

**OFFICE CONSOLIDATION OF THE
OFFICIAL PLAN OF
THE TOWN OF WHITCHURCH-STOUFFVILLE
PLANNING AREA**

Adopted by the Town of Whitchurch-Stouffville Council on September 5, 2000

Approved by the Region of York, Subject to Modifications, on March 20, 2001

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This edition is for the purposes of convenience. For accurate reference, recourse should be made to the original approved documents.

This consolidation includes all Official Plan Amendments up to and including 160, unless noted otherwise.

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1. INTRODUCTION

1.1 PURPOSE

The Official Plan for the Town of Whitchurch-Stouffville establishes a general framework for the future planning of the municipality. In particular, the Plan provides:

- i) an overall vision, principles and objectives; and,
- ii) policies and implementation approaches to guide decision making by the Town with respect to the natural environment, land use, community services, social and cultural matters and development review.

The Plan also incorporates detailed policies for each community within the Town.

1.2 OFFICIAL PLAN ORGANIZATION

This document consists of two major components:

- i) Sections 1-9, THE OFFICIAL PLAN, which is primarily applicable to the rural/agricultural area of the municipality. These sections include the vision, principles and objectives, as well as the policies and schedules for this part of the Town; and,
- ii) Sections 10-13, THE SECONDARY PLANS, which consist of detailed plans for the communities of Stouffville and Ballantrae-Musselman Lake, the Gormley Industrial Area and the Vandorf-Preston Lake Area.

The provisions of the Secondary Plans for Stouffville, Ballantrae-Musselman Lake, Vandorf-Preston Lake Area, and Gormley prevail over the provisions of the Official Plan in the event of any conflict.

The appendices also include excerpts from the *Oak Ridges Moraine Conservation Act* and the *Oak Ridges Moraine Conservation Plan* which are referenced in the text of the Official Plan. These appendices are intended to assist in the interpretation of the policies of the Official Plan which are related to the Moraine.

1.3 BASIS

1.3.1 Planning Framework

The Official Plan is based on a range of background studies, municipal policies and guidelines such as the Growth Management Strategy and Leisure Services Master Plan, and public input at all stages of the preparation of the Plan. It also includes four Secondary Plans which had been previously adopted by Council and approved by the Province or the Region as required.

In addition, the Plan has been prepared within a framework of Provincial and Regional policies and guidelines including:

- i) The Provincial Policy Statement;
- ii) The Oak Ridges Moraine Conservation Plan;
- iii) The Rouge Park Management Plan;
- iv) The Region of York Official Plan;
- v) Toronto Region Conservation Authority (TRCA) Valley and Stream Corridor Management Program; and,
- vi) The Holland River Watershed Plan.

Certain key conclusions and assumptions regarding the future of the Town have been developed based on the background studies. These form the basis for the Official Plan and are outlined below.

1.3.2 Existing Community Structure

The Town's existing community structure is illustrated on Figure 1 and its most significant features are described below:

- i) The Town of Whitchurch-Stouffville is part of the Greater Toronto Area and is located in the Region of York, one of the fastest growing areas in Canada. As a result, the Town is subject to pressures for urban development in and adjacent to communities such as Stouffville. There are also demands for development in the rural/agricultural area where the pressure is for the location of land intensive uses (e.g. cemeteries, recreation uses) and non-farm residential development, including estate lots.
- ii) Agriculture is still a dominant land use and is supported by large areas of prime agricultural land in the south, northwest and northeast portions of the Town. The dominance of the land use is despite:
 - a) a highly fragmented lot pattern, particularly in the central portion of the municipality where a significant number of estate and non-farm residential lots have been created; and,
 - b) numerous land intensive urban fringe uses including golf courses, plant nurseries, cemeteries and other similar uses.
- iii) The Town also includes many environmental features. This reflects the fact that a large part of the municipality is located in the Oak Ridges Moraine and/or the Rouge River watershed. A Natural Features + Greenlands Study carried out for the Town has identified a Greenlands System which includes wetlands, Environmentally Significant Areas, Areas of Natural and Scientific Interest, forested areas, and cold and warm water fisheries, and major groundwater recharge/headwater areas. However, within the Oak Ridges Moraine, the Greenlands System reflects the directions in the Oak Ridges Moraine Conservation Plan.
- iv) The aggregate industry is also strong, with significant existing pits and areas of aggregate potential.
- v) The rural/agricultural/environmental area is balanced by Stouffville which is a fully serviced urban community with a diverse range of residential, employment,

commercial and institutional uses. There are also the four smaller settlement areas of Ballantrae-Musselman Lake, Vandorf-Preston Lake, Bloomington and the Gormley Industrial Area which are dispersed throughout the rural/agricultural/environmental area.

1.3.3 Growth Management

1.3.3.1 Population and Employment

The Official Plan, and the Town's 2013 Growth Management Strategy, are based on the following forecasts:

i) Population

The population of Whitchurch-Stouffville is forecast to grow from 39,400 in 2011 to 60,600 by 2031.

ii) Employment

Total employment is forecast to grow from 12,600 in 2011 to 23,000 by 2031.

1.3.3.2 Distribution of Growth

The Official Plan, and the Town's Growth Management Strategy, are based on the following assumptions regarding the distribution of future growth in the community:

- i) The focus of population and employment growth in the Town will continue to be the Community of Stouffville;
- ii) The other area in the Town where some moderate population growth will occur is the Ballantrae-Musselman Lake Community. Additional employment growth will be located on the lands in the Gormley Industrial Area and in the designated "ORM Employment Area", "Employment Area", and "Potential Employment Area" on Schedule "G" in the Vandorf Preston Lake Secondary Plan;

- iii) The balance of the Town will remain rural/agricultural/environmental in character and is not likely to see significant growth. The only exception is the community of Vandorf-Preston Lake where additional growth may occur in accordance with the Vandorf Preston Lake Secondary Plan.

1.3.4 Assumptions

Certain key assumptions underlie the Official Plan:

- i) Servicing

The form of development permitted in the rural/agricultural/environmental area will generally only require individual private sewage disposal and water supply systems. However, where new multiple lot/unit development is proposed, or in areas of groundwater contamination, or where other health problems develop, the Town shall give consideration to the use of communal sewage and water systems. The type of servicing in the individual communities will be established in the Secondary Plans.

- ii) Transportation

The existing arterial and collector road system, with any improvements required to serve development in the Secondary Plan areas, will be largely sufficient to service additional development in the rural/agricultural/ environmental area.

- iii) Recreation

The majority of the active public recreation facilities (e.g. baseball diamonds, swimming pools) required to service the needs of the residents in the rural/agricultural/ environmental area will be located in the Secondary Plan areas. Notwithstanding this fact, it is recognized that regional and natural facilities, such as trail systems, which are primarily passive in nature will be located in the rural/agricultural/environmental area. The development and/or expansion of the trail systems will be undertaken in consultation with landowners and the public at large. Further, a number of private recreation facilities, by their nature, will locate in the rural area (e.g. golf courses, shooting ranges, summer camps) subject to the policies of this Plan.

iv) Housing

Because of the limitations on servicing, the majority of the housing in the rural/agricultural/environmental area will continue to be primarily single detached. The full range of housing required by the Town will be provided in the Secondary Plan areas.

1.4 PLANNING AREA

The Planning Area includes all the lands in the Town of Whitchurch-Stouffville, however, specific policies may apply only to particular parts of the municipality.

1.5 PLANNING PERIOD

The policies and designations of the Official Plan are intended to guide the planning of the Town to the year 2031. However, the planning period for the individual Secondary Plans may vary from this based on their date of adoption. Further, as new information becomes available or conditions change, the Official Plan shall be reviewed and amended as required. At a minimum, the Plan, including the Secondary Plans, shall be reviewed every five years to ensure that it reflects updated projections regarding population and employment and changes with respect to other matters such as Provincial and Regional policies.

1.6 LEGAL EFFECT

The Official Plan is prepared in accordance with the provisions of the Planning Act which gives the Plan its legal effect. This legal effect is established through Section 24 of the Act which states that generally no public work may be carried out and no By-law may be passed for any purpose which does not conform with the Official Plan.

2. VISION, PRINCIPLES AND OBJECTIVES

2.1 PURPOSE

The Vision Statement, principles and objectives upon which the Official Plan is based are outlined in the following sections. The vision, principles and objectives provide general guidelines for the planning of the rural/agricultural/environmental area of the Town of Whitchurch-Stouffville, which are elaborated upon in the policies of the Plan. The vision, principles and objectives represent expressions of general intent which are not to be interpreted as direct statements of planning policy. It is not proposed that they be applied specifically to any development or redevelopment proposal. They form the basis for the formulation of the policies contained in the Plan.

2.2 VISION STATEMENT

WHITCHURCH-STOUFFVILLE: COUNTRY CLOSE TO THE CITY

The Town of Whitchurch-Stouffville is a rural community that will preserve and enhance its quiet, calm, attractive environment for residents, visitors and future generations. It will be:

- i) a safe, healthy, friendly and intergenerational community;
- ii) a community which focuses its development in the Community of Stouffville and other settlement areas to preserve the resources of the rural/agricultural/ environmental area;
- iii) an environmentally aware community with a strong Greenlands System;
- iv) a community which supports the continuation of all forms of agriculture and related uses as an important part of its rural heritage and a major economic contributor;
- v) a community which provides a wide range of public and private recreation and cultural opportunities; and,
- vi) a community which protects its natural environment and its built cultural heritage.

2.3 COMMUNITY DEVELOPMENT PRINCIPLE: HEALTHY COMMUNITY

Principle: Decisions made with respect to the future of the Town of Whitchurch-Stouffville should protect and enhance this safe, healthy and friendly community.

The intent of this principle is to encourage a broadly based planning approach which will maintain and, where feasible, enhance the health of the community and its residents. Determinants of this healthy community include a sense of belonging to the community, and social and safety features found in a caring community, as well as environmental qualities.

Objectives:

The following objectives support this community development principle:

- i) To provide for limited new uses which will be supportive of its rural/agricultural/ environmental environment; and which will enhance communication between residents and connections with the natural environment.
- ii) To protect the cultural heritage of the community through the preservation and enhancement of heritage buildings, streetscapes and other features.
- iii) To provide for a linked open space and trail system, including natural features and parkland, as a central feature of the community which will reinforce its special character.
- iv) To provide in the Town as a whole, a range of recreational, educational and cultural facilities and activities to meet the needs of all residents.
- v) To build and maintain the physical services required to ensure the health, safety and well-being of the community.
- vi) To protect the physical resources, particularly the ground and surface water resources, required to ensure the health, safety and well-being of the community.

- vii) To ensure that all changes in the community promote safety and security through the use of appropriate design strategies.
- viii) To provide within the Town a choice with respect to secure, adequate and affordable housing.
- ix) To encourage pedestrian, bicycle and wheelchair accessibility throughout the community.
- x) To minimize or prevent conflict between potentially incompatible uses.
- xi) To ensure that the soil quality of development sites is suitable for the proposed use.

2.4 COMMUNITY DEVELOPMENT PRINCIPLE: PRESERVE AND ENHANCE THE NATURAL ENVIRONMENT

Principle: Any change in the Town should be undertaken in a manner which will preserve and enhance the integrity of the natural environment.

This principle is intended to ensure that environmental sustainability is considered as a major factor in the future planning of the municipality, and, particularly in the assessment of any proposed changes in the community. Environmental sustainability refers to the preservation and enhancement of the natural environment including surface and groundwater systems, natural habitats (i.e. aquatic, wetland and terrestrial), landforms (including the Oak Ridges Moraine), natural area corridors and the establishment of linkages between natural features.

Objectives:

The following objectives support this community development principle:

- i) To preserve, enhance and restore the natural systems of the Town of Whitchurch-Stouffville; and,
- ii) To preserve and enhance surface and groundwater resource quality and quantity to serve existing and future uses on a sustainable basis.

2.5 COMMUNITY DEVELOPMENT PRINCIPLE: ECONOMICALLY SUSTAINABLE COMMUNITY

Principle: Decisions made with respect to the future of the Town will reflect the need to establish an economically sustainable community.

The intent of this principle is to support, and where feasible, enhance the resource based industries of agriculture and aggregate production, which are the focus of the economy of the rural/agricultural/ environmental area. In addition, resource based uses such as recreation, as well as home businesses and other similar uses will be supported and, where feasible enhanced where their location does not conflict with agriculture or aggregate uses or the natural environment.

Objectives:

The following objectives support this community development principle:

- i) To foster an environment which supports the health of agriculture and other resource based industries.
- ii) To support uses compatible with the objectives of the rural/agricultural/ environmental area.

2.6 COMMUNITY DEVELOPMENT PRINCIPLE: FINANCIAL FEASIBILITY

Principle: Any change in the Town of Whitchurch-Stouffville should be financially feasible both with respect to capital and operating costs.

Objectives:

The following objectives support this community development principle:

- i) To keep capital and operating costs of public sector development in the Town of Whitchurch-Stouffville at a level that can be borne financially by residents and businesses.
- ii) To ensure that the capital costs of new development are covered by charges derived from that new development.

3. ENVIRONMENT CONSERVATION STRATEGY

3.1 PURPOSE

The Environment Conservation Strategy is intended to ensure that environmental sustainability is considered as a major factor in the future planning of the municipality, and particularly in the assessment of any proposed changes in the community. Environmental sustainability refers to the preservation and enhancement of the natural environment, including surface and groundwater systems, natural habitats (i.e. aquatic, wetland and terrestrial), landforms (including the Oak Ridges Moraine), natural area corridors and the establishment of linkages between natural features.

To implement this direction, the Environment Conservation Strategy establishes policies which recognize the Town's location in the Oak Ridges Moraine and the Rouge Park North Management Plan Study Area, as well as establishing a Greenlands System for the community in accordance with the recommendations of the Town's Natural Features and Greenlands Study and the Oak Ridges Moraine Conservation Plan. The Strategy also provides policies with respect to environmental control measures, floodplain areas, and the development of a resource management plan as a basis for community action with respect to environment conservation and the Oak Ridges Moraine Conservation Plan.

3.2 OAK RIDGES MORaine

3.2.1 Oak Ridges Moraine Conservation Plan

The Oak Ridges Moraine is an irregular ridge which stretches 160 km from the Trent River to the Niagara Escarpment. It divides the watersheds draining south into western Lake Ontario from those draining north into Georgian Bay, Lake Simcoe and the Trent River System. The Moraine has a unique concentration of environmental, geological and hydrological features that make its ecosystem vital to south-central Ontario.

The *Oak Ridges Moraine Conservation Plan* (Moraine Plan) was established in April 2002 by the Province of Ontario as an ecologically based plan to provide land use and resource management direction for the land and water within the Moraine. The Province's vision for the Moraine is that of a continuous band of green rolling hills that provides form and structure to south-central Ontario, while protecting the ecological and hydrological features and functions that support the health and wellbeing of the Region's residents and ecosystems.

The Town's planning decisions must conform to the *Oak Ridges Moraine Conservation Plan*. This Official Plan has been amended to bring it into conformity with the Moraine Plan.

3.2.2 Oak Ridges Moraine Conservation Plan Objectives

Planning decisions in the Oak Ridges Moraine Conservation Plan Area (Moraine Plan Area) shall reflect the objectives of the *Oak Ridges Moraine Conservation Plan* which are found in Section 4 of the *Oak Ridges Moraine Conservation Act, 2001* (See Appendix ORM Objectives).

3.2.3 Oak Ridges Moraine Planning Framework

Figure 1 and Schedules "A", "A-1", "B", "B-1", "E", "H", "I", "J" and "K" of this Plan identify the lands in Whitchurch-Stouffville which are located within the Moraine and described as the "*Oak Ridges Moraine Plan Area*". This section of the Plan provides general policies which apply to all lands in the Oak Ridges Moraine. In addition, Schedules "A" and "B"

designate the lands within the Moraine in the following designations, for which policies are found in Section 4, Land Use Strategy:

- i) ORM Natural Core Area;
- ii) ORM Natural Linkage Area;
- iii) ORM Countryside Area; and,
- iv) ORM Hamlet Area.

Definitions for terms applicable to lands in the Moraine are found in Section 9.5 of the Official Plan.

The appendices also include excerpts from the *Oak Ridges Moraine Conservation Act* and the *Oak Ridges Moraine Conservation Plan* which are referenced in the text of the Official Plan. These appendices are intended to assist in the interpretation of the policies of the Official Plan which are related to the Moraine.

3.2.4 Existing Uses

Notwithstanding any other policies of this Plan, uses, buildings and structures, existing prior to November 15, 2001, are permitted to continue within the Oak Ridges Moraine Conservation Plan Area. Changes to existing uses shall conform with the policies in Part I Sections 6, 7, 8 and 9 of the *Oak Ridges Moraine Conservation Plan* (See Appendix ORM I to the Official Plan). Notwithstanding the foregoing:

- i) expansions to existing buildings and structures that legally existed as of November 15, 2001 may be permitted without amendment to the Zoning By-law provided that the addition does not intrude into any area identified as Areas of Natural or Scientific Interest, Kettle Lakes, Wetlands, Woodlands, Streams or Minimum Vegetation Protection Zones on Schedule "H" and the expansion complies with all the other applicable policies of this Plan and the regulations of the Zoning By-law; and,
- ii) new accessory uses, buildings and structures, including swimming pools, related to single dwellings may be permitted in accordance with the regulations of the Zoning By-law and provided that the use, building or structure does not intrude

into any area identified as Areas of Natural or Scientific Interest, Kettle Lakes, Wetlands, Woodlands, Streams or Minimum Vegetation Protection Zones on Schedule “H”.

3.2.5 Transportation, Infrastructure and Utilities

Transportation, infrastructure and utilities are to be prohibited in all land use designations on Schedules “A” and “B” and/or key natural heritage features and hydrologically sensitive features unless the requirements of Section 41 of the Oak Ridges Moraine Conservation Plan have been addressed to the satisfaction of the applicable approval authority, such as the Region of York or the Town of Whitchurch-Stouffville.

The Town shall ensure that the Section 41 requirements, including the determination of need and no reasonable alternatives, are met through Environmental Assessment Act, Planning Act, Condominium Act, and Local Improvement Act approval processes or other applicable approval processes.

3.2.6 Low-Intensity Recreational Uses

Low-intensity recreational uses shall be permitted in all designations in the Oak Ridges Moraine Plan Area subject to the applicable provisions of Section 37 of the Moraine Plan. For reference purposes, the relevant policies (Section 37 of the Moraine Plan) are found in Appendix ORM IV to the Official Plan.

3.2.7 Recreational Trail

A recreational trail system is to be established throughout the entire area which is the subject of the Moraine Plan. Where this trail is located in the Town of Whitchurch-Stouffville, it may be permitted in any part of the Town subject to the provisions of Section 39 of the Moraine Plan. Further, the Town shall encourage the linkage of any trails in the Town to the Oak Ridges Moraine trail system. For reference purposes, the relevant policies (Section 39 of the Moraine Plan) are found in Appendix ORM IV to the Official Plan.

3.2.8 Archaeological Activities

Archaeological activities shall be permitted in all designations in the Oak Ridges Moraine Plan Area in accordance with the directions of the Moraine Plan.

3.2.9 Development Review

All development and site alteration in the area within the Oak Ridges Moraine on Schedules “A” and “B” shall be subject to the provisions of the *Oak Ridges Moraine Conservation Plan*. For reference purposes the policies of Moraine Plan are found in Appendices ORM I, ORM II, ORM III and ORM IV to the Official Plan.

The following policies and Schedules “H”, “I” and “J” outline some key directions of the policies in Part III of the Moraine Plan. However, in assessing applications for development, the Town will not rely on these directions, but rather on the Moraine Conservation Plan itself, and Part III of the Conservation Plan will be reviewed in its entirety:

- i) Table 3.1 Key Natural Heritage Features, Hydrologically Sensitive Features and Areas of Natural Scientific Interest (Earth Science) Minimum Areas of Influence and Minimum Vegetation Protection Zones.

This Table establishes the minimum area of influence and minimum vegetation protection zones which relate to key natural heritage features and hydrologically sensitive features which are referenced in the following sections and are shown on Schedules “F3” and “H” of this Plan. Where Key Natural Heritage Features and Hydrologically Sensitive Features are not shown on the above schedules these shall be determined during the development application process, with the assistance of the technical guidelines that have been prepared by the Province of Ontario for the Oak Ridges Moraine.

Settlement Areas, as designated in the Oak Ridges Moraine Conservation Plan, that are within the Ballantrae-Musselman Lake and Community of Stouffville Secondary Planning Areas, which were designated on or before April 22, 2002, and shown on Schedules “F3” and “H”, where the Secondary Plan, Official Plan or Zoning By-law or Master Environmental Servicing or Functional Servicing Plans are approved based on environmental studies that have been identified Minimum Vegetation Protection Zones that are different from those identified in

the Oak Ridges Moraine Conservation Plan, then the standards established within those plans shall prevail.

ii) Connectivity

Every application for development or site alteration shall identify planning, design and construction practices that ensure that no building or other site alterations impede the movement of plants and animals among key natural heritage features, hydrologically sensitive features and adjacent land within the ORM Natural Core Area and Natural Linkage Areas designated on Schedules “A” and “B”.

iii) Key Natural Heritage Features

All development and site alteration will be prohibited in key natural heritage features and the related minimum vegetation protection zone with the exception of certain limited uses specified in Section 22(2) of the Moraine Plan (See Appendix ORM III). An application for development or site alteration in the minimum area of influence shall be accompanied by a natural heritage evaluation in accordance with the provisions of Part III, Section 23 of the *Oak Ridges Moraine Conservation Plan* (See Appendix ORM III). Development or site alteration may also be prohibited in the minimum area of influence based on the results of the natural heritage evaluation which may establish a greater minimum vegetation protection zone.

Key natural heritage features include wetlands; significant portions of the habitat of endangered, rare and threatened species; fish habitat; areas of natural and scientific interest (life science); significant valleylands; significant woodlands; significant wildlife habitat and sand barrens, savannahs and tallgrass prairies. These, together with the minimum vegetation protection zone, are identified on Schedule “H” to this Plan with the exception of significant valleylands, significant wildlife habitat and the habitat of endangered, rare and threatened species. These features are to be identified using criteria established by the Province. Fish habitat on the Oak Ridges Moraine includes, but is not limited to, all hydrologically sensitive features with surface water characteristics.

Schedules “F3” and “H” are based on mapping provided by the Province of Ontario. No amendment will be required to the Schedules where minor changes

are proposed based on studies carried out in accordance with the provisions of the *Oak Ridges Moraine Conservation Plan*.

Notwithstanding the foregoing, any changes to Schedules “F3” and “H” which affect the boundary of an area of natural and scientific interest (life science), provincially significant wetlands, habitat of endangered, rare and threatened species or fish habitat will only be made after confirmation by the District Office of the Ministry of Natural Resources and in the case of fish habitat, with the Department of Fisheries and Oceans or its delegate or through new information provided by the Province.

In addition, where any changes are made to features, the revised mapping will be circulated to the Province, the Region and the applicable Conservation Authority.

iv) Hydrologically Sensitive Features

All development and site alteration will be prohibited within hydrologically sensitive features and the related minimum vegetation protection zone with the exception of the list of uses specified in Section 26(2) of the Moraine Plan (See Appendix ORM III). An application for development or site alteration in the minimum area of influence shall be accompanied by a hydrological evaluation in accordance with Section 26(3) of the *Oak Ridges Moraine Conservation Plan* (See Appendix ORM III). Development or site alteration may also be prohibited in the minimum area of influence based on the results of the natural heritage evaluation which may establish a greater minimum vegetation protection zone.

Hydrologically sensitive features include permanent and intermittent streams, wetlands, kettle lakes and seepage areas and springs. These, together with the minimum vegetation protection zone, are identified on Schedules “F3” and “H” to this Plan with the exception of seepage areas and springs. These features are to be identified using criteria established by the Province.

Schedules “F3” and “H” are based on mapping provided by the Province of Ontario. No amendment will be required to the Schedules where minor changes are proposed which involve scale of mapping issues based on studies carried out in accordance with the provisions of the *Oak Ridges Moraine Conservation Plan*.

Notwithstanding the foregoing, any changes to Schedules “F3” and “H” which affects the boundary of an area of natural and scientific interest (life science) provincially significant wetlands, will only be made after confirmation by the District Office of the Ministry of Natural Resources and in the case of fish habitat, with the Department of Fisheries and Oceans or its delegate or through new information provided by the Province.

In addition, where any changes are made to features, the revised mapping will be circulated to the Province, the Region and the applicable Conservation Authority.

v) Areas of High Aquifer Vulnerability

The following uses, with the exception of existing uses permitted by Section 6(1) of the *Oak Ridges Moraine Conservation Plan*, (See Appendix ORM I) will be prohibited in Areas of High Aquifer Vulnerability identified on Schedule “I” to this Plan:

- a) Generation and storage of hazardous waste or liquid industrial waste;
- b) Waste disposal sites and facilities, organic soil conditioning sites and snow storage and disposal facilities;
- c) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and,
- d) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1999 (See Appendix ORM Reg.347 to this Plan).

In addition, the Town shall encourage restrictions on haulage routes for the transportation of chemicals and volatile materials in such areas.

Schedule “I” is based on mapping provided by the Province of Ontario and for greater accuracy reference should be made to Reference Map for Ontario Regulation 140/02 (*Oak Ridges Moraine Conservation Plan*) made under the *Oak Ridges Moraine Conservation Act*, 2001 dated March 2002.

vi) Landform Conservation Areas

An application for development or site alteration in any area identified as a *Landform Conservation Area Category 1 or 2* on Schedule “J” to this Plan shall identify planning, design and construction practices in conformity with the policies for the applicable Landform Conservation Area Category that will keep disturbance of landform character to a minimum in accordance with the provisions of Section 30 of the *Oak Ridges Moraine Conservation Plan* (See Appendix ORM III). With the exception that Sections 30(5), (6) and (10) do not apply to mineral aggregate operations.

In addition, an application for development or site alteration with respect to land in an area of natural and scientific interest (earth science) or the related minimum area of influence (See Table 3.1) shall be accompanied by an earth science heritage evaluation that:

- a) identifies planning, design and construction practices that will ensure protection of the geological or geomorphological attributes for which the area of natural and scientific interest was identified; and,
- b) determines whether a minimum vegetation protection zone is required, and if so, specifies the dimensions of that zone and provides for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it.

An application for development or site alteration with respect to land in a landform conservation area (Category 1) shall:

- c) Maintain significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;
- d) Limit the portion of the net developable area of the site that is disturbed to not more than 25% of the total area of the site; and,
- e) Limit the portion of the net developable area of the site that has impervious surfaces to not more than 15% of the total area of the site.

An application for development or site alteration with respect to land in a landform conservation area (Category 2) shall:

- f) Maintain significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;
- g) Limit the portion of the net developable area of the site that is disturbed to not more than 50% of the total area of the site; and,
- h) Limit the portion of the net developable area of the site that has impervious surfaces to not more than 20% of the total area of the site.

vii) Major Development

Notwithstanding any other provisions of this Plan, in the *Oak Ridges Moraine Plan Area*, major development as defined by the Moraine Plan is subject to a number of requirements in addition to those for other development. These include additional requirements with respect to landform conservation (Section 30(8) of the Moraine Plan); stormwater management (Section 45) and sewage and water services (Section 43). (See Appendices ORM III and ORM IV.)

In addition, an application commenced prior to April 23, 2007 shall be subject to the provisions of Section 24(8) of the Moraine Plan, while new major development is prohibited after April 23, 2007 in accordance with the provisions of Section 24(4) of the Moraine Plan (See Appendix ORM III) unless:

- a) the watershed plan for the relevant watershed has been completed;
- b) the major development conforms to the watershed plan; and,
- c) a water budget and conservation plan, prepared in accordance with Section 25 of the Moraine Plan and demonstrating that the water supply required for the major development is sustainable, has been completed.

TABLE 3.1
KEY NATURAL HERITAGE FEATURES
HYDROLOGICALLY SENSITIVE FEATURES AND
AREAS OF NATURAL AND SCIENTIFIC INTEREST (EARTH SCIENCE)
MINIMUM AREAS OF INFLUENCE
AND MINIMUM VEGETATION PROTECTION ZONES

Item	Feature	Minimum Area of Influence (Section 21 ORMCP*)	Minimum Vegetation Protection Zone (Sections 21, 23, 26(4), 30(12) of ORMCP
1.	Wetlands	All land within 120 m of any part of feature	All land within 30 m of any part of feature, subject to clause 23(1)(d) of ORMCP if a natural heritage evaluation is required.
2.	Significant portions of habitat of endangered, rare and threatened species	All land within 120 m of any part of feature	As determined by a natural heritage evaluation carried out under Section 23 of ORMCP
3.	Fish habitat	All land within 120 m of any part of feature	All land within 30 m of any part of feature, subject to clause 23(1)(d) of ORMCP if a natural heritage evaluation is required
4.	Areas of natural and scientific interest (life science)	All land within 120 m of any part of feature	As determined by a natural heritage evaluation carried out under Section 23 of ORMCP
5.	Areas of natural and scientific interest (earth science)	All lands within 50 m of any part of feature	As determined by an earth science heritage evaluation carried out under subsection 30(12) of ORMCP
6.	Significant valleylands	All land within 120 m of stable top of bank	All land within 30 m of stable top of bank, subject to clause 23(1)(d) of ORMCP if a natural heritage evaluation is required
7.	Significant woodlands	All land within 120 m of any part of feature	All land within 30 m of the base of outermost tree trunks within the woodland, subject to clause 23(1)(d) of ORMCP if a natural heritage evaluation is required
8.	Significant wildlife habitat	All land within 120 m of any part of feature	As determined by a natural heritage evaluation carried out under Section 23 of ORMCP
9.	Sand barrens, savannahs and tallgrass prairies	All land within 120 m of any part of feature	All land within 30 m of any part of features, subject to clause 23(1)(d) of ORMCP if a natural heritage evaluation is required
10.	Kettle lakes	All land within 120 m of the surface catchment area	All land within the surface catchment area or within 30 m of any part of feature, whichever is greater, subject to clause 26(4)(c) of ORMCP if a hydrological evaluation is required
11.	Permanent and intermittent streams	All land within 120 m of meander belt	All land within 30 m of meander belt, subject to clause 26(4)(c) of ORMCP and subsection 26(5) if a hydrological evaluation is required
12.	Seepage areas and springs	All land within 120 m of any part of feature	All land within 30 m of any part of feature, subject to clause 26(4)(c) and subsection 26(5) of ORMCP if a hydrological evaluation is required

Note: ORMCP means the *Oak Ridges Moraine Conservation Plan*

3.3 ROUGE PARK NORTH MANAGEMENT PLAN AREA

3.3.1 Purpose

A major portion of the southern part of the Town is located in the Rouge River watershed. The Province of Ontario announced its intention to establish a significant park along the Rouge River in 1990, and in May, 1994 the Rouge Park Management Plan for the lands south of Steeles Ave. was released. However, the Rouge Park North Management Plan for the lands north of Steeles, including the portion of the watershed in the Town of Whitchurch-Stouffville, has not been finalized. The policies of this section provide direction regarding lands in the Rouge Park North Management Plan Area until such time as the Plan is approved, as well as following its approval.

3.3.2 Permitted Uses, Buildings and Structures

The permitted uses, buildings and structures in the Rouge Park North Management Plan Area designation on Schedule “A” and Schedule “A-1” shall be those in the relevant land use designations on Schedule “B”, subject to the policies of this section and the other policies of this Plan.

3.3.3 Rouge Park North Management Plan

The Town of Whitchurch-Stouffville will cooperate with the Province and the Rouge Park Alliance in the establishment of Rouge Park North in the Town and the completion of a detailed management plan for Rouge Park North. When the Rouge Park Alliance approves and/or endorses the Rouge Park North Management Plan, the Town will consider an amendment to this Plan if necessary to implement the provisions of the approved Plan.

3.3.4 Development Applications

3.3.4.1

Until such time as the Rouge Park North Management Plan is approved and/or endorsed by the Rouge Park Alliance, applications for land use change in Rouge Park North Management Area as designated on Schedule “A” and Schedule “A-1” shall only be considered in accordance with all the other policies of this Plan, and if consistent with the principles set out in Rouge Park Management Plan, 1994.

3.3.4.2

When the Rouge Park North Management Plan is approved and/or endorsed by the Rouge Park Alliance, applications for land use change in the Rouge Park North Management Area as designated on Schedule “A” and Schedule “A-1” shall only be considered in accordance with all the other policies of this Plan, and if consistent with the policies of the Rouge Park North Management Plan.

3.4 GREENLANDS SYSTEM

3.4.1 General

3.4.1.1 Purpose

The policies of this section, together with the designations on Schedule “A”, Greenlands System, establish a Greenlands system for the Town of Whitchurch-Stouffville for the area outside of the Oak Ridges Moraine Area. Within the Oak Ridges Moraine Area the Greenlands System is established by the policies of the Moraine Plan and the related policies of this Plan, particularly Section 3.2. The Greenlands System includes significant natural features which have an important environmental function.

3.4.1.2 Private Lands

The inclusion of private lands in the Greenlands System does not imply that the lands will be purchased by a public agency or that they are free or open to the public.

3.4.1.3 Relationship to Regional Greenlands System

The Whitchurch-Stouffville Greenlands System is intended to support and be consistent with the Region of York’s Official Plan and the York Regional Greenlands strategy. However, the Greenlands provisions of the Town’s Official Plan prevail over the provisions of the Regional Official Plan in the event of any conflict.

3.4.1.4 Trails System

A system of environmentally sustainable recreational trails shall be planned to link key features of the Greenlands System, together with the Town’s Park System and, the Trans-Canada, Oak Ridges Moraine and the Rouge Park Trail Systems in a manner compatible with the protection of the lands in the Greenlands System. The trails system shall be planned in accordance with a Master Plan developed by

the Town, and in cooperation with the Region of York and adjacent municipalities. The proposed trail system shall be planned to include the lands in the Moraine Plan Area which are the subject of the policies in Section 3.2 of this Plan. However, all trails in the Moraine Plan Area shall be subject to the policies of the Moraine Plan.

3.4.1.5 Natural Corridor Linkages

The Town will encourage, where it considers appropriate, the creation of natural corridor linkages between natural features that will assist in creating and/or restoring a linked natural heritage system for the Town. The Town may also encourage the enhancement and restoration of areas around natural heritage features that will assist in minimizing the amount of edge or to rehabilitate areas that may have degraded over time.

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3.4.2 Significant Environmental Area

3.4.2.1 Purpose

The Significant Environmental Area designation recognizes:

- i) a variety of features possessing significant attributes or environmental functions, which in many instances have been deemed to be of Provincial Regional or Local Significance, including: Areas of Natural and Scientific Interest (ANSI's), locally and Provincially Significant Wetlands, significant portions of the habitat of threatened and endangered species, Environmentally Significant Areas (ESA's), and significant wildlife habitat. In some cases, these areas consist of a complex unit containing a variety of wetlands that may be separated by forest conditions or relatively open areas; and,
- ii) all valley and stream corridors as defined in Section 9.5 of the Plan that contain streams which flow for most if not all of the year. They are fed by groundwater discharges and are generally considered to support coldwater fish species, particularly in their upper reaches.

3.4.2.2 Permitted Uses, Buildings and Structures

- i) The permitted uses of land within the areas designated Significant Environmental Area on Schedules “A” and “B” shall be conservation, enhancement and preservation of the natural environment, and passive recreational uses such as nature viewing and pedestrian trails which will have no negative impact on the natural environmental features and ecological functions of the area, including no net loss of fish habitat, where applicable.
- ii) The only exceptions to the provisions of Section 3.4.2.2 i) are the following uses and facilities:
 - a) development or land disturbance for required stream bank erosion protection and fish, wildlife and conservation management provided that any required reconstruction of a watercourse is completed in a way which creates a natural appearing stream environment with variable side slopes, landscaping and a meandering channel; and,
 - b) existing roads and related utilities or modifications to such facilities which shall be permitted to cross the Significant Environmental Area designation in the general area of the road designations on Schedule “B”.

However, such uses shall only be permitted by the Town, in consultation with the appropriate Conservation Authority, where they are being carried out by a public agency or provided that prior to approving the location/ construction of such uses, an Environmental Impact Study (EIS) or, where required a Class Environmental Assessment, shall be carried out by qualified consultants, demonstrating:

- c) the need for such a use or facility; and,
- d) that there is no negative impact on the functions and features of the Significant Environmental Area during both the construction and post-development phases. Where an EIS is required, the Town shall carry out a peer review of the study, at the cost of the applicant, as part of the basis for evaluating conformity with the policies of this Plan.

- iii) Notwithstanding any other provisions of this section, where historic development and recreation uses, including golf course uses, are located in the Significant Environmental Area designation or buffer areas at the date of adoption of this Plan, such uses shall continue to be permitted. In addition, redevelopment of such lands may be permitted where there is no negative impact on the functions and features of the Significant Environmental Area during the construction and post-development phases, and where the Town is satisfied that the redevelopment restores and enhances environmental features wherever feasible. Further, where an EIS is required, the Town shall carry out a peer review of the study, at the cost of the applicant, as part of the basis for evaluating conformity with the policies of this Plan.

3.4.2.3 Ownership

- i) The Town shall support some form of public ownership or public access as part of public trail systems for the lands in the Significant Environmental Area designation by the municipality or other public agency at no cost. Further, where such lands are not acquired for public ownership, the Town shall encourage consolidation of the ownership of such lands and discourage further fragmentation of ownership. However, the designation does not imply that the lands will be purchased by a public agency or that they are free and open to the public.
- ii) Such lands shall not be acceptable as parkland dedication under the Planning Act.
- iii) Where the lands in the Significant Environmental Area designation are not acquired by a public agency, the Town shall seek the maintenance and enhancement of the lands through the use of stewardship agreements including the potential for public access.

3.4.2.4 Significant Environmental Area Boundaries

- i) The areas included in the Significant Environmental Area designation were identified based on a general background analysis. Site specific studies shall be required to define the significance of such natural features and their

importance within the Town's Greenlands System, as well as to better define the exact preservation requirements, buffer widths and boundaries where development is proposed in or abutting such lands. In addition, where development is proposed abutting a stream for which floodplain mapping is not available, such mapping shall be required to be submitted as part of any development application.

- ii) The boundaries of the lands in this designation can be refined without further amendment to this Plan subject to approval by the Town, in consultation with the appropriate Conservation Authority, of an Environmental Impact Study and/or other detailed information required by the Town. However, the Town must be satisfied through a peer review of the EIS or other information, carried out at the cost of the applicant, that the criteria in Section 3.4.2.4 iii) a) and b) can be satisfied.
- iii) The addition or deletion of any major area from the Significant Environmental Area shall require an amendment to the Plan. Such an amendment shall only be approved based on studies carried out for the applicant by qualified consultants. The studies shall be subject to a peer review carried out by the Town in consultation with the appropriate Conservation Authority at the cost of the applicant. With respect to deletions from the designation, the Town must be satisfied through the peer review of these studies that:
 - a) any environmental and/or physical hazards can be mitigated in a manner which is consistent with accepted engineering and resource management practices; and,
 - b) proposed development and related works:
 - i) recognizes natural ecological systems and processes and ensures that they are maintained and enhanced;
 - ii) does not result in any significant disruption of existing landforms and landscape features including vegetation, steep slopes and groundwater recharge or discharge areas;

- iii) will result in no changes to the natural quality and hydrological characteristics of any watercourses;
- iv) will result in no negative impacts on the wetland area or on its ecological functions, and/or on significant portions of the habitat of threatened or endangered species;
- v) will result in no loss of fish habitat on all streams; and,
- vi) will result in no loss of significant wildlife habitat.

3.4.3 Water Management Area

3.4.3.1 Purpose

The Water Management Area designation recognizes:

- i) a headwater zone which includes a broad east-west band through the centre of the Town at the headwaters of tributaries where numerous groundwater discharge springs feed the Duffins Creek and Little Rouge River systems;
- ii) major groundwater recharge areas, the main function of which is the potential to readily replenish aquifer systems and provide baseflow to local streams; and,
- iii) minor recharge areas where hummocky topography supports a variety of kettle depressions, ranging from dry potholes, to small ponds and lakes or closed bog features, some of which provide recharge to underlying aquifers or receive groundwater discharge from surrounding areas.

3.4.3.2 Permitted Uses, Buildings and Structures

The permitted uses of land within any areas designated “Water Management Area” on Schedule “A” shall be the uses permitted in the relevant land use designations on Schedule “B” to this Plan, subject to the policies of this section, in addition to all other policies of this Plan.

3.4.3.3 Stewardship

The Town shall seek the maintenance and enhancement of the lands in the Water Management Area designation through the use of stewardship agreements.

3.4.3.4 Development Applications

Development applications, other than those for agricultural uses, shall be evaluated based on an Environmental Impact Study carried out by qualified consultants. Such studies shall be evaluated by the Town through a peer review in consultation with the appropriate Conservation Authority, at the cost of the applicant. Through the peer review the Town must be satisfied that the proposed development and related works:

- i) does not result in any significant disruption of groundwater discharge or recharge areas from both a quality and quantity perspective;
- ii) will result in no changes to the natural quality and hydrological characteristics of any watercourses; and,
- iii) will result in no loss of fish habitat on all streams.

3.4.4 Major Woodland Area

3.4.4.1 Purpose

The Major Woodland Area designation recognizes relatively continuous blocks of forest which cover several hundreds of hectares (acres) of the rural area. They consist of relatively mature mixed and deciduous forest, that have been integrated with conifer plantations, planted several decades ago to control erosion of the predominantly sandy soils found in this area. Because of the continuity and habitat diversity of these large woodland areas, a high diversity of wildlife can be supported. Rare and uncommon species, including shy, interior forest birds (e.g. Red-shouldered Hawk) breed in these areas. Other important environmental functions associated with these areas include potentially significant groundwater recharge, particularly in the large, continuous woodland in the north central part of the Town, which replenishes aquifer systems and provides baseflow discharge to

the headwaters of local coldwater streams of the Holland River, Black River, Mount Albert Creek and Vivian Creek watersheds.

3.4.4.2 Permitted Uses, Buildings and Structures

The permitted uses of land within any areas designated “Major Woodland Area” on Schedule “A” shall be the uses permitted in the relevant land use designations on Schedule “B” to this Plan, subject to the policies of this section, in addition to all the other policies of this Plan.

3.4.4.3 Ownership

- i) Significant portions of the land in the Major Woodland Area designation form part of the Regional Forest. The Town shall work to maintain these lands in public ownership and shall support some form of public ownership or public access for public trail systems for other lands in the Major Woodland Area designation by the municipality or other public agency at no cost. However, the designation does not imply that the lands will be purchased by a public agency or that they are free and open to the public.
- ii) Such lands shall not be acceptable as parkland dedication under the Planning Act.
- iii) Where the lands in the Major Woodland Area designation are not acquired by a public agency, the Town shall seek the maintenance and enhancement of the lands through the use of stewardship agreements, including the potential for public access.

3.4.4.4 Major Woodland Area Boundaries

- i) The areas included in the Major Woodland Area designation were identified based on a general background analysis. Site specific studies shall be required to better define the exact limits, preservation requirements, vegetation composition, buffer widths and boundaries where development is proposed in or abutting such lands. However, such studies should recognize the Town’s desire to encourage the protection, restoration and expansion of wooded areas wherever possible.

- ii) The boundaries of the lands in this designation can be refined without further amendment to this Plan subject to approval by the Town, in consultation with the appropriate Conservation Authority, of an Environmental Impact Study (EIS) and/or other detailed information required by the Town. However, the Town must be satisfied through a peer review of the EIS or other information to be carried out at the cost of the applicant, that the criteria in Section 3.4.4.4 iii) a) to f) can be satisfied.
- iii) Deletion of any significant area from the Major Woodland Area shall require an amendment to the Plan. Such an amendment shall only be approved based on studies carried out by the applicant by qualified consultants. The studies shall be subject to a peer review carried out by the Town at the cost of the applicant in consultation with the appropriate Conservation Authority. Through the peer review of these studies, the Town must be satisfied that the proposed development and related works:
 - a) recognizes how the Major Woodland Areas fit into the overall Greenlands System and, natural ecological systems, their functions and processes and ensures that they are maintained and enhanced;
 - b) does not result in any significant disruption of existing landforms and landscape features, including vegetation, steep slopes and groundwater recharge or discharge areas;
 - c) will result in no changes to the natural quality and hydrological characteristics of any watercourses;
 - d) will result in no net loss of fish habitat;
 - e) will result in no loss of significant wildlife habitat; and,
 - f) will result in no negative impacts on the wetland area or on its ecological functions, and/or on the significant portions of the habitat of threatened or endangered species.

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3.4.4.5 Part Lot 30, Concession 9

Notwithstanding any other provisions of this Plan, the boundary of the Woodland Area designated in this area shall be determined in accordance with the provisions of Section 3.4.4.4 i) and ii) of this Plan.

3.4.5 Tableland Woodlot Area

3.4.5.1 Purpose

The Tableland Woodlot area designation recognizes woodlot features which are generally greater than 4 ha (10 ac.) in size and vary in composition from conifer plantations to mature mixed and deciduous stands of trees. The diversity of habitat quality, although generally considered to be of lesser value than the extensive woodland blocks found on the Oak Ridges Moraine, may provide suitable conditions to support a variety of wildlife and plant species that are common to the area. In some instances, the tableland woodlots closest to the extensive woodland areas may harbor uncommon bird species that are normally associated with the larger forest blocks.

3.4.5.2 Permitted Uses, Buildings and Structures

The permitted uses of land within any areas designated “Tableland Woodlot Area” on Schedule “A” shall be the uses permitted in the relevant land use designations on Schedule “B” to this Plan, subject to the policies of this section, in addition to all the other policies of this Plan.

3.4.5.3 Ownership

- i) The Town shall support some form of public ownership or public access for public trail systems for lands in the Tableland Woodlot Area designation by the municipality or other public agency at no cost. However, the designation does not imply that the lands will be purchased by a public agency or that they are free and open to the public.
- ii) Such lands shall not be acceptable as parkland dedication under the Planning Act.

- iii) Where the lands in the Tableland Woodlot Area designation are not acquired by a public agency, the Town shall seek the maintenance and enhancement of the lands through the use of stewardship agreements, including the potential for public access.

3.4.5.4 Tableland Woodlot Area Boundaries

- i) The areas included in the Tableland Woodlot Area designation were identified based on a general background analysis. Site specific studies shall be required to better define the exact limits, preservation requirements, vegetation composition, buffer widths and boundaries where development is proposed in or abutting such lands. However, such studies should recognize the Town's desire to encourage the protection, restoration and expansion of wooded areas wherever possible.
- ii) The boundaries of the lands in this designation can be refined without further amendment to this Plan subject to approval by the Town, in consultation with the appropriate Conservation Authority, of an Environmental Impact Study and/or other detailed information required by the Town. However, the Town must be satisfied through a peer review of the EIS or other information to be carried out at the cost of the applicant, that the criteria in Section 3.4.3.4 iii) a) to e) can be satisfied.
- iii) Deletion of any significant area from the Tableland Woodlot Area shall require an amendment to the Plan. Such an amendment shall only be approved based on studies carried out for the applicant by qualified consultants. The studies shall be subject to a peer review carried out by the Town at the cost of the applicant in consultation with the appropriate Conservation Authority. Through these studies the Town must be satisfied that the proposed development and related works:
 - a) recognizes natural ecological systems, functions, and processes and ensures that they are maintained and enhanced;
 - b) does not result in any significant disruption of existing landforms and landscape features including vegetation, steep slopes and groundwater recharge or discharge areas;

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- c) will result in no changes to the natural quality and hydrological characteristics of any watercourses;
- d) will result in no loss of significant wildlife habitat;
- e) will result in no net loss of fish habitat; and,
- f) will result in no negative impacts on the wetland area or on its ecological functions, and/or on the significant portions of the habitat of threatened or endangered species.

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3.4.6 Public Open Space Area

3.4.6.1 Purpose

The intent of the Public Open Space Area component of the Greenlands System is to provide for a full range of active and passive public recreation facilities, unlike the natural areas where any development must be restricted and recreation opportunities are necessarily limited. It includes public park and open space areas which are not included in other parts of the Greenlands System.

3.4.6.2 Permitted Uses, Buildings and Structures

The permitted uses of land within any areas designated “Public Open Space Area” on Schedule “A” are recreation and open space including related buildings and structures such as playing fields, swimming pools, arenas, concession stands, picnic areas, interpretation centres and trail systems in accordance with policies of Section 4.10.2 of this Plan.

3.4.6.3 Relationship to Greenlands System

The Public Open Space Area designation forms part of the Greenlands System designated on Schedule “A”. New uses or modifications to existing uses in the Open Space Area designation shall be designed to restore and enhance the Greenlands System in accordance with the policies of Section 3 of this Plan. In particular, the Town in planning the development of new parks shall consider their role in the restoration and enhancement of the Greenlands System.

3.4.7 Environmental Buffer Area

3.4.7.1 Purpose

Environmental Buffer Areas shall generally be provided around lands within the Significant Environmental Area, and Tableland Woodlot Area designations:

- i) to minimize potential conflict between human activities and sensitive environmental features; and,
- ii) to ensure that there will be no negative impacts on the natural features or the ecological functions for which the lands have been designated.

3.4.7.2 Buffer Requirements

- i) Where development, other than for agricultural uses, is proposed on lands:
 - a) abutting a Significant Environmental Area (exclusive of significant wetlands or significant portions of the habitat of threatened and endangered species within which no development is permitted), and
 - b) in or abutting a Tableland Woodlot Area designation, the size and extent of environmental buffers, the form they take, and the uses permitted within the buffer area, shall be identified through an Environmental Impact Study and/or other detailed information required by the Town, in consultation with the appropriate Conservation Authority. As a minimum, an Environmental Impact Study shall be required for lands within 120 m (394 ft) of the staked edge of wetlands, 50 m (164 ft) of the staked edge of woodlands 30 m (100 ft) of the staked edge of watercourses and fish habitat and 10 m (32 ft) from the staked edge of a valley or stream corridor. Such studies shall be carried out by qualified consultants and the Town shall evaluate the appropriateness of any proposed buffer determined by an Environmental Impact Study through a peer review carried out at the cost of the applicant. The staked boundary of these features shall be determined by the Town in consultation with the Conservation Authority.

- ii) Notwithstanding any other policies of this Plan, a minimum 30 m (100 ft) vegetated buffer shall be required on each side of the staked edge of all coldwater streams, and the Town shall encourage the achievement of a 50 m (164 ft) buffer on each side of such streams, where feasible. A minimum 15 m (49 ft) vegetated buffer shall be required on the staked edge of each side of all other streams and a 10 m (32 ft) buffer shall be required on the staked edge of each side of all valley and stream corridors.
- iii) Whenever possible, environmental buffer areas shall be encouraged to be acquired by public authorities or to remain in single ownership. Further, regardless of ownership, environmental buffer areas may be included in the net development area. However, where environmental buffers remain in private ownership, they shall generally not form part of an individual lot intended for development. Where a buffer area is permitted to form part of an individual lot intended for development by the Town, in consultation with the Conservation Authority, the lot shall be of sufficient size to allow the buffer to achieve its purpose. In addition, the buffer area shall be zoned in an appropriate environmental protection zone, and the subdivider shall agree to include clauses in the agreements of purchase and sale advising prospective purchasers of the restrictions on the use of that portion of the lot.

3.4.8 Private Open Space Area

3.4.8.1 Purpose

There are a number of existing golf courses, other recreational facilities, cemeteries and institutional uses in the Town. In the future other large areas of private open space may be created. While these areas are not directly accessible by the public, they provide a visual open space linkage as part of the Greenlands System. In addition, there is the potential that arrangements may be made for public trails across such lands.

3.4.8.2 Relationship of Private Open Space Areas to Greenlands System

The Town will work with the owners of private open space uses to maximize the role of such uses as components of the Greenlands System by:

- i) entering into agreements or other arrangements to permit public trail access to such lands;
- ii) encouraging landowners to restore vegetation, either through planting or naturalization, and to strengthen linkages between natural features;
- iii) by providing for the potential of such connections in the design of the public trail system, where it is not immediately possible to arrange public trail access to such lands;
- iv) ensuring that new development adjacent to such lands is designed to maximize public views into such sites; and,
- v) ensuring that, where a private open space use is replaced with a non-open space use, provision is made to continue and/or enhance key parts of the open space feature and/or trail connections.

3.5 ENVIRONMENTAL MANAGEMENT

3.5.1 Purpose

This section of the Plan identifies the policies and criteria to be applied to protect and enhance the natural environment, including tree conservation, ground and surface water quality and quantity and floodplain management.

3.5.2 Tree Conservation

- i) It is the objective of the Town to maintain and enhance existing woodlands, woodlots, hedgerows and trees wherever possible, and to encourage the planting of new woodlots and trees in all areas of the Town, including the Greenlands System.
- ii) Woodlots shall be subject to the provisions of the Regional Tree By-law.
- iii) On lands where tree conservation and planting plans have not been created, or where development is not being permitted or proposed, opportunities to establish such plans will be explored as part of the Resource Management Plan described in Section 3.6.
- iv) Prior to development of any lands, a Tree Conservation and Planting Plan shall be required in accordance with the provisions of Section 7.3 vi) of this Plan.

3.5.3 Storm Water Management

- i) Stormwater management shall be carried out to the satisfaction of the Town, the Conservation Authority, and the Region of York on a watershed and/or subwatershed basis.
- ii) Best Management Practices to be applied shall meet or exceed Level I protection criteria (or equivalent) as outlined in the Ministry of Environment's

"Stormwater Management Practices Planning and Design Manual, June 1994" or any update of that document.

- iii) The following criteria shall be used in establishing locations for storm drainage control facilities:
 - a) Grading shall be limited so that present catchment and subcatchment areas are maintained (i.e., surface drainage should not be diverted from one catchment to another);
 - b) Water quantity (runoff control) facilities shall be required for all lands that are subject to a Planning Act application;
 - c) Water quality control facilities shall be required for all new outfall locations, and the use of infiltration systems shall be considered wherever possible, recognizing that the opportunities may be limited where there are till soils;
 - d) Given the cold water status of the streams in the Planning Area, the effects of temperature increases from quality and quantity control ponds shall be assessed through stormwater control plans where required by the Town;
 - e) Stormwater facilities may be located in any land use designation, however, they shall not be located in lands in the Major Woodland Area or Tableland Woodlot Area designations on Schedule "A" or in the Significant Environmental Area designation without an Environmental Impact Statement approved by the Town in consultation with the Conservation Authority;
 - f) The number of facilities will be limited as much as possible to minimize future municipal costs for monitoring and maintenance;
 - g) Uncontrolled runoff from existing developed areas shall be incorporated into quantity/quality facilities for new development, wherever possible; and,

- h) Erosion and sediment controls will be of critical importance, given the cold water status of the streams and sediment control plans shall be monitored to ensure that erosion controls remain effective during the full construction period.
- iv) In addressing stormwater management, the maintenance, or possible enhancement of baseflow is an important element, given the coldwater conditions of the streams.

3.5.4 Groundwater Management

Significant groundwater resource areas within the Town, particularly those lands which are designated Water Management Area, have been identified as being potentially sensitive to development because of their recharge and discharge functions. Within this context, groundwater management shall be addressed through Functional Servicing Studies, where required by the Town, which shall have regard for the following issues:

- i) the effects of temporary dewatering, and of any potential long term decreases in the water table; and,
- ii) the effects on recharge of aquifer systems (quality and quantity) and baseflow to streams.

3.5.5 Flood Plain Areas

- i) Lands adjacent to stream systems which have been mapped by the Lake Simcoe and Toronto Region Conservation Authorities as being subject to flooding and/or erosion hazards have been designated as “Floodplain Area” on Schedule “A-2”.
- ii) The Town shall encourage the appropriate Conservation Authority to complete and update mapping of flood prone lands for the remaining parts of the Town, and where such mapping has not been completed, shall require it to be prepared as part of any Functional Servicing Study or development application.
- iii) Development in the Floodplain Area designation shall also be subject to the policies of the Significant Environmental Area designation in Section 3.4.2. In

addition, in evaluating an application for the redesignation of lands in the Floodplain Area designation, the Town shall consult with the appropriate Conservation Authority and shall have regard to the following matters, based on the submission of engineering studies by the applicant: or where the lands are located in the Oak Ridges Moraine Plan Area the policies of the applicable designation on Schedule “B”; and,

- a) the existing environmental and/or physical hazards;
 - b) the potential impacts of these hazards; and,
 - c) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices.
- iv) All new development and structures within the Floodplain Area designation shall require the approval of the appropriate Conservation Authority.
- v) Notwithstanding any other policies of this subsection, within the Floodplain Area designation, minor renovations, alterations or additions to legally existing buildings and structures existing at the date of adoption of this Plan, may be permitted subject to the approval of the Town, in consultation with the appropriate Conservation Authority and where the lands are located in the Oak Ridges Moraine Plan Area, subject to the policies of Section 3.2 of this Plan.

3.5.6 Significant Habitat of Endangered Species and Threatened Species, Fish Habitat and Wildlife

- i) Notwithstanding any other provisions of the Plan, and regardless of the land use designation no development or site alteration shall be permitted in significant habitat of endangered species and threatened species; and in fish habitat, except in accordance with provincial or federal requirements.
- ii) Development and site alteration shall not be permitted in significant wildlife habitat or on adjacent lands to any significant habitat of endangered species and threatened species, fish habitat or significant wildlife habitat unless the ecological function of the adjacent lands has been evaluated and it has been

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

- iii) The Town will encourage private land stewardship, which protects and enhances the habitat of species at risk.
- iv) The Town will work with the Province, as appropriate, on the preparation of recovery strategies or management plans for species at risk.

3.6 RESOURCE MANAGEMENT PLAN

3.6.1 Purpose

The intent of the Resource Management Plan is to establish a program for the maintenance and enhancement of the Greenlands System and the directions in the Moraine Plan and water resources of the Town of Whitchurch-Stouffville which can be implemented independent of any additional development. This program is intended to be implemented by the Town and local residents, landowners and other interested groups, working with public agencies such as the Regional Municipality of York and the Conservation Authorities. In developing the Resource Management Plan, the Town will also utilize the recommendations of the Natural Features and Greenlands Study and the directions in the Moraine Plan.

It recognizes the fiscal constraints within which the Town must work and focuses on two areas:

- i) Private Resource Management Practices; and,
- ii) Public Resource Management Practices.

3.6.2 Private Resource Management Practices

The Town has limited authority to control private resource management practices. Therefore, the focus of any program must be the encouragement of voluntary action by individual landowners, although the enforcement of existing regulations and the use of existing legislation are also available tools. Actions which the Town may initiate to improve private resource management practices include:

- i) Stewardship Program

The Town shall establish a stewardship program for the Town of Whitchurch-Stouffville within a well defined terms of reference and budget which may include such approaches as:

- a) use of available resources to develop and implement a program to educate property owners, including farmers, about the natural environment of the area they live in, and the manner in which they can operate their household and workplace to manage their property to reduce negative impacts on natural systems;
- b) establish and operate an awards program for residents, farmers, employers and landowners who implement measures for improving the environment;
- c) establish and operate demonstration programs for environmentally sound management practices on public and/or private properties;
- d) establish a program to encourage the use of stewardship agreements for private lands or the dedication of such lands to the Town or other public agency or to provide for public access as part of public trail systems; and,
- e) other related activities such as a tree planting program through local service groups.

ii) Enforcement of Existing Legislation

The Town shall review available legislation with respect to matters such as the operation of septic tanks, the dumping of fill, and the protection of trees, and work with the appropriate agencies to develop better enforcement practices.

iii) Site Plan Control

The Town shall use the site plan review process to control the quantity and quality of surface runoff on individual lots, where appropriate, to reduce the negative impacts of small new developments and to encourage appropriate tree planting and landscaping in accordance with the provisions of this Plan.

3.6.3 Public Resource Management Practices

Actions which the Town will initiate to improve its own resource management practices and the resource management practices of other public agencies, include:

i) Management Practice Audit

The Town through its Public Works Department, shall carry out an audit of its own management practices and facilities and establish a plan to minimize negative impacts on natural systems and features (e.g., road de-icing practices, street cleaning practices), particularly in groundwater recharge areas and adjacent to streams and wetlands.

ii) Other Agencies

The Town shall work with other agencies, particularly the Region of York:

- a) to seek improvements to their management practices in the Town;
- b) to introduce programs to improve the environment (e.g., tree planting programs), to enhance links between existing natural features (e.g. woodlands and wetlands) and to enhance deforested valley lands; and,
- c) to improve enforcement of regulations and legislation.

iii) Development Standards

The Town will carry out a review of its development standards with a view to revising standards which appear excessive or which have unnecessary environmental impacts (e.g., minimum road allowances).

4. LAND USE STRATEGY

4.1 PURPOSE

The land use designations on Schedule “B” establish the general pattern for the existing and future use of the Planning Area during the planning period. The policies for these designations are set out in this section. Schedule “A” to the Official Plan outlines lands which form part of the Town’s Greenlands System. Schedule “A” provides an additional level of policy direction and should be referred to when considering any proposals for development, in addition to the land use policies of this section.

4.2 LAND USES PERMITTED IN ALL DESIGNATIONS

The following land uses shall be permitted in all designations, subject to any identified conditions, except for the Significant Environmental Area and Flood Plain Area designations which are subject to the policies of Sections 3.4.2 and 3.5.5 respectively of this Plan and those designations in the Oak Ridges Moraine Plan Area which are subject to the policies of Sections 3.2, 4.7, 4.12, 4.15 and 4.19:

i) Accessory uses

Any use which is normally incidental and subordinate to a permitted use shall be permitted on the same lot as the permitted use, subject to the regulations of the Zoning By-law.

ii) Forestry Uses

iii) Legally existing uses, buildings and structures

Legally existing uses, buildings and structures and the replacement and expansion of legally existing uses, buildings and structures, as well as additions and other modifications to existing uses, buildings and structures, including the addition of

accessory uses, buildings and structures subject to the regulations of the Zoning By-law. In addition, the expansion of legally existing uses, buildings and structures owned and/or operated by the Region of York and the Town onto adjacent lands owned by the Town or Region, shall be permitted in the Rural Area designations subject to the regulations of the Zoning By-law.

iv) Lots of Record

One single detached dwelling on an existing lot of record subject to the regulations of the Zoning By-law. Such a use may also be permitted in the Significant Environmental Area designation on Schedules “A” and “B” provided that the Town, in consultation with the appropriate Conservation Authority, through the submission of a scoped Environmental Impact Statement, determines that there will be no negative impacts on the natural environment and where there is no concern for loss of life or property.

v) Home Occupations

Home occupations in any legally established residential unit, subject to the regulations of the Zoning By-law.

vi) Bed and Breakfast Establishments

Bed and Breakfast Establishments in any legally established single detached residential unit, subject to the regulation of the Zoning By-law.

vii) Fish, Wildlife and Conservation Management

viii) Group Homes

Group homes, for three to ten residents (exclusive of staff or the receiving family), in all designations where residential uses are permitted provided the home:

- a) is licensed or approved under provincial statute; and,
- b) complies with municipal by-laws, including zoning standards which shall include a minimum distance separation between group homes.

ix) Accessory Apartments

One accessory apartment in a single detached, semi-detached or duplex dwelling in accordance with the regulations of the Zoning By-law.

x) Garden Suites

Garden suites may be permitted on the same lot as an existing single detached dwelling, subject to an amendment to the Zoning By-law, provided that:

- a) the lot meets the requirements of the Zoning By-law with respect to an appropriate size for the accommodation of such a unit;
- b) adequate water supply and waste disposal facilities are available to the satisfaction of the Town and the Region of York Health Services Department;
- c) the use is permitted on a temporary basis through a site specific temporary use by-law;
- d) such a use may be subject to site plan approval;
- e) adequate parking can be provided; and,
- f) there is a signed agreement between the applicant and the Town which addresses issues related to installation/removal and maintenance.

xi) Electric power facilities

Electric power facilities, including such works as transmission lines, transformer stations and distributing stations, provided that:

- a) such uses shall generally be discouraged in the Estate Residential Area and ORM Hamlet Area designations;
- b) such development satisfies the provisions of the Environmental Assessment Act, including the regulations made under the Act, and any other relevant statutes; and,
- c) the planning of such facilities has regard to the policies of this Plan, and the Town is consulted with respect to such projects prior to the commitment to the project.

xii) Public or Quasi-public uses

The following public or quasi-public uses, subject to any regulatory requirements such as the provisions of the Environmental Assessment Act and the provisions of Section 3 of this Plan:

- a) local water supply, sewage, and drainage facilities;
 - b) gas, telephone and cable television transmission utility services, excluding transmission towers which shall be subject to the policies of Section 4.2 xvii); and,
 - c) public roads and railway lines.
- xiii) Archaeological Activities including any required assessment, excavation or restoration of archaeological resources.
- xiv) Non-intensive recreation uses such as nature viewing and pedestrian trail activities.
- xv) Watershed management and flood and erosion control projects carried out or supervised by a public authority.
- xvi) Wayside pits or quarries or portable asphalt plants for public road construction purposes.

These uses shall be permitted subject to the Aggregate Resources Act and the Ministry of Transportation Wayside Pits and Quarries Criteria. However, such uses shall not be permitted in areas of existing development without a Zoning By-law amendment. Further, the Town seeks active involvement with the Ministry of Natural Resources in the issuance of a wayside pit and quarry permit under the Aggregate Resources Act to ensure that the following criteria are satisfied:

- a) environmental disruption is minimized;
- b) wherever possible a wayside pit or quarry is to be located in an abandoned site in which there is sand or gravel remaining to be extracted; and,

- c) appropriate attention is given to the pit's location and rehabilitation.

In particular, where such uses are proposed on agricultural lands rehabilitation shall occur as described in Section 4.8.5.3 of this Plan.

xvii) Federal and Provincial Uses

Where new uses are proposed in the Town by Federal or Provincial agencies, or companies subject to Federal or Provincial controls, including communications transmission towers, the Town will work with the agency or company involved and seek to have the uses meet the following requirements:

- a) Submission of a site plan and related studies by qualified professionals which provide detailed background information sufficient to allow evaluation of the impacts of the proposal, including noise, hydrogeological and traffic studies where applicable;
- b) Conformity with the following criteria:
 - i) incompatibilities with surrounding uses, including audio and visual nuisances, particularly with agricultural or residential uses, can be mitigated in an appropriate manner through the provision of buffering, engineering solutions or other similar approaches;
 - ii) where a location is proposed in the Agricultural or Rural Area designations, the location of the site and the land area must be justified to ensure the use of good agricultural land is minimized;
 - iii) the scale, building materials and signage are compatible with the adjacent uses;
 - iv) direct access to a collector or arterial road;
 - v) conformity with the policies of Section 3, Environment Conservation Strategy;
 - vi) complies with the minimum distance separation formulae; and,
 - vii) lots can be serviced by water supply and waste disposal systems to the satisfaction of the Town, and any other approval agencies.

xviii) Stormwater facilities

Stormwater facilities with the exception of the Major Woodland Area and Tableland Woodlot Area designations on Schedule “A” in addition to the Significant Environmental Area and Floodplain Area designations on Schedules “A” and “B” respectively.

4.3 AGRICULTURAL AREA

4.3.1 Purpose

The purpose of the Agricultural Area designation on Schedule “B” is to protect the Town’s prime agricultural lands and to provide the maximum level of support to the agricultural industry in its use of this resource.

4.3.2 Permitted Uses, Buildings and Structures

4.3.2.1 **Agriculture and Accessory Uses**

Only agriculture and associated uses, buildings and structures, home industries and uses that produce value added agricultural products from the farm operation on the property such as road side stands are permitted in the Agricultural Area designation on Schedule “B”, including a dwelling accessory to a farm use, and additional residential structures for farm help required for the operation of the farm, if grouped with existing farm structures.

4.3.2.2 **Residential Uses**

Notwithstanding the policies of Section 4.3.2.1, in the Agricultural Area designation:

- i) Surplus farm dwellings may be considered for consent in conformity with the policies of Section 8.5 of this Plan; and,
- ii) One consent may be considered for a retiring farmer for a farm which existed as of January 1, 1994 which is 10 ha (25 ac.) or greater in size, in accordance with the policies of Section 8.5 of this Plan.

4.3.2.3 **Prohibited Uses**

Waste disposal sites and estate residential development shall not be permitted in the Agricultural Area designation.

4.3.2.4 Farm Related Commercial and Industrial Uses

Notwithstanding the policies of Section 4.3.2.1, farm related commercial and industrial uses may be permitted in the Agricultural Area designation, subject to a Zoning By-law amendment, and where necessary a consent in conformity with the policies of Section 8.5 of this Plan, provided that such uses cannot be located in the Secondary Plan Areas in the Town or in the Rural Area; and provided that such uses are:

- i) small scale;
- ii) directly related to the farm operation;
- iii) required in close proximity to the farm operation; and,
- iv) essential to the agricultural economy.

4.3.2.5 Cannabis Cultivation Uses

Indoor cannabis cultivation and outdoor cannabis cultivation shall be permitted in the Agricultural Area designation, subject to a Zoning By-law amendment and in conformity with Section 4.3.3.1 and 4.3.3.5 of this Plan.

4.3.2.6 Cannabis Processing Uses

Cannabis processing shall only be permitted as accessory to a cannabis cultivation use in the Agricultural Area designation, subject to a Zoning By-law amendment. Where a cannabis processing use is permitted as an accessory use by this Plan, it shall be in conformity with Section 4.3.3.1 and 4.3.3.5 of this Plan.

4.3.3 Land Use Policies

4.3.3.1 Agricultural Industry

The Town will work with the farming community to support and develop plans and programs that promote agriculture, and, in particular, the Town shall:

- i) direct non-farm uses to other areas of the Municipality; and,
- ii) establish an advisory committee to provide input to Council regarding issues affecting the farming community.

4.3.3.2 Minimum Distance Formulae

All new development shall, at a minimum, comply with the minimum distance formulae. However, in evaluating an application for a non-farm use, the Town shall take into consideration not only the impacts on existing farming operations, but also impacts on the potential for the expansion of such operations, to ensure that maximum flexibility is provided to such operations for future expansion.

4.3.3.3 Official Plan Amendments

Applications for amendments to the Official Plan to remove lands from the Agricultural Area designation shall generally not be approved and must satisfy the following criteria:

- i) a specific detailed development proposal has been submitted to the Town;
- ii) there is a demonstrated need and demand for the proposed land use;
- iii) there are no suitable alternative locations on lower capability agricultural land in the Town;
- iv) the use will not reduce or impede surrounding farm operations or their potential for expansion;
- v) the site is suitable for the proposed use and does not include unnecessary land;
- vi) the proposed use is compatible with surrounding uses; and,
- vii) adequate water supply and waste disposal facilities are available to the satisfaction of the Town and the Region of York Health Services Department.

Notwithstanding the foregoing, an application for approval of a pit or quarry operation which requires the removal of lands from the Agricultural Area designation, shall be permitted subject to the policies of Section 4.8.5.3 of this Plan.

4.3.3.4 Relationship to Regional Plan

Where the Agricultural Area designation does not conform with the Agriculture Area designation in the Regional Official Plan, the provisions of the Agricultural Area designation of this Plan prevail in the event of any conflict.

4.3.3.5 Cannabis Cultivation and Processing

Indoor cannabis cultivation, outdoor cannabis cultivation and cannabis processing shall be subject to the following policies:

- i) Outdoor cannabis cultivation and indoor cannabis cultivation processing uses licensed by Health Canada under the *Cannabis Act* shall be permitted as a principal use;
- ii) Cannabis processing uses licensed by Health Canada under the *Cannabis Act* shall only be permitted as an accessory use;
- iii) The minimum separation distance between an indoor cannabis cultivation use, outdoor cannabis cultivation use, or cannabis processing use, and lands designated Estate Residential Area, and Estate Residential Area Special Significant Environmental Area, Rural Commercial/ Industrial/ Institutional Area, or Public Open Space shall be 1000.0 m, or as otherwise required by the implementing Zoning By-law;
- iv) The minimum separation distance between a cannabis cultivation use or cannabis processing use and any Secondary Plan Area Boundary or ORM Hamlet Area boundary shall be 1000.0 m;
- v) The minimum separation distance between two or more cannabis cultivation uses and/ or cannabis processing uses use shall be 1000.0 m;
- vi) Facilities shall be located and designed in accordance with Cannabis Regulations (SOR/2018-144) to mitigate potential nuisance impacts such as light emissions, air emissions, and odour;
- vii) Outdoor storage shall be prohibited as accessory to cannabis cultivation and cannabis processing uses;
- viii) The Town may establish a municipal licensing framework to regulate cannabis cultivation and cannabis processing uses which can further regulate land use, separation distance, and site plan control;

- ix) Cannabis cultivation and cannabis processing shall be subject to site plan control, as required under Town's Site Plan Control By-law including providing the required studies outlined in section 8.6.5;
- x) Cannabis cultivation and cannabis processing shall only be permitted through an amendment to the Town's Zoning Bylaw;
- xi) Accessory cannabis processing shall only be permitted through an amendment to the Town's Zoning by-law provided the following can be demonstrated to the satisfaction of the Town:
 - a) It is not feasible to locate the use in a settlement area; and
 - b) The buildings or structures will be planned, designed, and constructed so as not to adversely affect the rural character of the Countryside Area nor adversely impact the ecological integrity of the Oak Ridges Moraine; and surrounding agricultural operations and lands or that such impacts will be minimized and mitigated to the extent possible; and
- xii) The Town's Zoning By-law shall establish more detailed zoning regulations and standards regarding cannabis cultivation and cannabis processing.

4.3.4 Exceptions

4.3.4.1 Part Lot 33 and 34, Concession 7

Notwithstanding any other provisions of this Section, an office may be located in a building existing as of September 30, 1999 at 12045 McCowan Rd. in Part Lots 33 and 34, Concession 7(M), subject to the regulations of the Zoning By-law.

4.3.4.2 Part Lot 32, Concession 7

Notwithstanding any other provisions of this Section, a rural residential lot, with a maximum lot area of 0.8 ha (2 ac.), may be created at 11737 McCowan Road in part of Lot 32, Concession 7 subject to:

- i) the 3 ha (7.4 ac.) parcel of land described as Part 3, Plan 65R-6519 and which has a right-of-way to McCowan Road being acquired and taken into the same title as Parts 1, 2, 4, 5, 6 and 7, Plan 64R-6519;
- ii) compliance with the Minimum Distance Separation I (MDS I) formulae; and,

iii) compliance with the Zoning By-law.

4.3.4.3 Part Lot 25, Concession 5, 3191 St. John's Sideroad

Notwithstanding any other provisions of this Plan to the contrary, a consent to create a non-farm rural residential lot with an area of 4.23 ha, retaining a 0.80 ha lot on lands in Part of Lot 25, Concession 5, municipally known as 3191 St. John's Sideroad is permitted subject to the inclusion of appropriate implementing provisions in the Zoning By-law.

4.4 RURAL AREA

4.4.1 Permitted Uses, Buildings and Structures

4.4.1.1 Agriculture and Accessory Uses

Agriculture and associated uses, buildings and structures, home industries and uses that produce value added agricultural products from the farm operation on the property such as road side stands are the predominant form of development permitted in the Rural Area designation on Schedule “B”, including a dwelling accessory to a farm use, and additional residential structures for farm help required for the operation of the farm, if grouped with existing farm structures.

4.4.1.2 Other Permitted Uses

4.4.1.2.1 General

Non-farm uses shall generally be discouraged in the Rural Area designation and shall be encouraged by the Town to locate in the Communities of Stouffville, Ballantrae-Musselman Lake or Vandorf-Preston Lake or the Gormley Industrial Area. However, consideration may be given to proposals for the location of limited rural commercial, rural industrial, rural institutional, resort/recreation, commercial recreation, cemetery and public open space and recreation uses in the Rural Area subject to an Official Plan amendment and the relevant policies of this Plan including the policies of Sections 4.4.2 and 4.3.3.

4.4.1.2.2 Kennels

Notwithstanding the foregoing, kennels may be permitted in the Rural area designation subject to a Zoning By-law amendment and provided that:

- i) the site has a minimum lot area of 2 ha (5 ac.);
- ii) the proposed location of the kennel is on a secluded site which is not adjacent to or in close proximity to any significant residential development including estate residential subdivisions, rural residential clusters and hamlet areas;

- iii) the proposed kennel has a minimum building setback of 30 m (100 ft) from any property line;
- iv) any outside run is set back 60 m (200 ft) from any property line; and,
- v) any additional buffering and screening which is required by the Town to reduce noise is provided.

4.4.1.2.3 Farm Related Commercial and Industrial Uses

Notwithstanding the policies of Section 4.4.1.1, farm related commercial and industrial uses may be permitted in the Rural Area designation, subject to a Zoning by-law amendment, and where necessary a consent in conformity with the policies of Section 8.5 of this Plan, provided that such uses cannot be located in the Secondary Plan Areas in the Town; and provided that such uses are:

- i) small scale;
- ii) directly related to the farm operation;
- iii) required in close proximity to the farm operation; and,
- iv) essential to the agricultural economy.

4.4.1.2.4 Cannabis Cultivation Uses

Indoor cannabis cultivation and outdoor cannabis cultivation shall be permitted in the Rural Area designation, subject to a Zoning By-law amendment and in conformity with Section 4.3.3.5 of this Plan.

4.4.1.2.5 Cannabis Processing Uses

Cannabis processing shall only be permitted as accessory to indoor cannabis cultivation and outdoor cannabis cultivation in the Rural Area designation, subject to a Zoning By-law amendment. Where cannabis processing is permitted as an accessory use by this Plan, it shall be in conformity with Section 4.3.3.5 of this Plan.

4.4.1.3 Prohibited Uses

- i) Additional estate residential development, other than in registered and draft approved subdivisions and site specific official plan approvals existing at the date of adoption of this Plan, shall be prohibited in the Rural Area designation.
- ii) The prohibition of estate residential development shall be reviewed in 2005 by the Town based on an update of the Town's Growth Management Strategy and an assessment of the impacts of such development on the environment and municipal services.

4.4.2 Land Use Policies

Lands in the Rural Area designation shall be subject to the policies of the Agricultural Area designation in Section 4.3.3 of this Plan.

4.4.3 Exceptions

4.4.3.1 Part Lot 26, Concession VIII, North-east Corner Highway 48 and St. John's Road

Notwithstanding any other policies of this section, a business office may be permitted in an accessory building at a site in Part Lot 26, Concession VIII at the north-east corner of Highway 48 and St. John's Road, subject to the regulations of the Zoning By-law.

4.5 SIGNIFICANT ENVIRONMENTAL AREA

The lands in the Significant Environmental Area designation on Schedule “B” shall be subject to the policies of Section 3.4.2 of this Plan.

4.6 AGGREGATE RESOURCE AREA

4.6.1 Purpose

The aggregate deposits which have been identified in the Town are a valuable physical resource worthy of special consideration because of their Provincial significance. At the same time, it is recognized that their potential for designation as Extractive Rural Area or rezoning to permit extraction could cause conflicts with other important land uses and natural features in the Town. The Aggregate Resource Area designations on Schedule “B-1” are overlay designations which recognize areas with identified aggregate reserves based on information provided by the Ministry of Natural Resources. These overlay designations are intended to protect the resources for future extraction, and ensure that when extraction is proposed that conflicts with other land uses and natural features are minimized.

4.6.2 Permitted Uses, Buildings and Structures in the Primary Aggregate Resource Area Designation

The permitted uses, buildings and structures in the Primary Aggregate Resource Area designation shall be those in the underlying land use designations on Schedule “B” with the exception that the following uses shall be prohibited in the ORM Countryside Area designation:

- i) small-scale commercial, industrial and institutional uses; and,
- ii) major recreational uses.

4.6.3 Permitted Uses, Buildings and Structures in the Secondary Aggregate Resource Area Designation

The permitted uses, building and structures in the Secondary Aggregate Resource Area designation shall be those in the underlying land use designations on Schedule “B”.

4.6.4 Land Use Policies

4.6.4.1 Applicable Policies

The policies of the underlying land use designation on Schedule “B” shall be applicable to the lands in the Primary and Secondary Aggregate Resource Area designated on Schedule “B-1”.

4.6.4.2 Extractive Rural Operations

The development of an aggregate extraction operation in the Aggregate Resource Area designations on Schedule “B-1” outside the Oak Ridges Moraine Plan Area shall require an application for an Official Plan amendment to designate the lands “Extractive Rural Area”. Such an application shall be evaluated in conformity with the policies of the Extractive Rural Area designation in Section 4.8 of this Plan. In the Oak Ridges Moraine Plan Area, development of an aggregate extraction operation shall be permitted in accordance with the policies of the underlying land use designations on Schedule “B” and Section 4.6.4.4 of this Plan. If any of those policies are more restrictive than the policies provided in the Moraine Plan, then the policies of the Moraine Plan will prevail.

4.6.4.3 Deletion of Lands from Aggregate Resource Area Designation

The deletion of lands from the Aggregate Resource Area designations on Schedule “B-1”, where aggregate extraction is not being proposed, shall require an application for an Official Plan amendment. Such an amendment shall only be approved where it can be demonstrated that:

- i) the mineral aggregate potential of the site is low or extraction of the material is commercially unfeasible;
- ii) the mineral aggregate has been removed;

- iii) the land is required for other development which takes higher priority than aggregate extraction and it is not possible to extract the aggregate resource before the subject lands are required for the other development;
- iv) issues of public health, safety and environmental impact are addressed; and/or,
- v) the proposed new land use will not preclude or hinder the establishment of new aggregate operations or the expansion or continued use of existing aggregate extraction operations.

In addition, if the proposed re-designation is for any other designation than Agricultural Area outside the Oak Ridges Moraine Plan Area, applications for amendments to the Official Plan must also satisfy the criteria of Section 4.3.3.3 of this Plan.

4.6.4.4 Oak Ridges Moraine Mineral Aggregate Extraction

Existing mineral aggregate operations in the Moraine Plan Area are designated as “Moraine Aggregate Resource Area” on Schedules “B” and “B-1” and may be zoned to permit the existing use in accordance with the provisions of Section 6 of the Moraine Plan. Expansions of existing operations and new operations shall require a Zoning By-law amendment which shall be subject to Section 4.8.5 of this Plan and the following provisions:

- i) An application for minor aggregate operation or wayside pit shall not be approved unless the applicant demonstrates:
 - a) that the quantity and quality of groundwater and surface water in the Oak Ridges Moraine Plan area will be maintained and, where possible, improved or restored;
 - b) that as much of the site as possible will be rehabilitated,
 - i) in the case of land in a prime agricultural area, by restoring the land so that it can be used for agriculture; and,
 - ii) in all other cases, by establishing or restoring natural self- sustaining vegetation;

- c) if there are key natural heritage features on the site or on adjacent land, that their health, diversity, size and connectivity will be maintained and, where possible, improved or restored; and,
 - d) if there are areas of natural and scientific interest (earth science) on the site or on adjacent land, that the geological or geomorphological attributes for which they were identified will be protected.
- ii) An application for a mineral aggregate operation or wayside pit with respect to land in an ORM Natural Linkage Area shall not be approved unless the applicant demonstrates,
 - a) that there will be compliance with subsection i);
 - b) that there will be no extraction within 1.5 m of the water table;
 - c) that the extraction of mineral aggregates from the site will be completed as quickly as possible;
 - d) that the site will be rehabilitated in stages as quickly as possible; and,
 - e) that the entire site will be rehabilitated,
 - i) in the case of land in a prime agricultural area, by restoring the land so that the average soil quality of each area is substantially returned to its previous level; and,
 - ii) in all other cases, by establishing or restoring natural self-sustaining vegetation.
- iii) In order to maintain connectivity, when a mineral aggregate operation or a wayside pit is located in an ORM Natural Linkage Area, there shall at all times be an excluded area (which, for greater certainty, may contain both undisturbed land and land whose rehabilitation is complete) that,
 - a) is at least 1.25 km wide;
 - b) lies outside the active or unrehabilitated portions of the area being used; and,

- c) connects parts of the ORM Natural Linkage Area outside the mineral aggregate operation or wayside pit.
- iv) An application for a mineral aggregate operation or wayside pit with respect to land in a key natural heritage feature may be approved if,
 - a) the key natural heritage feature is occupied by young plantations or early successional habitat; and,
 - b) the applicant demonstrates that,
 - i) the long-term ecological integrity of the Moraine Plan Area will be maintained or, where possible, improved or restored,
 - ii) the extraction of mineral aggregates from the area within the key natural heritage feature will be completed and the area will be rehabilitated, as early as possible in the life of the operation, and,
 - iii) the area from which mineral aggregates are extracted will be rehabilitated by establishing or restoring natural self-sustaining vegetation of equal or greater ecological value.
- v) An application for a mineral aggregate operation or wayside pit with respect to land in a landform conservation area (Category 1 or 2) shall not be approved unless the applicant demonstrates,
 - a) that the area from which mineral aggregates are extracted will be rehabilitated to establish a landform character that blends in with the landform patterns of the adjacent land; and
 - b) that the long-term ecological integrity of the Moraine Plan Area will be maintained or, where possible, improved or restored.
- vi) The Town and the mineral aggregate industry shall work together to develop and implement comprehensive rehabilitation plans for parts of the Moraine Plan Area that are affected by mineral aggregate operations.

4.7 ORM NATURAL CORE AREA

4.7.1 Purpose

The ORM Natural Core Area designation on Schedules “A” and “B” recognize areas identified in the *Oak Ridges Moraine Conservation Plan* as areas with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas.

The purpose of the designation of these areas is to maintain, and where possible improve or restore, the ecological integrity of the Moraine Area.

4.7.2 Permitted Uses

The following uses are permitted in the ORM Natural Core Area designation subject to the provisions of Section 3.2, 5.8.3 (Water Services), 5.10 (Wellhead Protection) and 8.16 (Watershed Plans) of this Plan:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Agricultural uses, with the exception that new agricultural uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule “H”;
- iv) Transportation, infrastructure and utilities in accordance with the provisions of Section 3.2.5;
- v) Home occupations in any legally established residential unit, subject to the regulations of the Zoning By-law;
- vi) Home industries in association with any legally established use, subject to the regulations of the Zoning By-law;

- vii) Bed and breakfast establishments in any legally established residential unit, subject to the regulations of the Zoning By-law;
- viii) Farm vacation homes in association with any legally established agricultural use, subject to the regulations of the Zoning By-law;
- ix) Low intensity recreational uses in accordance with the provisions of Section 3.2.6;
- x) Unserved parks;
- xi) Recreational trails in accordance with the provisions of Section 3.2.7;

Deferred→

- xii) **Legally existing uses in accordance with the provisions of Section 3.2.4;**
- xiii) Accessory uses; and,
- xiv) Outdoor cannabis cultivation shall be permitted as a principal use in the ORM Natural Core Area designation, subject to a Zoning By-law amendment, provided that new cultivation uses shall not be located in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule "H". Where outdoor cannabis cultivation is permitted in the ORM Natural Core Area designation of this Plan as a principal use, it shall be in conformity with Section 4.7.3.3 of this Plan.

