existing Property Inventory**

#	Address/	Existing	Existing Servicing		Official Plan	Zoning	Land		
	Legal Description	Land Use	Water	San.			Area (ha)		
Tov	Township of Melancthon								
1	Pt. Lot 4 Con. 3 W	Agriculture	N.	/A	Agricultural,	A1**	17.1		
2	436175 Fourth Line	Residential	Private		Environmental		1.9		
3	Pt. Lot 3 Con. 3 O.S. W.	Agriculture	N/A		Conservation*	D**	36.0		
4	436149 Fourth Line	Residential	Private		Agricultural*		0.8		
5	436139 Fourth Line	Residential	Private				0.8		
Tov	Town of Shelburne								
6	436091 Fourth Line	Residential	Priv	/ate	Non-Urban	D	4.1		
7	Pt. Lot 2 Con. 3 O.S. W	Vacant	N	/A	Non-Urban, Natural Environment	D, NE	4.8		
8	Pt. Lot 2 Con. 3 O.S. W.	Vacant	N/A		Non-Urban, Natural Environment	D, NE	18.2		
9	436075 Fourth Line	Residential	Priv	/ate	Non-Urban, Natural Environment	D, NE	6.9		
10	Former Rail Corridor	Trail/Utility	N/A		(Corridor)		3.9		
14	436013 Fourth Line	Utility	N	/A	Non-Urban, Natural Environment	D, NE	1.6		
13	Pt. Lots 1, 2 Con. 3 O.S. W.	Vacant	N	/A	Non-Urban, Natural Environment	D, NE	27.2		
29	Pt. Lot 1 Con. 3 O.S. E.	Vacant	N.	/A	Residential, Natural Environment	D, NE	4.8		
30	5 John Street	Commercial	N.	/A	Industrial	C4	0.2		
31	2 John Street	Residential	Muni	cipal	Residential	R5	0.3		
32	300 Main Street W.	Residential	Muni	cipal	Residential	R1	0.1		
28	416 Main Street W.	Residential	Priv	/ate	Non-Urban, Natural Environment	R1, NE	2.2		
27	420 Main Street W.	Residential	Private		Non-Urban, Natural Environment	R1, D, NE	0.5		
26	428 Main Street W.	Residential	Priv	/ate	Residential, Natural	D, NE	2.1		

#	Address/	Existing Land Use	Existing Servicing		Official Plan	Zoning	Land
π	Legal Description		Water	San.	Official Plan	Zoning	Area (ha)
				•	Environment,		
					Non-Urban		
25	430 Main Street W.	Residential	Private		Non-Urban	D	0.2
24	434 Main Street W.	Residential	Priv	/ate	Non-Urban	D	1.4
23	438 Main Street W.	Residential	Priv	/ate	Non-Urban	D	0.1
22	440 Main Street W.	Residential	Priv	/ate	Non-Urban	D	0.1
21	450 Main Street W.	Residential	Priv	/ate	Non-Urban	D	0.3
20	460 Main Street W.	Residential	Priv	/ate	Non-Urban	D	0.3
19	470 Main Street W.	Residential	Priv	/ate	Non-Urban	D	1.2
18	500 Main Street W.	Vacant	N/A		Non-Urban	D	2.2
					Non-Urban,		
17	510 Main Street W.	Residential	Private		Natural	D, NE	0.5
					Environment		
16	512 Main Street W.	Residential	Private		Non-Urban	D	0.2
	520 Main Street W.	Residential	Private		Non-Urban,	D, NE	1.1
15					Natural		
					Environment		
11	436059 Fourth Line	Residential	Private		Non-Urban	D	0.9
12	436043 Fourth Line	Residential	Private		Non-Urban	D	0.4
34	501 Main Street W.	Industrial	Private		Industrial,		6.3
40	Con. 3 Pt. Lot 32	Vacant	N/A		Natural	M2, NE	16.4
					Environment		
46	301 Main Street W.	Residential	Private		Commercial	C3	0.2
45	305 Main Street W.	Residential	Private		Commercial	C3	0.2
44	309 Main Street W.	Commercial	Private		Commercial	C3	0.1
43	309 Main Street W.	Commercial	Private		Commercial	C3	0.4
42	313 Main Street W.	Vacant	N/A		Commercial	C3	0.5
39	429 Main Street W.	Residential		/ate	Residential	R1	0.1
38	433 Main Street W.	Residential	Private		Residential	R1	0.1
37	435 Main Street W.	Residential	Private		Residential	R1	0.2
35	443 Main Street W.	Commercial	Private		Commercial	C4	0.8
33	505 Main Street W.	Vacant	1	/A	Industrial	M2	0.5
41	201 Wellington St.	Industrial	Mun.	Private	Industrial	M2	11.0
					Industrial,		
48	600 Victoria St.	Agriculture	N/A		Natural	M2, NE	0.8
	740 \ //	B			Environment		
51	712 Victoria St.	Residential	Priv	/ate	Non-Urban	D	0.2
49	716 Victoria St.	Agriculture with residence	Private		Non-Urban, Natural Environment, Industrial	D, NE, M2	10.0

#	Address/ Legal Description	Existing Land Use	Existing Servicing	Official Plan	Zoning	Land Area (ha)
			Water San.			
47	Former Rail Corridor	Trail/Utility	N/A	(Corridor)		1.5
52	703 Victoria Street	Residential	Municipal	Non-Urban	D	0.4
53	707 Victoria Street	Residential	Municipal	Non-Urban	D	0.3
54	711 Victoria Street	Residential	Municipal	Non-Urban	D	0.2
Tov	vnship of Amaranth					
57	505164 Highway 89	Vacant	N/A	Rural, Environmental Protection***	Ru, EP***	10.8
56	505168 Highway 89	Residential	Private	Rural	Ru****	0.2
55	Pt. Lot 32 Con. III W.	I W. Vacant	N/A	Rural, Environmental	Ru, EP***	10.1
55				Protection***		5.3
58	435673 Fourth Line	Residential	Private	Environmental Protection***	EP***	0.8
59	435651 Fourth Line	Residential	Private	Rural, Environmental Protection***	Ru, EP***	23.1
60	Pt. Lot 31 Con. IIII	Agriculture	N/A	Rural, Environmental Protection***	Ru, EP***	53.0
61	Pt. Lot 31 Con. IIII	Residential	Private	Rural, Environmental Protection***	Ru, EP***	1.0
62	Pt. Lot 31 Con. IIII	Residential	Private	Rural, Environmental Protection***	Ru, EP***	1.0
63	Pt. Lot 31 Con. IIII	Vacant	N/A	Rural	Ru	2.0

<sup>\*</sup> Township of Melancthon Official Plan, 2015.

\*\*Township of Melancthon Zoning By-law.

\*\*\*Township of Amaranth Official Plan, Schedule A, 2011.

\*\*\*\*Township of Amaranth Zoning By-law

## **APPENDIX B: Shelburne West Secondary Plan (Draft OPA 36)**

## 1. Introduction

The Shelburne West area is one of the primary areas to accommodate new residential growth in the Town of Shelburne. This area also provides for existing and new commercial uses, parks and open spaces and institutional uses. Existing industrial uses are recognized and will be permitted to continue, and may be redeveloped as residential in the future with the majority of industrial uses directed to the *Employment areas* shown on Schedule 'A'.

The Secondary Plan for Shelburne West provides a statement of objectives and policies and a land use plan intended to guide and direct the nature of land *development* within this part of the community. The following text and Schedule 'A1' constitute the Shelburne West Secondary Plan and apply to the area delineated as the Shelburne West Secondary Plan area on the Schedules to the Official Plan. The Shelburne West Secondary Plan is part of and is intended to read and applied in conjunction with the Official Plan in its entirety. In the event of a conflict between this subsection and any other subsection of the Official Plan, the more restrictive policies shall apply.

## 2. Objectives

The objectives for the Shelburne West Secondary Plan are as follows:

- a) To provide for the *development* of new residential neighbourhoods on the west side and supporting and *compatible* commercial uses, parks and open space, and institutional uses, and address urban land requirements for these uses through *intensification* and redevelopment and *compact urban form* in *greenfield areas*;
- b) To support the downtown core and integration of the west side with the existing community by providing for residential *intensification* and redevelopment in close proximity to the downtown core with street connections and trails linking areas of existing and new housing on the west side with the areas to the east;
- To recognize existing industrial uses on the west side and provide for their continued operations and eventual transition and redevelopment of these areas to residential uses, and ensure land use compatibility through appropriate buffering;
- d) To encourage neighbourhood design that fosters place-making, community safety, barrier-free access, active and healthy lifestyles, and energy and water conservation and efficiency;

- e) To require full municipal services and direct new *development* in a logical and orderly manner in accordance with the servicing strategy for the area and the staging of *development* policies of the Official Plan;
- f) To plan for a safe and connected transportation network, promote active transportation and reduce automobile dependence;
- g) To conserve the natural heritage features and areas of the west side for the long-term as part of the natural heritage system, encourage the conveyance of natural open spaces into public ownership, and provide for *compatible* forms of public recreational use and enjoyment; and,
- h) To direct new *development* away from hazardous lands and sites and minimize risks to public safety and potential for property damage.

## 3. General Policies

## 3.1 Permitted Uses

The primary permitted uses within the Shelburne West Secondary Plan area shall be for a range and mix of housing types and densities, and will also include existing and new commercial uses, institutional uses, and existing industrial uses. The Shelburne West Secondary Plan and related policies shall apply to the following areas designated on Schedule 'A1':

- The Low Density Residential areas, where the primary permitted uses shall include a range of housing types such as single detached, semi-detached, duplex and townhouse dwellings;
- The Medium Density Residential areas, where the primary permitted uses shall include a range of multiple residential housing types such as apartments, townhouses, triplex, fourplex and other multi-unit dwellings;
- The Community Commercial areas, where the primary permitted uses include a range
  of office, service commercial and retail commercial uses of a community or
  neighbourhood scale and nature that are primarily intended to meet the day to day
  needs of local residents and businesses; and,
- The Mixed Use Commercial/Employment/Institutional area where the primary permitted uses shall include those of the Community Commercial area oriented to Victoria Street, employment uses including light industry, repair and servicing, and

offices, and institutional uses. Land uses that require heavy truck/heavy vehicle access, significant areas of outdoor storage, or buffering involving separation distances due to the nature of the operations, shall be directed to appropriate locations in the designated *Employment areas* on Schedule 'A'.