4.7.3 Land Use Policies

4.7.3.1 Uses Accessory to Agriculture

Uses accessory to agricultural uses shall be permitted in accordance with the policies of Section 4.3.2 of this Plan and Section 34 of the Moraine Plan (See Appendix ORM IV). In the event of a conflict between this plan and the provisions of Section 34 of the Oak Ridges Moraine Conservation Plan, the provisions of the Oak Ridges Moraine Conservation Plan shall prevail.

4.7.3.2 Waste Disposal Area Special Policy Area

In addition to the policies of this Section, the policies of Section 4.17 shall apply to areas identified on Schedule “B” as “Waste Disposal Special Policy Area” and “Waste Disposal Area of Influence”.

4.7.3.3 Outdoor Cannabis Cultivation

The following policies shall apply to an outdoor cannabis cultivation use in the ORM Natural Core Area

- i) Only outdoor cannabis cultivation uses licensed by Health Canada under the *Cannabis Act* shall be permitted;
- ii) Indoor cannabis cultivation and cannabis processing shall be prohibited;
- iii) A maximum of one accessory building that is required to support outdoor cultivation uses for the packaging, labelling, storage, sampling, disposing, and testing for pesticides shall be permitted;
- iv) The minimum separation distance between an outdoor cannabis cultivation use and lands designated Estate Residential Area, and Estate Residential Area Special Significant Environmental Area, Rural Commercial/ Industrial/ Institutional Area, or Public Open Space shall be 1000.0 m, or as otherwise required by the implementing Zoning By-law;
- v) The minimum separation distance between an outdoor cannabis cultivation use or cannabis processing use and any Secondary Plan Area boundary or ORM Hamlet boundary shall be 1000.0 m;
- vi) The minimum separation distance between two or more cannabis cultivation uses and/ or cannabis processing uses shall be 1000.0 m. Facilities shall be located and designed in accordance with Cannabis Regulations (SOR/2018-144) to mitigate potential nuisance impacts such as including light emissions, air emissions, and odour;
- vii) Outdoor storage shall be prohibited as accessory to an outdoor cannabis cultivation use;
- viii) The Town may establish a municipal licensing framework to regulate outdoor cannabis cultivation uses which can further regulate land use, separation distance, and site plan control;

- ix) Outdoor cannabis cultivation shall only be permitted through an amendment to the Town's Zoning By-law; and
- x) The Town's Zoning By-law shall establish more detailed zoning regulations and standards regarding outdoor cannabis cultivation; and,
- xi) Outdoor cannabis cultivation shall be subject to site plan control, as required under Town's Site Plan Control By-law including providing the required studies outlined in section 8.6.5.

4.8 EXTRACTIVE RURAL AREA

4.8.1 Purpose

The purpose of the Extractive Rural Area designation on Schedule “B” is to:

- i) recognize legally existing pits and quarries, including wayside pits and lands used for the removal of topsoil and other components of the soil;
- ii) ensure that adequate controls are implemented so that no extractive operation in the Town will have a significant adverse impact on adjacent lands uses, residents or the natural environment;
- iii) provide policies and criteria for the evaluation of new license applications for pits and quarries;
- iv) ensure the progressive rehabilitation of pits and quarries to an appropriate after use; and,
- v) to prohibit incompatible land uses and activities both on site and adjacent to extractive operations.

4.8.2 Permitted Uses, Buildings and Structures

- i) Permitted uses for lands designated Extractive Rural Area on Schedule “B” include:
 - a) the extraction of mineral aggregate only in accordance with a license or permit issued pursuant to the Aggregate Resources Act; and,
 - b) crushing, screening, washing, mixing and outside storage of mineral aggregate excavated from the site and mineral aggregate imported for mixing with mineral aggregate excavated from the site, provided that imported mineral aggregate does not constitute more than 30% of the native mineral aggregate stockpiled on the site and shall not be visible from an adjacent road.

- ii) The only building and structures permitted that are associated with the extraction uses shall be accessory buildings and structures required to achieve the permitted uses.
- iii) Uses, buildings and structures permitted in the Agricultural Area designation, subject to the policies of that designation, shall also be permitted in the Extractive Rural Area designation once extraction of the mineral aggregate resource is complete.

4.8.3 Regulation of Pits and Quarries

The Town recognizes that the Ministry of Natural Resources licenses and regulates pits and quarries under the Aggregate Resources Act. In accordance with the Aggregate Resources Act, the Town requires the applicant to ensure that there is full consultation between the Ministry of Natural Resources, the appropriate Conservation Authority, the Region, the Town and the applicant for a license, before the license is issued or modified in order to ensure that new pits and quarries or expansion of existing operations are carried out in a manner that is consistent with the community development principles and objectives of this Plan. Further, all pit and quarry operations shall satisfy the requirements of the Ministry of Environment as to water supply and disposal of wastes.

4.8.4 Rehabilitation of Pits and Quarries

Extraction of mineral aggregate is an interim use of land. The Town shall work with the Ministry of Natural Resources, the Region, and the operators of pits and quarries to ensure the rehabilitation plan that forms part of the license provides for orderly phased extraction of licensed areas based on practices which promote minimal active mining areas and progressive rehabilitation. After use of such rehabilitated sites shall conform with the policies of the Agricultural Area designation, unless an alternative use has been established through an Official Plan amendment.

4.8.5 New or Expanded Pits or Quarries

4.8.5.1 Information Submission Requirements

The establishment of a new pit or quarry or any extension or expansion of an existing pit or quarry beyond the limits of a license or permit under the Aggregate Resources Act and the existing Extractive Rural Area designation on Schedule “B”

shall require an amendment to this Plan. Applications shall be evaluated based on the following information:

- i) the information required for a license or permit application by the Ministry of Natural Resources under the Aggregate Resources Act which shall be submitted to the Town as part of the Official Plan Amendment application; and,
- ii) any additional studies and information the Town deems necessary.

4.8.5.2 Application Evaluation

In addition to the information requirements in Section 4.8.5.1, the Town shall evaluate applications based on the following requirements that:

- i) the amenities of the adjacent rural areas shall be preserved by ensuring that the extractive operation is adequately screened and not exposed to public view;
- ii) the provision of adequate buffer planting and protection of the public by the erection of adequate signs and fences shall be provided. Such screening will be an effective visual barrier between the proposed excavation site and any adjacent land use areas. It is further intended that no excavation or processing will take place in any buffer area;
- iii) in accordance with the provisions of the Aggregate Resources Act and the regulations thereunder, a site designated for Extractive Rural uses shall comply with the requirements for the operation of a pit under the Aggregate Resources Act including the provisions for fencing, screening, clear access to the abutting road, stockpiling and setbacks to adjacent uses; and,
- iv) Conformity with the provisions of the Moraine Plan where applicable.

4.8.5.3 Agricultural Areas

Where an application is submitted for development of a pit or quarry in the Agricultural Area designation, extraction may only be permitted as an interim use. Further, the rehabilitation of the site shall be carried out whereby substantially the same areas and same average soil quality for agriculture are restored. Complete agricultural restoration is not required only if it is demonstrated that:

- i) there is a substantial quantity of mineral aggregates below the water table warranting extraction; or
- ii) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and,
- iii) other alternatives have been considered by the applicant and found unsuitable; and,
- iv) agricultural rehabilitation in remaining areas is maximized.

4.8.5.4 Licensing Conditions

In reviewing applications for an Extractive Rural Area designation, and the license or permit under the Aggregate Resources Act, the Town will determine any conditions it deems necessary to protect the environment and adjacent residents and notify the Minister of Natural Resources, the Ministry of Transportation with respect to wayside pits, and the applicant of these conditions.

4.9 FLOODPLAIN AREA

The lands in the Floodplain Area designation on Schedule “A-2” shall be subject to the policies of Section 3.5.5 of this Plan.

4.10 PUBLIC OPEN SPACE AREA

4.10.1 Purpose

The Public Open Space Area designation on Schedule “B” recognizes existing public park and open space areas which provide a full range of active and passive recreation facilities, and permits the extension and expansion of such uses in the designated area.

4.10.2 Permitted Uses, Buildings and Structures

The permitted uses are recreation and open space including related buildings and structures such as playing fields, swimming pools, arenas, concession stands, picnic areas, interpretation centres and trail systems.

4.10.3 Land Use Policies

4.10.3.1 Relationship to Greenlands System

The uses in the Public Open Space Area designation form part of the Greenlands System designated on Schedule “A”. New uses or modifications to existing uses in the Public Open Space Area designation shall be designed to restore and enhance the Greenlands System in accordance with the policies of Section 3 of this Plan. In particular, the Town in planning the development of new parks shall consider their role in the restoration and enhancement of the Greenlands System.

4.10.3.2 New Uses

Applications for new public open space uses shall require a site specific amendment to the Official Plan and shall only be permitted provided that the use:

- i) is designed and located to protect and enhance the Greenlands System identified on Schedule “A” and in the policies of Section 3, and will not have any negative impact on environmental functions, attributes and linkages;
- ii) is located on lands designated “Rural Area” on Schedule “B” to this Plan;
- iii) complies with the minimum distance separation formulae;
- iv) the use satisfies the following criteria:
 - a) specific detailed development proposal has been submitted to the Town;
 - b) there is a demonstrated public need and demand for the proposed land use;
 - c) there are no suitable alternative locations in the Town;
 - d) the use will not reduce or impede surrounding farm operations or their potential for expansion;
 - e) the site is suitable for the proposed use and does not include unnecessary land;
 - f) the proposed use is compatible with surrounding uses; and,
 - g) adequate water supply and waste disposal facilities are available to the satisfaction of the Town and the Region of York Health Services Department.

4.11 COMMERCIAL RECREATION AREA

4.11.1 Purpose

The Commercial Recreation Area designation on Schedule “B” recognizes existing and approved commercial recreation areas and permits the extension and expansion of such uses in the designated area.

4.11.2 Permitted Uses, Buildings and Structures

The permitted uses in the Commercial Recreation Area designation are commercial recreation uses, including related buildings and structures, such as golf courses, campgrounds, fishing operations and fairgrounds.

4.11.3 Prohibited Uses

Residential uses are prohibited other than accessory residential dwellings to accommodate the owner, manager or other employees of the facility.

4.11.4 Land Use Policies

4.11.4.1 Relationship to Greenlands System

The uses in the Commercial Recreation Area designation are not part of the Greenlands System designated on Schedule “A”. However, new uses or modifications to existing uses in the Commercial Recreation Area designation shall be designed to restore and enhance the Greenlands System in accordance with the policies of Section 3 of this Plan.

4.11.4.2 New Uses

Applications for new commercial recreation uses shall require a site specific amendment to the Official Plan and shall only be permitted provided that the use:

- i) is designed and located to protect and enhance the Greenlands System identified on Schedule “A” and in the policies of Section 3 and will not have any negative impact on environmental functions, attributes and linkages;

- ii) is designed to minimize audio and visual nuisances and hazards, and shall provide to the satisfaction of the Town, a combination of mitigation measures in order to minimize any potential negative impacts that the development may have on adjacent agricultural or residential uses;
- iii) is located on lands designated “Rural Area” on Schedule “B” to this Plan;
- iv) complies with the minimum distance separation formulae;
- v) has direct access from a Regional, major or minor arterial or collector road;
- vi) the use satisfies the following criteria:
 - a) specific detailed development proposal has been submitted to the Town;
 - b) there is a demonstrated need and demand for the proposed land use;
 - c) there are no suitable alternative locations in the Town;
 - d) the use will not reduce or impede surrounding farm operations or their potential for expansion;
 - e) the site is suitable for the proposed use and does not include unnecessary land;
 - f) the proposed use is compatible with surrounding uses; and,
 - g) adequate water supply and waste disposal facilities are available to the satisfaction of the Town and the Region of York Health Services Department.

4.12 ORM NATURAL LINKAGE AREA

4.12.1 Purpose

The ORM Natural Linkage Area designation on Schedules "A" and "B" recognize areas identified in the *Oak Ridges Moraine Conservation Plan* as areas forming part of a central corridor system that support or have the potential to support the movement of plants and animals among the lands designated ORM Natural Core and Linkage Area, as well as river valleys and stream corridors.

The purpose of the designation of these areas is to maintain, and where possible to improve or restore, the ecological integrity of the Moraine Area and to maintain, and where possible improve or restore, regional-scale open space linkages between lands in the ORM Natural Core Area designations and along river valleys and stream corridors.

4.12.2 Permitted Uses

The following uses are permitted in the ORM Natural Linkage Area designation subject to the provisions of Section 3.2, 5.8.3 (Water Services), 5.10 (Wellhead Protection) and 8.16 (Watershed Plans) of this Plan:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Agricultural uses, with the exception that new agricultural uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule "H";
- iv) Transportation, infrastructure and utilities in accordance with the provisions of Section 3.2.5;
- v) Home occupations in any legally established residential unit, subject to the regulations of the Zoning By-law;
- vi) Home industries in association with any legally established use, subject to the regulations of the Zoning By-law;

- vii) Bed and breakfast establishments in any legally established residential unit, subject to the regulations of the Zoning By-law;
- viii) Farm vacation homes in association with any legally established agricultural use, subject to the regulations of the Zoning By-law;
- ix) Low intensity recreational uses in accordance with the provisions of Section 3.2.6;
- x) Unserved parks;
- xi) Recreational trails in accordance with the provisions of Section 3.2.7;
- Deferred→** **xii) Legally existing uses in accordance with the provisions of Section 3.2.4;**
- xiii) Mineral aggregate operations in accordance with the provisions of Section 4.6.4.4 of this Plan;
- xiv) Wayside pits in accordance with the provisions of Section 4.6.4.4;
- xv) Accessory uses; and,,
- xvi) Outdoor cannabis cultivation shall be permitted, subject to a Zoning By-law amendment, and provided that new cannabis cultivation uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule "H".

4.12.3 Land Use Policies

4.12.3.1 Uses Accessory to Agriculture

Uses accessory to agricultural uses shall be permitted in accordance with the policies of Section 4.3.2 of this Plan and Section 34 of the Moraine Plan (See Appendix ORM IV). In the event of a conflict between this plan and the provisions of Section 34 of the Oak Ridges Moraine Conservation Plan, the provisions of the Oak Ridges Moraine Conservation Plan shall prevail.

4.12.3.2 Waste Disposal Area Special Policy Area

In addition to the policies of this Section, the policies of Section 4.17 shall apply to areas identified on Schedule “B” as “Waste Disposal Special Policy Area” and “Waste Disposal Area of Influence”.

4.12.3.3 Outdoor Cannabis Cultivation

The following policies shall apply to an outdoor cannabis cultivation use in the ORM Natural Linkage Area

- i) Only outdoor cannabis cultivation uses licensed by Health Canada under the *Cannabis Act* shall be permitted;
- ii) Indoor cannabis cultivation and cannabis processing shall be prohibited;
- iii) A maximum of one accessory building that is required to support outdoor cultivation uses for purposes of packaging, labelling, storage, sampling, disposing, and testing for pesticides shall be permitted; The minimum separation distance between an outdoor cannabis cultivation uses and lands designated Estate Residential Area, and Estate Residential Area Special Significant Environmental Area, Rural Commercial/Industrial/Institutional Area, or Public Open Space shall be 1000.0 m, shall be 1000.0 m;
- iv) The minimum separation distance between an outdoor cannabis cultivation uses and any Secondary Plan Area boundary or ORM Hamlet boundary shall be 1000.0 m
- v) The minimum separation distance between two or more cannabis cultivation uses and/ or cannabis processing uses use shall be 1000.0 m;
- vi) Facilities shall be located and designed in accordance with Cannabis Regulations (SOR/2018-144) to mitigate potential nuisance impacts such as including light emissions, air emissions, and odour;
- vii) Outdoor storage shall be prohibited as accessory to a outdoor cannabis cultivation use;
- viii) The Town may establish a municipal licensing framework to regulate cannabis cultivation and cannabis processing uses which can further regulate land use, separation distance, and site plan control;

- ix) Outdoor cannabis cultivation shall only be permitted through an amendment to the Town's Zoning By-law;
- x) The Town's Zoning By-law shall establish more detailed zoning regulations and standards regarding outdoor cannabis cultivation; and,
- xi) Outdoor cannabis cultivation shall be subject to site plan control, as required under Town's Site Plan Control By-law including providing the required studies outlined in section 8.6.5.

4.12.4 Special Provisions

4.12.4.1 Special Provision 1 – 6482 Bloomington Road

In addition to the policies of this section, a 'Rehabilitation Treatment Centre', inclusive of a dwelling unit, shall be permitted on the lands described as Part of Lot 11 , Concession 9, Town of Whitchurch-Stouffville, Regional Municipality of York and known municipally as 6482 Bloomington Road, Whitchurch-Stouffville.

4.13 ESTATE RESIDENTIAL AREA

4.13.1 Purpose

The Estate Residential Area designation on Schedule “B” recognizes existing estate residential development and proposed development which was registered or draft approved or the subject of an approved site specific official plan amendment at the date of adoption of this Plan.

4.13.2 Permitted Uses, Buildings and Structures

The permitted uses in the Estate Residential Area designation shall be single detached dwellings on large lots.

4.13.3 Prohibited Uses

- i) Additional estate residential development, other than in registered and draft approved subdivisions and approved site specific official plan amendments existing at the date of adoption of this Plan, shall be prohibited in the Town. The only exception shall be limited infilling in the Sleepy Hollow area on lands in the Estate Residential Area designation subject to approval of a plan of subdivision or consents, as appropriate, and a Zoning By-law amendment by the Town.
- ii) The prohibition of estate residential development shall be reviewed in 2005 by the Town based on an update of the Town’s Growth Management Strategy and an assessment of the impacts of such development on the environment and municipal services carried out by the Town.

4.13.4 Land Use Policies

4.13.4.1 Zoning By-law

The Zoning By-law will recognize only existing registered and draft approved estate residential subdivisions at the date of adoption of this Plan. Amendments to the Zoning By-law to permit the development of lands in approved site specific

official plan amendments shall only be permitted as a condition of draft plan of subdivision.

4.13.4.2 Greenlands System

The Town shall work with landowners in the Estate Residential Area designation to ensure that any new development or changes to existing development is designed to restore and enhance the Greenlands System in accordance with the policies of Section 3 of this Plan and will not have any negative impact on environmental functions, attributes and linkages.

4.13.5 Exceptions

4.13.5.1 Part Lots 24 and 25, Concession 5

Notwithstanding any other policies of Section 4.13, the lands designated as “Estate Residential Area” on Schedule “B” in Part Lots 24 and 25, Concession 5 may be used for estate residential lots with a minimum lot area of 0.8 ha (2 ac.) and a maximum of 29 lots. The following policies shall also apply to the development:

- i) in accordance with the policies of C.N. Rail, portions of these lands may be sensitive areas for noise vibration and safety. Accordingly, prior to the approval of applications for a Plan amendment, Zoning By-law amendments and subdivisions, said applications should be circulated to the appropriate rail company for comments with regards to recommended noise, vibration and impact mitigation measures; and,
- ii) recognition is given to the value of the fisheries resources of the Bogart Creek. For this reason, development is to take place in such a manner as to minimize negative impacts that can result from development including the use of proper stormwater management and erosion and sedimentation control measures both during and after the development of the site. Also, protection is required for the treed areas located in the southern portion of the property. Development (i.e., building envelopes, septic systems and primary tile fields, or amenity facilities such as tennis courts or swimming pools) shall be prohibited from these areas. A planting plan is required to enhance the naturally vegetated areas on site.

4.14 RURAL COMMERCIAL/INDUSTRIAL/INSTITUTIONAL AREA

4.14.1 Purpose

The Rural Commercial/Industrial/Institutional Area designation on Schedule “B” recognizes existing and approved commercial, industrial and institutional uses in the Rural Area, and permits the extension and expansion of such uses.

4.14.2 Permitted Uses, Buildings and Structures

4.14.2.1 Permitted Uses

The permitted uses in the Rural Commercial/Industrial/Institutional Area designation are rural commercial, industrial and institutional uses:

- i) which comply with or are similar to those permitted by the zoning for the site existing at the date of adoption of this Plan; or,
- ii) which are generally small scale uses primarily related to, and designed to serve, the rural/agricultural/environmental areas or utilize the products of those areas.

Institutional uses shall be deemed to include cemeteries.

4.14.2.2 Prohibited Uses

The following uses are prohibited in the Rural Commercial/Industrial/Institutional Area designation:

- i) Residential uses, other than accessory residential dwellings to accommodate the owner, manager or other employees of the facility;
- ii) Shopping centres or other major retail commercial uses; and,
- iii) Industrial subdivisions.

4.14.3 Land Use Policies

4.14.3.1 New Uses

Applications for new rural commercial, industrial or institutional uses shall require a site specific amendment to the Official Plan and shall only be permitted provided that the use:

- i) is designed and located to protect and enhance the Greenlands System identified on Schedule “A” and in the policies of Section 3 and will not have any negative impact on environmental functions, attributes and linkages;
- ii) is designed to minimize audio and visual nuisances and hazards, and shall provide to the satisfaction of the Town, a combination of mitigation measures in order to minimize any potential negative impacts that the development may have on adjacent agricultural or residential uses;
- iii) is located on lands designated “Rural Area” on Schedule “B” to this Plan;
- iv) complies with the minimum distance separation formulae;
- v) has direct access from a Regional major or minor arterial, or collector road;
- vi) the use satisfies the following criteria:
 - a) a specific detailed development proposal has been submitted to the Town;
 - b) there is a demonstrated public need and demand for the proposed land use;
 - c) there are no suitable alternative locations in the Town;
 - d) the use will not reduce or impede surrounding farm operations or their potential for expansion;
 - e) the site is suitable for the proposed use and does not include unnecessary land;
 - f) the proposed use is compatible with surrounding uses;

- g) adequate water supply and waste disposal facilities are available to the satisfaction of the Town and York Region;
- h) for industrial uses, the uses are limited to dry industrial uses which do not use water for washing, cooling or processing and do not generate more than 4500 L per day of employee sanitary waste.

4.15 ORM HAMLET AREA

4.15.1 Purpose

The ORM Hamlet Area designation on Schedule “B” recognizes the existing Hamlet of Bloomington, including limited opportunities for infilling and other approved development at the date of adoption of this Plan.

4.15.2 Permitted Uses, Buildings and Structures

The permitted uses in the ORM Hamlet Area designation are:

- i) single detached dwellings;
- ii) small scale convenience commercial uses; and,
- iii) small scale institutional uses.

4.15.3 Land Use Policies

4.15.3.1 ORM Hamlet Boundaries

The boundaries of the ORM Hamlet Area designation on Schedule “B” are fixed.

4.15.3.2 New Uses

- i) Only minor infilling and development of registered or draft approved or pending subdivisions 19T-86075, 19T-89095, 19T(W)-97004, 19T-86101, and 19T-83015 within the boundaries of the ORM Hamlet Area at the date of adoption of this Plan shall be permitted. Any development applications, other than registered or draft approved or pending subdivisions in the ORM Hamlet Area designation shall satisfy the requirements of Section 7, and, if applicable, Section 8.5 of this Plan. In addition, all new development shall have a minimum lot size of 0.4 ha (1 ac.). Further, larger lots sizes maybe required as a result of hydrogeological studies undertaken to the satisfaction of the Town.

- ii) Any development applications shall conform with the provisions of Section 3.2 of this Plan and Section 15 and Section 32 of the Oak Ridges Moraine Conservation Plan. Any application for small scale convenience commercial or institutional uses including, but not limited to, schools, places of worship, community halls, farm implement stores, feed stores and country markets shall not be approved until the applicant demonstrates that:
 - a) the use does not require large scale modification of terrain, vegetation or both or large-scale buildings and structures; and,
 - b) the buildings and structures will be planned, designed and constructed so as to not adversely affect the rural character of the lands in the ORM Hamlet Area designation and the ecological integrity of the Moraine Plan Area.
- iii) Notwithstanding the policy provisions of Subsection 4.15.3.2 i) to the contrary, residential development in Subdivision File Nos. 19T-83015 and 19T-86101 may be considered on lots with a minimum area of 0.3 ha (0.75 ac.) where:
 - a) The Developers have demonstrated to the satisfaction of the Town and the Region of York through the completion of hydrogeologic, geotechnical and site servicing reports that development can occur on the basis of private services at this density without impacting upon area private wells & septic systems, including the cumulative impact of development planned for the Hamlet of Bloomington, and, the maintenance of baseflow contribution to area Key Natural Heritage Features; and,
 - b) A Monitoring Program, designed to the satisfaction of the Town and the Region of York, is enacted through Conditions to Draft Plan Approval and ultimately the subdivision agreements or other mechanisms to ensure that the development of the lands does not result in any material adverse impact in terms of quality or quantity of water to adjacent lands.
- iv) Notwithstanding any of policies of this Plan to the contrary, the lands described as Part of Lot 11, Concession 8, municipally known as 13876 Ninth Line in Draft Plan of Subdivision 19T(W)-14.001 shall be permitted to

develop with a minimum lot area of 0.3 ha (0.75 ac.) on the basis of individual private wells and sewage treatment facilities.

4.16 SECONDARY PLAN AREA

4.16.1 Purpose

The purpose of the Secondary Plan Area designation on Schedule “B” is to recognize the Communities of Stouffville, Ballantrae-Musselman Lake and Vandorf-Preston Lake and the Gormley Industrial Area. It is intended that each area will maintain its individual identity, while recognizing its function as a settlement area within the Town of Whitchurch-Stouffville.

4.16.2 Land Use Policies

4.16.2.1 General

Development in each of the Secondary Plan Area designations shall be governed by the individual Secondary Plans. However, the Official Plan provides general direction regarding the role of each of these communities. Where there is a conflict between the policies of the Official Plan and the policies of a Secondary Plan, the policies of the Secondary Plan shall take precedence.

4.16.2.2 Stouffville

The Community of Stouffville is the main urban community of the Town of Whitchurch-Stouffville. It is the focus for the community with respect to social, recreation, cultural, government, commercial and employment uses. Development shall be subject to the policies of the Community of Stouffville Secondary Plan in Section 12 of this Official Plan.

4.16.2.3 Ballantrae-Musselman Lake

The Communities of Ballantrae-Musselman Lake are low density residential communities on large lots with partial services. They provide limited convenience commercial, recreation and institutional facilities to serve residents of the communities and the immediate area. Development shall be subject to the policies of the Community of Ballantrae-Musselman Lake Secondary Plan in Section 11 of this Official Plan.

4.16.2.4 Gormley Industrial Area

The Gormley Industrial Area is primarily an employment area where development will occur on private or communal services. Development shall be subject to the policies of the Gormley Industrial Area Secondary Plan in Section 10 of this Official Plan.

4.16.2.5 Vandorf-Preston Lake

The role of the Communities of Vandorf and Preston Lake will be established through the preparation of a Secondary Plan. Until a Secondary Plan is prepared development in these areas will be subject to the following policies:

- i) Development outside the existing developed areas or lands designated for development in Vandorf and Preston Lake shall be subject to the policies of the Agricultural Area of this Plan, except for those lands which form part of the Greenlands System on Schedule “A” which shall be subject to the policies of Section 3 of this Plan.
- ii) Development in the existing developed area of Vandorf shall be subject to the following policies:
 - a) New development shall be limited to minor infilling and development of registered or draft approved subdivisions approved at the date of adoption in the area up to the 19th Lot Line west of Woodbine Ave. Any development applications, other than in registered or draft approved subdivisions designation shall satisfy the requirements of Section 8.5 of this Plan; and,
 - b) A landscaped buffer zone of 120 m (400 ft) or a distance as determined by a site specific noise abatement study prepared to the satisfaction of the Town, will be created between the easterly limits of Highway 404 and the westerly limits of any development; and,
 - c) A landscaped buffer zone shall be created between all residential and industrial land uses and between rural and industrial land uses; and,
 - d) The maintenance of all buffer zones is the responsibility of the owner.

- iii) Additional development in the existing area of Preston Lake shall be prohibited, other than in existing registered or draft approved subdivisions approved at the date of adoption of this Plan.

4.17 WASTE DISPOSAL AREA OF INFLUENCE

4.17.1 Purpose

Waste disposal sites and their areas of influence identified to date are designated on Schedule “B”. The prior use of these lands for the disposal of wastes may have long term effects on the future uses of these lands. This potential impact must be taken into account in evaluating any proposal for development.

4.17.2 Permitted Uses, Buildings and Structures

The permitted uses, buildings and structures shall be those existing at the date of adoption of this Plan and those uses permitted in the underlying land use designation subject to the policies of those designations and, subject to the policies of Section 4.17.3 of this Plan.

4.17.3 Land Use Policies

4.17.3.1 Assessment Requirement

No development shall be permitted on lands in the Waste Disposal Area of Influence designation on Schedule “B” without the completion hydrogeology/ engineering studies that demonstrate to the satisfaction of the Town that development is compatible and can safely take place.

The Town shall require the construction and phasing of all development to coincide with the control of any problems identified by the studies and shall be satisfied through the required studies with respect to any matter regarding the structural stability, safety and integrity of any structure.

4.17.3.2 Official Plan Amendment

Where a proposal is made to amend this Plan or the Zoning By-law to allow for the development of the lands in the Waste Disposal Area of Influence designation on Schedule “B”, the following criteria must be satisfied:

- i) the requirements of Section 4.17.3.1 must be satisfied;

- ii) all the other relevant policies of this Plan, particularly the policies of the underlying land use designations must be satisfied; and,
- iii) any additional requirements of the Ministry of the Environment must be satisfied.

4.17.3.3 West Half of Lots 14 and 15, Concession 8

Notwithstanding the other policies of this Section, the Waste Disposal Area identified on Schedule “B”, generally located in the West Half of Lots 14 and 15, Concession 8, has been identified as an area of concern for future development. No development will be permitted within this area designated as “Waste Disposal Area” on Schedule “B”.

Any use sought for the lands identified as “Waste Disposal Area” shall require municipal endorsement. If filling has occurred within the past 25 years, approval will be required from the Ministry of the Environment under Section 46 of the Environmental Protection Act. This approval shall be obtained prior to the approval of any official plan or Zoning By-law amendment.

Any development proposals within the surrounding area designated as Waste Disposal Area of Influence will be subject to specific detailed additional studies similar to the in-depth studies which have already been conducted for the existing development. These studies shall also include conclusive investigations that any such future development will not adversely affect existing development and will satisfy the requirements of Sections 4.17.3.1 and 4.17.3.2 of the Plan as appropriate.

4.18 ESTATE RESIDENTIAL SPECIAL

4.18.1 Purpose

The Estate Residential Area Special designation relates to Blocks 100 and 101, Registered Plan 65M-2602 in Trail of the Woods. Certain portions of these lands are part of a former waste disposal site and as such, the lands were deferred for further consideration by the Ministry of Municipal Affairs when Official Plan Amendment No. 27 was approved in 1986. The proponent is required to decommission and rehabilitate these lands to the satisfaction of the Town, the Region of York and the Ministry of Environment prior to development occurring. Hydrogeological studies have been undertaken in support of the development of the lands subject to Deferral 1. Based on the results of these studies and the peer review process undertaken by the Town and the Region of York, the Estate Residential Special designation permits the development of the lands by way of a plan of subdivision subject to the special implementation policies referred to below.

4.18.2 Special Implementation Policies

- i) The development will proceed by a plan of subdivision and will be subject to conditions which require the phasing of development generally in accordance with Schedule "B-2" to this Plan. Minor alterations to the phasing plan may be made without an amendment to this Plan provided that the overall intent of the policies is met to the satisfaction of the Town and the Region of York.
- ii) The lands will be zoned with a Holding (H) symbol or the equivalent thereof pursuant to Section 36 of The Planning Act. This Zoning By-law shall specify the permitted uses at such time as the Holding symbol is removed. No development shall occur on any lands within the area zoned with a (H) Holding symbol or equivalent thereof until the (H) Holding symbol or equivalent thereof has been removed by an amendment to the Zoning By-law. Such an amendment to remove the (H) Holding symbol or equivalent thereof shall be conditional upon the following:
 - a) All of the waste materials have been processed and the unsuitable materials removed from the property in accordance with the recommendations of the Trow Environmental Management Plan and the Gartner Lee Limited letter dated September 16, 1999;

- b) The Terms of the conditions of the Provisional Certificate of Approval for a Waste Disposal Site (No. A230709) have been met to the satisfaction of the Ministry of Environment;
 - c) A groundwater monitoring network including time frames for monitoring has been established and implemented to the satisfaction of the Town and the Region;
 - d) Establishment of a domestic water supply contingency plan acceptable to the Town and the Region of York, the scope of which will be determined on the basis of site clean-up results;
 - e) The proponent satisfying the requirements of Section 46 of the Environmental Protection Act to the satisfaction of the Ministry of Environment; and,
 - f) The Town, the Region of York and any other applicable agency being satisfied that each phase of development is not being adversely affected by any residual effects of fill materials identified for cleanup on the property. This will be determined from monitoring of the groundwater quality.
- iii) Consents shall not be permitted in the Estate Residential Special designation.
 - iv) The subdivision shall be designed to preserve existing forested areas on the south side of Green Valley Circle.

4.19 ORM COUNTRYSIDE AREA

4.19.1 Purpose

The ORM Countryside Area designation on Schedule “B” recognizes areas identified in the *Oak Ridges Moraine Conservation Plan* as areas of rural land use such as agriculture, recreation, hamlets, mineral aggregate extraction operations, parks and open space. However, in cases of conflict the policies of Section 34 of the Moraine Plan will prevail. Hamlets are generally long-established and identified in official plans. They are also shown on the land use designation plan to the Moraine Plan as “Rural Settlement Areas”.

The purpose of the ORM Countryside Area designation is to encourage agriculture and other rural uses that support the Plan’s objectives by:

- i) protecting prime agricultural areas;
- ii) providing for the continuation of agricultural and other rural land uses and normal farm practices; and,
- iii) maintaining the rural character of Hamlets.

4.19.2 Permitted Uses

The following uses are permitted in the ORM Countryside Area designation subject to the provisions of Section 3.2, 5.8.3 (Water Services), 5.10 (Wellhead Protection) and 8.16 (Watershed Plans) of this Plan:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Agricultural uses, with the exception that new agricultural uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule “H”;
- iv) Transportation, infrastructure and utilities in accordance with the provisions of Section 3.2.5;

- v) Home occupations in any legally established residential unit, subject to the regulations of the Zoning By-law;
- vi) Home industries in association with any legally established use, subject to the regulations of the Zoning By-law;
- vii) Bed and breakfast establishments in any legally established residential unit, subject to the regulations of the Zoning By-law;
- viii) Farm vacation homes in association with any legally established agricultural use, subject to the regulations of the Zoning By-law;
- ix) Low intensity recreational uses in accordance with the provisions of Section 3.2.6;
- x) Unserved parks;
- xi) Recreational trails in accordance with the provisions of Section 3.2.7;
- Deferred→ xii) Legally existing uses in accordance with the provisions of Section 3.2.4;**
- xiii) Mineral aggregate operations in accordance with the provisions of section 4.6.4.4 of this Plan;
- xiv) Wayside pits in accordance with the provisions of section 4.6.4.4 of this Plan;
- xv) Agriculture-related uses;
- xvii) Major Recreational uses as described in Section 38 of the Moraine Plan (See Appendix ORM IV) provided that such uses shall not be permitted in prime agricultural areas;
- xviii) Accessory uses; and,
- xix) Outdoor cannabis cultivation, indoor cannabis cultivation and cannabis processing shall be permitted, subject to a Zoning By-law amendment, with the exception that new cannabis cultivation uses shall not be permitted in areas

identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule "H".

4.19.3 Land Use Policies

4.19.3.1 Uses Accessory to Agriculture

Uses accessory to and related to agricultural uses shall be permitted in accordance with the policies of Section 4.3.2 of this Plan and Section 34 of the Moraine Plan (See Appendix ORM IV). In the event of a conflict between this plan and the provisions of Section 34 of the Oak Ridges Moraine Conservation Plan, the provisions of the Oak Ridges Moraine Conservation Plan shall prevail.

4.19.3.2 Waste Disposal Area Special Policy Area

In addition to the policies of this Section, the policies of Section 4.17 shall apply to areas identified on Schedule "B" as "Waste Disposal Special Policy Area" and "Waste Disposal Area of Influence".

4.19.3.3 Major Recreation Uses

Major Recreation Uses shall also be subject to the provisions of Section 4.11, Commercial Recreation Area of this Official Plan and the provisions of the Moraine Plan, particularly Part IV, Section 38. However, in cases of conflict, the policies of Section 38 of the Moraine Plan will prevail.

4.19.3.4 Cannabis Cultivation and Processing

The following policies shall apply to an outdoor cannabis cultivation use in the ORM Countryside Area.

- i) Outdoor cannabis cultivation, indoor cannabis cultivation, and processing uses licensed by Health Canada under the *Cannabis Act* shall be permitted as a principal use;
- ii) Cannabis processing uses licensed by Health Canada under the *Cannabis Act* shall only be permitted as an accessory use;
- iii) A maximum of one accessory building that is required to support outdoor cultivation uses for purposes of packaging, labelling, storage, sampling, disposing, and testing for pesticides shall be permitted; The minimum separation distance between an indoor cannabis cultivation use, outdoor

cannabis cultivation use, or cannabis processing use and lands designated Estate Residential Area, Estate Residential Area Special, Significant Environmental Area, Rural Commercial/Industrial/Institutional Area, or Public Open Space shall be 1000.0 m;

- iv) The minimum separation distance between an indoor cannabis cultivation use, outdoor cannabis cultivation use, or cannabis processing use and any Secondary Plan Area boundary or ORM Hamlet Area boundary shall be 1000.0 m;
- v) Facilities shall be located and designed in accordance with Cannabis Regulations (SOR/2018-144) to mitigate potential nuisance impacts such as including light emissions, air emissions, and odour;
- vi) Outdoor storage shall be prohibited as accessory to an outdoor cannabis cultivation use;
- vii) The Town may establish a municipal licensing framework to regulate cannabis cultivation and cannabis processing uses which can further regulate land use, separation distance, and site plan control;
- viii) Cannabis cultivation and cannabis processing shall only be permitted through an amendment to the Town's Zoning Bylaw;
- ix) Accessory cannabis processing shall only be permitted through an amendment to the Town's Zoning by-law provided the following can be demonstrated to the satisfaction of the Town:
 - a. It is not feasible to locate the use in a settlement area;
 - b. The buildings or structures will be planned, designed, and constructed so as not to adversely affect the rural character of the Countryside Area nor adversely impact the ecological integrity of the Oak Ridges Moraine; and surrounding agricultural operations and lands or that such impacts will be minimized and mitigated to the extent possible.
- x) The Town's Zoning By-law shall establish more detailed zoning regulations and standards regarding outdoor cannabis cultivation; and
- xi) Cannabis cultivation and cannabis processing shall be subject to site plan control, as required under Town's Site Plan Control By-law including providing the required studies outlined in section 8.6.5.

4.19.4 Special Policies

4.19.4.1 Special Policy - Part Lot 2, Concession 3

In addition to any other policies of this Plan, the lands designated as “Special Policy Area” in Part Lot 2, Concession 3 as identified on Schedule “B” shall only be used for institutional uses including:

- i) cemeteries, and associated facilities including but not limited to mausoleum, crematorium and columbaria;
- ii) places of worship and chapels; and,
- iii) related uses including service buildings, administrative offices and buffering requirements.

All institutional uses shall be regulated by the provisions in the Zoning By-law and developed through site plan approval. Phasing of development shall be permitted. The development of the cemetery shall have regard for:

- iv) access to the road system such that traffic hazards are not created;
- v) provision of adequate on-site parking facilities; and,
- vi) screening and landscaping to complement the plot plan and permitted uses.

4.19.4.2 Special Policy - Part Lot 4, Concession 3

In addition to any other policies of this Plan, the lands designated as "Special Policy Area" in Part Lot 4, Concession 3 as identified on Schedule “B” is an existing industrial subdivision and may continue to be zoned for uses appropriate to such a development. However, the property shall be subject to site plan control to ensure that future development brings the use of the lands into closer conformity with the *Oak Ridges Moraine Conservation Plan*.

5. FUNCTIONAL COMMUNITY SERVICES

5.1 PURPOSE

The policies of this section provide direction with respect to the provision of functional community services for the Town including transportation, parks and recreation, sewage and water and emergency services.

5.2 TRANSPORTATION

5.2.1 Purpose

The purpose of the Transportation Plan on Schedule “B” is allow for the development of a transportation network which provides for the safe, economic and efficient movement of people and goods, while also providing for pedestrian and bicycle movement. In addition, the Town will continue to develop a network of trails which will provide other opportunities for pedestrian and bicycle movement.

5.2.2 Road Network

5.2.2.1 Road Classification

- i) Roads shall generally conform with the designations on Schedule “B” and the requirements of Table 1. In addition, it is recognized that all Regional Roads shall be subject to the policies of the Region of York Official Plan and that roads in the Moraine Plan Area shall be subject to the policies of Section 3.2 of this Plan and the relevant land use designation.
- ii) Potential roads designated on Schedule “B” are established to reserve sufficient lands to provide choices for long term planning. Their alignments

are approximate and may be modified without an amendment to this Plan. The construction of such streets shall comply with the requirements of Table 1.

- iii) New local and collector roads not designated on Schedule “B” shall generally conform with the requirements of Table 1.

5.2.2.2 Road Planning

- i) The Town shall work co-operatively with the Region of York to integrate the planning of the Town's road network with the regional road system.
- ii) The Town, as a condition of development or redevelopment, may require lands for the purposes of road widening to be dedicated to the appropriate authority having jurisdiction, in accordance with the requirements of Table 1. Additional lands in excess of the typical right-of-way widths may also be required to be conveyed for works related to, but not limited to, extensive cut/fill operations, intersection improvements, bridges, sight triangles, grade separations with a railway, and drainage and buffering improvements.
- iii) Notwithstanding the standards set out in this Plan, the Town recognizes that the reconstruction of roads to normal minimum standards in some existing developed areas may not be appropriate from a community design perspective, or economically or physically feasible due to existing building setbacks and/or mature trees within or adjacent to the road allowance. Any attempt to reconstruct such roads to minimize deficiencies shall only be undertaken after a study to determine a right-of-way which will result in a streetscape which minimizes impacts on abutting properties and is appropriate to the character of the area, while serving anticipated traffic volumes. No amendment to this Plan shall be required to implement such a modification to the right-of-way.
- iv) Generally no new roads shall be assumed or dedicated which do not meet the minimum standards established in Table 1. However, the Town may accept roads with reduced standards, particularly where parks, open space or institutional uses are located on one side of the street. Notwithstanding the foregoing, such reduced standards shall be accepted only when the Town is satisfied that such roads can serve anticipated traffic volumes and that they provide adequately for snow storage, on-street parking and other necessary facilities. In order to demonstrate the acceptability of such alternative road

standards, the Town may carry out its own evaluation or a peer review of a Study submitted by the applicant. Such an evaluation or peer review shall be at the cost of the applicant.

- v) New roads shall be designed to integrate “traffic calming” measures as appropriate. In addition, where traffic problems are identified in existing areas through studies carried out by the municipality, the Town shall consider the introduction of “traffic calming” measures where appropriate to assist in the resolution of such concerns.

**Table 5.1
Function of Road Facilities**

Road Classification	Function	Design Requirements
Regional and Major Arterial Roads	<ul style="list-style-type: none"> • Serve inter-regional, regional and local travel demands, including truck movements 	<ul style="list-style-type: none"> • Direct access from abutting properties is generally restricted • Maximum of four through lanes and transit/HOV lanes, if required • Right-of-way width of 30 to 45 m (98 to 148 ft) except for specific areas such as sections of the 9th Line between Aurora and Vivian Roads, around Musselman Lake and just north of Stouffville Road, where a reduced right-of-way is required.
Minor Arterial Roads and Collector Roads	<ul style="list-style-type: none"> • Serve local travel demands • Connects major arterial and local roads 	<ul style="list-style-type: none"> • Direct access from abutting properties permitted with some restrictions • Maximum two travel lanes • Maximum right-of-way width 20 to 26 m (66 to 85 ft)
Local Roads	<ul style="list-style-type: none"> • Serves local and neighbourhood travel demand • Connects individual properties to collectors and arterials 	<ul style="list-style-type: none"> • No access control • Maximum two travel lanes • Right-of-way width 20 m (66 ft) maximum, however, reduced standards may be established for individual development applications to a minimum right-of-way width of 17 m (55.7 ft)
Lanes	<ul style="list-style-type: none"> • Provides access to individual properties for parking and loading 	<ul style="list-style-type: none"> • Generally prohibited, but where permitted: • No access control • Right-of-way width 5 m (16 ft) minimum

5.2.3 Pedestrian and Bicycle Circulation

5.2.3.1 Sidewalk and Road System

- i) The primary system for pedestrian movement shall be the trail system. Provision shall also be made for sidewalks in the Secondary Plan areas.
- ii) Bicycle movement shall generally be accommodated in the street right-of-way. Consideration shall be given to the inclusion of bicycle lanes in road right-of-ways for new arterial and collector roads. On existing arterial and collector roads, the addition of facilities for bicycles shall be considered when such roads are reconstructed, or where it is physically and financially feasible to do so.

5.2.3.2 Trail System

- i) The Town shall continue the development of a system of pedestrian/ bicycle trails to link the Town together. In particular, in the rural/agricultural/ environmental area, the Town shall support the creation of the Trans-Canada Oak Ridges Moraine and Rouge Park Trail Systems and trail linkages to these major trails. Where appropriate, the trail system could also be designed to be accessible to horses. The trail system will be an integral part of the Greenlands System and will provide a physical connection to parks and other open spaces.
- ii) The Town shall prepare a Trail Master Plan for the Town which will among other matters address the issue of ownership and maintenance of the system and that trails be located in an environmentally sensitive manner.
- iii) Where new development is proposed, specific routes for trails shall be established as part of the development plan if appropriate, and the provision of a trail system link shall be a condition of approval of development where appropriate.

5.2.4 Transit Service

5.2.4.1 GO Transit

In accordance with the policies of Section 12.8.3 of the Community of Stouffville Secondary Plan, the Town shall work to maintain and enhance existing rail transit service to the Community of Stouffville.

5.2.4.2 Regional Transit Service

The Town shall encourage the Region of York to develop a regional transit system in accordance with the policies of Section 6.2 of the Regional Official Plan. In particular, the Town shall encourage the creation of a regional transit system which will link the Community of Stouffville with other communities in the Region, and which will provide internal service within the Community itself.

5.2.4.3 Transit Supportive Design

The Town shall support transit supportive urban design measures, and in particular shall ensure that:

- i) arterial and collector roads are designed to accommodate transit facilities; and,
- ii) subdivisions are designed to permit effective transit routes and supportive pedestrian access to them.

5.2.4.4 Parking

The Town shall require, as a condition of development, that adequate off-street parking and loading facilities be provided. However, notwithstanding the foregoing, the Town shall encourage the retention and expansion of on-street parking in areas where it will not interfere with the efficient movement of traffic.

5.3 PARKS AND RECREATION

5.3.1 Leisure Services Master Plan

The Town shall establish the priorities of leisure (parks and recreation) services within the context of overall municipal priorities and financial resources through the Leisure Services Master Plan. The Master Plan sets out the detailed framework for the provision of leisure services in the Town.

5.3.2 Parkland Hierarchy

The Parkland Hierarchy which has been established for the Town is outlined in Table 2 to the Plan. The Hierarchy will be used as a guide to the development of the Parkland System recognizing that it may not always be possible to attain the proposed standards. Where the optimal size of a park is not attainable through the dedication of land as part of a specific development, the Town shall attempt to consolidate lands through the combination of parkland dedications to assemble a park of a suitable size, or shall take “cash-in-lieu” of parkland.

5.3.3 Relationship to Other Facilities

Where a park is integrated with an educational or major indoor recreational facility, the following criteria shall apply:

- i) no physical barriers will be introduced to separate those facilities which fulfill a joint function;
- ii) a separate identity will be maintained for the park and school or recreational facility components by means of signage and landscaping;
- iii) the facilities shall be designed to be complementary; and,
- iv) the standards established by the Town in Table 2 for the provision of parkland shall not be reduced.

**Table 5.2
Parkland Hierarchy**

Criteria	Local Park	Community Park	Natural Open Space Area	Design Feature	Town
Area/ Population	1.2 ha (3 ac.) /1,000 population	.8 ha (2 ac.) /1,000 population	All available lands in the Greenlands System on Schedule "A" which can be acquired by the Town or other public agency.	Variable to be determined on a site specific basis	Variable related to functional requirements
Minimum Size	2 ha (5 ac.)	4 ha (10 ac.)	No minimum as size related to available resources	Variable to be determined on a site specific basis.	Variable related to functional requirements
Location	i) minimum continuous road frontage on two sides of park; ii) adjacent to a collector road; and, iii) adjacent to an elementary school or other open space lands where possible.	i) minimum continuous road frontage on two sides of park; ii) adjacent to a collector or arterial road; and, iii) adjacent to an elementary or secondary school or other major open space lands where possible.	All available lands in the Greenlands System on Schedule "A" which can be acquired by the Town or other public agency.	At key locations such as gateways to the Town Secondary Plan areas or specific neighbourhoods, key intersections, adjacent to public buildings or at focal points for specific neighbourhoods, Secondary Plan Areas or hamlets.	At key locations central to the Town's population or related to a specific feature or facility
Service Area	up to 0.8 km. radius (0.5 mi)	Secondary Plan Area or Community	Town	Not applicable.	Town

**Table 5.2
Parkland Hierarchy**

Criteria	Local Park	Community Park	Natural Open Space Area	Design Feature	Town
Facilities	i) sports fields; ii) hard surface play areas and components iii) play apparatus; iv) sitting areas; v) passive and free play areas; vi) landscaping appropriate to the park type; and, vii) parking areas.	i) major athletic facilities and/or standard sports fields; ii) other major recreation facilities such as bowling greens, tennis courts; iii) play apparatus; iv) water spray pad or other water play feature; v) hard surface play areas and components; vi) washroom facilities and servicing; vii) sitting and picnic areas; viii) passive and free play areas; ix) gazebos, picnic shelters and other seasonal structures; x) landscaping appropriate to the park type; and, xi) parking areas.	i) Trails ii) Picnic areas iii) Conservation and education related features to be determined on a site specific basis	Facility and landscaping requirements to be determined on a site specific basis	Requirements to be determined on a site specific basis.

5.4 EDUCATION FACILITIES

5.4.1 Education Facilities

- i) The Town will work with the Boards of Education to ensure the reservation of an adequate number and distribution of school sites and related community facilities throughout the municipality to accommodate the needs of the residents. These sites and facilities shall be planned and developed in accordance with the respective policies, practices and guidelines of the school boards.
- ii) The Town shall encourage the reservation and ultimate location of school sites adjacent to parks or other recreation facilities to allow for shared use of facilities and shall work with the Boards of Education to allow public use of school facilities. The Town shall also encourage the development of shared school/community buildings where feasible to maximize land and financial resources. The Town shall also encourage the location of school sites adjacent to natural areas in the Greenlands System where appropriate subject to proper design (e.g. lighting, location of active sports areas) to ensure compatibility.

5.4.2 Unused/Closed School Sites

- i) The Town shall consider the acquisition of all or a portion of any reserved school site that is not required by the School Boards, so that the land can be used to maintain an identified open space network or provide some of the recreation facilities that would otherwise be provided at a school site.
- ii) The Town shall assess all possible options to ensure adequate parkland is provided where closure and sale of a school is proposed.

5.5 COMMUNITY FACILITIES

Community facilities include facilities designed to meet the social and cultural needs of the residents including places of worship, daycare centres, museums, cultural centres or other similar uses. The Town will work with such organizations to ensure that provision is made for such facilities in appropriate locations, primarily in the Secondary Plan areas, to serve the residents' needs.

In determining appropriate locations for community uses, the Town shall have regard for the type of service provided by the facility, recognizing that some uses will serve a localized population, while others will serve the whole or large portions of the Town, as well as tourists and other visitors.

The Town shall provide for the location of community facilities in the Secondary Plan process, and in particular, may provide for Worship Reserve sites. However, the Town shall encourage the shared use of buildings such as schools, places of worship and other similar facilities for more than one community use and encourage their design such that they can be adapted to alternative community uses as may be needed in the future.

5.6 LIBRARY FACILITIES/SERVICES

The Town shall ensure that all residents of the Town have access to public library services.

The Library system shall include the main library and branch libraries may also be provided to serve user demand. The Town shall encourage the incorporation of branch libraries into other buildings such as commercial uses, schools or other similar facilities.

5.7 FIRE AND EMERGENCY SERVICES

The Town shall ensure the efficient and effective allocation of Fire Station sites and emergency services throughout the Town, in consultation with the Region of York Police and the Town Fire Department and adjacent municipalities.

The Town shall consult with the Fire Department with respect to the establishment of Fire Station locations. Such stations shall have convenient access to arterials, a close relationship to the intended service area and shall be integrated with the surrounding development, including appropriate architectural design and landscaping and buffering from residential buildings.

The Town shall ensure that adequate emergency access is provided throughout the Town for police, fire and other emergency vehicles.

Site Plans and Draft Plans of Subdivision will be reviewed to ensure that they are designed to accommodate fire prevention and timely emergency response.

5.8 SEWAGE AND WATER FACILITIES

5.8.1 Secondary Plan Areas

The type of sewer and water facilities to be used in each of the Secondary Plan Areas will be established in the Secondary Plan. Until a Secondary Plan is prepared for the Vandorf-Preston Lake Area, the policies of this section will apply to the provision of services.

5.8.2 Level of Service Provision

- i) Full municipal sewage and water services shall not be provided to areas in the Town outside the Secondary Plan Areas.
- ii) The form of development outside the Secondary Plan Areas permitted by this Plan shall generally only require individual private sewage disposal and water systems subject to the approval of the Town and the Region of York Health Services Department.
- iii) Notwithstanding the provisions of Section 5.8.2 ii), where new multiple lot/unit development is proposed, the Town shall give consideration to the use of communal sewage and water systems provided that such systems are:
 - a) privately owned and operated;
 - b) approved by a Class Environmental Assessment or equivalent process which includes the following:
 - i) an inventory of the existing environment and possible impacts;
 - ii) evaluation of alternatives in consultation with affected agencies;
 - iii) construction of collection and distribution systems to municipal standards;
 - iv) specifications of interrelationship with any related uses; and,

- v) preparation of a maintenance, monitoring and system failure contingency plan;
- c) subject to a Responsibility Agreement(s) being executed with the Regional Municipality of York for the systems, identifying among other things:
 - i) operation and maintenance standards;
 - ii) definition of default and required remediation;
 - iii) financial guarantees that no public funds will be required in the case of a malfunction;
 - iv) easements, rights of entry and inspection; and,
 - v) monitoring systems.
- iv) Further, notwithstanding the provisions of Section 5.8.2 ii), where areas of groundwater contamination or other health problems develop, the Town shall work with the Region to develop appropriate solutions to such concerns, which may include the use of communal systems, provided suitable administrative and financial arrangements can be made.

5.8.3 Oak Ridges Moraine

In the Oak Ridges Moraine Plan Area, including but not limited to the Settlement and Rural Settlement areas, the policies of Section 3.2, 5.10 and 8.16 of this Plan apply in addition to the following:

- i) Sewage and water services

Water and sewer service trenches shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum.

- ii) Partial services

- a) The construction or expansion of partial services is prohibited.

b) Subsection a) does not apply to prevent the construction or expansion of partial services that is necessary to address a serious health concern or environmental concern.

c) Subsection a) does not apply to prevent the construction or expansion of partial services if:

i) the construction or expansion was approved under the Environmental Assessment Act prior to November 17, 2001; and,

ii) the period of time during which the construction or expansion has not expired.

iii) Stormwater management

a) Every application for development or site alteration shall demonstrate that planning, design and construction practices that protect water resources will be used, including,

i) keeping the removal of vegetation, grading and soil compaction to a minimum;

ii) keeping all sediment that is eroded during construction within the site;

iii) seeding or sodding exposed soils as soon as possible after construction; and,

iv) keeping chemical applications to suppress dust and control pests and vegetation to a minimum.

b) In considering an application for development or site alteration, the municipality shall seek to reduce areas with impervious surfaces and increase areas retained in a natural undisturbed state, in order to minimize stormwater volumes and contaminant loads.

c) Municipal development standards shall incorporate planning, design and construction practices that will,

i) reduce the portions of lots and sites that have impervious surfaces; and,

- ii) provide the flexibility to use alternative stormwater management techniques such as directing roof discharge to rear yard ponding areas and using grassed swales.
 - d) Subsections a), b) and c) do not apply to applications for mineral aggregate operations.
 - e) For the purposes of stormwater management, the minimum standard for water quality is that 80% of suspended solids shall be removed from stormwater runoff as a long-term average.
 - f) Despite anything else in this Plan, disposal of stormwater into a kettle lake is prohibited.
 - g) Despite anything else in this Plan, new stormwater management ponds are prohibited with respect to land in key natural heritage features and hydrologically sensitive features.
- iv) Rapid infiltration Basins and Columns

Despite anything else in this Plan, new rapid infiltration basins and new rapid infiltration columns are prohibited.

5.9 WASTE MANAGEMENT DISPOSAL AND COMPOSTING

The Town supports private and public efforts to promote the principles of reduce, reuse and recycle including the recycling of aggregate wastes (e.g. used concrete and asphalt) and solid wastes.

Small-scale household composting, will be encouraged subject to the Town's Zoning By-laws.

The Town shall permit collection for recycling and reuse in all land use designations subject to approval of the specific location by Council and subject to the provisions of Section 3.2, Section 5.10 and the specific land use designation for lands in the Moraine Plan Area.

Businesses will be encouraged to develop safe, cost-effective and new methods of waste management and disposal in order to maximize the long-term operational life span of the landfill sites.

Private waste composting of organic material will be permitted in an Industrial land use designation subject to all of the following:

- i) the operations must be in-vessel or in-building without outdoor storage;
- ii) the operations will use the most current technology available to minimize the emission of odours and other emissions;
- iii) the operator shall at all times retain or employ properly trained staff;
- iv) the site of the operations shall be subject to Site Plan Control; and,
- v) the operations shall be in compliance with the requirements, as they may exist from time to time of the appropriate permissions granted under the Environmental Protection Act or its equivalent and such other by-laws of the Town as may be applicable including any Site Plan Agreement.

Waste Management and Disposal enterprises dealing with the recycling of paper, wood and inorganic waste will be permitted in an Industrial designation subject to:

- vi) no chemical processing including bleaching or diluting;
- vii) low water usage;
- viii) the specific sites are large enough to permit adequate landscaping, buffering of outside storage and operations;
- ix) site plan approval which addresses a range of matters including:
 - a) full screening of outside storage; and,
 - b) organization of outside storage to limit heights of what can be seen and breaks to prevent fire hazards; and,
- x) the operation conforming to all other Town, Region and Provincial requirements and by-laws.

Notwithstanding any other policies of this section, management and disposal of the following specific waste will be subject to a site-specific Official Plan Amendment and Zoning By-law Amendment, including:

- xi) paper and wood waste, except as provided in subsection 5.9 of this Plan;
- xii) inorganic waste, except as provided in subsection 5.9 of this Plan;
- xiii) composting of organic material, except as provided in subsection 5.9 of this Plan;
- xiv) chemical/medical waste radioactive waste, or other material generally considered hazardous; and,
- xv) recycling of aggregate wastes including used asphalt and used concrete.

5.10 WELLHEAD PROTECTION AREAS

5.10.1 Purpose

Wellhead Protection Areas which include lands that contribute water to each municipal well (capture zone) have been established by the Regional Municipality of York in the Moraine Plan Area. Land use restrictions shall be applied within the Wellhead Protection Areas based on “time-of-travel” for ground water to reach the municipal well and the relative threat posed by certain land use/activities in proximity to such wellheads.

5.10.2 Policies

5.10.2.1

Wellhead Protection Areas and Time-of-Travel Zones are delineated on Schedule K to this Plan.

5.10.2.2

Within Wellhead Protection Areas and zero to twenty-five year Time-of-Travel Zones on the Moraine new uses which involve the following shall be prohibited:

- i) Storage, except by an individual for personal or family use of:
 - a) petroleum fuels;
 - b) petroleum solvents and chlorinated solvents;
 - c) pesticides, herbicides and fungicides;
 - d) construction equipment;
 - e) inorganic fertilizers;
 - f) road salt; and,

- g) contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario 1990.
- ii) Generation and storage of hazardous waste or liquid industrial waste.
- iii) Waste disposal sites and facilities, organic soil conditioning sites and snow storage and disposal facilities.

5.10.2.3

In addition to the policies of Section 5.10.2.2, and notwithstanding any other provisions of this Plan, new uses, which involve the following, are prohibited on the lands in the zero to two year Time-of-Travel Zone, within the Moraine Plan Area, except by an individual for personal or family use:

- i) Storage of animal manure;
- ii) Animal agriculture; and,
- iii) Storage of agricultural equipment.

5.10.2.4

Every person who carries on a use listed above, as an owner or operator, shall be required to prepare and maintain a site management and contingency plan that is aimed at reducing or eliminating the creation of the materials referred to above, and their release into the environment, which plan shall be reviewed and approved by the Region.

5.10.2.5

The Town shall encourage restrictions on haulage routes for the transportation of chemicals and volatile materials through designated Wellhead Protection Areas.

6. SOCIAL, CULTURAL AND DESIGN DIRECTIONS

6.1 PURPOSE

The policies of this section provide direction with respect to social, cultural, heritage, community improvement and design issues.

6.2 HOUSING

6.2.1 Purpose

The Town shall encourage the provision of a full range of housing types and densities to meet the projected demographic and market requirements of current and future residents recognizing that these requirements shall primarily be satisfied through development in the Communities of Stouffville and Ballantrae-Musselman Lake, and potentially in Vandorf-Preston Lake, in conformity with the policies of the relevant Secondary Plans.

6.2.2 Housing Policies

The Town will provide for an appropriate range of housing types and densities to meet the 2031 forecast population for the Town by;

- i) encouraging housing forms and densities designed to be affordable to moderate and lower income households;
- ii) encouraging all forms of residential intensification in the Community of Stouffville, in conformity with the policies of the Secondary Plan, where there is sufficient existing or planned infrastructure to create a potential supply of new housing units; and,

- iii) establishing cost-effective development standards for new residential development and redevelopment to reduce the cost of housing.

6.2.3 Housing Targets

The Town, to meet the allocation of population by the Region of York Official Plan to the Town, will plan to accommodate a housing unit target of an additional 9,200 units between 2012 and 2031. Further, the Town will Plan to achieve a housing mix target in the Community of Stouffville where the majority of residential is planned to comprise of 50% low density residential units; 27% medium density residential and 23% high density residential units.

The achievement of the housing mix target shall not be required on a yearly basis, but the Town shall review progress in meeting the targets every five years, and will monitor on an annual basis.

6.3 COMMUNITY IMPROVEMENT

6.3.1 Municipal Improvement Goals and Objectives

i) Goals

The Town of Whitchurch-Stouffville shall maintain, rehabilitate and redevelop the existing physical environment by both public and private means to accommodate the social and economic priorities within the community.

ii) Objectives

The Town of Whitchurch-Stouffville shall:

- a) Implement improvements to the physical and social facilities and services in a planned and efficient use of municipal capital expenditures;
- b) Maximize the use of funding from various federal and provincial agencies;
- c) Encourage projects and programs which improve the Town's physical and social environment, and economic base;
- d) Promote private investment in the upgrading of existing buildings and property in a manner compatible with the overall community interest.

6.3.2 Criteria for the Selection of Areas in Need of Community Improvement

i) Residential

The Town of Whitchurch-Stouffville shall use the following criteria for the selection of residential neighbourhoods as community improvement areas:

- a) Condition of structures including accessory uses;
- b) Condition of landscaping and neighbourhood maintenance;
- c) Condition and adequacy of physical hard services including water system, sanitary sewer system, storm water drainage, roads, sidewalks and street lighting;

- d) Condition and adequacy of municipal and private recreational facilities and services including active and passive parks, arenas, pools, lawn bowling greens and tennis courts;
- e) Condition and adequacy of municipal and private social and cultural facilities and services such as day-care centres, senior citizen homes, community halls, libraries and galleries; and,
- f) Encroachment of conflicting land uses which deter and have a negative social impact on the existing neighbourhood.

ii) Commercial

The Town of Whitchurch-Stouffville shall use the following criteria for the selection of commercial areas as community improvement areas:

- a) All of the criteria listed in Section 6.3.2 i);
- b) Lack of easily accessible and good condition off-street parking and loading areas;
- c) Motor vehicle traffic delays in shopping areas;
- d) Inadequate pedestrian walkways to shopping areas from parking locations and along store fronts;
- e) Deficient amenities such as benches, bicycle racks, waste disposal containers and attractive floral and tree landscaping conducive to a pleasant shopping environment;
- f) Commercial vacancy rates greater than ten percent over a three month period; and,
- g) Deteriorated building facades and signage.

iii) Industrial

The Town of Whitchurch-Stouffville shall use the following criteria for the selection of industrial areas as community improvement areas:

- a) All of the criteria listed in Section 6.3.2 i);
- b) Lack of easily accessible and good condition off-street parking and loading areas;
- c) Motor vehicle traffic congestion in industrial areas;
- d) Visual pollution including storage areas;
- e) Environmental problems.

iv) Agricultural/ Rural Areas

The Town of Whitchurch-Stouffville shall use the following criteria for the selection of agricultural/rural areas as community improvement areas:

- a) All of the criteria listed in Section 6.3.2 i);
- b) Promoting a viable tourism economy;
- c) Ensuring local food security;
- d) Provisioning of essential community services and infrastructure; and
- e) Other matters as deemed appropriate by the Town.

6.3.3 Delineation of Areas in Need of Community Improvement

The Town may consider the establishment of a Town-wide Community Improvement Area or other site-specific Community Improvement Project Areas. This shall include the Downtown Stouffville Community, or others as identified in the Town Wide Community Improvement Plan.

6.3.4 Phasing of Improvements

The Town of Whitchurch-Stouffville intends to concentrate on the improvement of property that will advance the Town's goals in terms of Corridor Development, Downtown Rejuvenation, Urban Intensification, and Rural Advancement as a first priority, as identified in the Town Wide Community Improvement Plan.

6.3.5 Implementation

The Town of Whitchurch-Stouffville intends to achieve its overall community improvement objectives as identified in Section 6.3.1 by the following means:

- i) Preparation of a Town Wide Community Improvement Plan, or community improvement plans for other specific areas of the Town;
- ii) Utilization of provincial and federal funding programs;
- iii) Acquisition of land;
- iv) Enforcement of a property standards bylaw;
- v) Encouragement of rehabilitation of private and public buildings;
- vi) Public education on the programs and funding offered by various levels of government to private property owners; and,
- vii) Encouragement of the Business Improvement Area Organization and the Chamber of Commerce to actively participate in the community improvement objectives;
- viii) Application of the Ontario Heritage Act in terms of both the designation of buildings and heritage districts.

6.4 HERITAGE

6.4.1 Purpose

The Town through the management of its heritage resources seeks:

- i) the conservation of the Town's heritage resources by identifying, recognizing, preserving, protecting, improving and managing those resources, including the potential for their adaptive reuse;
- ii) the integration of the conservation of heritage resources into the Town's general planning approach; and,
- iii) the promotion of an understanding and appreciation of the heritage resources of the Town to both residents and visitors.

6.4.2 Local Architectural Conservation Advisory Committee

The Town shall continue to maintain a citizens heritage advisory committee known as the Local Architectural Conservation Advisory Committee (LACAC) pursuant to the Ontario Heritage Act, to advise and assist Town Council on all heritage matters which affect the Town. In particular, LACAC shall:

- i) advise Council with respect to the designation of individual heritage properties or specific areas under the Ontario Heritage Act;
- ii) comment on all applications for development approval and for demolition permits affecting heritage resources;
- iii) assist Council on matters relating to the conservation of buildings and heritage conservation districts, as well as the promotion of heritage conservation; and,
- iv) advise property owners with respect to appropriate conservation/ maintenance practices, and to the extent practical, assist in facilitating heritage conservation work.

6.4.3 Heritage Resource Inventory

6.4.3.1 Inventory

The Town shall encourage LACAC, in consultation with other interested groups or individuals and public agencies, to develop and maintain a list and/or inventory of resources of heritage interest.

6.4.3.2 Role of Inventory

- i) If a resource is not on the Town's list and/or inventory of heritage resources, it does not necessarily mean that the property and/or resource is not of heritage interest.
- ii) During the processing of development applications, resources of potential heritage interest will be identified, evaluated and added to the Town's list and/or inventory as appropriate.

6.4.3.3 Criteria for Inclusion

The following criteria shall be used in determining the historic or architectural value or interest of heritage resources included or proposed to be included in the inventory:

i) Historic Value or Interest

A property shall be considered to have historic value or interest if the property has been designated by the Ministry of Citizenship, Culture, and Recreation to be of archaeological or historical significance pursuant to the Ontario Heritage Act or, satisfies at least two of the following criteria:

- a) it dates from an early period in the development of the Town;
- b) it is a good, representative example of the work of an outstanding local, national or international architect, engineer, builder, designer, landscape architect, interior designer or sculptor and is well preserved;
- c) it is associated with a person who is recognized as having made a significant contribution to the Town's social, cultural, political, economic, technological or physical development or as having materially influenced the course of local, regional, provincial, national or international history;

- d) it is directly associated with an historical event which is recognized as having local, regional, provincial, national or international importance;
- e) it is an example and illustration of the Town's social, cultural, political, economic or technological development history,
- f) it is an example of outstanding interior design; or,
- g) it is an example of a rare or otherwise important feature of good urban design or streetscaping.

ii) Architectural Value or Interest

A property shall be considered to have architectural value or interest if it provides an open space required for the visual appreciation of a building or district of architectural value or interest or satisfies at least two of the following criteria or one of these criteria plus one of the criteria listed in subsection 6.4.3.3 i) of this Plan:

- a) it is a representative example of a method of construction now rarely used;
- b) it is a representative example of its architectural style or period of building;
- c) it is a representative example of architectural design;
- d) it terminates a view or otherwise makes an important contribution to the urban composition or streetscape of which it forms a part; or,
- e) it is generally recognized as an important Town landmark.

6.4.4 Recognition of Individual Properties

6.4.4.1 Recognition

The Town of Whitchurch-Stouffville, in concert with LACAC and individual property owners, will seek to recognize significant heritage resources through appropriate forms of commemoration (i.e. plaques, signage), through the provision of information (i.e. pamphlets, publications, walking tours, etc. as resources permit) and through designation under the Ontario Heritage Act.

6.4.4.2 Designation

The Town may designate selected buildings listed pursuant to Part IV of the Ontario Heritage Act to afford protection from alteration.

6.4.4.3 Criteria for Designation

In determining candidates for designation, the Town shall consider the following criteria:

- i) The building or property is associated with the life of a person important in the history of the Town, the Province, the Nation or internationally; or
- ii) The building or property is the location of, or is associated in a significant way, with an historic event; or
- iii) The building embodies the distinctive visible characteristics of an architectural style, period or method of construction, or the work of an important building designer or architect; or
- iv) The building is an integral part of a distinctive area of the community or is considered to be a landmark of special value which contributes to the distinctive quality or identity of the Town.

6.4.4.4 Designated Properties

The Town shall maintain a list of properties designated under Part IV of the Ontario Heritage Act including the designation by-laws and reasons for designation.

6.4.5 Designation of Heritage Conservation Districts

6.4.5.1 Criteria for Designation

In the designation of Heritage Conservation Districts regard shall be had to, but, not be limited to, the following criteria:

- i) A significant number of the buildings or structures reflect an aspect of local history by nature of location and historical significance of setting;
- ii) A significant number of the buildings and structures are of a style of architecture or a method of construction significant historically or architecturally at a local, regional, provincial, national or international level;
- iii) The district contains other important physical, archaeological, environmental, cultural, or aesthetic characteristics that in themselves do not constitute sufficient grounds for designation of a district, but which lend support in evaluating the criteria for designation; or,
- iv) The district is an area of special association that is distinctive within the Town and, as a result, contributes to the character of the entire community.

6.4.5.2 Designation Procedure

- i) The Town shall consider designation of Heritage Conservation Districts in consultation with LACAC and prior to the designation of such areas shall:
 - a) identify its intent to define and investigate an area;
 - b) carry out a detailed study of the area which examines the special aspects of the area which contribute to its special character and includes a survey to locate and categorize all buildings and structures and sites of historic and architectural interest; and,
 - c) prepare and adopt a Heritage Conservation District Plan which will encourage conservation through controls and incentives and establish criteria for controlling demolition and regulating design through the establishment of the distinctive features which warrant the creation of the District.

- ii) Where the Town, having satisfied the provisions of subsections 6.4.5.1 and 6.4.5.2 i), deems it appropriate to designate a Heritage Conservation District, a by-law shall be passed under the Ontario Heritage Act which shall identify the extent of the area, contain procedures to control the alteration and demolition of existing buildings, as well as the construction of new buildings, based on the criteria in the Heritage Conservation District Plan, and outline appeal processes.

6.4.6 Protection of Heritage Resources

6.4.6.1 Protection of Resources

The Town shall protect heritage resources designated under Parts IV and V of the Ontario Heritage Act by:

- i) requiring that any person who proposes to demolish or alter a designated heritage property submit plans to the Town for approval under the Ontario Heritage Act; and,
- ii) requiring that, prior to the Town's approval of any alteration, partial demolition, removal or change in use, the applicant prepare a heritage impact statement, where deemed necessary by the Town, that shall demonstrate to the satisfaction of the Town, in consultation with LACAC, that the proposal will not adversely impact the heritage significance of the property or a Heritage Conservation District in which it is located.

6.4.6.2 Limitations on Protection

Notwithstanding the provisions of subsection 6.4.6.1, the Town shall not restrict:

- i) the rights of the owner to make alterations to any building or structure designated under the Ontario Heritage Act, provided that such alterations do not affect the reasons for the designation and provided that such alterations are in keeping with the policies of this Plan and meet the requirements of the Zoning By-law and all other applicable regulations; and,
- ii) the use to which designated buildings and structures are put provided that such use conforms with the policies of this Plan and the regulations of the Zoning By-law.

6.4.6.3 Demolition Permits

Where a demolition permit is granted for a property designated under the Ontario Heritage Act or listed in the Town's list of heritage resources, the recording of the property prior to demolition, to a standard acceptable to LACAC, shall be a condition of the demolition permit.

6.4.6.4 Public Works

Consideration shall be given to the effects of public works and development, particularly any extensions or changes to the existing road system, including expansion of existing pavement widths, or the establishment of new roads, on heritage resources and measures required to mitigate such effects, prior to approval of such works and development. Evaluation of the effect of such works or development will include consideration of the "no change" option, as well as significant modifications to the project.

6.4.6.5 Adjacent Development

All new development permitted by this Plan which involves, or is located in or near, heritage resources shall be required to:

- i) study and consider the preservation, relocation and/or adaptive reuse of buildings or structures based on both social and economic costs and benefits;
- ii) incorporate in any reconstruction or alterations, design features that are in harmony with the area's character and existing buildings in mass, height, setback and architectural details and, in particular:
 - a) new additional features should generally be no higher than the existing heritage buildings and wherever possible shall be placed to the rear of the building or set back substantially from the principal facade; and,
 - b) new construction and/or infilling should complement the immediate physical context and streetscape by generally being of the same height, width and orientation of adjacent buildings, being of similar setback, of like materials and colours and using similarly proportioned windows, doors and roof shape.

- iii) express the heritage resource in some way, including the display of building fragments, marking the traces of former locations, exhibiting descriptions of former uses and reflecting the former architecture and uses.

6.4.7 Signage

Signs on designated buildings and on buildings in Heritage Conservation Districts and Heritage Conservation District Study Areas shall be subject to the approval of the Town. The Town will encourage signs which are compatible with a heritage building and/or District and which conform with the Town's signage guidelines for heritage buildings and areas. These guidelines will address illumination, colour, materials, typography and design.

6.4.8 Special Resources

6.4.8.1

The Town shall encourage the retention of pioneer cemeteries in their original location.

6.4.8.2

The Town shall discourage the closure and relocation of small cemeteries.

6.4.8.3

The Town shall encourage the preservation of mature trees and other vegetation of heritage significance. Existing landmark trees and tree and hedge rows shall be an essential consideration in the design of any development; however, the Town shall also take into consideration the relative importance of competing resources. The preservation of trees along streets and roads shall be encouraged by the Town, except where removal is necessary because of disease or to ensure public health and safety.

6.4.9 Archaeological Resources

Where there is information available that indicates that archaeological potential exists on a site, the Town shall, prior to any development, require an archaeological assessment in conformity with the provisions of Section 7.3 viii) of this Plan. Where the potential for

impacts to archaeological resources exists, based on the results of the archaeological assessment, the assessment and mitigation will be reported upon to the Ministry of Citizenship, Culture and Recreation. A recommendation for clearance of archaeological resource concerns will be provided when such work has been completed to the satisfaction of the Ministry of Citizenship, Culture and Recreation.

6.4.10 Funding and Advocacy

6.4.10.1

The Town may assist in efforts to obtain funding for the conservation and restoration of buildings, for archaeological surveys and for the implementation of Heritage Conservation District programs with the assistance of the Ministry of Citizenship, Culture and Recreation and other appropriate authorities.

6.4.10.2

The Town may provide loans and/or grants to property owners or groups undertaking restoration or rehabilitation of designated or significant heritage properties. Other forms of financial assistance will be investigated, developed and utilized wherever appropriate.

6.4.10.3

The Town will encourage public awareness and the provision of information concerning heritage issues.

6.4.10.4

The Town will encourage the consultation and involvement of local residents in heritage planning matters.

6.5 COMMUNITY DESIGN STRATEGY

6.5.1 Purpose

The Town's Community Vision reflects its unique character. Part of that character is determined by the design of development in the rural/agricultural area, the Gormley Industrial Area, Ballantrae-Musselman Lake and Vandorf-Preston Lake. This section outlines general design policies for the rural/agricultural area, the Gormley Industrial Area, Ballantrae-Musselman Lake and Vandorf-Preston Lake. These general design policies will be implemented as new development and redevelopment occurs and through improvements to public facilities when financially feasible.

6.5.2 General Design Policies

6.5.2.1 Streets and Streetscapes

The width and design of streets, as well as the configuration of lots and siting of buildings adjacent to the streets (i.e. streetscape design) is an essential part of a community's character. The Town shall have regard for streetscape design, as well as transportation planning considerations, in reviewing proposals for new roads and modifications to the existing street pattern, as well as the relationship between the street and abutting development.

6.5.2.2 Existing Street System

No significant changes are anticipated to the existing street system; however, where reconstruction or other modifications such as widenings, additions of turning lanes and realignments are proposed, the Town shall carefully evaluate the impacts of such changes on the streetscape and shall seek to minimize modifications which detract from positive characteristics of the streetscape wherever possible. In addition, as part of such changes, the Town shall consider modifications which introduce traffic calming techniques and/or enhance the streetscape such as additional tree planting, widening of boulevards, addition of sidewalks and provision for bicycles, and creation of landscaped medians. Consideration may also be given to the introduction of traffic calming techniques which do not require reconstruction of the street where concerns with the amount and speed of traffic have been identified.

6.5.2.3 Street System - New Development Areas

New development areas shall be limited, but where they occur they should be connected to the existing development whenever possible through road connections, as well as bicycle and pedestrian links, to ensure that the community functions in an integrated fashion. These linkages will be developed in a manner which is sensitive to the character of existing areas, while promoting communication between all parts of the community.

6.5.2.4 Streetscape Design

The layout of streets, configuration of lots and the siting of buildings and parking areas shall ensure that:

- i) parking areas for non-residential uses are designed to reduce their impact on the adjoining streetscape by:
 - a) screening of the parking lot through the use of such features as low fences, walls or landscaping;
 - b) locating the parking lot on the site in a manner which reduces its impact on the street;
 - c) keeping to a minimum the amount of parking located between the main building and the street line;
 - d) a reduction in the scale of large parking areas through their subdivision into smaller areas by means of landscaping; and,
 - e) use of joint access where feasible.
- ii) buildings and structures are oriented to the street, and reverse lotting shall be prohibited unless there is no other option, in which case it will be kept to the minimum;
- iii) there are significant areas of unobstructed road frontage adjacent to open space, environmental and institutional areas to allow views into such sites, and where possible public access, subject to appropriate design to ensure no adverse environmental impacts;

- iv) in low density residential areas, garages shall be designed so that they are not the dominant feature in the streetscape, in particular, garages shall not:
 - a) project beyond the facade of the residence; or,
 - b) dominate the frontage of the lot,unless plans are submitted by the applicant to demonstrate to the satisfaction of the Town that the garages can be appropriately integrated with the streetscape;
- v) landscaping provides for features such as the definition of the street, framing of views and focal points, direction of pedestrian movement and demarcation of areas with different functions as appropriate;
- vi) lighting shall provide suitable illumination for vehicles, pedestrians and cyclists; and,
- vii) utilities on public or private property are clustered or grouped where possible to minimize visual impact. The Town shall encourage innovative methods of containing utility services, particularly large utility or utility cluster sites on or within streetscape features such as gateways, lamp posts or transit shelters.

When considering, as part of site plan approval, the design of the streetscape adjoining a site and the placement of sustainable design elements on adjoining roads, the Town shall ensure that:

- viii) street furniture, including utilities, paving treatment, signage and plantings reflect Town design standards and are appropriate to the specific area of the community;
- ix) plantings are selected and planted in a manner which ensures their long term sustainability;
- x) the design encourages walkability and bicycle movement and, in particular, provides for pedestrian safety and accessibility to existing or potential future transit;

- xi) the design reflects the other relevant policies of this section particularly policies related to Safe Community Design and Gateways.

6.5.2.5 External Building Design

When considering, as part of site plan approval, the external design of buildings, the Town shall take into account all the policies of this Plan, particularly the policies of this Community Design Strategy. In addition, in evaluating the external design of buildings the Town shall seek design which:

- i) includes sustainable building practices such as the use of green roofs and solar panels and, in particular buildings will be encouraged to be achieve LEED or Energy Star or other similar certification;
- ii) complements the massing patterns, rhythms, character and context of the existing development, while recognizing that built form evolves over time and that new buildings should not necessarily replicate existing buildings;
- iii) clearly defines public and private spaces;
- iv) is accessible to all;
- v) is in scale with surrounding development; and,
- vi) is designed to animate the street in the Hamlet of Bloomington and other centres such as Lemonville, as well as the Gormley Industrial Area, and in particular, any commercial or institutional buildings will be oriented to, and located close, to the street, will have front doors that face the street, and strong pedestrian connections to the street. In addition, commercial buildings will have significant glazing and/or display windows on any portion of the building visible from the street.

6.5.2.6 Views

- i) New development in the Hamlet of Bloomington and other centres such as Vandorf and Lemonville, shall be designed to preserve views of the surrounding rural area from the community existing at the date of adoption of the Plan. New development shall also be designed to preserve, enhance and/or create significant views of the following features:

- a) natural features including woodlots and wetlands;
 - b) important public buildings; and,
 - c) open spaces;
- ii) Public buildings, other institutional buildings and other major buildings and structures shall be encouraged to locate:
 - a) at the termination of a street or view corridor; or,
 - b) at the intersection of arterial or collector streets.

6.5.2.7 Landscape Design

The Town shall ensure that appropriate landscaping is provided in all new development to:

- i) maintain and enhance the character of existing developed areas;
- ii) allow for the creation of strong landscaped features in new development areas; and,
- iii) provide for features such as the definition of public open space, framing of views or focal points, direction of pedestrian movement and demarcation of areas with different functions.

In particular, the Town shall promote the planting of native plant material, particularly adjacent to natural areas, and shall naturalize park areas where practical.

6.5.2.8 Safe Community Design

To promote safety and security in public places the following measures shall be followed:

- i) The design and siting of new buildings and structures shall provide opportunities for visual overlook and ease of public access to adjacent streets, parks and open spaces;

- ii) clear, unobstructed views to parks and open spaces shall be provided from adjoining streets;
- iii) appropriate lighting, visibility and opportunities for informal surveillance shall be provided for all walkways, parking lots, parking garages and parks and open space areas;
- iv) landscape elements shall be selected and sited in order to maintain views for safety and surveillance;
- v) the sharing of such facilities as parking and walkways shall be encouraged to increase use and public presence in such areas;
- vi) design which promotes a sense of community ownership for public spaces by maximizing use, control and surveillance opportunities by occupants of adjacent buildings and frequency of use by the public shall be encouraged; and,
- vii) the provision of views into, out of and thorough publicly accessible interior spaces shall be encouraged; and,
- viii) design which precludes entrapment or the perception of entrapment through properly identified exits and signage shall be encouraged.

6.5.2.9 Barrier Free Access

Barrier free access to public buildings and facilities, and along new and existing pedestrian routes, shall be promoted including ramps, automatic doors and curb cuts.

6.5.2.10 Walkability and Bicycling

In considering the design of both public and private facilities, a key consideration shall be features which contribute to enhancements to the ability for movement by pedestrians and bicyclists including additions to the Town's trail system, wide sidewalks where appropriate, bicycle paths and bicycle parking.

6.5.3 Gateways

The major entrances to the Town, the Hamlet of Bloomington and other centres such as Lemonville, the Community of Vandorf, and the Gormley Industrial Area shall be designed to recognize their role as “gateways” to the community. These areas establish for visitors and residents an image of the Town and should reflect respectively the Town’s character and differentiate it from the surrounding communities, and the character of the individual centres, and differentiate them from the surrounding rural environment. In particular, the Town shall incorporate features such as landscaping and signage in the road allowance to clearly identify these gateway areas.

7. DEVELOPMENT APPLICATION PRE-CONSULTATION AND SUBMISSION REQUIREMENTS

7.1 PURPOSE

All development applications in the Planning Area shall be subject to review in accordance with the policies of this section, and the other applicable policies of this Plan. In addition, the Town may require development to be subject to the site plan control provisions of the Planning Act.

7.2 PRE-CONSULTATION

- i) Consultation with the Town prior to the submission of a development application requiring Planning Act approval is encouraged, and shall be required for applications for the approval of Official Plan amendments, Zoning By-law amendments, draft plans of subdivision, consents, draft plans of condominium and site plans. The Region of York is encouraged to participate in the Town's pre-consultation process. Other affected agencies such as conservation authorities are encouraged to participate, where appropriate.
- ii) The Planning Act and its regulations prescribe the submission of certain information and materials as part of development applications. The Town may require information and materials to support any development application, in addition to that prescribed, including maps, drawings, reports and technical studies. The specific requirements for an application to be deemed to be a "complete" application, shall be determined by the Town as part of the pre-consultation process, in consultation with the appropriate agencies including the Region of York and the applicable conservation authority.