Secondary uses, which are complementary to the primary permitted uses and supportive of the objectives and policies for the Shelburne West Secondary Plan, shall include recreational and cultural facilities, public and community uses, home occupations, second units, and parks and open space. Accessory dwelling units may be permitted as secondary uses within certain commercial establishments as may be provided in the Zoning By-law.

Institutional uses shall be permitted provided that major institutional and other large scale uses shall be directed to the Mixed Use – Commercial/Employment/Institutional area.

Existing uses shall be permitted to continue and may be recognized in the implementing Zoning By-law. Existing industrial uses are recognized and shall be permitted to continue.

Existing public and utility uses are designated as Institutional on Schedule 'A1'. Any change in use or new *development* within these areas shall be in accordance with the policies of subsection 4.6 of the Official Plan and the implementing Zoning By-law.

Proposed changes in land use and new *development* shall be in accordance with the permitted uses and policies of this Plan.

All areas shall be developed to ensure a high quality of urban design and integration of the permitted uses with surrounding uses.

The Natural Environment areas designated on Schedule 'A1' are subject to the limited permitted uses and policies of subsection 4.8 of the Official Plan.

## 3.2 Land Use and Street Pattern

a) The land use and street pattern for the Shelburne West Secondary Plan area shall be based on Schedule 'A1'. The location of roads, intersections, trails, neighbourhood parks, stormwater management facilities and boundaries of land uses shown on Schedule 'A1' should be considered approximate. Amendments will not be required for minor adjustments to the location of these features provided the general intent of this Plan is maintained, and subject to the policies of subsection 9.1 of the Official Plan identifying circumstances where land use boundaries are to be considered absolute.

- b) The pattern of *development* is based on a distinction between private lands and the public realm. The public realm is composed of clearly defined and connected streets, parks and open spaces and trails and the Shelburne West Secondary Plan recognizes the need to plan for these public spaces. *Development* shall provide landscaping adjacent to the public street or public sidewalk to promote an attractive landscaped transition between the public and private realm.
- c) Future land use and development proposals, as well as public works and other municipal projects, shall contribute to the establishment of balanced and integrated neighbourhoods with a mix of housing types and densities distributed among low and medium density residential areas, support retail, office and services within community commercial areas, public and community facilities, a connected network of trails and a linked parks and open space system, based on Schedule 'A1'.
- d) Buildings shall be oriented to front, face and feature public streets and intersections with articulation of street-facing building facades to provide a high quality of design, detail and variety, human-scale and pedestrian orientation, and buildings abutting residential uses should be of a similar height as the dwellings.

## 3.3 Criteria for Development

- a) All *development* shall be located in accordance with Schedule 'A1' Shelburne West Secondary Plan.
- b) When considering proposals for *development*, including permitted primary uses and secondary uses, Council shall require demonstration of the following:
  - the proposed development is in keeping with the objectives and policies of the Shelburne West Secondary Plan and will contribute to achieving the population and/or employment growth forecasts and meeting the residential targets, where applicable, of the Official Plan, and to creating a complete community;
  - the adequacy of municipal services to service the *development* in accordance with the Official Plan and a Council approved Servicing Allocation Policy and based on the servicing strategy for the Shelburne West Secondary Plan, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
  - iii) the adequacy of the road system to accommodate the increased traffic volume, with local roads and opportunities for active transportation providing efficient access to arterial and/or collector streets to minimize distances and energy

consumption for transportation to and from existing or planned community facilities such as parks, schools, the downtown core and other commercial and mixed use areas:

- iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence, and are in keeping with the conceptual street network and trails system shown on Schedule 'A1';
- v) the adequate provision of parks and recreation facilities in accordance with subsection 4.7 Open Space Recreation, and the provision of new parks and recreation facilities in keeping with the conceptual neighbourhood park locations shown on Schedule 'A1':
- vi) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vii) land use compatibility and regard for the density and character of adjacent development through appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
- viii) the proposed use implements the Town's Urban Design Guidelines and Development Standards as may be adopted by Council;
- ix) the adequate provision for access, off-street parking facilities, and buffering/screening where required:
- x) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
- xi) the proposed *development* will conserve identified heritage resources, in accordance with Section 6;
- xii) the uses will be appropriately zoned and adequately regulated by suitable provisions in the implementing Zoning By-law; and,
- xiii) the requirements of Section 7, Development Policies, have been met.

- c) Development or redevelopment of the lands adjoining or near the west limit of the downtown core shall be complementary to the planned function of the Commercial Core and Downtown Mixed Use area, and shall provide for efficient access and a high level of connectivity to the downtown core including the provision of sidewalks and community trails, pedestrian road crossings and signage;
- d) Along Main Street West and Victoria Street, *development* proposals shall address the following:
  - i) Building orientation to address the street and intersections;
  - ii) Parking areas located behind or to the side of buildings;
  - iii) Landscape treatments and building design that create an attractive and unified streetscape and a sense of entrance and arrival to the community;
  - iv) High quality design and character of *development* that contributes to the image and identity of Shelburne.

## 3.4 Residential Areas

The following policies apply to the land designated as "Low Density Residential" and "Medium Density Residential" on Schedule 'A1' in addition to the policies of subsection 4.2:

- a) Residential uses shall be primarily accommodated within the residential density designations on Schedule 'A1', with a targeted housing mix of 60% low density and 40% medium density for the Shelburne West Secondary Plan area;
- b) Development within the Low Density Residential designation shall have a gross residential density ranging between 15 units per hectare and 24 units per hectare and should not exceed 2 storeys in height;
- c) Development within the Medium Density Residential designation shall have a gross residential density ranging between 24 units per hectare and 40 units per hectare and should not exceed 3 storeys in height;
- d) Reverse-lotting of housing units and direct property access along Main Street West shall not be permitted except where permitted for existing uses and where no other access can be provided, and where the building design addresses both street frontages with façade and landscape treatments that create an attractive streetscape, and in

accordance with the permit and other requirements of the Ministry of Transportation, where applicable.

- e) Entrance features to new residential neighbourhood *development* shall be encouraged, provided that the features are landscape-related and require minimal maintenance, and are in keeping with the Urban Design policies of the Official Plan and have regard for the Town's Urban Design Guidelines.
- f) All residential *development* shall ensure appropriate orientation and massing of residential buildings to provide adequate private and public open spaces.
- g) Private garages for residential development shall not be located closer to the street than the habitable portion or porch on the main floor of the building and may be subject to maximum width and other requirements within the Town's Zoning By-law to limit the visual and streetscape impacts of garages and encourage a positive street frontage oriented to pedestrians, and shall have regard for the Town's Urban Design Guidelines.
- h) Existing industrial uses located within the Residential designations shall be permitted to continue and may be expanded within their existing sites or on land designated as Employment on Schedule 'A', in accordance with the applicable policies of the Official Plan and the implementing Zoning By-law. Prior to future redevelopment of existing industrial/brownfield sites for residential uses, the Town shall be satisfied that the land is safe for residential use, and a Record of Site Condition shall be provided. Proposed changes in land use and new *development* shall be in accordance with the applicable Residential density designation and the related permitted uses and policies of this Plan.
- i) Complete applications for development within the Residential designation shall include information to demonstrate land use compatibility with existing industrial uses, including but not limited to noise studies, and buffering shall be required to mitigate any impacts in accordance with subsection 7.13 of the Official Plan. The design, location and form of buffering to be provided shall consider need for interim mitigation measures and the potential for the redevelopment of existing industrial uses to residential.

## 3.5 Community Commercial Areas

The following policies apply to the land designated as "Community Commercial" on Schedule 'A1' in addition to the policies of subsection 4.3 of the Official Plan:

a) Where commercial development is proposed adjacent to a residential area, building setbacks, visual screening of parking areas, landscaping, fencing and other forms of buffering will be required to mitigate potential adverse effects between the uses.

- b) No open storage of goods, materials, machinery or equipment is permitted. Outside display may be permitted in accordance with the Zoning By-law.
- c) Development within the Community Commercial designation shall provide for building orientation, façade and landscape treatments that create an attractive streetscape along the north and south sides of Main Street West (Provincial Highway 89) and along any other existing or future street frontages.

## 3.6 Mixed Use – Commercial/Employment/Institutional Area

- a) Along the west side of Victoria Street, *development* shall provide for building orientation, façade and landscape treatments that create an attractive streetscape, and new property access shall be from internal public roads wherever possible.
- b) The following uses will be promoted in the Mixed Use Commercial/ Employment/Institutional Area:
  - Commercial uses that provide services to, or an outlet for products from local farms in the surrounding area, such as farmers markets, local food retailers, livestock veterinary services, light equipment retailing and services, and similar uses that support the agricultural sector;
  - ii) Institutional and public uses such as recreational and cultural facilities, schools, religious institutions, funeral homes, health and social services; and,
  - iii) Employment uses such as light manufacturing and equipment sales and service, office and business park uses, construction and service trades, training facilities and other employment uses and services;

that do not require heavy truck/heavy vehicle access, significant areas of outdoor storage, or buffering involving large separation distances from sensitive uses due to the nature of the operations.

## 3.7 Neighbourhood Parks

Potential future Neighbourhood Park locations are shown on Schedule 'A1' to illustrate the conceptual location and distribution of parkland among future residential neighbourhoods north and south of Main Street West, and related trail connections. The location of future parks should be considered approximate and will be finalized through land dedications as a condition of *development* proposals in accordance with the policies of subsection 4.7 and the following:

- a) Neighbourhood Parks shall be located, planned and designed in a manner that provides for street frontage and a high level of access and visibility, with connections to existing and future trail routes and linkages among parks, recreational and open space areas.
- b) Neighbourhood Parks shall be planned and developed alongside new residential development and shall form part of a linked public open space system providing diverse settings for a range of passive and active recreational pursuits and cultural activities, barrier-free access and use, healthy lifestyles, social engagement, and active transportation.
- c) Parkland shall be dedicated as a condition of future *development* in accordance with subsection 4.7 of the Official Plan to facilitate the establishment of new Neighbourhood Parks approximately in the locations shown on Schedule 'A1', or in alternative locations provided that the intent of this Plan is maintained.
- d) The future location of Neighbourhood Parks should take advantage of site locations that provide natural amenities and access to other public open space areas.
- e) The future location of Neighbourhood Parks should be coordinated with the location of a future school site if additional school facilities are required by the School Board(s) to service the Shelburne West Secondary Plan area.

## 3.8 Natural Environment

The following policies apply to the land shown on Schedule 'A1' as Natural Environment, in addition to the policies of subsection 4.8 of the Official Plan:

- a) Land designated as 'Natural Environment' are shown on Schedule 'A1' and are intended to be conserved in a natural state and to form part of the Natural Heritage System identified on Schedule 'E' including the maintenance and enhancement of linkages as follows:
  - i) Filling in natural area gaps via plantings of native trees and other vegetation, with species reflecting the existing conditions of the surrounding ecological communities and consideration to a combination of woodland, wetland and prairie restoration and enhancement:
  - ii) The conveyance of Natural Environment areas to the Town or other public authority for the purposes of conservation will be promoted, and these areas including required vegetative protection zones and buffers shall be reserved in a common

block and shall not be subdivided into multiple private ownerships as a result of *development* of adjoining land;

- iii) Continuous natural open space corridors along *watercourses* and between significant woodland and wetland areas shall be provided;
- iv) Restoration and naturalization along water courses may be required as a condition of *development* approvals to establish a treed riparian community, to reduce impacts of flooding and erosion, and to protect coldwater fish habitat;
- v) For Natural Environment areas conveyed to the Town or other public ownership, and through agreements with private landowners, the Town working with the NVCA may establish and implement tree plantings and other enhancement programs within and along the edges of these areas; and,
- vi) The establishment of buffers on the basis of the recommendations of the NVCA through the review of site specific Environmental Impact Studies, which shall be provided as a condition of *development*.
- b) Opportunities for *compatible* forms of public access and passive recreational uses such as trails, wildlife viewing areas, outdoor education and interpretive signage shall be encouraged within Natural Environment areas and associated buffers. Where possible, the location of Neighbourhood Parks, open space and trails will be complementary to, and integrated and coordinated with, the Natural Environment areas and associated buffers, based on Schedule 'A1'.

## 3.9 Servicing Strategy

The following policies apply to the land shown on Schedule 'A1' in addition to the policies of subsections 7.8, 7.9, 7.10 and 7.11 of the Official Plan:

- a) Full municipal services shall be required for all land use and *development* proposals that require services within the Shelburne West Secondary Plan area, except where permitted otherwise by subsection 7.8 (b) for existing uses and existing lots of record where municipal services are not available or planned.
- b) The Town will encourage the connection of existing privately serviced land to the municipal systems when a connection is made available.
- c) The provision of local services and stormwater management facilities to be assumed by the Town as part of the public *infrastructure* will be required as a condition of

development. Master Environmental Servicing Plans will be required as part of a complete application for land use and development proposals where new local services and stormwater management facilities are proposed to be assumed by the Town.

- d) The Town will update the Town-wide Master Servicing Plan and will consider the need for servicing improvements within the Shelburne West Secondary Plan area in the capital forecast and to ensure cost recovery through Development Charges for growth-related capital projects. The Town may establish an area-rated Development Charge for the Shelburne West Secondary Plan area or portions thereof to recover the growth-related capital cost of servicing improvements required to service this area. Identified priority works will be undertaken at the earliest opportunity within the financial capabilities of the Town. Front-ending agreements and Development Charges credit agreements will be utilized where possible to facilitate timely servicing improvements aligned with the phasing of development and to ensure the proper apportionment of costs among benefitting properties and developments.
- e) Services and *utilities* shall be provided in an orderly and coordinated manner that:
  - i) Provides for the phasing of *development* aligned with the availability of servicing capacity based on the *development* staging policies of the Official Plan;
  - ii) Provides for and encourages the construction and maintenance of services and *utilities* in an efficient manner while minimizing conflicts with other land uses;
  - iii) Provides for the future extension of services by developing sufficient capacity in the distribution, collection and treatment facilities to service the present and future needs of *development* in the Shelburne West Secondary Plan area;
  - iv) Protects the natural environment while providing the required services and *utilities*;
  - v) Is coordinated with public agencies in planning for and designing the multiple use of servicing and utility rights-of-way and corridors; and,
  - vi) Protects the services and *utilities* from encroachment that would constrain or increase the costs of its operation, access for maintenance, repair and future replacement, and in a manner that avoids potential risks to public health and safety and property damage.

- f) Servicing of the Shelburne West Secondary Plan area shall be based on the recommended servicing strategy in the Town's Master Servicing Plan, which will be updated from time to time.
- g) Conceptual locations for future Stormwater Management (SWM) facilities are shown on Schedule 'A1'. The location and number of future SWM facilities should be considered approximate and revised locations and/or additional facilities shall be determined through site-specific *development* applications, in accordance with the following:
  - i) The number of SWM facility locations shall be minimized wherever possible;
  - The planning and design of SWM facilities shall consider opportunities for consolidated locations and the drainage requirements for the total build-out of the site and adjoining properties based on the planned future land uses shown on Schedule 'A1';
  - iii) Stormwater Management Plans shall be required as part of a complete application for future land use and *development* proposals, and shall be prepared in accordance with subsections 7.8(c) and 7.15.11 of the Official Plan and to address the policies of this subsection, storm drainage and stormwater management issues and best management practices; and,
  - iv) Where possible, the design and location of SWM facilities shall be coordinated and integrated with Neighbourhood Park locations, trails and other public open space areas, provided the overall function of the parks, trails and open space areas and public health and safety are protected.
- h) As recommended in the Town's Master Servicing Plan, the embankment within the former rail corridor should remain in place to minimize downstream flows. Proposals to reduce the extent of the area within the Regional Floodline shown on Schedule 'E' by alteration to the embankment or culvert improvements, or to alter a municipal drain or other watercourse may only be permitted where it is demonstrated through flood modelling and an EIS that no increased risk of flooding and erosion downstream will result and that there will be no negative impacts to the Natural Heritage System and existing watercourses, to the satisfaction of the Town and the NVCA. Any culvert improvements or other alterations within the former rail corridor shall be subject to the permit and other requirements of the County of Dufferin.

# 3.10 Transportation Policies

The following policies apply to the land shown on Schedule 'A1' in addition to the policies of Section 5 of the Official Plan:

- a) The transportation system for the Shelburne West Secondary Plan area shall include a continuous and linked network of existing and future Arterial, Collector and Local Roads, on-road pedestrian and cycling facilities and trails, and shall be coordinated with the planned future land use based on Schedule 'A1'.
- b) Main Street West (Provincial Highway 89) is an Arterial Road and is under the jurisdiction of the Ministry of Transportation. *Development* located adjacent to or impacting Provincial Highways is subject to the requirements of the Ministry of Transportation and shall be subject to the policies of subsection 5.3.3. All new property access for future land use and *development* shall be from Local or Collector Roads, except where permitted by the Ministry of Transportation, or by the Town within the Connecting Link, where no other road access is available or planned.
- c) Improvements to Main Street West including, but not limited to, upgrades to an urban cross section with underground stormwater system and *utilities*, bike lanes, sidewalks and boulevards, may be required as a condition of *development* of the land on either side of Main Street West, as well as other means to create and enhance connections with the downtown core.
- d) As shown on Schedule 'A1', future intersections along the Arterial Road will be required to provide Collector Road or Local Road access to the land north and south of Main Street West (Provincial Highway 89). The number of intersections shall be minimized, and spacing between intersections shall be maximized. Intersections will be aligned with existing Local Roads (John Street) and located within the Connecting Link portion of Main Street West (Provincial Highway 89), where possible, based on Schedule 'A1'.
- e) The Town will work with the Ministry of Transportation, private property owners and developers to promote efficient connections and transportation choice and access to the downtown core from the west as part of area road improvements, including sidewalks and consideration of bike lanes, trail *development*, signage and future intersections/ pedestrian road crossings.
- f) Victoria Street is a Collector Road and is under the jurisdiction of the Town of Shelburne. Direct property access to Victoria Street shall be minimized and access to the land along the west side of Victoria Street for future land use and development will

be accommodated by future Local Roads or Collector Roads approximately in the locations shown on Schedule 'A1', where possible. Direct property access to Victoria Street may be permitted where the proposed land use or *development* will not negatively impact the Collector Road function, provided that land is reserved and dedicated to the Town for future Local and/or Collector Roads based on Schedule 'A1'.