7.3 REQUIRED INFORMATION AND MATERIALS

Unless an exemption is granted by the Town in writing as part of the pre-consultation process, the following information and materials shall be required to be submitted as part of an application for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision, consent, draft plan of condominium and site plan, and may be required for other applications. Such required information and material shall be prepared at the applicant's expense and carried out by qualified professionals as determined and approved by the Town:

i) Background Information

A plan of survey of the subject site identifying all Greenlands and other natural heritage features including wetlands, valleylands and watercourses, existing significant trees, other significant landscape features, existing buildings and structures and contours.

ii) Plans

Plans, including, where applicable, site grading and landscaping plans, elevations, and other documentation:

- a) describing the proposed development and its relationship to the existing streetscape and adjacent land uses, in particular building envelopes, accesses and parking areas;
- b) demonstrating how stormwater, erosion and sedimentation will be controlled on site;
- c) describing proposed landscaping and any modifications to existing significant trees and landscaping; and,
- d) demonstrating how the development will be integrated with the Greenlands System established on Schedule "A" to this Plan, where applicable.

Such plans should include where applicable a draft plan of subdivision or condominium.

iii) Oak Ridges Moraine

Where the site is located in the Oak Ridges Moraine, proposals shall be evaluated with respect to the information submission requirements of the Oak Ridges Moraine Conservation Plan and Section 3.2. Further, where the lands are located in the Moraine Plan Area proposals will be evaluated in accordance with the policies of Sections 3.2, 5.8.3 (Water and Sewer), 5.10 (Wellhead Protection) and 8.16 (Watershed Plans) and the relevant land use designation.

iv) Greenbelt

Where the site is located in the Greenbelt outside of the Oak Ridges Moraine, proposals shall be evaluated with respect to the information submission requirements of the Greenbelt Plan and Section 3.

v) Greenlands System

Where the site includes or directly abuts the lands designated on Schedule “A” as part of the Greenlands System, proposals shall be evaluated in accordance with the information submission requirements of Section 3 of this Plan.

vi) Tree Analysis

Where new development is to occur on a lot which the Town identifies as having trees which may warrant preservation or replacement, a Tree Conservation and Planting Plan shall be developed either at the time of application, or as a condition of approval at the direction of the Town. Based on this analysis controls will be placed on the trees to be removed, the amount and type of new landscaping to be provided on the site and related management and construction procedures.

vii) Engineering Considerations

All necessary studies shall be required to address engineering considerations including:

- a) Functional servicing study or servicing plan;

- b) Master drainage study;
 - c) Stormwater management study;
 - d) Hydrological Assessment/water balance, Geotechnical/Slope Stability Study;
 - e) Hydraulic analysis for flood plain delineation;
 - f) Erosion and sediment control plan;
 - g) Operation maintenance report; and,
 - h) Water analysis report.
- viii) Noise Impact Study

A noise impact study shall be carried out where residential uses or other sensitive uses, as defined by Ministry of the Environment guidelines, are proposed and the site is adjacent to a major noise source such as a highway, Regional or arterial road, railway or industrial use.

Further, the Ministry of the Environment guidelines, “Noise Assessment Criteria in Land Use Planning, October, 1995” or any successor thereto, with respect to the need for noise impact studies shall apply to new commercial, industrial or institutional development which is a potential major noise source, such as, but not limited to, uses which have associated with their on-going construction activity, outdoor heat rejection systems (including cooling towers) and outdoor exhaust fans, or other stationary noise sources such as railway yards, major truck stops, major hydro transformers, or natural gas compressors. Where required by the guidelines, a noise impact study shall be carried out to the satisfaction of the Town.

- ix) Vibration Study

A vibration study shall be required at the request of the Region of York, the Town or the applicable railway where the site is within 75 m (246 ft) of a railway right-of-way or any Regional or arterial road. Such a study shall be carried out to the satisfaction of the Town, in consultation with the appropriate government agency or railway.

Further, where new industrial development, which is a potential major source of vibration, such as metal forming industries including punch presses or drop forges, is proposed within 75 m (246 ft) of existing residential development, a vibration study shall be carried out to the satisfaction of the Town.

x) Cultural Heritage Impact Assessment

Where the site includes a building of architectural and/or historical merit listed or designated under the Heritage Act or is located in a designated Heritage District, a cultural heritage impact assessment, prepared by recognized professional(s) in the field, shall be required to be submitted to the Town. Such a study shall demonstrate to the satisfaction of the Town that:

- a) the proposal will not adversely impact the heritage significance of the property or the area in which it is located; or,
- b) demonstrate that it is not physically feasible to maintain the heritage building or structure.

xi) Archaeological Resource Assessment

Where there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within a site, a Phase I Archaeological Assessment conducted by archaeologists licensed under the Ontario Heritage Act shall be required. In addition, the provisions of the Cemeteries Act and its regulations shall be applied when marked and unmarked cemeteries or burial places are encountered during development, assessment or any activity.

xii) Land Use Compatibility

Where applicable, information or necessary studies shall be provided to assist in the establishment of a separation distance, having regard for any applicable Ministry of Environment guidelines, between proposed development and potentially incompatible uses.

xiii) Soil Quality

The applicant must demonstrate that on-site soil quality is suitable for the proposed use. Where site remediation is required the Town shall be satisfied with respect

to the implementation of remediation prior to development approval. Specifically, where the Town, other public body, or the applicant has identified potential site contamination, the Town shall require the applicant to complete a Phase 1 assessment, in accordance with the Ministry of the Environment's Guidelines for Use at Contaminated Sites in Ontario. The Phase 1 Environmental Site Assessment will be reviewed by the Town to ensure there is no contamination prior to the granting of any development approvals. If there is evidence of contamination, the applicant will be required to submit a Phase 2 assessment in accordance with the Ministry of the Environment's Guidelines. If the site is found to be contaminated, the Town shall require the applicant to submit a Ministry of the Environment acknowledged Record of Site Condition to the Town to verify site clean-up prior to the granting of a building permit.

xiv) Traffic Impact Analysis

Where the Town, Ministry of Transportation, or the Region have identified concerns with respect to public safety and/or operational integrity, a traffic impact analysis carried out by a qualified transportation engineer shall be required. Transit plans and pedestrian and bicycle circulation plans may also be required.

xv) Air Quality

Where the Town identifies concerns with impacts on air quality, appropriate studies by qualified professional(s) shall be required.

xvi) Other Environmental Studies

All necessary studies shall be required to address environmental considerations including:

- a) Demarcation of physical and stable top of bank;
- b) Demarcation of limits of natural heritage and hydrologic features;
- c) Fish habitat assessment; and,
- d) Natural features restoration plan.

xvii) Financial Considerations

Financial considerations shall be addressed through the submission of the following studies:

- a) Market impact study;
- b) Financial impact study; and,
- c) Capital impact assessment.

xviii) Sewage and Water Services

- a) Where individual sewage and/or water services are to be provided, technical studies related to soil condition, groundwater availability and the suitability of the area for private sewer and water services may be required to be submitted as determined by the Town and/or Region of York Health Services Department. Such studies shall be carried out by a qualified hydrogeologist.
- b) Where communal sewage and/or water services are to be provided the policies of Section 5.8.2 iii) or iv) as applicable shall be satisfied.

xix) Agricultural Impact Evaluation

Where the site is located within or abutting the Agricultural Area designation or the Rural Area designation, an Agricultural Impact Evaluation shall be required by the Town, except for a proposed pit or quarry operation or expansions to existing pit or quarry operations. Such study shall be carried out to the satisfaction of the Town and shall demonstrate the need for the proposed use, the suitability of the site chosen, the reason for the choice, the amount of land required and the ability to accommodate the use within the Secondary Plan areas or on lower capability agricultural land. The study shall also incorporate Minimum Distance Separation Formula I calculations. In addition, where the site is located in the Agricultural Area designation, the evaluation shall take into consideration not only the impacts on existing farming operations, but also impacts on the potential for the expansion of such operations, to ensure that maximum flexibility is provided to such operations for future expansion.

xx) Views and Vistas

That where proposed development is located on a site adjacent to the south side of Bloomington Road and the proposed development is considered by the Town to impact on the views and vistas from this area which is considered the ridgeline of the Oak Ridges Moraine, that information, to the satisfaction of the Town, be submitted to demonstrate how the impact on the views and vista will be minimized.

xxi) Other Additional Studies

The following additional studies shall also be required where appropriate:

- a) Urban Expansion Needs Study;
- b) Settlement Capability Study for Hamlets; and,
- c) Mineral Aggregate Study.

xxii) Other Information

In addition to the requirements of Sections i) - xxi), the applicant shall be required to submit any other supporting information and materials that may be identified by the Town during the pre-consultation process as being relevant and necessary to the evaluation of the particular application.

7.4 SCALE AND SCOPE AND TIMING OF SUBMISSIONS

- i) The scale, scope and timing of any required information and material, particularly any reports and technical studies, is dependent on the nature of the proposal, its relationship to adjacent land uses and the type of planning approval required.
- ii) The Town may, and where directed by this Plan shall, at its discretion, and after consultation with the applicant, require that the required reports and studies be carried out by a consultant retained by the Town at the cost of the applicant. The Town may also, as an alternative, require a peer review by an appropriate public agency or by a professional consultant retained by the Town at the applicant's expense. In either case, the applicant shall have input to the establishment of the terms of reference for such a study or peer review and a specific cost limit shall be established prior to the commencement of the study.

7.5 COMPLETE APPLICATION

An application for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision or draft plan of condominium shall be considered complete under the Planning Act only when all the following items have been provided to the Town:

- i) an application form;
- ii) any information or materials prescribed by statute;
- iii) a pre-consultation form;
- iv) any supporting information or materials required to be provided in accordance with Section 7.3; and,
- v) the prescribed application fee.

7.6 DEVELOPMENT EVALUATION CRITERIA

Development proposals shall generally conform with the following criteria, in addition to any of the applicable policies of this Plan:

i) Land Use Compatibility

Land uses shall be designed to mitigate any impacts on abutting uses. In particular, appropriate buffering and separation distances shall be provided between all agricultural uses and non-farm uses.

ii) Heritage Preservation

Buildings of architectural and/or historic significance, particularly buildings identified as part of the Town's Heritage Inventory, where feasible, are preserved on site and/or integrated into the development in an appropriate manner and/or preserved in some other manner. Standard archaeological potential criteria in accordance with Ministry of Citizenship, Culture and Recreation guidelines will be used to evaluate future development areas and expansion proposals for impacts on significant resources.

iii) Greenlands System

Development shall only be permitted in lands designated as part of the Greenlands System on Schedule "A" in accordance with the policies of Section 3 of this Plan. In addition, all development shall be evaluated with respect to its conformity with the provisions of Section 3 of the Plan. Further, where the lands are located in the Moraine Plan Area proposals will be evaluated in accordance with the policies of Sections 3.2, 5.8.3 (Water and Sewer), 5.10 (Wellhead Protection) and 8.16 (Watershed Plans) and the relevant land use designation.

iv) Watercourses

All watercourses shall be, where feasible, maintained or enhanced or rehabilitated as appropriate as distinct ecosystems, and lands immediately adjacent to these watercourses shall be retained or rehabilitated to a natural self-sustaining state. In particular, the Town shall encourage the replacement of barriers to fish migration

with natural forms and features. Alterations to watercourses, including riparian features such as intermittent streams and drainage swales, shall generally be discouraged. However, the necessity for retention/restoration of riparian features such as intermittent streams and drainage swales, will be evaluated on a site by site basis and some modifications of these features may be approved where deemed appropriate by the Town, in consultation with the appropriate Conservation Authority.

v) Sewer and Water Services and Stormwater Management

Development shall be serviced in accordance with the provisions of Section 5.8 of this Plan.

vi) Soil Quality

The applicant must demonstrate that on-site soil quality is suitable for the proposed use in accordance with the provisions of Section 7.3 xiii). Where site remediation is required the Town shall be satisfied with respect to the implementation of remediation prior to development approval.

vii) Noise and Vibration Impact and Safety Measures

Where the site is adjacent to a major noise source such as a highway, Regional or arterial road, railway or industrial use, the Town, in consultation with the appropriate government agency and, if applicable, the appropriate railway, shall be satisfied that appropriate measures to mitigate any adverse effects of noise and vibration can be implemented. Furthermore, for sites adjacent to a railway, the Town, in consultation with the applicable railway, shall be satisfied that appropriate safety measures are provided.

viii) Traffic

The applicant must demonstrate that the existing road system can accommodate any traffic impacts or can be modified to do so at the cost of the applicant.

ix) Air Quality

Where the Town identifies potential concerns with air quality, the applicant must demonstrate that any impacts on air quality can be appropriately mitigated at the cost of the applicant.

x) Development Adjacent to Sewage Treatment Plants

The applicant must demonstrate that any impacts arising from proximity to a sewage treatment plant can be appropriately mitigated in accordance with Ministry of the Environment Guidelines.

xi) Views

That the Town is satisfied at its sole discretion, where proposed development is located on a site adjacent to the south side of Bloomington Road, that views and vistas from this area which is considered the ridgeline of the Oak Ridges Moraine, have been adequately protected.

8. IMPLEMENTATION

8.1 GENERAL

The policies of this Plan shall be implemented by the powers conferred on the Town by the Planning Act, the Municipal Act, the Oak Ridges Moraine Conservation Act and Plan and other applicable statutes. This Plan shall be implemented by the Zoning By-law, subdivision control, consents, site plan control and the provision of municipal services and public works in accordance with the policies of this section. In addition, the Town will give consideration to the use of a Development Permit System to implement the Oak Ridges Moraine Conservation Plan.

8.2 ZONING BY-LAW AND DEVELOPMENT PERMIT BY-LAW

8.2.1 Existing Non-Conforming Uses

Notwithstanding any other provisions of this Plan to the contrary, this Plan is not intended to necessarily prevent the continuation, expansion or enlargement of existing uses which do not conform with the designations or provisions of this Plan. It shall be the policy of this Plan that where an existing land use is not designated on Schedule “B” to this Plan, that the use of such land, building or structure for the purpose for which it was legally used at the date of adoption of this Plan may be recognized in the Zoning By-law. Provision may also be made, subject to a Zoning By-law amendment, for the expansion or enlargement of such existing use in accordance with the following policies:

- i) that the proposed extension or enlargement of the established use will not adversely affect the implementation of the policies of this Plan and that the general intent and purpose of the Plan is maintained;
- ii) that the proposed extension or enlargement is in proportion to the size of the use as it existed at the date of enactment of the implementing by-law;

- iii) that the proposed extension or enlargement is compatible with surrounding uses in terms of noise, vibration, fumes, heat radiation, smoke, dust, odours, or other similar offensive characteristics;
- iv) that site planning and design are such as to minimize the effect of the proposed extension or enlargement on adjacent conforming uses, and, where necessary, adequate spatial separation, buffer planting, screening and fencing are provided so as to afford adjacent conforming uses a degree of protection from any offensive characteristics; and,
- v) that the use will not result in increased traffic volumes through residential areas and that adequate off-street parking and loading facilities are available, provided further that ingress and egress points to and from the site are designed in such manner as to minimize the danger to both vehicular traffic and pedestrian movements.

Notwithstanding the foregoing, the policies of Section 3.2 and the applicable land use designation shall apply to existing non-conforming uses in the Oak Ridges Moraine Plan Area.

8.2.2 Holding Provisions

8.2.2.1 Applicability

A By-law may be passed pursuant to the provisions of the Planning Act, to zone lands for their intended purpose and further impose a holding provision by use of the Holding Symbol “H” in any area of the Town.

8.2.2.2 Conditions

No development of those lands affected by a holding provision shall be permitted and the Holding symbol shall not be removed until such time as the applicant has satisfied all the requirements of the Plan and all public agencies and entered into any necessary agreements related to the conditions imposed on the development. In the interim period until the Holding provision is removed, in accordance with the provisions of this Plan and the Planning Act, the uses permitted shall be restricted to those existing as of the date of adoption of this Plan, environment conservation, public uses and utilities or other similar uses.

8.2.3 Temporary Use By-laws

Pursuant to the provisions of the Planning Act, by-laws may be passed to permit the temporary use of lands, buildings or structures, which may not conform to this Plan in areas other than the Oak Ridges Moraine Area, provided that the following requirements are complied with:

- i) that the use is compatible with surrounding land uses and activities;
- ii) adequate water supply and waste disposal activities are available to the satisfaction of the Town and the Region of York Health Services Department;
- iii) that such temporary uses or activities do not result in a hazardous condition for either vehicular or pedestrian traffic and that the relevant parking area requirements are complied with;
- iv) there is a signed agreement between the applicant and the Town which addresses issues related to installation/removal and maintenance; and,
- v) the Town is satisfied that the nature of the use is temporary and that any buildings and structures are kept to the minimum and can be easily dismantled.

Such a by-law shall define the area to which it applies and prescribe the period of time for which the authorization shall be in effect, having regard for the appropriateness of the use and the temporary nature of the use or activity.

Council may pass subsequent by-laws granting extensions of up to three years to a temporary use by-law; however, once the subsequent by-law has lapsed, the use permitted by the by-law must cease and if the use continues it will be viewed as an illegal use in regard to the implementing Zoning By-law.

8.2.4 Height and Density Bonus Provisions

Pursuant to provisions the Planning Act, a Zoning By-law, may authorize increases in the height and density of residential development, otherwise permitted by the by-law, that will be permitted in return for the provision of such facilities, services or other matters, which cannot be legally secured by other means, that are set out in the Zoning By-law. The Town's objectives in authorizing such increases in height or density are:

- i) to encourage the provision of underground or in-building parking for attached housing or mixed use development;
- ii) to encourage the preservation and conservation of buildings or structures of historical, contextual or architectural merit;
- iii) to encourage the protection of natural features and environmental buffers, particularly features and buffers which form part of the Greenlands System;
- iv) to encourage the provision of parkland above and beyond that required through the provisions of this plan;
- v) to encourage the provision of unique urban design features above and beyond the requirements of this plan; and,
- vi) to encourage the provision of the trails system, day care, housing for seniors and the disabled and other public or quasi-public facilities.

A site-specific Zoning By-law will establish detailed development standards that would apply when a bonus is awarded and the relationship between these standards and the conditions which must be met, if the bonus standards are to apply.

In the granting of a height and density bonus, the Town may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or other matters to be provided.

The maximum residential density and height permitted through the bonus provisions may exceed that which is permitted in the general Official Plan policies. However, no residential development may be granted bonus density in excess of 20% beyond the maximum density provided in the parent Zoning By-law nor may a bonus in height be granted in excess of 3 storeys.

8.2.5 Interim Control By-laws

Interim Control By-laws may be passed in accordance with the provisions of the Planning Act to control the use of lands and buildings within designated areas of the Planning Area until such time as studies required by the Town to assess planning and engineering issues are prepared and approved. The By-law may specify a time period (which shall not exceed

one year) prohibiting the use of land, buildings and structures, except for those purposes as set out in the By-law.

In the event that the review or study related to an Interim Control By-law has not been finalized within one year, Council may amend the Interim Control By-law in order to extend the period of time for which it is in effect, provided that total period of time it is in effect does not exceed two years from the date of passing of the Interim Control By-law.

If Council has not passed a by-law under the Planning Act subsequent to the completion or review of the study within the period of time specified in the Interim Control By-law, the provisions of any Zoning By-law passed under the Act that applied to the subject lands immediately prior to the coming into force of the Interim Control By-law again come into force.

8.2.6 Conditional Zoning

A By-law may be passed pursuant to the provisions of the Planning Act, to zone lands for their intended purpose, subject to conditions, where the lands are designated in any designation which permits development. The conditions imposed may relate to any matter which implements the policies of this Plan including the provision of sewer and water services, roads, transit, parks, recreation and other community facilities, the implementation of urban design objectives and sustainable development approaches.

8.3 FURTHER AMENDMENTS TO PLAN

8.3.1 General Plan Amendment Evaluation Criteria

In considering an amendment to the Plan, regard shall be had to the following criteria which are in addition to those specified in the remainder of this Plan:

- i) the need and demand for the proposed use;
- ii) the extent to which the existing areas in the proposed designations are developed, and the nature and adequacy of such existing development;
- iii) the physical suitability of the land for such proposed use;
- iv) the location of the areas under consideration with respect to:
 - a) the adequacy of the existing and proposed road system in relation to the development of such proposed areas;
 - b) the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety in relation thereto; and,
 - c) the adequacy of the water and sewage facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports or recommendations submitted by the applicant or agencies.
- v) the compatibility of such proposed use with uses in the surrounding area;
- vi) the potential effect of the proposed use on the financial position of the Town; and,
- vii) the effect of the proposed use on the population level and/or the character of the Town.

Notwithstanding the foregoing, amendments to the Plan in the Oak Ridges Moraine Plan Area shall only be considered in accordance with the policies of Section 3.2, 5.8.3, 5.10,

8.16, 9.2 and the applicable land use designation of this Plan and the Region of York Official Plan.

8.3.2 Employment Land Conversion

- i) Maintaining and protecting a sufficient variety of employment lands is essential to the Town's economic competitiveness. As such, the Town shall, as a priority, protect, maintain and enhance the long term viability of all designated employment lands including the following:
 - a) "Rural Commercial/Industrial/Institutional Area" on Schedule "B", Land Use and Transportation Plan;
 - b) "Business Park Area" and "Industrial Area" on Community of Stouffville Secondary Plan, Land Use and Transportation Plan, Schedule "F" and Land Use Plan Western Approach Area, Schedule "F2";
 - c) "Prestige Industrial" and "Industrial", Gormley Industrial Secondary Plan, Land Use and Roads Plan, Schedule "A"; and
 - d) "ORM Employment Area", "Employment Area", and "Potential Employment Area". Land Use and Transportation Plan, Schedule "G".

For the purposes of this Plan, lands in these designations, comprise "area of employment" as defined by the Planning Act, and "employment area" as defined by Places to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan), the Provincial Policy Statement (PPS) and the York Region Official Plan.

- ii) The Town shall, as a priority, work to ensure that these areas remain viable employment areas including conducting five year reviews of employment lands to accommodate employment intensification.
- iii) The conversion of employment lands to non-employment uses, including residential, major retail, and other retail and commercial uses which are non-ancillary to employment uses is not permitted. Notwithstanding this prohibition, the conversion of employment lands to non-employment land uses may only be considered at the time of a municipal comprehensive review in accordance with the applicable policies and population/employment forecasts of the Province,

Region and the Town. In particular, such a municipal comprehensive review shall be carried out as an official plan review or amendment initiated by the Town in consultation with the Region that comprehensively applies the policies and schedules of the York Region Official Plan, the Growth Plan and the PPS and includes a land budget and analysis for the Town. In addition, such a review must demonstrate that:

- a) There is a need for the conversion;
 - b) The Town will meet the employment forecasts allocated to the Town by the Region;
 - c) The conversion will not adversely affect the overall viability of the employment designations, and the achievement of the intensification targets, density targets and other policies of the Official Plan, the York Region Official Plan, the Growth Plan and the PPS;
 - d) There is existing or planned infrastructure to accommodate the proposed conversion;
 - e) The lands are not required over the long term for employment purposes for which they are designated;
 - f) Cross-jurisdictional issues have been considered; and
 - g) That a sufficient supply of employment lands based on the applicable municipal comprehensive review will be maintained to accommodate the employment growth forecasts in this Plan.
- iv) The Town in carrying out a municipal comprehensive review shall evaluate any sites identified for potential conversion based on the following criteria:
- a) Site is located outside or on the fringe of a designated employment area;
 - b) Site is isolated from the surrounding designated employment areas;
 - c) Site is surrounded by non-employment land uses designations on at least three sides;

- d) Conversion would not create non-compatible land uses;
- e) Conversion of site would not negatively affect employment lands in the area;
- f) Conversion would be consistent/supportive of the Town's policy planning objectives;
- g) Conversion does not contravene any of the Town's planning objectives;
- h) Site offers limited market choice for employment lands development due to factors including size, configuration and physical conditions; and
- i) Site does not offer the potential for future expansion on existing or neighbouring employment lands.

8.4 PLANS OF SUBDIVISION

Only those plans of subdivision or condominium shall be approved for development which:

- i) comply with the designations and policies of this Plan; and,
- ii) can be supplied with adequate services and community facilities.

8.5 CONSENTS

8.5.1 General

8.5.1.1 Limitations

Consents shall generally be discouraged, particularly outside the Secondary Plan Areas, and will only be permitted:

- i) where the consent does not prejudice the future or existing development of the land or abutting lands;
- ii) in accordance with the policies of this Official Plan; and,
- iii) where a plan of subdivision is deemed to be unnecessary, generally for less than three lots.

8.5.1.2 Evaluation Criteria

The following criteria will be used for the evaluation of consent applications in all designations on Schedule “B” to this Official Plan, together with any policies of Sections 8.5.2 to 8.5.4 inclusive which may be applicable to a particular designation:

- i) Road Access
 - a) The lot to be retained and the lot to be severed must have the frontage as required in the Zoning By-law, and have direct access from, an existing public road which is maintained on a year-round basis or an amendment to the Zoning By-law shall be required where the Town is satisfied such action is appropriate;
 - b) Lots shall not be created which would access onto a road where a traffic hazard would be created due to limited sight lines on curves or grades;

- c) Strip or ribbon type development shall be prohibited. Limited infilling may be permitted in residential clusters in accordance with the policies of Section 8.5.3 iv); and,
- d) Lots with direct access to Regional roads shall only be permitted where the appropriate authority advises that an entrance permit will be issued.

ii) Lot Size

The lot area and frontage of both the lot to be severed and the lot to be retained shall be the minimum required for the proposed uses. At the same time, the lot shall be an adequate size for the proposed uses having regard for the topography of the land, the siting of the proposed buildings and points of access, and in compliance with the regulations of the Zoning By-law. The minimum lot size for lots serviced by individual private sewage and water systems shall be 6,000 m² (1.5 ac.) or as determined by the Town. Further, the Town must be satisfied that the lot is of sufficient size, dimensions and capability to provide for:

- a) adequate long-term sub-surface private waste disposal such that adjacent potable water supplies will not be contaminated by the operation of the sewage disposal system; and,
- b) an adequate quantity and quality of potable water supplies without adversely affecting either the quantity or quality of adjacent potable water supplies.

Where it is not possible to meet the requirements of the Zoning By-law, the Town may amend the standards of the by-law as a condition of approval, where the Town is satisfied that such action is appropriate.

iii) Protection of Agricultural Operations

In order to preserve and protect agricultural operations, a severed lot shall conform with the minimum distance formulae and be:

- a) located where it will have the minimum impact on surrounding agricultural operations and any potential expansion or other changes in such operations;

- b) the minimum size required to provide for adequate sewage and water facilities in accordance with the requirements of the Region of York Health Services Department; and,
 - c) located, where feasible, in areas which are of poorer quality soil for agriculture.
- iv) Greenlands System

In order to preserve and protect the Greenlands System designated on Schedule “A”, consents shall generally be discouraged within the Greenlands System designated on Schedule “A” unless they are intended to enhance the Greenlands System, and regardless, shall conform with the policies of Section 3 of this Plan. In particular consent applications in the Greenlands System shall require submission of a scoped Environmental Impact Statement prepared by a qualified consultant, which establishes, to the satisfaction of the Town, that there will be no negative impacts on the natural environment as a result of the consent and any related development.

8.5.1.3 Consents Permitted in all Designations

i) General

Consents for the following purposes may be permitted in all designations on Schedule “B”, subject to the policies in Sections 8.5.1.1 and 8.5.1.2 and other applicable policies of this Plan:

- a) to create rights-of-way or easements, or for other technical or legal purposes such as minor boundary adjustments, where a separate lot is not being created;
- b) to consolidate farm holdings;
- c) to enlarge existing farm lots;
- d) to create farm holdings that are not less than 40 ha (100 ac.) each or not less than 4 ha (10 ac.) each on organic soils used for specialty crops;

- e) for surplus farm dwellings where one of two or more existing farm residences built prior to 1978 are surplus to the farm, or an existing farm residence that existed as of October 17, 1994 that is rendered surplus as a result of farm consolidation (farm consolidation means the acquisition of additional farm parcels to be operated by one farm operation); and,
- f) for non-farm uses such as extractive rural operations or commercial recreation uses which conform with the policies of the Official Plan.

ii) Exceptions

Notwithstanding the policies of Section 8.5.1.3 i):

- a) a consent may be granted for the severance of the lands occupied by the Richmond Hill Live Streamers Club from the balance of the lands described as 4403 St. Johns Side Road, Part Lot 25, Concession 6;
- b) a consent may be granted for a maximum of two additional lots for the lands zoned RR8 at 2623 Bethesda Sideroad (Lot 5, Concession 4) subject to a Zoning By-law amendment and all other applicable policies of this Plan.

8.5.1.4 Prohibited Consents

Notwithstanding any other policies of this Plan, the following consents shall be prohibited:

- i) to separate residential structures for farm help which are grouped with existing farm structures;
- ii) to create a non-farm lot in the Agricultural Area other than those permitted in accordance with the provisions of Section 8.5.2;
- iii) to create additional residential lots in the Estate Residential or Resort/Recreational Area designations, with the exception of consents in the Sleepy Hollow area, in accordance with the policies of Section 4.13.3;
- iv) to create a non-farm residential infill lot outside the Rural Residential Clusters designated on Schedule "C", or the Hamlet or Secondary Plan Area designations;

- v) to create a lot in an area susceptible to flooding, erosion or other physical constraint, unless it can be established that the proposed use would not be detrimentally affected or would not adversely affect other land uses; and,
- vi) to create a lot in the Aggregate Resource Area or Extractive Rural Area designations which will restrict the future extraction of aggregate resources, with exception of a consent for a surplus farm dwelling in accordance with the provisions of Section 8.5.1.3 v).

8.5.2 Agricultural Area

In addition to the consents permitted in Section 8.5.1.3, the following consents may be permitted in the Agricultural Area designation on Schedule “B”, subject to the policies in Sections 8.5.1.1 and 8.5.1.2 and other applicable policies of this Plan:

- i) One consent for a retiring farmer for a farm which existed as of January 1, 1994 which is 10 ha (25 ac.) or greater in size. It is the intent of the Town that the retiring farmer will reside on the retained lot and will remove himself/herself from the day to day operation of the farm business. The Town shall be satisfied that the applicant is a retiring farmer as defined in Section 9.5.2 of this Plan based on the submission of documentation demonstrating:
 - a) when the property was purchased by the applicant;
 - b) that the property has been farmed full time by the applicant for a minimum of 20 years;
 - c) the nature and size of the applicant’s agricultural operation;
 - d) the type of equipment used in the operation; and,
 - e) participation in at least one statutory program that would be associated with the practice of farming such as the Fuel Tax Act, Farm Product Payment Act; and Licenses under the Farm Product Marketing Act; and,
- ii) One consent for farm related commercial and industrial uses in conformity with the policies of Section 4.3.2.4 of this Plan.

8.5.3 Rural Area

In addition to the consents permitted in Section 8.5.1.3, the following consents may be permitted in the Rural Area designation on Schedule “B”, subject to the policies in Sections 8.5.1.1 and 8.5.1.2 and other applicable policies of this Plan:

- i) One consent for a retiring farmer for a farm which existed as of January 1, 1994 which is 10 ha (25 ac.) or greater in size subject to the Town being satisfied that the applicant is a retiring farmer as defined in Section 9.5.2 of this Plan based on the submission of documentation demonstrating:
 - a) when the property was purchased by the applicant;
 - b) that the property has been farmed full time by the applicant for a minimum of 20 years;
 - c) the nature and size of the applicant’s agricultural operation;
 - d) the type of equipment used in the operation; and,
 - e) participation in at least one statutory program that would be associated with the practice of farming such as the Fuel Tax Act, Farm Product Payment Act; and Licenses under the Farm Product Marketing Act; and,
- ii) One consent for farm related commercial and industrial uses in conformity with the policies of Section 4.3.2.4 of this Plan;
- iii) To divide a large agricultural lot where both the conveyed and retained lots are intended for agricultural purposes and are of an appropriate size to support farming operations; and,
- iv) To permit limited infilling in the Rural Residential Clusters identified on Schedule “C” to this Plan provided that such lots generally reflect the size and frontage of lots in the Residential Cluster. Further, the boundaries and number of the Rural Residential Clusters shall be fixed and shall not be expanded without an Official Plan Amendment which may be considered at the time of the five year review of the Official Plan. Such an amendment shall only be approved after the impacts have been subject to a municipal wide analysis. Further, such an amendment shall generally not expand the boundaries of Clusters beyond the limits of existing

development, as the intention of the Cluster designation is to provide for one or two consents for lots within existing Clusters, not extension of such Clusters.

8.5.4 Hamlet Area and Vandorf-Preston Lake Secondary Plan Area

In addition to the consents permitted in Section 8.5.1.3, the only consents which may be permitted in the Hamlet Area and Vandorf-Preston Lake Secondary Plan designations on Schedule “B”, shall be for infilling subject to:

- i) the policies in Sections 8.5.1.1 and 8.5.1.2;
- ii) other applicable policies of this Plan; and,
- iii) provided that such lots generally reflect the size and frontage of surrounding lots.

8.5.5 Oak Ridges Moraine Plan Area

Notwithstanding any other policies of this Plan, a lot may only be created in the following designations in conformity with Part IV, Section 32 and subject to Section 15, and Part III of the Oak Ridges Moraine Conservation Plan:

- i) ORM Natural Core Area;
- ii) ORM Natural Linkage Area; and,
- iii) ORM Countryside Area.

8.6 SITE PLAN CONTROL

8.6.1 Site Plan Control Area

All lands in the Planning Area shall be designated as a Site Plan Control Area and may be subject to Site Plan Control By-laws. The provisions of the Planning Act with respect to Site Plan Control may be used with respect to all uses, or designations within the Official Plan. However, the following uses shall not be subject to Site Plan Control:

- a) agricultural and farm related buildings or structures which are utilized in farming operations except for buildings and structures used for indoor cannabis cultivation, outdoor cannabis cultivation, and cannabis processing;
- b) electric power facilities; and,
- c) Regional or municipal facilities.

8.6.2 Site Plan Agreements

In accordance with the Planning Act, the owner of the land may be required to enter into a Site Plan Agreement and provide to the satisfaction, and at no expense, to the Town, any or all requirements set out in the Planning Act.

8.6.3 Road Dedications

Where a proposed development is subject to site plan control, the dedication of the widening needed to achieve the road allowance to meet Town and Regional rights-of-way established in Table 1 to this Plan, shall be required along the frontage and flankage of the development as a condition of site plan approval. Such dedication shall be granted to the appropriate authority free of all charges. However, the Town or the Region, at their discretion, may choose not to take all the required road widening where the nature of the existing development means that it is unlikely that the maximum widening will be required.

8.6.4 External Design and Sustainable Development Controls

In addition to the other provisions of this section, the Town may use the site plan approval powers specifically set out in Section 41(4) (2) (d), (e) and (f) of the Planning Act, 1990, c.P.13, to implement any of the policies enunciated in this Official Plan, through the control of:

- i) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is exterior design; and,
- ii) the sustainable design elements on any adjoining municipal road including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.

8.6.5 Required Studies for Cannabis Use

The studies listed in this Section may be required at the sole discretion of the Town to support an application to permit a cannabis cultivation or cannabis processing use. The Town may require additional studies in addition to those listed below as may otherwise be required by this plan.

- i) Agriculture Impact Assessment
 - a) At no cost to the Town, a proponent may be required to submit an agricultural impact assessment (AIA) prepared by a qualified professional where a cannabis processing use is proposed on agricultural lands. An AIA identifies and evaluates potential impacts of non-agricultural development on agricultural operations and the Agricultural System and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts.
- ii) Erosion Summary and Dispersion Modelling Report
 - a) At no cost to the Town, the proponent will submit an Emission Summary and Dispersion Modelling (ESDM) Report that is prepared by a Licensed Engineering Practitioner (which means that they must be licensed by Professional Engineers Ontario) in accordance with Ministry of Environment, Conservation & Parks guidance. This report will deal with

contaminants including odour, chemicals and particulate matter constituents.

- b) The ESDM Report shall include a detailed odour inventory and mitigation plan fully describing the proposed air filtration systems and other mitigation measures as well as off-property odour impact predictions that include a review of the impacts of other cannabis within the area to determine the extent of the potential cumulative adverse effects. In this regard, it would be the role of the Licensed Engineering Practitioner to demonstrate that the impact of the proposed use and other cannabis within the area will not, or is not likely to, cause adverse effects
- c) In addition to sub-section ii) above, the ESDM Report must demonstrate that the proposed facility can achieve a standard of compliance following approval and that two odour units will only be exceeded at any given sensitive use up to 0.5% of the time on an annual basis as per the MECP Technical Bulletin 'Methodology for Modeling Assessment of Contaminants with 10-Minute Standards and Guidelines, September 2016'
- d) The ESDM Report must consider co-existence adverse effects associated with drift of cannabis emissions on existing farming operations in the area and provide recommendations on an appropriate greenspace separation distance to ensure that spray drift is minimized
- e) In addition to the above, the proponent of the proposed facility will submit a Contingency Odour Mitigation Plan, prepared by a Licensed Engineering Practitioner that considers additional air filtration systems or other mitigation measures for use in the event of substantiated future complaints after the use has been established. Agreement on the appropriate triggers for additional mitigation will be made in advance.

iii) Light Mitigation Plan

- a) At no cost to the Town, the proponent will submit a Light Mitigation Plan, prepared by a Licensed Engineering Practitioner that fully describes the proposed light mitigation measures and demonstrates that the proposed facility will not cause light pollution, including sky glow or light trespass, onto neighbouring properties.

- b) In addition to sub-section i), the proponent will also submit a Contingency Light Pollution Mitigation Plan, prepared by a Licensed Engineering Practitioner that considers additional mitigation measures and implementation timelines for use in the event of substantiated future complaints after the use has been established. Agreement on the appropriate triggers for additional mitigation will be made in advance.

iv) Traffic Impact Study

- a) At no cost to the Town, the proponent will submit a Traffic Impact Study, to the satisfaction of the Town and/or the Region that demonstrates that the proposed facility will not cause any traffic hazards or an unacceptable level of congestion on roads in the area and that existing or planned transportation infrastructure is deemed sufficient for the scale of the development being proposed.

v) Hydrogeological study

- a) At no cost to the Town, the proponent will submit a Hydrogeological Study prepared by a licensed professional geoscientist. This report will assess groundwater infiltration and recharge, groundwater discharge and baseflow, groundwater elevations and flow paths, water quality and temperature, cumulative watershed impacts, and impacts to the Town's drinking water sources as well as wastewater system.
- b) Adequate water supply for firefighting shall be provided for every building and for fire suppression as required by the Ontario Building Code.
- c) If the proposed development is on a private septic system or other on-site disposal system, the owner is required to confirm that the discharge from the facility can be safely treated in a private septic system alternative.
- d) At minimum, the report shall include an assessment of the existing conditions, impact assessment, and mitigation measures.

vi) Landscaping Plan

- a) At no cost to the Town, the proponent will submit a Landscaping Plan that fully describes the proposed landscaping measures and demonstrates that the landscaping will contribute to the mitigation of visual nuisance.
- b) The Landscaping Plan will include a Landscape Planting Strip with a minimum width of 15 metres shall be provided and maintained adjacent to all lot lines provided that such Landscape Planting Strip may be interrupted by driveways or other needed access points.

vii) Planning Justification Report

- a) At no cost to the Town, the proponent will submit a Planning Justification Report prepared by a Registered Professional Planner. This report will provide a background context, an overview of the purpose and effect of an application, and establish a professional planning rationale for the application by demonstrating how a proposal conforms to applicable planning policy documents and good planning principles.

8.7 DEVELOPMENT CHARGES AND FINANCIAL REQUIREMENTS

8.7.1 Development Charges

The Town shall review and update its Development Charges By-law in conformity with this Plan.

8.7.2 Other Financial Requirements

Prior to the approval of any development in the municipality, the Town, in consultation with the Region of York, may require the owner to enter into servicing and other agreements, including pre-payment requirements or accelerated payments that will ensure that the development can be adequately serviced and that an appropriate contribution has been secured toward the provision of community services.

In particular:

- i) Prior to the approval of development, the Town and the Region of York shall be satisfied as to the availability of water supply and sewer capacity to accommodate said development. This may require pre-payment or accelerated payment agreements and limitations to be placed on development.
- ii) Prior to the registration of any development, where applicable, the owner shall have entered into a servicing agreement, including any pre-payment requirements or accelerated payments with the Town and/or the Region of York that will identify the capital expenditures associated with the servicing of the lands.
- iii) Prior to any development approvals, an assessment of infrastructure cost requirements to accommodate the development, including development phasing, the timing of infrastructure emplacement, and the methods of financing including developer pre-payment or accelerated payment agreements shall be addressed in conjunction with other proponent's developments as required.

8.7.3 Developers Group Agreement(s)

Prior to the final approval of any large-scale development involving a number of landowners, the Town may require that landowners with applications for development enter into an agreement or agreements to address the sharing of the common costs of development.

8.8 LAND DEDICATION AND ACQUISITION

8.8.1 Other Lands

The Town shall generally acquire other lands required to implement the policies of this Plan in accordance with the provisions of the Planning Act, the Municipal Act, the Development Charges Act or any other statute. However, consideration will be given to the use of other mechanisms where appropriate.

8.9 PUBLIC SECTOR

It is the objective of this Plan to achieve the agreement of all public agencies involved in any aspect of development in the Town of Whitchurch-Stouffville, to comply with the policies of this Plan, the regulations of the Zoning By-law and other related policies, regulations and guidelines, in order to achieve the implementation of the policies of the Plan.

8.10 SECONDARY PLANS

- i) Secondary Plans shall be prepared as required in accordance with the policies of this Plan. Such plans shall be adopted as an amendment to this Plan.
- ii) Secondary Plans shall generally provide more detailed policy direction than the Official Plan with respect to specific issues related to the Secondary Plan area.
- iii) Secondary Plans shall generally conform to, and be designed to implement the policies of this Plan. However, where there is a conflict between the policies of the Official Plan and the Secondary Plan, the Secondary Plan policies will supersede those of the Official Plan for the area which is subject to the Secondary Plan.

8.11 PROPERTY STANDARDS

8.11.1 Minimum Standard

The Town shall maintain, and update as required, its Property Standards By-law in accordance with the Ontario Building Code.

8.11.2 Property Standards Enforcement

- i) The Town shall appoint a Property Standards Officer who will be responsible for administering and enforcing the Property Standards By-law.
- ii) The Town shall also appoint a Property Standards Committee for the purpose of hearing appeals against an order of the Property Standards Officer.

8.12 LEGISLATION UNDER THE MUNICIPAL ACT

The Town shall review existing legislation pursuant to the Municipal Act and amend it to implement and conform with the Plan as required.

8.13 CAPITAL WORKS

It is intended that the Town shall prepare a capital works program in conformity with the proposals and policies of this Plan. The Plan will allow the Town to assess immediate and long-term requirements and plan major expenditures taking into account all the financial resources available to the Town. The program will be reviewed annually.

8.14 PUBLIC MEETINGS

The Town may eliminate notice to the public for minor Official Plan amendments or Zoning By-law amendments which do the following:

- i) changes to the numbers of sections or order of sections, but does not add or delete sections;
- ii) consolidates previously approved amendments into a new document without altering any approved policies or maps;
- iii) corrects grammatical or typographical errors; and,
- iv) changes references to legislation where the legislation has changed.

In all other instances, notification to the residents of the Town of public meetings in accordance with the Planning Act shall follow the procedures required by the Act.

8.15 TREE AND SITE ALTERATION BY-LAWS

In accordance with the Oak Ridges Moraine Conservation Act, 2001, the Town will adopt tree and site alteration by-laws in accordance with Sections 135 through 141 and 142 through 146 of the Municipal Act.

8.16 WATERSHED PLANS

The Town will:

- i) work with the Region of York and the Conservation Authority to complete and implement watershed plans, including water budgets and water conservation plans to meet the requirements of Sections 24 and 25 of the Moraine Plan;
- ii) incorporate by official plan amendment, the applicable objectives and requirements of a completed watershed plan applicable to the Moraine Area into the Official Plan;
- iii) prohibit all development and site alteration in a subwatershed on the Oak Ridges Moraine, except in the Communities of Stouffville and Ballantrae, if it would cause the total percentage of subwatershed area on the Moraine having impervious surfaces to exceed 10%, or any lower percentage specified in an approved watershed or subwatershed plan;
- iv) prohibit approval of major development on the Oak Ridges Moraine after April 23, 2007, unless the relevant requirements of Section 24 of the Moraine Plan have been satisfied.

8.17 MONITORING

8.17.1 Oak Ridges Moraine Monitoring

The Town will undertake, where appropriate and in partnership with the Province, the Region and other stakeholders:

- i) the development and administration of effective and accessible data management systems for natural heritage and hydrological information; and,
- ii) the development of programs to monitor the long-term health of the Oak Ridges Moraine and assist in public education.

8.17.2 General Monitoring

In addition to the monitoring related to the Oak Ridges Moraine, the Town shall monitor the implementation of the policies of the Official Plan on a regular basis to measure their success in managing growth. This process will utilize the Town's existing systems and data as set out in Section 12.10.4 of the Community of Stouffville Secondary Plan, to examine measures such as population and employment growth and housing mix.

9. INTERPRETATION

9.1 GENERAL

This Plan is a statement of policy. It is intended as a guide to Council; however, some flexibility in interpretation may be permitted, provided that the general intent is maintained.

9.2 BOUNDARIES

Locations, boundaries or limits described in the text or indicated on the Schedules to this Plan are intended to be approximate only, except where they are:

- i) clearly bounded by roads, railway lines, or other clearly defined physical features; and/or,
- ii) the external boundaries of the Hamlet Area and Secondary Plan Area designations.

Where the general intent of the Plan is maintained, minor boundary adjustments will not necessitate an amendment to this Plan.

Notwithstanding the foregoing, the boundary of the Oak Ridges Moraine and the designations within the Oak Ridges Moraine Plan Area on the Schedules to this Plan shall not be further defined. However, the boundaries of the land use designations within the Moraine boundary, with the exception of the Core and Linkage designations, may be further defined in a manner consistent with the policies for the land use designations based on the results of the ten year review of the Moraine Plan.

Notwithstanding the foregoing, the boundary of the Oak Ridges Moraine Plan Area is established by Ontario Regulation 01/02. Lands along the southern boundary of the Oak

Ridges Moraine Plan Area located in the Town of Whitchurch-Stouffville are considered to be in the Plan area if:

- iii) it is above the contour of elevation 245 Canadian Geodetic Vertical Datum 1928 (GDVD28); and,
- iv) it is within the Oak Ridges Moraine Area as designated by Ontario Regulation 01/02.

If questions arise which dispute the accuracy of the southern boundary, the Town will require verification through a topographic survey completed by an Ontario Land Surveyor confirming that the lands are below the 245 contour.

9.3 STATED MEASUREMENTS AND QUANTITIES

All numbers and quantities in the text shall be interpreted as approximate only. Minor variations from any numbers or quantities will be permitted provided the intent of the Plan is preserved.

9.4 LEGISLATION

Where this Plan makes reference to a Provincial Act or an Ontario Regulation, to the minimum distance separation formulae or the Provincial Policy Statement, such reference shall include any subsequent amendments or replacements.

9.5 DEFINITIONS

9.5.1 **Best Management Practices**

“Best Management Practices” is a general term used in the Ministry of Environment guidelines designating procedures for stormwater quality and quantity control. The techniques considered to be Best Management Practices reduce pollutants available for transport by run-off before it is discharged. Best Management Practices requires that stormwater management for new subdivisions be implemented in an environmentally sensitive manner with one of the prime objectives being to maintain water quality.

9.5.2 **Retiring Farmer**

A retiring farmer is a full time farmer of retirement age who is retiring from active working life on the farm, was farming on January 1, 1994 and has owned and operated the farm operation for a substantial number of years.

9.5.3 **Density, Gross**

This term shall mean the area of land including the lot area, local and collector streets, parks, including trails, schools, institutional uses and all open space lands with the exception of lands designated “Significant Environmental Area” on Schedule “B”.

9.5.4 **Density, Net**

This term shall mean the area of land including the lot and local and collector roads.

9.5.5 **Development**

This term shall include site alteration and redevelopment.

9.5.6 **Environmental Buffer**

A natural area intended to minimize potential conflict between human activities and sensitive environmental features. This is done by providing a natural separator and by

rounding out irregularities and minimizing the length of the interface between humans and undisturbed, regenerating or protected landscapes.

9.5.7 Garden Suites

Garden Suite shall mean a detached residential structure accessory to the main residence on a lot for the use of aging or handicapped relative of the owner of the main residence. Such a structure shall contain bathroom and kitchen facilities and shall be designed to be portable.

9.5.8 Group Homes

Group Home shall mean a single housekeeping unit in a residential dwelling in which three to ten residents (excluding staff or the receiving family) live as a family under responsible supervision consistent with the requirements of its residents.

9.5.9 Institutional Uses

Public or private non-profit uses, as well as certain private uses for profit such as day care facilities, which provide a service to the community.

9.5.10 Municipal Comprehensive Review

Municipal Comprehensive Review means an official plan review or an official plan amendment, undertaken by the Town of Whitchurch-Stouffville, in consultation with, and approved by York Region, that comprehensively applies the policies of this Plan, the York Region Official Plan, and the provincial Growth Plan for the Greater Golden Horseshoe, and includes a land budget analysis as determined by the Town and the Region.

9.5.11 Mineral Aggregate

Mineral Aggregate shall mean gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline,

syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

9.5.12 Portable Asphalt Plant

Portable Asphalt Plant shall mean a facility which provides asphalt exclusively in accordance with a contract for any Provincial road work in any location or for a local or Regional road work within the municipalities of the Town of Whitchurch-Stouffville or the Region of York and for no other use:

- i) with equipment designed to heat and dry aggregate and mix aggregate with bituminous asphalt to produce asphalt paving material and includes stockpiling and storage of bulk materials used in the process; and,
- ii) which is portable and is designed and intended to be dismantled and moved to another location when required for another contract.

9.5.13 Rural Commercial, Rural Industrial and Rural Institutional Uses

Rural commercial, Rural Industrial and Rural Institutional uses shall generally mean small scale uses which are primarily related to and designed to serve the rural/agricultural/environmental area or utilize its products.

9.5.14 Significant Trees

Trees of 0.3 m caliper in size at breast height.

9.5.15 Traffic Calming

This term shall mean a form of transportation planning which seeks to harmonize the use of streets by automobiles, pedestrians, bicyclists, playing children and other street uses. This is accomplished through the use of streetscape design devices and techniques including sidewalks, that diversify street uses and control traffic volumes and speed in neighbourhoods while maintaining maximum mobility and access. Traffic calming also attempts to make drivers aware of the fact that they are sharing the space of a street with other uses.

9.5.16 Valley and Stream Corridors

Valley and stream corridors shall be defined as including all lands in the Flood Plain Area designation as defined in Section 3.5. of this Plan and:

- i) A minimum of 10 m (33 ft) beyond lands below the top of stable slope or beyond the projected stable top of bank for an unstable slope or, in the absence of a discernable top of slope, a minimum of 10 m (33 ft) beyond the Regulatory Flood line or a predicted meander belt of the watercourse in cases where there is no regulatory flood line.
- ii) The boundary of a Significant Environmental Area where it extends beyond the line referred to above, plus a minimum of 10 m (33 ft) beyond the area's boundary.

9.5.17 Definitions in the Oak Ridges Moraine Plan Area

The Oak Ridges Moraine Conservation Plan includes extensive definitions of terms which are found throughout the documents. For reference purposes, the main definitions which are found in Part I, Section 3 of the Moraine Plan, are found in Appendix ORM I to this Plan. However, where questions of interpretation arise, regard should be had to the Oak Ridges Moraine Conservation Plan itself.

Notwithstanding the foregoing, the boundary of the Oak Ridges Moraine Plan Area is established by Ontario Regulation 01/02. Lands along the southern boundary of the Oak Ridges Moraine Plan Area located in the Town of Whitchurch-Stouffville are considered to be in the Plan area if:

- i) it is above the contour of elevation 245 Canadian Geodetic Vertical Datum 1928 (GDVD28); and,
- ii) it is within the Oak Ridges Moraine Area as designated by Ontario Regulation 01/02.

If questions arise which dispute the accuracy of the southern boundary, the Town will require verification through a topographic survey completed by an Ontario Land Surveyor confirming that the lands are below the 245 contour.

9.5.18 Ancillary Uses

Small scale retail uses that primarily serve the business functions on employment lands.

9.5.19 Major Retail

Major retail includes retail big box stores, retail warehouses and shopping centres. For the purposes of this definition a shopping centre is not a collection of ancillary uses that primarily serve the business functions on employment lands.

9.5.20 Outdoor Cannabis Cultivation

Shall mean premises used for the legal cultivation and harvesting of recreational cannabis in an open-air setting or in structures for recreational purposes as authorized by an issued license or registration by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, to the Cannabis Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto.

9.5.21 Indoor Cannabis Cultivation

Shall mean premises used for the legal cultivation and harvesting of recreational cannabis in a wholly enclosed permanent building or structure for recreational purposes as authorized by an issued license or registration by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, to the Cannabis Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto.

9.5.22 Cannabis Processing

Shall mean premises used for the processing of cannabis and the processing of cannabis products in a wholly enclosed building or structure constructed including the distilling, packaging, testing, research, disposing, destroying and shipping of cannabis for recreational purposes as authorized by an issued license or registration by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, to the Cannabis Act, SC 2018, c 16, the Controlled Drugs and Substances Act, SC 1996, c 19 and the Food and Drugs Act, RSC 1985, c F-27, as amended from time to time, or any successors thereto.

9.5.23 Rehabilitation Treatment Centre

A single detached dwelling which offers supervised specialized care, treatment and/or rehabilitation services on an in-patient basis for individuals who are addicted to chemical substances and/or alcohol and require 24-hour residential accommodation, and sheltered, specialized group care.

10. GORMLEY

10.1 DEVELOPMENT GOALS

The Plan is intended to promote the following goals for the Gormley Industrial Area:

10.1.1 General

To create a distinctive, industrial and commercial area which will promote the development of a “gateway” location within the Town compatible with the established land uses within the Gormley Community and the findings of the Settlement Capability Study and its location on the Oak Ridges Moraine Plan Area.

10.1.2 Land Use

To ensure the proper functioning of an integrated and cohesive planning area, through the arrangement of land uses.

To ensure that land uses develop in a manner which is compatible with adjacent land uses, including the provision of adequate separation distances between industrial/commercial and residential land uses in accordance with all applicable standards.

To encourage a broad range of dry industrial uses including related uses such as conference and training facilities that will strengthen and diversify the employment opportunities within the Town of Whitchurch-Stouffville.

To continue to recognize the existing commercial land uses, and allow limited opportunities for infill and new commercial development that services the needs of the employees of the Gormley Industrial Area and the residents of the Gormley Community.

To continue to recognize the existing industrial land uses and allow opportunities for expansions and redevelopment.

To create an attractive streetscape for the Town by ensuring a high quality of land uses, building design, and on-site amenities of properties with frontage or exposure along major roads.

To permit limited outdoor storage in conjunction with industrial operations, at appropriate locations, subject to provisions related to separation distances, height, buffering and screening of outdoor storage.

10.1.3 Environment

To maintain and, where feasible, enhance natural features and existing vegetation considered worthy of protection or conservation as identified through completion of the studies described in Section 10.6.1 i) a).

To ensure that the servicing of the community minimizes impacts on the natural environment and the water supply systems on adjacent lands and is undertaken in accordance with the findings of the Settlement Capability Study.

To maintain and, where feasible, enhance the fishery resources of the Rouge River and its tributaries.

To minimize any negative impacts on the existing or future residential land uses.

To reflect the objectives of the *Oak Ridges Moraine Conservation Act* as referenced in Appendix ORM Objectives to the Official Plan.

10.1.4 Transportation

To develop an efficient road and traffic system which properly meets the needs of the existing and future uses of the area.

To ensure that any necessary improvements to the road system occur at a rate and scale commensurate with the demands placed upon the system by the development of the industrial area.

10.1.5 Servicing

To ensure the provision of adequate water, sanitary, and storm drainage facilities to meet the needs of the existing and future uses of the area.

10.2 LAND USE POLICIES

This Amendment to the Official Plan of the Town of Whitchurch-Stouffville establishes a Secondary Plan for the Gormley Industrial Area, and the following land use categories are hereby incorporated into the Secondary Plan:

- a) Prestige Industrial
- b) Industrial
- c) Community Residential
- d) General Commercial
- e) Convenience Commercial
- f) Open Space – Environmental

The general location of the land use designations, roads, and other features are depicted on Schedule “A” hereto. Those locations are diagrammatic and may be altered provided that the general intent of the Plan is maintained. Where use, and/or lot size requirements, would dictate modification of a Collector Road pattern, or deletion of these roads, such modifications may be made without Amendment to this Plan.

The following policies pertain specifically to each of the land use designations indicated on Schedule “A”, the Land Use and Roads Plan:

10.2.1 Prestige Industrial

Dry Prestige Industrial uses shall be developed on landscaped lots in a park-like setting in locations that are sensitive to the range of permitted uses due to their proximity to residential land uses or because of their exposure to major roads.

10.2.1.1 Permitted Uses

Uses permitted in Prestige Industrial Areas are:

- i) Dry Industrial uses within enclosed buildings including manufacturing, processing, assembling, fabricating, repairing, packaging, warehousing and wholesaling, data processing, and related uses.
- ii) Office uses provided that they are located on the same lot, and are related or accessory to the main permitted industrial use. Ancillary uses to the Office and permitted Industrial uses such as employee conference and training centre facilities and day care facilities shall also be permitted.
- iii) Limited gross floor area devoted to retail sales of a minor portion of the goods manufactured, processed, assembled, or packaged on the industrial premises.

10.2.1.2 Policies

- i) Only dry uses as defined in Section 10.4.1 ii) shall be permitted.
- ii) All permitted uses shall be carried out within enclosed buildings.
- iii) Outside storage shall be prohibited.
- iv) Uses that are likely to cause air or water pollution, odour, or a level of noise which causes an adverse impact on adjacent sensitive land uses, shall be prohibited.
- v) A high standard of building design and appearance shall be encouraged, with undeveloped portions of lots being landscaped in a manner which augments and reinforces the intended prestige image.
- vi) Existing vegetation and other natural features, considered worthy of protection or conservation, shall be maintained and, if possible, incorporated within the Prestige Industrial uses and between other types of uses to act as buffers and separators.
- vii) The overall density of development shall comply with the conclusions of the Settlement Capability Study. Increases to the density may be permitted subject to the review and approval of additional detailed servicing information by the

Ministry of the Environment and Energy and the Region of York. Specific by-law standards and provision shall be utilized to establish density, minimum lot sizes and other provisions as deemed necessary by the Town of Whitchurch-Stouffville. The minimum lot size shall be approximately 2.0 ha (5.0 ac.) with a maximum lot coverage of 35%.

- viii) Specific by-law standards and provisions shall be utilized where Prestige Industrial uses are to be situated in proximity to existing or proposed residential development, in order to mitigate impacts on the amenity of the residential area.

10.2.2 Industrial

Lands designated Industrial shall be for industrial uses that may have limited outdoor storage.

10.2.2.1 Permitted Uses

Uses permitted in the Industrial Areas are:

- i) Dry Industrial uses within enclosed buildings including manufacturing, processing, assembling, fabricating, repairing, packaging, warehousing and wholesaling, data processing, and related uses.
- ii) Office uses provided that they are situated on the same lot, and are related and accessory to the main industrial use. Ancillary uses to the Office and permitted Industrial uses, such as employee conference and training centre facilities and day care facilities shall also be permitted.
- iii) Limited gross floor area devoted to retail sales of a minor portion of the goods manufactured, processed, assembled, or packaged on the industrial premises.
- iv) Cannabis processing.

10.2.2.2 Policies

- i) Only dry uses as defined in Section 10.4.1 ii) shall be permitted.
- ii) All permitted uses shall be carried out within enclosed buildings.

- iii) Limited outdoor storage accessory to permitted industrial uses may be permitted, provided it is located only in rear yards, is effectively screened from public view, and is fenced where required to ensure safety.
- iv) Uses that are likely to cause an unacceptable measure of air or water pollution, odour, or excessive noise shall be prohibited.
- v) A minimum standard of building design and landscaped area shall be encouraged for those portions of a lot which front or flank onto a public road.
- vi) Buffering and adequate separation distances may be required to ensure visual compatibility between Industrial uses and other uses.
- vii) Existing vegetation and other natural environmental features shall be maintained and, if possible, incorporated within the Industrial uses and/or between other uses to act as buffers and visual screens.
- viii) The overall density of development shall comply with the conclusions of the Settlement Capability Study. Increases to the density may be permitted subject to the review and approval of additional detailed servicing information by the Ministry of the Environment and Energy and the Region of York. Specific by-law standards and provisions shall be utilized to establish density, minimum lot sizes, and other provisions as deemed necessary by the Town of Whitchurch-Stouffville. The minimum lot size shall be approximately 2.0 ha (5.0 ac.) with a maximum lot coverage of 35% which includes, for example, buildings and open storage areas.
- ix) Specific by-law standards and provisions shall be utilized to establish density, minimum lot sizes, and other provisions as deemed necessary by the Town of Whitchurch-Stouffville.
- x) Specific by-law standards and provisions shall be utilized where Industrial uses are to be situated in proximity to existing or proposed Prestige Industrial uses or other land use designations, in order to mitigate impacts on the amenity of nearby land uses.
- xi) Notwithstanding the provisions of Sections 10.2.2, 10.2.2.1, and 10.2.2.2, it is intended that existing outdoor storage uses continue to be permitted and

recognized provided that these uses are legally zoned for such use at the time of adoption of this Secondary Plan.

xii) Cannabis Processing

The following additional policies shall apply to cannabis processing facilities in the Industrial Area:

- a) Only cannabis processing uses licensed by Health Canada under the *Cannabis Act* shall be permitted;
- b) The minimum separation distance between an outdoor cannabis cultivation use and lands designated Estate Residential Area, Estate Residential Area Special, Significant Environmental Area, Rural Commercial/ Industrial/ Institutional Area, Public Open Space Area, or Community Residential shall be 1000.0 m, or as otherwise required by the implementing Zoning By-law,
- c) The minimum separation distance between two or more cannabis cultivation uses and/ or cannabis processing uses shall be 1000.0 m;
- d) Cannabis processing uses shall be located and designed in accordance with Cannabis Regulations (SOR/2018-144) to mitigate potential impacts including light emissions, air emissions, odour, and so forth;
- e) Cannabis processing shall only be permitted where municipal servicing is available and allocated;
- f) Cannabis processing uses shall be subject to the Town's Site Plan Control By-law including providing the required studies outlined in section 8.6.5;
- g) The Town may establish a municipal licensing framework to regulate cannabis cultivation and cannabis processing uses which can further regulate land use, separation distance, and site plan control;
- h) Cannabis processing shall only be permitted through an amendment to the Town's Zoning By-law; and,
- i) The Town's Zoning By-law shall establish more detailed zoning regulations and standards regarding cannabis cultivation and cannabis processing.

10.2.2.3 Special Provision

10.2.2.3.1 Special Provision 1 – 2 Stalwart Industrial Drive

Notwithstanding the policies of Section 10.2.2.1, to the contrary, in addition to permitted uses, a crematorium shall be permitted.

10.2.2.3.2 Special Provision 2 – 56 Gordon Collins Drive

Notwithstanding any provisions of this Plan to the contrary, in addition to the uses permitted in the Industrial designation, a "Commercial Recreation Use" may be permitted as an accessory use to the permitted "Industrial" uses.

10.2.3 Community Residential

10.2.3.1 Policies

- i) New residential development shall be single-detached dwellings with a minimum lot size of approximately one ha (2.5 ac.). Reductions in the lot size may be permitted subject to the review and approval of additional detailed servicing information by the Ministry of the Environment and Energy and the Region of York.
- ii) Any lotting configuration and/or subdivision design for the new residential development, if proposed, shall consider the established residential uses, in order to provide for development to occur in a manner so as to minimize negative impacts on adjacent uses.
- iii) For lots of record, development will be permitted in accordance with the provisions of Section 4.2 iv) of the Town's Official Plan.

10.2.4 General Commercial

10.2.4.1 Policies

- i) Lands designated "General Commercial" shall be subject to the policies of Section 12.7.19 "Western Approach Area – Mixed Use" of the Community of

Stouffville Secondary Plan except for those uses prohibited by Section 10.2.4.1 c).

- ii) Notwithstanding the policies of this Section, those lands described as part Lot 35, Concession 4, west of Woodbine Avenue, shall be used only for business offices, professional offices and an accessory dwelling unit and shall not require water for any commercial processing operation.
- iii) Commercial uses within either the General or Convenience Commercial designations which utilize or discharge significant amounts of water shall be discouraged. Further, all proposed commercial uses will be assessed against the conclusions of the Settlement Capability Study with respect to sanitary sewage disposal to the satisfaction of the Region of York, the Town of Whitchurch-Stouffville and/or the Ministry of the Environment as appropriate. Prohibited Uses within the General or Convenience Commercial designations include: Accessory Dwelling Units; Clinics, Dwelling Units above other permitted uses; Hotels; Personal Service Establishments, which discharge significant amounts of water; Printing Establishments; Undertaking Establishments; and Dental Offices or Dental Clinics; and residential uses.

10.2.5 Convenience Commercial

10.2.5.1 Policies

- i) The lands designated Convenience Commercial shall be limited in size and scale in order to service the needs of the business and employees of the adjacent industrial areas, the residents of the Gormley Community, and, to a limited extent, the travelling public, on approved sewage systems acceptable to the Region of York.
- ii) High standards of design and landscape requirements shall be required for Convenience Commercial uses, to ensure adequate screening and buffering from the adjacent industrial area.
- iii) Adequate provision shall be made for use, access, off-street parking, landscaping, buffering and sign control through specific by-law standards and the site plan approval processes.

10.2.6 Other Permitted Land Uses

10.2.6.1 Policies

This Plan recognizes agricultural uses such as cash cropping as an interim use, and shall allow the continued use of the land for agricultural production pending development in accordance with the relevant land use designation. The following additional uses may be permitted in Industrial, Residential and Commercial designations as an interim use, or with the exception of agricultural uses, as permitted uses:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Agricultural uses, with the exception that new agricultural uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule “H”;
- iv) Transportation, infrastructure and utilities in accordance with the provisions of Section 3.2.5 of the Official Plan;
- v) Home occupations in any legally established residential unit, subject to the regulations of the Zoning By-law;
- vi) Home industries in association with any legally established use, subject to the regulations of the Zoning By-law;
- vii) Bed and breakfast establishments in any legally established residential unit, subject to the regulations of the Zoning By-law;
- viii) Low intensity recreational uses in accordance with the provisions of Section 3.2.6 of the Official Plan;
- ix) Unserved parks;

- x) Recreational trails in accordance with the provisions of Section 3.2.7 of the Official Plan;
- xi) Legally existing uses in accordance with the provisions of Section 3.2.4 of the Official Plan;
- xii) Accessory uses.

10.2.7 Cemeteries

This plan recognizes land uses such as cemeteries and related uses as being compatible with the Industrial land use designations contemplated under this amendment. However, cemeteries shall not be permitted within the Secondary Plan area.

10.3 TRANSPORTATION

- i) A hierarchy of roads has been established based on a classification of street functions as defined within Section 5.2 Transportation of the Town's Official Plan.

The road system shall consist of:

- a) Controlled Access Roads (Highway 404)
 - b) Arterial Roads
 - c) Collector Roads
- ii) The overall plan for the Secondary Plan, as shown on Schedule "A", is diagrammatic in its indication of Collector roads and the location of intersection points with the arterial system. The overall road plan should provide for the protection of rights-of-way for possible future road connection to the adjacent lands. In the event that the land requirements of industrial users are such that the road pattern on Schedule "A" cannot be achieved, portions of these roads may be altered or deleted without amendment to this Plan, with the consent of the Town and the Region of York.
 - iii) Prestige Industrial development along Highway 404 shall be subject to the setback and noise control requirements of the Ministry of Transportation and the Ministry of the Environment.
 - iv) Stouffville Road and Woodbine Avenue are Regional Arterial roads that bisect the Secondary Plan Area. The right-of-way width for Arterial Roads shall be consistent with the requirements of the Region of York. The location of intersection points of Collector Roads with Arterial Roads shall be subject to approval of the Regional Municipality of York.
 - v) Collector Roads are intended to connect local traffic to Arterial roads and may provide access to individual properties. Right-of-way widths for Local and Collector Roads shall be a minimum of 23 m. Right-of-way widths of 26 m for a distance of 60 m from the intersection of a Collector Road and Arterial Road shall be required.

Where practical, all lots shall have direct access to the collector road system. Access to Regional Roads from individual sites shall be restricted.

- vi) The Town of Whitchurch-Stouffville will take into account the possibility of a future local public transit system within the Secondary Plan Area and ensure that subdivision designs facilitate local transit movements.
- vii) Notwithstanding the foregoing, roads shall be subject to the relevant provisions of Section 3.2 of the Official Plan.

10.4 SERVICING

10.4.1 Water Supply

- i) There is no municipal water supply system in the Gormley Community. Industrial uses within this Secondary Plan Area will be restricted to dry industry as defined in Section 10.4.1 ii) recognizing that in order to conform with the Moraine Plan this will also require the development of a communal sewage system.

The establishment of one communal ground water system shall be the long term objective for the Secondary Plan Area. In the interim, each quadrant may be individually serviced by a single groundwater supply system for each quadrant. Such groundwater supply systems shall be supported by a hydrogeological study to the satisfaction of the Region of York, the Ministry of Natural Resources, and the Ministry of Environment and Energy.

- ii) Only dry uses shall be permitted. Dry uses are those which do not rely on water and/or discharge for processing, cooling, washing as part of the manufacturing, processing, assembling, fabricating, repairing, packaging, warehousing and/or wholesaling processes.
- iii) Design of the individual groundwater supply systems and associated distribution system for each quadrant shall allow for possible interconnection with the other quadrants to facilitate the objective of establishing a single communal water supply for the entire amendment area in the long term and the policies of the Moraine Plan particularly Part IV, Sections 43 and 44 (Refer to Appendix ORM IV).
- iv) Notwithstanding the policy provisions as set out in Section 10.4.1 of this Secondary Plan, uses or lots within a registered plan of subdivision which existed at the time of approval of this Secondary Plan may continue to be serviced by private wells.

10.4.2 Sewage Disposal

10.4.2.1 Policies

- i) Only dry uses shall be permitted. Dry uses are those which do not rely on water and/or discharge for processing, cooling, washing as part of the manufacturing,

processing, assembling, fabricating, repairing, packaging, warehousing and/or wholesaling processes.

- ii) Development proposed by way of plan of subdivision, consent, or site plan approval within the Secondary Plan Area shall not be permitted unless it is demonstrated through appropriate studies, satisfactory to the Ministry of Environment and Energy, the Ministry of Natural Resources, and the Region of York, that the land can be adequately serviced by an individual sewage disposal system.

Residential and small scale commercial/industrial development may proceed on the basis of either private or communal sewage disposal systems, subject to appropriate studies and the approval of the Ministry of Environment and Energy, the Ministry of Natural Resources, and the Regional Municipality of York. Small scale is defined as any use which generates less than 4,500 L/day per lot for the sanitary needs of its employees.

Small scale commercial/industrial development to be serviced on the basis of private sewage disposal systems, shall be required to conduct an annual maintenance inspection, by a qualified professional. The findings of this maintenance inspection of the private sewage disposal system shall be submitted to the Region of York. Any deficiencies found as part of the maintenance inspection shall be remedied by the owner, failing which, the Region of York may exercise any of its powers as may be appropriate under Part VIII of the *Environmental Protection Act*.

Large scale and multi-unit commercial/industrial development may proceed on the basis of private or communal sewage systems, subject to appropriate studies and the approval of the Ministry of Environment and Energy, the Ministry of Natural Resources, and the Region of York. Large scale and multi-unit commercial/industrial development is defined as any use which generates greater than 4,500 L/day from the sanitary needs of its employees. Communal sewage disposal systems may be either publicly or privately owned subject to the policies of the Moraine Plan particularly Part IV, Sections 43 and 44 (Refer to Appendix ORM IV).

- iii) Developments proposed on a communal sewage disposal system will be required as a condition of approval to guarantee by way of agreement, registered on title, and, if necessary, the posting of securities, which ensure

that studies addressing the technical, financial, and legal aspects of implementing, operating, and maintaining such communal sanitary system are completed by qualified professionals, to the satisfaction of the Ministry of Environment and Energy, the Ministry of Natural Resources, and the Region of York.

- iv) Notwithstanding the policy provisions as set out in Section 10.4.2 of this Secondary Plan, uses or lots within a registered plan of subdivision which existed at the time of approval of this Amendment may continue to be serviced by private sewage disposal systems.

10.4.3 Floodplain and Stormwater Management

10.4.3.1 Policies

- i) Prior to the review of plans of subdivision or other development applications within the Secondary Plan Area, with the exception of individual development proposals on existing lots, the Town of Whitchurch-Stouffville, the Toronto Region Conservation Authority, the Ministry of Natural Resources, and the Ministry of Environment and Energy shall have approved a Master Drainage Plan for the Secondary Plan Area.
- ii) The Master Drainage Plan shall consist of a strategic approach which addresses both on-site and downstream issues related to flood and erosion control, quality and quantity of groundwater and surface water resources, fisheries resources, riparian habitat, and terrestrial habitat.
- iii) Based on the recommendations of the Master Drainage Plan, the Toronto Region Conservation Authority may require a contribution from all developing landowners towards the costs on downstream remedial works to address the impact of increased stormwater run-off.
- iv) Notwithstanding any other policies of this Section, stormwater management shall conform to the policies of the Moraine Plan, particularly Sections 45 and 46 (Refer to Appendix ORM IV). The policies of Section 8.16 of the Official Plan with respect to Watershed Plans shall also apply.

10.4.4 Utilities

Hydroelectric, telephone service, and other required utilities shall be permitted in all land use designations and shall be installed underground within public road allowances or within appropriate easements subject to the policies of Section 3.2.5 of the Official Plan.

10.5 ENVIRONMENT

10.5.1 Open Space – Environmental

10.5.1.1 Policies

- i) Lands designated “Open Space-Environmental” shall be subject to the “Significant Environmental Area” provisions of Section 4.5 of the Official Plan.
- ii) Watercourses traversing the Secondary Plan area shall be protected by establishing a maximum of a 30 m vegetative buffer zone along both streambanks, unless otherwise approved as part of the Master Drainage Plan or site specific studies identified in Section 10.5.2.
- iii) Development adjacent to watercourses shall occur in such a manner as to maintain and, where feasible, enhance the fisheries resource.
- iv) Appropriate setbacks of proposed development adjacent to lands which are subject to erosion, slope instability, and flooding shall be determined by the proponent through necessary study to the satisfaction of the Toronto Region Conservation Authority, at the time of review of a particular development application(s).
- v) Where lands designated “Open Space Environmental” are privately owned, it is not intended that these lands be necessarily free and open to the public, nor that they will be acquired by the municipality or the Toronto Region Conservation Authority. However, if proposals are made to develop within, or in proximity to, such land in private ownership, the Town of Whitchurch-Stouffville, or the Toronto Region Conservation Authority may request the conveyance of the said lands. If the said lands are conveyed to the Town of Whitchurch-Stouffville, they will generally not constitute part of the required parkland dedication.

10.5.2 Oak Ridges Moraine Conservation Plan

10.5.2.1 Applicability

All development and site alteration in the Gormley Secondary Plan Area shall be subject to the provisions of the Oak Ridges Moraine Conservation Plan. For reference purposes the policies of Parts I, II, III and IV are found in Appendices ORM I, ORM II, ORM III and ORMIV to the Official Plan.

10.5.2.2 Related Schedules

Decisions under the *Planning Act* and *Condominium Act* shall conform to the following Schedules and policies of Sections 3.2, 5.8.3, 5.10 and 8.16 of the Official Plan and Part III of the Oak Ridges Moraine Conservation Plan. Also, no amendments shall be required to Schedule “H” where minor changes are proposed based on studies carried out in accordance with the Oak Ridges Moraine Conservation Plan or new information provided by the Province:

- i) Schedule “H”, Oak Ridges Moraine Conservation Plan Area Key Natural Heritage and Hydrologically Sensitive Features and Section 3.2.9 of the Official Plan;
- ii) Schedule “I”, Oak Ridges Moraine Conservation Plan Area Areas of High Aquifer Vulnerability and Section 3.2.9 of the Official Plan;
- iii) Schedule “J”, Oak Ridges Moraine Conservation Plan Area Landform Conservation Areas and Section 3.2.9 of the Official Plan; and
- iv) Schedule “K”, Oak Ridges Moraine Conservation Plan Area Wellhead Protection Areas and Section 5.10 of the Official Plan.

10.5.2.3 Existing Uses

Notwithstanding any other policies of this plan, existing uses are permitted and may be recognized in the Zoning By-law as permitted uses. Changes to existing uses shall conform with the policies of Part 1, Section 3.2.9, 5.8.3 and 5.10 of this Plan and Sections 6, 7, 8 and 9 of the Moraine Plan (See Appendix ORM I to the Official Plan). Notwithstanding the foregoing:

- i) expansions to existing buildings and structures may be permitted without amendment to the Zoning By-law provided that the addition does not intrude

into any area identified as Areas of Natural or Scientific Interest, Wetlands, Woodlands, Kettle Lakes, Stream or Minimum Vegetation Protection Zone on Schedule “H” and the expansion complies with all the other applicable policies of this Plan and the regulations of the Zoning By-law; and the use, building and structure complies with all the other applicable policies of this Plan and the regulations of the Zoning By-law, and,

- ii) new accessory uses, buildings and structures, including swimming pools, related to existing uses may be permitted in accordance with the regulations of the Zoning By-law and provided that the use, building or structure does not intrude into any area identified as Areas of Natural or Scientific Interest, Kettle Lakes, Wetlands, Woodlands, Stream or Minimum Vegetation Protection Zone on Schedule “H”.

10.5.3 Land Use Compatibility

- i) In order to minimize impacts on the existing and future residential uses within the Secondary Plan Area, building orientation, site amenities, landscaping, limitation on uses, and outdoor storage shall be considered during the development application review process. The proponents of such development shall be required to provide adequate buffering and noise attenuating devices in accordance with all applicable standards in order to ameliorate any adverse impact on dwellings in the Gormley Community.
- ii) In order to provide an effective, year round visual screen, lands designated Open Space Environmental, situated between the planned industrial land uses and existing and planned residential land uses, south of Stouffville Road and west of Woodbine Avenue, shall be landscaped in accordance with the provisions of Section 10.6.4.

10.5.4 Water Supply

Development applications, either by Agreement and/or Study or both, shall be required to ensure that the existing residential and other land uses within the Secondary Plan Area will continue to be provided with acceptable quantities and quality of potable water.

10.5.5 Water Conservation

It is the intent of Council to encourage water conservation practices for this Secondary Plan Area. To this end, Council shall prohibit industries that rely on the use of water in their processes and will encourage, through site plan approval and other means, the incorporation of water conservation practices in construction techniques and through employee education programs. Furthermore, future development applications may require the provision of features that assist in maintaining the water budget for the area by attenuation, dispersion, and dilution of natural rainfall by means of local detention areas, ditching, and storage.

10.6 IMPLEMENTATION

10.6.1 Implementation

- i) The many elements necessary to provide for an integrated and adequately serviced Secondary Plan require that certain services be provided and lands set aside for such things as communal well, and sewage disposal systems, stormwater management facilities, noise attenuation and buffering, setbacks and buffering, major roads and similar works, without regard to the location thereof and irrespective of property ownership boundaries. In order to ensure that property owners contribute their pro rata share of these major community facilities owners shall be required to enter into one or more Agreements as a condition of approval for development of their lands, in order to ensure the equitable distribution of the costs (including that of land) of the aforementioned community facilities. There may be established by the Town, local improvement areas or other funding means to provide services, subject to any applicable legislation.

Implementation of development within the Gormley Industrial Area will entail some or all of the following steps, following Provincial approval of this Secondary Plan by the Ministry of Municipal Affairs. Such steps need not occur in the order outlined, and individual developments may be permitted to proceed where the proposal takes into account the overall pattern of roads and municipal services. The steps are as follows:

- a) Approval by the appropriate authorities of the following studies or any other studies required to conform with the Oak Ridges Moraine Conservation Plan:
 - i) A Hydrogeological Study
 - ii) A Surface Water Management Study
 - iii) A Fisheries Resource Management Study

These studies must be consistent with the strategy outlined within the approved Master Drainage Plan, except where the development proposed is exempt from the requirements of the Master Drainage Plan, as per Section 10.4.3.1 i).

Development within the Secondary Plan Area shall be in accordance with the conclusions of the Settlement Capability Study, as approved by the Region of York Council.

- b) The processing of individual plans of subdivision under Section 51 of the *Planning Act* in accordance with the policies set forth in this Secondary Plan.
- c) Construction of public works and other facilities in accordance with the policies set forth in this Secondary Plan, under the direction of the Town of Whitchurch-Stouffville, Regional Municipality of York, or other appropriate authority.
- d) The processing of Zoning By-law Amendments and Site Plan Agreements pursuant to the *Planning Act*.

In addition, site plans will conform with the policies of the Secondary Plan, and, notwithstanding the provisions of Section 10 6.1 i) of this Secondary Plan, the policies of the Community Design Strategy in Section 6.5 and Section 8.6, Site Plan Control, of the Official Plan.

10.6.2 Parkland Conveyance

Subject to the approval of the Regional Municipality of York as a delegated approval authority for the Minister of Municipal Affairs, the Municipality may accept the conveyance of land for park purposes or, alternatively, cash-in-lieu of parkland under Sections 42 and 51 of the *Planning Act*.

10.6.3 Cost Sharing Agreements

Council may initiate appropriate means whereby the external costs of major road improvements, storm water storage, trunk water and sanitary sewage, and other public facilities servicing the entire Secondary Plan Area shall be shared on an equitable basis by all developments requiring or benefitting from such services. The costs of such works shall be secured through subdivision agreements or development agreements forming part of development approvals, and other means available to the Town under prevailing Provincial legislation, including the *Development Charges Act*.

10.6.4 Landscape Buffering

The lands designated Open Space–Environmental situated between planned industrial land uses and existing and planned residential land uses, south of Stouffville Road and west of Woodbine Avenue, shall be landscaped, as a condition of site plan approval to provide, in an appropriate manner, effective screening on the basis of a twelve (12) month period. Details pertaining to the species of trees and/or shrubs which is to include coniferous plant material shall be approved by the Town in consultation with the Toronto Region Conservation Authority.

10.6.5 Development Application Pre-Consultation and Submission Requirements

Notwithstanding the provisions of Section 10.6.1 i), all development applications in the Gormley Industrial Area shall be subject to review in accordance with the policies of Section 7 of the Official Plan, including pre-consultation, the submission of required information and materials, and the complete application requirements, as well as the other applicable policies of this Secondary Plan. In addition, the Town may require development to be subject to the site plan control provisions of the *Planning Act*.

10.6.6 Employment Land Conversion

Notwithstanding any other provisions of this Secondary Plan, the conversion of lands in the “Prestige Industrial” and “Industrial” designations to non-employment uses, including residential, major retail, and other retail and commercial uses which are non-ancillary to employment uses, is not permitted. Notwithstanding this prohibition, the conversion of employment lands to non-employment land uses may only be considered at the time of a municipal comprehensive review in accordance with the provisions of Section 8.3.2, Employment Land Conversion, of the Official Plan.

10.7 INTERPRETATION

10.7.1 Boundaries

The location of roads is approximate. The boundaries between land use designations shown on Schedule “A” – Land Use and Roads Plan are approximate except where they coincide with existing arterial roads, Provincial highways, or other clearly defined physical features. Minor adjustments will not require amendment to this Plan as long as the intent of its policies is maintained.

10.7.2 Definitions in the Oak Ridges Moraine Plan Area

The Oak Ridges Moraine Conservation Plan includes extensive definitions of terms which are found throughout the documents. For reference purposes, the main definitions which are found in Part I, Section 3 of the Moraine Plan, are found in Appendix ORM I to the Official Plan. However, where questions of interpretation arise, regard should be had to the Oak Ridges Moraine Conservation Plan itself.

11. BALLANTRAE-MUSSELMAN LAKE AND ENVIRONS SECONDARY PLAN

11.1 PURPOSE

The Ballantrae-Musselman Lake and Environs Secondary Plan Area includes two small existing settlement areas, Ballantrae and Musselman Lake, which are recognized as a settlement area and a hamlet area respectively in the *Oak Ridges Moraine Conservation Plan*, as well as the surrounding rural lands. Its location on the Oak Ridges Moraine and the number of significant environmental features it contains means that it is also an area of environmental sensitivity.

The Ballantrae-Musselman Lake and Environs Secondary Plan provides detailed goals, objectives, principles and policies which are intended to:

- i) Provide a strategy for the conservation and enhancement of existing natural systems and features;
- ii) Ensure new development occurs in a manner which minimizes any negative impacts on natural systems and features;
- iii) Provide a strategy for the enhancement of existing development in a manner which will assist in the resolution of existing environmental concerns; and,
- iv) Provide a strategy for completion of development of the residential designated areas and the development of the Highway 48 corridor as the “main street” of the Community of Ballantrae while still ensuring development reflects the “village” character of the community and its location on a Provincial highway.

11.2 SECONDARY PLAN - STRUCTURE

11.2 SECONDARY PLAN – STRUCTURE

11.2.1 Purpose

The Ballantrae-Musselman Lake and Environs Secondary Plan consists of Section 11 and Schedules “E” and “E1” and a portion of Schedule “B” of the Official Plan.

11.2.2 Secondary Plan Area

The Secondary Plan is applicable to those lands bounded by the north lot line of Lot 23, Concession 7, 8 and 9, the Town boundary to the east, the south lot line of Lot 15, Concessions 7, 8, and 9 and a line running north/south approximately 1150 metres west of Highway 48, excluding lands described as Pt. Lt. 17, Con. 7, 33 Lobraico Lane. It is also applicable to lands immediately north and south of the Aurora Road west of the main west boundary of Schedule “E” to McCowan Road.

11.2.3 Secondary Plan Structure

The Secondary Plan policies include the following key sections:

- i) Section 11.3 Goal, Objectives and Principles
- ii) Section 11.4 Growth Management
- iii) Section 11.5 Land Use Strategy
- iv) Section 11.6 Natural Environment Conservation Strategy
- v) Section 11.7 Servicing Strategy
- vi) Section 11.8 Transportation Strategy
- vii) Section 11.9 Development Review
- viii) Section 11.10 Implementation and Interpretation

11.2.4 Interpretation

The Ballantrae-Musselman Lake and Environs Secondary Plan generally conforms with the policies of the Town of Whitchurch-Stouffville Official Plan. However, where this is a conflict between the policies of the general Official Plan and the Secondary Plan, the policies of the Secondary Plan shall supersede the general policies of the Official Plan.