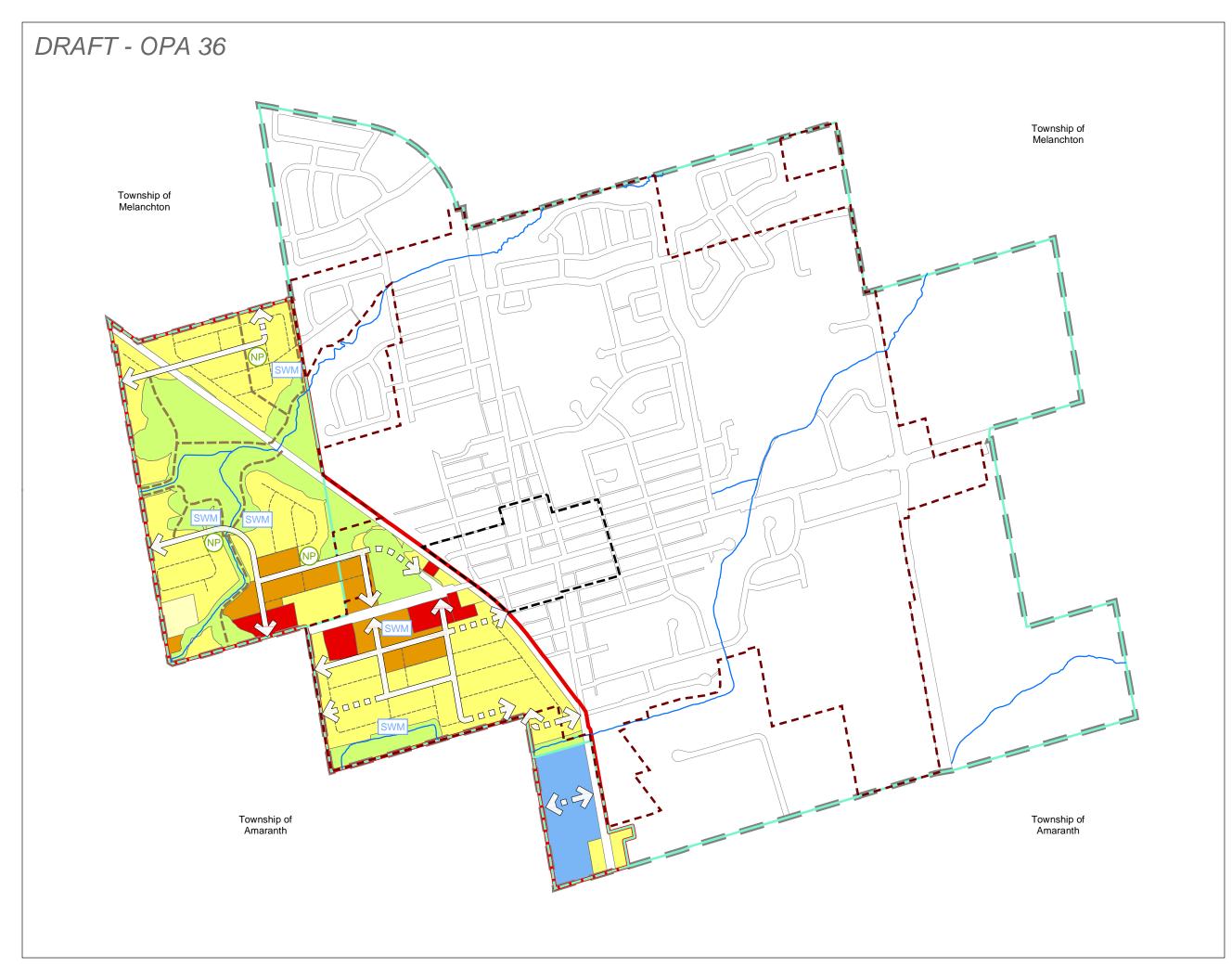
- g) The future Collector Roads shown on Schedule 'A1' shall be constructed as a local service as a condition of *development* to the Town's satisfaction and assumed by the municipality. Where a future Collector Road is shown with a dashed line on Schedule 'A1', the following policies shall apply:
  - These Collector Roads shall be provided where possible to provide connections with existing local roads and to extend and complete the other future Collector Roads shown;
  - ii) The Town may determine that these roads/connections are not required as a condition of *development* approval where it is demonstrated through Traffic Impact Studies that existing roads and/or other future roads will provide an adequate level of service to the area based on the future land uses shown on Schedule 'A1' and related traffic generation allowing for current and future background traffic volumes;
  - iii) The northerly extension of John Street as shown on Schedule 'A1' shall only be permitted on the basis of an Environmental Impact Study or Environmental Assessment demonstrating that there will be no *negative impacts* to significant natural heritage features or areas and their ecological functions and in accordance with subsection 4.2.4.2 of the Official Plan:
  - iv) The potential need for and feasibility of a westerly extension of Wellington Street shall be determined as part of any proposed change in land use or redevelopment proposal for the existing industrial use located south of Main Street West and west of the former rail corridor, and the design shall address the trail crossing and any improvements required to the existing roadway;
  - v) Notwithstanding the identification of these potential future roads/ connections shown on Schedule 'A1' as Collector Roads, these future roads may alternatively be designed as Local Roads where a Collector Road function and capacity are not required based on the anticipated traffic volumes; and,

- vi) Where it is determined that any of the potential future roads/ connections shown on Schedule 'A1' are not required, the Town may alternatively require the dedication of pedestrian and cycling pathways.
- h) The location of the future Collector Road crossing of Walter's Creek is conceptual and is not intended to reflect a chosen alignment or crossing location. The precise location of the *watercourse* crossing shall be determined through the review of future land use and *development* proposals for the affected land, and shall be based on the optimal crossing location that will minimize impacts to the *watercourse* and valleyland and address intersection spacing requirements along Fourth Line and Main Street West (Highway 89).
- i) North of Main Street West, Fourth Line is an existing Local Road under the shared jurisdiction of the Town of Shelburne and the Township of Melancthon. Fourth Line is planned as a future Collector Road to provide a transportation connection for future land use and *development* along the east side of Fourth Line to Main Street West to the south. The required upgrades to Fourth Line to an urban standard or a semi-urban standard and the location and design of any new driveway entrances and intersections with new public roads shall be determined and constructed as a condition of *development* of land that will require access to Fourth Line based on the future land uses shown on Schedule 'A1', and to the satisfaction of the Town of Shelburne and the Township of Melancthon, and in accordance with the permit and other requirements of the Ministry of Transportation, where applicable.
- j) The future westerly extension of Maple Court shall only be considered as a Local Road connection to be developed as part of a future land use and *development* proposal that comprehensively addresses the primary means of road access via a separate Future Collector Road connecting to Fourth Line and providing for a future northerly connection to a westerly extension of Col. Phillips Drive. The design of the future Collector Road shall address the trail crossing within the former rail corridor to the satisfaction of the Town.
- k) Conceptual future Local Roads are shown on Schedule 'A1' and are intended to illustrate a potential street pattern based on a modified grid, ensuring multiple access points, providing for the efficient movement of vehicles, cyclists and pedestrians, minimizing crossings of watercourses and avoiding Natural Environment areas. The precise location and alignment of future Local Roads will be determined through the review of future land use and development proposals, shall be in keeping with the intent of this policy, and shall be developed and dedicated to the Town as public roads. Street connections to existing Local Roads should be provided wherever possible.

- Conceptual future trails are shown on Schedule 'A1' and are intended to illustrate a potential west side trail network based on completing and providing connections with the existing and future trails system shown on Schedule 'C2' and establishing an expanded and connected future trails system linking residential neighbourhoods with on road routes and a future trail within the former rail corridor, Neighbourhood Parks and open space areas, the downtown core and other commercial areas, and to provide recreational amenities and convenient active transportation routes for pedestrians and cyclists. The precise location and alignment of future trails will be determined through the review of future land use and development proposals, shall be in keeping with this policy, and shall be dedicated to the Town as pedestrian and/or cycling pathways as a condition of development.
- m) Any future road crossings, trail *development* or other works within the former rail corridor shall be subject to the permit and other requirements of the County of Dufferin.

## 3.11 Implementation

The Shelburne West Secondary Plan will be implemented through zoning, plans of subdivision and condominium, severances, zoning by-laws and site plans where applicable, in accordance with the implementation policies of Section 8 of the Official Plan.



## TOWN OF SHELBURNE OFFICIAL PLAN

## **SCHEDULE 'A1'**

## SHELBURNE WEST SECONDARY PLAN

## **Land Use Designations**

Low Density Residential

Medium Density Residential

Community Commercial

Mixed Use - Commercial / Employment / Institutional

Employment

Institutional

Natural Environment

Potential Neighbourhood Park Locations

Potential SWM Facility Locations

## **Urban Structure Boundaries**

Shelburne West Secondary Plan

--- Downtown Core

**--** Built Boundary

Urban Area

Town Boundary

## **Base Features**

Watercourses

Existing Trails

--- Future Trails

Future Collector Street

---- Future Local Street

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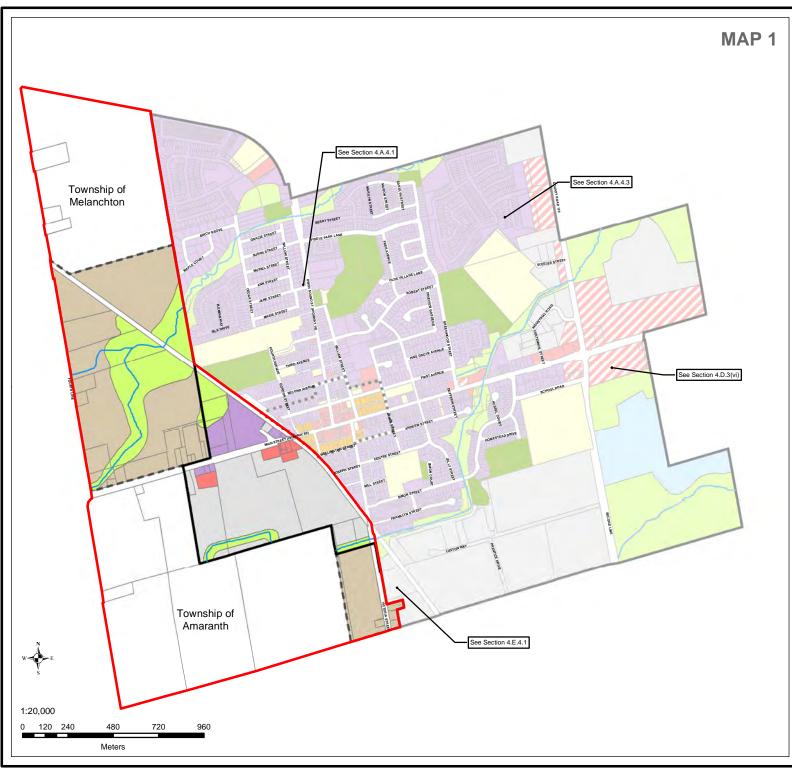
Restrictions under the Municipal Freedom of Information and Protection Privacy Act, RSO 1990, M56, Part II, may apply if your municipality is

Privacy Act, RSO 1990, M56, Part II, may apply if your municipality is contemplating the release of data collected. Please consult with your lawyer for advice.