11.3 GOAL, OBJECTIVES, PRINCIPLES

11.3.1 General

The goal and objectives which the Town is seeking to achieve through the detailed policies of this Secondary Plan, and the principles upon which the Secondary Plan is based are outlined below. The goal, objectives and principles provide a framework for the planning and development of the Ballantrae-Musselman Lake and Environs Secondary Plan Area by both the public and private sectors.

11.3.2 Goal

To create a community which maintains its rural character and village scale of development and is designed to recognize natural systems and processes and ensure they are maintained or enhanced.

11.3.3 Objectives

- i) To resolve to the maximum degree feasible given financial, administrative and technological constraints, existing environmental concerns.
- ii) To protect and enhance existing natural systems and features and reflect the objectives of the *Oak Ridges Moraine Conservation Act* as referenced in Appendix ORM Objectives to the Official Plan.
- iii) To ensure new development occurs in a manner which minimizes any negative impacts on natural systems and features, in accordance with the policies of the Oak Ridges Moraine Conservation Plan (in addition to any other applicable plans and policies) and to the satisfaction of the Town;
- iv) To encourage the enhancement of existing development in a manner which will assist in the resolution of existing environmental concerns;
- v) To ensure that new development is focused in Ballantrae, particularly to complete residential area infilling and rounding out along the Highway 48 Corridor such that development maintains the general character of the community, including the residential character of Aurora Road.

11.3.4 Principles

The Secondary Plan is based on the following key principles:

i) **Protection of Natural Environmental Systems and Features Areas**

Protection of Natural Environmental Systems and Features Areas, which have been identified as environmentally sensitive, shall be preserved and enhanced including all Key Natural Heritage and Hydrological Features on Schedule “H” to the Official Plan and the Natural Heritage System Area on Schedule “E” to the Official Plan and which forms part of this Secondary Plan. Such areas include Areas of Natural and Scientific Interest, Environmentally Significant Areas, Wetlands, Kettle Lakes, Regional Forests, upland hardwood and conifer plantation forested areas, existing public parkland, undeveloped areas adjacent to kettle lakes, lands along the East Branch of the Holland River and a linkage between Musselman Lake and the Area of Natural and Scientific Interest to the east. Consideration should also be given to the protection and enhancement of other areas which contribute to natural systems and processes such as woodlands, streams, swales and linkages between natural areas wherever possible.

ii) **Restriction of Additional Development Adjacent to the Kettle Lakes**

New development should generally not be permitted in the surface drainage area of the kettle lakes, including the Musselman Lake settlement area. However, certain existing developed areas and adjacent lands may be redeveloped where such development will result in the enhancement of the natural systems and features, particularly where it will result in an improvement in wastewater and water services, as well as stormwater management practices which reduce negative impacts on the kettle lakes in accordance with the provisions of Section 3.2, 5.8.3, 5.10 and 8.16 of the Official Plan and the applicable land use designation.

iii) **Focus New Development in the Ballantrae Settlement Area**

New development is permitted, subject to detailed policies to minimize impacts on the natural systems and features, through infilling or rounding out within the existing Ballantrae settlement area. New development by plan of subdivision and/or condominium and site plan shall be focused to complete residential area infilling and rounding out, and along the Highway 48 Corridor, with a mix of commercial, institutional, office and low and medium density residential development. Development of residential infilling and rounding out along Aurora Road should maintain the residential character of that road.

The Ballantrae settlement area includes those lands designated as Ballantrae Residential Area, Highway 48 Corridor Residential Area, Highway 48 Corridor Commercial/Mixed Use Area, Ballantrae Residential Golf Course Area and Institutional Area on Schedule “E” to the Official Plan.

iv) Restriction of Additional Development

Development in the areas outside the Ballantrae and Musselman Lake settlement areas shall be in accordance with the provisions of Section 3.2, 5.8.3, 5.10 and 8.16 of the Official Plan and the applicable land use designation. The Musselman Lake settlement area is that area designated as “Musselman Lake Community Area” on Schedule “E” to the Official Plan.

v) Provide for an Enhanced Trails System

Ensure connectivity within the Ballantrae and Musselman Lake and Environs area, to assist in integrating the community internally as well as with other parts of the Town and adjacent communities, through the development of an enhanced trails and sidewalk system.

11.4 GROWTH MANAGEMENT

11.4.1 General

The Ballantrae-Musselman Lake and Environs Secondary Plan area is expected to experience limited new growth which should be appropriately balanced and phased to ensure the required servicing infrastructure and community facilities are provided to meet the needs of the community.

Future growth and development is limited by the development limits established by the Ballantrae Settlement and Musselman Lake Community Area boundaries and the provisions of the Oak Ridges Moraine Conservation Plan.

Population and phasing for planning applications for approval within the Ballantrae and Musselman Lake settlement areas will be subject to the availability of water from the Ballantrae-Musselman Lake Drinking Water System, or from an individual private well water supply system servicing development subject to Section 11.7.2.1 requirements. Phasing of development will also be subject to the criteria of Section 11.7.3.

11.4.2 Population on Partial Services

While the Oak Ridges Moraine Conservation Plan generally prohibits the construction or expansion of partial services, exception is granted where it is necessary to address a serious health or environmental concern. In 2007, the Ministry of Environment confirmed that partial services within the settlement areas of Ballantrae and Musselman Lake would only be permitted within the limits of the 1991 Environmental Assessment approved capacity of the municipal water system. As such, in both the communities of Ballantrae and Musselman Lake up to a combined maximum population of 5,900 persons, unless otherwise confirmed by Provincial authorities, is permitted on partial services consisting of a municipal water supply system and a private individual on-site wastewater system. The existing population on partial servicing will be confirmed by the Town before any new development on partial servicing is approved to ensure conformity with the Oak Ridges Moraine Conservation Plan.

11.4.3 Expanded Population Based on York Region's 2019 Class Environmental Assessment

The upper-tier municipal water system, known as the Ballantrae-Musselman Lake Drinking Water System is owned and operated by the Regional Municipality of York and is comprised of three water wells with associated pumps (two duty and one standby), one storage facility and a chemical treatment system. An approved Class Environmental Assessment which was completed by York Region in 2019 increased the pumping capacity allowed in the Permit to Take Water from 5,900 persons to 6,230 persons. Partial servicing of the additional serviced population is not interpreted to be permitted under the Oak Ridges Moraine Conservation Plan through 'grandfathering' under the Ministry's exemption.

For greater clarity, any new development in Ballantrae and Musselman Lake that results in a total water serviced population of more than 5,900 persons must be on full services. Policies within this Secondary Plan define full services.

11.4.4 Potential Increased Serviced Population of the Municipal Water System

A Short-Term Growth Phase 1 Water Supply Feasibility and Conceptual Design Study (Phase 1 Water Supply Study) will be conducted to determine potential additional population beyond 6,230 persons that could be serviced by the Ballantrae-Musselman Lake Drinking Water System. The purpose of this study is to confirm what infrastructure improvements are needed to the Ballantrae-Musselman Lake Drinking Water System to enable servicing of the shorter-term growth interests and determine the serviceable

population in the Ballantrae and Musselman Lake communities if improvements are implemented. For further clarity, the potential for any additional development beyond 6,230 persons will be identified through the Phase 1 Water Study. Priority will be given to developments who can fulfill the criteria of Section 11.7.3.3.1.

11.4.5 Full Build-out Potential Based on Additional Water and Wastewater Servicing

Recognizing that Ballantrae and Musselman Lake are generally small communities that are dependent on available municipal water supply and private wastewater systems, and the existing Ballantrae Golf and Country Club communal wastewater treatment system, growth is relatively limited. However, these communities may have opportunities to build out beyond the population that can be serviced by the existing municipal water system and private individual wastewater systems or communal wastewater treatment infrastructure, where development may be permitted on a private well water system for individual lots. Growth potential beyond what is determined through the Phase 1 Water Supply Study will need to be further examined through a Long-Term Growth Phase 2 Water and Wastewater Servicing Feasibility Study (Phase 2 Water and Wastewater Study) to be led by York Region. The study would provide a high-level review of servicing alternatives, assess feasibility of implementation given potential environmental and regulatory constraints, and present options for subsequent consideration of inclusion in a Development Charge By-law update. For further clarity, the potential for any additional development beyond what is identified in the Phase 1 Water Supply Study will be assessed through the Phase 2 Water and Wastewater Study and Section 11.7.2 water servicing provisions.

Growth potential beyond what is determined through the Phase 1 Water Supply Study will need to be further examined through a Region-led Long-Term Growth Phase 2 Water and Wastewater Servicing Feasibility Study (Phase 2 Water and Wastewater Study). The study would provide a review of servicing alternatives and assess feasibility of implementation. For further clarity, the potential for any additional development beyond what is identified in the Phase 1 Water Supply Study will be assessed through the Phase 2 Water and Wastewater Study and Section 11.7.2 water and wastewater servicing provisions.

11.5 LAND USE STRATEGY

11.5.1 General

The land use designations for the Ballantrae-Musselman Lake and Environs Secondary Plan Area on Schedule “E” establish the general pattern for existing and future development in the Secondary Plan Area.

Decisions under the *Planning Act* and *Condominium Act* shall conform to the following Schedules and policies of Section 3.2, 5.8.3, 5.10 and 8.16 of the Official Plan and Part III of the *Oak Ridges Moraine Conservation Plan* as well as the Lake Simcoe Protection Plan. Also, no amendments shall be required to Schedule “H” where minor changes are proposed based on studies carried out in accordance with the *Oak Ridges Moraine Conservation Plan*, Lake Simcoe Protection Plan, or new information provided by the Province:

- i) Schedule “H”, *Oak Ridges Moraine Conservation Plan* Area Key Natural Heritage and Hydrologically Sensitive Features and Section 3.2.9 of the Official Plan;
- ii) Schedule “I”, *Oak Ridges Moraine Conservation Plan* Area Areas of High Aquifer Vulnerability and Section 3.2.9 of the Official Plan;
- iii) Schedule “J”, *Oak Ridges Moraine Conservation Plan* Area Landform Conservation Areas and Section 3.2.9 of the Official Plan; and,
- iv) Schedule “K”, *Oak Ridges Moraine Conservation Plan* Area Wellhead Protection Areas and Section 5.10 of the Official Plan.

In addition, notwithstanding any other policies of this Plan, existing uses are permitted and may be recognized in the Zoning By-law as permitted uses.

Changes to existing uses shall conform with the policies of Part I, Sections 6, 7, 8 and 9 of the *Oak Ridges Moraine Conservation Plan* (See Appendix ORM I to the Official Plan). However, changes to existing uses in the Musselman Lake Community Area designation shall be subject to the policies of that designation. With the exception of the “Musselman Lake Community Area” designation, notwithstanding the foregoing:

- i) Expansions to existing buildings and structures may be permitted without amendment to the Zoning By-law provided that the addition does not intrude into

any area identified as Areas of Natural or Scientific Interest, Wetlands, Woodlands, Kettle Lakes, Stream or Minimum Vegetation Protection Zone of Schedule “H” or Natural Heritage System Area on Schedule “E” and the expansion complies with all the other applicable policies of this Plan and the regulations of the Zoning By-law; and,

- ii) New accessory uses, buildings and structures, including swimming pools, related to existing uses may be permitted in accordance with the regulations of the Zoning By-law and provided that the uses, building or structure does not intrude into any area identified as Areas of Natural or Scientific Interest, Wetlands, Woodlands, Kettle Lakes, Stream or Minimum Vegetation Protections Zone on Schedule “H” or Natural Heritage System Area on Schedule “E”.
- iii) New industrial, commercial and institutional uses may be permitted in accordance with the regulations of the Zoning By-law and provided that the proposed municipal water servicing demand is demonstrated through a Functional Servicing Report, to the satisfaction of the Town and Region, to be within the servicing capacity of the Ballantrae-Musselman Lake Drinking Water System.

The following land uses shall be permitted in all designations with the exception of the Natural Heritage System and the ORM Natural Core Area, ORM Natural Linkage Area and ORM Countryside Area designations subject to the applicable policies of Section 4.2 of the Official Plan:

- i) Accessory uses;
- ii) Forestry uses;
- iii) Home occupations;
- iv) Bed and breakfast establishments;
- v) Fish, wildlife and conservation management;
- vi) Group homes within existing single detached dwellings;
- vii) Accessory apartments;
- viii) Garden suites;

- ix) Electric power facilities;
- x) Archaeological activities;
- xi) Low-intensity recreational uses;
- xii) Watershed management and flood and erosion control projects carried out or supervised by a public authority;
- xiii) Wastewater management facilities; and,
- xiv) Stormwater management facilities.

11.5.2 Natural Heritage System Area

11.5.2.1 Purpose

The Natural Heritage System Area designation applies to those lands in the Ballantrae and Musselman Lake settlement areas as designated on Schedule “E”. The Natural Heritage System Area, together with the lands in the ORM Natural Core Area, ORM Natural Linkage Area and ORM Countryside Area designations, form part of a system made up of natural features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. The system includes lands which have been restored or have the potential to be restored to a natural state.

The purpose of the Natural Heritage System Area and ORM designations is to protect ecological features and functions in accordance with the Oak Ridges Moraine Conservation Plan. The System is reflected in its entirety in Appendix A to this Secondary Plan. However, the policies of this section only apply to the lands in the Community of Ballantrae and Musselman Lake settlement areas which are designated “Natural Heritage System Area”. They do not apply to any lands outside the boundaries of these settlement areas which are subject to the policies of the applicable land use designation.

The Natural Heritage System Area designation generally reflects the results of an Environmental Management Strategy carried out as a basis for the 2012 Secondary Plan Update adjusted where development has already occurred or has been approved to reflect existing and/or approved conditions. The designation generally reflects the

requirements of Section 21(4) of the Oak Ridges Moraine Conservation Plan for the Ballantrae and Musselman Lake settlement areas.

The policies of this designation supersede the designation on Schedule “H” and the policies of Section 3.2.9 of the Official Plan for Ballantrae and Musselman Lake. Where there is a conflict between the policies of this Section and the policies of Section 3.2.9, the policies of this Section shall prevail.

11.5.2.2 Permitted Uses

The uses permitted in the Natural Heritage System Area designation shall be:

- i) Legally existing uses, buildings and structures;
- ii) Replacement of legally existing uses, buildings and structures;
- iii) Fish, wildlife and conservation management;
- iv) Recreational nature viewing and related trail uses; and,
- v) Essential public and private infrastructure, such as roads sited, designed and constructed in a way that minimizes negative impacts on natural systems, subject to the provisions of Section 11.5.2.4 but only if the need for the project has been demonstrated and there is no reasonable alternative.

11.5.2.3 Permitted Buildings and Structures

Buildings and structures shall be generally prohibited, except those related to the permitted uses.

11.5.2.4 Land Use Policies

- a) Ownership

Where lands designated “Natural Heritage System Area” are privately owned, it is not intended that these lands be necessarily free and open to the public, nor that they shall be acquired by the Town or other public body. However, if proposals are made to develop abutting or adjacent to such land, the Town or other public body may request conveyance of such lands. If such lands are conveyed to the Town, they shall generally not constitute part of the required parkland dedication. The lands designated “Natural Heritage System Area” shall be subject to the policies of Section 3.2.9 of the Official Plan.

b) Boundaries

The boundaries of the Natural Heritage System Area designation shall be maintained generally in accordance with the boundary on Schedule “E”. Minor modifications may be considered to the boundaries, without amendment to this Plan, when the boundary is subject to a site-specific natural heritage evaluation/environmental impact study including being surveyed as part of the development review process to reflect differences in scale and level of detail. However, such minor modifications shall not negatively impact the Natural Heritage System as determined by the Town, nor shall such minor modifications result in any significant increase or decrease in the size of the Natural Heritage System.

11.5.3 Ballantrae Residential Area

11.5.3.1 Purpose

The Ballantrae Residential Area designation recognizes existing low density residential development, and future low density residential areas, as well as the potential for infill residential development in the Ballantrae settlement area. It permits the development of future low density residential areas subject to controls with respect to negative impacts on natural systems and features, particularly with regard to servicing.

11.5.3.2 Permitted Uses

The uses permitted shall be:

- i) Legally existing uses, buildings and structures;
- ii) Replacement of existing uses, buildings and structures as well as additions and other modifications to existing uses, buildings and structures, including the addition of accessory uses, buildings and structures, subject to the provisions of the zoning by-law;
- iii) One single detached dwelling on an existing vacant lot of record;
- iv) Single detached dwellings as part of a plan of subdivision, condominium plan, or by consent;
- v) Parks and other open space uses;

- vi) Stormwater and erosion control facilities sited, designed and constructed in a way that minimizes negative impacts on natural systems;
- vii) Public and private infrastructure, such as roads sites, designed and constructed in a way that minimizes negative impacts on natural systems;
- viii) Wastewater management facilities; and,
- ix) Public uses sited, designed and constructed in a way that minimizes negative impacts on natural systems and subject to a zoning by-law amendment.

11.5.3.3 Land Use Policies

- i) All development shall conform with the development review policies of Section 11.9, and the servicing policies of Section 11.7. In addition, development shall be subject to the site plan control provisions of Section 11.9.5 of this Secondary Plan where deemed appropriate by the Town.
- ii) Development on individual private wastewater systems shall have a minimum lot size of 0.5 hectares but may be considered to have a reduced lot size, subject to the submission of the appropriate technical studies required by the Town, York Region and other agencies.
- iii) Development on a communal wastewater system shall have a minimum lot size of 0.2 hectares but may be considered to have a reduced lot size subject to the submission of the appropriate technical studies required by the Town, York Region and other agencies.
- iv) Development connecting the existing wastewater treatment plant of the Ballantrae Golf and Country Club shall be considered on the basis of:
 - a. Financial guarantees;
 - b. Operation and maintenance standards;
 - c. Provision of necessary easements;
 - d. Performance monitoring;
 - e. Reciprocal agreements that address ownership, operations and maintenance of the communal wastewater treatment system; and,

- f. Any required amendments to the Municipal Responsibility Agreement for the water treatment plan of the Ballantrae Golf and Country Club.

11.5.3.4 Special Residential Land Use Policies

- i) Notwithstanding any other policies of this Plan, any proposed development in Lot 19, Concession 7 in areas which abut the existing subdivision to the north and Environmental Feature Conservation Area to the south and west, shall be carefully evaluated to ensure that it will not have any significant impact on the existing forested area. Further, no roads shall be permitted in any development in Lot 19, Concession 7 to directly abut the existing subdivision to the north and, wherever feasible, the development shall be designed so that residential development of a similar density to the existing development shall abut the existing development. Finally, provision shall be made to maintain access between Highpoint Road and the adjacent Regional Forest.
- ii) Notwithstanding any other policies of the Plan to the contrary, any proposed development in Part of Lot 20, Concession 7 shall proceed by way of plan of subdivision and shall be designed to ensure the preservation of the mature deciduous woodlot. The mature deciduous woodlot may be incorporated into individual lots or privately owned common areas subject to restrictive zoning provisions and covenants on title which restrict development to the lands outside the main forest block.
- iii) Notwithstanding any other policies of this Plan to the contrary, any proposed development in Part of Lot 20, Concession 7 (Property Assessment Roll Nos. 077-70300, 07-700200, 07-021000, 070-198-00) shall be designed to ensure the preservation of the existing hedgerow along the common property line extending from Aurora Road southerly to the Regional Forest. Where necessary, the hedgerow will be enhanced with the planting of trees and understorey, which are native to the area to assist in creating a wildlife corridor which links the Regional Forest situated to the immediate north and south of the subject lands.
- iv) The hedgerow shall have a minimum width of 5 m on the property identified with Assessment Roll #077-70300. The hedgerow may be incorporated into individual lots or privately-owned common areas subject to restrictive zoning provisions and covenants on title which restrict development to the lands outside of the proposed wildlife corridor.
- v) Notwithstanding any policies of this Plan to the contrary, any proposed development in Part of Lots 20 and 21, Concession 7 shall be designed to provide adequate buffering and separation from the Regional Forest. All development shall proceed by way of plan of subdivision. The objectives of the proposed buffer are to assist in the protection of wildlife which are present in the interior portions of the forest block, and to encourage the regeneration of

vegetation along the perimeter of the forest to enhance habitat areas. The width of the buffer will be determined through the completion of a site specific Environmental Impact Study to be completed by the proponent prior to draft plan approval and submitted to the Town and Region for their approval. The minimum width of the buffer will not be less than 10 m.

- vi) Where necessary, the buffer will be enhanced with the planting of vegetation which is native to the area to assist in establishing and/or accelerating the regeneration of the defined lands. The buffer area may be incorporated into individual lots or privately-owned common areas subject to restrictive zoning provisions and covenants on title which restrict development to the lands outside of the buffer area.
- vii) Notwithstanding any other policies of this Plan to the contrary, the lands described as Part of Lots 19 and 20, Concession 8 (municipally known as 5342, 5376 and 5410 Lakeshore Road) and within Plan of Subdivision 19T(W) 12.002, shall be permitted to develop with a minimum lot size of 0.2 ha (0.5 ac) on the basis of a municipal water system and individual private wastewater treatment systems.
- viii) Subject to submission of reports satisfactory to the Town and York Region, and notwithstanding any other policies of the Plan to the contrary, the lands described as Part of Lots 19 and 20, Concession 8 (municipally known as 5426, 5452 and 5584 Lakeshore Road, consisting of 16.32 ha), may proceed with development by way of a private communal water supply system and connection to the existing Ballantrae Golf and Country Club communal wastewater treatment system.

11.5.4 Oak Ridges Moraine Aggregate Resource Area

The lands shown on Schedule “E” as Oak Ridges Moraine Aggregate Resource Area reflect existing mineral aggregate operations and are subject to the policies of Section 4.6.4.4 of the Official Plan.

11.5.4.1 Exception – Part Lot 21, Concession 8

Notwithstanding the foregoing, the lands described as Part Lot 21, Concession 8 may be developed for four non-farm rural residential lots. As a condition of the granting of any severance, the owner shall enter into an agreement with the Town to ensure that the majority of the trees on each site will be retained.

11.5.5 ORM Natural Core Area

11.5.5.1 Purpose

The ORM Natural Core Area designation on Schedule “E” recognize areas identified in the *Oak Ridges Moraine Conservation Plan* as areas with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas.

The purpose of the designation of these areas is to maintain, and where possible improve or restore, the ecological integrity of the Moraine Area.

11.5.5.2 Permitted Uses

The following uses are permitted in the ORM Natural Core Area designation subject to the policies of Section 3.2, 5.8.3, 5.10 and 8.16 of the Official Plan:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Agricultural uses, with the exception that new agricultural uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule “H”;
- iv) Transportation, infrastructure and utilities in accordance with the provisions of Section 3.2.5;
- v) Home occupations in any legally established residential unit, subject to the regulations of the Zoning By-law;
- vi) Home industries in association with any legally established use, subject to the regulations of the Zoning By-law;
- vii) Bed and breakfast establishments in any legally established residential unit subject to the regulations of the Zoning By-law;
- viii) Farm vacation homes in association with any legally established agricultural use, subject to the regulations of the Zoning By-law;
- ix) Low intensity recreational uses in accordance with the provisions of Section 3.2.6;
- x) Unserviced parks;

- xi) Recreational trails in accordance with the provisions of Section 3.2.7;
- xii) Legally existing uses in accordance with the provisions of Section 3.2.4; and,
- xiii) Accessory uses.

11.5.5.3 Land Use Policies

i) Uses Accessory to Agriculture

Uses accessory to agricultural uses shall be permitted in accordance with the policies of Section 4.3.2 of the Official Plan and Section 34 of the Oak Ridges Moraine Conservation Plan (See Appendix ORM IV to the Official Plan). In the event of a conflict between this Plan and the provisions of Section 34 of the Oak Ridges Moraine Conservation Plan, the provisions of the Oak Ridges Moraine Conservation Plan shall prevail.

ii) Waste Disposal Area Special Policy Area

In addition to the policies of this Section, the policies of Section 11.5.9.4 and Section 4.17 of the Plan shall apply to areas identified on Schedule “E” as “Waste Disposal Area of Influence”.

11.5.6 Hwy 48 Corridor Residential Area

11.5.6.1 Purpose

The Hwy 48 Corridor Residential Area designation recognizes existing residential uses in the Highway 48 corridor and allows for some redevelopment of existing uses.

11.5.6.2 Permitted Uses

The uses permitted shall be:

- i) Legally existing uses, buildings and structures;
- ii) Replacement of existing uses, buildings and structures as well as additions and other modifications to existing uses, buildings and structures, including the addition of accessory uses, buildings and structures, subject to the provisions of the Zoning By-law;
- iii) One single detached dwelling on an existing lot of record;
- iv) Low density residential uses as part of a plan of subdivision or by consent;

- v) The conversion of existing dwellings or portions of existing dwellings to commercial and institutional uses including offices, on lots fronting on Highway 48, subject to an amendment to the Zoning By-law;
- vi) Low intensity recreational uses;
- vii) Stormwater and erosion control facilities sited, designed and constructed in a way that minimizes negative impacts on natural systems;
- viii) Wastewater management facilities;
- ix) Public and private infrastructure, such as roads sited, designed and constructed in a way that minimizes negative impacts on natural systems;
- x) Public uses sited, designed and constructed in a way the minimizes negative impacts on natural systems and subject to a Zoning By-law amendment;
- xi) Medium density residential uses subject to a Zoning By-law amendment; and,
- xii) Institutional uses.

11.5.6.3 Land Use Policies

- i) All development shall conform with the development review policies of Section 11.9, the servicing policies of Section 11.7 and the Highway 48 corridor access management policies of Section 11.8.5.
- ii) Development shall be subject to the site plan control provisions of Section 11.9.5 of this Secondary Plan, where required by the Town.
- iii) Medium Density Residential development such as townhouses and low rise apartments shall require the submission of a concept plan and building perspective that displays the massing and conceptual design of the building, the relationship to adjacent development and the street, as well as locations for parking, driveways and loading and service areas. Such development shall satisfy the following criteria:
 - a) Maximum density of 45 units per net hectare (18 units per acre);
 - b) Maximum height of 4 storeys;
 - c) Buildings shall be sited so as to minimize the potential impact on adjacent low density residential uses which are located outside the Highway 48 corridor, particularly with regard to traffic generation, shadowing and noise;

- d) Any incompatibilities with adjacent low density residential uses can be mitigated through the provision of buffering, engineering or design solutions or other similar approaches;
 - e) Architectural treatment and design of the building and the property reflects the general “village” character of the community and the location on a Provincial highway is generally complementary to the adjacent development in the Highway 48 corridor and provides for strong pedestrian linkages between the building and the street edge, as well as enhanced landscaping particularly adjacent to the street and in parking areas.
- iv) Specific consideration will be required in integrating new development with established residential areas abutting the Highway 48 Corridor Residential Area.

11.5.6.4 Special Provisions

11.5.6.4.1 Special Provision 1 – 15381, 15437, 15457 and 15473 Highway 48 (19T(W)-16.001)

11.5.6.4.1.1 Permitted Uses

- i) Single detached dwellings and rear-lane street townhouse dwellings up to a combined maximum of 100 units, with maximum heights of 11 m, as part of a plan of subdivision and plan of condominium;
- ii) Stormwater and erosion control facilities sited, designed and constructed in a way that minimizes negative impacts on natural systems;
- iii) Public and private infrastructure, such as roads sited, designed and constructed in a way that minimizes negative impacts on natural systems; and,
- iv) A public park sited, designed and constructed in a way that minimizes negative impacts on natural systems and subject to a Zoning By-law amendment.

11.5.6.4.1.2 Land Use Policies

- i) Development will be serviced by the municipal water system, which includes the York Region Ballantrae-Musselman Lake Drinking Water System and the private Water Pollution control Plant (WPCP) located on the Ballantrae Golf and Country Club. The WPCP will service up to 100 residential units.

11.5.7 Musselman Lake Community Area

11.5.7.1 Purpose

The Musselman Lake Community Area designation recognizes existing development in the Musselman Lake settlement area and generally restricts new development. However, redevelopment of existing developed areas or the development of undeveloped lands within this designation may be considered where such development will result in the enhancement of natural systems and features, particularly where it will result in an improvement in wastewater and water services, and storm water management practices, which will reduce negative impacts on the kettle lakes and have the potential to enhance water quality in the kettle lakes.

11.5.7.2 Permitted Uses

The following uses may be permitted subject to the policies of Section 11.5.7.3:

- i) Legally existing uses, buildings and structures;
- ii) Replacement of existing uses, buildings and structures, as well as additions and other modifications to existing uses, buildings and structures, including the addition of accessory uses, buildings and structures;
- iii) One single detached dwelling on an existing lot of record;
- iv) Low density residential uses as part of a plan of subdivision or by consent through the redevelopment of existing uses or the development of undeveloped lands with the Musselman Lake Community Area designation;
- v) Stormwater and erosion control facilities sited, designed and constructed in a way that minimizes negative impacts on natural systems;
- vi) Public and private infrastructure, such as roads sited, designed and constructed in a way that minimizes negative impacts on natural systems; and,
- vii) Public uses sited, designed and constructed in a way that minimizes negative impacts on natural systems subject to an amendment to the Zoning By-law.

11.5.7.3 Land Use Policies

- i) All development shall conform with the applicable development review policies of Section 11.9, the servicing policies of Section 11.7 and the provisions of Section 11.5.1.
- ii) Development shall be subject to the site plan control provisions of Section 11.9.5 of this Secondary Plan, where required by the Town.

- iii) No new uses, buildings and structures or additions to existing uses, buildings and structures greater than a maximum size established in the Zoning By-law shall be permitted without an amendment to the Zoning by-law. In addition, the Town shall be satisfied that changes will be made to the site so that there will be improvement in wastewater and water services, as well as stormwater management practices, which will reduce negative impacts on the kettle lakes and have the potential to enhance water quality in the kettle lakes.
- iv) Additions to existing uses, buildings and structures, including the addition of accessory uses, buildings and structures, to a maximum size to be established in the Zoning By-law, may be permitted without an amendment to the Zoning By-law, subject to the approval of the Town provided that there will be no negative impact on the functioning of the existing wastewater facilities.
- v) The redevelopment of existing uses for new low-density residential development, other than one single detached dwelling, shall require approval of a plan of subdivision, or consent and a Zoning By-law amendment. Such redevelopment shall only be permitted provided, based on the applicable requirements of the development review policies of Section 11.9 and any other required studies, that it:
 - a) Can be demonstrated to the satisfaction of the Town, that the resulting redevelopment will have the potential to significantly enhance water quality in any kettle lake which is affected by surface drainage from the site; and,
 - b) Conforms with any other applicable policies of the Secondary Plan.

11.5.7.4 Site Specific Policies

11.5.7.4.1 Notwithstanding any other provision of this Plan to the contrary, on lands designated as ORM Natural Linkage Area and symbolically shown on Schedule “E”, located within Part of Lots 20 to 23, Concession IX, the existing estate residential subdivision is permitted to continue.

Development and site alteration on such lands shall be subject to the relevant provisions of Section 11.5.14 and 3.2.9 of the Plan and the relevant provisions of the Zoning By-law.

11.5.7.4.2

Notwithstanding any other policies of this Official Plan, a maximum of five lots for single detached dwellings, which may include the existing single detached dwelling on the site, may be created through the consent process on the lands in Lot 16, Concession 9 in the Musselman Lake Community Area designation identified on Schedule “E”, Land Use Plan as being subject to the provisions of this policy. However, the approval of any consents shall conform with the development review policies of Sections 11.9.3.1 ii) and iii) and development shall be subject to the site plan control provisions of Section 11.9.5.

11.5.7.4.3 – 14622 Ninth Line

Notwithstanding the policies of Section 11.7.2.3.1, development shall be permitted on private wastewater and private water services subject to the policies of Section 11.7.

11.5.8 Institutional Area

11.5.8.1 Purpose

The Institutional Area designation recognizes an existing institutional complex which serves the Ballantrae-Musselman Lake and Environs Secondary Plan Area and which includes an elementary school and community centre and another institutional complex which includes a fire hall and regional well. This designation may also be applied through an amendment to this Plan to significant new institutional uses which may be developed in the community.

11.5.8.2 Permitted Uses

The uses permitted shall be:

- i) Institutional uses;
- ii) Stormwater and erosion control facilities sited, designed and constructed in a way that minimizes negative impacts on natural systems; and,
- iii) Public and private infrastructure, such as roads sited, designed and constructed in a way that minimizes negative impacts on natural systems.

11.5.8.3 Land Use Policies

- i) Additional development in the Institutional Area designation shall be permitted only in accordance with the development review policies of Section 11.9 and the servicing policies of Section 11.7 of the Secondary Plan.
- ii) Proposals for major new institutional development within the Ballantrae-Musselman Lake and Environs Secondary Plan Area, other than those already permitted, shall require an Official Plan amendment and shall meet the following criteria:
 - a. Frontage on Highway 48 or Aurora Road;
 - b. Compatible with any existing or proposed adjacent residential uses with respect to matters such as height, setbacks and landscaping; and,
 - c. In accordance with the relevant provisions of the Secondary Plan including the development review provisions of Section 11.9 and the servicing provisions of Section 11.7 and the institutional policies of Section 9 of the Official Plan.

11.5.9 Hwy 48 Corridor Commercial/Mixed Use Area

11.5.9.1 Purpose

The Hwy 48 Corridor Commercial/Mixed Use Area designation identifies areas where a range of convenience and service commercial development is permitted, as well as low and medium density residential uses, institutional and utility uses. All development is permitted in single use and mixed use buildings.

11.5.9.2 Permitted Uses

The uses permitted shall be:

- i) Legally existing uses, buildings and structures;
- ii) Replacement of existing uses, buildings and structures, as well as additions and other modifications to existing uses, buildings and structures, including the addition of accessory uses, buildings and structures, subject to the provisions of the Zoning By-law;

- iii) Limited convenience and service commercial uses including food stores, convenience stores, personal service uses, restaurants, offices and coffee shops;
- iv) Low density residential uses as part of a plan of subdivision or consent;
- v) Institutional uses;
- vi) Stormwater and erosion control facilities sited, designed and constructed in a way that minimizes negative impacts on natural systems;
- vii) Public and private infrastructure, such as roads sited, designed and constructed in a way that minimizes negative impacts on natural systems;
- viii) Public uses sited, designed and constructed in a way that minimizes negative impacts on natural systems and subject to a Zoning By-law amendment; and,
- ix) Medium density residential development subject to a Zoning By-law amendment.

11.5.9.3 Land Use Policies

- i) All development shall conform with the development review policies of Section 11.9, the servicing policies of Section 11.7 and the Highway 48 corridor access management policies of Section 11.8.5. In addition, the development shall be subject to the site plan control provisions of Section 11.9.5 of this Secondary Plan where required by the Town.
- ii) Proposals for new development shall require a Zoning By-law amendment and may also require a plan of subdivision, consent, or plan of condominium where residential development or a mix of uses is proposed. In addition, the submission of a concept plan and building perspective that displays the massing and conceptual design of the building, the relationship to adjacent development and the street, as well as locations for parking, driveways and loading and service areas will be required. Such development shall also meet the following criteria:
 - a. Uses shall have frontage on Highway 48 and the architectural treatment and design of the building and the property shall reflect the general “village” character of the community and the locations on a Provincial highway, be complementary to the adjacent development in the Highway 48 corridor and provide for a strong relationship between the building and

street edge, including strong pedestrian connections, as well as enhanced landscaping particularly adjacent to the street and in parking areas;

- b. Development shall be sited so as to minimize the potential impact on existing or proposed adjacent low density residential uses located outside the Highway 48 corridor with respect to matters such as height, setbacks and landscaping, traffic generation, shadowing and noise;
- c. Maximum height of four storeys; and,
- d. Maximum density for medium density housing of 45 units per net hectare (18 units per net acre).

11.5.9.4 Waste Disposal Area Zone of Influence

11.5.9.4.1 Purpose

The Waste Disposal Area Zone of Influence overlay designation recognizes the zone of influence of a former waste disposal site. This designation identifies the fact that development in such areas may be subject to hazards.

11.5.9.4.2 Permitted Uses

The uses permitted shall be those in the underlying land use designations on Schedule “E” to the Official Plan.

11.5.9.4.3 Land Use Policies

In addition to the policies of the underlying land use designations, the policies of Section 4.17, Waste Disposal Area of Influence, of the Official Plan shall be applicable to the lands in the Waste Disposal Area Zone of Influence overlay designation.

11.5.10 Kettle Lake Drainage Area

11.5.10.1 Purpose

The Kettle Lake Drainage Area overlay designation applies to the surface drainage area of all the kettle lakes in the Secondary Plan area. This designation recognizes the sensitive nature of this area and provide special policies to limit negative impacts of new development on the kettle lakes.

11.5.10.2 Permitted Uses

The uses permitted shall be those in the underlying land use designations in the Kettle Lake Drainage Area, generally limit new development.

However, in addition to the policies of the underlying land use designations, where any new development involving a plan of subdivision is permitted, it shall require the submission of a comprehensive hydrogeological and surface water management study of the entire lake and catchment area in which the proposed development is located. These studies must satisfy the Town that the proposed development will have the potential to enhance the quality of the groundwater and surface water resource in the lake and catchment area.

11.5.11 Ballantrae Residential Golf Course Area

11.5.11.1 Purpose

The Residential Golf Course Area designation relates to Part of Lots 21, 22 and 23, Concession 8 in the settlement of Ballantrae. The purpose of this designation is to permit an adult lifestyle community comprised of 750-900 residential condominium units and an 18-hole championship golf course. A community centre/clubhouse and related amenities, outdoor recreational facilities and an extensive open space system and trail network would also be permitted. The lands are to be serviced by municipal water and an on-site communal wastewater treatment plant.

11.5.11.2 Permitted Uses

The uses permitted shall be:

- i) A golf course, including a driving range, pro shop, ancillary parking and a maintenance and operations facility;
- ii) A community centre/clubhouse and uses incidental and accessory to the foregoing, including recreational and leisure facilities;
- iii) Detached, semi-detached and townhouse dwelling units as part of a plan of condominium;
- iv) Conservation uses and related trail network;

- v) Stormwater and erosion control facilities sited, designed and constructed in a way that minimizes negative impacts on natural systems;
- vi) Private roads sited, designed and constructed in a way that minimizes negative impacts on natural systems;
- vii) Private wastewater treatment facilities sited, designed and constructed in a way that minimizes negative impacts on natural systems.

11.5.11.3 Land Use Policies

- i) A mix and range of housing units oriented to the empty nester market will be provided. The residential component, including the related amenity area and all other lands within the residential blocks, shall generally not exceed 40% of the total area of the property and shall be in the form of condominium blocks surrounded by the golf course. The units will be designed in the form of clusters respecting natural areas and landform conservation practices. The wide shallow lot concept will be utilized for the residential component to enhance the streetscape. The maximum number of residential condominium units permitted on this site shall be 900. Residential development shall not occur on the golf course lands, identified as blocks on the related plan of subdivision, 19T-97002.
- ii) The maximum permitted net residential density shall be 15 units per hectare (6 units per acre). Net residential density shall be calculated by dividing the number of units within a block on the plan of subdivision by the area of the block and shall include private roads.
- iii) The residential component will be phased in over an approximate fifteen year period to gradually integrate the development into the existing community. Annual absorption rates shall generally be in the 50 to 60 unit range. Development shall be staged in accordance with an environmental monitoring program pertaining to soils, surface water and groundwater quality and quantity; the performance of the wastewater treatment plant and absorption rates.

Prior to the approval of subsequent stages of the development, 75% of the units of the previous stage must be completed and occupied for a minimum of one year, to ensure proper monitoring and evaluation or other arrangements satisfactory to the Town and York Region have been made.

- iv) A comprehensive streetscape plan shall be prepared to address the function, design and treatment of street types, guidelines for the relationship of buildings to the street, the arrangements of buildings on the lot, setbacks to the street and the placement of parking and garages.
- v) The development shall be serviced by the municipal water system and by a privately owned and operated communal wastewater system. Development shall be conditional on the approval of the communal wastewater system as determined through a Class Environmental Assessment.
- vi) A Responsibility/Default Agreement shall be executed with York Region for the communal wastewater treatment facility. The agreement shall address the following and any other matters deemed appropriate by York Region and the Town:
 - a. Financial guarantees that no public funds will be required in the case of malfunction;
 - b. Operation and maintenance standards;
 - c. Easements, rights-of-entry and inspection;
 - d. Performance monitoring; and,
 - e. Guaranteed rate structures.
- vii) The servicing of the residential community and the golf course and accessory uses shall be integrated. Reciprocal agreements that address ownership, operation and maintenance of the communal wastewater system shall be required to the satisfaction of the Town and York Region.
- viii) No building permits shall be issued until approval is received from the Ministry of Environment, Conservation and Parks for the communal wastewater system and the owner has entered into a Responsibility Agreement with York Region. Standards for operating these systems will form part of the Environmental Compliance Approval from the Ministry of Environment, Conservation and Parks.
- ix) All internal private roads shall be paved and of a standard that meets Town requirements. Entrances to the site shall be designed to ensure ease of access and safety. The creation of entrance features in the road allowance should also

be given consideration and shall be subject to the design guidelines contained in the streetscape plan.

- x) A Natural Resources Management Plan will be prepared to address matters pertaining to wildlife conservation/habitat enhancement, integrated pest management, energy efficiency, waste reduction management, water conservation management and water quality management.

11.5.11.4 Special Implementation Policies

- i) The development will proceed by a plan of subdivision which shall establish the blocks for the golf course and clubhouse, the residential units, the communal wastewater treatment plant and the park/woodlot block uses. Draft plan approval of the subdivision will include conditions pertaining to the staging of development, completion of a Responsibility Agreement between York Region and the developer (Schickedanz Bros.) for the communal wastewater treatment facilities, the preparation of a Master Servicing Plan, and Master Grading Plan, an Infrastructure Staging Plan, a Natural Resources Management Plan and a Streetscape Plan.
- ii) The Responsibility Agreement shall be based on the principles outlined in Regional Planning Report on Deferral No.1 to Amendment No. 90, dated January 12, 1998. Prior to the release of the final plan of subdivision, for any residential development utilizing the second cell of the wastewater treatment plant, York Region shall confirm that a financial security arrangement has been completed, the satisfaction of the Region.
- iii) Prior to final approval of any phase of the related plan of subdivision, for development subsequent to the initial 180 units, York Region shall review the results of an environmental monitoring program, to be provided by the developer at their own cost, and confirm that the development is not resulting in adverse environmental impact on the soils, groundwater and surface water quality and quantity.
- iv) The subject lands shall be zoned at either the subdivision agreement stage or at the site plan approval stage, consistent with the Official Plan provisions. With the exception of those lands shown on the attached Schedule "A-1" as the golf course and the Stage 2 residential lands, the by-law will utilize the holding ("H")

provisions of Section 36 of the *Planning Act*. This Zoning By-law shall specify the permitted uses at such time as the holding symbol is removed on an incremental basis in accordance with the policies of this Plan. No development shall occur on any lands within the area zoned with an (H) holding symbol until the (H) holding symbol has been removed by an amendment to the by-law. Such an amendment to remove the (H) holding symbol shall be conditional upon the following:

- a. The results of an environmental monitoring program demonstrating to the satisfaction of the Town, York Region and the Lake Simcoe Region Conservation Authority and any other applicable agency that the development is not adversely impacting the soils and surface water and groundwater quality and quantity.
 - b. The results of a monitoring program demonstrating to the satisfaction of the Town and York Region that the communal wastewater treatment plant is functioning in accordance with the requirements of the Responsibility Agreement and applicable provincial statutes with respect to the operation of wastewater treatment plants.
 - c. The previous stage having 75% of the total units completed and occupied for a minimum one-year period or other arrangements to the satisfaction of the Town in consultation with York Region.
 - d. York Region confirming the adequate water supply is available.
 - e. The submission of a demographic study satisfactory to the Town demonstrating that any stage of the Ballantrae Residential Golf Course Area is meeting its intended market and is not imposing an excessive burden on municipal or other public services.
- v) The entire development shall be subject to the site plan control provisions of the *Planning Act*.
- vi) Development within each of the residential blocks shall proceed by plan of condominium in accordance with the requirements of the Planning Act and the Condominium Act. Reciprocal agreements between the various condominium operations and the golf course shall be required pertaining to the operation and maintenance of the common elements of the development to the satisfaction of the Town and York Region.

- vii) The overlay designation on Schedule “E” recognizes the potential to develop certain lands through the passage of OPA 114 for a golf course facility exclusively. No residential or condominium community uses, buildings or structures shall be permitted within this defined land area. The uses of the subject area shall be limited exclusively to a golf course, cart pathways and trails.

Regulations and permitted uses for this Policy Area will be established through specific standards in the implementing Zoning By-law and/or terms and conditions as set out in an executed subdivision/site plan control agreement.

11.5.12 ORM – Natural Linkage Area

11.5.12.1 Purpose

The ORM Natural Linkage Area designation on Schedule “E” recognizes areas identified in the Oak Ridges Moraine Conservation Plan as areas forming part of a central corridor system that support or have the potential to support the movement of plants and animals among the lands designated ORM Natural Core and ORM Natural Linkage Area, as well as river valleys and stream corridors.

The purpose of the designation of these areas is to maintain, and where possible to improve or restore, the ecological integrity of the Moraine Area and to maintain, and where possible improve or restore, regional-scale open space linkages between lands in the ORM Natural Core Area designations and along river valleys and stream corridors.

11.5.12.2 Permitted Uses

The following uses are permitted in the ORM Natural Linkage Area designation subject to the policies of Section 3.2, 5.8.3, 5.10 and 8.16 of this Plan:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Agricultural uses, with the exception that new agricultural uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule “H”;

- iv) Home occupations in any legally established residential unit, subject to the regulations of the Zoning By-law;
- v) Home industries in association with any legally established use, subject to the regulations of the Zoning By-law;
- vi) Bed and breakfast establishments in any legally established residential unit, subject to the regulations of the Zoning By-law;
- vii) Farm vacation homes in association with any legally established agricultural use, subject to the regulations of the Zoning By-law;
- viii) Low intensity recreational uses in accordance with the provisions of Section 3.2.6;
- ix) Unserved parks;
- x) Recreational trails in accordance with the provisions of Section 3.2.7;
- xi) Legally existing uses in accordance with the provisions of Section 3.2.4;
- xii) Mineral aggregated operations in accordance with Section 4.6.4.4 of this Plan;
- xiii) Wayside pits in accordance with Section 4.6.4.4 of this Plan; and,
- xiv) Accessory uses.

11.5.12.3 Land Use Policies

i) Uses Accessory to Agriculture

Uses accessory to agricultural uses shall be permitted in accordance with the policies of Section 4.3.2 of this Plan and Section 34 of the Oak Ridges Moraine Conservation Plan (See Appendix ORM IV). In the event of a conflict between this Plan and the provisions of Section 34 of the Oak Ridges Moraine Conservation Plan, the provisions of the Oak Ridges Moraine Conservation Plan shall prevail.

ii) Waste Disposal Area Special Policy Area

In addition to the policies of this Section, the policies of Section 4.17 of the Official Plan shall apply to areas identified on Schedule “E” as “Waste Disposal Special Policy Area” and “Waste Disposal Area of Influence”.

11.5.13 ORM – Countryside Area

11.5.13.1 Purpose

The ORM Countryside Area designation on Schedule “E” recognizes areas identified in the Oak Ridges Moraine Conservation Plan as areas of rural land use such as agriculture, recreation, hamlets, mineral aggregate extraction operations, parks and open space. Hamlets are generally long-established and identified in official plans. They are also shown on the land use designation plan to the Oak Ridges Moraine Conservation Plan.

The purpose of the ORM Countryside Area designation is to encourage agriculture and other rural uses that support the Plan’s objectives by:

- i) Protecting prime agricultural areas;
- ii) Providing for the continuation of agricultural and other rural land uses and normal farm practices; and,
- iii) Maintaining the rural character of hamlets.

11.5.13.2 Permitted Uses

The following uses are permitted in the ORM Countryside Area designation subject to the policies of Section 3.2, 5.8.3, 5.10 and 8.16 of this Plan:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Agricultural uses, with the exception that new agricultural uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule “H”;
- iv) Transportation, infrastructure and utilities in accordance with the provisions of Section 3.2.5;

- v) Home occupations in any legally established residential unit, subject to the regulations of the Zoning By-law;
- vi) Home industries in association with any legally established use, subject to the regulations of the Zoning By-law;
- vii) Bed and breakfast establishments in any legally established residential unit, subject to the regulations of the Zoning By-law;
- viii) Farm vacation homes in association with any legally established agricultural use, subject to the regulations of the Zoning By-law;
- ix) Low intensity recreation uses in accordance with the provisions of Section 3.2.6;
- x) Unserved parks;
- xi) Recreational trails in accordance with the provisions of Section 3.2.7;
- xii) Legally existing uses in accordance with the provisions of Section 3.2.4;
- xiii) Mineral aggregate operations in accordance with Section 4.6.4.4 of this Plan;
- xiv) Wayside pits in accordance with Section 4.64.4. of this Plan;
- xv) Agriculture-related uses;
- xvi) Major Recreational uses as described in Section 38 of the Oak Ridges Moraine Conservation Plan (See Appendix ORM IV) provided that such uses shall not be permitted in prime agricultural areas;
- xvii) Accessory uses.

11.5.13.3 Land Use Policies

i) Uses Accessory to Agriculture

Uses accessory to agricultural uses shall be permitted in accordance with the policies of Section 4.3.2 of this Plan and Section 34 of the Oak Ridges Moraine Conservation Plan (See Appendix ORM IV). In the event of a conflict between this Plan and the provisions

of Section 34 of the Oak Ridges Moraine Conservation Plan, the provisions of the Oak Ridges Moraine Conservation Plan shall prevail.

ii) Waste Disposal Area Special Policy Area

In addition to the policies of this Section, the policies of Section 4.17 shall apply to areas identified on Schedule “E” as “Waste Disposal Special Policy Area” and “Waste Disposal Area of Influence”.

iii) Major Recreational Uses

Major Recreational Uses shall also be subject to the provisions of Section 4.11, Commercial Recreation Area of the Official Plan and the provisions of the Oak Ridges Moraine Conservation Plan. However, in cases of conflict the policies of Section 38 of the Oak Ridges Moraine Conservation Plan will prevail.

11.6 NATURAL ENVIRONMENT CONSERVATION STRATEGY

11.6.1 Purpose

The restrictions of the type and amount of new development which is provided for in the Ballantrae-Musselman Lake and Environs Secondary Plan should ensure that now significant additional negative impact on natural systems and features occurs as a result of any new development. However, there are a number of existing environmental problems in the Secondary Plan area, as identified in such studies as the Musselman Lake Surface Water Quality Report, 1989 and the East Holland River Subwatershed Plan, 2010, particularly:

- i) Some contamination of the shallow ground water system; and,
- ii) Elevated nutrient levels in Musselman Lake, and,
- iii) Median concentrations of phosphorus, total suspended solids, iron, aluminum, and zinc within the East Holland Subwatershed which exceed the Provincial Water Quality Objectives.

Other issues which impact on the quality of life in the community include truck traffic and lack of connectivity between neighbourhoods.

The intent of the Natural Environment Conservation Strategy is to establish a program for the correction of these current problems. The program is intended to be carried out by the Town and local residents and interest groups, working with other public agencies such as the Ministry of Environment, Conservation and Parks, the Ministry of Natural Resources and the Conservation Authority. It recognizes the fiscal constraints which the Town must work within and focuses on two areas:

- i) Private Resource Management Practices; and,
- ii) Public Resource Management Practices.

In addition, as part of the strategy, a comprehensive, linked Natural Heritage System is identified and designed to protect ecological features and functions. The linked System also provides for species movement and sustainability both within Ballantrae Musselman's Lake and Environs and the surrounding area. The System including

buffers is shown in Appendix “A” to the Secondary Plan. The System includes lands in the Natural Heritage System Area designation which applies to those lands in the Ballantrae and Musselman Lake Settlement Area as designated on Schedule “E”, together with the lands in the ORM Natural Core Area, ORM Natural Linkage Area and ORM Countryside Area designations. The policies of the applicable designation apply to guide development. The System reflects the Environmental Management Strategy prepared for the Town as part of the basis for the 2012 Secondary Plan Update and satisfies the requirements of Section 21(4) of the Oak Ridges Moraine Conservation Plan for the Community of Ballantrae and the Hamlet of Musselman’s Lake.

The Strategy also considers the implementation of a comprehensive Trails System as shown conceptually on Appendix B to the Secondary Plan based on the recommendations of the Community Open Space and Trails System Background Report prepared for the Town as part of the basis of the 2012 Secondary Plan Update.

11.6.2 Private Resource Management Practices

Unless new development is being proposed, the Town has very limited authority to control private resource management practices. Therefore, the focus of any program must be the encouragement of voluntary action by individual landowners, although enforcement of existing regulations and the use of existing legislation are also available tools.

Actions which the Town will initiate to improve private resource management practices include:

11.6.2.1 Ballantrae-Musselman Lake Environmental Advisory Committee

The Town shall expand the mandate of the existing Kettle Lake Advisory Board so that it becomes a citizen environmental advisory committee for the entire Ballantrae-Musselman Lake and Environs Secondary Plan Area. The committee will work with Town representatives within a well-defined terms of reference and budget. It will:

- a) Use available existing resources to develop and implement a program to educate property owners, including farmers, about the sensitive nature of the area they live in, and the manner in which they can operate their household and workplace and manage their property to reduce negative impacts on natural systems and features (e.g. reduction in the use of fertilizers, reduction in household water use, modification of on-site storm drain systems);

- b) Establish and operate an awards program for residents, farmers, employers and property owners who implement measures for improving the environment;
- c) Establish and operate demonstration programs for environmentally sound management practices on public and/or private properties;
- d) Work with the Town and provincial agencies to establish tree-planting programs for public and private properties; and,
- e) Other related activities.

11.6.2.2 Enforcement of Existing Legislation

The Town shall review available legislation with respect to matters such as the operation of septic tanks and the protection of trees and work with the appropriate agencies to develop better enforcement practices.

11.6.2.3 Tree and Site Alteration By-law

In accordance with the *Oak Ridges Moraine Conservation Act, 2001*, the Town will adopt tree and site alteration by-laws in accordance with Sections 135 through 141 and 142 through 146 of the *Municipal Act*.

11.6.2.4 Site Plan Control

The Town shall use the site plan control process to control the quantity and quality of surface runoff on individual lots to reduce the negative impacts of new development or significant redevelopment in accordance with the provisions of Section 11.89.5 of this Secondary Plan.

11.6.2.5 Natural Heritage System and Trails System

The Town will investigate strategies for the establishment of the Natural Heritage System (Appendix A) and Trails System (Appendix B) including partnerships with private landowners, trail associations, and public agencies.

11.6.3 Public Resource Management Practice

Actions which the Town will initiate to improve its own resource management practices and those of other agencies, include:

11.6.3.1 Management Practice Audit

The Town shall carry out audits of its own management practices and facilities in the study area and establish practices which minimize negative impacts on natural systems and features (i.e. road de-icing practices, street cleaning practices).

11.6.3.2 Musselman Lake Shoreline Roads

The Town shall reroute or redesign the Musselman Lake shoreline roads as the Town's financial situation permits to reduce any negative impacts on the Lake, working in conjunction with York Region and private landowners and in accordance with the applicable policies of the Oak Ridges Moraine Conservation Plan.

11.6.3.3 Drainage Outlets to Musselman Lake

The Town shall work to eliminate or redesign drainage outlets to Musselman Lake to reduce any negative impacts on the Lake, working in conjunction with private landowners and other public agencies as required and in accordance with the applicable policies of the Oak Ridges Moraine Conservation Plan.

11.6.3.4 Other Agencies

The Town shall work with other agencies, particularly York Region and the Provincial Ministry of Transportation, to seek improvements in their management practices in the area (e.g. road de-icing practices), as well as the introduction of programs to improve the environment (e.g. education programs, consideration of purchase of key environmental features, tree planting programs). The Town will also examine the potential for the management of trucking and cycling activities in the community to maximize safety and minimize truck noise.

11.6.4 Natural Heritage System Area

The Natural Heritage System is shown in Appendix "A" to this Secondary Plan. The System is made up of natural features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable

populations of indigenous species and ecosystems. The system includes lands which have been restored or have the potential to be restored to a natural state.

Much of the area in the System is protected from development by the policies of the Oak Ridges Moraine Conservation Plan and this Secondary Plan. The purpose of identifying the System on a comprehensive basis is to provide a general context for the evaluation of applications as they pertain to the protection of natural heritage and for consideration for acquisition and the location of trails.

Where development of a lot which includes lands in the Natural Heritage System is proposed, the Town shall review its protection in accordance with the policies of the applicable land use designation. The boundaries of the System shall be maintained generally in accordance with the boundary in Appendix A. Minor modifications may be considered to the boundaries when the boundary is surveyed as part of the development review process to reflect differences in scale and level of detail. However, such minor modifications shall not negatively impact the Natural Heritage System as determined by the Town, nor shall such minor modifications result in any significant modifications which will require an amendment to this Plan and shall conform to the Oak Ridges Moraine Conservation Plan.

Further, the Town recognizes that, where the necessity of protecting such lands is established; in order to achieve this objective, it will not be feasible to acquire all the lands through the parkland dedication or other such mechanisms. Therefore, the Town must be prepared to consider a range of development approaches, where appropriate, including:

- i) The use of lands in the Natural Heritage System, for the purpose of calculating permitted density, coverage and open space for development on the remaining portion of the lot.

11.6.5 Trails System

A comprehensive trails system, including existing and proposed new off- and on- road trails and sidewalks, is proposed to be developed generally as shown conceptually in Appendix B. The Secondary Plan Area provides a unique opportunity for the establishment of such a system, as it includes a variety of natural features. The connectivity of the Natural Heritage System also supports the connectivity of an off-road trails system and will assist in enhancing connectivity between neighbourhoods in the community.

The objectives of the trail system are:

- i) To provide recreational trail opportunities;
- ii) To provide trail or sidewalk connections between local destinations, such as schools, parks and community areas;
- iii) To provide trail connections to Town-wide destinations such as the Community of Stouffville;
- iv) To promote and support the Town's Healthy Communities initiative;
- v) To provide opportunities for natural heritage appreciation and interpretation;
- vi) To support, and connect to the York Region Trails system and the Oak Ridges Trail;
- vii) To promote local tourism and support secondary commercial opportunities;
- viii) To extend and improve upon the area's existing and currently proposed pedestrian and cycling systems.

The trails system will be implemented over time in accordance with the recommendations of the Community Open Space and Trails System Background Report. The potential trails and sidewalk routing identified in Appendix B serves as a framework for a connected local trails system. Exact trails routing is subject to detailed design through the implementation process and should generally be directed away from hazard lands and Key Natural Heritage Features or Hydrologically Sensitive Features.

While some of the trails may be implemented through plans of subdivision, consents, or other development applications processes, other means of implementation will also be required. These include partnerships with private landowners, trail associations, York Region and the Lake Simcoe Region Conservation Authority, land acquisitions, license agreements, donations, easements, leasing and funding from organizations which support initiatives of the Oak Ridges Moraine. It will also involve construction by the Town of sidewalks along Aurora Road and Highway 48 in Ballantrae in recognition of their roles as the main streets of the community.

Priorities for implementation include:

- i) Parkland development including the new park east of Musselman Lake;

- ii) Improvements to the on-road, pedestrian systems including along Aurora Road and Highway 48 in Ballantrae and Ninth Line in Musselman Lake; and,
- iii) Off-road trails, with a priority for those trails providing direct access to community destinations such as the link from Lakeshore Road to Ballantrae Public School.

11.6.6 Source Protection Areas

Wellhead Protection Areas and Time-of-Travel Zones are delineated on Schedule 'E-1'. These areas shall be subject to the policies of Section 5.10 of the Official Plan, source protection and water resource system policies of the York Region Official Plan, and the South Georgian Bay Lake Simcoe Source Protection Plan.

In addition, new land uses which involve the storage and application of agricultural and non-agricultural source organic materials shall be prohibited in Wellhead Protection Areas.

11.7 WATER AND WASTEWATER SERVICING STRATEGY AND STORMWATER MANAGEMENT

11.7.1 Existing Water and Wastewater Servicing

11.7.1.1 Existing Water Servicing

The Ballantrae/Musselman Lake Drinking Water System is a municipal water system and serves the Ballantrae and Musselman Lake settlement areas as a result of the contamination of a number of private wells in the area. An Environmental Assessment for the system was approved by the Minister of Environment and Energy in February 1991. Construction of the municipal water supply system began in March 1996, and it was operational as of January 1, 1997.

All existing development in the Ballantrae and Musselman Lake settlement areas shall be connected to the municipal water supply system, subject to the water system capacity availability.

11.7.1.2 Existing Wastewater Servicing

The Ballantrae-Musselman Lake and Environs Secondary Plan Area is primarily serviced by private individual wastewater systems, with the exception of the Ballantrae Golf and Country Club Residential Community which is designated “Ballantrae Residential Golf Course Area” on Schedule “E”, serviced on a private communal wastewater system approved by MECP that is subject to a Municipal Responsibility Agreement with York Region.

11.7.2 Future Water and Wastewater Servicing for the Ballantrae Settlement Area

Future water and wastewater servicing for the Ballantrae Settlement Area will be subject to the partial servicing policies of Section 11.4.2.

11.7.2.1 Water Servicing

All new development shall be connected to the municipal water supply system of the Ballantrae-Musselman Lake Drinking Water System, subject to system capacity availability as determined through the Phase 1 Water Supply Study and as necessary, the Phase 2 Water and Wastewater Study (Sections 11.4.4 and 11.4.5).

The Town shall work with the Region and development community to achieve water conservation in keeping with York Region's Long Term Water Conservation Strategy. At a minimum, new development shall demonstrate water efficiency in its designs, following the Region's standard under its Long Term Water Conservation Strategy programming.

Individual lot private water servicing shall be permitted where full municipal services are not available, planned or feasible. Individual private water servicing is prohibited on lots that are currently connected to the municipal supply. Establishment of individual private well supplies shall be permitted for developments up to five lots. This applies to proposed developments with wells on each lot or if well supplies are shared between lots.

Construction of private wells must be completed such that the well does not draw water directly or indirectly from any shallow aquifer. All wells shall be constructed to the lower aquifer and in accordance with O. Reg 903 with full annular space grouting. To accommodate for availability and sustainability of the municipal drinking water system, all wells shall be completed to a depth below 245 metres above sea level and well pumps set to the lowest depth allowable based on the well design to mitigate lower groundwater levels related to municipal supply production. Acknowledgement of this policy and proposed construction details shall be provided to the Town as part of a building application or planning approval. York Region may require details on the proposed well supply, at its sole discretion.

For individual lot private well supplies developed as part of a development of greater than five lots, the same conditions above apply and must be demonstrated in a Functional Servicing Report, supported by a hydrogeological assessment to the satisfaction and approval of York Region and the Town, at their sole discretion.

11.7.2.2 Wastewater Servicing

11.7.2.2.1 Infilling and Development Outside the Highway 48 Corridor

Infilling and redevelopment of existing lots in the areas designated "Ballantrae Residential Area" on Schedule "E" may be permitted on:

- i) Individual private wastewater systems; or,
- ii) Communal wastewater systems.

Such development shall only be permitted provided it is demonstrated through appropriate studies to the satisfaction of the Town, York Region, the Ministry of Environment, Conservation and Parks and the Ministry of Natural Resources, as applicable, that the land can be adequately and sustainably serviced.

11.7.2.2.2 Plans of Subdivision Outside the Highway 48 Corridor

Any development by plan of subdivision or by plan of condominium in the area designated “Ballantrae Residential Area” may be permitted on:

- i) Individual private wastewater systems; or,
- ii) Communal wastewater systems.

Such development shall only be permitted provided it is demonstrated through appropriate studies to the satisfaction of the Town, York Region, the Ministry of the Environment, Conservation and Parks, and the Ministry of Natural Resources, as applicable, that the land can be adequately and sustainably serviced.

11.7.2.2.3 Highway 48 Corridor

Any development in the areas designated “Highway 48 Corridor Residential Area” and “Highway 48 Corridor Commercial/Mixed Use Area” may be permitted on:

- i) Individual private wastewater systems; or,
- ii) Communal wastewater systems.

Such development shall only be permitted provided it is demonstrated through appropriate studies to the satisfaction of the Town, York Region, the Ministry of the Environment, Conservation and Parks, and the Ministry of Natural Resources that the land can be adequately and sustainably serviced.

11.7.2.3 Future Water and Wastewater Servicing for the Musselman Lake Community Area

All new development in the Musselman Lake Community Area shall be subject to the policies of Section 11.5.7. New development in the Musselman Lake Community Area shall be limited to minor infill, development of existing lots of record or consents of three lots or less.

11.7.2.3.1 Water Servicing

All new development shall be connected to the municipal water supply system of the Ballantrae-Musselman Lake Drinking Water System, subject to system capacity and availability as determined through the Phase 1 Water Supply Study and Phase 2 Water and Wastewater Study (Sections 11.4.4 and 11.4.5).

The Town shall work with the Region and development community to achieve water conservation in keeping with York Region's Long Term Water Conservation Strategy. At a minimum, new development shall demonstrate water efficiency in its designs, following the Region's standard under its Long Term Water Conservation Strategy programming.

Individual lot private water servicing shall be permitted where full municipal services are not available, planned or feasible. Individual private water servicing is prohibited on lots that are currently connected to the municipal supply. Establishment of individual lot private well supplies shall be permitted for developments up to five lots. This applies to proposed developments with wells on each lot or if well supplies are shared between lots.

Construction of private wells must be completed such that the well does not draw water directly or indirectly from any shallow aquifer. All wells shall be constructed to the lower aquifer and in accordance with O. Reg 903 with full annular space grouting. To accommodate for availability and sustainability of the municipal drinking water system, all wells shall be completed to a depth below 245 metres above sea level and well pumps set to the lowest depth allowable based on the well design to mitigate lower groundwater levels related to municipal supply production. Acknowledgment of this policy and proposed construction details shall be provided to the Town as part of a building application or planning approval. York Region may require details on the proposed well supply, at its sole discretion.

For individual lot private well supplies developed as part of a development of two to five lots, the same conditions above apply.

For individual lot private wells supplies developed as part of a development of greater than five lots, the same conditions above apply and must be demonstrated in a Functional Servicing Report, supported by a hydrogeological assessment to the satisfaction and approval of York Region and the Town, at their sole discretion.

11.7.2.3.2 Wastewater Servicing

Development in the Musselman Lake Community Area may be permitted on:

- i) Individual private wastewater systems, subject to the policies of Section 11.4; or,
- ii) Communal wastewater systems.

New on-site wastewater systems within 100 metres of Musselman Lake or a permanent stream shall be subject to the policies of Section 4.15 Development Policy of the Lake Simcoe Protection Plan.

Such development shall only be permitted provided it is demonstrated through appropriate studies to the satisfaction of the Town, York Region, the Ministry of the Environment, Conservation and Parks, and the Ministry of Natural Resources that the land can be adequately and sustainably serviced.

11.7.3 Servicing Capacity Availability

11.7.3.1 Short-Term Servicing Capacity

The Phase 1 Water Supply Study will be led by York Region and funded by landowners, and will investigate, address and make recommendations with respect to minor works to expand servicing capacity for shorter-term growth needs.

11.7.3.2 Long-Term Servicing Capacity

The potential for any additional development beyond what is identified in the Phase 1 Water Supply Study will be assessed through the Phase 2 Water and Wastewater Study. The Phase 2 Water and Wastewater Study will be led by the Region, and would consist of evaluation of servicing alternatives for buildout condition, and assessment of environmental and regulatory constraints including Lake Simcoe Protection Act requirements related to wastewater discharges, Oak Ridges Moraine land use restrictions, water quality considerations, regulated environmental features in the study area, regional aquifer capacity potential and WHPA implications, and Ministry's concerns over shallow groundwater mounding.

Timing for the Phase 2 Study is to be initiated within one year of the completion of the Phase 1 Study and should be completed within a two-year time period following its commencement. A full build-out population of the existing Settlement area could be in the order of 10,300 persons or more.

11.7.3.3 Phasing of Development – Community of Ballantrae

The order of development in the Community of Ballantrae shall be based on conformity with the policies of this Secondary Plan, and subject to the required studies being completed to the satisfaction of the Town, York Region, the Ministry of Environment, Conservation and Parks, and the Ministry of Natural Resources, as applicable. Further, water allocation will only be granted for the length of three years from a Town or OLT development approval. After which, water allocation may be provided to other construction-ready projects.

11.7.3.3.1 Criteria for Water Supply Allocation

When assigning water allocation to developments, Council shall have regard to the following criteria, in no particular order of preference or hierarchy:

- i) The availability of wastewater servicing;
- ii) The availability of stormwater management measures; and,
- iii) The degree to which the development is consistent with the PPS, Growth Plan, York Region Official Plan and the Town of Whitchurch-Stouffville Official Plan, as amended.

In reviewing development applications and determining water allocation assignment, the following principles shall be adhered to:

- i) The proposed development satisfies the development review requirements of the Town, York Region, Ministry of the Environment, Parks and Conservation, Lake Simcoe Region Conservation Authority, Ministry of Natural Resources, as is applicable;
- ii) The proposed development is serviceable by a communal wastewater system approved by MECP; and,
- iii) The servicing capacity needed for the proposed development is within the available capacity limits of the water supply system approved by MECP, or no municipal water allocation is needed as the development will be serviced by individual private wells. The available capacity limits of the water supply system shall mean the remaining capacity once York Region's future water capacity needs for its water treatment process requirements are accounted for. For

further clarity, the future treatment process water needs are currently estimated at 10% of the total treated water volume produced per day.

11.7.4 New Communal Wastewater Services

While municipal water and wastewater services are the preferred form of servicing, private communal wastewater services are permitted where full municipal services are not available, planned or feasible. A private communal wastewater system is a system for which York Region may be responsible, based on a decision by York Region and/or MECP, either through:

- i) Assumption of ownership; or,
- ii) Via a Municipal Responsibility Agreement whereby the Region agrees to assume the system in the event of default by the owner.

All private wastewater communal systems shall be designed to the satisfaction of York Region and subject to the following and/or applicable Regional Guidelines:

- a) That an economic/fiscal impact study is submitted to the satisfaction of York Region to confirm that the proposed development will have no financial burden on the Region;
- b) That a servicing justification report be prepared to the satisfaction of York Region to consider and evaluate alternative servicing technology options, as well as the proposed location for the proposed communal system and consider their potential to conform to current governing policies and guidelines (i.e. effluent criteria/objectives, wastewater facility location and setbacks, groundwater mounding, local and regional municipality standards/guidelines, etc.).
- c) That an Environmental Impact Study, Water Resource Impact Assessment, or other appropriate study, has been submitted to the satisfaction of York Region to ensure that environmental impacts have been addressed and that the communal wastewater services are suitable;
- d) That all agreements and approvals required to provide private communal water and/or wastewater services, planning and/or development agreements for applications, shall be in place before or form part of development approval for applications submitted under the Planning Act;

- e) That any proposal must comply with all applicable Provincial legislation and Plans; and,
- f) That within the Lake Simcoe Protection Plan area, it can be demonstrated that the communal system does not add phosphorus loadings to the watershed in accordance with the Lake Simcoe Protection Plan.

11.7.4.1 New Communal Wastewater System Municipal Responsibility Agreements

Where a Municipal Responsibility Agreement will be required, all costs associated with the approval, construction and maintenance of the system shall be the responsibility of the benefitting landowner(s) and/or operator(s). Any new communal wastewater systems must be approved and designed to the satisfaction of the Province and York Region, and all other applicable agencies and authorities.

11.7.4.2 Groundwater and Wastewater System Design and Mitigation

Wastewater discharge from all wastewater systems must be designed in accordance with general and site-specific MECP guidelines and requirements and be in accordance with the following:

- i) Designs must include an evaluation of elevated and/or perched groundwater conditions that are known to occur in the Ballantrae Area. Site specific groundwater investigations should be completed.
- ii) Wastewater system design must consider seasonal fluctuations and climate change impacts on future groundwater levels and include monitoring and mitigation measures that could be implemented if future groundwater levels increase and/or mounding issues occur.
- iii) Ensure that any operator of a new communal wastewater system will monitor for groundwater contamination and mounding based on MECP and York Region requirements. The operator will be solely responsible for implementing studies and mitigation measures, as required and to the satisfaction of York Region and MECP and other agencies and authorities as applicable, to ensure there is no impact to either the continuous operation of system, or to shallow groundwater levels.

11.7.5 Stormwater Management

All development shall be carefully evaluated to avoid, minimize and/or mitigate impacts associated with the quality and quantity of stormwater into receiving streams, lakes and wetlands in accordance with the requirements of the Lake Simcoe Protection Plan including Sections 4.7-DP, 4.8-DP and 4.9-DP of that Plan. In particular, the Town will:

- i) Encourage the use of a hierarchy of source, lot-level, conveyance and end-of-pipe controls;
- ii) Encourage the implementation of innovative stormwater management measures including low impact development (LIDS);
- iii) Allow for flexibility in development standards to incorporate alternative community design and stormwater techniques;
- iv) Support the implementation of programs to identify areas where source control or elimination of cross connections may be necessary to reduce pathogens or contaminants; and,
- v) Support implementation of source control programs which are targeted to existing areas that lack adequate stormwater controls.

In addition, stormwater management works for new major development shall be designed to satisfy the Enhanced Protection level specified in Chapter 3 of the MOE's "Stormwater Management Planning and Design Manual 2003", unless the development constitutes infill development or redevelopment within a settlement area, it is not feasible to comply with the specified design standard, and the applicant demonstrates that the works incorporate the most effective measures in the circumstances to control the quality and quantity of the stormwater related to the development or redevelopment. Water quality and quantity control will be addressed on a site by site basis in accordance with the applicable policies of the Lake Simcoe Protection Plan, the Lake Simcoe Region Conservation Authority Technical Guidelines for Stormwater Management, the Ministry of Environment Stormwater Management and Design Manual and the Town's Guidelines, as amended from time to time.

Stormwater system designs must include an evaluation of elevated and/or perched groundwater conditions that are known to occur in the Ballantrae Area. Site specific groundwater investigations must be completed. Systems must consider seasonal fluctuations and climate change impacts on future groundwater levels and include monitoring and mitigation measures that could be implemented if future groundwater levels increase and/or mounding issues occur.

11.8 TRANSPORTATION STRATEGY

11.8.1 General

The transportation facilities in the Ballantrae-Musselman Lake and Environs Secondary Plan Area will generally comply with the policies of Section 5.2, Transportation and the designations of Schedule “I” of the Official Plan and Sections 3.2, 5.8.3, 5.10 and 8.16 of the Official Plan and be developed in accordance with the applicable policies of the Oak Ridges Moraine Conservation Plan.

11.8.2 Road Construction and Reconstruction

Notwithstanding the provisions of Section 11 of the Official Plan, a key consideration in the siting, design and construction of new roads and the reconstruction of existing roads in the Ballantrae-Musselman Lake and Environs Secondary Plan Area shall be the minimization of negative impacts on natural systems.

Development proposals which incorporate new roads or which require the reconstruction of existing roads, shall provide, as part of the development review requirements of Section 11.8, studies which demonstrate that the proposed roads can be sited, designed and constructed in a manner that minimizes negative impacts on natural systems. The Town shall also ensure that when reconstructing existing roads in the Secondary Plan Area, that the road is sited, designed and constructed in a way that minimizes negative impacts on natural systems.

11.8.3 Road Maintenance

The Town shall review its road maintenance practices in the Secondary Plan area to ensure that this program is designed to minimize negative impacts on natural systems and features.

11.8.4 Musselman Lake Drainage Area

The Town shall place a priority on the reconstruction of roads in the drainage area of Musselman Lake to reduce negative impacts on that lake. In particular, the Town shall work with York Region to continue to investigate the potential for the reconstruction and/or realignment of Ninth Line (Regional Road 69) to:

- i) Reduce through traffic use of roads adjacent to the Lake;

- ii) Reduce storm runoff, erosion and sediment entering the Lake; and,
- iii) To provide more public open space adjacent to the Lake, as well as the creation of a pedestrian walkway along the Lake in accordance with the recommendations of the Community Open Space & Trails System Background Report.

11.8.5 Highway 48 Corridor – Ballantrae

Highway 48 is a Provincial highway. The highway right-of-way is under the jurisdiction of the Ministry of Transportation (MTO).

The Town has developed Access Management Guidelines for Lands along Highway 48, in the Ballantrae settlement area:

i) Purpose

The Access Management Guidelines for Lands Along Highway 48 in the Ballantrae settlement area will assist the Town and all levels of government, agencies and landowners with the review and approval process for development in the corridor. This allows for long term planning along the corridor to achieve the ultimate plan for the right-of-way. In particular, the Guidelines will ensure access is provided to all lands along the corridor in appropriate locations with any necessary controls. The Guidelines are designed to minimize access to Highway 48 as necessary, identify potential roadway accessed apart from driveway access and identify locations where joint access should be considered and pursued to enhance traffic flow in the corridor. The Access Management Guidelines does not supersede any MTO standards and all development applications are subject to MTO and municipal approval processes.

ii) MTO Regulations

Notwithstanding the policies of this Plan and the Guidelines, requirements for highway access control are established in the Public Transportation and Highway Improvement Act. This Act establishes that the Ministry issues permits for the purpose of controlling and regulating buildings, land use, business establishments, encroachments, entrances, planting, signs and miscellaneous. Application for permits in the Highway 48 corridor MTO permit control area will be reviewed by MTO on a site-by-site basis based on a traffic impact study when required. As part of this process, MTO would consider the policies of this Plan and Access Management Guidelines.

iii) Ultimate Right-of-Way

An ultimate right-of-way of 32 metres has been established to accommodate projected traffic to 2031 and beyond in the Ballantrae settlement area. The ultimate right-of-way will accommodate four through lanes of traffic and a shared centre left turn lane. Drainage is proposed by MTO to remain a rural cross section. However, widening is not planned for the near future, rather MTO is protecting for the future right-of-way.

iv) Setback from the Ultimate Right-of-Way

MTO normally requires a setback of 14 metres along Provincial highways. However, MTO has determined that a minimum setback of 6 metres from the ultimate right-of-way would generally be applied in Ballantrae. The setback would accommodate any necessary infrastructure/utilities and would constitute the approximate existing building line. A reduced setback from the 6 metre setback would be considered on a case-by-case basis in the review of development applications by MTO. MTO will also consider infilling between existing building lines on a case by case basis dependent on local conditions highway needs.

v) Sidewalks/Multi-Use Trails

The Town is proposing to develop sidewalks and streetlights adjacent to Highway 48. To achieve this objective, the limitations of the current and future right-of-way will require reclassification of the facility from rural to urban with the placement of the sidewalk directly along the roadway. The Town will be responsible for all costs including all acquisition of lands outside the right-of-way. A legal agreement outlining responsibilities of the parties will also be required. Sidewalks will be subject to MTO permit control including submission of engineering plans and drainage report.

vi) Stormwater Management Facilities

Development will be required to provide on-site stormwater management controls to limit the amount of post-development flow into the Highway 48 drainage system such that runoff rates do not increase. A stormwater management report will be required to be approved by MTO for each site that demonstrates no impact on the MTO drainage system.

vii) Access Management

All access design for proposed development will reflect the direction in the Access Management Guidelines (See Appendix C).

The key objective of the Guidelines is to minimize direct access to Highway 48 through directing access to adjacent side streets where feasible, the creation of service connections and joint access points. The interim plan recognizes that most sites have existing driveways which provide direct access to Highway 48 and that property consolidation is unlikely to occur in the immediate future. However, it proposes a number of potential joint access points and service connections for consideration as part of the development review process. The ultimate plan proposes potential access points should properties consolidate in the future. The potential access points should comply with appropriate MTO design standards.

11.8.6 Trails System

A comprehensive Trails System, including existing and proposed new off- and on-road trails and sidewalks, is proposed to be developed generally as shown conceptually in Appendix B and in accordance with the policies of Section 11.6.5.

11.9 DEVELOPMENT APPLICATION PRE-CONSULTATION AND SUBMISSION REQUIREMENTS

11.9.1 General

11.9.1.1 Purpose

All development proposals in the Settlement area shall be subject to detailed review in accordance with the applicable policies of this Section. In addition, all development shall be subject to the site plan control provisions of Section 41 of the *Planning Act*, R.S.O 1990 and Section 11.9.5 of this Secondary Plan, as well as the applicable policies of Section 8.6 of the Official Plan and Sections 3.2, 5.8.3, 5.10 and 8.16 of the Official Plan.

11.9.1.2 Pre-Consultation

- i) Consultation with the Town prior to the submission of a development application requiring Planning Act approval is encouraged and shall be required for applications for the approval of Official Plan amendments, Zoning By-law amendments, draft plans of subdivision, consents, draft plans of condominium and site plans. York Region is encouraged to participate in the Town's pre-consultation process. Other affected agencies such as Conservation Authorities are encouraged to participate, where appropriate.
- ii) The Planning Act and its regulations prescribe the submission of certain information and materials as part of development applications. The Town may require information and materials to support any development application in addition to that prescribed, including maps, drawings, reports and technical studies. The specific requirements for an application to be deemed to be a "complete" application shall be determined by the Town as part of the pre-consultation process, in consultation with the appropriate agencies including York Region and the applicable Conservation Authority.

11.9.2 Development Review – Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision

11.9.2.1 General

Development in the Settlement area will be limited. However, it is essential that any new uses are subject to detailed review prior to approval to ensure that they do not create additional concerns. The policies of this section establish the background information requirements and the criteria which must be satisfied for applications involving Official Plan amendments, Zoning By-law amendments and plans of subdivision.

These requirements shall generally not apply to any consent application involving three lots or less including proposals for infilling, additions or modifications to existing buildings and structures, minor changes to existing regulations or other similar changes with the exception of development in the Hwy 48 Corridor Residential Area and the Hwy 48 Corridor Commercial/Mixed Use Area (Hwy 48 designations).

Development shall not be permitted in areas which have been identified as environmentally sensitive, and the Town may apply conditions or restrictions which mitigate negative impacts on adjacent environmentally sensitive areas.

11.9.2.2 Information Requirements

Unless an exemption is granted by the Town in writing as part of the pre-consultation process, the following information and material, together with any additional information and material identified in Section 7.3 of the Official Plan, shall be required to be submitted as part of an application for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision, and draft plan of condominium with the exceptions noted in Section 11.9.2.1.

The required information and studies shall generally be carried out at the cost of the applicant by consultants retained by the applicant, unless it is determined by the Town, particularly where the lands area of particular sensitivity or a significant size, that the studies should be carried out by a consultant retained by the Town at the cost of the applicant.

The required information and studies, all of which shall be prepared by qualified consultants, include:

i) Background Information

Topographic mapping of the subject site and lands within 150m, at a scale of 1:2000 or greater, with a minimum of 2.5m contours and other information identifying all natural features including all trees, soil type and water related features, as well as existing buildings and structures.

ii) Plans

Detailed plans, including grading and planting plans and other documentation describing the proposed development including roads, building envelopes, areas to be retained in natural vegetation, natural areas which are intended to be enhanced, recreation facilities and trails, storm water facilities and wastewater and water services. In addition, in the Highway 48 Corridor designations, submission of a concept plan and building perspective that displays the massing and conceptual design of the building, the relationship to adjacent development and the street, as well as locations for parking, driveways and loading and service areas will be required, which considers the Highway 48 Corridor Urban Design Guidelines and Concept Plan.

iii) Storm Water Management

A surface water management study shall be submitted which identifies how storm water quality and quantity, erosion and sedimentation will be controlled and managed on site. Through a Best Management Practices approach, alternative mechanisms for treatment and control shall be identified. In addition, the rationale for these alternative measures shall be provided. In the Highway 48 Corridor designations, the study shall demonstrate no impact on the MTO drainage system.

In accordance with the requirements of Section 4.8-DP of the LSPP, an application for major development shall be accompanied by a stormwater management plan. Major development includes the creation of four or more lots, the construction of a building or buildings with a ground floor area of 500 square metres or more and the establishment of a major recreational use. Within Settlement Areas, any proposed development within the Musselman's Lake Community Area and Ballantrae Settlement Area shall demonstrate conformity with Designated Policies 6.32 – 6.34 of the Lake Simcoe Protection Plan.

iv) Water and Wastewater Services

Development proposals shall be accompanied by a water and wastewater services plan and include justification for the use of any private individual water and wastewater services or private communal wastewater systems, where permitted by this Plan. Development proposals shall also be supported by the appropriate engineering and hydrogeological studies.

v) Flood Studies

Flood studies and mapping for all watercourses with greater than a 125 ha drainage area, including identification of erosion sites and other hazard problems, shall be submitted based on terms of reference provided by the Lake Simcoe Region Conservation Authority.

vi) Fisheries Resource Management Study

A fisheries resource management study shall be carried out for sites, such as those along the East Holland River, where development may impact fish habitat to determine the nature of the resource, critical factors affecting the resource and its productivity and to identify enhancement opportunities.

vii) Natural Heritage System Assessment

Where a proposed development site includes areas designated Natural Heritage System Area on Schedule “E” or identified as Natural Heritage System in Appendix A, the required site survey will identify the boundary of the Natural Heritage System based on staking carried out by representatives of the Town and the Lake Simcoe Region Conservation Authority. A strategy for the maintenance of the Natural Heritage System shall also be provided.

viii) Tree Analysis

Where it is intended to remove any trees from a proposed development site, a tree analysis shall be carried out which will evaluate the nature and condition of the tree resources affected and, where deemed appropriate, provide recommendations with respect to removal based on the quality of the trees, species tolerance, proposed development impacts and opportunities for mitigation, as well as addressing the impact on any trees in the adjacent natural area particularly with respect to edge/interior protection measures required for such areas.

ix) Agricultural Code of Practice

Calculations shall be carried out with respect to the Agricultural Code of Practice where a proposed development site is adjacent to a livestock operation.

x) Cultural Heritage and Archaeological Resources

A preliminary assessment of any cultural heritage or archaeological resources on a proposed development site shall be prepared and, where appropriate, plans for preservation, removal or other approaches to any significant features.

xi) Noise Impact Study

A noise impact study where a proposed development site is adjacent to a major noise source such as a Provincial Highway, aggregate areas or industrial use.

xii) Traffic Impact Study

A traffic impact study for any proposed development in a Highway 48 Corridor designation including consideration of the Town's Access Management Guidelines.