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## TOWN OF SHELBURNE OFFICIAL PLAN SCHEDULE 'A'

LAND USE PLAN



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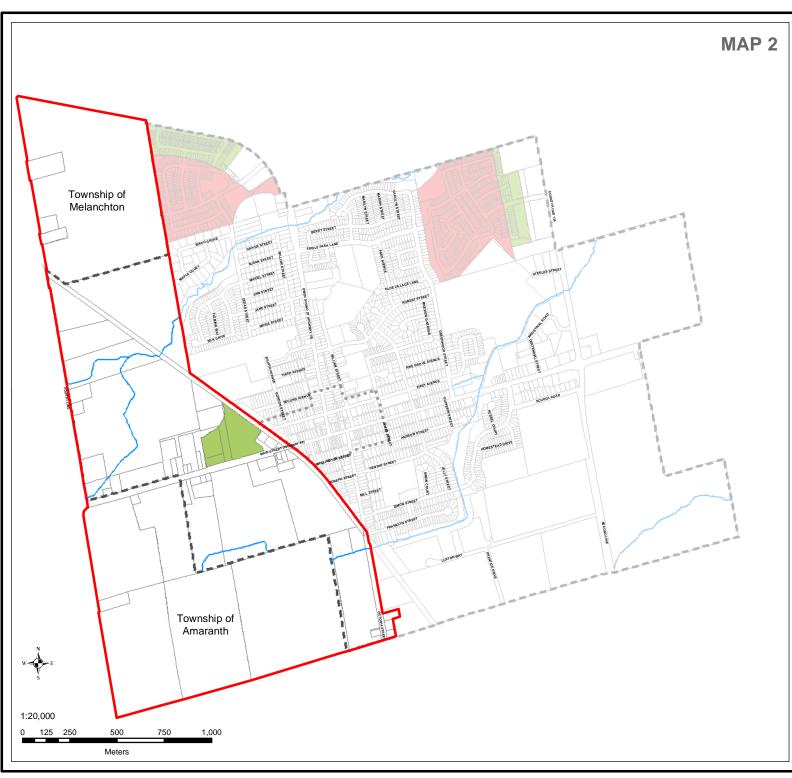
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## **TOWN OF SHELBURNE OFFICIAL PLAN SCHEDULE 'A1'**

DEVELOPMENT STAGING PLAN

**Development Stages** 

Stage 1

Stage 2

West Side Study Area

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## MAP 3 Township of Melanchton Township of Amaranth 1:20,000 125 250 1,000 Meters

## TOWN OF SHELBURNE OFFICIAL PLAN SCHEDULE 'B'

RESIDENTIAL DENSITY PLAN

## Density

24 SINGLE DETACHED, SEMI DETACHED, DUPLEX

37 SINGLE DETACHED, SEMI DETACHED, MULTIPLE DWELLING

86 SINGLE DETACHED, SEMI DETACHED, MULTIPLE DWELLING

West Side Study Area

• • • • CBD (Central Business Ditrict)

Property Fabric

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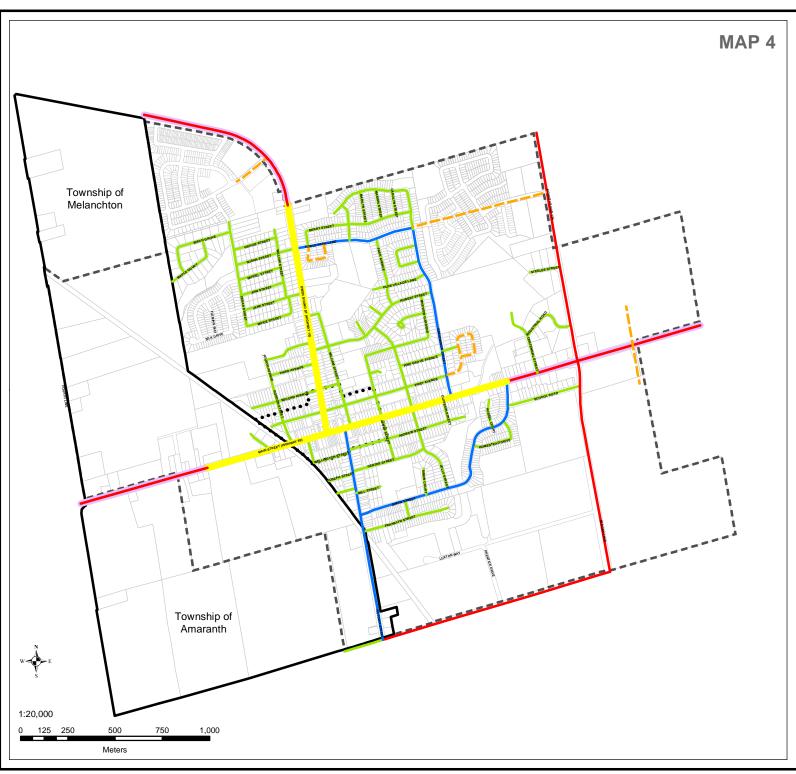
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## TOWN OF SHELBURNE OFFICIAL PLAN SCHEDULE 'C'

ROADS PLAN



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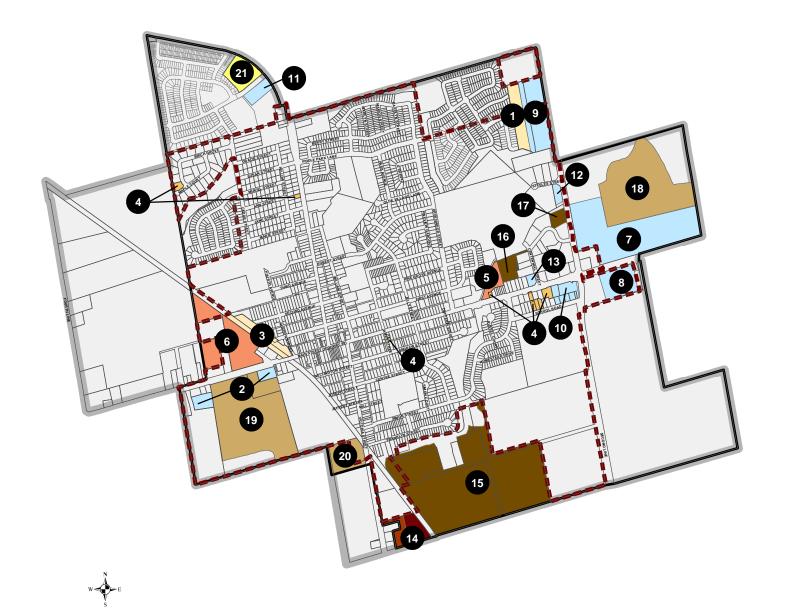
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Last Updated 15/06/2015

**DRAFT** MAP 5



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720

960

## **TOWN OF SHELBURNE**

## LAND INVENTORY

## Legend

## **Residential Land Inventory**

Planned Residential Development (Registered/Draft Approved/Proposed)

Existing Vacant Lots & Infill Potential

Vacant Residential Land

## **Commercial Land Inventory**

Planned/Potential Commercial Development

## **Industrial Land Inventory**

Planned Industrial Development

Planned Industrial Development Future Phases

Serviced Industrial Land Available for Development

Other Vacant Industrial Land (requires extension of services)

## Institutional Land Inventory

Vacant Institutional Land (requires extension of services)

Urban Area

Built Boundary

Existing Lots

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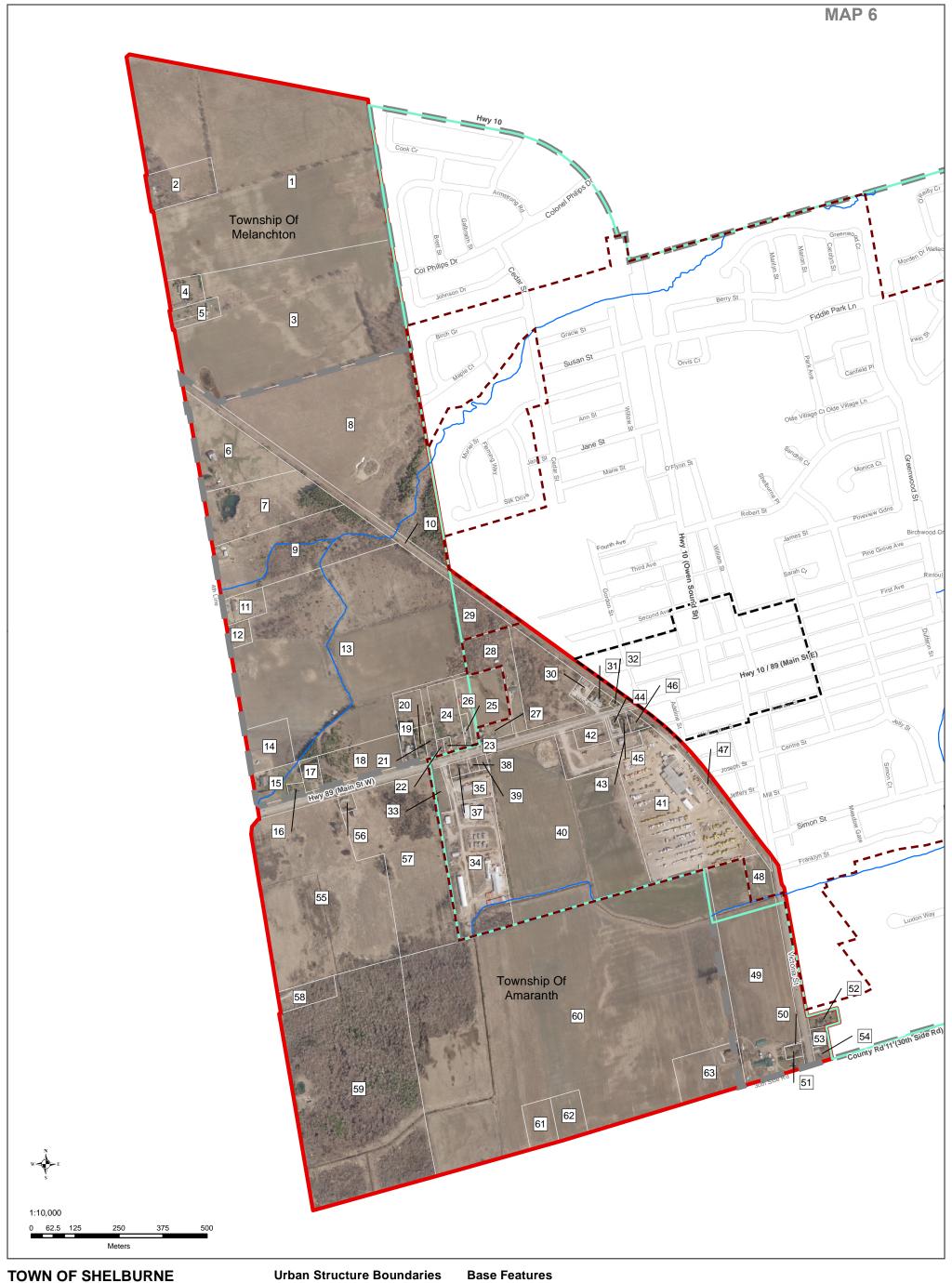
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## SHELBURNE WEST **SECONDARY PLAN**

## **EXISTING LAND USE CONTEXT**

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Last Updated 30/11/2015

**Existing Lots** 

# See Property Inventory

West Side Study Area

Downtown Core

**Built Boundary** Urban Area

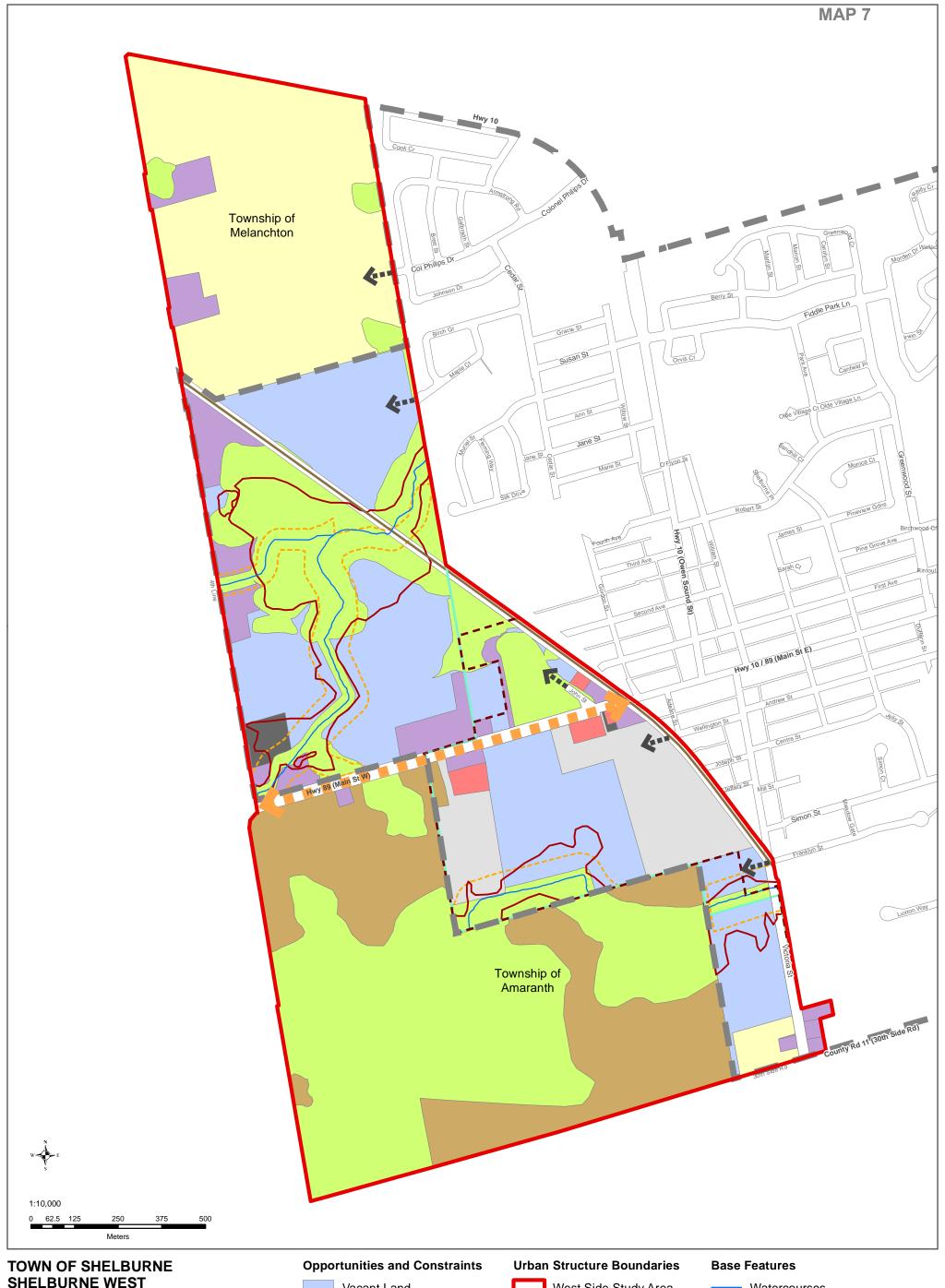
**Town Boundary** 

## **Base Features**

Watercourses

Streets, Lanes, and Corridors





## SHELBURNE WEST **SECONDARY PLAN**

## **OPPORTUNITIES & CONSTRAINTS**

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Vacant Land Residential Commercial **Employment** Rural