11.9.2.3 Development Evaluation Criteria

Development proposals shall generally conform with the following criteria, in addition to any other applicable policies of this Plan:

i) Storm Water Management

Storm water from the proposed development shall be treated and retained on site or within a specific area approved by the Town and where applicable will demonstrate no impact on the MTO drainage system and will satisfy the requirements of the LSPP. Water quality criteria shall be to the satisfaction of the Town, and where applicable, MTO.

ii) Groundwater Resources

Each development shall be in accordance with source protection and water resource policies in the York Region Official Plan and the South Georgian Bay Lake Simcoe Protection Plan and shall be designed to prevent impacts to groundwater quality and quantity including the sustainability of the municipal drinking water system.

iii) Wastewater and Water Services

Development shall be serviced in accordance with the policies of Section 11.7 of this Secondary Plan.

iv) Natural Heritage System Area

No development of lands in the Natural Heritage System Area designation on Schedule “E” shall be permitted, with the exception of those uses specifically outlined in Section 11.5.2.

v) Other Natural Areas

Development of other natural areas, particularly lands shown as Natural Heritage System in Appendix “A”, shall be permitted only in accordance with the provisions of Section 11.6.4 of this Secondary Plan.

All proposals shall incorporate a strategy for maximizing the protection of any wooded areas, significant hedgerows or individual trees identified in the tree analysis.

vi) Landform Considerations

The applicant must demonstrate that the planning, design and construction of the development shall minimize changes to the basic topographic character of the site and keep grading to the absolute minimum required, having regard for drainage issues.

vii) Watercourse and Lakes

All streams, rivers, ponds and lakes shall be maintained or enhanced as distinct ecosystems, and lands immediately adjacent to these watercourses should be retained or rehabilitated to a natural self-sustaining state wherever possible. Alterations to watercourses, including riparian features such as intermittent streams and drainage swales, shall generally be discouraged. However, the necessity for the retention/restoration of riparian features such as intermittent streams and drainage swales, will be evaluated on a site by site basis and some modifications to these features may be approved where deemed appropriate.

viii) Traffic Impact

Development in the Highway 48 Corridor in the Ballantrae settlement area shall satisfy the Town’s Access Management Guidelines.

ix) General

Development shall implement the applicable recommendations of the background studies prepared as required by Section 11.9.2, including the protection or conservation of significant cultural heritage and archaeological resources where required, and generally conform to the applicable policies of Sections 8 and 4.2 of the Official Plan.

11.9.3 Development Review – Consents

11.9.3.1 General

Consents may be discouraged in the Ballantrae and Musselman Lake settlement areas because of the location on the Oak Ridges Moraine. However, consents shall be permitted when the following criteria are satisfied and in accordance with the applicable policies of the Oak Ridges Moraine Conservation Plan.

i) Legal or Technical Purposes

A consent may be granted for legal or technical purposes such as a boundary adjustment, easement or rights-of-way where a separate lot is not being created. A consent may be granted where two or more detached dwelling units exist on a lot of record at the time of approval of this Plan. Consents of this nature shall only be permitted where it can be demonstrated through appropriate studies to the satisfaction of the Town and York Region that the severed and retained lands can be adequately serviced in accordance with the servicing policies of this Plan.

ii) Improvement of an Existing Environmental Problem

A consent may be granted where it will contribute to the improvement of an existing environmental problem such as the addition of lands to an existing undersized lot.

iii) Preservation of a Natural Area

A consent may be granted where it will assist in the preservation of a natural area or a part of the Natural Heritage System identified in Appendix A such as the addition of a wooded area to another existing wooded area with the intention of preserving both areas or the creation of a trail system.

iv) Maximum Number of Lots to be created by Consent

A consent for a maximum of 3 lots (1 retained, 2 created) may be granted in the “Ballantrae Residential Area” or the “Musselman Lake Community Area” designations if it is determined that a plan of subdivision is unnecessary, the consent satisfies the

minimum lot size requirements of the Town, and if the consent(s) is/are in conformity with the applicable policies of this Plan.

The policies of this Section establish the background information requirements and the criteria which must be satisfied for applications involving consents.

11.9.3.2 Information Requirements

Unless an exemption is granted by the Town in writing as part of the pre-consultation process, the following information and material, together with any additional information and material identified in Section 7.3 of the Official Plan, shall be required to be submitted as part of an application for a consent.

All consent applications shall include detailed mapping, plans and any other information required to allow evaluation of the proposal including detailed plans, where applicable, such as grading and landscaping plans and other documentation:

- i) Describing the proposed consent;
- ii) Demonstrating how stormwater, erosion and sedimentation will be controlled on site; and,
- iii) Describing existing landscaping and trees and any modifications proposed to the landscaping and trees.

In addition, a traffic impact study shall be required for any proposed consent in a Highway 48 Corridor designation including consideration of the Town's Access Management Guidelines.

11.9.3.3 Development Evaluation Criteria

Any proposed consent shall generally conform with any of the applicable criteria in Section 11.9.2.3.

11.9.4 Development Review – Minor Variances

11.9.4.1 General

The policies of this Section establish the background information requirements and the criteria which must be satisfied for applications involving minor variances.

11.9.4.2 Information Requirements

Unless an exemption is granted by the Town in writing as part of the pre-consultation process, the following information and material, together with any additional information and material identified in Section 7.3 of the Official Plan, shall be required to be submitted as part of an application for minor variances.

All minor variance applications shall include detailed plans, where applicable, such as grading and landscaping plans and other documentation:

- i) Describing the proposed development;
- ii) Demonstrating how stormwater, erosion and sedimentation will be controlled on site; and,
- iii) Describing existing landscaping and trees and any modifications proposed to the landscaping and trees.

In addition, a traffic impact study may be required in a Highway 48 Corridor designation including consideration of the Town's Access Management Guidelines.

11.9.4.3 Development Evaluation Criteria

Any proposed minor variance shall generally conform with the following criteria, in addition to any other applicable policies of the Secondary Plan:

- i) Storm Water Management

Storm water from the proposed development shall be treated and retained on site or within a specific area approved by the Town and where applicable will demonstrate no impact on the MTO drainage system. Water quality shall meet limits established by the Town, and where applicable MTO.

- ii) Wastewater and Water Services

Any existing private wastewater or water services shall be brought up to a standard approved by the Town and York Region. New development shall be serviced in accordance with the policies of Section 11.7 of this Secondary Plan.

- iii) Natural Heritage System Area

No development of lands in the Natural Heritage System Area designation on Schedule "E" shall be permitted, with the exception of those uses specifically outlined in Section 11.5.2.

iv) Landform Considerations

The applicant must demonstrate that the planning, design and construction of the development shall minimize changes to the basic topographic character of the site and keep grading to the absolute minimum required, having regard for drainage issues.

v) Watercourses and Lake

All streams, rivers, ponds and lakes shall be maintained or enhanced as distinct ecosystems, and lands immediately adjacent to these watercourses should be retained or rehabilitated to a natural self-sustaining state wherever possible. Alterations to watercourses, including riparian features such as intermittent streams and drainage swales, shall generally be discouraged. However, the necessity for the retention/restoration of riparian features such as intermittent streams and drainage swales, will be evaluated on a site by site basis and some modifications to these features may be approved where deemed appropriate.

vi) Traffic Impact

Development in the Highway 48 Corridor shall satisfy the Town's Access Management Guidelines.

11.9.5 Site Plan Control

Lands within the Ballantrae and Musselman Lake Settlement Areas shall be designated as a Site Plan Control Area, to be used by the Town as required for detailed control of development. Site plans will conform with the policies of this Secondary Plan, and, notwithstanding the provisions of Section 11.9.2.3 of this Secondary Plan, the policies of the Community Design Strategy in Section 6.5 and Section 8.6, Site Plan Control, of the Official Plan.

The key objective of site plan control in this area shall be to minimize negative impacts on natural systems particularly the ground and surface water resources. Therefore, the Town shall use the site plan control process to ensure appropriate management of these resources for all development including additions or other minor changes to a site.

Applications for site plan control shall be subject to the Development Review requirements of Section 11.9.2 of this Secondary Plan including the information requirements, unless an exemption is granted by the Town in writing as part of the pre-consultation process.

11.9.6 Scale, Scope and Timing of Submissions

- i) The scale, scope and timing of any required information and material identified in Section 11.9, particularly any reports and technical studies, is dependent on the nature of the proposal, its relationship to adjacent land uses and the type of planning approval required.
- ii) The Town may, and where directed by this Plan shall, at its discretion, and after consultation with the applicant, require that the required reports and studies be carried out by a consultant retained by the Town at the cost of the applicant. The Town may also, as an alternative, require a peer review by an appropriate public agency or by a professional consultant retained by the Town at the applicant's expense. In either case, the applicant shall have input to the establishment of the terms of reference for such a study or peer review and a specific cost limit shall be established prior to the commencement of the study.

11.9.7 Complete Application

An application for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision, consent or draft plan of condominium shall be considered complete under the *Planning Act* only when all the following items have been provided to the Town:

- i) An application form;
- ii) Any information or materials prescribed by statute;
- iii) A pre-consultation form;
- iv) Any supporting information or materials required to be provided in accordance with Section 7.3; and,
- v) The prescribed application fee.

11.10 IMPLEMENTATION AND INTERPRETATION

11.10.1 General

The implementation and interpretation of this Secondary Plan shall generally be in accordance with the provisions of Sections 8 and 9 of the Official Plan.

11.10.2 Consultation with Other Agencies

The Town shall consult with other agencies as required, particularly the Ministry of Natural Resources, the Ministry of Environment, Conservation and Parks, the Ministry of Municipal Affairs, the Lake Simcoe Region Conservation Authority and York Region, with respect to any matters which result from the implementation of this Plan.

11.10.3 Master Environmental Servicing Plan

A Master Environmental Servicing Plan may be prepared for the Ballantrae-Musselman Lake Secondary Plan area, or portions thereof, to deal with storm water drainage, water supply system, provision of sanitary wastewater disposal and environmental matters related to ground water quality, prior to development approval. The Town shall work with landowners to determine if such a plan is necessary, and the area or areas to which it should be applied.

11.10.4 Development Agreements

11.10.4.1 Development Charges

Prior to the approval of any development proposal for the lands designated Ballantrae Residential Area, Hwy 48 Corridor Residential Area and Hwy 48 Corridor Commercial/Mixed Use Area, if applicable, the Town shall be satisfied that a suitable functional servicing study has demonstrated that the development proposal is feasible.

11.10.4.2 Other Financial Requirements

Prior to draft plan approval of any subdivision or condominium development, or site plan approval, in the Ballantrae and Musselman Lake settlement areas, the Town may require the owner to enter into area landowner cost-sharing servicing agreements and subdivision agreement, or site plan agreement, with the Town, if applicable, including front ending requirements that will ensure that the development can be adequately

served and that an appropriate contribution has been secured by the Town toward the provision of community services.

In particular, prior to the approval of any development proposal for the lands designated Ballantrae Residential Area, Hwy 48 Corridor Residential Area and Hwy 48 Corridor Commercial/Mixed Use Area, the following conditions shall be met:

- i) Prior to the approval of development, the Town and York Region shall be satisfied as to the availability of water supply and wastewater servicing capacity and approvals for a wastewater treatment system by the Town, York Region and MECP to accommodate the development. This may require front ending agreements and limitations to be placed on development; and,
- ii) Prior to the registration of any development, the owner shall have entered into a subdivision agreement or site plan agreement, including any front ending requirements with the Town and/or York Region that will identify the capital expenditures associated with the servicing of the lands and process for contributions from benefitting owners.

11.10.4.3 Cost Sharing

Where the Owner has entered into a Developers' Group agreement(s), if applicable, prior to the release for registration of any phase of the Draft Plan, the Trustee(s) of the applicable Developers' Group(s) shall deliver a release(s) to the Town indicating the Owner has satisfied all conditions of the Developers' Group agreement(s) and the Trustee(s) has no objection to the registration of the applicable phase of the plan. The Owner acknowledges that where it has elected to make alternative arrangements to ensure the fair and equitable cost sharing of community infrastructure and facilities, the Town shall notify the Trustee(s) of the local Developers' Group(s) of such arrangements at least 60 days prior to the release for registration of any phase of the Draft Plan.

11.10.4.4. Developers' Group Agreement(s)

The Town may require that directly benefitting landowners with applications for development enter into an agreement or agreements to address the sharing of the common costs of development, if applicable.

That the locations of proposed public infrastructure such as roads, stormwater management facilities or the provision of other community facilities identified in Ballantrae and Musselman Lake settlement areas have been incorporated without regard to property ownership. In order to ensure that all affected property owners

contribute equitably towards the provision of community and infrastructure facilities such as parks, roads and road improvements, internal and external services, stormwater management facilities, the Town may require, if applicable, that as a condition of development approval, development proponents enter into one or more Developers' Group Agreements to address the sharing of these costs.

The Owner shall agree in the Subdivision Agreement that the holding zone provisions shall not be removed by the Town until the conditions outlined in the Zoning By-law have been satisfied to the satisfaction of the Town.

12. COMMUNITY OF STOUFFVILLE SECONDARY PLAN

12.1 INTRODUCTION

* Policies remain subject to appeal in relation to the lands identified as “Lands Subject to Appeal” on Schedule F5. For specific details of policies subject to appeal, see OLT decisions of March 19, 2024, and February 5, 2025 (OLT Case No. OLT-23-000758) at the Ontario Land Tribunal website <https://olt.gov.on.ca/decisions/>.

12.1.1 Purpose

The Community of Stouffville Secondary Plan establishes principles, objectives and general policies, as well as specific strategies with respect to community structure, community character, natural environment, servicing, land use and transportation to guide the planning of the existing urban area and adjacent lands. The Plan provides a planning framework for all levels of government, as well as existing and future residents, landowners and other interested groups. The Plan also recognizes the location of the Community of Stouffville in the Oak Ridges Moraine and conforms with the *Oak Ridges Moraine Conservation Plan*.

12.1.2 Secondary Plan Area

The Secondary Plan on Schedule “F” is bounded by:

- i) North The north boundary follows Bethesda Road and the north boundary of Lot 4 to the Canadian National Rail line. It then follows the rail line to the Bethesda Road, where it follows the Tenth Line to the north boundary of Lot 6. Finally, it follows the north boundary of Lot 6 to the Canadian National Rail line, and then along the rail line to the Town boundary with the Region of Durham (Township of Uxbridge);
- ii) East The York Durham Line/Regional Road 30;

- iii) South The Town boundary with the Town of Markham; and,
- iv) West A line approximately 250 m (820 ft) west of Highway 48.

12.1.3 Secondary Plan Structure

The Secondary Plan includes Schedule “F”, Land Use Plan and Transportation Plan, Schedule “F1”, Land Use Plan Community Core Area, Schedule “F2”, Land Use Plan, Western Approach Area, Schedule “F3”, Greenland System, Schedule “F4” Downtown Stouffville Community Improvement Area and Schedule “F5”, Phase 2 and Phase 3 Lands Sub-Areas. The text of the Plan is structured as follows:

- i) Section 12.2 Community Vision, Principles and Objectives
- ii) Section 12.3 Community Structure
- iii) Section 12.4 Community Character Strategy
- iv) Section 12.5 Environment Conservation and Sustainability Strategy
- v) Section 12.6 Servicing Strategy
- vi) Section 12.7 Land Use Strategy
- vii) Section 12.8 Transportation Strategy
- viii) Section 12.9 Development Review
- ix) Section 12.10 Growth Management Strategy
- x) Section 12.11 Implementation and Interpretation

12.2 COMMUNITY VISION, PRINCIPLES AND OBJECTIVES

12.2.1 Purpose

The community vision, principles and objectives upon which the Secondary Plan is based are outlined in the following sections. The vision, principles and objectives provide general guidelines for the planning of the Community of Stouffville, which are to be put into effect by the policies of the Plan.

12.2.2 Community Vision

THE COMMUNITY OF STOUFFVILLE: SMALL TOWN TRADITION BETWEEN THE COUNTRY AND THE CITY

The Community of Stouffville will maintain its small town tradition with links to both the surrounding rural/environmental areas and to the adjacent urban areas. It will:

- i) be a safe and friendly community whose rural and heritage traditions will be preserved and enhanced;
- ii) maintain its historic downtown as a central meeting place and shopping area for the community, and adjacent rural and urban areas;
- iii) be an environmentally aware community with a linked green space system, including protected natural heritage features and habitats and parkland;
- iv) be physically and economically accessible to people of all ages and interests;
- v) establish and meet the service and facility needs of its residents, young and old; and,
- vi) be a well-designed community with attractive "streetscapes".

12.2.3 Community Development Principal: Unique Community Character

Principle: Any change in the Community of Stouffville should maintain or enhance its unique "small town" character.

This principle is intended to ensure that the community's unique small town character, with its strong ties to the surrounding rural community and accessibility to adjacent major urban areas, is preserved. The qualities and features which have been identified as important to the community's character include the friendliness of the community; preservation and enhancement of the many heritage features and, in particular the downtown core; the potential for the creation of a linked open space system which will preserve and enhance the community's natural heritage, as well as linking it to the surrounding rural area and providing recreation opportunities; and good community design.

Objectives:

The following objectives support this community development principle:

- i) To encourage a community form and design at all levels of development, which provides opportunities for communication between residents, and, in particular, allows for pedestrian/bicycle and vehicular access between different residential neighbourhoods, and between Residential Areas and activity areas such as the core, the arena/high school complex and the mixed use area at the western entrance to the community.
- ii) To provide for new development which will be respectful of the heritage of the community and its relationship with the surrounding rural area through appropriate design.
- iii) To protect the heritage of the community through the preservation and enhancement of heritage buildings, streetscapes and other features.
- iv) To provide for a linked open space and trail system, including natural features and parkland, as a central feature of the community which will reinforce its special character.

- v) To provide for development, including housing forms and densities, which is consistent with the character of the community, while recognizing that outside of existing residential areas, this may include significant intensification of existing development.

12.2.4 Community Development Principle: Preserve and Enhance the Integrity of the Natural Environment

Principle: Any change in the Community of Stouffville should be undertaken in a manner which is sustainable and which will preserve and enhance the integrity of the natural environment of the community.

This principle is intended to ensure that the impact on environmental sustainability is considered as a major factor in the assessment of any proposed changes in the community. Sustainability relates to development form, and specifically the protection, conservation and enhancement of air, water and ecological features and functions, waste management, and energy and other resources. It includes the preservation and enhancement of the natural environment including surface and groundwater systems, natural habitats (i.e., aquatic, wetland and terrestrial), landforms (including the Oak Ridges Moraine), natural area corridors and the establishment of linkages between natural features.

Objectives:

The following objectives support this community development principle:

- i) To maintain and enhance the natural systems in the Community of Stouffville Secondary Plan Area.
- ii) To maintain and enhance surface and groundwater resource quality and quantity to serve existing and future uses on a sustainable basis.
- iii) To reflect the objectives of the *Oak Ridges Moraine Conservation Act* as referenced in Appendix ORM Objectives to the Official Plan.
- iv) To ensure that development is sustainable in that it meets the needs of the present without compromising the ability of future generations to meet their own needs.

12.2.5 Community Development Principle: Economically Sustainable Community

Principle: Decisions made with respect to the future of the Community of Stouffville will reflect the need to establish an economically sustainable community.

The intent of this principle is to encourage a broadly-based planning approach which will maintain and, where feasible, enhance the economic health of the community and its residents. Economic vitality (e.g., provision of a wide range of employment opportunities, strong core area) will be encouraged through the promotion of the community and the provision of a wide range of opportunities for economic development.

Objectives:

The following objectives support this community development principle:

- i) To foster an economic climate which supports the economic health of existing businesses and encourages the location of new businesses in the community.
- ii) To maintain and enhance the historic downtown as a central meeting place and shopping area for the community, and adjacent rural and urban areas.
- iii) To foster opportunities for tourism through a variety of mechanisms which enhance the community for residents as well as visitors.
- iv) To foster opportunities for home-based businesses which involve work/live relationships which are compatible with residential neighbourhoods.

12.2.6 Community Development Principle: Healthy Community

Principle: Decisions made with respect to the future of the Community of Stouffville will reflect the need to establish a healthy community.

The intent of this principle is to encourage a broadly-based planning approach which will maintain and, where feasible, enhance the health of the community and its residents.

Determinants of this healthy community include residential and environmental qualities, employment and recreational opportunities, a sense of belonging to the community, and social and safety features found in a caring community.

Objectives:

The following objectives support this community development principle:

- i) To provide within the context of the community for a range of recreational, educational and cultural facilities and activities to meet the needs of all residents.
- ii) To build and maintain the physical services required to ensure the health, safety and well-being of the community.
- iii) To ensure that all changes to the community promote safety and security through the use of appropriate design strategies.
- iv) To provide within the context of the community for a choice with respect to secure, adequate and affordable housing.
- v) To encourage pedestrian, bicycle and wheelchair accessibility throughout the community.
- vi) To minimize or prevent conflict between sensitive development and potentially incompatible industrial, commercial and institutional land uses.
- vii) To ensure that the soil quality of development sites is suitable for the proposed use.

12.2.7 Community Development Principle: Financial Feasibility

Principle: Any change in the Community of Stouffville should be financially feasible both with respect to capital and operating costs.

Objectives:

The following objectives support this community development principle:

- i) To keep the capital and operating costs of public sector development in the Community of Stouffville at a level that can be borne financially by residents and businesses.
- ii) To ensure that the capital costs of new development are covered by charges derived from that new development.
- iii) To enhance the community's economic viability through the provision of opportunities for employment uses and the promotion of such development.

12.3 COMMUNITY STRUCTURE

12.3.1 Purpose

The structure of the Community of Stouffville is established on Schedule “F”, Land Use Plan and Transportation Plan. Schedule “F”, Land Use Plan and Transportation Plan employs the following organizational elements to define the fundamental arrangement of land use and activity. Each component of the Plan has its own function which is described in the following sections. All the components in combination result in an ordered community.

- i) Greenland System;
- ii) Gateway Areas;
- iii) Activity Nodes;
- iv) Residential Areas;
- v) Community Core Area;
- vi) Western Approach Area;
- vii) Employment Areas;
- viii) Boundary Buffer;
- ix) Rural Area;
- x) Neighbourhood Retail Area; and,
- xi) Regional Retail Area.

In addition to these structural elements, the following additional structural elements established on Schedule “F” form the basis for the Community of Stouffville growth management and intensification strategy:

i) Secondary Plan Boundary

The Secondary Plan Boundary is the Community of Stouffville Urban Settlement Boundary. This boundary is fixed and no changes to the boundary are anticipated during the planning period. Any such change in the future would only be considered in the context of a comprehensive review.

ii) Built Area Boundary

Lands within the Built Area Boundary are lands within the Secondary Plan Boundary which are considered by the Province to be built up as of June 2006. Any new residential development within the Built Area Boundary, including residential units which form part of a mixed use development, has the potential to be considered intensification and to contribute to the intensification target in Section 12.10.3 of this Plan.

iii) Designated Greenfield Areas

The lands between the Built Area Boundary and the Secondary Plan Boundary which are not designated “Greenland Area” on Schedule “F” are considered “designated greenfield areas”. These are lands which are largely undeveloped. Development in these areas is required to contribute to the achievement of the minimum designated greenfield density target in Section 12.10.2 of this Plan.

iv) Residential Intensification Areas

Residential intensification areas which shall be developed in accordance with the applicable policies of this Plan include lands designated as:

- a) “Core Area – Main Street” and “Core Area – Mixed Use” and “Urban Medium Density Medium Density Residential Area” on Schedule “F1”;
- b) “Gateway Mixed Use Area”, “Western Approach-Mixed Use”, and “Western Approach – Commercial” on Schedules “F” and “F2” and “Urban Medium

Density Medium Density Residential Area” on Schedule “F2”;

c) “Activity Node Area” and “Neighbourhood Retail Area” on Schedule “F”.

d) Existing Residential Areas

The Existing Residential Area designation is found on Schedules “F” and “F2”. This designation recognizes existing, stable residential neighbourhoods where intensification would be modest consisting primarily of limited infill and secondary suites.

12.3.2 Greenland System

i) Definition

The Community of Stouffville has a system of natural open space which includes stream valleys, wetlands and forested areas. Much of this area is already linked together, or linkages can be relatively easily provided.

ii) Function

This natural open space system functions:

a) to protect the key natural features and systems of the Community, and thus, contributes to the creation of the unique character of the Community of Stouffville; and,

b) to connect the community together, while at the same time also serving as a boundary between different parts of the community and providing for the opportunity for each area to develop a special identity.

iii) Direction

The existing Greenland system shall be maintained, enhanced, and expanded through the addition of a trail system and parkland and in keeping with the directions of the Oak Ridges Moraine Conservation Plan. The Greenland System on Schedule “F” represents the general location of the Key Natural Heritage and

Hydrologically Sensitive Features which comprise the Greenland System. However, in considering how to establish the specific boundaries of the features and minimum vegetation protection zone which comprise the Greenland System, as well as the related areas of influence, all decisions under the Planning Act and Condominium Act shall conform to the designations on Schedule “F3” and any updated information approved by the Town including studies required in accordance with Section 12.9.3 of this Plan.

12.3.3 Gateway Areas

i) Definition

Gateway Areas are major entrances to the Community and are found on Main Street at the intersections with Highway 48 and the York Durham Line respectively, as well as at the southern boundary of the Town on the Ninth Line.

ii) Function

The Gateways serve to give visitors their first impressions of the Community, and as a consequence the design of buildings and structures, landscaping and other facilities must reflect this function.

iii) Direction

Development in Gateway Areas shall be subject to special design guidelines to ensure that such areas reflect the “small town” character of the Community. The creation of entrance features in the road allowance should also be given consideration.

12.3.4 Activity Nodes

i) Definition

Activity Nodes are concentrations of non-residential uses outside the Community Core and Mixed Use Corridor areas. Generally, such nodes do not include a significant commercial or employment role, however, they would include

community facilities (e.g., schools, parks). Activity Nodes may also include medium density residential uses as free standing or mixed use development.

ii) Function

Activity Nodes provide facilities which serve the Community as a whole, in addition to the facilities in the Core and Western Approach Areas.

iii) Direction

The Secondary Plan shall recognize Activity Nodes and develop policies to identify their role in the community and deal with issues and concerns. Provision shall also be made for the creation of new Activity Nodes, which will generally include community facilities and medium density residential development only, but have no significant commercial or employment role.

12.3.5 Residential Areas

i) Definition

Residential Areas include existing and future residential neighbourhoods which will be primarily low density residential areas, and will include related uses such as parks.

ii) Function

Residential neighbourhoods provide a safe and attractive living area with strong linkages to other neighbourhoods, the Greenland System, the Community Core Area, the Western Approach Area and key Activity Nodes.

iii) Direction

The Secondary Plan shall recognize and protect the “small town” and heritage character of the existing residential neighbourhoods, and ensure that new development reflects this existing character, as well as providing safe and attractive living areas.

12.3.6 Community Core Area

i) Definition

The Community Core Area is a mixed use centre located on lands in the vicinity of Main Street. The Core stretches from Albert Street in the west to Park Drive in the east, and also includes an area between Park Drive and Baker Street.

ii) Function

The Community Core Area is the “downtown” area of Stouffville and the primary focal point for the Community.

iii) Direction

The Community Core Area will continue to serve the Community with a range of unique commercial uses, as well as some employment and residential development. It also has the potential to attract visitors by strengthening its existing heritage character. The Core Area’s central role and unique character should continue to be reinforced. In particular, new community facilities, which are in scale with the existing facilities, as well as medium and high density residential uses which support the function of the Community Core Area and the GO Station, should be encouraged to locate in the Core Area.

12.3.7 Western Approach Area

i) Definition

The Western Approach Area includes the lands in the vicinity of Main Street from the Little Rouge River valley east to the Ninth Line. It is presently developed for a range of commercial and employment uses.

ii) Function

The Western Approach Area has two key functions. It is developing as a mixed use corridor, which serves as a secondary focal point for the community, in addition to the Community Core Area. It also serves as a major entrance to the community – an extension of the Gateway Area at Highway 48 and Main Street.

iii) Direction

The Western Approach Area shall continue to develop as a mixed use corridor and a secondary focal point for the community. It will provide opportunities for uses which are of a scale which is not appropriate for a location in the Community Core Area, including not only commercial and employment development, but, also residential uses.

At the same time, its location at the main entrance to the Community, means that the design of the streetscape, including not only private, but also public areas, must be enhanced to ensure that this area is more reflective of the character of the rest of the Community than it has been in the past.

12.3.8 Employment Areas

i) Definition

Employment Areas are those lands used for a range of employment uses including industrial, light industrial, warehouse and office uses, but, excluding any retail or service commercial uses which are not clearly accessory to the permitted employment use.

ii) Function

The function of the Employment Areas is to provide the potential for the development of the Community of Stouffville as a “balanced” community with opportunities for both living and working. The Employment Areas provide locations for uses which are not suitable for sites in Residential Areas or the Core Area, and which may not wish to locate in the Western Approach Area.

iii) Direction

The Employment Areas shall permit the full range of employment uses, although certain uses may be limited to specific areas. In particular, the design of development along Highway 48 shall be carefully reviewed as reflects a location at the entrance to the Community.

12.3.9 **Boundary Buffer**

i) Definition

A strip of land landscaped in a naturalized manner along the southern boundary of the Community, the exact width of which shall be determined through the Functional Servicing Study, although it shall generally be a minimum of 30 m (100 ft) wide.

ii) Function

The intent of the Boundary Buffer is to clearly identify the final southern limit of development of the Community. The Boundary Buffer shall also incorporate portions of the trail system, provide an ecological link between areas in the Greenland System and allow for the protection of vegetation and other natural features.

iii) Direction

The Plan shall require the dedication of or a right-of-way agreement over a strip of land along the southern boundary of the Community to provide for the functions set out in Section 12.3.9 ii). The exact width of this buffer shall be determined as part of a Functional Servicing Study based on an analysis of the area necessary to fulfill the required functions. During the preparation of the Functional Servicing Study, the Town of Markham shall be consulted to seek their co-operation in the creation of the buffer.

12.3.10 Rural Area

i) Definition

The lands outside the developed area of the Community of Stouffville.

ii) Function

The Rural Area permits agriculture and other low intensity rural uses.

iii) Direction

The Plan shall designate the majority of the lands in the Secondary Plan Area which are not proposed for development as Rural Area and shall permit such lands to be used for agriculture and other low intensity rural uses.

12.3.11 Neighbourhood Retail Area

i) Definition

The Neighbourhood Retail Area recognizes a node of neighbourhood focused commercial activity in the north east of the Community.

ii) Function and Direction

The Neighbourhood Retail Area is a commercial district that provides for the development of a mixed use area which will include a commercial component which provides a range of goods and services designed to meet the day to day requirements of the area residential neighbourhoods which are not easily accessible to the other commercial areas.

12.3.12 Regional Retail Area

i) Definition

The Regional Retail Area is a specialty commercial node serving a broad regional market located on Highway 48, south of Hoover Park Drive.

ii) Function and Direction

The Regional Retail Area applies to a trade centre and specialty retailing node servicing a broad regional market. Major retail uses may be permissible in a manner that is complementary to and which does not undermine the function of the Western Approach Area, the Core Area, or the Neighbourhood Retail Area. Further, the Regional Retail Area shall be fully integrated with, and supportive of, the planned function of the surrounding Business Park Area and Industrial Area designations.

12.4 COMMUNITY CHARACTER STRATEGY

12.4.1 Purpose

The Community of Stouffville Secondary Plan is based on five community development principles as outlined in Section 12.2 of this Plan. The first principle is “Unique Community Character”. Closely related to this is a second principle “Healthy Community”.

It is the intent of this Plan that all development in the Community of Stouffville should be undertaken in accordance with these principles. This direction is applicable regardless of the scale of the development and whether it is undertaken by the public or private sector.

This section outlines general design policies for the Community, as well as specific policies for the Heritage Area, Community Core Area, Gateway Areas, and Western Approach Area on Schedule “F”, as well as Developed Areas outside the Heritage Area (Other Existing Developed Areas), New Residential Areas, New Employment Areas and the Open Space System. These policies are overriding policies which take precedence over all other policies of this Plan. Regard shall also be had to Appendix “A”, Conceptual Structure Plan to this Plan and the results of the Functional Servicing Study.

In addition, the policies of the Official Plan with respect to Community Improvement (Section 6.3), Heritage (Section 6.4) and Parks and Recreation (Section 5.3) shall be applied to assist in the maintenance of the character of the Community.

The policies provide a framework for the review of development. In addition, the Town has adopted Community of Stouffville Urban Design Guidelines and Residential Intensification Urban Design Guidelines. These shall be used, in conjunction with the policies of the Secondary Plan, as a basis for the evaluation of development applications.

12.4.2 General

12.4.2.1 Streetscapes

The Town's Community Vision reflects its unique character. Part of that character is determined by the design of development in the Community of Stouffville Secondary Plan Area. This section outlines general design policies for the Secondary Plan Area. These general design policies will be implemented as new development and redevelopment occurs and through improvements to public facilities when financially feasible.

12.4.2.1.1 Street Design and Plans

- i) *Traffic calming techniques* shall be incorporated into the design of all new streets, and shall be taken into consideration when the reconstruction of existing streets is planned. In addition, consideration may also be given to the introduction of traffic calming techniques which do not require reconstruction of the street on existing streets where concerns with the amount and speed of traffic have been identified. Such techniques shall be:
 - a) appropriate to the type and location of the various streets; and,
 - b) be reflected not only in the construction of the street, but also in the street pattern.

Regard shall also be had to the street pattern outlined in Appendix "A", Conceptual Structure Plan, which together with the Functional Servicing Study shall be used as a guideline in evaluating proposed street layouts.

- ii) Pavement and right-of-way widths shall be minimized in all areas of the Community. In particular, in the Heritage Area designated on Schedule F existing pavement and right-of-way widths shall not be expanded even where they are significantly below the Town's standards. New streets which directly connect with such undersized rights-of-way shall be similarly sized to an appropriate location where

the right of way can be gradually expanded. Further, where an existing street has been constructed without sidewalks, sidewalks will not be added even if the street is reconstructed, except through the local improvement process.

- iii) Provision shall be made in all street rights-of-way, with the exception of cul-de-sacs or local streets with a limited number of dwellings, for sidewalks. However, the width and location of sidewalks in the Heritage Area shall reflect the width and location of existing sidewalks.
- iv) The design of arterial and collector streets shall enhance the character of the Community and the abutting properties and ensure the safety of pedestrians and cyclists. In particular, the design of such roads shall reflect the following guidelines:
 - a) noise sensitive properties shall be buffered through mechanisms such as building design and landscaping, however, rear lotting shall not be permitted;
 - b) sidewalks shall be provided on both sides of such streets and a landscaped boulevard, including regular placement of street trees, shall be required to separate sidewalks from the curb;
 - c) a landscaped median shall be considered on arterial streets in areas such as the Western Approach Area where the width of the right-of-way detracts from the character of the streetscape or where the street is four lanes or more in width;
 - d) provision for cyclists to travel either on the roadway, or on bicycle paths separated from the roadway; and,
 - e) lighting shall provide suitable illumination for vehicles, pedestrians and cyclists.
- v) The use of lanes to provide vehicular access to the rear of properties shall generally be limited to locations on collector roads, or opposite school or park sites. Lanes shall be designed to:

- a) provide for access by public maintenance vehicles, including snow plows;
 - b) maximize safety and security;
 - c) ensure that the “streetscape” along the lane is not just a “wall” of garage doors.
- vi) Utilities on public or private property shall be clustered or grouped where possible to minimize visual impact. The Town shall encourage innovative methods of containing utility services, particularly large utility or utility cluster sites on or within streetscape features such as gateways, lamp posts or transit shelters.
- vii) The layout of streets, configuration of lots and the siting of buildings and parking areas shall ensure that:
 - a) parking areas are designed to reduce their impact on the adjoining streetscape and on uses in accordance with the policies of Section 12.4.2.2;
 - b) buildings and structures are oriented to the street, and reverse lotting shall be prohibited unless there is no other option, in which case it will be kept to the minimum;
 - c) there are significant areas of unobstructed road frontage adjacent to open space, environmental and institutional areas to allow views into such sites, and where possible public access, subject to appropriate design to ensure no adverse environmental impacts; and,
 - d) landscaping provides for features such as the definition of the street, framing of views and focal points, direction of pedestrian movement and demarcation of areas with different functions as appropriate.

- viii) When considering, as part of site plan approval, the design of the streetscape adjoining a site and the placement of sustainable design elements on adjoining roads, the Town shall ensure that:
 - (a) street furniture, including utilities, paving treatment, signage and plantings reflect Town design standards and are appropriate to the specific area of the community;
 - (b) plantings are selected and planted in a manner which ensures their long term sustainability;
 - (c) the design encourages walkability and bicycle movement and, in particular, provides for pedestrian safety and accessibility to existing or potential future transit;
 - (d) the design reflects the other relevant policies of this section particularly policies related to Safe Community Design and Gateway Areas.

12.4.2.1.2 Building Location

- i) Buildings and structures in the area designated Community Core Area shall be located in close proximity to the property line adjoining the public street;
- ii) The siting and massing of buildings and structures on arterial and collector roads shall generally assist in providing a sense of enclosure to the road;
- iii) Buildings on corner lots at the intersections of two arterial, two collectors or an arterial and a collector street shall be sited and massed toward the intersection of the adjoining streets;
- iv) In residential areas, garages shall be designed so that they are not the dominant feature in the streetscape. In particular, garages shall generally not:
 - a) project beyond the house facade; or,

- b) dominate the frontage of a lot;

unless plans are submitted by the applicant to demonstrate to the satisfaction of the Town that the garages can be appropriately integrated with the streetscape.

12.4.2.2 Parking Areas

Large parking areas shall be designed to reduce their visual impact both on the adjoining streetscape and on users by:

- i) Screening of the lot at the street and adjacent to residential development, through the use of such features as low fences, walls and landscaping;
- ii) Locating the lot on the site in a manner which reduces its impact on the street;
- iii) A reduction in the scale of large parking areas through their subdivision into smaller areas by means of landscaping; and,
- iv) Joint access where feasible.

Where a parking area is being reconstructed or modified, regard shall also be had to the policies of this section.

12.4.2.3 Views

- i) Significant views of the following features shall be preserved, enhanced and/or created:
 - a) natural features including woodlots and watercourses;
 - b) important public buildings;
 - c) designated heritage buildings; and,
 - d) open spaces.

- ii) Public buildings, other institutional buildings and other major buildings and structures shall be encouraged to locate:
 - a) at the termination of a street or view corridor;
 - b) at street intersections; and,
 - c) on Main Street in the Community Core Area or the Western Approach Area on Schedule “F”.

12.4.2.4 Landscape Design

The Town shall ensure that appropriate landscaping is provided in both private and public projects to:

- i) maintain and enhance the character of existing developed areas;
- ii) allow for the creation of a character similar to that in the Heritage Area on Schedule “F” in new development areas; and,
- iii) provide for features such as the definition of public open space, framing of views or focal points, direction of pedestrian movement and demarcation of areas with different functions.

12.4.2.5 Safe Community Design

To promote safety and security in public places the following measures shall be followed:

- i) the design and siting of new buildings and structures shall provide opportunities for visual overlook and ease of public access to adjacent streets, parks and open spaces;
- ii) clear, unobstructed views to parks and open spaces shall be provided from adjoining streets;

- iii) appropriate lighting, visibility and opportunities for informal surveillance shall be provided for all walkways, parking lots, parking garages and open space areas;
- iv) landscape elements shall be selected and sited in order to maintain views for safety and surveillance;
- v) the sharing of such facilities as parking and walkways shall be encouraged to increase use and public presence in such areas;
- vi) design which promotes a sense of community ownership for public spaces by maximizing use, control and surveillance opportunities by occupants of adjacent buildings and frequency of use by the public shall be encouraged;
- vii) the provision of views into, out of and through publicly accessible interior spaces shall be encouraged; and,
- viii) design which precludes entrapment or the perception of entrapment through properly identified exits and signage shall be encouraged.

12.4.2.6 Barrier Free Access

Barrier free access to public buildings and facilities, and along new and existing pedestrian routes, shall be promoted including ramps, automatic doors and curb cuts.

12.4.2.7 Community Linkages

New areas of the Town will be connected to the existing community wherever possible through road, pedestrian and bicycle links to ensure that the community functions in an integrated manner. Potential linkage opportunities are identified on Schedule “F” and in Appendix “12A”. These linkages will be developed in a manner which is sensitive to the character of the existing areas, while promoting communication between all parts of the community.

12.4.2.8 External Building Design

When considering, as part of site plan approval, the external design of buildings, the Town shall take into account all the policies of this Plan, particularly the policies of this Community Design Strategy and Section 12.7.5.3, Existing Residential Area. In addition, in evaluating the external design of buildings the Town shall seek design which:

- i) includes sustainable building practices such as the use of green roofs and solar panels and, in particular buildings will be encouraged to be achieve LEED or Energy Star or other similar certification;
- ii) complements the massing patterns, rhythms, character and context of the existing development, while recognizing that built form evolves over time and that new buildings should not necessarily replicate existing buildings;
- iii) clearly defines public and private spaces;
- iv) is accessible to all;
- v) is in scale with surrounding development; and,
- vi) is designed to ensure that any commercial or institutional buildings are in keeping with the character of the street they are located on, will be oriented to, and located close to the street, will have front doors that face the street, and will have strong pedestrian connections to the street. In addition, commercial buildings will have significant glazing and/or display windows on any portion of the building visible from the street.

12.4.2.9 Walkability and Bicycling

In considering the design of both public and private facilities, a key consideration shall be features which contribute to enhancements to the ability for movement by pedestrians and bicyclists including additions to the Town's trail system, wide sidewalks where appropriate, bicycle paths and bicycle parking.

12.4.3 Heritage Area

The Heritage Area designated on Schedule “F” contains many of the buildings and streetscapes which establish the character of the community. The Town shall ensure that the special character of this area is protected and, specifically the Town shall:

- i) in consultation with the Local Architectural Conservation Advisory Committee (LACAC), encourage landowners to protect, maintain and enhance existing development and, where appropriate, to apply for designation of their properties under the Ontario Heritage Act and in accordance with the policies of Section 6.4 of the Official Plan;
- ii) in consultation with LACAC, work with groups of landowners who wish to designate all or a portions of the lands in the Heritage Area as a Heritage Conservation District under the Ontario Heritage Act in accordance with the policies of Section 6.4 of the Official Plan;
- iii) review all development applications, including applications for consent and additions, to ensure that the following elements of community structure and character for the general area in which the proposed development is located, are maintained:
 - a) the general pattern of streets and lots;
 - b) scale of development with respect to height and massing of buildings;
 - c) siting of buildings in relation to the size and configuration of lots; and,
 - d) the nature of the streetscape as defined by landscaping, sidewalk location, boulevard if any, pavement width and relationship of buildings, including garages, to the street;
- iv) require all new development which will impact on the streetscape to be subject to site plan control under the Planning Act to ensure that such development complies with the requirements of subsection iii); and,

- v) review the existing zoning regulations and revise as required to ensure that the regulations will allow the implementation of the policies of this Plan, particularly the requirements of subsection iii).

12.4.3 (a) Heritage Buildings in Phase 3 Lands

- i) It is the Town's intent to encourage and facilitate the retention and conservation of buildings of architectural and/or historical merit and to promote the integration of these resources into new development proposals.
- ii) Conservation of cultural heritage resources within Phase 3 lands shall be consistent with the provisions of this Plan.

12.4.4 Community Core Area

The Community Core Area is, and shall continue to be, the focal point of the community for residents and visitors. It is a mixed use area which incorporates a "pedestrian friendly" shopping area, and public facilities, as well as residential and office uses.

Both public and private development should be designed to enhance this role in conformity with the policies of Sections 12.4.2 and 12.4.3. New community facilities in scale with existing development will be encouraged to locate in the Community Core Area.

Where intensification is proposed, such applications shall conform to the policies of this Plan and the Community of Stouffville Residential Intensification Urban Design Guidelines to ensure that the development reinforces the current heritage character with high quality design, and reflects an appropriate scale and transition to abutting uses and adjacent residential areas, while ensuring a strong street edge and active at-grade uses.

12.4.5 Gateway Areas

Distinctive Gateway Areas shall be created at the major entrances to the Community as designated on Schedule "F". The Town may develop concept plans for the eastern and southern Gateway Areas to provide more specific direction for the evaluation of

development applications. Further, in addition for the Gateway Mixed Use Area at Highway 48 and Main Street, the Town has prepared urban design guidelines including a precinct plan, which provides direction regarding built form and site design for the development of this key entrance to the Community of Stouffville. Further development in these areas shall be in accordance with the following to the extent feasible recognizing the physical and regulatory constraints on development:

- i) Buildings and structures shall be designed to reflect the heritage character of the Community, while significant landscaping of sites shall be encouraged to reflect the “open space” appearance of these areas. New development shall conform with the policies of this Plan and the Community of Stouffville Residential Intensification Urban Design Guidelines to ensure that the development contributes to the Town’s intensification target, strengthens the mix of land uses, contributes to the creation of a strong street edge and encourages active at-grade uses.
- ii) Development in the two Gateway Areas on Main Street shall reflect the following criteria:
 - a) sited and massed toward the major intersection with “landmark buildings” being sited at the intersection itself;
 - b) parking areas shall be at the rear or side of buildings away from the intersection;
 - c) “landmark buildings” shall incorporate architectural features which indicate the uniqueness of the area such as a second storey, sculpture or flags; and,
 - d) heritage buildings shall be preserved wherever possible or incorporated into new development.
- iii) The Town shall incorporate features such as landscaping and signage in the road allowance to clearly identify gateway areas and will consider the provision of sidewalks.
- iv) Portions of the Greenland System which form part of a Gateway Area shall be maintained in accordance with the policies of this Plan, but, the Town shall give

consideration to signage or other mechanisms to indicate the role of these areas in the Community.

In addition, at other entrances to the Community, consideration shall be given to the creation of distinctive entrance features, such as landscaping and signage, in the road allowance.

12.4.6 Western Approach Area

Development in the Western Approach Area shall be designed to ensure a strong relationship between buildings and the street, recognizing that the character of this area is such that existing buildings do not abut the street as they would in the Community Core Area. Careful consideration shall also be given to the location of parking areas to reduce their impact on the streetscape, as well as enhanced landscaping.

New Development shall conform with the policies of this Plan and the Community of Stouffville Residential Intensification Urban Design Guidelines to ensure that the development incorporates high quality design which reflects the character of the Community, contributes to the Town's intensification target, strengthens the mix of land uses, contributes to the creation of a strong street edge and encourages active at-grade uses.

12.4.7 Other Existing Developed Areas

All development applications, including applications for consent and additions, in the remaining areas developed at the time of adoption of this Plan shall be carefully reviewed to ensure that the elements of community structure and character outlined in Section 12.4.2 of this Plan, for the general area in which the proposed development is located, are maintained. Intensification where proposed, shall conform with respect to the policies of this Plan and the Community of Stouffville Residential Intensification Urban Design Guidelines to ensure that the development reinforces the current heritage character with high quality design, and reflects an appropriate scale and transition to abutting uses and adjacent residential areas.

12.4.8 New Residential Areas

New Residential Areas shall be developed in accordance with the policies of this section. Regard shall also be had to the Conceptual Structure Plan in Appendix “A” and the Functional Servicing Study with respect to street layout and distribution of parkland and school facilities. Best efforts should also be made to reflect the community design policy directions in Section 5.2.8 and 5.6.7 of the York Region Official Plan including high-quality, urban design, attractive buildings, landscaping and public streetscapes.

In addition, applicants shall be required to submit plans illustrating typical streetscapes to assist the Town in the evaluation of plans of subdivision. The Town shall be particularly concerned to ensure that:

- i) the garages are integrated into the streetscape so that they do not dominate the street;
- ii) the street right-of-way width itself is minimized to reflect the existing character of the community;
- iii) provision is made for the planting of street trees;
- iv) a variety of low density house types and lot sizes are provided in any development and some variety is provided on individual streets; and,
- v) lighting is provided which is appropriate to the character of the community.

12.4.9 New Employment Areas

New Employment Areas shall be developed in accordance with the policies of this section. In addition, uses with significant landscaped areas shall be encouraged to front on Highway 48 to create an appropriate entrance to the community. Such areas shall also be subject to site plan control and signage control to ensure a high standard of design. Further, development in new Employment Areas shall be encouraged to intensify to maximize the use of land using a variety of approaches including reduced setbacks and increase building coverage.

12.4.10 Open Space System

The Open Space System shall consist of the Greenland System on Schedule “F”, and a range of park facilities which shall be linked together by a pedestrian/ bicycle trails system. The Town shall also encourage the creation of tot lot/small parkettes throughout the Community which may be in public or private ownership. Such tot lot/small parkettes would be designed to enhance the open space character of the area.

The Greenland System shall be planned in accordance with the policies of Section 12.5 of this Plan, while the parks system shall be planned in accordance with the policies of Section 12.3.2 iii) and Section 5.3 of the Official Plan. In addition, views, and direct access into the Greenland System, parks and other open space areas from public streets shall be encouraged. Parks shall have continuous street frontage and be open to view on as many sides as appropriate for safety and design purposes. New parks shall generally be designed so that roads, particularly arterial or collector roads, are not located in the park site.

12.4.11 Old Elm Major Transit Station Area

The vision for the Old Elm GO Station Area is described in terms of the following major structural aspects of this Plan:

- i) The Old Elm GO Station Area consists of lands generally within an 800-metre radius of the Old Elm GO Station. This Plan establishes land use designations that are specific to the Old Elm GO Station Area. The Old Elm GO Station Area boundary is delineated on Schedule F5.
- ii) This Plan implements the Major Transit Station Area, as delineated by York Region, within an approximate 500 metre radius (approximately 5-minute walk) of the Old Elm GO Station as shown on Schedule F5. The Major Transit Station Area is planned to achieve a gross overall density of at least 150 persons and jobs per hectare in the long term.
- iii) A series of land use designations are established to support achieving the vision for the area, in which higher densities and mixed uses are principally and predominantly concentrated in close proximity of the GO Station. Density is anticipated to transition outwards from the central High-Density Mixed-Use Area.

The land use designations support achievement of the minimum overall Major Transit Station Area's gross density target of 150 persons and jobs per hectare.

- iv) The Old Elm GO Station Area includes a mixed-use node area with ground floor commercial uses, framing the intersection and the new collector road connecting the GO Station with the lands on the other side of Tenth Line, as well as along Tenth Line. A second mixed-use node is identified within the southerly extent of the Old Elm High-Density Mixed-Use land use designation. Lands outside of the Major Transit Station Area, but within the approximate 500 to 800 metre radius of the GO Station, are envisioned to accommodate principally residential uses with a mix of unit types.
- v) The Old Elm GO Station site is designated to accommodate the existing transit station and to permit future mixed-use development. Over time, the site could accommodate additional development and it is considered to contribute to the overall density target in this regard. It is acknowledged that Metrolinx may require replacement of commuter parking where development is proposed.

12.5 ENVIRONMENT CONSERVATION AND SUSTAINABILITY STRATEGY

12.5.1 Purpose

“Preserve and enhance the integrity of the natural environment” is the second community development principle on which the Secondary Plan is based. This principle is also related to the “Healthy Community” principle.

The Environment Conservation and Sustainability Strategy provides direction with respect to the implementation of this principle. It establishes a Greenland System which is designed to preserve and enhance the major natural features of the Community of Stouffville, recognizing that this area is part of the Oak Ridges Moraine, and that development must conform with the policies of the *Oak Ridges Moraine Conservation Plan*. Direction is also provided with respect to the protection of hazard lands, water management and the development of a resource management plan as a basis for community action with respect to environment conservation. In addition, direction is provided with respect to sustainable development.

12.5.2 Greenland System

12.5.2.1 **System Composition**

The Greenland System for the Community of Stouffville includes the Key Natural Heritage and Hydrologically Sensitive Features identified on Schedule “H” to the Official Plan and Schedule “F” to this Secondary Plan, including streams, woodlands, kettle lakes and wetlands and the minimum vegetation protection zone associated with them. However, in considering how to establish the specific boundaries of the features and minimum vegetation protection zone which comprise the Greenlands System, as well as the related areas of influence, regard shall be had to the designations on Schedule “F3” and any updated information approved by the Town including studies required in accordance with Section 12.9 of this Plan.

All development and site alteration in the Greenland System shall be subject to the provisions of Sections 5.8.3, 5.10 and 8.16 of this Plan and Part III of Oak Ridges Moraine Conservation Plan, and any related definitions. For reference purposes the policies of Part III are found in Appendix ORMIII to the Official Plan.

12.5.2.2 Ownership

The Town will seek acquisition of lands in the Greenland System by the municipality or other public agency at no or minimal cost. However, the inclusion of lands in the Greenland System does not imply that the lands will be purchased by a public agency or that they are free or open to the public. Where the lands are not acquired by a public agency, the Town shall seek the maintenance and enhancement of the lands through the use of stewardship agreements.

12.5.2.3 Parkland Dedication

Lands in the Greenland System shall generally not be acceptable as parkland dedication under the Planning Act unless:

- i) the lands can be used for some open space/recreational use in conjunction with adjacent active parkland; and,
- ii) the Town is satisfied that the active parkland requirements for the development have been satisfied.

12.5.2.4 Connecting Links

- i) The Secondary Plan Area is bisected by three watercourses which serve as natural corridors and which together with some major woodlots ecologically link most of the area's natural features. However, the Greenland System is not completely linked, particularly in an east/west direction. However, the lands in the Boundary Buffer designation provide a potential Connecting Link.
- ii) In areas in the Existing Community Area as designated on Schedule "F", where connecting links have not been created, or where development is not being permitted or proposed, opportunities to establish such links will be

explored as part of the Resource Management Plan described in Section 12.5.5 or, where redevelopment occurs.

- iii) In areas outside the Existing Community Area as designated on Schedule “F”, where development is being proposed, the need for the location, size and extent of such links, the form they take, and the uses permitted within the links, shall be identified through a Functional Servicing Study. However, the links should use lands in the Boundary Buffer designation wherever possible.
- iv) Connecting Links may be included in the net development area, but, where such areas are part of a lot being used for development, the lot shall be of sufficient size to allow the link to achieve its purpose.

12.5.2.5 Tree Conservation

- i) In addition to lands in the Greenland System, it is the objective of the Town to maintain and enhance existing woodlots, hedgerows and trees wherever possible, and to encourage the planting of new woodlots and trees.
- ii) Woodlots shall be subject to the provisions of the Regional Tree By-law.
- iii) In lands in the Existing Community Area as designated on Schedule “F”, where tree conservation and planting plans have not been created, or where development is not being permitted or proposed, opportunities to establish such plans will be explored as part of the Resource Management Plan described in Section 12.5.5 or, where redevelopment occurs.
- iv) Prior to development of any lands outside the Existing Community Area, a Tree Conservation and Planting Plan shall be required.

12.5.3 Water Management

12.5.3.1 Purpose

This Section of the Plan identifies the policies and criteria to be applied to protect and enhance ground and surface water quality and quantity including the

evaluation of the impact of development on rivers, groundwater, stormwater and other water resources.

Notwithstanding any other policies of this section, stormwater management shall conform to the policies of the Moraine Plan, particularly Sections 45 and 46 (Refer to Appendix ORM IV). The policies of Section 8.16 of the Official Plan with respect to Watershed Plans shall also apply.

12.5.3.2 Storm Water Management

- i) Stormwater management shall be carried out to the satisfaction of the Town, the Conservation Authority, and the Region of York. All decisions under the Planning Act and Condominium Act shall conform to the policies of the Oak Ridges Moraine Conservation Plan, including Sections 43 and 47 (Refer to Appendix ORM IV).
- ii) *Best Management Practices* to be applied shall meet or exceed Level I protection criteria (or equivalent) as outlined in the Ministry of Environment and Energy's "Stormwater Management Practices Planning and Design Manual, June 1994" or any update of that document.
- iii) The following criteria shall be used in establishing locations for storm drainage control facilities:
 - a) Grading shall be limited so that present catchment and subcatchment areas are maintained (i.e., surface drainage should not be diverted from one catchment area to another);
 - b) Water quantity (runoff control) facilities shall be required for all developed lands within the Secondary Plan Area;
 - c) Water quality control facilities shall be required for all new outfall locations, and the use of infiltration systems shall be considered wherever possible, recognizing that the opportunities may be limited because of the presence of till soils over the majority of the Secondary Plan Area;

- d) Given the cold water status of the streams in the Secondary Plan areas, the effects of temperature increases from quality and quantity control ponds shall be assessed through stormwater control plans which will be carried out as part of a Functional Servicing Study;
 - e) Stormwater facilities may be located in any land use designation, however, they shall not be located in lands identified as part of the Greenlands System;
 - f) The number of facilities will be limited as much as possible to minimize future municipal costs for monitoring and maintenance;
 - g) Uncontrolled runoff from existing developed areas shall be incorporated into quantity/quality facilities for new development, wherever possible.
- iv) In addressing stormwater management, the maintenance, or possible enhancement of baseflow is an important element, given the cold-water conditions of the streams.

12.5.3.3 Ground Water Management

Ground water management shall be addressed through the approval of Functional Servicing Studies and Hydrogeological Studies, in consultation with the Toronto Region and Conservation Authority. The Functional Servicing Study(s) shall have regard for the following issues:

- i) high ground water levels on artesian conditions, primarily found in portions of the northwest quadrant of the Secondary Plan Area, may necessitate dewatering during the construction process, and may require sump pumps in some buildings;
- ii) elevated ground water levels may also be encountered in low areas particularly if crossing streams with service trenches;
- iii) the effects of temporary dewatering, and of any potential long term decreases in the water table should be assessed as part of the review of applications for plans of subdivision and site plan.

- iv) erosion and sediment controls will be of critical importance, given the cold-water status of the streams and sediment control plans should include a monitoring element to ensure that erosion controls remain effective during the full construction period.

12.5.4 Flood Plain Areas (Deferral #2)

- i) Lands adjacent to stream systems which have been mapped by the Conservation Authority as being impacted by flooding and/or erosion hazards have been designated as “Flood Plain Area” on Schedule “F”.
- ii) The Town shall encourage the Conservation Authority to complete and update mapping of flood prone lands for the remaining parts of the Secondary Plan Area, and where such mapping has not been completed, shall require it to be prepared as part of any Functional Servicing Study.
- iii) Development in the Flood Plain Area designation shall be subject to the policies for the Greenlands System designation in Section 12.5.2. In addition, in evaluating an application for the re-designation of lands in the Flood Plain Area designation, the Town shall consult with the Conservation Authority and shall have regard to the following matters, based on the submission of engineering studies by the applicant:
 - a) the existing environmental and/or physical hazards;
 - b) the potential impacts of these hazards; and,
 - c) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices.
- iv) All new development and structures within the Flood Plain Area designation shall require the approval of the Conservation Authority.
- v) In the Existing Community Area as designated on Schedule “F”, the Town and the Conservation Authority have adopted a two-zone concept. The two-zone

concept allows infill development, and redevelopment of existing uses for identified areas along the Stouffville Creek, where there is a significant difference between the one hundred year flood elevation and the Regulatory Flood elevation, or where the flood fringe has been identified through hydraulic floodway analysis.

- vi) The Floodway and Flood Fringe areas shall be identified in the Zoning By-law based on the following definitions:
 - a) Floodway: The hazardous portion of the flood plain where water flows during the regulatory flood conditions are expected to be the greatest. In some circumstances, the floodway may be delineated by depth and velocity parameters as provided for by provincial flood plain management policies.
 - b) Flood Fringe: The portion of the flood plain outside the floodway. Flood depth and velocity are generally less severe in this portion of the flood plain. In some situations, the extent of the flood fringe may be defined by depth and velocity parameters as provided for by provincial flood plain management policies.
- vii) The development and zoning of the flood plain lands shall be subject to the following conditions:
 - a) Floodway: All buildings and structures shall generally be prohibited, except for the limited uses permitted in the Environmental Core Area designation subject to the policies applicable to that designation.
 - b) Flood Fringe: The zoning of the lands in the flood fringe may utilize a holding zone to provide direction as to future permitted uses and to ensure that conditions of flood proofing and safe access are met prior to development. The Zoning By-law may be amended to remove the holding symbol when the requirements of the Conservation Authority with respect to flood proofing and the provision of safe access to the proposed development, have been satisfied.

- viii) Notwithstanding any other policies of this subsection, within the Flood Plain Area designation, minor renovations, alterations or additions to legally existing buildings and structures existing at the date of adoption of this Plan and parking areas, may be permitted subject to the approval of the Town, in consultation with the Conservation Authority.

12.5.5 Resource Management Plan

12.5.5.1 Purpose

The intent of the Resource Management Plan is to establish a program for the maintenance and enhancement of the Greenland System and water resources of the Community of Stouffville where they are located in the existing community. The Resource Management Plan is designed to be implemented independent of any additional development. This program is intended to be implemented by the Town and local residents, landowners and other interested groups, working with public agencies such as the Regional Municipality of York and the Conservation Authority.

It recognizes the fiscal constraints which the Town must work within and focuses on two areas:

- i) Private Resource Management Practices; and,
- ii) Public Resource Management Practices.

12.5.5.2 Private Resource Management Practices

The Town has limited authority to control private resource management practices. Therefore, the focus of any program must be the encouragement of voluntary action by individual landowners, although the enforcement of existing regulations and the use of existing legislation are also available tools. Actions which the Town may initiate to improve private resource management practices include:

- i) Stewardship Program

The Town shall establish a stewardship program for the Community of Stouffville within a well defined terms of reference and budget which may include such approaches as:

- a) use of available resources to develop and implement a program to educate property owners, including farmers, about the natural environment of the area they live in, and the manner in which they can operate their household and workplace to manage their property to reduce negative impacts on natural systems;
- b) establish and operate an awards program for residents, farmers, employers and landowners who implement measures for improving the environment;
- c) establish and operate demonstration programs for environmentally sound management practices on public and/or private properties;
- d) establish a program to encourage the use of stewardship agreements for private lands or the dedication of such lands to the Town or other public agency; and,
- e) other related activities such as a tree planting program through local service groups.

ii) Enforcement of Existing Legislation

The Town shall review available legislation with respect to matters such as the operation of septic tanks, the dumping of fill, and the protection of trees, and work with the appropriate agencies to develop better enforcement practices.

iii) Site Plan Control

The Town shall use the site plan review process to control the quantity and quality of surface runoff on individual lots, where appropriate, to reduce the negative impacts of small new developments and to encourage appropriate tree planting and landscaping in accordance with the provisions of this Plan.

12.5.5.3 Public Resource Management Practices

Actions which the Town will initiate to improve its own resource management practices and the resource management practices of other public agencies, include:

i) Management Practices Audit

The Town, through its Public Works Department, shall carry out an audit of its own management practices and facilities in the Community of Stouffville and establish a plan to minimize negative impacts on natural systems and features (e.g., road de-icing practices, street cleaning practices).

ii) Other Agencies

The Town shall work with other agencies, particularly the Region of York:

- a) to seek improvements to their management practices in the Community of Stouffville;
- b) the introduction of programs to improve the environment (e.g., tree planting programs, education programs); and,
- c) improved enforcement of regulations and legislation.

iii) Development Standards

The Town will carry out a review of its development standards with a view to revising standards which appear excessive or which have unnecessary environmental impacts (e.g., minimum road allowances).

12.5.6 Sustainable Development

12.5.6.1 Purpose

It is the objective of this Plan that future development and redevelopment take place in a manner consistent with the principles of sustainability. To meet this Objective, the Town will require, in accordance with the policies of this Plan, that

major new development and redevelopment be designed to be sustainable in accordance with the Town's Sustainable Development Guidelines. In particular, the Town will encourage development designed to:

- i) create liveable, healthy and efficient environments;
- ii) reduce the consumption of energy, land and other non-renewable resources including support for energy efficient building and opportunities for co-generation;
- iii) minimize the waste of materials, water and other limited resources; and,
- iv) employ ecological practices and consider the needs of future generations.

To achieve this, the Town specifically will promote:

- v) a development pattern that encourages and supports transit usage;
- vi) a development pattern that is adaptable over time for future generations and promotes redevelopment of land and repurposing of buildings;
- vii) a land use and development pattern which establishes good connectivity and mobility in the area for automobiles, cyclists and pedestrians;
- viii) development which enhances the health and vibrancy of the existing and future community through a mix of housing and other uses which contributes to the development of Stouffville as a complete community;
- ix) development standards that promote energy efficiency, environmental quality and the efficient management of energy and waste in the community within over-all Town standards and objectives; and,
- x) affordable housing which contributes to the overall minimum 25% affordable housing across York Region.

12.5.6.2 Sustainable Development Guidelines

To ensure that major, new development carried out in conformity with this Plan is as sustainable as feasible; such development shall be evaluated with respect to the Community of Stouffville Sustainable Development Guidelines. A Sustainability Report shall be submitted with development proposals to demonstrate how they are consistent with the Guidelines.

12.5.6.3 Old Elm Sustainability Policies

The Town will promote environmentally sustainable building, development and design practices throughout the Old Elm GO Station Area, as follows:

- i) Encouraging innovative technology and building practice to reduce energy and water consumption;
- ii) Encouraging third party environmental sustainability certification, such as Leadership in Energy Efficient Design (LEED);
- iii) Permitting and encouraging appropriate on-site renewable energy systems such as photovoltaic energy;
- iv) Encouraging and considering proposals for district energy solutions and innovative energy solutions, such as sewer heat recovery systems;
- v) Encouraging innovative approaches to stormwater management such as rainwater recapture systems and low impact development approaches;
- vi) Encouraging compact forms of development and efficient use of land and by promoting cycling and walkability;
- vii) Promoting landscaping that is water efficient and drought resistant such as the use of native plants; and
- viii) Considering the use of community improvement plan incentives to encourage innovation and leadership in sustainable development and design.

12.6 SERVICING STRATEGY

12.6.1 Purpose

The existing developed area of the Community of Stouffville is presently serviced by:

- i) a municipal sanitary sewage collection and treatment system, with the exception of the Cam Fella Boulevard/Aintree Drive and Loretta Cres. Subdivisions which are serviced with private sewage disposal (septic) systems;
- ii) a municipal water supply and distribution system;
- iii) a variety of storm drainage works which range from open ditches to localized storm drainage works in the older area of the Community; and,
- iv) storm sewers in the remainder of the Community.

The remainder of the Secondary Plan Area is serviced by private sewage disposal services and wells, as well as a variety of storm drainage works.

The approach which will be used to the servicing of the area in the future will reflect:

- v) the results of the current Master Servicing Study with respect to sewage capacity, being undertaken by the Region of York;
- vi) the need for an evaluation of options for the provision of a long term water supply; and,
- vii) the need to adopt current environmentally sound stormwater management practices.

The Servicing Strategy is designed to provide direction with respect to the servicing of the Community in a manner which will ensure the health and safety of residents and the environment, and conformity with provincial and regional policies.

All decisions under the Planning Act and Condominium Act shall conform to the policies of the *Oak Ridges Moraine Conservation Plan*, including Sections 43 and 47 (Refer to Appendix ORM IV). Further, it is recognized that any extension of the water or sewer systems must occur together in conformity with the policies of Section 44 of the Moraine Plan with respect to partial services (Refer to Appendix ORM IV).

The Towns and Villages Urban Serviced Area identified on Schedule “F” – Land Use and Transportation Plan establishes the limit of urban development for the planning horizon of this plan and the boundary of the Towns and Villages designation in the Regional Official Plan.

12.6.2 Water Supply and Distribution

12.6.2.1 Water Supply and Distribution System

- i) The Town of Whitchurch-Stouffville shall continue its ongoing program for the upgrading and rehabilitation of the existing water distribution system based on the 1991 study by Giffels, and any updates to that study.
- ii) The Town of Whitchurch-Stouffville shall work with the Region of York or other designated authority to expand the water supply works which serve the Community of Stouffville, if required, to provide for additional population beyond the capacity of the existing water supply works. This may involve connection to the Markham trunk water system, as aquifer capacity may not be available beyond the proposed development of Wells No. 4 and 5.

12.6.2.2 Municipal Water Service

All new development in the Community of Stouffville shall be serviced by the municipal water supply and distribution system subject to available capacity. Existing development, may continue on private water services until the municipal water supply and distribution system is extended, at which time lots on private water services shall be encouraged to connect to the water system.

12.6.3 Sewer Services

12.6.3.1 Sewage Collection System

The Town of Whitchurch-Stouffville shall continue its ongoing program for the upgrading and rehabilitation of the existing sewage collection system based on the 1991 study by Giffels, and any updates to that study.

12.6.3.2 Sewage Treatment Facility

The Town's sewage system is connected to the York Durham Sewer System (YDSS) which provides sewage treatment capacity.

12.6.3.3 Municipal Sewage Service

All new development in the Community of Stouffville shall be serviced by the municipal sewage collection and treatment system subject to available capacity. Existing development may continue on private sewage disposal systems until the municipal sewage collection and treatment system is extended, at which time lots on private services shall be encouraged to connect to the sewage collection and treatment system.

12.6.4 Stormwater Management

12.6.4.1 Existing Development

The Town shall consider undertaking a separate study, or including in any Functional Servicing Study, a review of existing storm water facilities to establish a long term plan for their improvement or replacement, as required, to ensure that they maintain environmental and ecological integrity and provide a net benefit to the environment to the extent practical. The study shall be consistent with the policies of Section 12.5 of the Plan, Environment Conservation Strategy.

12.6.4.2 New Stormwater Management Facilities

Prior to the approval of a plan of subdivision, a Functional Servicing Study must be prepared in accordance with the policies of Section 12.9 of this Plan. The study

will address a plan for drainage and stormwater management and shall be consistent with the policies of Section 12.5 of the Plan, Environment Conservation Strategy.

Notwithstanding any other policies of this section, stormwater management shall conform to the policies of the Moraine Plan, particularly Sections 45 and 46 (Refer to Appendix ORM IV). The policies of Section 8.16 of the Official Plan with respect to Watershed Plans shall also apply.

12.6.4.3 New Development

Stormwater from any proposed development shall generally be treated and retained on site or within a specific area approved by the Town. Water quality and quantity criteria shall be to the satisfaction of the Town, in consultation with the Conservation Authority.

Where intensification is proposed, individual lot level approaches shall be required where feasible, including measures such as reduction of impervious areas, cisterns, porous or permeable pavement, green roofs and bioswales.

*** 12.6.5 Old Elm Servicing, Environmental and Stormwater Management Policies**

- i.) Prior to approval of any development application in the Old Elm GO Station Area, the Town will require the completion of a comprehensive, coordinated strategy to address environmental constraints and servicing. The purpose of the strategy is to:
 - a. Establish a current understanding of context and constraints with respect to geotechnical, hydrological, natural heritage, source water protection, and other related matters, building upon previously completed studies;
 - b. Assess the impact of development on transportation networks and identify coordinated solutions;
 - c. Ensure that water, wastewater and stormwater services are coordinated to facilitate cost-effective solutions and are considerate of adjacent development and the broader Old Elm GO Station Area;
 - d. Coordinate development and services with broader Regional and Town studies and strategies;

- e. Ensure that servicing considers cost effective solutions and that servicing is fiscally sustainable; and
 - f. Ensure that all applicable Town, Regional and Provincial requirements for environmental and servicing studies are met prior to development.
- ii.) The Town may require or undertake the completion of an updated Stormwater Management Concept Plan or similar master plan or study, providing a coordinated strategy for stormwater management in the Old Elm GO Station Area, prior to approval of any development application in the Old Elm GO Station Area.
- iii.) The Town will require a stormwater management plan and/or functional servicing report in conjunction with any development proposed.
- iv.) Stormwater management facilities will generally be permitted in all land use designations except where prohibited by the policies of the Official Plan. Where feasible, storm water management ponds should be located outside of the delineated Major Transit Station Area in order to support achievement of the density target.
- v.) The Town will consider innovative stormwater management solutions that best contribute to water balance and water quality. The acceptance of these solutions will be subject to the Conservation Authority's guidelines and standards and a payment of a maintenance fee for the lifecycle costs of the proposed solutions to the satisfaction of the Town.
- *vi.) Stormwater management facilities that are comprised of dual uses shall be considered in the Old Elm GO Station Area, and especially in the context of the Major Transit Station Area in order to achieve the objective of efficient use of land and to provide amenity space. Where proposed, they shall meet with the requirements of the Town, however, they may not be accepted as a contribution to parkland dedication.
- vii.) Stormwater management facilities shall be placed adjacent to local or collector roads to ensure proper access to the facilities for safety and maintenance.

12.7 LAND USE STRATEGY

12.7.1 Purpose

The land use designations on Schedules “F”, “F1” and “F2” establish the general pattern of development for the existing and future use of the area during the planning period. The policies for these designations are set out in this section.

12.7.2 General

12.7.2.1 Population

The population of the Community of Stouffville is estimated to be approximately 25,900 in 2011 and is projected to increase to approximately 47,825 by 2031. To assist in achieving this population target, the minimum density target is 50 residents and jobs per hectare in the developable area.

12.7.2.2 Employment

Employment in the Community in Stouffville is estimated to be approximately 7,545 jobs in 2011 and is forecast to increase to approximately 14,275 jobs by 2031.

12.7.2.3 Land Uses Permitted in all Designations

The following land uses shall be permitted in all designations except for the Greenland Area and Flood Plain Area designations which are subject to the policies of Sections 12.7.8 and 12.7.21 respectively of this Plan:

i) **Public and Institutional Uses**

Public and institutional uses, including parks, schools and places of worship which are:

a) **sited, designed and constructed to ensure compatibility with adjacent**

- uses and to minimize impacts on natural systems;
 - b) subject to an amendment to the zoning by-law;
 - c) provided that where sewer and water services are required such uses can be serviced by a municipal water and sewer system; and,
 - d) provided that institutional uses such as places of worship shall be located with frontage on an arterial road, and shall be subject to the submission of a traffic and parking study which demonstrates the provision of adequate parking and access;
- ii) Stormwater management facilities;
 - iii) Accessory uses;
 - iv) Forestry uses;
 - v) Legally existing uses, buildings and structures;
 - vi) Replacement of legally existing uses, buildings and structures, as well as additions and other modifications to existing uses, buildings and structures, including the addition of accessory uses, buildings and structures subject to the regulations of the Zoning By-law, with the exception of those uses, buildings and structures located in the Heritage Area and Flood Plain Area designations on Schedule “F” which shall also be subject to the policies of this Plan related to those designation;
 - vii) One single detached dwelling on an existing lot of record subject to the regulations of the Zoning By-law, with the exception of those lots located in the Heritage Area and Flood Plain Area designations on Schedule “F” which shall also be subject to the policies of this Plan related to those designations;
 - viii) Home occupations in any legally established residential unit, subject to the regulations of the Zoning By-law;
 - ix) Fish, wildlife and conservation management;

- x) Group homes in accordance with the policies of Section 4.2 of the Official Plan;
- xi) One second suite apartment in single detached, semi-detached or duplex dwelling in accordance with the regulations of the Zoning By-law;
- xii) Electric power facilities subject to the policies of Section 4.2 of the Official Plan;
- xiii) Day care facilities in accordance with the regulations of the Zoning By-law; and
- xiv) Places of Worship

Places of Worship shall be subject to the following criteria:

- a) shall be sited, designed and constructed to ensure compatibility with adjacent uses and to minimize impacts on natural systems;
- b) provided that where sewer and water services are required such uses can be serviced by a municipal water and sewer system;
- c) shall require approval of a Zoning By-law Amendment
- d) Places of Worship on sites smaller than 2.5 ha shall have frontage on an arterial road or collector road; and
- e) Places of Worship on sites 2.5 ha in size or larger shall:
 - i) Be subject to the submission of a traffic and parking study that demonstrates the provision of adequate parking and access;
 - ii) Be subject to the submission of a conceptual site plan, elevations and context plan, illustrating how such development will complement and integrate with surrounding existing and planned development including pedestrian and cycling linkages and access to existing and potential transit routes;

- iii) Be subject to the submission of noise and lighting studies, where such uses are adjacent to residential uses to ensure that any impacts are minimized; and
- iv) Be subject to the submission of an off-site parking plan for special events.

12.7.2.4 Oak Ridges Moraine Conservation Plan

Notwithstanding any other policies of this Secondary Plan, all development and site alteration in the Secondary Plan shall be subject to the provisions of the *Oak Ridges Moraine Conservation Plan*. For reference purposes the policies of Parts I, II, III and IV are found in Appendices ORM I, ORM II, ORM III and ORM IV to the Official Plan.

Decisions under the *Planning Act* and *Condominium Act* shall conform to the following Schedules and policies of Sections 3.2, 5.8.3, 5.10 and 8.16 of the Official Plan and Part III of the *Oak Ridges Moraine Conservation Plan*. Also, no amendments shall be required to Schedules “H” and “F3” where minor changes are proposed based on studies carried out in accordance with the *Oak Ridges Moraine Conservation Plan* or new information provided by the Province:

- i) Schedule “H”, *Oak Ridges Moraine Conservation Plan* Area Key Natural Heritage and Hydrologically Sensitive Features and Section 3.2.9 of the Official Plan, as well as Schedule “F3” Greenland System and Sections 12.3.2, 12.5.2 and 12.7.8 of this Secondary Plan;
- ii) Schedule “I”, *Oak Ridges Moraine Conservation Plan* Area Areas of High Aquifer Vulnerability and Section 3.2.9 of the Official Plan;
- iii) Schedule “J”, *Oak Ridges Moraine Conservation Plan* Area Landform Conservation Areas and Section 3.2.9 of the Official Plan; and,
- iv) Schedule “K”, *Oak Ridges Moraine Conservation Plan* Area Wellhead Protection Areas and Section 5.10 of the Official Plan.

In addition, existing uses are permitted and may be recognized in the zoning by-law as permitted uses. Changes to existing uses shall conform with the policies of

Part I, Sections 6, 7, 8 and 9 of the Moraine Plan (See Appendix ORM I to the Official Plan) Notwithstanding the foregoing:

- i) expansions to existing buildings and structures may be permitted without amendment to the zoning by-law provided that the addition does not intrude into any area identified as Areas of Natural or Scientific Interest, Wetlands, Woodlands, Kettle Lakes, Stream or Minimum Vegetation Protection Zone on Schedule “H” and Schedule “F3” and the expansion complies with all the other applicable policies of this Plan and the regulations of the Zoning By-law; and,
- ii) new accessory uses, buildings and structures, including swimming pools, related to existing uses may be permitted in accordance with the regulations of the zoning by-law and provided that the use, building or structure does not intrude into any area identified as Areas of Natural or Scientific Interest, Wetlands, Woodlands, Kettle Lakes, Stream or Minimum Vegetation Protection Zone on Schedule “H” and Schedule “F3”.

12.7.3 Heritage Area

12.7.3.1 Purpose

The Heritage Area designation on Schedule “F” is an overlay designation designed to preserve, and enhance an area which contains many of the buildings and streetscapes which establish the character of the Community of Stouffville.

12.7.3.2 Permitted Uses, Buildings and Structures

The uses, buildings and structures permitted in the underlying designations on Schedule “F” shall be permitted in accordance with the policies of this Section and the relevant policies for the underlying land use designations.

12.7.3.3 Land Use Policies

The policies for the lands in the Heritage Area designation shall be in accordance with the policies of Section 12.4, particularly Section 12.4.3 of this Plan, and the relevant policies for the underlying land use designations.

12.7.4 Main Street Special Policy Area

12.7.4.1 Purpose

The Main Street Special Policy Area designation on Schedule “F” is an overlay designation designed to preserve the facades of existing buildings and structures, and enhance the landscaped area of lots with frontage on Main Street outside of the Community Core Area. The designation also provides enhanced opportunities for expanded uses of these existing buildings and structures in recognition of their “high traffic” location.

12.7.4.2 Permitted Uses, Buildings and Structures

The permitted uses, buildings and structures are those permitted in the underlying designations on Schedule “F” in accordance with the policies of this Section, the Heritage Area overlay designation, where applicable, and the relevant policies for the underlying land use designations. In addition, existing buildings may be converted and used, in whole or in part for the following uses:

- i) office; and,
- ii) apartments.

12.7.4.3 Land Use Policies

The conversion of existing buildings to office or apartment uses shall be subject to site plan control and the following criteria:

- i) provision of parking in accordance with the requirements of the zoning by-law;
- ii) location of parking areas in the rear yard or side yard or the use of on-street parking;
- iii) limited modifications to the exterior of the building or structure to ensure maintenance of the character of its facade;

- iv) provision of landscaping, fencing and other buffering measures adjacent to abutting residential uses; and,
- v) maintenance of a significant portion of the undeveloped area of the lot as landscaped open space, to ensure maintenance or enhancement of the character of the site.

12.7.5 Existing Residential Area

12.7.5.1 Purpose

The Existing Residential Area designation recognizes existing residential neighbourhoods dominated by single detached dwellings. The neighbourhoods situated within this designation are stable and there has been limited pressure for redevelopment and intensification. This designation has been created to provide policies to guide development and redevelopment to ensure that new uses are appropriately integrated into neighbourhoods in a manner that is generally compatible with the existing character and density of these areas. Should opportunities for intensification occur, the policies in this plan will ensure that the character of the neighbourhoods are preserved.

12.7.5.2 Permitted Uses, Buildings and Structures

The permitted uses, and related buildings and structures, are:

- i) low density residential uses including single detached dwellings, semi-detached and duplex dwellings;
- ii) medium density residential uses limited to townhouse dwellings and low rise apartments where it is demonstrated that the proposal is designed in a manner compatible with the character of the neighbourhood. Generally these types of dwellings will be directed to other residential areas of the Stouffville Community or at the edge of neighbourhoods typically fronting onto or adjacent to collector / arterial roads;

- iii) converted dwelling, an apartment as a second suite in a residence, home occupation, home industry, work/live, and, a bed and breakfast establishment where permitted in the zoning by-law.

12.7.5.3 Land Use Policies

- i) All development shall conform with the applicable policies of this Plan, particularly the Community Character Strategy policies of Section 12.4.
- ii) For development proposals requiring an approval under the authority of the Planning Act, the applicant shall submit with their application an urban design plan for the site and surrounding lands within 45 m (145 ft) which includes information on how the proposed development will be integrated with existing built form on adjacent lands and the streetscape. In addition, the applicant will prepare and submit to the Municipality perspective elevation drawings of the proposed buildings and structures;
- iii) It is recognized that each neighbourhood in this designation has its own identity, discernible centre and edge. In considering applications for development or redevelopment, the Town will identify the character of the neighbourhood and ensure that the new use is reflective of and sympathetic to the built form of the established neighbourhood. In this regard, the Town will have regard to matters such as: the orientation and presence of the garage and/or off-street parking areas on the property; the height of the building; building materials; window and door treatment; roof design; and, the massing and positioning of the building(s) on the property;
- iv) All new development will be transit supportive, at a pedestrian scale and promote the orientation of dwellings to the street to create a safe, accessible and attractive environment;
- v) To ensure that new development is compatible with the existing neighbourhood and adjacent uses, the Town may require development / redevelopment initiatives to proceed through the site plan approval process.

The site plan process will apply to any proposal that requires a *Planning Act* approval and/or the construction of a new residential dwelling or residential building addition greater than 21 m² (225 ft².) in area on a property that is

located within the Heritage Area overlay designation as identified on Schedule F of this Plan.

- vi) Specific standards to regulate permitted uses, densities and building envelopes will be established in the zoning by-law.

12.7.5.4 Special Provision 1 - Retirement Community West of Ninth Line South of Main Street

Notwithstanding the policies of this Section, the existing residential development and expansions of that development on the lands designated “Existing Residential Area - Special Provision 1” on Schedule “F2” shall be permitted in accordance with the zoning as of the date of adoption of this plan. Any new development which does not comply with the zoning regulations shall be evaluated using the policies for the Western Approach Area - Mixed Use designation in Section 12.7.20.

12.7.5.5 Special Provision 2 - Retirement Community East of Tenth Line Road on the South Side of Main Street

Notwithstanding the policies of this Section, on lands described as part of Lot 35, Concession 10 and designated “Existing Residential Area – Special Provision 2” on Schedule “F”, the existing residential development shall be permitted in accordance with the zoning as of the date of the adoption of this Plan. Further expansions shall be in the form of a medium density development limited to townhouses and low rise apartments, and shall be subject to a zoning by-law amendment. The maximum density of development shall not exceed 45 units per net hectare (18 units per net acres) and shall be in conformity with the applicable policies of the Plan. Other uses directly related and incidental to the residential development, including extended care facilities, recreation and educational facilities, and cafeterias may also be permitted.

12.7.6 Residential Area

12.7.6.1 Purpose

The Residential Area designation provides for the creation of new residential neighbourhoods which are generally compatible with the character and density of the Existing Community Area.

12.7.6.2 Permitted Uses and Building Types

The following uses and building types are permitted:

- i) single detached dwellings, semi-detached and townhouse dwellings; and
- ii) low rise apartment, stacked townhouse or similar medium density residential development.

12.7.6.3 Land Use Policies

All development shall conform with the applicable policies of this Plan, particularly the Community Character Strategy policies of Section 12.4. In addition, residential development:

- i) shall generally be low density in character;
- ii) may, and in each Sub-Area of the Phase 2 Lands identified on Schedule “F5”, Phase 2 Lands Sub-Areas shall, include permitted townhouse, low rise apartment or similar medium density development subject to the following criteria:
 - a) in each Sub-Area of the Phase 2 Lands a minimum of 10% of the units shall be medium density development; and,
 - b) development shall be primarily street oriented in design.
- iii) shall generally not exceed the following densities except in the Phase 3 lands identified on Schedule F5, where the permitted density shall be a

minimum of 15 units per net hectare and a maximum of 30 units per net hectare:

- a) single detached, semi-detached and duplex dwellings at a minimum of 10 units per net hectare and a maximum of 20 units per net hectare (8 units per net acre); and,
- b) townhouse, apartment or other similar dwellings at a minimum of 20 units per net hectare and a maximum of 45 units per net hectare (18 units per net acre).

12.7.6.4 Special Provision 1

Notwithstanding any provisions in Section 12.7.6 Residential Area to the contrary, the following policies apply to those lands designated Residential Area within Part 1 Plan 65R-11178 in Part of Lot 3, Concession 10, as shown on Schedule F, Land Use and Transportation Plan:

- i) Residential development on lots within the above lands and immediately abutting the existing suburban residential development to the south of lands shown on Plan 65M-2296 (Westfield Estates) shall be required to have lot sizes and densities within the abutting suburban residential development to the south. Residential development on those lots to the north of the lots within the lands designated Residential within Part 1 Plan 65R-11178 in Lot 3, Concession 10 and immediately abutting the suburban residential development to the south may gradually diminish in size and increase in density.
- ii) Lands designated Residential Area within Part 1, Plan 65R-11178 in Lots 2 and 3, Concession 10 and to the north and east of the Special Commercial Area shall be buffered so as to protect the residential uses from the uses within the adjacent Special Commercial Area and the Special Employment Area. Buffering techniques may include fencing, landscaping, berming, lot size and configuration.
- iii) The Residential designation or use of lands designated residential within Part 1 Plan 65R-11178 in Lot 3, Concession 10 shall not be taken into account in any analysis pursuant to Section 12.7.14.4 of this Plan.