Agricultural

Utility

Natural Environment Potential Road Connections Main St Corridor

West Side Study Area --- Downtown Core - - Built Boundary

Urban Area

Town Boundary

## **Natural Hazard Boundaries**

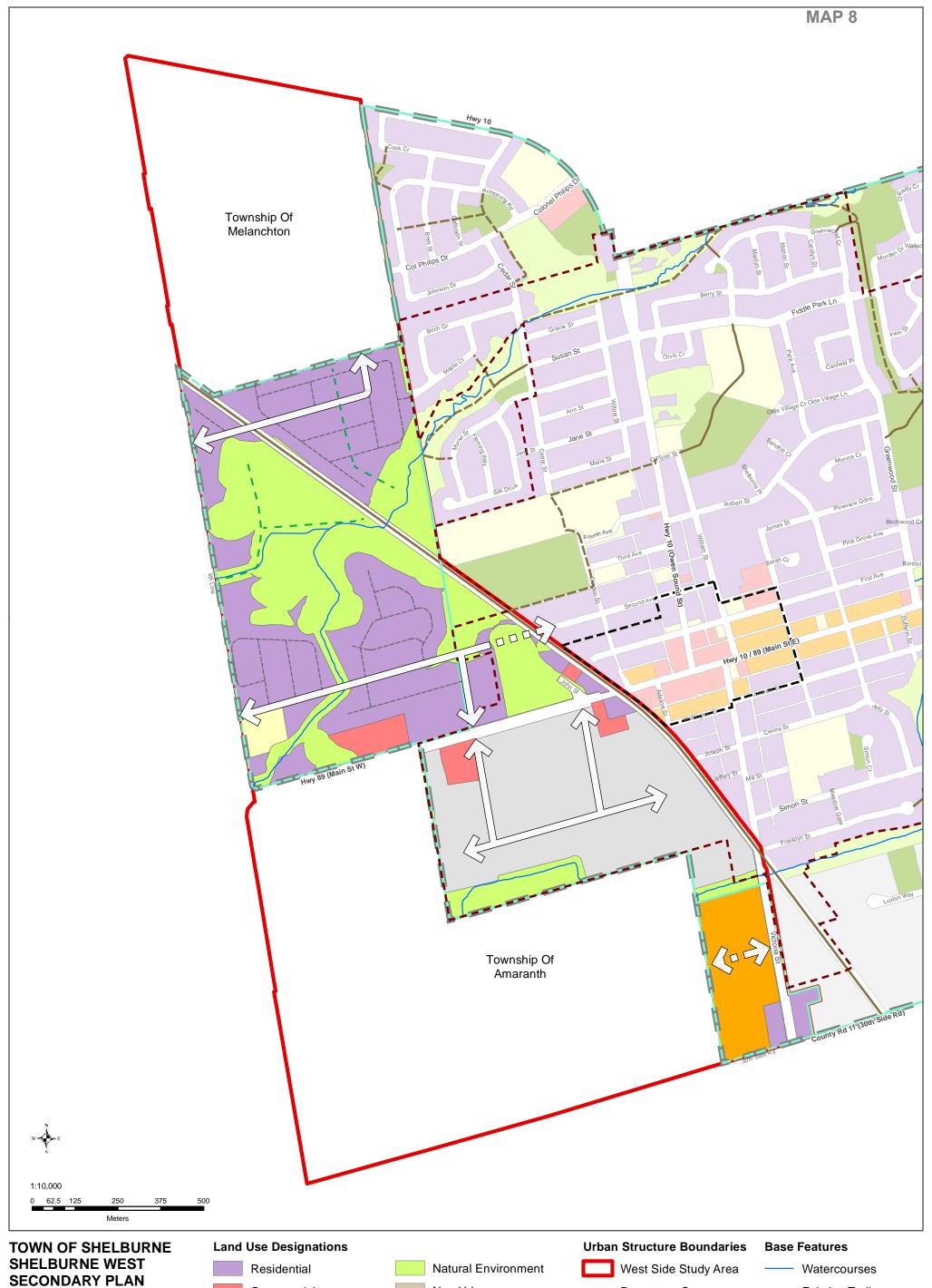
Regional Floodline **Erosion Limit** 

 Watercourses Streets, Lanes, and Corridors

**Existing Trails** 

--- Future Trails





## LAND USE CONCEPT 1

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Commercial

Mixed Use Employment Institutional

SWM Open Space Recreation

## Non Urban

Special Tourism Potential Neighbourhood Park Locations

Potential SWM Facility Locations

--- Downtown Core

--- Built Boundary Urban Area

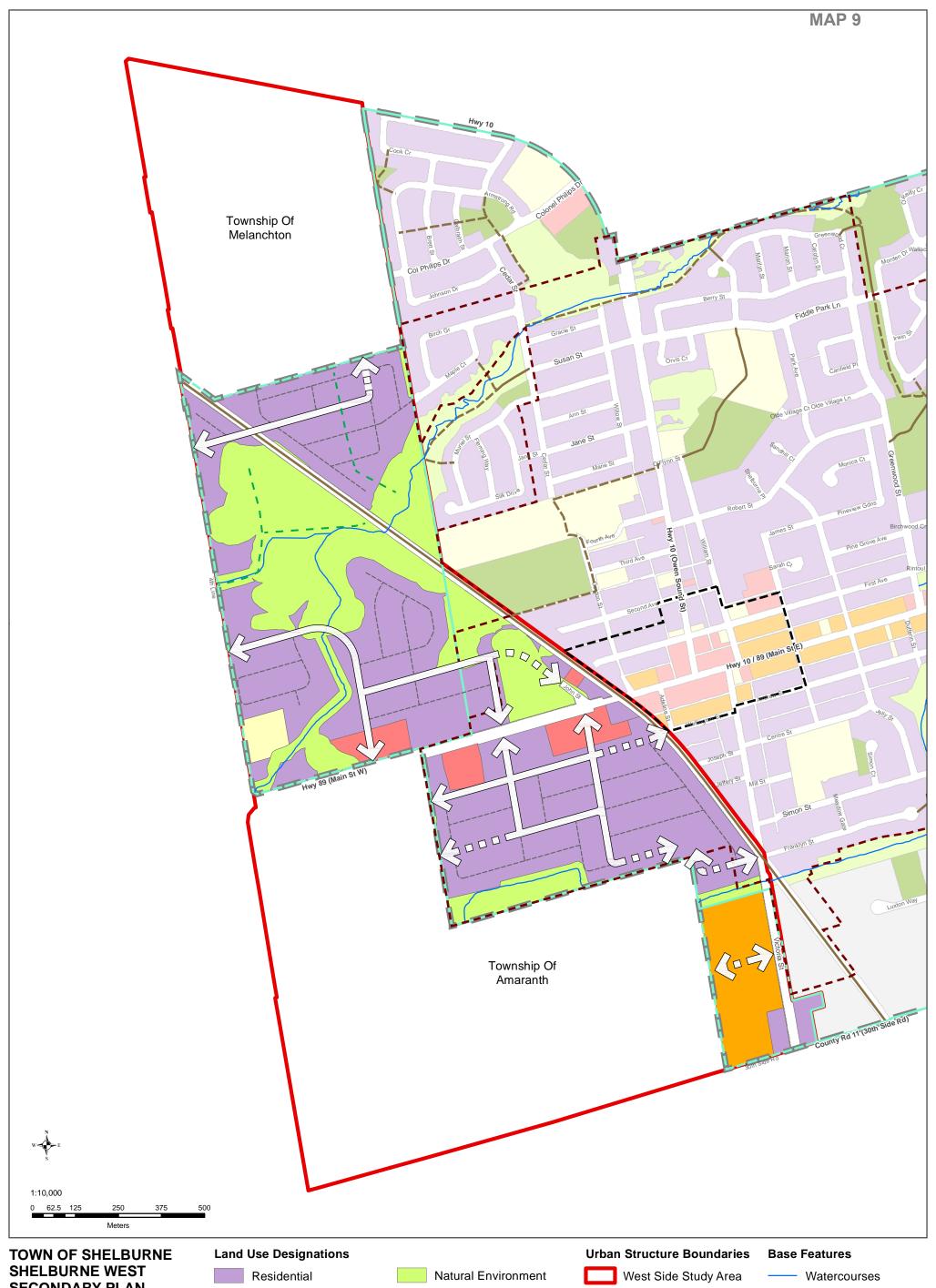
Urban Area Expansion Town Boundary

Existing Trails --- Future Trails

\_\_\_\_ Future Collector Street

**Future Local Street** 





## **SECONDARY PLAN**

## LAND USE CONCEPT 2

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Commercial Mixed Use

Employment Institutional

Potential Neighbourhood Park Locations Potential SWM Facility SWM Open Space Recreation Locations

Non Urban

Special Tourism

**---** Downtown Core

--- Built Boundary Urban Area

Urban Area Expansion Town Boundary

Existing Trails

--- Future Trails

\_\_\_\_ Future Collector Street

**Future Local Street** 



## NOTIFICATION FOR MAINTENANCE AND REPAIR \_\_\_\_\_\_\_ SECTION 79. THE DRAINAGE ACT. 1000

****	DECITOR /	9, THE DRAHVAGE ACT, 1990
		Date: Dec 7/15
The Mayor and Coun Township of		
serve notice following landrainage work	ds and that it	Municipal Drain, herewith ion of said drainage works injuriously affects the is herewith respectfully requested to have the said proved, extended or altered, if necessary, under the
Lot	Con.	Signature of Owner
33	4 NE	<u>-</u> .
<u> </u>	And the second s	

#### Mulmur/Melancthon Fire Board c/o 758070 2<sup>nd</sup> Line East Mulmur, Ontario L9V 0G8

December 8, 2015

Melancthon Township Council

Mulmur Township Council

Re: 2016 Operating and Capital Budgets

At our December 7, 2015 Mulmur-Melancthon Fire Board meeting, the Board passed the following motion with respect to the 2016 budgets:

Moved by Hayes Seconded by Webster

That the Board approve the 2016 draft budget in the amount of \$198,204 (operating) and \$116,372 (capital) as presented, and forward a copy of the approved budget to both Township Councils for their approval. Motion Carried.

Attached is a copy of the budget for your consideration.

Karen Deudsmitoch

Respectfully,

Karen Davidson-Lock, A.M.C.T.

**Board Secretary** 

Phone: 705-466-3341 x 234

Fax: 705-466-2922

Email: kdavidsonlock@mulmur.ca

Enclosure

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<u>CAPITAL BUDGET</u>							Board Motion		
								to	Approve
NAME (1997)	ı	Nove	mber 30th		The same of the sa	1	st DRAFT	Dec	ember 7/15
CAPITAL REVENUE		2015 ACTUAL		2015 BUDGET		2016 BUDGET		2016 BUDGI	
02-1094-4140 MM FIRE-CAP REVENUE MELANCTHON		\$	35,000	\$	35,000	\$	45.000	Ś	45,000
02-1094-4240 MM FIRE-CAP REVENUE MULMUR		\$	35,000	\$	35,000	Ś	45,000	Ś	45,000
02-1094-4300 MM FIRE-TSFR FROM CAPITAL RESERVES		\$	*	\$	50,000	\$	26,372	\$	26,372
Total Capital Revenu	e ;	\$	70,000	\$	120,000	\$	116,372	<u> </u>	116,372
CAPITAL EXPENSES				****					
02-1094-5128   MM FIRE CAPITAL PURCHASES (TSFR IN FROM CAP RES)		\$	64.746	Ś	15,000	\$	26,372	ς	26,372
02-1094-5300 MM FIRE TSF TO CAPITAL RESERVES		<u>.</u> S	70.000	\$	70,000	\$	90,000	ς .	90,000
02-1094-5200 MM FIRE CAPITAL LOAN (TSFR IN FROM CAPITAL RESERVES)		\$		- <u>`</u> -	35,000		30,000	<u> </u>	20,000
	3	\$	134,746	\$	120,000	\$	116,372	\$	116,372
Capital Surplus (defici	3	<u> </u>	(64,746)	Ś	:-	\$		S	



# Shelburne & District Agricultural Society P.O. Box 1112 Shelburne, ON L9V 3M2 info@shelburnefair.com

December 2, 2015

Township of Melancthon 157101 Highway 10 Melancthon, Ontario L9V 2E6

Mayor and Council:

RE: 149<sup>TH</sup> Shelburne Agricultural Society Fall Fair COUNTRY ROOTS AND RUBBER BOOTS

The Board of Directors of the Shelburne & District Agricultural Society is pleased to announce the 149<sup>th</sup> Fall Fair is being held on September 16, 17 and 18, 2016.

The theme for the 2016 fair is Country Roots and Rubber Boots. That theme aligns with the Mission Statement of the Fair Board which is "is to promote the importance of agriculture generally through educational displays and competitions."

Dufferin County was founded on and build by agriculture and farming families and is still very much focused on agriculture. Dufferin's gross farm receipts grew from just under \$104 million in 2006 to over \$131 million in 2011 according to the 2011 Census of Agriculture.

The annual fair provides a very real bridge between urban and rural folks, particularly for children who are now two or three generations removed from growing up on a farm. In particular the Agri-cation Centre provides an opportunity for youth to interaction with live farm animals. The horse pulls and antique farm equipment show a way of life that many in our society are very far removed from.

The fair attracts hundreds of people over the three day event and is run entirely by volunteers. With an aging population, volunteer capacity is a challenge and every year it seems the board has to hire out what they were able to previously complete on their own.

Melancthon Township has been very generous in their support of the fair in previous years. The Board is asking that you make a \$500.00 contribution toward costs of the 2016 fair such as:

- Permanent fencing (eliminating the need to rent)
- Rental table/chairs/tents
- Security
- Sound system
- Signage
- Other expenses

Here is a link to our website which showcases some of the upcoming events at the 2016 fair. <a href="http://www.shelburnefair.com/">http://www.shelburnefair.com/</a> that we would ask you to link on your municipal website as an upcoming local event.

Thanks again and "see you at the fair"!!

Yours truly

Bruce Peterson
Bruce Peterson, President

#### **Denise Holmes**

From: Gord Gallaugher < treasurer@shelburnelibrary.ca>

Sent: Tuesday, December 01, 2015 4:59 PM

To: 'Amaranth - Susan Stone'; 'Melancthon - Denise Holmes'; 'Mono - Les Halucha';

'Mulmur - Terry Horner'; 'Rose Dotten'; 'Shelburne - Carol Sweeney'; 'Shelburne - John

Telfer'

Subject:Shelburne Public Library 2016 BudgetAttachments:2016 budget November BoD approved.xlsx

At the November meeting of the library board, the attached budget was passed and directed that it be forwarded to member municipalities for inclusion in their 2016 budgets. Your board members will be able to answer most questions about it. If you wish you may also direct questions to myself.