12.7.6.5 Special Provision 2

The Special Provision 2 Policy Area designation on Schedule “F” is an overlay designation that recognizes the potential to extend or provide for complementary intensive residential development designed as a Seniors’ Community, inclusive of support services such as recreational & educational services, and, resource centres. The designation provides for enhanced opportunities to complement the existing Parkview Village development situated to the immediate north.

If a Seniors’ Community proposal is advanced, development can occur at a maximum floor space index of 1.5 with a corresponding maximum height of six storeys. The buildings shall be designed and located to assist in the creation of an attractive street edge. An emphasis will be placed on appropriate landscaping measures that provides a park-like setting, and, direct pedestrian access to the adjacent residential neighbourhoods and area commercial development.

Regulations and permitted uses for this Policy Area will be established through specific standards in the implementing Zoning By-law.

12.7.6.6 Special Provision 3

The Special Provision 3 Policy Area designation on Schedule “F” is an overlay designation that recognizes the potential to facilitate the accommodation of home based businesses, thereby capturing the essence of the “Work-Live Relationship”.

In recognition of the proximity of these lands to the mid-block collector road, Hoover Park Drive and the adjacent Business Park Area designation to the north, the Town believes that these lands warrant special consideration to provide alternative policies that are unique from the balance of the urban area of Stouffville. In this respect, the Town will consider relaxed policies and regulations which may include: relief to allow a home based business to occupy up to 30% of the gross floor area of the residence, or alternatively, relief to allow the home based business to be situated within an accessory building occupying an area of up to 55 m²; and, a broader range of eligible home based businesses.

It remains the intent of the Town that the home occupation uses shall maintain the residential character of the neighbourhood and that such uses shall not detract from the enjoyment of adjacent residential properties.

Regulations and permitted uses for this Policy Area will be established through specific standards in the implementing Zoning By-law.

12.7.6.7 Special Provision 4

The Special Provision 4 Policy Area designation on Schedule “F” is an overlay designation that has been established to permit a Seniors’ / Adult Lifestyle Community to be developed with clustered residences comprised of semi-detached and townhouse dwelling units, inclusive of recreational, resource and community facilities. Density for the residential development will not exceed 45 units per net hectare.

The buildings shall be designed and located on the property to assist in the creation of an attractive street edge. An emphasis will be placed on appropriate landscaping measures that provides a park-like setting, and, direct pedestrian access to the adjacent street system will be required.

No development can occur on the subject lands until such time as the Ninth Line York Durham Sanitary Sewer project is completed and the system is commissioned by the Region of York. The Town also has a limited capacity available in the water supply system to support new residential and employment uses. In recognition of these constraints, the Town shall impose a Holding (-h) Symbol on the implementing Zoning By-law to restrict development until such time as water and sanitary sewer capacity has been allocated by the Municipality. The development of the subject lands may occur in phases.

Regulations and permitted uses for this Policy Area will be established through specific standards in the implementing Zoning By-law.

12.7.6A Urban Medium Density Residential Area

12.7.6A.1 Purpose

The Urban Medium Density Residential Area designation has been designed to broaden the inventory and range of housing types that are available to serve the needs of the residents of Whitchurch-Stouffville. This designation acknowledges

that at selected locations within the urban serviced area of Stouffville, it is appropriate and necessary to provide for a more intensive and higher density residential built form.

12.7.6A.2 Permitted Uses

The following uses and building types are permitted:

- i) townhouse dwelling units; and
- ii) apartment buildings.

12.7.6A.3 Land Use Policies

All development shall conform with the applicable policies of this Plan, particularly the Community Character Strategy policies of Section 12.4. In addition, the following policies shall apply:

- i) To provide for a density ranging from 30 units per net hectare to 65 units per net hectare;
- ii) developments will be located on roads designated or designed as collector or arterial roads so that preferably direct access can be provided to the property. Direct access to local streets may be accommodated if traffic is immediately available to outlet onto a collector or arterial road so as to minimize traffic movements into lower density residential areas;
- iii) buildings shall be sited so as to minimize the potential impact on adjacent neighbouring lower density residential uses, particularly with regard to traffic generation, reduction of sunlight through shadow casts, and, the adequate provision of park amenity areas within a maximum of a five minute walking distance from the proposed building;
- iv) an emphasis shall be placed on architectural treatment and design of the building and the property that is complementary to the adjacent neighbourhood, and, provides for strong pedestrian linkages between the building and the street edge;

- v) the implementing Zoning By-law Amendment shall establish the appropriate regulations to govern building height, setbacks, parking requirements, etc. The By-law shall also establish requirements for the provision of indoor and/or outdoor amenity facilities that will be provided on site to support the requirements of the residents of the building;
- vi) a development proposal for an amendment to the Secondary Plan and/or the Zoning By-law to permit this form of residential development shall be accompanied by the submission of a concept plan and building perspective. These drawings shall display the massing and conceptual design of the building, the relationship of the proposed building to adjacent buildings and the street, as well as, the locations for off-street parking facilities (covered and uncovered), driveways, and loading / service areas;
- vii) in the consideration of a development proposal for an amendment to the Secondary Plan and/or Zoning By-law to permit this form of residential development, the Town will have regard to the following:
 - a) the type of housing form proposed for the site;
 - b) the nature and extent of existing land uses or designated land uses adjacent to the site with respect to compatibility and integration;
 - c) the adequacy of municipal services to the site;
 - d) the implications of traffic generation and proposed measures to minimize the impact on adjacent neighbourhoods;
 - e) the provision of amenities within the building and/or the property designed to service the residents of the development; and,
 - f) the proximity of the site to municipal park and recreation areas and the adequacy of these facilities to serve the proposed residents.

12.7.6A.4 Special Provisions

12.7.6A.4.1 Special Provision 1 - 5402 Main Street

Although sanitary sewer and water capacity has been allocated by Council for the subject lands to accommodate up to 104 medium density residential units from the Town's Reserve - Stage III as defined in the Ninth Line York Durham Sanitary Sewer Development Charge Credit Agreement, no development can occur on the site until such time as the Region of York releases water and sanitary capacity. The release of capacity by the Region is dependent upon infrastructure improvements associated with the York Water System and the York-Durham Sanitary Sewer System respectively. The Town shall impose a Holding (-h) Symbol on the implementing Zoning By-law to restrict development until servicing capacity is available.

12.7.6A.4.2 Special Provision 2 – Phase 2 Lands- West Side of 10th Line North of Main Street 19T(W)-07.001

The southerly Urban Medium Density Residential Area designation on the west side of 10th Line, north of Main Street in subdivision 19T(W)-07.003 shall be developed for an apartment building(s).

12.7.6A.4.3 Special Provision 3 – Phase 2 Lands – West Side of 9th Line, north of Millard Street

The lands subject to this policy shall be developed for a range of Urban Medium Density Residential uses including back-to-back and stacked townhouses subject to the inclusion of appropriate provisions in the Zoning By-law.

12.7.6A.4.4 Special Provision 4 – Phase 3 Lands – South side of Bethesda Road, East of Business Park Area designation

The lands in the Urban Medium Density Residential Area designation in Phase 3 on the south side of Bethesda Road, East of the Business Park Area may be used for institutional uses, including a place of worship, in addition to the permitted residential uses. However, any development application shall be evaluated in conformity with the provisions of Section

12.9 to ensure that any impacts from adjacent employment uses can be appropriately mitigated.

12.7.6A.4.5 Special Provision 5 – West side of future Baker Hill Boulevard, north of Millard Street, Blocks 47 & 56, 19T(W)-13.001:

The subject lands shall be permitted to develop with a maximum residential density of 135 units per net hectare lot area.

12.7.6A.4.6 Special Provision 6 - Fruit Stand East Side of Tenth Concession Road South of Bethesda Road

Notwithstanding the policies of this section, the fruit stand building existing at the date of adoption of this Plan may be permitted through an amendment to the Zoning By-law to be operated on a year-round basis and to sell produce not grown on the farm.

2.7.6A.4.7 Special Provision No. 7 - 6461, 6465, 6481/6483, and 6487 Main Street

Notwithstanding any other policies of this Plan to the contrary, the subject lands shall be designated as Urban Medium Density Residential Area and shall permit a maximum height of 4 storeys, a maximum floor space index of 1.1, and a maximum net density of 91 units per hectare.

12.7.6B Urban High Density Residential Area

12.7.6B.1 Purpose

The Urban High Density Residential Area designation has been designed to provide for housing forms which have a higher density and height than permitted in other Residential designations. This designation provides additional housing options for residents in locations adjacent to major transit station areas or on arterial roads with existing or planned transit routes adjacent to Activity Nodes or other similar locations.

12.7.6B.2 Permitted Uses

The following uses and building types are permitted:

- i) townhouse dwelling units; and
- ii) apartment buildings.

12.7.6B.3 Land Use Policies

All development shall conform with the applicable policies of this Plan, particularly the Community Character Strategy policies of Section 12.4. In addition, the following policies shall apply:

- i) To provide for a density ranging from 65 units per net hectare to 120 units per net hectare;
- ii) Development shall be located fronting on an arterial road so that preferably direct access can be provided to the property. Direct access to collector of local roads may be accommodated if traffic can immediately access onto the arterial road so as to minimize traffic movement into lower density residential areas; and,
- iii) The policies of Section 12.7.6A.3 iii) to vii) inclusive.

12.7.7 Activity Node Area

12.7.7.1 Purpose

The Activity Node Area designation recognizes focal points within the community where clusters of community uses are or may be located. The purpose of the designation is to recognize the community wide service function of these areas, and to provide for accessible locations and development which is compatible with surrounding uses.

12.7.7.2 Permitted Uses, Buildings and Structures

The permitted uses, and related buildings and structures, are:

- i) institutional, including such uses as places of worship, public, separate and private schools, offices for public and non-profit uses, and arenas;
 - a) Notwithstanding Section 12.7.2.3 xiv) c), Places of Worship may be permitted without requirement for approval of a zoning by-law amendment;
- ii) residential;
- iii) convenience retail and service commercial;
- iv) office; and,
- v) parks.

12.7.7.3 Land Use Policies

- i) Lands in the Activity Node Area designation are primarily intended to accommodate a range of public or private non-profit community uses which may include a residential component as part of a mixed use development. New development shall be evaluated based on the following criteria:
 - a) does not exceed a height of three storeys;
 - b) includes no open storage of vehicles, machinery or equipment;
 - c) a minimum floor space index of 0.5 and maximum floor space index of 1.0 provided that the Town may consider a reduction in the minimum density for the initial phase of development where the Owner demonstrates through the site plan process that the minimum density is planned for and can be achieved;
 - d) demonstrates that development is:
 - i) integrated with the adjacent existing or proposed residential uses with respect to pedestrian and vehicular circulation systems; and,

- ii) any incompatibilities with surrounding existing or proposed residential uses can be mitigated through the provision of buffering, engineering solutions or other similar approaches.
- e) location on an arterial road, with the exception of an elementary school and parks which may be located on a collector road or a local road with direct access to an arterial or collector road.
- ii) Where an existing institutional use is proposed to be expanded or closed and replaced with a new institutional use, the Town shall work with the new institutional use to ensure any changes to the site are designed to be in character with surrounding uses and compatible with such uses through the use of buffering where required.
- iii) Residential uses shall only be permitted as part of a mixed use development or where existing institutional uses are being closed, or where no public or private non-profit agency requires the lands in the Activity Node Area designation. If all or part of an Activity Node Area designation is not required by the Town or a School Board, alternative uses shall be permitted in order of priority as follows:
 - a) compatible institutional uses including private schools, places of worship, community service or cultural buildings;
 - b) residential uses in accordance with the policies of Section 12.7.5.
- iv) Where an existing institutional use is closed, and the site is proposed to be redeveloped for residential uses, any development shall only be permitted subject to an amendment to the Zoning By-law and approval of a plan of subdivision or site plan in accordance with the provisions of the Planning Act. Such a development shall be evaluated based on submission of a scale model of the site, proposed development and surrounding area in addition to the requirements of Section 12.9.

Further, where the institutional building is of historical or architectural interest, the plans should incorporate all or portions of the building when possible in the new development.

- v) Commercial and office uses shall be limited to those uses permitted by the zoning existing as of the date of adoption of this Plan. Where applications are submitted for the approval of new commercial and office uses they shall conform with the following criteria:
 - a) be limited to convenience retail and service commercial uses such as convenience stores, gas bars, and take out restaurants;
 - b) be limited to professional or business offices; and,
 - c) individual uses shall not exceed 300 m² (3,230 ft²) in size, with a maximum of 560 m² (6,030 ft²) for any cluster of commercial and office uses in each Activity Node Area designation.

12.7.7.4 Special Provisions

12.7.7.4.1 Special Provision 1 - Phase 2 Lands - West Side of 10th Line, north of the Town boundary, south of Hoover Park Drive

The Activity Node Area designation on the west side of 10th Line, north of the Town boundary, south of Hoover Park Drive, is intended to include an elementary school. However, if a school is not constructed, a park shall be located in this designation. In addition to these uses, all the other permitted uses in Section 12.7.7 shall be permitted, subject to the policies of Section 12.7.7, on the lands in the designation not required for the school or park.

12.7.8 Greenland Area

12.7.8.1 Purpose

The Greenland Area designation on Schedule “F” is designed to preserve, enhance and link together the major natural features of the Community of Stouffville, recognizing that this area is part of the Oak Ridges Moraine.

12.7.8.2 Permitted Uses, Buildings and Structures

The uses, buildings and structures permitted in the Greenland System Area designation shall be in accordance with the policies of Section 12.3.2 and Section 12.5, particularly Sections 12.5.2.1 and 12.5.2.2.

12.7.8.3 Land Use Policies

The policies for the lands in the Greenland System Area designation shall be in accordance with the policies of Section 12.3.2 and Section 12.5, particularly Sections 12.5.2.1 and 12.5.2.2. The Greenland Area designation on Schedules “F”, “F1” and “F2” represents the general location of the Key Natural Heritage and Hydrologically Sensitive Features which comprise the Greenland System. However, in considering how to establish the specific boundaries of the features and Minimum Vegetation Protection Zones which comprise the Greenland System, as well as the related areas of influence, all decisions shall conform to the designations on Schedule “F3”, Greenland System to the Secondary Plan and Schedule “H” to the Official Plan and any updated information approved by the Town including studies required in accordance with Section 12.9.3 of this Plan.

12.7.8.4 Special Provision

The Greenland Area designation of Schedule “F” for the Phase 3 Lands has been developed based on an Environmental Background Report and incorporates a Greenland System including buffers as recommended in Section 5.3 of the Report. Refinements to the boundary of the Greenland System shall be implemented through the development approval process in accordance with Section 12.5.2.1 and 12.5.6.2 and will incorporate environmental buffers as recommended in Section 5.3 of the Environmental Background Report. Minor modifications to the boundaries of the Greenland System may be considered without amendment to this Plan as part of a development application, supported by an Environmental Impact Study or other Study as determined by the Town in consultation with the Conservation Authority. Refinements to the boundary of the Greenland System shall not negatively impact the Greenland System as determined by the Town, in consultation with the Conservation Authority.

12.7.8.4.1 Special Provision 2 – Phase 3 Lands Greenland Area Special

The Greenland Area Special designation on Schedules “F” for the Phase 3 land west of the Tenth Line and south of the rail corridor recognizes an area which is believed to have wetland vegetation communities and a hydrologic function associated with the drainage of the area. A determination of the role of this area and the potential to shift its location to the west and north parallel to the trail corridor will be undertaken as part of a Functional Servicing Plan prepared in support of a development application for the lands to the satisfaction of the Town in consultation with the Toronto Region Conservation Authority. The corridor may be modified and/or relocated without an amendment to this Plan through the development review process.

12.7.9 Community Park Area

12.7.9.1 Purpose

The Community Park Area designation recognizes existing community parks which provide active recreation facilities to serve the Community of Stouffville and adjacent areas of the Town. This designation also identifies potential new community park sites.

12.7.9.2 Permitted Uses, Buildings and Structures

The permitted uses, and related buildings and structures, are open space and outdoor recreation including related buildings and structures such as indoor and outdoor swimming pools, arenas, wading pools, tennis courts, concession stands, and playground equipment.

12.7.9.3 Land Use Policies

- i) The Town shall continue to maintain and enhance the open space and recreation facilities in the existing community parks. In particular, the Town shall:

- a) review the use of the lands in the Greenland Area designation on Schedule “F” and examine the potential for naturalization of these areas, particularly if the sewage plant is decommissioned; and,
 - b) review the role of the existing parks should development of an additional community park or parks become feasible.
- ii) The Town shall consider the development of additional community parks on the designated sites on Schedule “F” and shall ensure that the design of such parks minimizes incompatibilities with adjacent residential and environmental uses. The role of these parks shall be considered in conjunction with a review of the role of the existing park.

12.7.10 Cemetery Area

12.7.10.1 Purpose

The Cemetery Area designation applies to existing cemeteries.

12.7.10.2 Permitted Uses, Buildings and Structures

The permitted uses, and related buildings and structures, are:

- i) cemetery, excluding a crematorium; and,
- ii) passive recreation.

12.7.10.3 Land Use Policies

The Town shall work with those responsible for the management of the cemeteries to ensure that the cemeteries are properly maintained, in accordance with the Cemeteries Act.

12.7.11 Gateway Mixed Use Area

12.7.11.1 Purpose

The Gateway Mixed Use Area designation on Schedule “F” recognizes the prominence of the intersection of Highway No. 48 and Main Street as the most significant entrance into the Community of Stouffville. Locational attributes establish this area as a unique district which recognizes the potential for some mixed use development fronting on Main Street/Stouffville Road, including development designed to permit non-residential uses such as commercial or institutional uses on the ground floor and residential or office uses above or a very limited number of small format retail buildings generally as adaptive reuse of heritage buildings. The remainder of the lands, including lands in the Mixed Use designation, will be primarily developed as a residential neighbourhood comprised of medium and high density residential development. Development shall generally conform with the detailed land use designations on Schedule “F2A”, Gateway Land Use and Transportation Plan and the policies of Section 12.7.11. In addition, regard shall be had to the Highway 48/Main Street Gateway Mixed Use Area Urban Design Guidelines in evaluating applications for development.

12.7.11.2 Permitted Uses, Buildings and Structures

The permitted uses, and related buildings and structures, are:

- i) retail and service commercial as part of mixed use development fronting on Stouffville Road/Main Street or as adaptive reuse of buildings and structures designated under the authority of the Ontario Heritage Act or identified on the Town’s Built Heritage Inventory List;
- ii) office;
- iii) medium and high density residential;
- iv) mixed use; and,
- v) institutional

- a) notwithstanding Section 12.7.2.3 xiv) c), Places of Worship may be permitted without requirement for approval of a zoning by-law amendment;

12.7.11.3 Prohibited Uses, Buildings and Structures

Uses, buildings and structures prohibited in this designation include:

- i) retail plazas unless such a use is identified as part of the Highway 48/Main Street Gateway Mixed Use Area Urban Design Guidelines prepared in accordance with the policies of Section 12.4.5; and,
- ii) gas bar and automobile service centre on the northwest, southeast and northeast corners of the Stouffville Road / Main Street and Highway No. 48 intersection.

12.7.11.4 Land Use Policies

- i) All development shall conform with the Community Character Strategy policies of Section 12.4, and the Heritage Area overlay policies of Section 12.7.3. Further, notwithstanding any other policies of Section 12.7.11.4, development shall be evaluated based on submission of information including a conceptual plan and perspective drawings which demonstrate general conformity with the directions of the Highway 48/Main Street Gateway Mixed Use Area Urban Design Guidelines.
- ii) New development shall be evaluated based on submission of the following information, in addition to the information requirements of Section 12.9:
 - a) a conceptual plan for the site and surrounding lands which includes information on how the proposed development will be integrated with existing and future development on adjacent lands and the streetscape;
 - b) perspective drawings of the proposed buildings and structures;
 - c) traffic impact study;

- d) noise impact study where development is adjacent to existing or approved residential development;
 - e) external lighting study where development is adjacent to existing or approved residential development; and,
 - f) air quality study where development is adjacent to existing or approved residential development and potential concerns with odours have been identified by the Town.
- iii) New development shall be subject to site plan approval and shall conform to the following criteria:
 - a) commercial, office, or institutional uses shall generally front on Main Street/Stouffville Rd. including both stand-alone and mixed use developments;
 - b) medium and high density residential uses shall be permitted throughout the Gateway Mixed Use Area designation, including on lands which front on Main Street/Stouffville Road or Highway 48, having regard for the Highway 48 Main Street Gateway Mixed Use Area Urban Design Guidelines;
 - c) buildings and structures abutting a building or structure designated under the authority of the Ontario Heritage Act or identified on the Town's Built Heritage Inventory List shall be designed to be complementary to the heritage buildings or structure having regard for the direction in the Highway 48/Main Street Gateway Mixed Use Area Urban Design Guidelines and the directions in any heritage impact assessment required in accordance with the policies of this Plan. The minimum height in the Gateway Mixed Use Area shall be two functional storeys, while the maximum height shall be 10 storeys;
 - d) a minimum floor space index of 0.5 and maximum floor space index of 2.0 provided that the Town may consider a reduction in the minimum density for the initial phase of development where the Owner demonstrates through the site plan process that the minimum density is planned for and can be achieved;

- e) demonstrates that development is:
 - i) integrated with the adjacent lands, or corridors are protected for future integration, with respect to pedestrian and vehicular circulation systems; and,
 - ii) respectful of adjacent uses or properties and that any incompatibilities with surrounding uses can be mitigated through the provision of buffering, engineering solutions or other similar approaches;
- f) Substantial portions of the lands designated Gateway Mixed Use Area are influenced by the proximity of the Tributary to the Little Rouge Creek. Where a development property is within the Greenlands Area as defined in accordance with subsection 12.7.11.5 or is adjacent to the Greenlands Area, the proposed development shall be designed in such a fashion that it does not impact upon the ecological or hydrological function of the natural feature(s). Where practical, open view corridors and pedestrian linkages to the adjacent Greenlands Area will be incorporated into the design of the development;
- g) Development or redevelopment proposals shall be respectful of the built heritage of the former hamlet of Ringwood. Every effort shall be made to incorporate into new buildings in the district elements of the area architecture. Where a building is designated under the authority of the *Ontario Heritage Act* or is identified on the Town's Built Heritage Inventory List, the building shall be protected and in a progressive fashion incorporated into the emerging development proposal, or at the acceptance of the Town, the building is moved to an acceptable site;
- h) Development or redevelopment proposals shall have well defined and articulated street edges through the establishment of minimum and maximum setbacks having regard for the direction in the Highway 48/Main Street Gateway Mixed Use Area Urban Design Guidelines. Decorative fencing or similar structures or strongly defined landscape

features such as low hedges shall be incorporated into the landscaping scheme for parking areas to assist in accentuating the street edge treatment. Where an established commercial complex is present and is subject to a new development application and the ability to meet the building setback requirements or provide the minimum 4.5 m of landscaped area is not practical, specific design details will be pursued as an alternative which will reinforce the positive image and interaction between the public / private realm;

- i) To enhance the gateway element and the approach into Stouffville, all proposals shall ensure that quality and substantive landscaping is present throughout the development to enhance the image of the development by breaking up the appearance of the parking lot(s), and, to compliment and reinforce the architectural appearance of the commercial, retail and residential buildings. With respect to surface parking areas, on sites larger than 2 ha, the parking areas should generally be subdivided into landscaped parking courts for every 150 cars. Lots less than 2 ha in size should subdivide parking courts every 50 cars. In the assessment of the parking courts, an emphasis will be placed upon the creation of grid system of “internal driveways” that are lined with trees;
- j) Developments shall acknowledge the importance of street intersections and entranceways into individual developments. This acknowledgement will be achieved through architectural design of “landmark buildings” or substantial landscaping treatment;
- k) All loading and service areas shall be screened from the view of the adjacent road network and adjacent residential neighbourhoods. Where buildings include or are adjacent to residential development garbage / recycling facilities shall be sited within wholly enclosed buildings. Loading and service areas shall be separated a minimum distance of 20 m from adjacent residential neighbourhoods, unless a reduced separation distance is deemed appropriate by the Town based on the proposed noise mitigation measures and the results of the approved noise impact study;

- l) Where multiple buildings are proposed on a property, substantive pedestrian linkages between buildings and the adjacent road network shall be encouraged. Walkways should be sufficient width to accommodate a minimum of a 1.5 m wide sidewalk and trees / landscaping in the balance of the boulevard. This sidewalk system should be designed in such a fashion so as to link key building destinations across the property(s) and the adjacent road network;
 - m) Safe pedestrian access from adjacent streets into the interior portions of the development shall be provided; and,
 - n) Adequate screening, separation distances and noise protection for adjacent residential neighbourhoods based upon the conclusions and recommendations of a Town approved noise impact study, air quality study (if applicable) and external lighting study shall be provided in all developments.
- iv) It is recognized that properties within this designation represent a fractured landownership pattern. To accommodate development in this area in a fashion consistent with the policy objectives of this designation, the Town will encourage applicants to:
 - a) amalgamate properties where feasible to provide flexibility in terms of access and the provision of off-street parking, site servicing and building placement;
 - b) where property amalgamation is not possible, the Municipality shall through the site plan process ensure that co-ordinated vehicular access, site circulation, off-street parking, landscaping and site servicing is achieved as properties are developed or redeveloped;
 - c) shared access or consolidated driveways from the adjacent road network will be promoted.
- v) Mixed Use development may be permitted in the Mixed Use Area designation on Schedule F2A. Such development may consist of both single use and mixed use buildings. Development shall be designated to have regard for the Highway 48/Main Street Gateway Mixed Use Area Urban

Design Guidelines. Where new development fronts on Stouffville Road/Main Street, it shall not require non-residential development on the ground floor, but a portion of ground floor should be designed to accommodate non-residential uses.

- vi) High density and medium density residential development shall be permitted in the Urban Medium and High Density Residential Area designation on Schedule F2A. Such development may include a mix of residential uses including townhouse dwelling units, inclusive of street townhouses, back-to-back townhouses and stacked townhouses, and apartment and residential condominium buildings, as well as quadraplexes and similarly constructed residential buildings. Density will range from 35 units per net hectare to in the order of 260 units per net hectare. Development shall be designed having regard for the Highway 48/Main Street Mixed Use Area Urban Design Guidelines and the actual maximum density shall be determined in the context of the Guidelines.
- vii) The implementing Zoning By-law provisions for the Gateway Mixed Use Area designation may establish restrictions to phase development to protect the adjacent residential neighbourhoods, and, impose building setback or height restrictions to reflect the conclusions of the exterior lighting, air quality (if applicable) and noise studies.

12.7.11.5 Additional Technical Study Requirements

The Gateway Mixed Use Area is appropriate for a range of land uses including mixed use and medium and high density residential, as well as Greenlands, subject to the outcome of a number of technical studies considered necessary to determine the extent of development, and the appropriate type of infrastructure needed to support the development. As natural features, functions and hazards extend across several privately and publicly owned properties; a comprehensive/collaborative approach is required to ensure that appropriate consideration has been given to assessing the terrestrial linkages, as well as upstream and downstream connections and impacts associated with the natural features and natural hazards. The lands in the Gateway Mixed Use Area shall be developed in accordance with the policies of the Gateway Mixed Use and Urban Medium and High Density Residential designations on Schedule F2A, without the requirement for an Official Plan Amendment, but subject to appropriate

amendments to the zoning by-law and other development control measures, provided that the following studies demonstrate that development can be accommodated and natural features and functions (i.e. valley/stream corridor, headwater drainage feature, wetland, woodlands, significant wildlife habitat, habitat of endangered species) are maintained to the satisfaction of the Town in consultation with the Toronto and Region Conservation Authority (TRCA):

i) Comprehensive Corridor Studies

Prior to consideration of site alteration or development approvals in the Gateway Mixed Use Area as defined on Schedule F2A, a comprehensive set of studies for the Gateway Mixed Use Area shall be completed to the satisfaction of the Town in consultation with the TRCA:

- a) A Flood Study and Flood Hazard mapping, meeting requirements as outlined in “Whitchurch-Stouffville Gateway Floodplain Study Recommended Terms of Reference” or update prepared by the TRCA. The study should comprehensively assess the Gateway Area with specific attention to the “key areas of focus” as identified on Schedule F2B, Gateway Land Use and Transportation Plan Key Focus Area, and described below:
 - i) Key Focus Area 1 – existing estimated flood plain mapping and spill area associated with culverts under the intersection of Highway 48 and Main Street;
 - ii) Key Focus Area 2 – flood plain spill area associated with the engineered Regional Storm flood plain of the Highway 48 Tributary located on 5318 Main Street; and,
 - iii) Key Focus Area 3 – Existing crossing/culverts associated with a right of way off of Ringwood Drive;
- b) A Natural Heritage Systems Characterization Study involving field assessments that defines the natural features, functions and linkages within, and to a reasonable extent adjacent to, the Gateway Mixed Use Area, including the staking of such natural features;

- c) A meander belt analysis for the two tributaries that pass through the Gateway Mixed Use Area; and,
- d) A Head Water Drainage Feature assessment (5318 Main Street) based on the Credit Valley Conservation/TRCA document “Evaluation, Classification and Management of Headwater Drainage Features Guidelines, January 2014” or updated requirements.

ii) Detailed Site Studies

In addition to Comprehensive Corridor Studies in Section 12.7.11.5 i) and any requirements of Section 12.9, Development Application Pre-Consultation and Submission Requirements, the following detailed site studies and plans will be required, as a minimum, as part of any application for development including any application involving site alternation:

- i. Natural Heritage Evaluation (NHE) that defines key natural heritage features and appropriate vegetation protection zones and demonstrates that the impacts of development are appropriately mitigated and/or compensated, where suitable;
- ii. A Functional Servicing and Stormwater Management Report (FSR/SWM) that provides an appropriate design for servicing, water quality and quantity controls, erosion control and water balance recognizing the location in a settlement area in the Oak Ridges Moraine and based on terms of reference developed to the satisfaction of the Town in consultation with the TRCA;
- iii. Planning Justification Report including an Oak Ridges Moraine Conformity Statement that demonstrates conformity to the Oak Ridges Moraine Conservation Plan policies applicable to settlement areas;
- iv. A hydrogeological study and water balance analysis per the CTC Source Protection Plan;
- v. Landscape Restoration plans and proposed grading;
- vi. Geotechnical Report; and,

vii. Topographic Survey.

iii) Other Development Requirements

The following additional requirements should be considered in the evaluation of any development in the Gateway Mixed Use Area:

- a) The potential road and trail system designated on Schedule “F2A” shall be considered through the development approval process and the connections generally as proposed will be provided as condition of development;
 - b) The Study Area identified on Schedule F2A shall be evaluated with respect to all the required studies of Section 12.7.11.5 i) ii) and iii) as well as an evaluation of the potential for road access, include an alternative emergency access and any other studies required by the Town, in consultation with the TRCA, as a basis for determining the potential for medium and high density residential development;
 - c) The Gateway Mixed Use Area includes significant cultural heritage resources. A cultural heritage impact assessment in accordance with the requirements of Section 12.9.3 shall be required for all building of architectural and/or historic significance. Where such buildings are confirmed as being of significance they shall be preserved, where feasible, on site and/or integrated into the development in an appropriate manner and/or preserved in some other manner
- iv) Landowner Agreement

In order to ensure any costs associated with the Comprehensive Studies are equitably distributed among all landowners, development within the Gateway Mixed Use Area may only be permitted to proceed by the Town when the landowners in the Gateway Mixed Use Area have entered into a cost sharing agreement or agreements among themselves to address the distribution of costs associated with the Comprehensive Studies in a fair and equitable manner. The development of individual parcels of land will generally not be permitted in the absence of participation in the landowners cost sharing agreement. Should it not be possible to establish a cost sharing agreement, but where one or more landowners cover any costs associated

with the Comprehensive Studies, the development of the parcels owned by those landowners shall be permitted by the Town ahead of any cost sharing agreement. Any future cost sharing agreement will ensure that those landowners who “front ended” the cost of the Comprehensive Studies are compensated appropriately through the cost sharing agreement. No parcel will be permitted to develop until the landowner contributed their share of the costs of the Comprehensive Studies.

12.7.11.6 Special Provisions

12.7.11.6.1 Special Provision 1 – 5211, 5223, 5241 Stouffville Road

Notwithstanding any provisions of this Plan to the contrary, the following site-specific policies apply:

- i) The following site-specific interim uses are permitted:
 - a. Standalone commercial uses, including retail, restaurants, take-out restaurants and restaurants with drive-throughs.
- ii) The permitted interim standalone commercial uses shall be designed to support the character of the gateway with landmark buildings and to not prevent future redevelopment of the subject properties in accordance with the Gateway Mixed Use Area designation.
- iii) Front yard parking for the interim standalone commercial uses shall be permitted.
- iv) A minimum interim floor space index of 0.5 shall be permitted for the interim uses only.
- v) Severance of the subject properties shall not permitted.
- vi) The Town shall implement the use of a Holding (H) Symbol for any By-law passed to zone the lands for interim standalone commercial uses to require a master plan and phasing plan to demonstrate the evolution and integration of the low-density standalone commercial uses in the context of the long-term future development of the lands in accordance with the Gateway Mixed

Use Area designation, among other matters as deemed necessary. The holding symbol shall also include provisions requiring establishment of the Regulatory Flood Plain limits and limits of development (defined by buffers to the flood hazard and wetland) on the subject lands, subject to the satisfaction of the Town and the Toronto Region Conservation Authority.

12.7.11.6.2 Special Provision 2 - 5262, 5270, 5286, 5318 Main Street and 12371 Highway 48

Notwithstanding any other provisions of this Plan to the contrary, the following site-specific policies apply:

- i) The permitted uses include mixed-use and apartment buildings, combined live-work units, and all forms of townhouse dwellings, retail and service commercial uses as part of mixed-use development, offices, and institutional uses;
- ii) Notwithstanding 12.7.11.6.2 i), townhouse dwellings other than those that may be integrated into a mixed-use or apartment building, shall be prohibited abutting Highway 48, Fockler Lane or Main Street, as established by the Zoning By-law;
- iii) A maximum building height of 20 storeys is permitted, as further established in the Zoning By-law. All forms of townhouse dwellings shall have a minimum building height of 3 storeys;
- iv) A minimum floor space index of 2.0 and a maximum floor space index of 3.7 is permitted for any individual development Block where apartment or mixed-use buildings are permitted. There is no minimum floor space index required for any form of standalone townhouse dwellings. Where a development includes both apartment or mixed-use buildings and standalone townhouse dwellings, the floor area of the townhouse dwellings shall not contribute to the maximum floor space index of the overall Block;
- v) Notwithstanding, the 12.7.11.4 vi), residential density limits, in terms of units per hectare, shall not apply to any high and medium density residential development on the lands subject to this Special Provision. A minimum of

450 square meters of ground floor non-residential gross floor area is required within any mixed-use building fronting to Main Street;

- vi) Well defined and articulated street edges shall be provided through minimum and maximum setbacks for buildings and structures from the road allowance right-of-way, as required in the Zoning By-law;
- vii) All loading and service areas, including garbage/recycling facilities shall be sited within wholly enclosed buildings, or appropriately screened and located away from the public realm as determined through site plan control;
- viii) The provisions of Section 12.7.11.5 shall not apply with respect to the development of the subject lands; and
- ix) The Town shall make best efforts to ensure and facilitate recovery of costs borne by the Owner of the lands with respect to any comprehensive corridor studies and detailed site studies (as described in Section 12.7.11.5), and the construction and design of infrastructure and services, which benefit other owners within the Gateway Mixed Use Area. No parcel within the Gateway Mixed Use Area shall be permitted to develop until the Commissioner of Development Services is satisfied that best efforts have been made.

12.7.12 Business Park Area

12.7.12.1 Purpose

The Business Park Area designation on Schedule “F” is an employment designation which applies to areas where a full range of light industrial and office uses will be permitted, subject to a high standard of design.

12.7.12.2 Permitted Uses

The permitted uses are:

- i) light industrial, including warehousing;
- ii) office;

- iii) wholesale;
- iv) hotel, conference, convention and banquet facility;
- v) research and development subject to the provisions of the Zoning By-law;
- vi) institutional, except that Places of Worship shall be subject to the provisions of Section 12.7.2.3 xiv) and Section 12.7.12.4 vii);
- vii) commercial recreation;
- viii) entertainment;
- ix) education and training;
- x) data processing;
- xi) automotive campus
- xii) business services;
- xiii) accessory restaurant; and
- xiv) ancillary uses subject to the policies of Section 12.7.12.4A.

12.7.12.3 Prohibited Uses

The following uses are prohibited:

- i) major retail; and
- ii) service commercial.

12.7.12.4 Policies

Development within areas designated "Business Park Area" shall be subject to site plan control and shall conform with the following criteria:

- i) no open storage;
- ii) no parking between the main building or structure and the street;
- iii) parking areas to have a minimum 4 m (13 ft) landscaped strip around the perimeter which may include a low fence or wall and joint access where feasible;
- iv) main building should be designed and located to assist in the creation of an attractive street edge;
- v) maximum height 20 m; and,
- vi) development shall be designed to maximize the use of the site.
- vii) Places of Worship shall be subject to the following requirements, in addition to those contained in Section 12.7.2.3 xiv):
 - a) Be restricted to a location east of the Greenland Area designations associated with the Little Rouge River and its tributaries, as a minimum separation distance from Highway 48;
 - b) At a location within 400 m (a five minute walk) of residential and mixed use areas;
 - c) At a location having frontage on an arterial or collector road designated as of May 30, 2016;
 - d) Where a private elementary or secondary school is proposed ancillary to a Place of Worship, be adjacent to a residential area or Main Street to maximize access connections to the community;
 - e) Determination by the Town that there will be no significant impact of the use on the overall supply of serviced employment land;
 - f) Where the proposed facilities include sensitive uses, submission of additional studies to ensure that impacts on such sensitive uses from

existing and planning employment uses, including noise, dust and odour, are minimized;

g) Submission of a conceptual site plan, elevations and contextual plan illustrating how such development will complement and integrate with the surrounding existing and planned development including pedestrian and cycling linkages and access to existing and potential transit routes; and,

h) Submission of an offsite parking plan for special events.

12.7.12.4A Ancillary Uses

- i) Only products produced and/or assembled on the premises may be retailed from the premises subject to the provisions of the Zoning By-Law, and
- ii) The combined gross floor area devoted to all ancillary uses is limited to a maximum of 10% of the total gross floor area of the building.

12.7.12.5 Special Provisions

12.7.12.5.1 Special Provision 1 – Lands fronting on Ringwood Drive and the west side of Sandiford Drive

The Business Park Lands in this area serve as an “incubator” for a range of small business and service uses. As such, in addition to the permitted uses in the Business Park Area, the Zoning By-law may permit existing legal non-conforming uses, repair and service of household articles, appliances and small motors, public garages, motor vehicle body repair shops, equipment sales and service, private clubs, printing plants, public storage facilities, and wholesale sales and service, personal service establishment and similar new commercial/industrial and service uses may also be permitted through amendments to the zoning by-law provided that such uses are small-scale and do not include retail commercial uses more appropriately located in the Core Area – Main Street, Core Area – Mixed Use, Western Approach Area or Regional Retail Area.

12.7.12.5.2 Special Provision 2 – 5769 Main Street

Notwithstanding any provisions of this Plan to the contrary in addition to permitted Business Park Uses, limited additional retail and service commercial uses may be permitted to a maximum Gross Floor Area of 7,432 m² (80,000 ft²) subject to the inclusion of implementing provisions in the Zoning By-law.

12.7.12.5.3 Special Provision 3 – 54 Ringwood Drive, 150 Sandiford Drive, 159 Sandiford Drive and 189 Sandiford Drive

Notwithstanding the policies of Section 12.7.2.3 xiv) c), Places of Worship on the properties at 54 Ringwood Drive, 150 Sandiford Drive, 159 Sandiford Drive and 189 Sandiford Drive shall be permitted uses and shall not require approval of a Zoning By-law Amendment.

12.7.12.5.4 Special Provision 4 – 162 & 176 Sandiford Drive

Notwithstanding the policies in Section 12.7.12.4, the following site specific criteria apply:

- i) A maximum building height of 41 m is permitted; and,
- ii) Parking is permitted between the main building or structure and the street.

12.7.13 Industrial Area

12.7.13.1 Purpose

The Industrial Area designation on Schedule “F” is an employment designation which applies to areas where a full range of light industrial, general industrial and office uses will be permitted.

12.7.13.2 Permitted Uses

The permitted uses are:

- i) industrial;
- ii) office;
- iii) wholesale;
- iv) research and development subject to the provisions of the Zoning By-law and provided such uses occupy less than 10% of the area of the main building;
- v) institutional, except Places of Worship; and,
- vi) commercial recreation;
- vii) ancillary uses subject to the policies of Section 12.7.13.6; and,
- viii) cannabis processing.

12.7.13.3 Hazardous Uses

Notwithstanding the policies of Section 12.7.14.2, the Town shall not permit industrial uses which are considered to be a significant health or safety concern to residents or to the natural environment. Where there is a concern with the potential impact of an industrial use, an evaluation report shall be prepared by the Town, at the cost of the applicant based on terms of reference approved by the Town and the applicant. The report shall evaluate the impacts of the proposed use and whether appropriate mitigation measures can be developed to reduce impacts to a level acceptable to the Town.

12.7.13.4 Prohibited Uses

Retail and service commercial uses are prohibited with the exception that products produced and/or assembled on the premises may be retailed from the premises subject to the provisions of the Zoning By-law, and provided that the retail operation occupies less than 10% of the area of the main building.

12.7.13.5 Policies

Development within areas designated "Industrial Area" shall conform with the following criteria:

- i) open storage shall be screened; and,
- ii) development shall be located such that it shall not be clearly visible from lands designated residential.
- iii) Cannabis Processing.

The following additional policies shall apply to cannabis processing facilities in the Industrial Area land use designation:

- a) Only cannabis processing uses licensed by Health Canada under the *Cannabis Act* shall be permitted;
- b) The minimum separation distance between a cannabis processing use and Existing Residential Area, Residential Area, Urban Medium Density Residential Area, Urban High Density Residential Area, Special Residential Area, Greenland Area, Community Park Area, Gateway Mixed Use Area, Western Approach Area - Mixed Use, Core Area Mixed Use, and Core Area Main Street shall be 1000.0 m, or as otherwise required by the implementing zoning by-law;
- c) The minimum separation distance between two or more cannabis cultivation uses and/ or cannabis processing uses use shall be 1000.0 m;
- d) Cannabis processing uses shall be located and designed in accordance with Cannabis Regulations (SOR/2018-144) to mitigate potential impacts including light emissions, air emissions, odour, and so forth;
- e) Cannabis processing shall only be permitted where municipal servicing is available and allocated;

- f) The Town may establish a municipal licensing framework to regulate cannabis cultivation and cannabis processing uses which can further regulate land use, separation distance, and site plan control;
- g) Only facilities registered or licensed by Health Canada are permitted;
- h) Cannabis processing shall only be permitted through an amendment to the Town's Zoning By-law;
- i) The Town's Zoning By-law shall establish more detailed zoning regulations and standards regarding cannabis processing; and,
- j) Cannabis processing shall be subject to the Town's Site Plan Control By-law including providing the required studies outlined in section 8.6.5.

12.7.13.6 Ancillary Uses

- i) only products produced and/or assembled on the premises may be retailed from the premises subject to the provisions of the Zoning By-law, and
- ii) the combined gross floor area devoted to all ancillary uses is limited to a maximum of 10% of the total gross floor area of the building.

12.7.14 Special Residential Area

12.7.14.1 Purpose

The Special Residential Area designation on Schedule “F” is in an area in transition. The lands had been planned and partially developed as an employment and commercial area. However, the viability of the area for employment uses and the potential for impacts on adjacent residential uses are a concern.

12.7.14.2 Permitted Uses

The permitted uses are institutional uses and those in the Urban Medium Density Residential Area, as well as any legally existing uses.

12.7.14.3 Land Use Policies

New development with the area designated “Special Residential Area” shall be subject to the policies of the Urban Medium Density Residential Area.

12.7.15 Rural Area

12.7.15.1 Purpose

The Rural Area designation recognizes lands in the Secondary Plan Area which shall be maintained primarily for agriculture and other rural uses during the planning period.

12.7.15.2 Permitted Uses, Buildings and Structures

The permitted uses, and related buildings and structures, are those permitted in Section 7 of the Official Plan.

12.7.15.3 Land Use Policies

The lands in the Rural Area designation shall be subject to the Rural policies in Section 7 of the Official Plan. In addition, development shall comply with the Minimum Distance Separation Formulae One.

12.7.16 Core Area – Main Street

12.7.16.1 Purpose

The Core Area - Main Street designation on Schedule “F1” recognizes the existing community core. The purpose of this designation is to identify the community core as a major focal point for commercial and community uses and provide for its

enhancement, including some redevelopment and expansion. It also provides an opportunity for a range of residential uses.

12.7.16.2 Permitted Uses, Buildings and Structures

The permitted uses, and related buildings and structures, are:

- i) retail and service commercial;
- ii) office;
- iii) residential;
- iv) mixed use;
- v) institutional;
 - a) notwithstanding Section 12.7.2.3 xiv) c) Places of Worship may be permitted without requirement for approval of a zoning by-law amendment;
 - b) notwithstanding Subsection a) above, a rezoning is required for Places of Worship fronting on Main Street between Albert Street and Park Drive, except for Places of Worship legally existing as of May 30, 2016; and
- vi) entertainment.

12.7.16.3 Land Use Policies

- i) The Core Area - Main Street contains the major concentration of retail and service commercial uses, as well as institutional and office uses in the Town, other than in the Western Approach Area. New development and redevelopment shall reinforce its character as a pedestrian shopping area in a traditional setting and should generally be based on conformity with the following criteria:

- a) Pedestrian traffic generating activities, particularly retail and service commercial uses and institutional uses located at grade level, with office and/or residential uses in second storey locations;
 - b) Parking shall be prohibited in front of the main building and the Town shall actively support the development of common parking areas and on-street parking areas in accordance with the policies of Section 12.7.18.4;
 - c) Notwithstanding the provisions of Section 12.7.17.2, uses oriented to vehicle use, such as restaurants with "drive-thru" facilities or vehicle repair uses, or uses involving open storage shall be discouraged from locating in the Core Area - Main Street designation;
 - d) Buildings and structures shall have a minimum height of two storeys and a maximum height of four storeys;
 - e) Buildings and structures shall have a minimum floor space index of 1.0 and a maximum floor space index of 3.0;
 - f) Development shall be integrated with adjacent lands wherever feasible with respect to parking, landscaping and pedestrian and vehicular circulation systems and shall provide an appropriate interface with any adjacent lands in a residential designation.
- ii) New development shall be evaluated based on submission of the following information, in addition to the requirements of Section 12.9:
 - a) plans demonstrating how the development will be integrated with adjacent buildings and structures; and,
 - b) perspective drawings of the proposed building(s).
 - iii) Development within existing buildings or structures, or which requires only minor modifications to existing buildings or structures, shall be encouraged.

12.7.16.4 Parking

- i) The Town shall support the development of common parking areas in the Core Area - Main Street designation, or adjacent to that designation. The Town will actively seek to provide such facilities by working with the Business Improvement Area and local businesses to establish a program for the acquisition and development of off-street parking facilities utilizing funding from such sources as cash-in-lieu of parking payments.
- ii) Where common parking facilities have been provided, parking regulations in the zoning by-law shall be re-evaluated and may be reduced or eliminated.
- iii) Where a development project is proposed, the Town may require preparation of a parking study to be carried out by a consultant hired by the Town, at the cost of the applicant or other information submitted by the applicant as determined by the Town, based on terms of reference approved by the Town and the applicant, to identify potential parking problems and alternative solutions which may include alternative parking standards or the location of parking off-site.

12.7.16.5 Community Core Enhancement

The Town will continue to work with the Business Improvement Area, individual business owners, property owners, residents, public agencies and other interested groups to strengthen the Community Core including:

- i) working to promote the area as a shopping area for the community and visitors;
- ii) promoting the area as a location for new businesses and uses, including new public uses;
- iii) developing a regular program for the restoration, maintenance and improvement of municipal services; and,
- iv) programs for facade improvement.

12.7.17 Core Area – Mixed Use

12.7.17.1 Purpose

The Core Area - Mixed Use designation on Schedule “F1” recognizes the existing train station and the surrounding industrial/commercial area. The purpose of this designation is to identify the existing GO Station area as an entrance to the community both for tourists using the Heritage Railway and for residents using the GO facility. The designation also is designed so that the potential of this area to provide an opportunity for a mix of uses which complement the Main Street commercial centre is realized.

12.7.17.2 Permitted Uses, Buildings and Structures

The permitted uses, and related buildings and structures, are:

- i) retail and service commercial;
- ii) office;
- iii) residential;
- iv) mixed use;
- v) institutional;
 - a) notwithstanding Section 12.7.2.3 xiv) c), Places of Worship may be permitted without requirement for approval of a zoning by-law amendment;
- vi) entertainment;
- vii) existing industrial and industrial/commercial; and,
- viii) transportation terminal.

12.7.17.3 Land Use Policies

- i) The existing development east and west of the track in the vicinity of the GO Station is a mix of industrial and commercial uses. The Town shall continue to work with CN Rail, GO Transit, the Heritage Railway, the Business Improvement Area, the owners and operators of the existing uses, businesses and residents to develop and implement a detailed plan to enhance the GO facility and redevelop the surrounding lands for a range of mixed use development. The Town's role shall be as a facilitator, and may include such actions as the preparation of conceptual plans for the area, the brokering of relocation opportunities for existing uses and working with GO and the Heritage Railway with respect to the improvement of their facilities.
- ii) New development shall be designed to be in keeping with the character of development in the Core Area - Main Street designation, and shall be evaluated based on its conformity with any conceptual plan the Town may have developed and/or on submission of the following information, in addition to the requirements of Section 9:
 - a) plans which demonstrate how the development will be integrated with adjacent development; and,
 - b) perspective drawings of the proposed building(s).
- iii) Applications for new development shall also satisfy the following criteria:
 - a) buildings and structures shall have a minimum height of two storeys and a maximum height of six storeys, although the maximum height shall only be permitted provided an appropriate transition can be provided to low density residential areas;
 - b) include no open storage of vehicles, machinery or equipment;
 - c) a minimum floor space index of 1.0 and a maximum floor space index of 3.0;
 - d) demonstrate that development is integrated with the lands in the Core Area - Main Street wherever feasible with respect to parking,

landscaping and pedestrian and vehicular circulation systems, and provides an appropriate interface with any lands in a residential designation;

- e) Development shall be subject to the provisions of Section 12.7.17.4 with respect to parking where applicable.

12.7.18 Western Approach Area Mixed Use

12.7.18.1 Purpose

The Western Approach Area - Mixed Use designation on Schedule “F2” frames Main Street between the Highway No. 48 gateway and the Ninth Line, and as such, it represents the primary entrance into the Community of Stouffville. It is the objective of the Town to create a diverse, thriving commercial district in this area that is combined with employment, institutional, cultural, entertainment and residential uses. Buildings of varied architecture and massing, when combined with a strong orientation to the public realm, will facilitate utilization of the properties by both pedestrians and vehicles alike.

12.7.18.2 Permitted Uses

The permitted uses, and related buildings and structures, are:

- i) light industrial;
- ii) office;
- iii) wholesale;
- iv) hotel, conference, convention and banquet facility;
- v) research and development subject to the provisions of the Zoning By-law;
- vi) institutional and cultural;

- a) notwithstanding Section 12.7.2.3 xiv) c), Places of Worship may be permitted without requirement for approval of a zoning by-law amendment;
- vii) commercial recreation;
- viii) entertainment;
- ix) education and training;
- x) data processing;
- xi) retail and service commercial;
- xii) medium density residential uses subject to the applicable provisions of subsection 12.7.19.3;
- xiii) mixed use;
- xiv) automotive campus and automobile/recreational vehicle sales;
- xv) financial institutions;
- xvi) grocery stores, supermarkets and food stores;
- xvii) eating establishments, including drive-thru restaurants;
- xviii) beer and/or liquor retail stores and outlets; and,
- xix) clinic.

12.7.18.3 Land Use Policies

- i) New development shall be evaluated based on submission of the following information, where deemed necessary by the Town, in addition to the requirements of Section 12.9:

- a) a conceptual plan for the site and surrounding lands which includes information on how the proposed development will be integrated with existing and future development on adjacent lands and the streetscape;
 - b) perspective drawings of the proposed buildings and structures;
 - c) traffic impact study;
 - d) noise impact study where development is adjacent to existing or approved residential development;
 - e) external lighting study where development is adjacent to existing or approved residential development; and,
 - f) air quality study where development is adjacent to existing or approved residential development and potential concerns with odours have been identified by the Town.
- ii) The development of lands for Western Approach - Mixed Use activities may consist of a number of buildings containing both stand-alone and multi-tenant users. Typically a mix of uses will occur within the boundaries of each property.
 - iii) Where more than one use is developed on a property, or, where the Western Approach - Mixed Use designation occupies two or more adjacent properties, the development shall provide comprehensively co-ordinated vehicular access, site circulation, parking, landscaping and site servicing. Where multiple properties are involved, the co-ordination of such matters may be imposed as a condition of development regulated through the site plan control process.
 - iv) Western Approach - Mixed Use Area development shall be subject to site plan approval in accordance with the following policies. The site plan should demonstrate design solutions that promote:
 - a) well defined and articulated street edges through the establishment of minimum and maximum setbacks of 0 to 3 m from the road

allowance right-of-way for the location of the buildings and structures required along the lot frontage and a minimum of 4.5 m of landscaped area between the road allowance right-of-way and the adjacent parking lot and/or internal travel aisles. Decorative fencing or similar structures or strongly defined landscape features such as low hedges shall be incorporated into the landscaping scheme for parking areas to assist in accentuating the street edge treatment.

- b) quality and substantive landscaping throughout the development to enhance the image of the development by breaking up the appearance of the parking lot(s), and, to complement and reinforce the architectural appearance of the buildings. With respect to surface parking areas, on sites larger than 2 ha, the parking areas should generally be subdivided into landscaped parking courts for every 200 cars. Lots less than 2 ha in size should generally subdivide parking courts every 100 cars. In the assessment of the parking courts, an emphasis will be placed upon the creation of grid system of “internal driveways” that are lined with trees.
- c) architectural interest in individual buildings. In examples where substantial setbacks are required for larger retail stores, the smaller commercial buildings, residential units and/or restaurants shall be sited at the street edge. A minimum of 50% of the frontage of a given property should be defined by a building edge, and, no off-street parking or loading / service or drive-thru service areas shall be permitted between the building and the adjacent road.

All new buildings, including the large retail stores, shall have high quality facade materials, including significant glazing on all public frontages. Retail and commercial buildings should investigate opportunities for multiple storeys where feasible, or for double-height buildings with a high standard of facade design with a single storey (i.e.: use of clerestory windows, step backs, etc.). The use of false windows and/or false second storeys is strongly discouraged. Single material blank walls shall not be permitted to face the public street edge, particularly where large retail stores are located. Careful consideration shall be given to facade design and approaches to animation of the facade, and in particular, display windows.

- d) the placement of patios and/or outside eating areas adjacent the road frontage where restaurants are sited adjacent the property frontage as a means of promoting pedestrian scale development;
- e) the use of trellises, window awnings, display windows or other similar external building treatment in buildings where they are constructed adjacent the road frontage as a means of promoting pedestrian scale development;
- f) street intersections and gateways as significant elements through architectural design of “landmark buildings”;
- g) the screening of all loading and service areas from view of the adjacent road network and adjacent residential neighbourhoods. Where buildings include or are adjacent to residential development, garbage / recycling facilities shall be sited within wholly enclosed buildings. Loading and service areas shall be separated a minimum distance of 20 m from adjacent residential neighbourhoods, unless a reduced separation distance is deemed appropriate by the Town based on the proposed noise mitigation measures and the results of the approved noise impact study;
- h) substantive pedestrian linkages between buildings and the adjacent road network. Walkways should be sufficient width to accommodate a minimum of a 1.5 m wide sidewalk and trees / landscaping in the balance of the boulevard. This sidewalk system should be designed in such a fashion so as to link key building destinations across the property(s) and the adjacent road network;
- i) safe pedestrian access from adjacent streets into the interior portions of the development;
- j) adequate screening, separation distances and noise protection for adjacent residential neighbourhoods based upon the conclusions and recommendations of a Town approved noise impact study, air quality study (if applicable) and external lighting study.

- v) Notwithstanding the provisions of subsection iv), where an established development is present and is subject to a new development application and the ability to meet requirements of subsection iv) is not practical, the Town will work with the applicant to achieve a balance with the objectives being:
 - a) to improve the appearance of the development, including minimizing the impact of the parking areas and the appearance of the development from the adjacent sidewalk and travelled road;
 - b) to encourage improved pedestrian movements on site;
 - c) to pursue specific design details which will reinforce the positive image and interaction between the public/private realm; and,
 - d) to mitigate the conflicts between the development and adjacent residential neighbourhoods.
- vi) All development shall conform with the Community Character Strategy policies of Section 12.4.
- vii) Drive-thru restaurants and the associated storage lanes will not be permitted adjacent to residential neighbourhoods and their design will be carefully reviewed to minimize the visual impact on Main Street.
- viii) The building height shall be a maximum of 10 storeys. However, building heights shall be determined based on establishing an appropriate transition in scale to any adjacent development in the Residential Area designation and to Main Street. To establish the appropriate relationship a variety of methods may be used by the Town including angular planes, stepping of height limits, appropriate location and orientation of the building, and the use of setbacks and stepbacks of the building mass.
- ix) A minimum floor space index of 0.5 and maximum floor space index of 2.0 provided that the Town may consider a reduction in the minimum density for the initial phase of development where the Owner demonstrates through the site plan process that the minimum density is planned for and can be achieved.

- x) Outside storage or display of merchandise shall generally not be permitted, and is prohibited for light industrial uses. Nursery and garden sale activities and similar uses which require temporary or seasonal outside storage and display of merchandise, shall only be permitted in locations where their exposure would compliment the adjacent building(s) and not detract from its general character, and, the outside storage has been incorporated into the overall design of the landscaping scheme for that portion of the property. Outside storage and display of merchandise shall be set back a minimum distance of 10 m from adjacent residential neighbourhoods.
- xi) Structured parking shall be encouraged where feasible to encourage development intensification and the efficient utilization of land. Where structured parking is not incorporated in the initial phase(s) of development, the Owner shall demonstrate how future structured parking can be accommodated on the property in the context of existing and future building(s). Where feasible, at grade retail, office or similar uses at the street edge of parking structures should be incorporated into the building design to improve publicly visible edges and the overall building appearance. Where it is not possible to incorporate leasable space at the street edge of the parking structure, landscape design features will be provided to improve the visible edges.
- xii) Off-street parking areas shall be set back a minimum distance of 4.5 m from adjacent residential neighbourhoods. Within the 4.5 m separation distance, the Town will require substantive landscaping treatment, inclusive of a minimum 2.2 m high acoustical privacy fence. Where an established commercial complex is present and is subject to a new development application and the ability to achieve the 4.5 m setback as outlined above is not practical, the Town will work with the applicant to achieve a balance with the objective to improve the appearance of the development and encourage improved elements of compatibility between residential and commercial/retail uses.
- xiii) Mixed Use and medium residential development shall form an integral component of the built form within the Western Approach - Mixed Use Area designation. In the development of properties where there is not an established commercial complex present, it will be a requirement that

residential development be a component of the future development of the property. Development of a property may be entirely for residential purposes. However, where a mixed use or residential development is proposed in combination with retail/commercial uses, a minimum 30% up to a maximum of 60% of the land area shall be provided in the form of residential development, either in the form of mixed use and/or medium density residential. Where residential development is not occurring simultaneously with the retail/commercial uses, the Owner shall demonstrate through the site plan as to the areas protected for future residential uses, and/or that the initial building(s) are designed in such a fashion so as to accommodate mixed use development which can be pursued at a later date.

- xiv) Residential development shall be permitted in the form of:
 - a) dwelling units above at-grade commercial and retail units;
 - b) townhouses;
 - c) quadruplexes and similar cluster housing;
 - d) apartment or condominium buildings served by a central entranceway.
- xv) Residential development shall be a minimum density equivalent to 30 units per net hectare and shall not exceed a density equivalent to 120 units per net hectare.
- xvi) Stand alone residential development in the form of townhouses, quadruplexes or similar cluster housing, and/or apartments/ condominiums shall be encouraged to be sited adjacent to existing or proposed residential neighbourhoods to assist in the transition of land use activities. The architectural treatment of these buildings, including building height, external building materials; roof design, window designs, etc. shall be sympathetic to the adjacent residential neighbourhood. The outdoor amenity area for the residential development shall be encouraged to about the existing or proposed adjacent residential neighbourhoods.

- xvii) The Town may prepare urban design guidelines to assist landowners and the public in shaping future development / redevelopment proposals as contemplated with this designation.
- xviii) Where an established commercial complex is present and is the subject of a new development application, the mixed use and residential policies will be assessed on a case-by-case basis. In some instances it may not be practical to incorporate mixed use/residential development because of limitations associated with factors such as the present built form, property limitations, and, parking limitations.
- xix) The implementing Zoning By-law provisions for the Western Approach Area - Mixed Use designation may establish restrictions to phase development to protect the adjacent residential neighbourhoods, and, impose building setback or height restrictions to reflect the conclusions of the exterior lighting, air quality (if applicable) and noise studies.

12.7.18.4 Special Provisions

12.7.18.4.1 Special Provision 1 - 5440, 5472 & 5508 Main Street

The Owner shall be required to develop and construct residential dwelling units abutting the east and north property limits of these combined lands prior to or as part of the initial phase of retail / commercial development on the subject lands. The Town shall use the Holding (-h) Symbol to phase the release of the lands for development to ensure that residential development occurs adjacent to existing or proposed residential neighbourhoods to assist in land use transition and compatibility.

Notwithstanding the foregoing paragraph, where water and/or sanitary sewer capacity for the residential portion of the development is delayed because of infrastructure improvements underway by the Town or the Region of York, the Owner shall be permitted to proceed with the retail / commercial development in advance of the residential component. Any residential yield proposed for this property above and beyond the 80 residential units allocated by the Town Council may be delayed until the twinning of the Southeast Collector and/or the expansion of the Duffin Creek Water Pollution Control Plant are complete. Where servicing capacity /

allocation is not currently available, improvements to Regional sanitary servicing infrastructure potentially include an expansion to the Duffin Creek WPCP and up-grading of the Southeast Collector trunk sewer. If this situation arises, the Town will release the commercial / retail development in phases ensuring that sufficient separation distances between the emerging development and the existing (or designated) residential neighbourhoods to the north and east are established. Further, the Town will require enhanced landscaping, berms and fencing details at the property line to assist in buffering and mitigating potential impacts on the residential neighbourhood.

12.7.18.4.2 Special Provision 2 – 5402 Main Street and 25 Baker Hill

Notwithstanding any provision of this Plan to the contrary, council may authorize a transfer of the permitted residential density from 5402 Main Street (Block 3 Plan 65M-4228) to 25 Baker Hill Boulevard (Block 2 Plan 65M-4228), permitting thereon a total of 139 residential apartment units. The density transfer shall be subject to the registration of a warning clause on title of 5402 Main Street (Block 3 Plan 65M-4228) indicating that residential development rights have been transferred to 25 Baker Hill Boulevard (Block 2 Plan 65M-4228) and subject to the inclusion of appropriate provisions in the Zoning By-law.

12.7.18.4.3 Special Provision 3 – 5917 Main Street

Notwithstanding any provisions of this Plan to the contrary, the following site-specific policies apply:

- i) A maximum floor space index of 2.9 is permitted;
- ii) A maximum residential density of 230 units per net hectare is permitted;
- iii) A minimum 1.3 m landscaped area is permitted between the road allowance right of way and the easterly off-street parking area; and
- iv) A minimum of 387 m² of commercial/retail gross floor area on the ground floor is required.

12.7.18.4.4 Special Provision 4 – 5531 Main Street

Notwithstanding the provisions of Section 12.7.18.2, high-density mixed-uses shall also be permitted on the subject lands.

Notwithstanding any other provisions of this Plan to the contrary, the following site-specific policies apply:

- i) A maximum height of 16 storeys is permitted;
- ii) A maximum Floor Space Index of 2.75 is permitted;
- iii) A minimum or maximum percentage of land area for residential development as part of high density mixed-uses on the subject lands shall not be required; notwithstanding, a minimum commercial/retail gross floor area shall be accommodated on the ground floor as required in the Zoning By-law;
- iv) A maximum density equivalent to 325 units per net hectare shall be permitted; and,
- v) A minimum setback of 0 metres and a maximum setback of 4 metres shall be provided from the road allowance right-of-way for the location of the buildings and structures required along the lot frontage.

12.7.18.4.5 Special Provision 5 – 5945 and 5947 Main Street

Notwithstanding any provisions of this Plan to the contrary, the following site-specific policies apply:

- i) A maximum floor space index of 2.26 is permitted;
- ii) A maximum residential density of 225 units per net hectare is permitted;
- iii) A minimum 3.0 metre landscaped area is permitted between the road allowance right of way and the easterly off-street parking area;

- iv) A minimum of 445 square metres of commercial/retail gross floor area on the ground floor is required; and,
- v) For the purpose of floor space index, density and parking calculation for all uses, 5947 Main Street and 5945 Main Street shall be considered as one lot.

12.7.18.4.6 Special Provision 6 – 5964 Main Street and 28 Fairview Avenue

Notwithstanding the provisions of Section 12.7.18.2, high-density mixed-uses shall also be permitted on the subject lands.

Notwithstanding any other provisions of this Plan to the contrary, the following site-specific policies apply:

- i) A maximum height of 13 storeys is permitted;
- ii) A maximum floor space index of 4.37 is permitted;
- iii) A minimum or maximum percentage of land area for residential development as part of high density mixed-uses on the subject lands shall not be required; notwithstanding, a minimum commercial/retail gross floor area shall be accommodated on the ground floor, as required in the Zoning By-law;
- iv) A maximum of 210 units shall be permitted;
- v) Well defined and articulated street edges shall be provided through minimum and maximum setbacks for buildings and structures from the road allowance right-of-way, and landscaped areas between the road allowance right-of-way and the adjacent parking lot and/or internal drive aisles, as required in the Zoning By-law;
- vi) Limited off-street parking and drive aisles may be permitted in the exterior side yard, between the building and the adjacent road;

- vii) All loading and service areas, including garbage/recycling facilities shall be sited within wholly enclosed buildings, and shall be separated a minimum distance of 14.0 m from adjacent residential neighbourhoods; and
- viii) Off-street parking areas shall be set back a minimum distance of approximately 2.0 m from adjacent residential neighbourhoods. Within the separation distance, the Town will require substantive landscaping treatment.

12.7.19 Highway 48 Area Mixed Use – 12049 Highway 48

12.7.19.1 Purpose

The Highway 48 Area – Mixed Use designation on Schedule F recognizes the importance of lands along Highway 48 as an important gateway to and complimenting the Highway 48 corridor. Development along Highway 48 in this area is an important component of the structure of the Community of Stouffville. It is the objective of the Town to create a diverse, thriving mixed use area with a combination of high and medium density residential uses in the form of apartments, with live-work units, commercial, employment, institutional, cultural and recreational uses. Buildings of varied architecture and massing, when combined with a strong orientation to the street and public realm, will facilitate a complete and compact community with access for pedestrians, cyclists and vehicles.

12.7.19.2A Permitted Uses, Buildings and Structures

The permitted uses, and related buildings and structures, are:

- i) light industrial innovation makerspaces;
- ii) office;
- iii) hotel, conference, convention and banquet facility;
- iv) research and development;

- v) institutional and cultural uses;
- vi) commercial recreation;
- vii) children's educational play centre;
- viii) education and training;
- ix) data processing;
- x) retail and service commercial;
- xi) farmer's market;
- xii) medium density residential uses subject to the applicable provisions of subsection 12.7.19.3;
- xiii) livework townhouse units subject to the applicable provisions of subsection 12.7.19.3;
- xiv) high density residential subject to the applicable provisions of subsection 12.7.19.3;
- xv) mixed use buildings;
- xvi) financial institutions;
- xvii) grocery stores, supermarkets and food stores;
- xviii) restaurants;
- xix) beer and/or liquor retail stores and outlets;
- xx) clinic;
- xxi) urban agriculture centre;
- xxii) movie theatre complex; and
- xxiii) personal service establishments.

12.7.19.2B Prohibited Uses

The following uses are prohibited in this designation:

- i) Drive-thru facility;
- ii) Standalone automobile sales and service use; and,
- iii) Gas bar.

12.7.19.3 Land Uses Policies

The permitted uses, and related buildings and structures, are:

- i) New development shall be evaluated based on submission of the following information, where deemed necessary by the Town, in addition to the requirements of Section 12.9:
 - a) The technical studies and plans required to determine the limit of development in accordance with Section 12.7.19.7.6;
 - b) A conceptual plan for the site and surrounding lands which includes information on how the proposed development will be integrated with existing and future development on adjacent lands and the streetscape;
 - c) Perspective drawings of the proposed buildings and structures;
 - d) Traffic impact study;
 - e) Noise impact study where development is adjacent to existing or approved residential development;
 - f) External lighting study where development is adjacent to existing or approved residential development; and

- g) Air quality study where development is adjacent to existing or approved residential development and potential concerns with odors have been identified by the Town.
- ii) Permitted uses can be developed in a building with a mix of uses or in buildings with one of the permitted uses.
- iii) The alignment and location of the new Collector Road, as shown on Schedule F, is conceptual and subject to further refinement through the development application process. Refinements to the location and configuration of the new Collector Road will not require an amendment to this Plan, but a Traffic Impact Study will be required. The specific design alignment and need for additional local public or private roads will occur through the development review process.
- iv) Where more than one use is developed on a block, the development shall provide comprehensively coordinated vehicular access, site circulation, parking, landscaping and site servicing.
- v) Development in the Highway 48 Area Mixed Use designation shall be subject to site plan approval in accordance with the following general policies. The site plan should demonstrate design solutions that promote:
 - a) Well defined and articulated street edges through the establishment of appropriate setbacks from the road allowance right-of-way for the location of the buildings and structures required along the lot frontage and a landscaped area between the road allowance right-of-way and the adjacent parking lot and/or internal travel aisles. Decorative fencing or similar structures or strongly defined landscape features such as low hedges shall be incorporated into the landscaping scheme for parking areas to assist in accentuating the street edge treatment;
 - b) Quality and substantive landscaping throughout the development to enhance the image of the development by breaking up the appearance of the parking lot(s), and, to complement and reinforce the architectural appearance of the buildings. With respect to surface parking areas, on sites larger than 2 ha, the parking areas should generally be subdivided into landscaped parking courts for every 200 cars. Lots less than 2 ha in size

should generally subdivide parking courts every 100 cars. In the assessment of the parking courts, an emphasis will be placed upon the creation of grid system of "internal driveways" that are lined with trees;

- c) The placement of patios and/or outside eating areas adjacent the road frontage where restaurants are sited adjacent the property frontage as a means of promoting pedestrian scale development;
- d) The use of trellises, window awnings, display windows or other similar external building treatment in buildings where they are constructed adjacent the road frontage as a means of promoting pedestrian scale development;
- e) The screening of all loading and service areas from view of the adjacent road network and adjacent residential neighbourhoods. Where buildings include or are adjacent to residential development, garbage / recycling facilities shall be sited within wholly enclosed buildings. Loading and service areas shall be separated with an appropriate distance from adjacent residential neighbourhoods, unless a reduced separation distance is deemed appropriate by the Town based on the proposed noise mitigation measures and the results of the approved noise impact study;
- f) Substantive pedestrian linkages between buildings and the adjacent road network. Walkways should be sufficient width to accommodate a minimum of a 1.8 m wide sidewalk and trees / landscaping in the balance of the boulevard. This sidewalk system should be designed in such a fashion so as to link key building destinations across the property(s) and the adjacent road network;
- g) Development integrated with the adjacent lands or corridors protected for future integration with respect to pedestrian and vehicular circulation systems;
- h) Safe pedestrian and cyclist route access connections and crossings from adjacent streets into the interior portions of the development;
- i) Adequate screening, separation distances and noise protection for adjacent residential neighbourhoods based upon the conclusions and

recommendations of a Town approved noise impact study, air quality study (if applicable) and external lighting study;

- j) The development of residential and other noise sensitive land uses shall have regard for potential noise impacts from other existing uses and major streets within and in proximity of the lands. Applications for residential development and other noise sensitive land uses shall include a noise study for the relevant acoustic Class environment, including Class 4 designation, to the satisfaction of the Town and in accordance with Ministry of the Environment guidelines and subject to any objections at the discretion of the Ministry of the Environment and the Town. A Class 4 designation for a site or area may be further implemented by way of zoning by-law, draft plan of subdivision and/or site plan;
 - k) A high quality, compact streetscape design form with suitable pedestrian and cycling amenities that complement the complete community shall be suitably planned and facilitated, including sidewalks on both sides of all roads, appropriate landscaping, the provision of cycling lanes where appropriate, pedestrian-scaled lighting, and consideration for pedestrian amenities such as waste receptacles;
 - l) To create a comprehensive open space and green corridor connecting central public square, parkettes to Greenlands Area along the northern portion of the lands. Conceptual park area for active recreation and open space locations are shown on Schedule F and their specific location and programming will be refined through the development approval process; and,
 - m) To support the objective of creating a pedestrian and cycling oriented community, a trail network that facilitates greater connectivity to the surrounding open spaces and creates recreational opportunity shall be considered. Any trails shall be subject to further study to ensure they do not adversely impact any natural heritage features.
- vi) All development shall be in accordance with applicable approved Urban Design Guidelines and conform with the Community Character Strategy policies of Section 12.4.

- vii) Outside storage or display of merchandise shall generally not be permitted. Outside display of merchandise for special seasonal occasions and events as well as nursery and gardening sales activities and similar uses which require temporary or seasonal outside storage and display of merchandise, shall only be permitted in locations where their exposure would complement the adjacent building(s) and not detract from its general character, and, the outside storage has been incorporated into the overall design of the landscaping scheme for that portion of the property. Outside storage and display of merchandise shall be set back a minimum distance of 10 m from adjacent residential neighbourhoods.
- viii) Structured parking shall be promoted where feasible to encourage development intensification and the efficient utilization of land. Where structured parking is not incorporated in the initial phase(s) of development, the Owner shall demonstrate how future structured parking can be accommodated on the property in the context of existing and future building(s). Where feasible, at grade retail, office or similar uses at the street edge of parking structures should be incorporated into the building design to improve publicly visible edges and the overall building appearance. Where it is not possible to incorporate leasable space at the street edge of the parking structure, landscape design features will be provided to improve the visible edges.
- ix) On-street parking will be encouraged along the new Collector Road that is conceptually shown on Schedule F road and future planned local roads, in combination with bicycle lanes where appropriate.
- x) Non-residential uses will remain an integral component of the development of the property whereby the Owner shall provide 400 square feet (37.16 square metres) of non-residential development for each dwelling unit. Where non-residential development does not occur simultaneously with residential development, the Owner shall demonstrate how this requirement will be addressed through the site plan approval with respect to the areas protected for future residential uses, and/or that the initial building(s) are designed in such a fashion so as to accommodate mixed use development which can be pursued at a later date.

This requirement will be addressed through the Zoning By-Law Amendment with the application of a "hold" provision regarding residential uses which will be lifted when the appropriate balance of non-residential and residential uses can be demonstrated to the Town's satisfaction.

- xii) The maximum height of buildings adjacent to Highway 48 and Hoover Park Drive will be 16 to 18 storeys. In all other areas generally south and west of the proposed new Collector Road, the maximum building height will be 12 storeys. North and east of the proposed new Collector Road, the maximum permitted height will be 4 to 6 storey.
- xiii) Heights of buildings shall be determined based on establishing an appropriate transition in scale to surrounding development using a variety of methods including angular planes, stepping of height limits, appropriate location and orientation of the building and the use of setbacks and stepbacks of the building mass.
- xiv) A minimum floor space index of 0.5 and a maximum floor space index of 3.0 is permitted provided that the Town may consider a reduction in the minimum density for the initial phase of development where the Owner demonstrates through the site plan process that the minimum density can be achieved through future phases of development.
- xv) Mixed use and medium density residential development will be an integral component of the built form within the Highway 48 Area Mixed Use designation. Residential development shall be permitted in the form of:
 - a) Dwelling units above at-grade commercial and retail units;
 - b) Townhouses;
 - c) Live/work units where buildings front onto the street; and
 - d) Apartments, condominium or institutional buildings in stand-alone or mixed use building served by a central entranceway.

- xv) Stand-alone residential development predominantly in the form of townhouses shall be encouraged to be sited generally south of the Little Rouge Creek valley and north of the new Collector Road.
- xvi) The implementing Zoning By-law provisions for the Highway 48 Area Mixed Use designation may also impose building setback or height restrictions to reflect the conclusions of the exterior lighting, air quality (if applicable) and noise studies.
- xvii) Establishing vehicle parking requirements and introducing minimum bicycle parking, based on Town requirements, will be considered in the implementing Zoning By-law.
- xviii) Development shall support the policies of Section 12.8.3 and 12.8.4, with respect to transit supportive design and the development of pedestrian and trail systems.
- xix) Development shall be encouraged to address sustainable design to:
 - a) create, liveable, healthy and efficient environments;
 - b) reduce the consumption of energy, land and other non-renewable resources including support for energy efficient building and opportunities for co-generation;
 - c) minimize the waste of materials, water and other limited resources;
 - d) employ ecological practices and consider the needs of future generations; and,
 - e) promote development on the subject site which utilizes its best efforts to achieve energy efficiency for buildings and infrastructure to reduce its greenhouse gas emissions and increase its climate resiliency through approaches related to factors such as building design and efficient technologies.
- xx) Development shall be evaluated with respect to the Community of Stouffville Sustainable Development Guidelines. A Sustainability Report shall be

submitted at the site plan stage to demonstrate how development proposals are consistent with the Guidelines.

- xxi) Development shall promote environmentally sustainable building design practices, as follows:
- a) Encouraging innovative technology and building practice to reduce energy and water consumption;
 - b) Encouraging third party environmental sustainability certification, such as Leadership in Energy Efficient Design (LEED);
 - c) Permitting and encouraging appropriate on-site renewable energy systems such as photovoltaic energy;
 - d) Encouraging and considering proposals for district energy solutions and innovative energy solutions, such as sewer heat recovery systems;
 - e) Encouraging innovative approaches to stormwater management such as rainwater recapture systems and low impact development approaches;
 - f) Encouraging compact forms of development and efficient use of land and by promoting cycling and walkability;
 - g) Promoting landscaping that is water efficient and drought resistant such as the use of native plants; and
 - h) Considering the use of incentives to encourage innovation and leadership in sustainable development and design.

12.7.19.4 Special Provisions for blocks fronting along Highway 48 and Hoover Park Drive:

- i) In addition to the General Policies in Section 12.7.19.3, the following special provisions shall apply to buildings fronting onto Hoover Park Drive and Highway 48 on lands withing the Special Provision area shown as the hatched area on Schedule F.

- ii) A minimum of 50% of buildings on lands designated Highway 48 Area Mixed Use in the Special Provision area will consist of mixed use buildings that provide at-grade non-residential uses with residential uses in the upper levels of the building. This is identified as the conceptual Active Ground Floor Uses Area on Schedule F.
- iii) Mixed-use buildings with at least 3 storeys of non-residential uses will be required for buildings abutting the intersection of Highway 48 and Hoover Park Drive to establish the intersection as a gateway and reinforce the premise of 'landmark buildings' at this location.
- iv) Street frontages along Highway 48 and Hoover Park Drive will provide active at-grade uses to support street animation. Ground floors of buildings with frontages along Highway 48 and Hoover Park should accommodate active uses that spill out and enliven the public realm. Active uses include, but are not limited to, stores, cafes, bars and restaurants, commercial uses that serve local residents and workers, recreational and arts facilities, and human-scaled and well-programmed office and other lobbies.
- v) A minimum of 65% of the frontage of a given property should be defined by a building edge, and, no off-street parking or loading / service areas shall be permitted between the building and Hoover Park Drive or Highway 48.
- vi) All new buildings shall have high quality facade materials, including significant glazing on all public frontages. Single material blank walls shall not be permitted to face the public street edge, Careful consideration shall be given to facade design and approaches to animation of the facade, and in particular, display windows.
- vii) Street intersections and gateways are significant elements through architectural design of "landmark buildings" to emphasize increased building heights and reduced setbacks. The intersection of Highway 48 and Hoover Park Drive is identified as a gateway on Schedule F and should be designed to incorporate public art, seating areas, parkette space and/or other similar elements to the satisfaction of the Town.
- viii) Development will be setback 14 metres from the Highway 48 right-of-way unless and until this road no longer functions as a provincial highway.

- ix) The maximum height of buildings adjacent to Highway 48 and Hoover Park Drive will be 16 to 18 storeys.
- x) The development of taller buildings, not exceeding 18 storeys, are permitted subject to the following criteria:
 - a) taller buildings should be generally located along Highway 48 and Hoover Park Drive; with the greatest height at the intersection of Highway 48 and Hoover Park Drive;
 - b) the development limits visual and built form impact on the streetscape through design measures such as: building orientation and layout; height and massing; setbacks and stepbacks, visual angular planes; and building facade articulation; and,
 - c) the development incorporates suitable height transition to adjacent mid-rise and low-rise uses through siting and orientation of the tall building and the application of an angular plane from the rear or interior side lot line, where appropriate.

12.7.19.5 Special Provisions for blocks for blocks along the south and west side of the new Collector Road:

- i) In addition to the General Policies in Section 12.7.19.3, the following special provisions shall apply to blocks south and west of the new Collector Road, excluding the lands within Special Provision 12. 7.19.4.
- ii) Development of lands adjacent to the south and west sides of the new Collector Road is envisioned to be mixed use that complement the broader community with uses such as a public square, a market and a conference space in addition to mixed use buildings.
- iii) Street frontages along the south and west sides of the new Collector Road should be animated by adjacent active ground floor uses within mixed use buildings. Ground floors of buildings with frontages along the new Collector Road should accommodate active uses that spill out and enliven the public

realm. Active uses include, but are not limited to, stores, cafes, bars and restaurants, commercial uses that serve local residents and workers, recreational and arts facilities, and human-scaled and well-programmed office and other lobbies.

- iv) The development will provide an urban square central to the lands along the south and east side of the new Collector Road and will be designed to provide sufficient pedestrian boulevards to provide for seating areas, public art, wayfinding feature and other elements, and as further set out in the applicable approved Urban Design Guidelines;
- v) The maximum height of buildings along south side of new Collector Road will be 12 storeys.

12.7.19.6 Special Provisions for blocks fronting along north and east side of the new Collector Road:

- i) In addition to the General Policies of section 12.7.19.3, the following special provisions shall apply to blocks along the north and east side of the new Collector Road.
- ii) Development to the north and east of the new Collector Road will provide low-rise residential uses which may include townhouses, walk-up apartments and live/work uses, where building front onto the new Collector Road;
- iii) The maximum height of buildings north and east of the new Collector Road will be from 4 to 6-storeys;
- iv) Policies in 12. 7.8 apply to lands within the Greenlands Area designation area. Lands adjacent to the Greenlands Area shall be designed in such a fashion that it does not impact upon the ecological or hydrological function of the natural feature(s). Where practical view corridors and pedestrian linkages to the adjacent Greenlands Area will be incorporated into the design of the development.

12.7.19.7 Water and Wastewater Servicing Policies:

- i) The policies of the Stouffville Secondary Plan and Town of Whitchurch-Stouffville Official Plan shall apply to the provision of water and wastewater services on the subject lands.

12.7.19.7.1 Water Supply and Distribution System

- i) The Town of Whitchurch-Stouffville shall continue its ongoing program for the upgrading and rehabilitation of the existing water distribution system based on the 1991 study by Giffels, and any updates to that study.
- ii) The Town of Whitchurch-Stouffville shall work with the Region of York or other designated authorities to expand the water supply works which serve the Community of Stouffville, if required, to provide for additional population and employment beyond the capacity of the existing water supply works.

12.7.19.7.2 Municipal Water Service

All new development on the subject property shall be serviced by the municipal water supply and distribution system subject to available capacity.

12.7.19.7.3 Sewer Services

All new development on the subject property shall be serviced by the municipal sewage collection and treatment system subject to available capacity.

12.7.19.7.4 Stormwater Management

Prior to the approval of a zoning by-law amendment or plan of subdivision, a Functional Servicing Study must be prepared in accordance with the policies of Section 12.9 of this Plan. The study will address a plan for drainage and stormwater management and shall be consistent with the policies of Section 12.5 of the Plan, Environment Conservation Strategy. The policies of Section 8.16 of the Official Plan with respect to Watershed Plans shall also apply.

12.7.19.7.5 New Development

Stormwater from any proposed development shall generally be treated and retained on site or within a specific area approved by the Town. Water quality and quantity criteria shall be to the satisfaction of the Town, in consultation with the Conservation Authority.

Where intensification is proposed, individual lot level approaches shall be required where feasible, including measures such as reduction of impervious areas, cisterns, porous or permeable pavement, green roofs and bioswales.

12.7.19.7.6 Limit of Development

- i) Prior to the approval of any Planning Act application for the subject property, the regulatory flood plain and erosion hazards associated with the Rouge River tributaries, and their associated setbacks shall be determined, to confirm the limit of development, to the satisfaction of Toronto Region Conservation Authority ("TRCA") and the Town;
- ii) Prior to the approval of any Planning Act application for the subject property, a Natural Heritage Evaluation and Hydrological Evaluation shall be prepared to the satisfaction of TRCA and the Town that will be used in determining the limit of development. At a minimum, the evaluations shall include an assessment of the natural features and functions on and adjacent to the property, impacts, mitigation, restoration and enhancement measures, and demonstration of policy conformity;
- iii) Notwithstanding 12. 7.19.7.6(i) and (ii) above, a zoning by-law amendment(s) may be approved within the Highway 48 Mixed Use Area, provided the lands subject to the application do not abut the Greenland Area designation; and
- iv) The boundaries of the Greenland Area designation adjacent to the lands designated Highway 48 Mixed Use Area may be refined and expanded without further amendment to this Plan, provided any refinements are minor in nature and supported through the Natural Heritage Evaluation and/or subject to standard policy requirements regarding Minimum Vegetation Protection Zones and setbacks to Key Natural Heritage Features, Key Hydrologic Features and natural hazards.

12.7.19.8 Holding Provisions

- i) Any By-law passed to zone the lands for their intended purpose as set out in Section 12. 7.19.3, may impose a holding provision by use of a Holding Symbol (H) to all or part of the lands, subject to the outcome of a number of technical studies considered necessary to determine the intensity and form of development, and the appropriate type of infrastructure needed to support the development.
- ii) The lands in the Highway 48 Mixed Use Area designation shall be developed in accordance with the policies of this Plan and the designations on Schedule F, without the requirement for an Official Plan Amendment, but subject to appropriate amendments to the Zoning By-law and other development control measures, provided that the necessary studies demonstrate that development can be accommodated.
- iii) The Holding Symbol (H) affecting the Highway 48 Mixed Use Area designation may be removed from all or part of the lands once the Town is satisfied that the following issues have been satisfactorily addressed and plans and studies have been provided:
 - a) Determination of potential downstream sanitary sewer infrastructure upgrades and required financial contributions to implement these upgrades, and submission of a Functional Servicing and Stormwater Management Report which deals with, among other matters, the provision of Municipal Water and Sewer services and demonstrates the feasibility and capacity of these services to accommodate the entire future development.
 - b) A Traffic Impact Study demonstrating how the entire development provides for new streets and blocks in relation to the existing system of local and regional streets and provincial highways.
 - c) A Phasing Plan based on the findings from required items a. and b. above, with respect to servicing availability, servicing and transportation infrastructure requirements, and timing related to these matters.
- iv) Notwithstanding 12.19.8.iii.b, for any development permitted to have direct access to Hoover Park Drive, the Town may determine that a Traffic Impact

Study is not required to demonstrate how the proposed development provides for new streets and blocks within the remainder lands designated Highway 48 Mixed Use.

- v) Any application to remove the Holding Symbol (H) will be circulated for review and comment to the Town and Provincial officials and any agencies, authorities or other bodies involved in the development or servicing of the area affected by the application. Regard will be had for any comments received from the circulation of the application when considering a by-law to remove the Holding Symbol (H), in whole or part.

12.7.19.9 Definitions

- i) Children's Educational Play Centre: a centre developed with educational play equipment that may host classes and events for educational and/or commercial purposes. This may also consist of or include a daycare.
- ii) Light Industrial Innovation Makerspaces: forms of mixed use developments that combine industrial and non-industrial uses, and can include the activation of underutilized spaces for temporary or seasonal economic activity and multi-tenant co-location hubs that are shared by independent, complementary businesses in a building used for on-site production of parts or finished products by individuals or for shared use. Permitted activities include but are not limited to:
 - a) Manufacturing in the arts, culture and design sectors and may include space for design and prototyping of new materials, fabrication methodologies, and products, as well as space for packaging, incidental storage, sales, and distribution of such projects, for: electronic goods; printmaking; leather products; jewelry and clothing/apparel; metalwork; furniture; woodworking and cabinet shops; glass or ceramic production; and paper manufacturing.
 - b) Hosting of classes or networking events which are open either to the public or to current and prospective members.
 - c) Artisanal manufacturers that are completing small-batch production, clean technology startups that need space to prototype, design and can include

research and development firms such as those in biosciences, product design, and advanced manufacturing.

- iii) Urban Agriculture: the growing, processing and distribution of food and food-related products and the production of plants through urban agricultural activities including plant cultivation (vegetables, fruits, grains, flowers or herbs) appropriate for locations in and around urban areas including for personal consumption, commercial sale and education uses. Permitted accessory structures may include greenhouse and other buildings associated with production, storage, composting, on-site sales, and structures for the operation of the site and the extension of the growing season, community kitchen, community garden, roof top gardens and food hub.

12.7.20A Regional Retail Area

12.7.20A.1 Purpose

The Regional Retail Area designation on Schedule “F” is designed to acknowledge a trade centre and specialty retailing node serving a broad regional market. Major retail uses may be permissible in a manner that is complementary to and does not undermine the function of the Western Approach Area, the Core Area, or, the Neighbourhood Retail Area. Further, the Regional Retail Area shall be fully integrated with, and supportive of, the planned function of the surrounding Business Park Area and Industrial Area designations.

12.7.20A.2 Permitted Uses

The permitted uses are:

- i) large retail stores, having an individual gross floor area of not less than 371 m² and including a minimum of two primary (large-floor plate) retail operations having a minimum commercial floor area of 10,000 m² and 5,575 m² respectively, with the exception that retail stores less than 371 m² in size shall be permitted, up to an aggregate gross floor area of 1,858 m²;
- ii) eating establishments, including drive-thru restaurants;
- iii) gas bar and automobile service centre;

- iv) movie theatre complex;
- v) office;
- vi) Business Park Area uses as per subsection 12.7.12.2 of the Secondary Plan, save and except, commercial recreation and entertainment uses;
- vii) Personal Service Establishments;
- viii) Telecommunications Store/Outlet.

12.7.20A.3 Prohibited Uses

The following uses are prohibited:

- i) large retail stores that are under 371 m² in gross floor area;
- ii) recreational vehicle sales and service;
- iii) financial institutions, until such time as an Office building having a minimum gross floor area of 4,460 m² occupying three or more functional storeys is constructed;
- iv) liquor and/or beer retail stores and outlets, however, the sale of liquor and/or beer or similar products is permitted in a portion of a large retail store where the retail store has a minimum gross floor area of 5,575 m² and, no more than 92 m² gross floor area of the large retail store is devoted to the use; and,
- v) food supermarket, a food store or grocery store, however, the sale of groceries or similar food and retail products is permitted in a portion of a large retail store where the retail store has a minimum gross floor area of 10,000 m², and, no more than 2,500 m² gross floor area of the large retail store is devoted to the sale of groceries or similar food and retail products.

12.7.20A.4 Land Use Policies

- i) The Regional Retail Area designation is a site specific classification that has been assigned to a (approximate) 17 ha parcel of land situated at the southeast intersection of the proposed extension of Hoover Park Drive and Highway No. 48. The Town only contemplates one Regional Retail Area site within the Community of Stouffville, and as such, there is no prescribed Amendment process to add future candidate sites for this land use activity. The Town will only consider the creation of additional Regional Retail Area sites as part of a comprehensive assessment associated with the Five Year review of the Secondary Plan, including a Retail Market Analysis and a Regional impact analysis.
- ii) Where two or more adjacent properties are developed for Regional Retail Area uses, the minimum gross floor area restrictions as identified in subsections 12.7.20A.2 and 12.7.20A.3 shall apply across the entire development as if the landholdings were under one single ownership.
- iii) Regional Retail Area development may occur in the form of individual buildings or multiple occupancy buildings, provided that all retail units comply with the minimum / maximum size requirements as set out in this designation.
- iv) Where more than one use is developed on a property, or, where the Regional Retail Area designation occupies two or more properties, the development shall provide comprehensively co-ordinated vehicular access, site circulation, parking and site servicing. Where multiple properties are involved, the co-ordination of such matters may be imposed as a condition of development regulated through the site plan control process.
- v) Regional Retail Area development shall be subject to site plan approval in accordance with the following policies and, if deemed necessary by the Town, Urban Design Guidelines prepared by the Town at the cost of the applicant. Where two or more adjacent properties are developed for Regional Retail Area uses, the policies of this subsection shall apply across the entire development as if the landholdings were under one single ownership. The site plan should demonstrate design solutions that promote:

- a) well defined and articulated street edges with a minimum of 4.5 m of landscaped area between the road allowance right-of-way and the adjacent parking lot and / or internal travel aisles. Decorative fencing or similar structures may be incorporated into the landscaping scheme to assist in accentuating the street edge treatment;
- b) quality and substantive landscaping throughout the development to enhance the image of the development by breaking up the appearance of the parking lot(s), and, to compliment and reinforce the architectural appearance of the commercial / retail buildings. With respect to surface parking areas, on sites larger than 2 ha, the parking areas should generally be subdivided into landscaped parking courts for every 200 cars. Lots less than 2 ha in size should subdivide parking courts every 100 cars. In the assessment of the parking courts, an emphasis will be placed upon the creation of grid system of “internal driveways” that are lined with trees;
- c) architectural interest in individual buildings. In examples where there is a substantial setback for large retail stores, smaller commercial buildings and restaurants shall be sited at the street edge. A minimum of 50% of the frontage property should be defined by a building edge, and, off-street parking or loading / service areas shall be discouraged between the building and the adjacent road.

All buildings, including the large retail stores, shall have high quality facade materials, including significant glazing on the Hoover Park Drive and Highway No. 48 frontages. Retail and other commercial buildings should investigate opportunities for a second or third storey where feasible, or should utilize double-height buildings with a high standard of facade design with a single storey (i.e. use of clerestory windows, step backs, etc.). The use of false windows and/or false second storeys is strongly discouraged. Single material blank walls shall not be permitted to face Hoover Park Drive and the Highway No. 48 frontages. Careful consideration shall be give to facade design and approaches to animation of the facade, and in particular, display windows on all street frontages;

- d) the significance of the intersection of Hoover Park Drive / Highway No. 48 and the Hoover Park Drive street edge as a gateway. To advance this objective, office building(s) shall be required at the intersection and promoted along Hoover Park Drive to reinforce the premise of “landmark buildings”. Office building development shall be a minimum of 3 functional storeys in height;
 - e) the screening of all loading and service areas from view of the adjacent road network. Where feasible, garbage/ recycling facilities shall be sited within wholly enclosed buildings; and,
 - f) substantive pedestrian linkages between buildings and from the adjacent road network to main building entrances. Walkways should be of sufficient width to construct a 1.5 m wide sidewalk and trees / landscaping accommodated in the balance of the boulevard. This sidewalk system should be designed in such a fashion so as to link key building destinations across the property(s).
- vi) Outside storage or display of merchandise shall generally not be permitted. Nursery and garden sale activities and similar uses which require temporary or seasonal outside storage and display of merchandise, shall only be permitted in locations where their exposure would compliment the adjacent building(s) and not detract from its general character, and, the outside storage has been incorporated into the overall design of the landscaping scheme for that portion of the property.
- vii) Structured parking shall be encouraged where feasible to encourage development intensification and the efficient utilization of land. Where structured parking is not incorporated in the initial phase(s) of development, the Owner shall demonstrate how future structured parking can be accommodated on the property in the context of existing and future building(s). Where feasible, at grade retail, office or similar uses at the street edge of parking structures should be incorporated into the building design to improve publicly visible edges and the overall building appearance. Where it is not possible to incorporate leasable space at the street edge of the parking structure, landscape design features will be provided to improve the visible edges.

- viii) The implementing Zoning By-law provisions for the Regional Retail Area may establish restrictions to phase development to protect the continued function of the Western Approach Area, the Core Area and the Neighbourhood Retail Area. The expansion of gross floor area of Regional Retail Areas on designated sites beyond the initial zoning approvals granted by the Municipality shall be contingent upon updates to a Retail Market Analysis as approved by the Town.
- ix) It is the Town's desire to ensure that the future development of the Regional Retail Area is fully integrated with, and supportive of the planned function of the adjacent Business Park Area and Industrial Area designations. It is a further objective to ensure the efficient utilization of land for employment purposes through intensification and associated practices. To this end, the Town as part of the phasing strategy for retail purposes shall link the timely advancement and development of the adjacent Business Park Area / Industrial Area as contemplated in plan of subdivision File No. 19T(W)-04.001. As a condition to Draft Plan Approval the Owner shall provide municipal services and road access necessary to accommodate the development of a minimum of 35% of the land area associated with the adjacent Business Park / Industrial Area. Prior to the release of the second phase of the retail use within the Regional Retail Area, the Owner shall provide municipal services and road access necessary to accommodate the development of a minimum of 75% of the land area associated with the adjacent Business Park / Industrial Area.

12.7.20 Flood Plain Area

The lands in the Flood Plain Area designation on Schedule "F" shall be subject to the policies of Section 12.5.4 of this Plan.

12.7.21 Boundary Buffer Area

The lands in the Boundary Buffer Area designation on Schedule "F" shall be subject to the policies of Section 12.3.10 of this Plan.

12.7.22 Neighbourhood Retail Area

12.7.22.1 Purpose

The Neighbourhood Retail Area designation on Schedule “F” recognizes nodes of neighbourhood focussed commercial activity. This designation is a commercial district which provides a range of goods and services designed to meet the day to day requirements of the area residential neighbourhoods. It is the intent of this designation to promote mixed use development, and as such, residential dwellings shall be incorporated into the design of Neighbourhood Retail Areas.

12.7.22.2 Permitted Uses

The permitted uses are:

- i) retail and service commercial uses such as small scale retail stores and personal service shops. Generally, these individual uses have a gross floor area of less than 835 m²;
- ii) larger scale neighbourhood retail uses such as grocery stores, drug stores and hardware stores. Generally, these individual uses have a gross floor area of less than 3,950 m²;
- iii) clinic;
- iv) small scale office. Generally, these individual uses have a gross floor area of less than 835 m²;
- v) studio;
- vi) institutional and cultural uses;
 - a) notwithstanding Section 12.7.2.3 xiv) c), Places of Worship may be permitted without requirement for approval of a zoning by-law amendment;
- vii) eating establishments;

- viii) gas bar and automobile service centre;
- ix) financial institutions;
- x) wine and/or beer retail outlets that represent brew your own facilities, or, specialty retail stores;
- xi) medium residential density uses subject to the applicable policies of subsection 12.7.23.4.

12.7.22.3 Prohibited Uses

The following uses are prohibited:

- i) large retail stores that have an individual gross floor area of greater than 5,100 m²;
- ii) entertainment;
- iii) automobile and recreational vehicle sales;
- iv) commercial “self-storage” warehouses;
- v) beer and/or liquor retail stores and outlets; and,
- vi) drive-thru restaurants.

12.7.22.4 Land Use Policies

- i) The development of lands for Neighbourhood Retail Area activities may consist of a number of commercial and residential buildings containing both stand-alone and multi-tenant users. Typically these uses occur within the boundaries of one property;
- ii) Neighbourhood Retail Areas, when complete shall generally range in size from 4,500 m² to 8,360 m² of gross floor area for areas set aside for retail and commercial uses. Areas set aside for residential development can exceed the range established in the preceding sentence;

- iii) Neighbourhood Retail Areas shall be located on a collector or arterial street, usually at an intersection;
- iv) Where two or more adjacent properties are developed for Neighbourhood Retail Area uses, the maximum gross floor area restrictions as identified in subsections 12.7.23.2 shall apply across the entire development as if the landholdings were under one single ownership;
- v) Where more than one use is developed on a property, or, where the Neighbourhood Retail Area designation occupies two or more adjacent properties, the development shall provide comprehensively co-ordinated vehicular access, site circulation, parking, landscaping and site servicing. Where multiple properties are involved, the co-ordination of such matters may be imposed as a condition of development regulated through the site plan control process;
- vi) Neighbourhood Retail Area development shall be subject to site plan approval in accordance with the following policies. The site plan should demonstrate design solutions that promote:
 - a) well defined and articulated street edges with a minimum of 4.5 m of landscaped area between the road allowance right-of-way and the adjacent parking lot and / or internal travel aisles. Decorative fencing or similar structures may be incorporated into the landscaping scheme to assist in accentuating the street edge treatment;
 - b) quality and substantive landscaping throughout the development to enhance the image of the development by breaking up the appearance of the parking lot(s), and, to compliment and reinforce the architectural appearance of the commercial, retail and residential buildings. With respect to surface parking areas, on sites larger than 2 ha, the parking areas should generally be subdivided into landscaped parking courts for every 200 cars. Lots less than 2 ha in size should subdivide parking courts every 100 cars. In the assessment of the parking courts, an emphasis will be placed upon the creation of grid system of “internal driveways” that are lined with trees;

- c) architectural interest in individual buildings. In examples where substantial setbacks are required for larger retail stores, the smaller commercial buildings, residential units and/or restaurants shall be sited at the street edge. A minimum of 50% of the frontage of a given property should be defined by a building edge, and, no off-street parking or loading / service areas shall be permitted between the building and the adjacent road.

All buildings, including the large retail stores, shall have high quality facade materials, including significant glazing on all public frontages. Retail and commercial buildings should investigate opportunities for a second or third storey where feasible, or for double-height buildings with a high standard of facade design with a single storey (i.e. use of clerestory windows, step backs, etc.). The use of false windows and/or false second storeys is strongly discouraged. Single material blank walls shall not be permitted to face the public street edge, particularly where large retail stores are located. Careful consideration shall be given to facade design and approaches to animation of the facade, and in particular, display windows;

- d) the placement of patios and/or outside eating areas adjacent the road frontage where restaurants are sited adjacent the property frontage as a means of promoting pedestrian scale development;
- e) the use of trellises, window awnings, display windows or other similar external building treatment in buildings where they are constructed adjacent the road frontage as a means of promoting pedestrian scale development;
- f) street intersections and gateways as significant elements through architectural design of “landmark buildings”;
- g) the screening of all loading and service areas from view of the adjacent road network and adjacent residential neighbourhoods. Where buildings include or are adjacent to residential development, garbage / recycling facilities shall be sited within wholly enclosed buildings. Loading and service areas shall be separated a minimum

distance of 20 m from adjacent residential neighbourhoods, unless a reduced separation distance is deemed appropriate by the Town based on the proposed noise mitigation measures and the results of the approved noise impact study;

- h) substantive pedestrian linkages between buildings and the adjacent road network. Walkways should be of sufficient width to accommodate a minimum of a 1.5 m wide sidewalk and trees / landscaping in the balance of the boulevard. This sidewalk system should be designed in such a fashion so as to link key building destinations across the property(s) and the adjacent road network;
 - i) safe pedestrian access from adjacent streets into the interior portions of the development;
 - j) adequate screening, separation distances and noise protection for adjacent residential neighbourhoods based upon the conclusions and recommendations of a Town approved noise study, air quality study (if applicable) and external lighting study;
 - k) a minimum floor space index of 0.5 and a maximum floor space index of 1.0 provided that the Town may consider a reduction in the minimum density for the initial phase of development where the Owner demonstrates through the site plan process that the minimum density is planned for and can be achieved.
- vii) All development shall conform with the Community Character Strategy policies of Section 12.4;
- viii) No buildings within 10 m of a property boundary with existing or proposed residential development should exceed 3 storeys or 11 m in height. Buildings above 3 storeys should be stepped back to control the overall massing of the building(s). No buildings shall exceed 5 storeys or 17 m in height;
- ix) Outside storage or display of merchandise shall generally not be permitted. Nursery and garden sale activities and similar uses which require temporary or seasonal outside storage and display of merchandise, shall only be

permitted in locations where their exposure would compliment the adjacent building(s) and not detract from its general character, and, the outside storage has been incorporated into the overall design of the landscaping scheme for that portion of the property;

- x) Residential development shall form an integral component of the Neighbourhood Retail Area built form. As such, a minimum 30% up to a maximum of 50% of the land area of the property shall be provided in the form of residential development. Where residential development is not occurring simultaneously with the retail / commercial uses, the Owner shall demonstrate through the site plan as to the areas protected for future residential uses, and/or that the initial building(s) are designed in such a fashion so as to accommodate mixed use development which can be pursued at a later date;
- xi) Residential development shall be permitted in the form of:
 - a) dwelling units above at-grade commercial and retail units;
 - b) walk-up townhouses;
 - c) quadruplexes and similar cluster housing;
 - d) apartments or condominium buildings served by a central entranceway.
- xii) Residential development shall be a minimum density equivalent to 30 units per net hectare and shall not exceed a density equivalent of 65 units per net hectare;
- xiii) Stand alone residential development in the form of townhouses, quadruplexes or similar cluster housing, and/or apartments / condominiums shall be encouraged to be sited adjacent to existing or proposed residential neighbourhoods to assist in the transition of land use activities. The architectural treatment of these buildings, including building height, external building materials; roof design, window designs, etc. shall be sympathetic to the adjacent residential neighbourhood. The outdoor amenity area for the

residential development shall be encouraged to abut the existing or proposed adjacent residential neighbourhoods;

- xiv) The Town may prepare urban design guidelines to assist landowners and the public in shaping future development/redevelopment proposals as contemplated in this designation;
- xv) Amendments to the Secondary Plan to designate sites for Neighbourhood Retail Area shall be evaluated based upon the following information in conformity with the principles of the preceding subsections and the requirements of Section 12.9:
 - a) a conceptual plan for the site and surrounding lands which includes information on how the proposed development will be integrated with the existing and future development on adjacent lands and the streetscape;
 - b) perspective drawings of the proposed buildings and structures;
 - c) traffic impact study;
 - d) noise impact study where development is adjacent to existing or approved residential development;
 - e) external lighting study where development is adjacent to existing or approved residential development, and,
 - f) air quality study where development is adjacent to existing or approved residential development and potential concerns with odours have been identified by the Town;
 - g) Market Retail Analysis in support of the proposed commercial and retail uses.
- xvi) The implementing Zoning By-law provisions for the Neighbourhood Retail Area may establish restrictions to phase development to protect the continued function of the Western Approach Area, the Core Area and the Regional Commercial Area. The expansion of the gross floor area for retail

/ commercial uses on designated sites beyond the initial zoning approvals granted by the Municipality shall be contingent upon updates to a Market Retail Analysis as approved by the Town, but shall not exceed the maximum of 8,360 m²;

- xvii) The implementing Zoning By-law provisions for the Neighbourhood Retail Area designation may establish restrictions to phase development to protect the adjacent residential neighbourhoods, and, impose building setback or height restrictions to reflect the conclusions of the exterior lighting, air quality (if applicable) and noise studies.

12.7.22.5 Special Provisions

12.7.22.5.1 Special Provision 1 - 12555 Tenth Line

The boundaries of the designation affecting these lands along the eastern property line can be refined without further Amendment to this Plan based upon a comprehensive concept plan or the submission of other more detailed information that has been approved by the Town.

12.7.23 Old Elm Major Transit Station Area

*** 12.7.23.1 Purpose**

The Old Elm Major Transit Station Area will develop into a complete, transit-supportive community that is anchored by a mixed use node at the intersection at Tenth Line and the entrance to Old Elm GO Station. The new community is served by the Old Elm GO Station, which provides an exceptional opportunity to create a transit-supportive neighbourhood with a wide range of housing opportunities, including affordable housing, recreational and community participation opportunities, as well as complementary commercial and office uses which will contribute to a complete, mixed-use community.

The Old Elm Major Transit Station Area, as delineated in the York Region Official Plan, is shown on Schedule F5. The Major Transit Station Area generally encompasses lands in the Stouffville settlement area that are within a 500 metre radius of the Old Elm GO Station site, including some adjustment for alignment

with planned collector roads and other features. This Plan further implements the applicable policies of the York Region Official Plan and Provincial policy.

The boundaries of the land use designations and roads on Schedule F5 are approximate and subject to minor refinements which will not require an amendment to this Plan. Where boundaries are shown as following the roads, the location of the roads may be subject to minor changes through more detailed review of development applications, or through Environmental Assessment processes, in accordance with this Plan. As such, the boundaries of the land use designations and collector roads will be adjusted accordingly without requiring an amendment to this Plan, provided the changes are minor. Where land use designation boundaries follow only lot fabric or do not otherwise follow a feature, the Town will consider minor changes to the location of land use designations without an amendment to this Plan provided the overall intent of this Plan is achieved and provided the overall density target of the Major Transit Station Area and the overall land use designation is not negatively affected.

*** 12.7.23.2 Density Requirements**

- i.) The Major Transit Station Area is planned to achieve a minimum density of 150 people and jobs per hectare. This is a gross minimum density requirement that is measured within all of the lands delineated in the Major Transit Station Area, inclusive of any environmental features and constraints. This target is not intended to be achieved within each individual development application, but represents the overall, long-term target that will be achieved cumulatively across all lands delineated in the Major Transit Station Area. Each of the land use designations set out in this Plan identify a minimum net density target within the designation to support achieving this overall minimum density target, along with the other policies of this Plan.
- ii.) As part of a development application, the Town will require applicants to demonstrate how the application supports the overall gross density target for the Major Transit Station Area and how the application meets the applicable density requirements in this Plan. The Town may refuse an application that is considered to preclude or negatively affect the ability for the density target to be achieved.

- iii.) The Town will monitor the achievement of the minimum density target over time. The Town will track development applications and pre-application consultation submissions and maintain information with respect to the projected density in the Major Transit Station Area. On an annual basis, the Town will assess projected density and growth and may initiate an amendment to this Plan to refine the land use designations and implementation policies, in consultation with York Region, to ensure that the minimum density target is achieved.
- iv.) The land use designations established for the Old Elm GO Station area identify a minimum required density target that is generally intended to be achieved for each development application, subject to the application of the phasing policy in policy 12.4.11.2. viii) below, and as set out in this policy. To provide flexibility, the Town may permit a minor reduction to the minimum density requirements established in each of the land use designations as part of an individual development application without an amendment to this Plan, provided:
 - a. The Town is satisfied that the overall minimum density target within the Old Elm GO Station Area is not compromised, and is similarly satisfied that the overall land use designation will achieve the stated minimum density, per the density of other approved development applications in the same land use designation; and
 - b. The built form, urban design and unit typology policies of the land use designation are achieved.
- * v.) The overall density target within the Major Transit Station Area is intended to represent a long-term target without a specific target year for its full implementation. As such, the Town may consider phased development proposals that do not initially achieve the minimum density set out in the applicable land use designation, including the provision of rear or interior yard surface parking as an interim use, provided:
 - a. The developer submits a phasing plan to the Town's satisfaction showing that the overall development concept will feasibly achieve the density policies of this Plan in the long term;

- b. Ownership or operation of any surface parking provided as an interim use will not encumber or otherwise preclude the long-term development of the site, as set out in the phasing plan;
 - c. The phasing plan or achievement of density is not contingent upon reconstruction or redevelopment of any buildings proposed in the early phases;
 - d. The built form provided within the early phases of development and in the long-term as set out in the phasing plan is designed to achieve the policies of the land use designation; and
 - * e. The proposed phasing strategy prioritizes development that frames Tenth Line and any collector roads, concurrent with or in advance of the rear portions of the lots.
- vi.) Further to policy (i.) above, the land use designations identify a maximum density requirement. Notwithstanding the maximum density requirements within each land use designation, the Town will permit an application to exceed the applicable maximum density requirement without an amendment to this Plan, provided:
- a. Servicing is, or will be, available for the development;
 - b. A coordinated strategy for services and stormwater management has been approved by the Town (refer to Section 12.6.5);
 - c. Where servicing availability is or will be limited, the Town is satisfied that servicing will be equitably distributed and not unreasonably encumbered by the development, as may be demonstrated through the status of other development applications and servicing commitments, and/or via landowner agreement(s) / front-ending agreement(s) respecting the equitable distribution of limited servicing capacity, as may be available; and
 - d. All other requirements of this Plan as well as the Urban Design Guidelines are met.

12.7.23.3 General Land Use Policies

- i) Urban Design Guidelines for the Old Elm GO Station Area have been established to provide further built form and public realm design guidance that build upon the principles and policies set out in this Plan. The Old Elm Urban Design Guidelines establish criteria and design guidance with

respect to the anticipated forms of development that are envisioned for the Old Elm GO Station Area and are in accordance with the policies of this Plan while allowing a degree of flexibility with respect to unit types and development pattern.

- ii) The transition of development density is a key principle that is woven into the policies of this Plan. Consideration will be made in the development review process to ensure that density appropriately transitions to neighbouring low-rise residential neighbourhoods to ensure compatibility. Further, density is intended to be concentrated in close proximity to the GO Station itself, at the intersection of Tenth Line and the new east-west collector road, and along Tenth Line adjacent to this intersection, that will represent the community focal point. Density will further transition north towards Bethesda Road, to create an appropriate rural-urban interface, recognizing the context of this area at the current urban edge of the Community of Stouffville.
- iii) Ensuring land use compatibility for existing and future uses is a key objective of this Plan. A significant portion of the Old Elm GO Station Area will be located in close proximity to the GO Rail Layover facility, located on the north side of Bethesda Road between the rail line and York/Durham Line, as well as the rail line. The Town will require applicable studies to ensure that development is compatible and not negatively impacted by the noise, vibration and visual and potential safety impacts associated with the rail line and the GO Rail layover facility located on the north side of Bethesda Road. The Town may require setbacks, buffering, building orientation, design/construction measures or other mitigation strategies to mitigate potential land use impacts, as determined through the development review process and in consultation with GO Transit and the Conservation Authority.
- iv) The concept for the Old Elm GO Station Area includes requirements as well as permissions for the provision of commercial uses to support a complete community. The intent is for commercial uses to serve the future residents and employees of this new community, so that residents can live in a complete community where their daily needs are met. The area is not intended to function as a new major commercial centre for Stouffville and

commercial uses will not impact the commercial function of Downtown Stouffville or other commercial areas of the Town.

- v) All development will be designed to be compact and pedestrian-oriented, as set out in the policies of the designation and as detailed in the Old Elm Urban Design Guidelines. This shall include, where applicable:
 - a. Buildings that closely frame and enclose all streets, with a particular emphasis on Tenth Line and the collector roads;
 - b. Provision of consolidated accesses and preferably rear lane or local road access to minimize disruption in the street wall on Tenth Line and the collector roads;
 - c. Frequent building entrances; and
 - d. Where garages are provided in conjunction with townhouses or other permitted ground-related dwelling unit types, garages shall be setback and proportioned to minimize their impact and dominance on the streetscape.

*** 12.7.23.4 Old Elm School Site**

- i. An elementary school is anticipated to be needed based on the future projected population in the Old Elm GO Station Area to accommodate future students. A conceptual school site location is identified on Schedule F5 and is subject to implementation in the development review process.
- ii. The school, if required, will be located outside of the delineated Major Transit Station Area, as the school is not anticipated to contribute substantively to achieving the density targets established in this Plan, particularly if the school is not integrated into an overall mixed-use development.
- iii. The Town will work collaboratively with landowners and the school board(s) to identify a school site that achieves the school board's needs while also encouraging innovative, compact and transit-supportive design for the school. The Town will encourage the provision of structured parking, reduced parking, a multi-storey format or integration into a mixed-use development to support a format that is better suited to a transit-supportive development context, subject to feasibility.

Where the school is shown on Schedule F5, or otherwise requested by the school boards elsewhere, the Town will require the developer to submit an alternative lotting and development plan, should the site ultimately not be required for the school. If the school is not required, the underlying land use designation shown in Schedule F5 and its applicable policies shall apply.

*** 12.7.23.5 Old Elm Open Space, Parks**

- i) To complement the Town's existing parkland and open space priorities, the desire is to create a holistic approach to parks planning whereby active and passive activities intertwine to support a broader community use. Conceptual park locations are shown on Schedule F5, and their specific location and programming will be refined through the development approval process. Two neighbourhood parks will be provided within the Old Elm GO Station Area, one on the west and one on the east side of Tenth Line and despite the conceptual park locations shown on Schedule F5, the specific location of the neighbourhood parks is subject to change and shall be determined through the development approval process. In addition, parkettes or urban squares are also encouraged throughout the Old Elm GO Station Area as appropriate to the development and to create a range of park spaces in the Old Elm GO Station Area. Green spaces and trail network will play an important connectivity role within the community and where possible connect to urban squares to provide for a range of activities that meet the diverse recreational needs of future residents and employees in the Old Elm GO Station Area, including passive open spaces (e.g., picnic areas, benches/seating within urban squares, naturalized or sensory gardens, dog walking, seating surrounding the heritage tree south of the GO Station) and active recreational spaces (e.g., spray pad, Jr/Sr. play structures, multi-use courts, natural/active play features). Additionally, a well-connected trail network throughout the community is required to support the Town's Active Transportation Servicing Plan.
- ii) Parks, trails and squares shall be appropriately distributed throughout the Major Transit Station Area and outside of the Major Transit Station Area. They shall be located so as to ensure that residents are within an approximate 200 metre radius or less from at least one park, trail connection, or urban square in the community.

- iii) The Old Elm Urban Design Guidelines establish design guidance for parkettes and urban squares, which shall be considered in the design and layout of development. The specific location, design and configuration of parks and squares shall be determined through the development approval process, in consideration of the Town's Leisure and Community Services Master Plan, Active Transportation Servicing Plan, the Old Elm Urban Design Guidelines and the policies of this Plan.
- iv) This Plan identifies the Greenland System, as initially identified through the preparation of Official Plan Amendment 137, with some refinements made based on recent, more detailed activities conducted to confirm environmental features. Generally, the environmentally sensitive lands are concentrated in the easterly portion of the Study Area. Development will be subject to more detailed study of environmental impact in accordance with the policies and requirements of the Official Plan.

12.7.24 Old Elm High-Density Mixed-Use

12.7.24.1 Purpose

The Old Elm High-Density Mixed-Use designation represents the focal point of the Old Elm GO Station Area, framing a new mixed-use core directly east of the GO Station platform and along the portion of Tenth Line located within the designation. The area will consist of the greatest mix of uses and the highest development densities, creating a vibrant, active streetscape and representing the core and focal point of the community. This designation includes the GO Station Lands, providing for the future development of these lands in a manner that is consistent with the policies of this designation.

*** 12.7.24.2 Permitted Uses, Buildings and Structures**

Permitted uses are:

- i) Mixed-use buildings with at-grade commercial and/or office uses and upper-storey apartments and/or offices;
- ii) Offices;

- iii) Apartments, stacked townhouses and back-to-back stacked townhouses, including live-work units;
- iv) The GO Transit Station and associated uses including accessory commercial, and office uses; and
- v) Accessory uses including home occupations.

Permitted commercial uses include restaurants, banks and similar commercial services, personal service shops, medical offices, day care uses, convenience retail and small-scale retail uses, subject to the land use policies set out below. For clarity, drive-through uses and automotive service uses such as gas stations and car washes are not permitted.

* As set out in the land use policies below, it is intended that mixed-use buildings with ground floor commercial uses will be required in the intersection of Tenth Line and the new east-west collector road within the Old Elm High-Density Mixed-Use designation and at the south end of the Old Elm High-Density Mixed-Use designation. These are identified as the conceptual “Required Mixed-Use Frontage Areas” on Schedule F5. The intent is for mixed-use buildings to frame Tenth Line at the general locations identified on Schedule F5. In all other portions of the Old Elm High-Density Mixed-Use designation, a convertible building frontage (i.e., minimum ground floor height of 4.5 metres) will be required along Tenth line in order to permit a future potential conversion to commercial uses. Lower ground floor heights will be considered where it can be demonstrated that they would accommodate conversion to commercial uses.

*** 12.7.24.3 Land Use Policies**

- i) The intent of this Plan is to facilitate a suitable range of commercial uses to support the day-to-day needs of future residents and employees in Old Elm. It is not the intent of this Plan to facilitate the creation of a significant new commercial node with a broader market area. To this end, the size of any single new commercial unit or store will be limited to 1,500 square metres of gross leasable floor area. A larger single store shall require an amendment to this Plan in conjunction with a retail market study to assess

its impacts on other commercial areas of the Town and its impact on the overall planned commercial structure for Stouffville.

- * ii) Schedule F5 identifies Required Mixed-Use Frontage Areas. Within these generally defined areas, commercial uses, as permitted by section 12.7.24.2. above, will be required within the ground floor building frontage for any buildings fronting onto Tenth Line or its intersection with the new east-west collector road within the Old Elm High-Density Mixed-Use designation. It is the intent of this policy that mixed-use buildings will frame this intersection and frontage along Tenth Line and a portion of the new east-west collector road within this designation. The specific extent of the requirement will be assessed through individual development applications and implemented in the zoning by-law.
- * iii) Development fronting onto Tenth Line and the intersecting east-west collector road will incorporate a ground floor minimum height subject to Section 12.7.24.2, to permit flexibility in potential future conversion of residential uses to commercial and office uses as permitted within this designation.
- iv) Development will be planned to strongly frame Tenth Line and any collector road, contributing to a community focus or node along Tenth Line and the intersection with the new east-west collector road connecting to the Old Elm GO Station. The implementing zoning by-law will establish minimum requirements for build-to line, minimum ground floor height and street frontage requirements, in a manner that is consistent with the Old Elm Urban Design Guidelines and these policies.
- v) Where the GO Station Lands are redeveloped for mixed-uses, it is the intent of this Plan to facilitate a continuation of the new east-west collector road into a portion of the GO Station Lands, including encouraging at-grade commercial uses as permitted in this designation and reinforcing the envisioned community focus at this intersection.
- vi) Development will generally consist of a mid-rise built form, with buildings at least 5 storeys (approximately 17.0 m in height) and up to 8 storeys (approximately 26.0 m in height).

- vii) Taller buildings, not exceeding 12 storeys (approximately 38.0 m in height), are permitted, subject to the following criteria:
 - a. The development is located at the intersection of Tenth Line and a collector road, and/or is located within approximately 200 metres (2-3 minute walk) of the GO Station;
 - b. The development employs a form with appropriate massing and setbacks (e.g. podium and tower configuration and/or defined podium with reduced floor plates above 6 storeys) including stepbacks, to reduce the visual impact of the development on the streetscape;
 - c. The development incorporates suitable height transition to adjacent mid-rise and low-rise uses through siting and orientation of the tall building and the application of an angular plane from the rear or interior side lot line, where appropriate; and
 - d. The applicable Old Elm Urban Design Guidelines are achieved.
- viii) Development will be planned to achieve a net density of at least 200 units per net hectare, up to approximately 520 units per net hectare (about 175 to 450 units per gross hectare). It is the intent of this designation to significantly exceed the overall planned minimum gross density target of 150 people and jobs per hectare for the Major Transit Station Area.
- ix) The Tenth Line intersection with the new east-west collector is located within the Old Elm High-Density Mixed-Use designation and leading into the Old Elm GO Station, is envisioned to function as the key urban public space in the Old Elm GO Station Area. The corridor will incorporate a generous pedestrian realm, as set out in the Old Elm Urban Design Guidelines, providing opportunity for public outdoor activities such as outdoor patios, wayfinding elements, seating, landscaping features, and public art. To support this vision, the Town will encourage the provision of privately-owned public spaces (POPS) or urban squares as part of development, in accordance with the applicable Old Elm Urban Design Guidelines.

12.7.25 Old Elm Medium-High Density Mixed-Use

12.7.25.1 Purpose

The Old Elm Medium-High Density Mixed-Use designation consists of areas along Tenth Line and located within the Major Transit Station Area that are just outside of the Old Elm High-Density Mixed-Use lands. The area will consist of medium and high density uses in the form of apartments and high-density townhouses, with some permission for commercial uses and live-work units within mixed-use buildings.

12.7.25.2 Permitted Uses, Buildings and Structures

Permitted uses are:

- i) Mixed-use buildings with at-grade commercial and office uses and upper-storey apartments and/or offices;
- ii) Offices;
- iii) Apartments;
- iv) Stacked townhouses and back-to-back stacked townhouses;
- v) Street townhouses and laneway townhouses, subject to the land use policies below;
- vi) Live-work units in the form of apartments and townhouse units as permitted above;
- vii) Accessory uses including home occupations in conjunction with townhouse units; and
- viii) Permitted commercial uses include restaurants, banks and similar commercial services, personal service shops, medical offices, day care uses, convenience retail and other small-scale retail uses within the ground floor of mixed-use buildings. Automobile oriented uses such as gas stations, car washes and drive-throughs will not be permitted.

12.7.25.3 Land Use Policies

- i) Any proposed commercial uses will be subject to policy 12.7.24.3(i), which limits the size of any proposed commercial units.
- ii) Development will generally consist of a mid-rise built form, with buildings at least 3 storeys (approximately 11.0 m in height) and up to 8 storeys (approximately 26.0 m in height). Development along the Tenth Line frontage shall be at least 4 storeys. Street townhouses and laneway townhouses shall not be permitted along the frontage of Tenth Line.
- iii) Taller buildings, not exceeding 10 storeys (approximately 32.0 m in height), may be permitted, subject to the following criteria:
 - a. The development is located at the intersection of Tenth Line and a collector road, and/or is located within approximately 200 metres (2-3 minute walk) of the GO Station;
 - b. The development employs a form with appropriate massing and setbacks (e.g. podium and tower configuration and/or defined podium with reduced floor plates above 6 storeys) including stepbacks, to reduce the visual impact of the development on the streetscape;
 - c. The development incorporates suitable height transition to adjacent mid-rise and low-rise uses through siting and orientation of the tall building and the application of an angular plane from the rear or interior side lot line, where appropriate; and
 - d. The applicable Old Elm Urban Design Guidelines are achieved.
- iv) Development will be planned to achieve a net density of at least 80 units per net hectare, up to approximately 450 units per net hectare (about 70 to 400 units per gross hectare). It is the intent of this designation to at least meet, and preferably exceed, the planned minimum density target of 150 people and jobs per hectare for the Major Transit Station Area.
- v) Development will be required to closely frame any collector and arterial roads as set out in the Old Elm Urban Design Guidelines, along with other applicable design criteria.

- vi) The Tenth Line intersection with the new southern east-west collector located within the Old Elm Medium-High Density Mixed-Use designation and further south from Old Elm GO Station, is envisioned to provide another mixed-use focus for the Old Elm GO Station Area that complements the more northerly, and significant node at the intersection with the Old Elm GO Station and east-west collector as indicated in section 12.7.24.3. ix). This intersection is envisioned to also provide an opportunity commercial at-grade uses, provide for a generous pedestrian realm, providing opportunity for public outdoor activities such as outdoor patios, seating, landscaping features, and public art. To support this vision, the Town will also encourage the provision of privately-owned public spaces (POPS) or urban squares as part of development, in accordance with the applicable Old Elm Urban Design Guidelines.

12.7.26 Old Elm Medium-High Density Residential

12.7.26.1 Purpose

The Old Elm Medium-High Density residential designation consists of the balance of the Major Transit Station Area outside of the Old Elm High-Density Mixed-Use and Old Elm Medium-High Density Mixed-Use areas, which form the core of the community. The Old Elm Medium-High Density Residential designation will accommodate a range of principally residential uses which contribute to achieving the overall vision for a transit-supportive community.

12.7.26.2 Permitted Uses, Buildings and Structures

Permitted uses are:

- i) Apartments;
- ii) A full range of townhouses, including street townhouses, back-to-back townhouses, back-to-back stacked townhouses, laneway townhouses and stacked townhouses;
- iii) Live-work townhouses shall be permitted where buildings front onto collector roads or front onto Tenth Line; and

- iv) Accessory uses including additional residential units and home occupations.

12.7.26.3 Land Use Policies

- i) Development will generally consist of a low- to mid-rise built form, with buildings at least 2 storeys and up to 5 storeys (approximately 17.0 m in height).
- ii) Taller buildings, not exceeding 10 storeys (approximately 32 m in height), may be permitted, subject to the following criteria:
 - a. The development is located at the intersection of Tenth Line and a collector road, and/or is located within approximately 200 metres (2-3 minute walk) of the GO Station;
 - b. The development employs a form with appropriate massing and setbacks (e.g. podium and tower configuration and/or defined podium with reduced floor plates above 3 storeys) including stepbacks, to reduce the visual impact of the development on the streetscape;
 - c. The development incorporates suitable height transition to adjacent mid-rise and low-rise uses through siting and orientation of the tall building and the application of an angular plane from the rear or interior side lot line, where appropriate; and
 - d. The applicable Old Elm Urban Design Guidelines are achieved.
- iii) Development will be planned to achieve a net density of at least 55 units per net hectare, up to approximately 450 units per net hectare (about 45 to 400 units per gross hectare). It is the intent of this designation to generally meet the planned minimum density target of 150 people and jobs per hectare for the Major Transit Station Area, recognizing that there may be variation between each individual development application.
- iv) To facilitate increased density in conjunction with any proposed street and laneway townhouse units, the Town will encourage additional residential units in the form of basement apartments and coach houses in conjunction with laneway townhouses.

12.7.27 Old Elm Residential

12.7.27.1 Purpose

The Old Elm Residential designation provides for a wide range of compact residential unit types with an overall low to medium density form of development. The designation provides for the transition in density between the higher density lands immediately surrounding the GO Transit Station area, and surrounding uses.

12.7.27.2.1 Permitted Uses, Buildings and Structures

Permitted uses are:

- i) Smaller lot single and semi-detached dwellings;
- ii) A full range of townhouses, including street townhouses, back-to-back townhouses, laneway townhouses and stacked townhouses;
- iii) Apartments;
- iv) Community uses including schools, subject to the policies of Section 12.7.23.4; and
- v) Accessory uses including additional residential units and home occupations.

*** 12.7.27.3 Land Use Policies**

- i) Development will consist of a low- to mid-rise built form, with buildings generally not exceeding 4 storeys. Where development fronts onto Tenth Line, the minimum building height shall be 3 storeys.
- ii) Taller buildings, not exceeding 8 storeys (approximately 26 m in height), may be permitted, subject to the following criteria:
 - a. The development has direct frontage onto a collector road;
 - b. The development employs a form with appropriate massing and setbacks (e.g., podium and tower configuration and/or defined

- podium with reduced floor plates above 3 storeys) including stepbacks where appropriate, to reduce the visual impact of the development on the streetscape;
 - c. The development incorporates suitable height transition to adjacent mid-rise and low-rise uses through siting and orientation of the tall building and the application of an angular plane from the rear or interior side lot line, where appropriate; and
 - d. The applicable Old Elm Urban Design Guidelines are achieved.
- iii) The Town shall only permit the development of single detached and semi-detached dwellings where the applicant can demonstrate that the overall minimum density target within the entire Old Elm Residential designation will not be compromised by the proposed development.
 - iv) Development shall be designed and configured to facilitate appropriate transition to adjacent approved or existing low-rise residential neighbourhoods, including the use of appropriate setbacks, an angular plane for taller buildings, and buffering. Development not exceeding 3 storeys shall be located immediately abutting any existing or proposed low-rise residential development.
 - v) A specific density target is not established, since lands located in the Old Elm Residential designation are not included in the Major Transit Station Area. However, the Town shall encourage development to achieve a minimum density of 35 units per net hectare and generally not exceed 285 units per net hectare (approximately 30 – 250 units per gross hectare).

12.7.28 Old Elm Public Uses and Utilities

12.7.28.1 Purpose

The Old Elm Public Uses and Utilities designation relates to lands principally used for publicly owned facilities, including the GO Transit Layover Facility and lands used for other utilities and infrastructure.

12.7.28.2 Permitted Uses, Buildings and Structures

Permitted uses will include public uses, including infrastructure, transit facilities and similar uses.

12.7.28.3 Land Use Policies

- i) It is the objective of this Plan to ensure that development adjacent to the GO Transit Layover facility is compatible with this facility. As such, development in the vicinity of the GO Transit Layover facility shall be subject to applicable studies in accordance with the policies of Section 12.7.29.
- ii) The Town will consider alternative development standards that help to support the principles of transit-supportive development, including reduced minimum motor vehicle parking requirements, introducing minimum bicycle parking, or establishing maximum motor vehicle parking requirements in an implementing zoning by-law.

12.7.29 Old Elm Special Provision 1

- i) Lands subject to Special Provision 1 are identified conceptually on Schedule F5. This includes lands generally on the south side of Bethesda Road, south of the layover facility. The purpose of Special Provision 1 is to recognize that the lands are in close proximity to the GO Transit Layover facility located on the north side of Bethesda Road, and that development may be impacted by noise, vibration or aesthetic impacts.
- ii) The Town will require the completion of a noise study to assess impacts from the layover facility on future development as well as Bethesda Road within the conceptually shown Special Provision 1 area. It is anticipated that mitigation of impacts may require the provision of setbacks, orientation of windows/design approaches, building orientation, the provision of a window street, landscaping, or other mitigation approaches. As much as possible, the Town will prefer uses to be integrated with Bethesda Road to contribute to an attractive, active streetscape. The policies of Section 12.9 of the Stouffville Secondary Plan shall apply to the preparation of necessary studies.
- iii) Notwithstanding the underlying land use designation applying to these lands, the Town will permit and encourage the potential development of

office uses in lands subject to Special Provision 1, as offices are generally less sensitive than residential uses and may represent a more efficient use of land depending on any necessary setbacks or mitigation measures. Where office uses are proposed, the uses will meet the built form policies of the underlying land use designation and contribute similarly to the general density target in terms of the number of jobs provided.

- iv) The delineation of Special Provision 1 is considered conceptual in nature and may be contracted or expanded depending on the assessment of noise/vibration and other impacts associated with the GO Transit Layover facility, and the suitability of proposed office uses. Special Provision 1 may be modified accordingly without an amendment to this Plan.
- v) Where the underlying land use designations are developed with their respective permitted uses, they will need to address potential visual, and noise/vibration impacts along the Bethesda Road frontage through buffering via landscape and/or other means.

12.7.23 Hoover Park Mixed Use Area I

12.7.23.1 Purpose

The lands designated Hoover Park Mixed Use Area I on Schedule "F" are intended to allow for an intensified mixed use development that combines institutional, commercial and residential uses in an urban, compact built form. Buildings of varied architecture and massing, when combined with a strong orientation to the public realm, will facilitate utilization of the properties by both pedestrians and vehicles alike.

12.7.23.2 Permitted Uses

The following uses are permitted in the Hoover Park Mixed Use Area I:

- i) Medium and high density residential uses including Senior Citizens Home, Apartments and Retirement Home;
- ii) Institutional uses, including a Long-Term Care Facility; and

- iii) Clinics, medical offices, retail and service commercial uses that are accessory to the primary uses permitted.

12.7.23.3 Land Use Policies

The following land use policies shall apply to lands designated Hoover Park Mixed Use Area I:

New development shall be subject to the following development criteria:

- i) The maximum FSI shall be 2.75;
- ii) Development proposals shall have, where appropriate, well defined and articulated street edges through the establishment of minimum and maximum setbacks and landscaped areas;
- iii) Landscape features such as but not limited to low hedges, tree plantings, hard and soft landscape features, etc. shall be incorporated, where appropriate, into the landscaping scheme for the overall site design including parking areas to assist in accentuating the street edge treatment;
- iv) All loading and service areas shall be screened from the view of the adjacent public road network; and,
- v) Pedestrian linkages between buildings and the adjacent road network shall be encouraged. Walkways should be sufficient width to accommodate a minimum of a 1.5 m wide sidewalk and trees / landscaping in the balance of the boulevard. This sidewalk system should be designed in such a fashion so as to link key building destinations across the subject lands and the adjacent road network.

12.8 TRANSPORTATION STRATEGY

12.8.1 Purpose

The transportation network for the Community of Stouffville shall consist of the following components, the policies for which are set out in this section:

- i) Road network of local roads, collector roads and arterial roads as shown schematically on Schedule “F”, Land Use and Transportation Plan;
- ii) Transit services; and,
- iii) Pedestrian circulation system.

In the development of the transportation network, in addition to the policies of this Section, all decisions shall conform to the policies of the Oak Ridges Moraine Conservation Plan, particularly Section 41 (Refer to Appendix ORM IV).

12.8.2 Road Network

12.8.2.1 General

The road network consists of the existing local, collector and arterial roads and proposed collector roads, as shown on Schedule “F”. Additional roads required to service the community will be developed in accordance with the policies of this Plan without further amendment to this Plan. The Conceptual Structure Plan in Appendix “A” provides a guideline with respect to a future local road pattern.

12.8.2.2 Road Construction and Reconstruction

- i) The Town shall review its road construction standards for the Community of Stouffville to ensure that only the minimum right-of-way and pavement road width is required and that the road standards minimize impacts on natural systems. Street design shall be carried out in conformity with the policies of Section 12.4 of this Plan, particularly Section 12.4.2.1.1, Street

Design and Plans.

- ii) Street rights-of-way shall generally meet the following standards, however such standards may be reduced subject to review by the Town, and in the Heritage Area shall be subject to the policies of Section 12.4 of this Plan:
 - a) Major Arterial Roads
Maximum width 36 m
(Highway 48 and Regional Roads) (118 ft)
 - b) Other Arterial Roads
Maximum width 26 m (85 ft)
 - c) Collector Roads
Maximum width 23 m (75 ft)
 - d) Local Roads
Maximum width 20 m (66 ft)
 - e) Residential Rear Yard Access Roads
Minimum width 5 m (16 ft)
- iii) Design and construction of roads crossing valley lands shall not increase the flood risk to adjacent upstream or downstream properties and shall ensure that the landform features and functions of the valley are properly protected and preserved. When providing for river crossings, design aspects of natural channel systems must be considered. Channelization and armoring shall generally not be permitted except on already disturbed sites. Bridge design concepts for watercourse crossings shall have regard for minimizing intrusions and alterations to existing valley, landform features and functions.

12.8.2.3 Arterial Roads

- i) The arterial road pattern, which is partially under the jurisdiction of the Province of Ontario (Highway 48) and the Regional Municipality of York, (Ninth Line, eastern portion of Main Street and York Durham Road 30), as well as the Town, provides for both local and through traffic movements.

- ii) The Town shall seek recognition by the Province and the Region of the different roles played by the arterial roads in the Community of Stouffville. In particular, the Town shall seek recognition of:
 - a) the role that Highway 48, and the intersection of Highway 48 and Main Street, are intended to play as a major entrance to the Community;
 - b) the significance of Ninth Line and the east end of Main Street at York Durham Road 30 as entrances to the Community with a residential/open space character; and,
 - c) the primarily residential character of the Tenth Line in the developed area of the Community;

The Town will work with the Province and the Region to ensure that the character of the street can serve the arterial traffic function, but, also better reflect the character of the Community. In this regard, the Town shall request the Province and the Region to give consideration to modifications to their standards to reduce access restrictions right-of-way width, building setbacks and other similar matters. The Town shall also work with the Region to ensure that the realignment of Ninth Line at Main Street is in keeping with the character of the Community.

12.8.2.4 Collector Roads

- i) Collector roads are under the jurisdiction of the Town and provide for through traffic between arterial roads, other collector roads and local streets.
- ii) The general alignments of proposed new collector roads are designated on Schedule "F". Detailed design and alignment requirements for such new collector roads shall be determined through a Functional Servicing Study, but, direct access shall generally be permitted to such roads from abutting properties, and sidewalks shall be provided along a minimum of one side of such roads.

- iii) The Functional Servicing Study shall also make recommendations regarding the possible extension of north-south collector roads beyond those shown on Schedule “F”, Land Use and Transportation Plan or Appendix “A”, Conceptual Structure Plan. Plans of Subdivision shall be designed to protect for the eventual extension of the north-south collector roads to ensure an integrated road network.
- iv) The justification of need, determination of “no reasonable alternative”, detailed design and alignment of the proposed Collector Road between Ringwood Drive and Hoover Park Drive shown on Schedule “F”, Land Use and Transportation Plan or Appendix “12A”, Conceptual Structure Plan, shall be established through an Environmental Assessment pursuant to the Environmental Assessment Act. The Environmental Assessment shall fulfill the applicable requirement of Section 41 of the Oak Ridges Moraine Conservation Plan including the specific planning and design requirements of Sections 41 (5) (a) to (e).

12.8.2.5 Local Roads

- i) Local roads are designed to provide access to individual properties and to discourage through traffic. Such roads are under the jurisdiction of the Town.
- ii) The design and alignment requirements for any new local roads shall generally be determined through a Functional Servicing Study, or through the approval process for a plan of subdivision. Regard shall be had to the Conceptual Structure Plan in Appendix “A” in the design of the alignment of local streets during the preparation of the Functional Servicing Study, however the Functional Servicing Study shall provide the final direction with respect to the local road system.
- iv) At the time of development of the lands between the west side of Ninth Line and the Greenland System in Phase 3, the potential for the provision of a local or collector road and/or pedestrian/trail connection to the west across the Greenland Area will be analyzed to enhance connectivity in this area. Development of the lands to the west of the Natural Heritage System will be designed to protect for such a potential future connection.

12.8.3 Transit Service

12.8.3.1 GO Transit

- i) The Town shall work with GO Transit and the Canadian National Railway (CNR) to maintain and enhance existing rail transit service to the community.
- ii) The Town shall take a proactive approach to the enhancement of the existing GO Station facilities as outlined in the policies for the Core Area - Mixed Use designation and the Major Transit Station Area designation. The Town's objective is to retain the GO Station in the Core, as well as at the Lincolnville Station in the Major Transit Station Area designation because of conflicts between the scale of parking required and the lands available, the Town will work with GO and landowners adjacent to the rail line to develop another station site which will be located and designed in conformity with the policies of this Plan.

12.8.3.2 Regional Transit Service

The Town shall encourage the Region of York to develop a regional transit system in accordance with the policies of Section 7.2 of the Regional Official Plan. In particular, the Town shall encourage the creation of a regional transit system which will link the Community of Stouffville with other communities in the Region, and which will also provide internal service within the Community itself.

12.8.3.3 Transit Supportive Design

The Town shall support transit supportive urban design measures, and in particular shall ensure that:

- i) collector and arterial roads are designed to accommodate transit facilities; and,
- ii) subdivisions are designed to permit effective pedestrian access to transit routes.

12.8.4 Pedestrian Circulation System

12.8.4.1 Sidewalk System

In accordance with Section 5.2.3.1 of this Plan, provision shall be made in all street rights-of-way, with the exception of cul-de-sacs or local streets with a limited number of dwellings, for sidewalks. However, the width and location of sidewalks in the Heritage Area shall reflect the width and location of existing sidewalks.

12.8.4.2 Trail System

- i) The Town shall encourage the development of a system of pedestrian / bicycle trails to link the community together. Where appropriate, the trail system could also be designed to be accessible to horses. The trail system would be an integral part of the Greenland System and would provide a physical connection to parks and other open spaces in the Community and to any Town-wide trail system.
- ii) The Town shall consider the preparation of a trail master plan for the Community of Stouffville which will among other matters address the issue of ownership and maintenance of the system.
- iii) Where new areas are being developed, specific routes for the trail system shall be established as part of the Functional Servicing Study, and the provision of the trail system shall be a condition of approval of development.

12.8.5 Special Provisions

12.8.5.1 Purpose

Part of Lot 4 Concession 4 – 12785 Ninth Line

The final delineation of the land use designations shall be confirmed through the review and approval of the draft plan of subdivision and the supporting technical studies, to the satisfaction of the Town, Toronto and Region Conservation Authority and the York Catholic District School Board. Some minor adjustments to the land use designations are permitted provided the goals, objective and

principles of the Secondary Plan and the intent of the policies are maintained and the draft plan of subdivision:

- i) Protects the Greenway System, to the satisfaction of the Toronto and Region Conservation Authority;
- ii) Provides a collector road which may serve as a secondary means of access to Ninth Line for emergency vehicles; and
- iii) Provides a 6 ha (15 ac.) secondary school block, to the satisfaction of the York Catholic District School Board.

*** 12.8.5.2 Old Elm Transportation and Streetscape**

The collector road network will be designed in accordance with the road network concept illustrated on Schedule F5. The specific alignment and location of collector roads is subject to further refinement through the development application process, and any minor refinements will not require an amendment to this Plan. Design of local and collector roads shall be in accordance with the policies of this Plan and will reference the Old Elm Urban Design Guidelines. A proposed deletion of a collector road, or the addition of a new collector road, will require an amendment to this Plan to evaluate the impact on the land use concept. The specific design, alignment and need for collector and local roads will occur through the development review process and may be subject to an appropriate process in accordance with the Environmental Assessment Act, such as the Municipal Engineers Association's Municipal Class Environmental Assessment process.

The Plan identifies a conceptual collector road network as well as policies to support improvements to Tenth Line, which will be a key multi-modal transportation corridor that will provide access to the GO Station. This Plan emphasizes the need to balance different modes of transportation. There will be a need to prioritize pedestrians and cyclists. The long-term plan is intended to accommodate a variety of transportation modes and create an overall streetscape and built form that is pedestrian and cycling-oriented as a priority.

- i) It is the objective of the Town to provide future Old Elm GO Station Area residents with convenient, safe and comfortable pedestrian and cycling access between the future residences and the GO Station site, facilitating an approximate 5-minute walk from anywhere in the Major Transit Station Area (approximate 500 metre radius) to the GO Station platform. Collector

and arterial roads are intended to be designed in a manner that balance automobile, pedestrian and cycling activity, to contribute to the vision of a truly transit-supportive design where walking and cycling distances are optimized and where pedestrians and cyclists are well accommodated to create safe, efficient connections between uses and the GO Station.

- ii) To further support the objective of creating a principally pedestrian- and cycling-oriented neighbourhood and the walking distances established above, the Town will support a trail network that facilitates greater connectivity and creates recreational opportunity. Any trails shall be subject to further study to ensure they do not adversely impact any natural heritage features.
- iii) The Town will require a highly permeable road network with shorter blocks and frequent connections to optimize opportunity for pedestrian connectivity. Additionally, where block widths are larger due to operational considerations, such as connection with arterial roads, the Town will require pedestrian and cycling linkages such as mid-block connections. Pedestrian and cycling linkages shall be conveyed to the Town.
- iv) Where development is proposed to proceed by way of a Plan of Condominium, the Town shall prefer the provision of appropriate public pedestrian, cycling and vehicular connections and their conveyance to the Town.
- v) Direct connections from private or condominium road/lanes to collector roads will only be permitted for shared access to a condominium block or to parking access for larger sites. Multiple individual connections from private roads or lanes shall be predominantly accessed from local roads. A direct connection from private or condominium road/lanes to collector roads to an individual development will be permitted if consolidation of accesses to adjacent development sites is not feasible.
- vi) A high quality, compact streetscape design form with suitable pedestrian and cycling amenities that complement the transit-supportive development context shall be suitably planned and facilitated, including sidewalks on both sides of all roads, appropriate landscaping, the provision of cycling lanes

where appropriate, pedestrian-scaled lighting, and consideration for pedestrian amenities such as waste receptacles.

- vii) On-street parking will be encouraged on all roads. At a minimum, on-street parking will be required on collector roads.
- viii) Roadways will be designed and oriented to avoid any natural heritage features, natural hazards and associated buffers and to mitigate impacts to the greatest extent possible. However, providing a link between on and off road trails and pedestrian connections should be provided.
- ix) Tenth Line and the new east-west collector road providing access into the GO Station site are envisioned to function as a primary focal point in the community, where a mix of land uses, and high density uses will be provided. The design of these roadways shall seek opportunities to slow traffic including the provision of on-street parking, bike lanes and other features where appropriate, and provide pedestrian-oriented and cycling-friendly design.
- x) The Town will work with Metrolinx to extend the concept of the focal point intersections with the new east-west collector road into the GO Station site, in the event that development is accommodated on the GO Station site.
- xi) The Town will encourage the provision of York Region bus transit linkages in the Study Area, to further facilitate connectivity and support the GO Station and the broader connectivity of this neighbourhood to other parts of Whitchurch-Stouffville. Accordingly, arterial and collector road design will integrate suitable bus transit design considerations where applicable and in consultation with York Region.
- xii) The Town will require the urbanization of the Tenth Line and Bethesda Road within the Old Elm Go Station Area. The ultimate right-of-way width, design and the construction of urbanized roads will be refined through the development application review process (including the Plan of Subdivision process), a Municipal Class Environmental Assessment, as may be required or other implementation mechanisms at the discretion of the Town.

12.9 DEVELOPMENT APPLICATION PRE-CONSULTATION AND SUBMISSION REQUIREMENTS

12.9.1 Purpose

All development applications in the Community of Stouffville Secondary Plan Area shall be subject to review in accordance with the policies of this section, and the other applicable policies of this Plan. In addition, the Town may require development to be subject to the site plan control provisions of the Planning Act. Further all development shall conform with the applicable policies of the Moraine Plan and Section 12.7.2.4 of this Plan.

12.9.2 Pre-Consultation

- i) Consultation with the Town prior to the submission of a development application requiring Planning Act approval is encouraged, and shall be required for applications for the approval of Official Plan amendments, Zoning By-law amendments, draft plans of subdivision, consents, draft plans of condominium and site plans. The Region of York is encouraged to participate in the Town's pre-consultation process. Other affected agencies such as conservation authorities are encouraged to participate, where appropriate.
- ii) The Planning Act and its regulations prescribe the submission of certain information and materials as part of development applications. The Town may require information and materials to support any development application in addition to that prescribed, including maps, drawings, reports and technical studies. The specific requirements for an application to be deemed to be a "complete" application, shall be determined by the Town as part of the pre-consultation process, in consultation with the appropriate agencies including the Region of York and the applicable Conservation Authority.

12.9.3 Required Information and Materials

Unless an exemption is granted by the Town in writing as part of the pre-consultation process, the following information and materials shall be required to be submitted as part of an application for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision, consent, draft plan of condominium and site plan, and shall be required for other applications. Such required information and material shall be prepared at the applicant's expense and carried out by qualified professionals as determined and approved by the Town:

i) Background Information

A plan of survey of the subject site identifying all Greenlands and other natural heritage features, including wetlands, valleylands and watercourses, existing significant trees, other significant landscape features, existing buildings and structures and contours.

ii) Plans

Plans, including, where applicable, site grading and landscaping plans, elevations, and other documentation:

- a) describing the proposed development and its relationship to the existing streetscape and adjacent land uses, in particular building envelopes, accesses and parking areas;
- b) demonstrating how stormwater, erosion and sedimentation will be controlled on site;
- c) describing proposed landscaping and any modifications to existing significant trees and landscaping;
- d) demonstrating how the development will be integrated with the Greenland System established on Schedule "F3", where applicable; and,
- e) describing how the impact of any significant outside lighting sources, such as but not limited to, parking areas and certain outdoor recreational facilities, will be addressed and mitigated.

Such plans should include where applicable a draft plan of subdivision or condominium.

iii) Oak Ridges Moraine

Where the site is located in the Oak Ridges Moraine, proposals shall be evaluated with respect to the information submission requirements of the Oak Ridges Moraine Conservation Plan and Section 3 of the Town's Official Plan.

iv) Greenland System

Where the site includes or directly abuts the lands designated on Schedule "F" as "Greenland Area", proposals shall be evaluated in accordance with the information submission requirements of Section 12.5 of the Secondary Plan and Section 12.7.8.4.

v) Tree Analysis

Where new development is to occur on a lot which the Town identifies as having trees which may warrant preservation or replacement, a Tree Conservation and Planting Plan shall be developed either at the time of application, or as a condition of approval at the direction of the Town. Based on this analysis controls will be placed on the trees to be removed, the amount and type of new landscaping to be provided on the site and related management and construction procedures.

vi) Engineering Considerations

All necessary studies shall be required to address engineering considerations including:

- a) Functional servicing study or servicing plan;
- b) Master drainage study;
- c) Stormwater management study;

- d) Hydrological Assessment/water balance, Geotechnical/Slope Stability Study;
 - e) Hydraulic analysis for flood plain delineation;
 - f) Erosion and sediment control plan; and,
 - g) Operation maintenance report; and,
 - h) Water analysis report.
- vii) Noise Impact Study

A noise impact study shall be carried out where residential uses or other sensitive uses, as defined by Ministry of the Environment guidelines, are proposed and the site is adjacent to a major noise source such as a highway, Regional or arterial road, railway or industrial use. In particular, any proposed development within 300 metres of a railway right-of-way may be required to undertake noise studies to the satisfaction of the Town, in consultation with the applicable railway.

Further, the Ministry of the Environment guidelines, “Environmental Noise Guideline, August 2013” or any successor thereto, with respect to the need for noise impact studies shall apply to new commercial, industrial or institutional development which is a potential major noise source, such as, but not limited to, uses which have associated with them on-going construction activity, outdoor heat rejection systems (including cooling towers) and outdoor exhaust fans, or other stationary noise sources such as railway yards, major truck stops, major hydro transformers, or natural gas compressors. Where required by the guidelines, a noise impact study shall be carried out to the satisfaction of the Town.

- viii) Vibration Study

A vibration study shall be required at the request of the Region of York, the Town or the applicable railway where the site is within 75 m (246 ft) of a railway right-of-way or any Regional or arterial road. Such a study shall be carried out to the satisfaction of the Town, in consultation with the appropriate government agency or railway.

Further, where new industrial development, which is a potential major source of vibration, such as metal forming industries including punch presses or drop forges, is proposed within 75 m (246 ft) of existing residential development, a vibration study shall be carried out to the satisfaction of the Town.

ix) Cultural Heritage Impact Assessment

Where the site includes a building of architectural and/or historical merit listed or designated under the Heritage Act or is located in a designated Heritage District, a cultural heritage impact assessment, prepared by recognized professional(s) in the field, shall be required to be submitted to the Town. Such a study shall demonstrate to the satisfaction of the Town that:

- a) the proposal will not adversely impact the heritage significance of the property or the area in which it is located; or,
- b) demonstrate that it is not physically feasible to maintain the heritage building or structure.

x) Archaeological Resource Assessment

Where there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within a site, a Phase I Archaeological Assessment conducted by archaeologists licensed under the Ontario Heritage Act shall be required. In addition, the provisions of the Cemeteries Act and its regulations shall be applied when marked and unmarked cemeteries or burial places are encountered during development, assessment or any activity.

xi) Land Use Compatibility

Where applicable, information or necessary studies shall be provided to assist in the establishment of a separation distance, having regard for any applicable Ministry of Environment guidelines, between proposed development and potentially incompatible uses.

xii) Soil Quality

The applicant must demonstrate that on-site soil quality is suitable for the proposed use. Where site remediation is required the Town shall be satisfied with respect to the implementation of remediation prior to development approval. Specifically, where the Town, other public body, or the applicant has identified potential site contamination, the Town shall require the applicant to complete a Phase 1 assessment, in accordance with the Ministry of the Environment's Guidelines for Use at Contaminated Sites in Ontario. The Phase 1 Environmental Site Assessment will be reviewed by the Town to ensure there is no contamination prior to the granting of any development approvals. If there is evidence of contamination, the applicant will be required to submit a Phase 2 assessment in accordance with the Ministry of the Environment's Guidelines. If the site is found to be contaminated, the Town shall require the applicant to submit a Ministry of the Environment acknowledged Record of Site Condition to the Town to verify site clean-up prior to the granting of a building permit.

xiii) Traffic Impact Analysis

Where the Town, Ministry of Transportation, or the Region have identified concerns with respect to public safety and/or operational integrity, a traffic impact analysis carried out by a qualified transportation engineer shall be required. Transit plans and pedestrian and bicycle circulation plans may also be required.

xiv) Air Quality

Where the Town identifies concerns with impacts on air quality, appropriate studies by qualified professional(s) shall be required.

xv) Other Environmental Studies

All necessary studies shall be required to address environmental considerations including:

- a) Demarcation of physical and stable top of bank;
- b) Demarcation of limits of natural heritage and hydrologic features;

- c) Fish habitat assessment; and,
- d) Natural features restoration plan.

xvi) Financial Considerations

Financial considerations shall be addressed through the submission of the following studies:

- a) Market impact study;
- b) Financial impact study; and,
- c) Capital impact assessment.

xvii) Sewage and Water Services

- a) Where individual sewage and/or water services are to be provided, technical studies related to soil condition, groundwater availability and the suitability of the area for private sewer and water services may be required to be submitted as determined by the Town and/or Region of York Health Services Department. Such studies shall be carried out by a qualified hydrogeologist.
- b) Where municipal or communal sewage and/or water services are to be provided the policies of Sections 12.9.6 and 5.8.2, as applicable, shall be satisfied.

xviii) Views and Vistas

Where proposed development is located on a site and the proposed development is considered by the Town to impact on the views and vistas from this area due to its location on the Oak Ridges Moraine and the character of the community, that information, to the satisfaction of the Town, shall be submitted to demonstrate how the impact on the views and vistas will be minimized. The policies of Section 12.4.2.3 shall be complied with.

xix) Other Additional Studies

The following additional studies shall also be required where appropriate:

- a) Urban Expansion Needs Study;
- b) Mineral Aggregate Study.

xx) Other Information

In addition to the requirements of Sections 12.9.3 i) - xviii), the applicant shall be required to submit any other supporting information and materials that may be identified by the Town during the pre-consultation process as being relevant and necessary to the evaluation of the particular application, including the plans and other information required by Section 7.

12.9.4 Additional Functional Servicing Studies – Potential Development Outside Existing Community Area

The following information and studies, together with any information and studies required by the Moraine Plan, shall generally be submitted as a basis for evaluation of development applications for the lands outside the Existing Community Area designated on Schedule “F”, with the exception of those lands designated “Rural Area”:

- i) Functional Servicing Study
 - a) A Functional Servicing Study shall be prepared for the entire development area outside the Existing Community Area designated on Schedule “F” or for each block bounded by arterial roads and/or Town/Secondary Plan Area boundaries, or on a catchment area basis, prior to the approval of any new development. Where a Functional Servicing Study is being prepared, such a study will include lands in the Existing Community Area designated on Schedule “F” and lands outside of the Secondary Plan Area or the study area, which may be impacted by development.
 - b) The Functional Servicing Study will detail the environmental, servicing and drainage requirements necessary to identify specific stormwater, sanitary,

water supply and transportation needs including roads, transit, pedestrian and bicycle facilities, prior to any development.

- c) The Functional Servicing Study shall be prepared in accordance with terms of reference prepared by the Town and approved by Council, in consultation with the Conservation Authority, and the Regional Municipality of York. The Study shall be prepared to the satisfaction of the Town, the Conservation Authority, York Region Board of Education, and the Regional Municipality of York and with input from the landowners and shall be approved by Council.
- d) The Functional Servicing Study, shall include the following, at a minimum:
 - an analysis of servicing requirements including design requirements, phasing and costs for stormwater management, water and sewer services, other utilities and transportation systems;
 - a land use concept prepared in accordance with the policies of this Plan;
 - an implementation and staging plan for development and a program for the monitoring of environmental impacts;
 - design and construction requirements to ensure protection of the environment, including groundwater, and the approach to the treatment of road run-off; and,
 - energy conservation measures.
- e) The Functional Servicing Study shall also include:
 - a Master Servicing Strategy;
 - an Environmental Impact Study;
 - Landform Conservation Study;
 - Tree Preservation and Planting Plan;

- Heritage and Archaeological Analysis;
- any other studies required by the Town; and,
- any additional studies required to satisfy the requirements of the Oak Ridges Moraine Implementation Guidelines.

ii) Financial Impact Analysis

A Financial Impact Analysis shall be carried out for lands in the study area of the Functional Servicing Study which will be used as a basis for the phasing of development and planning by the Town to accommodate any proposed development.

iii) Noise Studies

Noise studies shall be carried out for lands adjacent to Regional Roads, an industrial use and within 300 m of a railway right-of-way for lands in the study area of the Functional Servicing Study.

Further, where new commercial, industrial or institutional development which are potential major noise sources, such as, but not limited to, uses which have associated with them construction activity, delivery and unloading activity, outdoor heat rejection systems (including cooling towers) and outdoor exhaust fans, the requirements of the Ministry of Environment, “Environmental Noise Guideline, August 2013” or any successor thereto, with respect to the need for noise impact studies shall apply. Where required by the Guidelines, a noise impact study shall be carried out to the satisfaction of the Town.

iv) Vibration Studies

A vibration study shall be required where lands are within 75 m of a railway right-of-way or on arterial road at the request of the Region of York and/or Canadian National.

Further, where new industrial development which is a potential major source of vibration, such as metal forming industries including punch presses or drop forges,

is proposed within 75 m of existing residential development, a vibration study shall be carried out to the satisfaction of the Town.

12.9.5 Scale, Scope and Timing of Submissions

- i) The scale, scope and timing of any required information and material, particularly any reports and technical studies, is dependent on the nature of the proposal, its relationship to adjacent land uses and the type of planning approval required.
- ii) The Town may, and where directed by this Plan shall, at its discretion, and after consultation with the applicant, require that the required reports and studies be carried out by a consultant retained by the Town at the cost of the applicant. The Town may also, as an alternative, require a peer review by an appropriate public agency or by a professional consultant retained by the Town at the applicant's expense. In either case, the applicant shall have input to the establishment of the terms of reference for such a study or peer review and a specific cost limit shall be established prior to the commencement of the study.

12.9.6 Complete Application

An application for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision or draft plan of condominium shall be considered complete under the Planning Act only when all the following items have been provided to the Town:

- i) an application form;
- ii) any information or materials prescribed by statute;
- iii) a pre-consultation form;
- iv) any supporting information or materials required to be provided in accordance with Section 12.9.3, where applicable; and,
- v) the prescribed application fee.

12.9.7 Development Evaluation Criteria

Development proposals shall generally conform with the following criteria, in addition to any other applicable policies of this Plan and in accordance with the applicable policies of the Moraine Plan.

i) Design

The appropriateness of the design of a proposed development will be evaluated in accordance with the policies of Section 12.4. In particular, where new development is proposed abutting existing residential development it shall be designed to be compatible with that existing development with respect to density, height and use. In addition, all development may be subject to the site plan control provisions of the Planning Act.

ii) Heritage Preservation

Buildings of architectural and/or historic significance shall be preserved, where feasible, on site and/or integrated into the development in an appropriate manner and/or preserved in some other manner. Development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site shall be permitted.

iii) Greenland System

Development shall only be permitted on lands in or adjacent to areas designated on Schedule "F" as part of the Greenland System in accordance with the policies of Part III and Part IV of the Oak Ridges Moraine Conservation Plan and the applicable policies of this Plan and the results of any Functional Servicing Study.

iv) Watercourses

All watercourses shall be maintained or enhanced as distinct ecosystems, and lands immediately adjacent to these watercourses shall be retained or rehabilitated to a natural self-sustaining state. Alterations to watercourses, including riparian

features such as intermittent streams and drainage swales, shall generally be discouraged. However, the necessity for retention/restoration of riparian features such as intermittent streams and drainage swales, will be evaluated as part of any Functional Servicing Study and modifications of these features may be approved where deemed appropriate by the Town, in consultation with the Conservation Authority pursuant to its Fill, Construction and Alteration to Waterways Regulation.

v) Sewer and Water Services and Stormwater Management

New development shall be serviced in accordance with the policies of Section 12.6 of this Plan and the results of any Functional Servicing Study.

vi) Financial Impacts

Only development which can be accommodated within the financial capabilities of the Town, including the provision of financial compensation beyond that provided for in the Development Charges By-law, shall be permitted.

vii) Soil Quality

The applicant must demonstrate that on-site soil quality is suitable for the proposed use. Where site remediation is required the Town shall be satisfied with respect to the implementation of remediation prior to development approval.

viii) Noise and Vibration Impact and Safety Measures

Where the site is adjacent to a major noise or vibration source such as a Regional Road, railway or industrial use, the Town, in consultation with the Region of York and, where appropriate, Canadian National, shall be satisfied that appropriate measures to mitigate any adverse effects of noise and vibration can be implemented. Further, adjacent to a railway, the Town, in consultation with Canadian National, shall be satisfied that appropriate safety measures are provided.

12.10 GROWTH MANAGEMENT STRATEGY

12.10.1 Purpose

The Growth Management Strategy for the Community of Stouffville including the phasing of new development and an intensification strategy for the lands in the Built Area Boundary, as well as a development monitoring strategy, is outlined in the following sections.

12.10.2 Phasing of New Development in Designated Greenfield Areas

12.10.2.1 Purpose

In order to ensure that growth occurs in an orderly, well-planned manner, the rate and timing of new development outside the Built Boundary as designated on Schedule “F”, shall be managed in accordance with the policies of this section.

12.10.2.2 Planning Period

The planning period shall be from 1997 to 2031.

12.10.2.3 Rate of Growth

It is the intent of this Plan to ensure that the rate of growth is carefully controlled, while at the same time not being inconsistent with "market forces". In particular, the rate of growth will be controlled to provide an opportunity for:

- i) the monitoring of the impacts of development in initial phases of new growth prior to allowing later phases to proceed;
- ii) new residents in initial phases of new development to be integrated with the community, prior to additional substantial population growth; and,
- iii) community facilities to be developed to accommodate the new residents.

12.10.2.4 Phasing Considerations

In determining the priority of development for the lands outside the Built Boundary, the following criteria shall be considered:

- i) development which contributes to the protection, enhancement and securement of environmental areas and systems;
- ii) development which represents the completion of existing residential areas and roads and other infrastructure;
- iii) development which provides park sites, school sites and portions of a community wide trail system;
- iv) development which can be accommodated within the financial capabilities of the Town;
- v) development which is evenly distributed and sequential, except where intervening lands are not likely to be developed within a reasonable time period; and,
- vi) development which provides the opportunity for both residential and employment uses in order to encourage improved work/live relationships and attract non-residential assessment.

12.10.2.5 Phase 2 Lands

In addition, to the other policies of this section, the Phase 2 Lands are identified on Schedule “F5”, which also identifies Sub-Area 1, Sub Area 2 and Sub Area 3.

To assist in the achievement of the Town’s population target for the Phase 2 Lands, the following housing mix target is established for the Phase 2 Lands. The achievement of the target on a yearly basis shall not be required; however, the Town will review the achievement of the target every five years.

Low Density	70%
Medium Density	30%

In addition, the following dwelling unit targets are established for each Sub-Area. The Town shall use these targets as a guide to evaluate proposed development with respect to achievement of its overall target for Phase 2 of 3,200-3,500 dwelling units:

Sub-Area 1	375	-	400
Sub-Area 2	1,000	-	1,100
Sub-Area 3	1,825	-	2,000

12.10.2.6 Phase 3 Lands

In addition, to the other policies of this section, the Phase 3 Lands are identified on Schedule “F5”, which also identifies Phase 3 Sub-Area 3.1 and Sub-Area 3.2. to assist in the achievement of the Town’s population target. Approximately 1,600 residential units would be located in Sub-Area 3.1. Best efforts will be made to achieve a minimum density of 50 residents and jobs combined per hectare in the developable area of Phase 3 lands except for lands within the Old Elm GO Station Area, which will adhere to the Old Elm GO Station Area policies.

12.10.3 Residential Intensification Strategy

In addition to development in the designated greenfield areas outside the Built Area Boundary as designated on Schedule “F”, the Town has provided policies in this Secondary Plan, including the policies for the applicable land use designations, which permit and encourage a level of residential intensification in keeping with the character of the Community of Stouffville within the Built Boundary.

Through the implementation of those policies, the Town will strive to achieve an intensification target of 2,020 new residential units within the “Built Boundary” for the period 2006 – 2031, while recognizing that this target may not be met given the difficulty of importing intensification into first generation greenfield development areas such as Stouffville.

To assist in the achievement of the residential intensification target, the Town shall implement the following Intensification Strategy:

- i) establish minimum density standards for residential and mixed use development in applicable land use designations;
- ii) encourage the creation of apartments as second suites in a residence subject to the policies of Section 12.7.2.3 and 12.7.5;
- iii) review zoning regulations and other development standards to add directions which encourage residential intensification and to remove barriers to intensification including parking regulations and setback requirements, while still ensuring that new development respects the scale and built form of the surrounding area and conforms to the policies of this Plan;
- iv) evaluate the potential for establishing a community improvement plan for the Western Approach Area and Gateway Mixed Use Area or other sites being considered for intensification to allow for the use of development incentives to encourage residential intensification;
- v) utilize the bonus provisions of Section 12.11.2.6 of this Plan and other mechanisms such as pre-zoning and conditional zoning to encourage intensification; and,
- vi) discourage applications which result in the downzoning of sites for medium and high density residential development.

12.10.4 Monitoring

12.10.4.1 General

All development shall be monitored to ensure that any negative impacts on the character of the Community and the natural environment can be rectified as soon as possible and that the implementation of the policies of the Plan is being carried out in an appropriate, fiscally prudent manner. In particular, the Town shall monitor both the level of residential intensification and the rate of development in designated greenfield areas to ensure that the provision of both physical and social

infrastructure, as determined by the Town, is appropriate to support the new development.

12.10.4.2 Monitoring Program

A program shall be established by the Town in consultation with the Region of York and the Conservation Authority to monitor growth in the Community of Stouffville Secondary Plan Area on an annual basis which will consider such factors as:

- i) population and employment growth;
- ii) supply of existing lots and number of building permits granted;
- iii) housing mix;
- iv) results of environmental monitoring including such matters as the functioning of stormwater facilities and changes to fish habitat and in the Greenland System;
- v) utilization of the municipal sewage treatment and water supply system capacity;
- vi) status of development applications;
- vii) the number of affordable housing units including the number of legal second suites both within the Built Boundary and the designated greenfield areas; and,
- viii) the Town's progress in implementing its Leisure Facilities Strategy, Municipal Cultural Policy and other plans and strategies established by the Town, Region, School Boards and other public and private agencies designed to provide the social infrastructure necessary to serve the residents of the Community of Stouffville.

12.10.4.3 Monitoring Report

A report shall be prepared whenever necessary depending on the rate and type of development recognizing “market forces”, but, at a minimum every three years, which shall:

- i) outline the results of the monitoring program;
- ii) analyse the implications of the monitoring program, particularly with respect to environmental and fiscal impacts and the achievement of the intensification and designated greenfield density targets, and;
- iii) make recommendations to address any issues of concern which may include restrictions on the approval of new development if the Town is not satisfied that the physical and social infrastructure is sufficient to serve the residents of Stouffville.

The report should be circulated to the Region of York and the Conservation Authority.

12.11 IMPLEMENTATION AND INTERPRETATION

12.11.1 General

The implementation and interpretation of this Secondary Plan shall generally be in accordance with the provisions of Section 12.11 of the Official Plan and the following policies.

12.11.2 Zoning By-law

12.11.2.1 Amendment to Conform with Plan

It shall be the policy of this Plan that the Town shall amend the comprehensive zoning by-law and such other by-laws as may be necessary to conform with and to give effect to the provisions of this Plan.

12.11.2.2 Lands Designated But Not Required Immediately

Lands designated for development on Schedule “F”, in accordance with the policies of this Plan, will remain undeveloped until the policies of this Plan can be satisfied. No provision of this Plan shall require the Council of the corporation of the Town of Whitchurch-Stouffville to zone such lands to permit immediate development for the designated use. Rather, where lands are designated, but development is not immediately permitted, the lands shall generally be zoned to limit permitted uses to environment conservation, public uses and utilities or similar uses. Such areas shall only be rezoned for their designated use upon compliance with the relevant provisions of this Plan.

12.11.2.3 Existing Non-Conforming Uses

Notwithstanding any other provision of this Plan to the contrary, this Plan is not intended to necessarily prevent the continuation, expansion or enlargement of existing uses which do not conform with the designations or provisions of this Plan. It shall be the policy of this Plan that where an existing land use is not designated

on Schedule “F” to this Plan, that the use of such land, building or structure for the purpose for which it was legally used at the date of adoption of this Plan may be recognized in the zoning by-law. Provision may also be made, subject to a zoning by-law amendment, for the expansion or enlargement of such existing use in accordance with the following policies;

- i) that the proposed extension or enlargement of the established use will not adversely affect the implementation of the policies of this Plan and that the general intent and purpose of the Plan is maintained;
- ii) that the proposed extension or enlargement is in proportion to the size of the use as it existed at the date of enactment of the implementing by-law;
- iii) that the proposed extension or enlargement is compatible with surrounding uses in terms of noise, vibration, fumes, heat radiation, smoke, dust, odours, or other similar offensive characteristics;
- iv) that site planning and design are such as to minimize the effect of the proposed extension or enlargement on adjacent conforming uses, and, where necessary, adequate spatial separation, buffer planting, screening and fencing are provided so as to afford adjacent conforming uses a degree of protection from any offensive characteristics; and,
- v) that the use will not result in increased traffic volumes through residential areas and that adequate off-street parking and loading facilities are available, provided further that ingress and egress points to and from the site are designed in such a manner as to minimize the danger to both vehicular traffic and pedestrian movements.