Gord Gallaugher, Treasurer treasurer@shelburnelibrary.ca



Shelburne Public Library 201 Owen Sound Street Shelburne ON L9V 3L2 519-925-2168 www.shelburnelibrary.ca

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#### SHELBURNE PUBLIC LIBRARY DRAFT 2016 BUDGET Board Oct Mtg

		-			
	Actual 14	Budget 15	Projected 2015	Budget 2016	change vs 2015 bud
Income					
2015 surplus/deficit carry forward				0	
Rental - Facility	6,040	4,000	4,200	5,000	
Program Income	938	1,500	1,500	1,500	
Provincial Operating Grant	6,283	6,283	6,283	6,283	
Government Grants (Capacity Bldg Grant 2014)		3,335	3,335	3,335	
Government Grants Seniors		-	3,757	500	
Government grants Capacity Bldg 2015			2,777		
Summer Student Grants	3,748	3,000	3,740	3,500	
Library Sales & Services & books	6,709	5,500	5,600	5,600	
Miscellaneous Income	73	100		100	
Interest Income		250		0	
Donations	12,644	10,000	5,150	5,500	
Silent Auction Income	2,736	3,000	1,500	2,000	
Donations for special projects			1,350	·	
Fotal Income	39,171	36,968	39,192	33,318	
Reserve					
Transfer from Database reserve	6,775	742	742		
transfer from collections reserve	9,788	10,000	10,000	10,000	
transfer from special projects	3,100	10,000	10,000		
				2,000	
transfer from computer reserve			7,571	2,000	
Transfer from Operating Reserve Transfer from Building Fund reserve		7,000	0	5,000	
Transfer from Building Fund reserve	40 =00	17,000	16,350	5,000	
	16,563	34,742	34,663	24,000	
Total Income and Reserve Change	55,734	71,710	73,855	57,318	
Municipal Contribution					% change
Amaranth	35,438	36,552	36,552	37,810	3.44
Melancthon	44,299	45,691	45,691	47,263	3.44
Mono	24,366	25,132	25,132	25,997	3.44
Mulmur	23,258	23,989	23,989	24,814	3.44
Shelburne	149,502	154,201	154,201	159,508	3.44
Special project (childrens library)			45,650	4,350	Mulmur 2015 sha
	276,863	285,565	331,216	299,743	
	000	<b>A</b>			
total income plus reserve change plus municipal	332,597	357,275	405,071	357,061	
Budget Summary Estimated Total Expenses & Reserve change	332,399	357,275	AGE OGG	252.740	
	•	=	405,062	352,710	
Estimated Total Income & Reserve change	55,734	71,710	73,855	57,318	
Amount to be Raised by Municipal Contributions	276,665	285,565	331,207	295,392	

### SHELBURNE PUBLIC LIBRARY DRAFT 2016 BUDGET Board Oct Mtg

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	Actual 14	Budget 15	Projected 2015	Budget 2016		change vs 2015 budge
Expense						<u> </u>
Elevator	4,352	4,300	4,765	4,800		
Collection Purchases	50,360	45,000	53,000	45,000		
Program Expense	4,628	5,000	5,000	5,000		
Utilities and Telephone	13,289	15,000	15,000	15,000		
Maintenance	23,957	13,000	17,500	16,500		<u> </u>
Insurance	9,243	9,500	9,813	10,000		
Payroll Expenses	175,613	192,500	192,500	196,300		
Supplies	7,318	9,000	10,000	10,000		
Advertising & Promotion	1,588	1,800	1,800	1,800		
Licenses and Memberships	670	700			шш	
Accounting Fees	4,600	4,700	400			<u> </u>
Bank charges	304	285	4,750 285	285	Ш	
Professional Development	1,054	2,500	2,500	2,500	Ш	
Employee travel	- 1,004	500	2,500 575	2,500 575		
Honorariums/Memoriam	200	300	200			<u> </u>
Furniture & Equipment	200	500	500	200		
Miscellaneous / HST unreimbursed	1,160	845	1,200	500		
Web site	750	845	1,200	900		
Computers - operating	2,394	2,000	500	1,000		<u> </u>
Database Expense (KOHA)	6,755	7,000		1,000		
total operating expense	308,235		5,200	5,200		
total operating expense	300,235	315,275	327,333	321,860		
computers capital	7,571		9,571	2,000	Ш	<u> </u>
Capital expense		17,000	48,158	5,000		
total capital costs	7,571	17,000	57,729	7.000		
Total Expenditure	315,806	332,275	385,062	328,860		
23000	actual 2014	budget 2015		320,000 budget 2016	Ш	
Reserve	BOIGE 2014	Dudget 2015	proj 2015 i	budget 2016		
Transfer interest income to reserve	_					<del>_</del>
Computer Replacement Fund (reserve)	2,000	2,000	2,000	2,000		
Lifecycle costing (reserve)	10,000	10,000	10,000	10.000		
transfer to buuilding reserve (re Childrens lib)	13,000	10,000	10,000	4,350		
Transfer to collection from Donation & silent auction	, -	9,000	6,650	7,500		
Transfer to the Special Projects (reserve)	4,593	4.000	1,350	7,500		
Transfer to operations (surplus)		7,000	1,550	0		ol
Total Reserve Transfer	16,593	25,000	20,000	23,850		
Total Expenses & Reserve Change	332,399	357,275	405,062	352,710		
Net Income or Loss	198	0	9	1		
	1	<del>                                     </del>			##	

#### **Denise Holmes**

From:

Darlene Noakes <darlene.noakes@caledon.ca>

Sent:

Friday, November 20, 2015 3:59 PM

To:

Carey deGorter; Denise Holmes, Melancthon; Heather Boston, Mulmur; Heather Foster; Heather Haire; Jane M. Wilson, Grand Valley; John Telfer, Shelburne; Karen Canivet, Amaranth-East Garafraxa; Keith J. McNenly, Mono; Ken McGhee; Nicole Shearman; Pam Hillock, Dufferin County; Patti Hossie, Shelburne; Peggy Tollett; Sue Stone, Amaranth-East Garafraxa; Susan Greatrix, Orangeville; Terry Horner, Mulmur; Vern Douglas,

Orangeville; Walter Benotto; Wendy Atkinson, Melancthon

Subject:

POA Budget 2016

Attachments:

2016 Dufferin Orangeville POA Budget.xlsx

Hello Everyone,

Please find attached the proposed budget for 2016.

Let me know if you have any questions.

Thanks Darlene

Darlene Noakes
Court Services Manager
Provincial Offences Caledon/Dufferin

Town of Caledon 6311 Old Church Road Caledon, ON L7C 1J6 1.888.225.3366 905.584.2272 x4119

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count Description	2015 Budget	Budget Changes	2016 Base	Total 2016
		Transfers	Budget	Budget
eneral Governance & Admin	<u> </u>	<u> </u>	.	
47270 POA - Orangeville				
Revenue				835,40
Collection Revenue	0.00	0.00	0.00	280,000.00
Recovery for Expenses				
estimated gross revenue				1,115,409.0
05-05-425-47270-930-50595 Caledon/Dufferin Mgmt Fee	(628,864.00)	0.00	(628,864.00)	(592,838.0
	(628,864.00)	0.00		(592,838.00
sur morrow with the above the commence and a survey of a survey of a survey of a survey of the surve	[020,004.00)	0.00	1020,004.00)	1332,636.00
Expenses				
05-05-425-47270-930-61510 Salaries-Permanent	263,183.00	(63,627.00)	199,556.00	209,405.0
05-05-425-47270-930-61513 Benefits-Permanent	79,517.00	(20,012.00)	59,505.00	64,152.0
05-05-425-47270-930-61520 Wages-Casual Temporary	28,600.00	0.00	28,600.00	29,000.0
05-05-425-47270-930-61523 Benefits-Casual Temporary	5,940.00	0.00	5,940.00	6,209.0
05-05-425-47270-930-62010 Legal Forms	6,500.00	0.00	6,500.00	6,500.0
05-05-425-47270-930-62011 Office Supplies	5,000.00	0.00	5,000.00	5,000.0
05-05-425-47270-930-62119 Maint & Repairs-Computers	24,000.00	0.00	24,000.00	26,910.0
05-05-425-47270-930-62244 Bank Charges	18,000.00	0.00	18,000.00	19,000.0
05-05-425-47270-930-62306 Publications	500.00	0.00	500.00	500.0
05-05-425-47270-930-62308 Court & Transcript Fees	500.00	0.00	500.00	500.0
05-05-425-47270-930-62310 Training/Development/Seminars	2,000.00	0.00	2,000.00	2,000.0
05-05-425-47270-930-62311 Memberships/Dues	425.00	0.00	425.00	425.0
05-05-425-47270-930-62314 Mileage	500.00	0.00	500.00	500.0
05-05-425-47270-930-62315 Printing & Advertising	300.00	0.00	300.00	300.0
05-05-425-47270-930-62321 Rental-Facility	12,000.00	0.00	12,000.00	12,000.0
05-05-425-47270-930-62335 Contracted Services	109,390.00	0.00	109,390.00	119,150.0
05-05-425-47270-930-62375 Meeting Expenses	300.00	0.00	300.00	300.0
05-05-425-47270-930-62392 Witness Reimbursement	1,500.00	0.00	1,500.00	1,500.0
05- <b>0</b> 5-425-47270-930-62395 Interpreter Fees	9,000.00	0,00	9,000.00	9,000.0
05-05-425-47270-930-62396 Mobile Phones / Pagers	7,650.00	0.00	7,650.00	7,650.0
05-05-425-47270-930-62416 Interdepartmental Charges	54,059.00	0.00	54,059.00	72,837.0
Total Expenses	628,864.00	(83,639.00)	545,225.00	592,838.00
tal General Governance & Administration - Dufferin Orangeville	0.00	(83,639.00)	(83,639.00)	0.00

ſ	\$36,400.00	Fee for collection. Average 1st placement rate of new RFP is 13% - recoverable in collection revenue							
	\$6,000.00	Neopost Leasing for Postal Machine (\$1,800.00) Postage (\$4,200.00)							
	\$4,800.00	.00 Payticket Transaction Fee - fee for online payments							
ı	\$4,600.00	.00 Contract Services Other (Data Group NFDD, other) *Notice of Fine and Due Date Group Mailing							
	\$1,400.00	.00 Audit as per prior year invoice							
	\$2,600.00	Secured Deposit Pick Up Corporate RFP							
	\$1,500.00	Liberty Software Agreement Support Fee (court recording)							
	\$1,200.00	.00 CAMS Software Agreement Support Fee (collections)							
	\$53,000.00	.00 Adjudication (Justice of the Peace) based on average invoice from MAG average mag invoice b	ased on (\$300 hour) 33% increase						
	\$4,650.00	.00 Part 3 MAG Prosecution based on average invoice from MAG average mag invoice b	ased on (\$109 hour)						
	\$3,000.00	.00 MAG Monitoring and Quality Assurance advised by MAG to be	increasing not imposed as yet						
•		* charges based on 42	weeks (10 week proposed closure)						

\$119,150.00