12.11.2.4 Holding Provisions

A By-law may be passed pursuant to the provisions of the Planning Act, to zone lands for their intended purpose and further impose a holding provision by use of the Holding Symbol “H” in accordance with the following provisions:

- i) where the lands are designated in any designation which permits development, and a plan of subdivision has received draft plan approval;

- ii) where the lands are designated in any designation which permits development, and a plan of condominium has received draft plan approval or where a proposal has been received which conforms with the intent of this Plan and development is to proceed by means of a Site Plan Agreement; and,
- iii) where the lands are designated for development, but, the provision of sewer and/or water sources and/or roads has not yet been resolved.

No development of those lands affected by a holding provision shall be permitted and the Holding symbol shall not be removed until such time as the proposal has been approved by all relevant Municipal and Regional agencies and all the provisions of this Plan, and, as may be applicable, the conditions of draft plan approval have been complied with. In the interim period until the Holding provision is removed in accordance with the provisions of this Plan and the Planning Act, the uses permitted shall be restricted to those existing as of the date of adoption of this Plan, conservation environment, public uses and utilities or other similar uses.

12.11.2.5 Temporary Use By-laws

Pursuant to the provisions of the Planning Act, by-laws may be passed to permit the temporary use of lands, buildings or structures, which may not conform to this Plan, provided that the following requirements are complied with:

- i) the proposed temporary use does not create or aggravate any situation detrimental to adjacent complying uses;
- ii) the use does not adversely affect surrounding uses in terms of air pollution, odour, noise, light or traffic generation;
- iii) the use does not interfere with development of adjacent areas that are developing in accordance with the Plan; and,
- iv) that such temporary uses or activities do not result in a hazardous condition for either vehicular or pedestrian traffic and that the relevant parking area requirements are complied with.

Modification Approved by OMB Sept. 18, 1998
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Such a by-law shall define the area to which it applies and prescribe the period of time for which the authorization shall be in effect having regard for the appropriateness of the use and the temporary nature of the use or activity.

Council may pass subsequent by-laws granting extensions of up to three years to a temporary use by-law; however, once the subsequent by-law has lapsed, the use permitted by the by-law must cease and if the use continues it will be viewed as an illegal use in regard to the implementing Zoning By-law.

12.11.2.6 Height and Density Bonus Provisions

Pursuant to provisions the Planning Act, a zoning by-law, may authorize increases in the height and density of medium and high density residential development, otherwise permitted by the by-law, that will be permitted in return for the provision of such facilities, services or other matters are set out in the zoning by-law. The Town's objectives in authorizing such increases in height or density are:

- i) to encourage the provision of underground or in-building parking for attached housing or mixed use development;
- ii) to encourage the preservation and conservation of buildings or structures of historical, contextual or architectural merit;
- iii) to encourage the protection of natural features such as woodlot and environmental linkages;
- iv) to encourage the provision of parkland above and beyond that required through the provisions of this plan; and,
- v) to encourage the provision of unique urban design features above and beyond the requirements of this plan;
- vi) to encourage the provision of the trails system, day care and other public or quasi-public facilities; and,
- vii) to encourage residential intensification projects within the Built Boundary as designated on Schedule "F".

A site-specific zoning by-law will establish detailed development standards that would apply when a bonus is awarded and the relationship between these standards and the conditions which must be met, if the bonus standards are to apply.

In the granting of a height and density bonus, the Town may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or other matters to be provided.

The maximum residential density and height permitted through the bonus provisions may exceed that which is permitted in the general Official Plan policies. However, no residential development may be granted bonus density in excess of 20% beyond the maximum density provided in the parent zoning by-law nor may a bonus in height be granted in excess of 3 storeys.

12.11.2.7 Interim Control By-law

Interim Control By-laws may be passed in accordance with the provisions of the Planning Act to control the use of lands and buildings within designated areas of the Community of Stouffville Secondary Plan Area until such time as studies required by the Town to assess planning and engineering issues are prepared and approved. The By-law may specify a time period (which shall not exceed one year) prohibiting the use of land, buildings and structures, except for those purposes as set out in the By-law.

In the event that the review or study related to an Interim Control By-law has not been finalized within one year, Council may amend the Interim Control By-law in order to extend the period of time for which it is in effect, provided that total period of time it is in effect does not exceed two years from the day of passing of the Interim Control By-law.

If Council has not passed a by-law under the Planning Act subsequent to the completion or review of the study within the period of time specified in the Interim Control By-law, the provisions of any zoning by-law passed under the Act that applied to the subject lands immediately prior to the coming into force of the Interim Control By-law again come into force.

12.11.2.8 Conditional Zoning

A By-law may be passed pursuant to the provisions of the Planning Act, to zone lands for their intended purpose, subject to conditions, where the lands are designated in any designation which permits development. The conditions imposed may relate to any matter which implements the policies of this Plan including the provision of sewer and water services, roads, transit, parks, recreation and other community facilities, the implementation of urban design objectives and sustainable development approaches.

12.11.2.9 Inclusionary Zoning

The Town will consider initiating an inclusionary zoning study, in accordance with Section 16(5) of the Planning Act, to evaluate the appropriateness of utilizing inclusionary zoning to support the creation of affordable housing units in the Major Transit Station Area.

12.11.3 Further Amendments to Plan

In considering an amendment to the Plan, regard shall be had to the following criteria which are in addition to those specified in the remainder of this Plan:

- i) The need for the proposed use;
- ii) The extent to which the existing areas in the proposed designations are developed, and the nature and adequacy of such existing development;
- iii) The physical suitability of the land for such proposed use;
- iv) The location of the areas under consideration with respect to:
 - a) the adequacy of the existing and proposed road system in relation to the development of such proposed areas;
 - b) the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety in relation thereto; and,

- c) the adequacy of the water and sewage facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports or recommendations submitted by the applicant or agencies.
- v) The compatibility of such proposed use with uses in the surrounding area;
- vi) The potential effect of the proposed use on the financial position of the Town;
- vii) The effect of the proposed use on the population level and/or the character of the Community; and,
- viii) The Community Vision, Principles and Objectives of the Plan.

It is the general intent of the Stouffville Community Plan that an amendment shall only be required when a principle or policy is added to, deleted from, or significantly altered in the text or on the schedules. Technical or housekeeping amendments to this Plan can be undertaken without amendments such as, but not necessarily limited to, the following:

- ix) To change the numbers of sections or the order of sections in the Plan, without adding or deleting sections;
- x) To consolidate approved Plan amendments in a new document without altering any approved policies or maps;
- xi) To correct grammatical or typographical errors which do not affect the intent or purpose of policies, regulation or maps;
- xii) To re-illustrate maps for the purposes of clarity that would serve to aid understanding, without affecting the intent or purpose of the policies, regulations or maps;
- xiii) To change reference to legislation or to changes where such legislation has changed;
- xiv) To add base information to maps to show existing and approved infrastructure; and,

- xv) To alter language or punctuation to obtain a uniform mode of expression throughout the Plan.

12.11.4 Plans of Subdivision

Only those plans of subdivision or condominium shall be approved for development which:

- i) comply with the designations and policies of this Plan;
- ii) can be supplied with adequate services and community facilities; and,
- iii) will not adversely affect the financial status of the Town.

12.11.5 Consents

Consents shall only be permitted where the consent does not prejudice the future or existing development of the land or abutting lands and in accordance with the policies of this Secondary Plan and the applicable provisions of Section 8.5.1 of the Official Plan.

12.11.6 Site Plan Control

All lands in the Community of Stouffville Secondary Plan Area shall be designated as a site plan control area. The provisions of the Planning Act with respect to site plan control may be used with respect to all uses, including low density residential uses, or designations within the Secondary Plan Area including the Heritage Area designation.

In addition to the other provisions of this section, the Town may use the site plan approval powers specifically set out in Section 41(4) (2) (d), (e) and (f) of the Planning Act, 1990, c.P.13, to implement any of the policies enunciated in this Official Plan, through the control of:

- i) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is exterior design; and,

- ii) the sustainable design elements on any adjoining municipal road including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.

12.11.7 Development Charges and Financial Requirements

12.11.7.1 Development Charges

Prior to the approval of any development proposal for the lands outside the Existing Community Area designated on Schedule “F”, the Town shall have approved a Development Charges Study and adopted a Development Charges By-law identifying the charges applicable to the lands in the Community of Stouffville Secondary Plan Area.

12.11.7.2 Other Financial Requirements

Prior to the approval of any development in the Community of Stouffville Secondary Plan Area, the Town may require the owner to enter into servicing and other agreements, including front end requirements or accelerated payments that will ensure that the development can be adequately serviced and that an appropriate contribution has been secured toward the provision of community services.

In particular:

- i) Prior to the approval of development, the Town and the Region of York shall be satisfied as to the availability of water supply and sewer capacity to accommodate said development. This may require front end or accelerated payment agreements and limitations to be placed on development.
- ii) Prior to the registration of any development, the owner shall have entered into a servicing agreement, including any front end requirements or accelerated payments with the Town and/or the Region of York that will identify the capital expenditures associated with the servicing of the lands.

- iii) Prior to any development approvals, an assessment of infrastructure cost requirements to accommodate the Secondary Plan development, including development phasing, the timing of infrastructure emplacement, and the methods of financing including developer front end or accelerated payment agreements shall be addressed in conjunction with other proponents developments.

12.11.7.3 Developers Group Agreement(s)

Prior to the final approval of development on lands outside the Existing Community Area designated on Schedule “F”, the Town may require that landowners with applications for development enter into an agreement or agreements to address the sharing of the common costs of development.

12.11.8 Land Dedication and Acquisition

12.11.8.1 Other Lands

The Town shall generally acquire other lands required to implement the policies of this Plan in accordance with the provisions of the Planning Act and the Development Charges Act. However, consideration will be given to the use of other mechanisms where appropriate.

12.11.9 Public Sector

It is the objective of this Plan to achieve the agreement of all public agencies involved in any aspect of development in the Community of Stouffville Secondary Plan Area, to comply with the policies of this Plan, the regulations of the Zoning By-law and other related policies, regulations and guidelines, in order to achieve the implementation of the policies of the Plan.

12.11.10 Relationship to Official Plan

The provisions of the Community of Stouffville Secondary Plan prevail over the provisions of the Official Plan in the Community of Stouffville Secondary Plan Area in the event of any conflict.

12.11.11 Definitions

12.11.11.1 Best Management Practices

“Best Management Practices” is a general term used in the Ministry of Environment and Energy guidelines designating procedures for stormwater quality and quantity control. The techniques considered to be Best Management Practices reduce pollutants available for transport by run-off before it is discharged. Best Management Practices requires that stormwater management for new subdivisions be implemented in an environmentally sensitive manner with one of the prime objectives being to maintain water quality.

12.11.11.2 Density, Gross

This term shall mean the area of land including the lot area, local and collector streets, parks, including trails, schools, institutional uses and all open space lands with the exception of lands designated “Environmental Core Area” on Schedule “F3”.

12.11.11.3 Density, Net

This term shall mean the area of land including the lot and local and collector roads.

12.11.11.4 Significant Trees

Trees of 0.3 m calliper in size at breast height.

12.11.11.5 Traffic Calming

This term shall mean a form of transportation planning which seeks to harmonize the use of streets by automobiles, pedestrians, bicyclists, playing children and other street uses. This is accomplished through the use of streetscape design devices and techniques including sidewalks, that diversify street uses and control traffic volumes and speed in neighbourhoods while maintaining maximum mobility and access. Traffic calming also attempts to make drivers aware of the fact that they are sharing the space of a street with other uses.

12.11.11.6 Environmental Buffer

A natural area intended to minimize potential conflict between human activities and sensitive environmental features. This is done by providing a natural separator and by rounding out irregularities and minimizing the length of the interface between humans and undisturbed, regenerating or protected landscapes.

12.11.11.7 Institutional Uses

Public or private non-profit uses, as well as certain private uses for profit such as day care facilities, which provide a service to the community.

12.11.11.8 Definitions in the Oak Ridges Moraine Plan Area

The Oak Ridges Moraine Conservation Plan includes extensive definitions of terms which are found throughout the documents. For reference purposes, the main definitions which are found in Part I, Section 3 of the Moraine Plan, are found in Appendix ORMI to the Official Plan. However, where questions of interpretation arise, regard should be had to the Oak Ridges Moraine Conservation Plan itself.

12.11.11.9 Place of Worship

A building, structure, or part thereof, which is primarily used for the practice of religion and faith-based spiritual purposes where in people assemble for religious worship, faith-based teaching, fellowship and community school outreach.

12.11.12 Employment Land Conversion

Notwithstanding any other provisions of this Secondary Plan, the conversion of lands in the “Business Park Area” and “Industrial Area” designations to non-employment uses, including residential, major retail, and other retail and commercial uses which are non-ancillary to employment uses, is not permitted. Notwithstanding this prohibition, the conversion of employment lands to non-employment land uses may only be considered at the time of a municipal comprehensive review in accordance with the provisions of Section 8.3.2, Employment Land Conversion, of the Official Plan.

*** 12.11.13 Implementation of the Old Elm Policies**

- * i) As set out in the policies of this Plan, minor changes to land use boundaries, local and collector roads, Greenland Area, conceptual park locations, and the conceptual school shall not require an amendment to this Plan.
- ii) The Old Elm Urban Design Guidelines will be implemented through the review and approval of development applications, and via the implementing zoning by-law. The Town may require development-specific design guidelines, urban design brief, and/or architectural guidelines as a component of a development application.
- iii) Lot creation shall only be permitted in a manner that facilitates development in conformity with the policies of the applicable land use designation, including the creation of lots of a sufficient size and configuration that accommodates the planned density and built form. Lots shall not be created in a manner that will preclude the efficient, coordinated development of the Old Elm GO Station Area. This policy shall not preclude consents of a minor or technical nature.
- iv) The Town will consider initiating a study in the Old Elm GO Station Area to assess the appropriateness and suitability for a Community Improvement Plan to support the principles and policies of this Plan and to complement the Urban Design Guidelines and other implementation tools. This Community Improvement Plan Study may include:
 - a. Identifying and establishing appropriate objectives for a Community Improvement Plan, such as ensuring that development achieves certain sustainability, energy efficiency, affordable housing, transportation, or any other objectives that build upon the principles of this Plan;
 - b. Identifying and adopting a community improvement project area and preparing and adopting a community improvement plan per Section 28 of the Planning Act;
 - c. Establishing incentives or otherwise utilizing the powers under Part IV of the Planning Act; and

- d. Evaluating cost/benefit and fiscal impact of a community improvement plan's financial incentives.

SECTION 12
APPENDIX 12-A
CONCEPTUAL STRUCTURE PLAN

SECTION 12

APPENDIX 12-B

**WESTERN APPROACH AREA
STREET PLANS**

SECTION 12

APPENDIX 12-C

CONCEPTUAL STORMWATER MANAGEMENT SCHEMATICS

SECTION 12

APPENDIX 12-D

**BACKGROUND PLANNING REPORTS
(under separate cover)**

13. VANDORF-PRESTON LAKE SECONDARY PLAN

13.1 INTRODUCTION

13.1.1 Purpose

The Vandorf-Preston Lake Secondary Plan establishes the principles, objectives and general policies, as well as specific strategies with respect to community structure, community improvement, servicing, land use and transportation to guide the planning of these two communities and the adjacent lands. The Plan provides a planning framework for all levels of government, as well as existing and future residents, landowners and other interested groups. This initial portion of the Plan applies to those lands in the Oak Ridges Moraine.

13.1.2 Secondary Plan Area

The Secondary Plan Area is bounded by:

- i) North Wesley Creek and Aurora Road
- ii) East Warden Avenue (Regional Road 65);
- iii) South Bloomington Road (Regional Road 40); and,
- iv) West Highway 404.

13.1.3 Secondary Plan Structure

The Secondary Plan includes:

- i) Figure 1 Concept Plan

- | | | |
|------|---------------|---|
| ii) | Schedule “G” | Land Use and Transportation Plan; |
| iii) | Schedule “G1” | Trail System and Gateways; |
| iv) | Schedule “G2” | Oak Ridges Moraine Conservation Plan Area
Key Natural Heritage and Hydrological
Features; |
| v) | Schedule “G3” | Oak Ridges Moraine Conservation Plan Area
Landform Conservation Areas; |
| vi) | Schedule “G4” | Oak Ridges Moraine Conservation Plan Area
Areas of High Aquifer Vulnerability; and, |
| vii) | Schedule “G5” | Wellhead Protection Areas |

The text of the Plan is structured as follows:

- | | | |
|-------|---------------|--|
| i) | Section 13.2 | Community Vision, Principles and Objectives |
| ii) | Section 13.3 | Community Structure |
| iii) | Section 13.4 | Community Improvement Strategy |
| iv) | Section 13.5 | Servicing Strategy |
| v) | Section 13.6 | Land Use Strategy – Oak Ridges Moraine Conservation Plan
Area |
| vi) | Section 13.7 | Land Use Strategy – Lands Outside the Oak Ridges Moraine |
| vii) | Section 13.8 | Transportation Strategy |
| viii) | Section 13.9 | Development Review |
| ix) | Section 13.10 | Implementation and Interpretation |

13.2 COMMUNITY VISION, PRINCIPLES AND OBJECTIVES

13.2.1 Purpose

The community vision, principles and objectives upon which the Secondary Plan is based are outlined in the following sections. The vision, principles and objectives provide general guidelines for the planning of the Vandorf-Preston Secondary Plan Area, which are put into effect by the policies of the Plan.

13.2.2 Community Vision

VANDORF-PRESTON LAKE: COMMUNITY AND NATURE IN HARMONY

The Vandorf - Preston Lake Area will be a friendly and environmentally aware community which is designed to protect and enhance its natural setting, while promoting a sense of community among its residents. In particular:

- i) new development will be designed, and existing development will be maintained, in a manner which protects and enhances the natural environment, reflecting the location of this area on or in proximity to the Oak Ridges Moraine;
- ii) Vandorf will be developed as a “village” with small scale commercial, recreational and institutional facilities which will allow it to serve as a meeting place for residents and visitors;
- iii) Vandorf will also provide for the potential for additional employment development on full municipal services in a business campus format which will create a “gateway” to Vandorf and Whitchurch-Stouffville; and,
- iv) Preston Lake will be maintained as a low-density residential community oriented to the lake.

13.2.3 Community Development Principle: Preserve and Enhance the Integrity of the Natural Environment

Principle: Any change in the Vandorf-Preston Lake Secondary Plan Area should be undertaken in a manner which will preserve and enhance the integrity of the natural environment of the area.

Objectives:

The following objectives support this community development principle:

- i) To maintain, and where possible improve or restore the ecological integrity of the Vandorf-Preston Lake Secondary Plan Area.
- ii) To maintain and enhance surface and groundwater resource quality and quantity to serve existing and future uses on a sustainable basis.
- iii) In the Oak Ridges Moraine Conservation Plan Area on Schedule “G” to:
 - a) protect the ecological and hydrological integrity of the Oak Ridges Moraine Area;
 - b) to ensure that only land and resources that maintain, improve or restore the ecological and hydrological functions of the Oak Ridges Moraine Area are permitted;
 - b) to maintain, improve or restore all the elements that contribute to the ecological and hydrological functions of the Oak Ridges Moraine Area, including the quality and quantity of its water and its other resources;
 - c) to ensure that the Oak Ridges Moraine Area is maintained as a continuous natural landform and environment for the benefit of present and future generations;
 - d) to provide for land and resource uses and development that are compatible with the other objectives of the *Oak Ridges Moraine Conservation Plan*;
 - e) to recognize the existing hamlet of Vandorf and permit infill, subject to the availability of services;

- f) to provide for a continuous recreational trail through the Oak Ridges Moraine Area that is accessible to all including persons with disabilities; and,
- g) to provide for other public recreational access to the Oak Ridges Moraine Area.

13.2.4 Community Development Principle: Vandorf Village Character

Principle: To provide an opportunity for limited additional development in Vandorf, recognizing servicing constraints, which will enhance its “village” character and make it a focal point for this area.

This principle is intended to recognize that any new development in the Secondary Plan Area will be limited and to direct such development to Vandorf, provided sewer and water services can be provided. The new development should enhance Vandorf as a meeting place for residents and visitors to the area. It will also provide employment opportunities.

Objectives:

The following objectives support this community development principle:

- i) To encourage small scale development in Vandorf which is respectful of its “village” character, the heritage of the community and its relationship with the surrounding rural area provided sewer and water services can be provided,
- ii) To encourage a community form and design which provide opportunities for communication between residents, and in particular, allow for pedestrian/bicycle access via a system of trails to Vandorf from other parts of the Secondary Plan Area; and,
- iii) To support the economic health of existing businesses and encourage the location of new businesses in Vandorf, provided sewer and water services can be provided, including the potential for additional employment development on full municipal services in a business campus format which will create a “gateway” to Vandorf and Whitchurch-Stouffville.

13.2.5 Community Development Principle: Preston Lake and Natural Area Enhancement

Principle: To enhance existing development outside Vandorf through community action.

The majority of the land in the Secondary Plan Area is located on the Oak Ridges Moraine and the potential for new development is limited. The focus must be on the enhancement of the natural environment and existing uses.

Objectives:

- i) To create a partnership between residents, the Town, Region and Province, as well as other public agencies to improve and enhance the natural environment and existing uses.
- ii) To explore creative options for the improvement of the area.

13.3 COMMUNITY STRUCTURE

13.3.1 Purpose

The structure of the Vandorf-Preston Lake Secondary Plan Area is established in the Concept Plan which is Figure 1 to this Plan. The Concept Plan employs the following organizational elements to define the fundamental arrangement of land use and activity. Each component of the Plan has its own function which is described in the following sections. All the components in combination result in an ordered community.

- i) Oak Ridges Moraine;
- ii) Vandorf Village;
- iii) Gateways; and
- iv) Natural System
- v) Preston Lake Community

13.3.2 Oak Ridges Moraine Natural Area

- i) Definition

Oak Ridges Moraine includes those lands within the Oak Ridges Moraine Conservation Plan Area as identified on Schedule “G” of this Plan and within the boundaries of Ontario Regulation 01/02.

- ii) Function

These designations are intended to maintain and where possible improve or restore the ecological integrity of the Moraine.

iii) Direction

New development will be restricted in these areas in accordance with the Section 13.6 of this Plan and in accordance with the Oak Ridges Moraine Conservation Plan 2001. Community action will be directed to the maintenance of these areas, and where possible their improvement or restoration, including seeking conservation easements and the creation of a trail system.

13.3.3 Vandorf Village

i) Definition

Vandorf Village includes existing and potential future development in Vandorf.

ii) Function

Vandorf Village will serve as a meeting place and service centre for the surrounding area.

iii) Direction

Vandorf Village will provide a range of small-scale commercial, recreation and institutional uses to create a “village” atmosphere and meeting place for the community. These facilities will be supported by residential and employment uses. Development will be limited to infill within the existing community until appropriate services can be provided.

iv) Areas of aquifer vulnerability

Areas of aquifer vulnerability are to be protected to ensure safe potable water quality. The following uses will be prohibited or restricted in terms of storage or generation:

- a) hazardous waste or liquid industrial waste;
- b) waste disposal sites and facilities;
- c) organic soil conditioning sites and snow storage and disposal facilities;

- d) underground and above ground storage tanks that are not equipped with an approved secondary contaminant device; and,
- e) storage of a contaminant listed in Schedules to Ontario Regulations.

13.3.4 Gateways

i) Definition

Gateways are major entrances to the Secondary Plan Area, or to Vandorf and are found at Aurora Road and Woodbine Avenue; Vandorf Sideroad/Canadian National Railway (CNR) Bridge/Woodbine Avenue; Bloomington and Woodbine; and Warden Avenue and Bloomington.

ii) Function

Gateways “announce” to visitors that they are entering the community and give visitors their first impressions of the Vandorf-Preston Lake Area. The design of landscaping, buildings and structures and other facilities must reflect this function.

iii) Direction

The Gateways for Vandorf, where development is permitted, shall be subject to special design guidelines to ensure that such areas reflect the “village” character of Vandorf. In addition, in all areas, entrance features will be created in the road allowance suitable to the function of the specific gateway.

13.3.5 Natural System

i) Definition

The Natural System includes areas of natural heritage, hydrologic and/or landform features outside the Moraine which are often functionally interrelated, and which collectively support biodiversity and overall ecological integrity. The System builds upon the Oak Ridges Moraine Natural Areas.

ii) Function

The Natural System functions to protect key natural features and water resources.

iii) Direction

The existing Natural System will be maintained in accordance with the Greenbelt Plan and, where possible improved or restored. It will be managed as a connected and integrated natural heritage system.

iv) Areas of aquifer vulnerability

Areas of aquifer vulnerability are to be protected to ensure safe potable water quality. The following uses will be prohibited or restricted in terms of storage or generation:

- a) hazardous waste or liquid industrial waste;
- b) waste disposal sites and facilities;
- c) organic soil conditioning sites and snow storage and disposal facilities;
- d) underground and above ground storage tanks that are not equipped with an approved secondary contaminant device; and,
- e) storage of a contaminant listed in Schedules to Ontario Regulations.

13.3.6 Preston Lake Community

i) Definition

The Preston Lake Community recognizes the existing residential community surrounding Preston Lake.

ii) Function

This existing community will be maintained and where possible improved with respect to issues such as mitigating environmental impacts on Preston Lake, and improving access to the lands on the north shore.

iii) Direction

The Secondary Plan will recognize the existing residential community within the context of *Oak Ridges Moraine Conservation Plan* and develop policies to provide direction with respect to the role of the Town, the residents and other levels of government in the maintaining and improving of this area.

13.4 COMMUNITY IMPROVEMENT STRATEGY

13.4.1 Purpose

In conformity with the Vision and Community Development Principles, this section establishes a program for the maintenance, and where possible the improvement or restoration of existing development and natural resources in the Vandorf-Preston Lake Secondary Plan Area. It recognizes that new development will be limited and is designed to be implemented independent of any additional development. The Strategy is intended to be implemented by the Town and local residents, landowners and other interested groups, working with public agencies such as the Province, the Region of York and the conservation authorities.

Further, it recognizes the fiscal constraints which the Town must work within and focuses on two areas:

- i) Private Management Practices; and,
- ii) Public Management Practices.

13.4.2 Private Management Practices

13.4.2.1 Purpose

The Town has limited authority to control private management practices. Therefore, the focus of any program must be the encouragement of voluntary action by individual landowners and/or community groups. Enforcement of existing regulations and the use of existing legislation are also available tools. This section outlines actions which the Town may initiate to improve private management practices.

13.4.2.2 Stewardship Program

The Town shall establish a stewardship program for the Vandorf-Preston Lake Area within a well defined terms of reference and budget which may include such a approaches as:

- i) use of available resources to develop and implement a program to educate property owners, including farmers, about the natural environment of the area they live in, and the manner in which they operate their household and work place to reduce negative impacts on natural systems, water quality and quantity;
- ii) establishment and operation of an awards program for property owners who implement measures for improving the environment;
- iii) establishment and operation of demonstration programs for environmentally sound management practices on public and/or private properties;
- iv) establishment of a program to identify priority Greenlands or environmental areas and encourage their protection through the use of conservation easements or dedication of such lands to the Town or other public agency; and,
- v) provide property owners with an information package to encourage tree planting on private properties.

13.4.2.3 Enforcement of Existing Legislation

The Town shall review available legislation with respect to matters such as the operation of septic tanks, site alteration, tree cutting and:

- i) work with the appropriate agencies to develop improved enforcement practices; and,
- ii) enact additional by-laws where appropriate.

13.4.2.4 Site Plan Control

The Town shall use the site plan control process where new development is proposed to control the quantity and quality of surface runoff on individual lots, reduce negative impacts of development and encourage tree planting and landscaping in accordance with the provisions of this Plan.

13.4.3 Public Management Practices

13.4.3.1 Purpose

The Town will initiate a number of actions to improve its own management practices and those of other public agencies. This section outlines the Town's approach to this issue.

13.4.3.2 Management Practices Audit

The Town, through its Public Works Department, shall carry out an audit of its own management practices and facilities in the Vandorf-Preston Lake Secondary Plan Area and establish a plan to minimize negative impacts on natural systems and features (e.g. road de-icing practices, street cleaning practices, reduce pesticide use).

13.4.3.3 Other Agencies

The Town shall work with other agencies, particularly the Region of York to seek:

- i) improvement in their management practices in the Vandorf-Preston Lake Secondary Plan Area;
- ii) the introduction of programs to improve the environment (e.g. tree planting programs, education programs);
- iii) improved enforcement of existing regulations and legislation; and,
- iv) direct access to the Regional and/or GO Transit systems.

- v) Coordinated improvements of the transportation network, including road and transit services.

13.4.3.4 Streetscapes

The Town recognizes that streetscape design has a significant effect on the manner in which a community is perceived and on the safety of the streets. The Town shall implement the following policies on local roads and work with the Region of York with respect to their implementation on Regional Roads:

- i) Traffic calming techniques shall be incorporated into the design of all new streets, and shall be taken into consideration when the reconstruction of existing streets is planned. In addition, consideration may also be given to the introduction of traffic calming techniques which do not require the reconstruction of the street on existing streets where concerns with the amount and speed of traffic have been identified. Such techniques shall be appropriate to the type and location of various streets;
- ii) Pavement widths and shall be kept to the minimum required in all parts of the Secondary Plan Area.
- iii) The Town shall work with the Region to develop a trail system for cyclists and pedestrians within the road right-of-ways in accordance with Schedule "G1" and to provide sidewalks on both sides of Woodbine Avenue in the Community of Vandorf.

With respect to development, particularly adjacent to arterial and collector roads, the Town shall implement the following policies and work with the Region of York with respect to their implementation on Regional Roads:

- iv) Landscaping, including regular placement of street trees shall be required to separate trails and sidewalks from the roadway.
- v) Buildings and structures in the Mixed Use Area shall be located to provide a sense of enclosure to the road.
- vi) Garages for residences shall be designed so that they are not the dominant features in the streetscape, or the lot frontage.

- vii) Parking areas for commercial and employment uses shall be screened at the street and adjacent to residential development through the use of features such as low fences, walls and landscaping, and shall be sited to reduce visibility from arterial roads.
- viii) Views of the following from arterial roads shall be preserved, enhanced and/or created:
 - a) key natural heritage and hydrological features;
 - b) public or heritage buildings; and,
 - c) public open space.
- ix) Appropriate landscaping shall be provided for new public and private development to maintain and enhance the character of the Secondary Plan Area.

13.4.3.5 Community Improvement Area

In accordance with Section 6.3 of the Official Plan, the Town shall designate the Vandorf-Preston Lake Secondary Plan Area as a Community Improvement Area. The Town intends to achieve its overall community improvement objectives as identified in Section 6.3.1 by the following means:

- i) preparation of a community improvement plan;
- ii) utilization of provincial, federal and regional funding programs;
- iii) tax incentive financing, local improvement taxes and other available funding mechanisms;
- iv) acquisition of land or conservation easements;
- v) property standards by-law enforcement;
- vi) public education on the programs and funding offered by various levels of government to private property owners;

- vii) tree planting programs;
- viii) encouragement of community groups involvement in improvement projects such a garbage cleanup days; and,
- ix) management of heritage resources in accordance with Section 6.4 of the Official Plan.

13.4.3.6 Site Alteration and Tree Cutting By-laws

The Town shall adopt Site Alteration and Tree Cutting By-laws, particularly with respect to the lands in the Oak Ridges Moraine, in conformity with the provisions of the *Oak Ridges Moraine Conservation Act* and in accordance with the Regional Site Alteration and Tree Cutting By-laws.

13.4.3.7 Stormwater Management Practices

The Town will consider strategies to retrofit stormwater treatment technologies in existing developments in conjunction with the Conservation Authorities.

13.5 SERVICING STRATEGY

13.5.1 Purpose

Existing development in the Vandorf Secondary Plan Area is presently serviced by private septic tank and tile bed systems and private wells. Three stormwater management facilities were identified, but only one provides any enhancement of water quality. The remaining developed areas drain uncontrolled via ditches and/or storm sewers to their respective receiving drainage systems.

No major problems have been identified with the current private sewage systems. However, there are significant concerns with water quantity. There appears to be adequate water for domestic water supplies, however a number of existing private wells are vulnerable to large water takings. It would appear that any new wells would also be subject to the same well interference potential. The construction of new wells will need to be carefully considered and the potential for interference will need to be evaluated. This will require the completion of detailed hydrogeological studies, and new wells will have to be constructed to maximize the amount of hydraulic head to minimize the effects of seasonal pumping.

The Servicing Strategy is designed to provide direction with respect to servicing of the Secondary Plan Area in a manner which will ensure the health and safety of residents and the environment, and conform with Provincial and Regional policies. The Servicing Study Area on Schedule “G” - Land Use and Transportation Plan establishes the area which will require a detailed assessment of servicing options prior to permitted any significant new development.

13.5.2 Development Outside the Servicing Area

- i) All development outside the Servicing Study Area on Schedule “G” shall be serviced by private wells and sewage systems.
- ii) Approval of any new wells shall require the submission of a hydrogeological study which will evaluate the potential for well interference. Approval of a new well may

be refused if concerns with well interference are identified. In addition, new wells shall be required to be constructed to maximize hydraulic head.

- iii) Approval of new private sewage systems will require the submission of an assessment of the potential impact on the shallow soil and groundwater conditions and the susceptibility of the groundwater resource to contamination.

13.5.3 Servicing Study Area

13.5.3.1 Existing Development

Existing development, changes to those uses and new uses on a lot of record or infill lots in the Servicing Study Area on Schedule “G” shall be subject to the policies of Section 13.5.2.

13.5.3.2 New Development

Any new development in the Servicing Study Area in the “Potential Vandorf Residential Area”, “Potential Vandorf Medium Density Residential Area”, Potential Employment Area”, and “Potential Mixed Use Area” on Schedule “G” will require:

- i) The submission of a Functional Servicing Study in accordance with the provisions of Section 13.9.2.1 of this Plan, which will evaluate options for servicing the entire Servicing Study Area designated on Schedule “G”, including construction of a communal water system or connection to a municipal water system. The Functional Servicing Study shall include a water hydraulic analysis to demonstrate that the proposal will provide the required pressure/supply to service the land.

An evaluation of the feasibility of private sewage treatment facilities and individual wells requires a Settlement Capability Study carried out to the satisfaction of the Town and York Region. Terms of Reference for the Settlement Capability Study will be provided by York Region to the Town of Whitchurch-Stouffville who will administer the study. The Settlement Capability Study will reference/include a variety of groundwater investigation studies including:

- a) MOE Hydrogeological Technical Information Requirements for Land Development (1995);
 - b) Aquifer capability assessment;
 - c) Groundwater pumping tests;
 - d) Monitoring of wells in the vicinity; and,
 - e) Map of zone of influence that may extend beyond the boundaries of OPA 120.
- ii) The Functional Servicing Study will detail the environmental, servicing and drainage requirements necessary to identify specific stormwater, sanitary, water supply and transportation needs including roads, transit, pedestrian and bicycle facilities, prior to any development. The submission of a Fiscal Impact Study Plan in accordance with the provisions of Section 13.9.2.1 of this Plan, which will review the financing of the recommended servicing scheme to ensure that no costs will be incurred by the Town;
- iii) approval by the Town of a servicing and financial plan
- iv) and completion of any required Environmental Assessment to implement the preferred servicing solution.

13.5.4 Stormwater Management

13.5.4.1 Existing Development

In accordance with the policies of Section 13.4.3.7 of this Plan, the Town will consider strategies to retrofit stormwater treatment technologies in existing developments in conjunction with the Conservation Authorities.

13.5.4.2 Servicing Study Area

The Functional Servicing Study required in Section 13.5.3, will also address stormwater management.

13.5.4.3 New Development

Stormwater from any proposed development shall generally be treated and retained on site or within a specific area approved by the Town. Water quality and quantity criteria shall be to the satisfaction of the Town, in consultation with the relevant Conservation Authority. Regard shall also be had, where applicable to, the *East Holland River Subwatershed Plan* and the *Oak Ridges Moraine Conservation Plan*.

13.5.5 Utilities

For any significant new development in the Servicing Study Area on Schedule “G”, the Town shall work with the landowners, utility providers and other agencies to:

- i) Ensure that adequate utility networks are, or will be, established to serve the planned development and that the networks can be phased in a manner which is cost-effective and efficient;
- ii) Ensure that all large, above ground utility infrastructure and utility cluster sites have been appropriately located and are designed to be compatible with surrounding development; and,
- iii) Support the coordinated planning and installation of utilities in initial common trenches, wherever possible.

13.6 LAND USE STRATEGY - OAK RIDGES MORaine CONSERVATION PLAN AREA

13.6.1 Purpose

The land use designations on Schedule “G” establish a general pattern of development for the existing and future uses of the Secondary Plan area during the planning period. A major portion of the Secondary Plan Area is located in the Oak Ridges Moraine and is subject to the policies of the *Oak Ridges Moraine Conservation Plan*. This section sets out the policies for the area in the Moraine.

13.6.2 Oak Ridges Moraine Conservation Plan

13.6.2.1 Applicability

All development and site alteration in the area within the Oak Ridges Moraine on Schedule “G” shall be subject to the provisions of Sections 3.2, 5.8.3, and 8.16 of this Plan and the *Oak Ridges Moraine Conservation Plan*, including the applicable provisions of Part III, Protecting Ecological and Hydrological Integrity. For reference purposes the policies of Part III are found in Appendix ORM III to the Official Plan.

13.6.2.2 Related Schedules

Regard should also be had to the following schedules to this Plan with respect to the interpretation of Part III of the Moraine Plan. No amendment shall be required to Schedule G2 where minor changes are proposed, based on studies carried out in accordance with the Moraine Plan:

- i) Schedule “G2” - Key Natural Heritage and Hydrological Features
- ii) Schedule “G3” - Landform Conservation Areas
- iii) Schedule “G4” - Areas of High Aquifer Vulnerability

In addition, certain lands in the Moraine are identified on Schedule “B-1” to the Official Plan as “Aggregate Resource Areas”. Such lands are also subject to the provisions of Section 4.6 of the Official Plan.

13.6.2.3 Existing Uses

Notwithstanding any other policies of this Plan, uses, buildings and structures existing prior to November 15, 2001, are permitted to continue within the Oak Ridges Moraine Conservation Plan Area. Changes to existing uses shall conform with the policies in Part I Sections 6, 7, 8 and 9 of the *Oak Ridges Moraine Conservation Plan* (See Appendix ORM I to the Official Plan). In addition, changes to existing uses shall only be permitted outside of areas which are designated as Areas of Natural or Scientific Interest, Kettle Lakes, Wetlands, Woodlands, Streams or Minimum Vegetation Protection Zone on Schedule “G2”:

- i) expansions of existing buildings and structures that legally existed prior to November 15, 2001, may be permitted in accordance with the regulations of the Zoning By-law; and,
- ii) new accessory uses, buildings and structures, including swimming pools, related to single dwellings may be permitted in accordance with the regulations of the Zoning By-law and provided that the buildings or structures do not exceed 500 m² (5382 ft².) in ground floor area.

13.6.3 ORM Natural Core Area

13.6.3.1 Purpose

Lands in the ORM Natural Core Area designation have been identified in the *Oak Ridges Moraine Conservation Plan* as areas with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas.

13.6.3.2 Permitted Uses

The following uses are permitted in the ORM Natural Core Area designation subject to the policies of Section 3.2, 5.8.3 (Water Services) and 8.16 (Watershed Plans) of this Plan:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Agricultural uses;
- iv) Transportation, infrastructure, and utilities as described in Section 3.2.5 of this Plan, but only if the need for the project has been demonstrated and there is no reasonable alternative;
- v) Home businesses;
- vi) Home industries;
- vii) Bed and breakfast establishments;
- viii) Farm vacation homes;
- ix) Low intensity recreational uses as described in Section 3.2.6 of this Plan;
- x) Unserved parks;
- xi) Uses accessory to the uses in subsections i) to x); and,
- xii) Outdoor cannabis cultivation shall be permitted, subject to an amendment to the Zoning By-law, provided that new cannabis cultivation uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule "H" and Schedule "G2".

13.6.3.3 Land Use Policies

i) Agricultural Accessory Uses

Uses accessory to agricultural uses may be permitted and shall include:

- a) the manufacture of value-added products from the produce of the farm operation;

- b) the roadside sale of produce of the farm operation; and,
- c) a second dwelling that is a temporary, mobile or portable unit, if the applicant demonstrates that the dwelling:
 - i) is required to house help that is needed on the farm operation on a seasonal or full time basis;
 - ii) does not require a consent under Section 50 or 53 of the *Planning Act*; and,
 - iii) will not adversely affect the ecological integrity of the Moraine Plan Area.

ii) Outdoor Cannabis Cultivation

The following policies shall apply to an outdoor cannabis cultivation use in the ORM Natural Core Area:

- a) Only outdoor cannabis cultivation uses licensed by Health Canada under the *Cannabis Act* shall be permitted;
- b) Indoor cannabis cultivation and cannabis processing shall be prohibited;
- c) A maximum of one accessory building that is required to support outdoor cultivation uses for the packaging, labelling, storage, sampling, disposing, and testing for pesticides shall be permitted;
- d) The minimum separation distance between an outdoor cannabis cultivation use, and lands designated ORM Vandorf Residential Area, ORM Vandorf Mixed Use Area, ORM Park Area, Mixed Use Area, Significant Environmental Area, Potential Mixed Use Area, Existing Vandorf Residential Area, Potential Vandorf Residential Area, and Potential Vandorf Medium Density Residential Area shall be 1000.0 m, or as otherwise required by the implementing Zoning By-law;

- e) The minimum separation distance between two or more a cannabis cultivation uses and/ or cannabis processing uses use shall be 1000.0 m;
- f) Facilities shall be located and designed in accordance with Cannabis Regulations (SOR/2018-144) to mitigate potential nuisance impacts such as including light emissions, air emissions, and odour;
- g) Outdoor storage shall be prohibited as accessory to a cannabis cultivation use;
- h) The Town may establish a municipal licensing framework to regulate outdoor cannabis cultivation which can further regulate land use, separation distance, and site plan control;
- i) Outdoor cannabis cultivation shall only be permitted through an amendment to the Town's Zoning By-law;
- j) The Town's Zoning By-law shall establish more detailed zoning regulations and standards regarding outdoor cannabis cultivation; and,
- k) Outdoor cannabis cultivation shall be subject to site plan control, as required under Town's Site Plan Control By-law including providing the required studies outlined in section 8.6.5.

13.6.3.4 Special Policies

13.6.3.4.1 Estate Area South Side Slater's Road

Notwithstanding any other provisions of this Plan to the contrary, on lands designated ORM Natural Core Area and symbolically shown on Schedule "G", located on the south side of Slater's Road, the existing estate residential subdivision is permitted to continue. Development and site alteration on such lands shall be subject to the relevant provisions of this Plan and the relevant provisions of the zoning by-law.

13.6.4 ORM Natural Linkage Area

13.6.4.1 Purpose

Lands in the ORM Natural Linkage Area designation have been identified in the *Oak Ridges Moraine Conservation Plan* as areas which protect critical natural and open space linkages between the ORM Natural Core Areas and along rivers and streams.

The purpose of the designation of these areas is to maintain, and where possible to improve or restore, the ecological integrity of the Moraine Area, and to maintain, and where possible improve or restore, regional-scale open space linkages between lands in the *ORM Natural Core Area* designations and along river valleys and stream corridors.

13.6.4.2 Permitted Uses

The following uses are permitted in the ORM Natural Linkage Area designation subject to the policies of Section 3.2, 5.8.3 (Water Services) and 8.16 (Watershed Plans) of this Plan;

- ii) Fish, wildlife and forest management;
- iii) Conservation projects and flood and erosion control projects;
- iv) Agricultural uses;
- v) Transportation, infrastructure, and utilities as described in Section 3.2.5 of this Plan, but only if the need for the project has been demonstrated and there is no reasonable alternative;
- vi) Home businesses;
- vii) Home industries;
- viii) Bed and breakfast establishments;
- ix) Farm vacation homes;

- x) Low intensity recreational uses as described in Section 3.2.6 of this Plan;
- xi) Unserved parks;
- xii) Mineral aggregate operations in accordance with the provisions of Section 4.6.4.4 of this Plan;
- xiii) Wayside pits in accordance with the provisions of Section 4.6.4.4 of this Plan;
- xiv) Uses accessory to the uses in subsections i) to xii); and,
- xv) Outdoor cannabis cultivation shall be permitted subject to an amendment to the Zoning By-law, provided that new cannabis cultivation uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule "H" and Schedule "G2".

13.6.4.3 Land Use Policies

i) Agricultural Accessory Uses

Uses accessory to agricultural uses shall be permitted in accordance with the policies of Section 13.6.3.3.

ii) Outdoor Cannabis Cultivation

The following policies shall apply to an outdoor cannabis cultivation use in the ORM Natural Linkage Area.

- a) Only outdoor cannabis cultivation uses licensed by Health Canada under the *Cannabis Act* shall be permitted;
- b) Indoor cannabis cultivation and cannabis processing shall be prohibited;

- c) A maximum of one accessory building that is required to support cultivation uses for the packaging, labelling, storage, sampling, disposing, and testing for pesticides shall be permitted;
- d) The minimum separation distance between an outdoor cannabis cultivation use, and lands designated ORM Vandorf Residential Area, ORM Vandorf Mixed Use Area, ORM Park Area, Mixed Use Area, Significant Environmental Area, Potential Mixed Use Area, Existing Vandorf Residential Area, Potential Vandorf Residential Area, and Potential Vandorf Medium Density Residential Area shall be 1000.0 m, or as otherwise required by the implementing Zoning By-law;
- e) The minimum separation distance between two or more cannabis cultivation uses and/ or cannabis processing uses shall be 1000.0 m;
- f) Facilities shall be located and designed in accordance with Cannabis Regulations (SOR/2018-144) to mitigate potential nuisance impacts such as including light emissions, air emissions, and odour;
- g) Outdoor storage shall be prohibited as accessory to a cannabis cultivation use;
- h) The Town may establish a municipal licensing framework to regulate outdoor cannabis cultivation which can further regulate land use, separation distance, and site plan control;
- i) Outdoor cannabis cultivation shall only be permitted through an amendment to the Town's Zoning By-law;
- j) The Town's Zoning By-law shall establish more detailed zoning regulations and standards regarding outdoor cannabis cultivation; and,
- k) Outdoor cannabis cultivation shall be subject to site plan control, as required under Town's Site Plan Control By-law including providing the required studies outlined in section 8.6.5.

13.6.4.4 Special Policies

13.6.4.4.1 Estate Area Between Woodbine Ave., and Highway 404

Notwithstanding any other provisions of this Plan to the contrary, on lands designated ORM Natural Linkage Area and symbolically shown on Schedule “G”, located between Highway 404 and Woodbine Ave., the existing estate residential subdivision is permitted to continue. Development and site alteration on such lands shall be subject to the relevant provisions of Section 13.6.4.2 and 3.2.9 of this Plan and the relevant provisions of the zoning by-law.

13.6.4.4.2 Preston Lake Community Area

Notwithstanding any other provisions of this Plan to the contrary, on lands designated ORM Natural Linkage Area and symbolically shown on Schedule “G”, located around the Key Hydrological Feature Preston Lake, the existing residential uses are permitted to continue. Development and site alteration on such lands shall be subject to the relevant provisions of Section 13.6.4.2 and 3.2.9 of this Plan and the relevant provisions of the zoning by-law.

13.6.4.4.3 Institutional Use Northwest Quadrant Bloomington and Warden

Notwithstanding any other provisions of this Plan to the contrary, on lands designated ORM Natural Linkage Area and symbolically shown on Schedule “G”, located in the northwest quadrant of Bloomington and Warden, the existing institutional use is permitted to continue. Development and site alteration on such lands shall be subject to the relevant provisions of Section 13.6.4.2 and 3.2.9 of this Plan and the relevant provisions of the zoning by-law.

13.6.5 ORM Countryside Area

13.6.5.1 Purpose

Lands in the ORM Countryside Area designation have been identified in the *Oak Ridges Moraine Conservation Plan* as areas where agricultural and other rural uses that support the Conservation Plan’s objectives will be encouraged.

The purpose of the designation of these areas is to maintain, and where possible to improve or restore, the ecological integrity of the Moraine Area, and to maintain, while providing for a range of agricultural and rural uses.

13.6.5.2 Permitted Uses

The following uses are permitted in the ORM Countryside Area designation subject to the policies of Section 3.2, 5.8.3 (Water Services) and 8.16 (Watershed Plans) of this Plan:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Agricultural uses;
- iv) Transportation, infrastructure, and utilities as described in Section 3.2.5 of this Plan;
- v) Home businesses;
- vi) Home industries;
- vii) Bed and breakfast establishments;
- viii) Farm vacation homes;
- ix) Low intensity recreational uses as described in Section 3.2.6 of this Plan;
- x) Unserved parks;
- xi) Mineral aggregate operations in accordance with the provisions of Section 4.6.4.4 of this Plan;
- xii) Wayside pits in accordance with the provisions of Section 4.6.4.4 of this Plan;
- xiii) Uses accessory to the uses in subsections i) to xii); and,

- xiv) Outdoor cannabis cultivation shall be permitted subject to an amendment to the Zoning By-law, provided that new cannabis cultivation uses shall not be permitted in areas identified as Key Natural Heritage or Hydrologically Sensitive Features or their associated Minimum Vegetation Protection Zones identified on Schedule "H" and Schedule "G2".

13.6.5.3 Land Use Policies

i) Agricultural Accessory Uses

Uses accessory to agricultural uses shall be permitted in accordance with the policies of Section 13.6.3.3.

ii) Outdoor Cannabis Cultivation

The following policies shall apply to an outdoor cannabis cultivation use in the ORM Countryside Area.

- a) Outdoor cannabis cultivation and indoor cannabis cultivation processing uses licensed by Health Canada under the *Cannabis Act* shall be permitted as a principal use;
- b) Cannabis processing uses licensed by Health Canada under the *Cannabis Act* shall only be permitted as an accessory use;
- c) Indoor cannabis cultivation and cannabis processing shall be prohibited;
- d) A maximum of one accessory building that is required to support cultivation uses for the packaging, labelling, storage, sampling, disposing, and testing for pesticides shall be permitted; The minimum separation distance between an outdoor cannabis cultivation use, and lands designated ORM Vandorf Residential Area, ORM Vandorf Mixed Use Area, ORM Park Area, Mixed Use Area, Significant Environmental Area, Potential Mixed Use Area, Existing Vandorf Residential Area, Potential Vandorf Residential Area, and Potential Vandorf Medium Density Residential Area shall

be 1000.0 m, or as otherwise required by the implementing Zoning By-law;

- e) The minimum separation distance between two or more cannabis cultivation uses and/ or cannabis processing uses use shall be 1000.0 m;
- f) Facilities shall be located and designed in accordance with Cannabis Regulations (SOR/2018-144) to mitigate potential nuisance impacts such as including light emissions, air emissions, and odour;
- g) Outdoor storage shall be prohibited as accessory to a cannabis cultivation use;
- h) The Town may establish a municipal licensing framework to regulate outdoor cannabis cultivation which can further regulate land use, separation distance, and site plan control;
- i) Outdoor cannabis cultivation shall only be permitted through an amendment to the Town's Zoning By-law;
- j) The Town's Zoning By-law shall establish more detailed zoning regulations and standards regarding outdoor cannabis cultivation; and,
- k) Outdoor cannabis cultivation shall be subject to site plan control, as required under Town's Site Plan Control By-law including providing the required studies outlined in section 8.6.5.

13.6.5.4 Special Policies

13.6.5.4.1 Employment Uses north of Slater's Road

Notwithstanding any other provisions of this Plan to the contrary, on lands designated ORM Countryside Area and symbolically shown on Schedule "G", located on the north side of Slater's Road, the existing employment uses are permitted to continue. Development and site alteration on such

lands shall be subject to the relevant provisions of Section 13.6.5.2 and 3.2.9 of this Plan and the relevant provisions of the zoning by-law.

13.6.6 ORM Vandorf Residential Area

13.6.6.1 Purpose

The ORM Vandorf Residential Area designation recognizes existing residential areas in the Community of Vandorf. The purpose of the designation is to recognize that existing development and ensure that it is maintained in a manner which, where possible, improves or restores the natural environment.

13.6.6.2 Permitted Uses

The following uses are permitted in the ORM Vandorf Residential Area designation subject to the policies of Section 3.2, 5.8.3 (Water Services) and 8.16 (Watershed Plans) of this Plan;

- i) Low density residential uses;
- ii) Fish, wildlife and forest management;
- iii) Conservation projects and flood and erosion control projects;
- iv) Transportation, infrastructure, and utilities as described in 3.2.5 of this Plan;
- v) Home businesses;
- vi) Bed and breakfast establishments;
- vii) Low intensity recreational uses as described in 3.2.6 of this Plan;
- viii) Unserved parks; and,
- ix) Uses accessory to the uses in subsections i) to viii).

13.6.6.3 Land Use Policies

- i) Development shall take the form of minor infill of the Community of Vandorf.
- ii) With respect to existing uses, the provisions of Section 13.6.2.3 shall apply.
- iii) Permitted residential uses may include those uses permitted in the applicable zoning by-law on November 15, 2001. Other residential uses permitted by Section 13.6.6.2 shall require a zoning by-law amendment and shall generally be planned, designed and constructed so as to not adversely affect the ecological integrity of the Moraine Area in accordance with Section 3.2 and Table 3.1 of this Plan.

13.6.7 ORM Employment Area

13.6.7.1 Purpose

The ORM Employment Area designation recognizes an existing employment area in the Community of Vandorf. The purpose of the designation is to recognize that existing development and ensure that it is maintained in a manner which, where possible, improves or restores the natural environment.

13.6.7.2 Permitted Uses

The following uses are permitted in the ORM Employment Area designation subject to the policies of Section 3.2, 5.8.3 (Water Services) and 8.16 (Watershed Plans) of this Plan:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Transportation, infrastructure, and utilities as described in Section 3.2.5 of this Plan;
- iv) Low intensity recreational uses as described in Section 3.2.6 of this Plan;
- v) Unserved parks;

- vi) Agriculture-related uses;
- vii) Small-scale commercial, industrial, recreational and institutional uses; and,
- viii) Uses accessory to the uses in subsections i) to vii).

13.6.7.3 Land Use Policies

- i) With respect to existing uses, the provisions of Section 13.6.2.3 shall apply.
- ii) Permitted commercial, industrial, recreational and institutional uses may include those uses permitted in the applicable zoning by-law on November 15, 2001. Other commercial, industrial, recreational and institutional uses permitted by Section 13.6.7.2 shall require a zoning by-law amendment and shall generally:
 - a) not require large-scale modifications of terrain, vegetation or both or large-scale buildings or structure; and,
 - b) will be planned, designed and constructed so as to not adversely affect the ecological integrity of the Moraine Area in accordance with Section 3.2 of this Plan and Table 3.1 of this Plan.

13.6.8 ORM Mixed Use Area

13.6.8.1 Purpose

The ORM Mixed Use Area designation recognizes the existing core area of the Community of Vandorf. The purpose of the designation is to:

- i) recognize the existing development which serves as a focal point for the community with a mix of uses including residential, institutional and commercial;
- ii) ensure that the function of the area as the community core is enhanced; and.

- iii) ensure that it is maintained in a manner which, where possible, improves or restores the natural environment; and,

13.6.8.2 Permitted Uses

The following uses are permitted in the ORM Mixed Use Area designation subject to the policies of Section 3.2, 5.8.3 (Water Services) and 8.16 (Watershed Plans) of this Plan:

- i) Low and medium density residential uses;
- ii) Small scale commercial and institutional uses, including offices;
- iii) Fish, wildlife and forest management;
- iv) Conservation projects and flood and erosion control projects;
- v) Transportation, infrastructure, and utilities as described in Section 3.2.5 of this Plan;
- vi) Home businesses;
- vii) Home industries;
- viii) Bed and breakfast establishments;
- ix) Low intensity recreational uses as described in Section 3.2.6 of this Plan;
- x) Unserved parks; and,
- xi) Uses accessory to the uses in subsections i) to viii).

13.6.8.3 Land Use Policies

- i) With respect to existing uses, the provisions of Section 13.6.2.3 shall apply.

- ii) Permitted commercial and institutional uses may include those uses permitted in the applicable zoning by-law on November 15, 2001. Other commercial and institutional uses permitted by Section 13.6.8.2 shall require a zoning by-law amendment and shall generally:
 - a) not require large-scale modifications of terrain, vegetation or both or large-scale buildings or structure; and,
 - b) will be planned, designed and constructed so as to not adversely affect the ecological integrity of the Moraine Area in accordance with Section 3.2 of the Moraine Plan.
- iii) Permitted residential uses may include those uses permitted in the applicable zoning by-law on November 15, 2001. Other residential uses permitted by Section 13.6.8.2 shall require a zoning by-law amendment and will:
 - a) not adversely affect the ecological integrity of the Moraine Area;
 - b) not exceed a density of 12 units per net hectare (5 units per net acre);
 - c) be in keeping with the character of the existing areas of the Community of Vandorf; and,
 - d) reflect the directions in Section 13.4, Community Improvement Strategy of this Plan.

13.6.9 ORM Park Area

13.6.9.1 Purpose

The ORM Park Area designation recognizes existing parkland and open space in the Community of Vandorf. The purpose of the designation is to ensure that the open space is maintained in a manner which, where possible, improves or restores the natural environment.

13.6.9.2 Permitted Uses

The following uses are permitted in the ORM Park Area designation subject to the policies of Section 3.2, 5.8.3 (Water Services) and 8.16 (Watershed Plans) of this Plan:

- i) Fish, wildlife and forest management;
- ii) Conservation projects and flood and erosion control projects;
- iii) Low intensity recreational uses as described in Section 3.2.6 of this Plan;
- iv) Unserved parks; and,
- v) Uses accessory to the uses in subsections i) to viii).

13.6.9.3 Land Use Policies

- i) With respect to existing uses, the provisions of Section 13.6.2.3 shall apply.
- ii) Permitted recreation uses may include those uses permitted in the applicable zoning by-law on November 15, 2001. Other public park and open space uses may also be permitted subject to a zoning by-law amendment and shall generally:
 - a) not require large-scale modifications of terrain, vegetation or both or large-scale buildings or structure; and,
 - b) will be planned, designed and constructed so as to not adversely affect the ecological integrity of the Moraine Area in accordance with Section 3.2.9 and Table 3.1 of this Plan.

13.7 LAND USE STRATEGY - LANDS OUTSIDE THE OAK RIDGES MORaine

13.7.1 Purpose

The land use designations on Schedule “G” establish a general pattern of development for the existing and future use of the area during the planning period. This section sets out the policies for the area outside the Moraine Plan Area.

13.7.2 Employment Area

13.7.2.1 Purpose

The Employment Area designation recognizes an existing employment area in the Community of Vaudorf. The purpose of the designation is to recognize that existing development and ensure that the economic viability of the area is maintained and improved.

13.7.2.2 Permitted Uses

The permitted uses in the Employment Area designation are a full range of employment uses including:

- i) industrial;
- ii) office;
- iii) wholesale;
- iv) research and development;
- v) institutional;
- vi) commercial recreation; and,
- vii) accessory uses.

13.7.2.3 Land Use Policies

- i) Permitted uses may include those uses permitted in the applicable zoning by-law on June 30, 2006. Other uses permitted by Section 13.7.2.2 shall require a zoning by-law amendment and shall:
 - a) be restricted to dry uses, until the completion of the servicing studies in Section 13.5.3.2;
 - b) require that open storage be screened;
 - c) limit retail and service commercial uses to products produced and/or assembled on the premises provided that the retail operation occupies less than 20% of the area of the main building;
 - d) be in keeping with the character of the existing areas of the Community of Vandorf; and,
 - d) reflect the directions in Sections 13.4, Community Improvement Strategy of this Plan.
- ii) Notwithstanding any other policies of this Plan, the Town shall not permit industrial uses which are considered to be a significant health or safety concern to residents or to the natural environment. Where there is a concern with the potential impact of an industrial use, an evaluation report shall be prepared by the Town, at the cost of the applicant based on terms of reference approved by the Town and the applicant. The report shall evaluate the impacts of the proposed use and whether appropriate mitigation measures can be developed to reduce the impacts to a level acceptable to the Town. Where the concern includes the potential for impact on the natural environment, the evaluation report shall include an Environmental Impact Statement (EIS) to demonstrate that there will be no negative impacts on the natural features or their ecological functions. The EIS shall be scoped and approved by the Town in consultation with the Lake Simcoe Region Conservation Authority.

13.7.2.4 Land Use Policies

13.7.2.4.1 Special Provision 1 – 2159 Aurora Road

Notwithstanding any other provisions of this Plan to the contrary, the following site-specific policies apply:

- i) An interior side yard (easterly) landscape buffer shall be required to provide a transition between the proposed uses and existing residential area.

13.7.3 Potential Employment Area

13.7.3.1 Purpose

The Potential Employment Area designation recognizes a potential employment area which provides for the completion of the existing employment development in the Community of Vandorf. The purpose of the designation is to establish the provisions for the development of the lands in this designation.

13.7.3.2 Permitted Uses

The permitted uses in the Potential Employment Area designation are:

- i) Agricultural uses, with the exception of intensive livestock operations;
- ii) Fish, wildlife and forest management;
- iii) Conservation projects and flood and erosion control projects;
- iv) Low intensity recreational uses;
- v) Public parks and open space uses;
- vi) Those uses permitted in Section 13.7.2.2, subject to the policies of Section 13.7.2.3; and,
- vii) accessory uses.

13.7.3.3 Land Use Policies

- i) The uses permitted in Section 13.7.2.2 shall only be permitted subject to;
 - a) the provision of servicing in accordance with the provisions of Section 13.5.3.2 of this Plan;
 - b) open storage shall be screened and shall be prohibited adjacent to watercourses and natural features; and,
 - c) the provisions of Section 13.7.2.3 with the exception of subsection b).

In addition, where lots front on Highway 404, Aurora Road or Woodbine Avenue such lands shall be zoned to permit only prestige employment uses. The Zoning By-law will require enhanced landscaping and all elevations facing a street shall be required to present a “front” elevation. Loading and open storage areas will not be permitted in any yard facing a street.

13.7.4 Vandorf Residential Area

13.7.4.1 Purpose

The Vandorf Residential Area designation recognizes existing residential areas in the Community of Vandorf. The purpose of the designation is to recognize that existing development and ensure that it is maintained in a manner which enhances the existing character of the area.

13.7.4.2 Permitted Uses

The permitted uses in the Vandorf Residential Area designation are:

- i) Low density residential uses;
- ii) Home businesses;
- iii) Bed and breakfast establishments;

- iv) Public parks and open space; and,
- v) Uses accessory to the uses in subsections i) to iv).

13.7.4.3 Land Use Policies

- i) Development shall take the form of minor infill or minor rounding out of the Community of Vandorf.
- ii) Permitted residential uses may include those uses permitted in the applicable zoning by-law on June 30, 2006. Other residential uses permitted by Section 13.7.4.2 shall require a zoning by-law amendment and shall generally be planned, designed and constructed so as to:
 - a) not exceed a density of 7 units per net hectare (3 units per net acre);
 - b) be in keeping with the character of the existing areas of the Community of Vandorf; and,
 - c) reflect the directions in Sections 13.4, Community Improvement Strategy of this Plan.

13.7.5 Potential Vandorf Residential Area

13.7.5.1 Purpose

The Potential Vandorf Residential Area designation recognizes a potential residential area which provides for the rounding out of the Community of Vandorf. The purpose of the designation is to establish the provisions for the development of the lands in this designation.

13.7.5.2 Permitted Uses

The permitted uses in the Potential Vandorf Residential Area designation are:

- i) agricultural uses, with the exception of intensive livestock operations;

- ii) those uses permitted in Section 13.7.4.2, with the exception of low density residential uses; and,
- iii) low density residential uses, and uses accessory to them subject to the policies of Section 13.7.5.3.

13.7.5.3 Land Use Policies

- i) Low density residential uses shall only be permitted subject to the provision of servicing in accordance with the provisions of Section 13.5.3.2 of this Plan.
- ii) Residential uses shall generally be planned, designed and constructed so as to:
 - a) not exceed a density of 7 units per net hectare (3 units per net acre);
 - b) be in keeping with the character of the existing areas of the Community of Vandorf; and,
 - c) reflect the directions in Sections 13.4, Community Improvement Strategy of this Plan.

13.7.6 Mixed Use Area

13.7.6.1 Purpose

The Mixed Use Area designation recognizes the existing mixed use development at the northern gateway to the Community of Vandorf. The purpose of the designation is to:

- i) recognize the existing mixed use development; and,
- ii) ensure that the function of the area as a gateway to Vandorf is enhanced.

13.7.6.2 Permitted Uses

The permitted uses in the Mixed Use Area designation are:

- i) Low and medium density residential uses;
- ii) Small scale commercial and institutional uses, including offices;
- iii) Home businesses;
- iv) Home industries;
- v) Bed and breakfast establishments;
- vi) Public parks and open space; and,
- vii) Uses accessory to the uses in subsections i) to vii).

13.7.6.3 Land Use Policies

- i) Permitted uses may include those uses permitted in the applicable zoning by-law on June 30, 2006. Other uses permitted by Section 13.7.6.2 shall require a zoning by-law amendment and shall generally be compatible with the surrounding uses and in keeping with the gateway function of the area. In particular,
 - a) new development shall be evaluated based on submission of a site and landscape plan and perspective drawings which demonstrates how the development will be integrated with the surrounding uses and the gateway function of the area;
 - b) not exceed three storeys in height, with a minimum height of two storeys;
 - c) includes no open storage of vehicles, machinery or equipment; and,
 - d) maximum floor space index of 1.0 for non-residential development and a maximum density of 12 units per net hectare (5 units per net acre) for residential development; and,
 - e) reflect the directions in Sections 13.4, Community Improvement Strategy of this Plan.

13.7.7 Potential Mixed Use Area

13.7.7.1 Purpose

The Potential Mixed Use Area designation recognizes a potential mixed use area which provides for the extension of the core area of the Community of Vandorf and the existing northern gateway area. The purpose of the designation is to establish the provisions for the development of the lands in this designation.

13.7.7.2 Permitted Uses

The permitted uses in the Potential Mixed Use Area designation are:

- i) Agricultural uses, with the exception of intensive livestock operations;
- ii) Fish, wildlife and forest management;
- iii) Conservation projects and flood and erosion control projects;
- iv) Low intensity recreational uses;
- v) Public parks and open space uses;
- vi) Those uses permitted in Section 13.7.6.2, subject to the policies of Section 13.7.7.3; and,
- vii) accessory uses.

13.7.7.3 Land Use Policies

- i) Those uses permitted in Section 13.7.7.2 vi) shall only be permitted subject to;
 - a) the provision of servicing in accordance with the provisions of Section 13.5.3.2 of this Plan; and,
 - b) the provisions of Section 13.7.6.3.

In addition, the permitted uses in the Potential Mixed Use Area designation north of Aurora Road shall be limited to non-residential uses.

13.7.8 Significant Environmental Area

The lands in the Significant Environmental Area designation on Schedule “G” shall be subject to the policies of Section 3.4.2 of the Official Plan. In addition to the policies of Section 3.4.2, where new development is proposed a 30 m minimum naturally vegetated and unmaintained buffer shall be established on each side of a watercourse measured from the top of bank.

Lands within the Wesley Creek “Significant Environmental Area” and the Regional Significant Forest Lands also designated “Significant Environmental Area” are subject to the Natural System Policies of Section 3.2 of the Greenbelt Plan.

13.7.9 Agricultural Area

The lands in the Agricultural Area designation on Schedule “G” shall be subject to the policies of Section 4.3 of the Official Plan.

13.7.10 Wellhead Protection Area

The 25 Year Wellhead Protection Area on Schedule “G5” is an overlay designation. Notwithstanding the fact that the lands in this designation are not located in the Oak Ridges Moraine, development in this designation shall be subject to the Wellhead Protection policies of Section 5.10 of the Official Plan.

13.7.11 Potential Vandorf Medium Density Residential Area

13.7.11.1 Purpose

The Potential Vandorf Medium Density Residential Area designation recognizes a potential residential area, which together with the other lands designated for residential purposes, provides for the rounding out of the Community of Vandorf.

The purpose of the designation is to establish the provisions for the development of the lands in this designation.

13.7.11.2 Permitted Uses

The permitted uses in the Potential Vandorf Medium Density Residential Area designation are:

- i) agricultural uses, with the exception of intensive livestock operations;
- ii) those uses permitted in Section 13.7.4.2, with the exception of low density residential uses; and,
- iii) low, medium and high density residential uses, and uses accessory to them subject to the policies of Section 13.7.11.3.

13.7.11.3 Land Use Policies

- i) Low, medium and high density residential uses shall only be permitted subject to the provision of servicing in accordance with the provisions of Section 13.5.3.2 of this Plan;
- ii) Applications shall include a mix of residential uses at an overall density not to exceed 65 units per net hectare (26 units per net acre), with a maximum height of four storeys. The approval of any development will be based on:
 - a) the submission of a conceptual plan which demonstrates that there will be no significant adverse impacts with respect to loss of privacy and shadowing on adjacent low density residential development to the east and south;
 - b) the location of high density residential uses adjacent to Highway 404 and Aurora Road designed in a manner which reflects this gateway location;
 - c) the location of low density residential uses adjacent to existing and proposed low density residential development to the east and south at a density not exceed a density of 7 units per net hectare (3 units per net acre) and a maximum height of two storeys; and,

- d) be in keeping with the directions in Sections 13.4, Community Improvement Strategy of this Plan.

13.8 TRANSPORTATION STRATEGY

13.8.1 Purpose

The transportation network for the Vandorf-Preston Lake Area shall consist of the following components, the policies for which are set out in this section:

- i) Road network of local roads, collector roads and arterial roads as shown schematically on Schedule “G”, Land Use and Transportation Plan;
- ii) Transit services; and,
- iii) Pedestrian/bicycle circulation system.

13.8.2 Road Network

13.8.2.1 General

The road network consists of the existing local, collector and arterial roads and potential local roads, as shown on Schedule “G”. Additional roads required to service the community will be developed in accordance with the policies of this Plan without further amendment to this Plan. In addition, regard shall be had to the street cross section drawings in Appendix “A” to this Plan with respect to Woodbine Ave.

13.8.2.2 Road Construction and Reconstruction

- i) The Town shall review its road construction standards for the Vandorf-Preston Lake Area to ensure that only the minimum right-of-way and pavement width is required and that the road standards minimize impacts on natural systems. Street design shall be carried out in conformity with the policies of Section 13.4.3.4, Streetscapes, of this Plan.

ii) Street rights-of-way shall generally meet the following standards, however such standards may be reduced subject to review by the Town, and the Region with respect to Regional roads:

- | | |
|---|-----------------------------|
| a) Major Arterial Roads
(Regional Roads) | Maximum width 36 m (118 ft) |
| b) Other Arterial Roads | Maximum width 26 m (85 ft) |
| c) Collector Roads | Maximum width 23 m (75 ft) |
| d) Local Roads | Maximum width 20 m (66 ft) |
| e) Rear Yard Access Roads | Minimum width 7 m (23 ft) |

iii) Design and construction of roads crossing valley lands shall not increase the flood risk to adjacent upstream or downstream properties and shall ensure that the landform features and functions of the valley are properly protected and preserved. When providing for river crossings, design aspects of natural channel systems must be considered. Channelization and armouring shall generally not be permitted except on already disturbed sites. Culvert/bridge design concepts for watercourse crossings shall have regard for minimizing intrusions and alterations to existing valley landform features and functions.

iv) The road widths indicated in Section 13.8.2.2 ii) a) for Regional Roads are considered as maximums except where road sections require additional width for such elements as sight triangles, cuts, fills, extra lanes at intersections and high occupancy vehicle (HOV) lanes, and for accommodating bicycles, sidewalks, and landscaping where appropriate.

13.8.2.3 Arterial Roads

- i) The arterial road pattern, which is under the jurisdiction of the Regional Municipality of York, provides for both local and through traffic movements.
- ii) The Town shall seek recognition by the Region of the different roles played by the arterial roads in the Vandorf-Preston Lake. In particular, the Town shall seek recognition of:

- a) the role that Woodbine Ave. plays as the “main street” in the existing core of the Community of Vandorf and the potential for the enhancement of that role as the Community develops;
- b) the role of the intersections of Woodbine Ave. with the CNR and Bloomington Road as a major gateways to the Community of Vandorf and the Vandorf-Preston Lake Area. The Town shall work with York Region regarding any improvements that may be required at the “Gateway” intersections, and specifically at the Woodbine Avenue/Vandorf Sideroad intersection; and,
- c) the role of the intersections of Warden Ave. with Bloomington Road as a gateway to the Preston-Lake Area.
- d) For “Gateway” and community streetscaping amenities within the Regional right-of-way, the Town of Whitchurch-Stouffville shall coordinate with York Region Transportation Services with regard to the installation of such facilities.

The Town will work with the Region to ensure that the character of the street can serve the arterial traffic function, but, also better reflect the character of the Vandorf-Preston Lake Area. In this regard, the Town shall request the Region to give consideration to modifications to their standards to reduce access restrictions, right-of-way widths, building setbacks and other similar matters.

13.8.2.4 Collector Roads

- i) Collector roads are under the jurisdiction of the Town and provide for through traffic between arterial roads, other collector roads and local streets.
- ii) Detailed design and alignment requirements for such new collector roads shall be determined through the approval process for a plan of subdivision, but, direct access shall generally be permitted to such roads from abutting properties, and sidewalks shall be provided along a minimum of one side of such roads.
- iii) Pedestrian and cycling facilities will be considered on all collector roads.

13.8.2.5 Local Roads

- i) Local roads are designed to provide access to individual properties and to discourage through traffic. Such roads are under the jurisdiction of the Town.
- ii) The design and alignment requirements for any new local roads shall generally be determined through the approval process for a plan of subdivision.
- iii) Pedestrian and cycling facilities will be considered on all local roads where appropriate.

13.8.3 Transit Service

13.8.3.1 GO Transit

The Town shall work with GO Transit to extend GO Transit service to the Vandorf-Preston Lake Area. The Town will work with the Region to provide adequate pedestrian/cycling, transit, and vehicular access to the future GO Train Station in the Vandorf-Preston Lake Area. The Town of Whitchurch-Stouffville will protect the required lands for a future commuter parking lot adjacent to the future GO Train Station.

The location of the proposed GO station at Aurora Road and the CN rail line is conceptual only and may be relocated without an amendment to this plan.

13.8.3.2 Regional Transit Service

The Town shall encourage the Region of York to extend the regional transit system to the Vandorf-Preston Lake Area. The Town will work with the Region to provide adequate pedestrian/cycling, transit, and vehicular access to the future regional transit station in the Vandorf-Preston Lake Area. The Town will protect the required lands for future transit stations and associated commuter parking lots in this area.

13.8.3.3 Transit Supportive Design

- i) The Town shall support transit supportive urban design measures, and in particular shall ensure that:

- a) collector and arterial roads are designed to accommodate transit facilities; and,
 - b) subdivisions are designed to permit effective pedestrian and cycling access to transit routes.
- ii) Transit facilities shall not require an official plan or zoning by-law amendment provided that they are located in the existing road allowance or outside the Key Natural Heritage and Hydrological Features and related vegetative buffers on Schedule "G2". However, where such a use is located outside the existing road allowance it shall be subject to site plan approval.

13.8.4 Pedestrian/Bicycle Circulation System

13.8.4.1 Sidewalk System

Provision shall be made in the Community of Vandorf in all street rights-of-way, with the exception of cul-de-sacs or local streets with a limited number of dwellings, for sidewalks. In particular, sidewalks will be provided on both sides of Woodbine Avenue between the CNR track and Aurora Sideroad.

13.8.4.2 Trail System

- i) The Town shall encourage the development of a system of pedestrian/bicycle trails to link the community together as designated on Schedule "G1", Trail System and Gateways.
- ii) The Town in consultation with York Region shall consider the preparation of a trail master plan for the Vandorf-Preston Lake Area, in conjunction with the local community, which will among other matters address the issue of ownership and maintenance of the system.
- iii) Where new areas are being developed, specific routes for the trail system shall be determined through the approval process for a plan of subdivision, and the provision of the trail system shall be a condition of approval of development.

13.8.4.3 Cycling System

Cycling facilities should be considered where possible in the Community of Vandorf in all street rights-of-way. Particularly, cycling facilities should be provided on Warden Avenue and Aurora Road as identified in the current Region of York Pedestrian and Cycling Master Plan.

13.8.5 Transportation Demand Management (TDM)

TDM Measures

The Town in coordination with the Region will consider Transportation Demand Management measures for the Vandorf-Preston Lake Area. The TDM measures may include, but not be limited to: commuter parking lots, public transit, transit incentives, encouragement for alternative transportation modes (walking/cycling), and flexible working hours.

13.9 DEVELOPMENT APPLICATION PRE-CONSULTATION AND SUBMISSION REQUIREMENTS

13.9.1 Purpose

In addition to the other policies of this Plan, development applications in the Vandorf-Preston Lake Secondary Plan Area shall be subject to review as follows:

- i) Lands in the Oak Ridges Moraine and the Greenbelt Plan

Development applications in the Oak Ridges Moraine Conservation Plan Area as shown on Schedule “G”, shall be subject to review in accordance with the provisions of Section 3.2, 8.16 and Table 3.1 of this Plan and the *Oak Ridges Moraine Conservation Plan* and the boundaries of the Community of Vandorf will be subject to review in accordance with the provisions of the Greenbelt Plan.

- ii) Flood Plain Areas

Lands which are designated as “Floodplain Area” on Schedule “A-2” to the Official Plan shall also be subject to the policies of Section 3.5.5 of the Official Plan.

In addition, the Town may require development to be subject to the site plan control provisions of the Planning Act.

13.9.2 Potential Development Areas

13.9.2.1 Pre-Consultation

- i) Consultation with the Town prior to the submission of a development application requiring Planning Act approval is encouraged, and shall be required for applications for the approval of Official Plan amendments, Zoning By-law amendments, draft plans of subdivision, consents, draft plans of condominium and site plans. The Region of York is encouraged to participate in the Town’s pre-consultation process. Other affected agencies

such as conservation authorities are encouraged to participate, where appropriate.

- ii) The Planning Act and its regulations prescribe the submission of certain information and materials as part of development applications. The Town may require information and materials to support any development application in addition to that prescribed, including maps, drawings, reports and technical studies. The specific requirements for an application to be deemed to be a “complete” application shall be determined by the Town as part of the pre-consultation process, in consultation with the appropriate agencies including the Region of York and the applicable conservation authority.

13.9.2.2 Required Information and Materials

Unless an exemption is granted by the Town in writing as part of the pre-consultation process, the following information and material, together with additional information and material identified in Section 7.3 of the Official Plan shall be required to be submitted as a basis for evaluation of development applications for the lands in the Community of Vandorf which are designated as “Potential Vandorf Residential Area”, “Potential Medium Density Residential Area”, “Potential Employment Area”, and “Potential Mixed Use Area” on Schedule “G”.

- i) Functional Servicing Study
 - a) A Functional Servicing Study shall be prepared for the entire Servicing Study Area, prior to the approval of any new development.
 - b) The Functional Servicing Study will detail the environmental, servicing and drainage requirements necessary to identify specific stormwater, sanitary, water supply and transportation needs including roads, transit, pedestrian and bicycle facilities, prior to any development.
 - c) The Functional Servicing Study shall be prepared in accordance with terms of reference prepared by the Town and approved by Council, in consultation with the Conservation Authority, and the Regional Municipality of York. The Study shall be prepared to the satisfaction of the Town, the Conservation Authority, York Region Boards of Education, and the

Regional Municipality of York and with input from the landowners and shall be approved by Council.

d) The Functional Servicing Study, shall include the following, at a minimum:

- an analysis of servicing requirements for the entire Servicing Study Area including servicing options, design requirements, phasing and costs for stormwater management, water and sewer services, other utilities and transportation systems;
- a land use concept prepared in accordance with the policies of this Plan;
- an implementation and staging plan for development and a program for the monitoring of environmental impacts;
- design and construction requirements to ensure protection of the environment, including groundwater, and the approach to the treatment of road run-off; and,
- energy conservation measures.

e) The Functional Servicing Study shall also include:

- A Master Servicing Strategy
- An Environmental Impact Study
- Landform Conservation Study
- Tree Preservation and Planting Plan
- Heritage and Archaeological Analysis
- Functional Transportation Study
- Any other studies required by the Town, and

- Any additional studies required to satisfy the requirements of the Oak Ridges Moraine Conservation Plan

ii) Financial Impact Analysis

A Financial Impact Analysis shall be carried out for lands in the study area of the Functional Servicing Study which will be used as a basis for the phasing of development and planning by the Town to accommodate any proposed development and which will review the financing of the recommended servicing scheme to ensure that no costs will be incurred by the Town.

iii) Noise Studies

Noise studies shall be carried out for lands adjacent to Regional Roads, an industrial use and within 300 m of a railway right-of-way for lands in the study area of the Functional Servicing Study.

Further, where new commercial, industrial or institutional development which are potential major noise sources, such as, but not limited to, uses which have associated with them construction activity, delivery and unloading activity, outdoor heat rejection systems (including cooling towers) and outdoor exhaust fans, the requirements of the Ministry of Environment and Energy guidelines, "Noise Assessment Criteria in Land Use Planning, October, 1995" or any successor thereto, with respect to the need for noise impact studies shall apply. Where required by the guidelines, a noise impact study shall be carried out to the satisfaction of the Town.

iv) Vibration Studies

A vibration study shall be required where lands are within 75 m of a railway right-of-way or on arterial road at the request of the Region of York and/or Canadian National.

Further, where new industrial development which is a potential major source of vibration, such as metal forming industries including punch presses or drop forges, is proposed within 75 m of existing residential development, a vibration study shall be carried out to the satisfaction of the Town.

13.9.2.3 Scale, Scope and Timing of Submissions

- i) The scale, scope and timing of any required information and material, particularly any reports and technical studies, is dependent on the nature of the proposal, its relationship to adjacent land uses and the type of planning approval required.
- ii) The Town may, and where directed by this Plan shall at its discretion, and after consultation with the applicant, require that the required reports and studies be carried out by a consultant retained by the Town at the cost of the applicant. The Town may also, as an alternative, require a peer review by an appropriate public agency or by a professional consultant retained by the town at the applicant's expense. In either case, the applicant shall have input to the establishment of the terms of reference for such a study or peer review and a specific cost limit shall be established prior to the commencement of the study.

13.9.2.4 Complete Application

An application for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision or draft plan of condominium shall be considered complete under the Planning Act only when all the following items have been provided to the Town:

- i) An application form;
- ii) Any information or materials prescribed by statute;
- iii) A pre-consultation form;
- iv) Any supporting information or materials required to be provided in accordance with Section 12.9.3 where applicable; and.
- v) The prescribed application fee.

13.9.2.5 Development Evaluation Criteria

Development proposals shall generally conform with the following criteria, in addition to any other applicable policies of this Plan:

i) Design

The appropriateness of the design of a proposed development will be evaluated in accordance with the policies of Section 13.4. In particular, where new development is proposed abutting existing residential development it shall be designed to be compatible with that existing development with respect to density, height and use. In addition, all development may be subject to the site plan control provisions of the Planning Act.

ii) Heritage Preservation

Buildings of architectural and/or historic significance shall be preserved, where feasible, on site and/or integrated into the development in an appropriate manner and/or preserved in some other manner. Development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site shall be permitted.

iii) Watercourses

All watercourses shall be maintained or enhanced as distinct ecosystems, and lands immediately adjacent to these watercourses shall be retained or rehabilitated to a natural self-sustaining state. Alterations to watercourses, including riparian features such as intermittent streams and drainage swales, shall generally be discouraged. However, the necessity for retention/restoration of riparian features such as intermittent streams and drainage swales, will be evaluated as part of the Functional Servicing Study and modifications of these features may be approved where deemed appropriate by the Town, in consultation with the Conservation Authority pursuant to its Fill, Construction and Alteration to Waterways Regulation.

iv) Sewer and Water Services and Stormwater Management

New development shall be serviced in accordance with the policies of Section 13.5 of this Plan and the results of the Functional Servicing Study.

v) Financial Impacts

Only development which can be accommodated within the financial capabilities of the Town, including the provision of financial compensation beyond that provided for in the Development Charges By-law, shall be permitted.

vi) Soil Quality

The applicant must demonstrate that on-site soil quality is suitable for the proposed use. Where site remediation is required the Town shall be satisfied with respect to the implementation of remediation prior to development approval.

vii) Noise and Vibration Impact and Safety Measures

Where the site is adjacent to a major noise or vibration source such as a Regional Road, railway or industrial use, the Town, in consultation with the Region of York and, where appropriate, Canadian National, shall be satisfied that appropriate measures to mitigate any adverse effects of noise and vibration can be implemented. Further, adjacent to a railway, the Town, in consultation with Canadian National, shall be satisfied that appropriate safety measures are provided.

13.10 IMPLEMENTATION AND INTERPRETATION

13.10.1 General

The implementation and interpretation of this Secondary Plan shall generally be in accordance with the provisions of Sections 8 and 9 respectively of the Official Plan and the following policies. In addition, where there is a conflict, the policies of the *Oak Ridges Moraine Conservation Plan* shall apply to lands in the Moraine, and the policies of the Greenbelt Plan shall apply to lands outside the Moraine and the boundaries of the Community of Vandorf.

It is the general intent of this Secondary plan that an amendment shall only be required when a principle or policy is added to, deleted from or significantly altered in the text or on the schedules. Technical or housekeeping amendments to this Plan can be undertaken without amendment such as, but not necessarily limited to, the following:

- i) To change the numbers of sections or the order of sections on the plan, without adding or deleting sections;
- ii) To correct grammatical or typographical errors which do not affect the intent or purpose of the policies, regulations or maps;
- iii) To re-illustrate maps for the purposes of clarity that would serve to aid understanding, without affecting the intent or purpose of the policies, regulations, or maps
- iv) To add base information to maps to show existing and approved infrastructure, and,
- v) To alter language or punctuation to obtain a uniform mode of expression throughout the Plan.

13.10.2 Site Plan Control

All lands in the Vandorf-Preston Lake Secondary Plan Area shall be designated as a site plan control area. The provisions of the Planning Act with respect to site plan control may be used with respect to all uses, including low density residential uses, or designations within the Secondary Plan Area.

13.10.3 Development Charges and Financial Requirements

13.10.3.1 Development Charges

Prior to the approval of any development proposal for the lands designated "Potential Vandorf Residential Area", "Potential Vandorf Medium Density Residential Area", "Potential Employment Area", and/or "Potential Mixed Use Area" on Schedule "G", the Town shall have approved a Development Charges Study and adopted a Development Charges By-law identifying the charges applicable to the lands in the Vandorf-Preston Lake Secondary Plan Area.

13.10.3.2 Other Financial Requirements

Prior to the approval of any development in the Vandorf-Preston Lake Secondary Plan Area, the Town may require the owner to enter into servicing and other agreements, including front end requirements or accelerated payments that will ensure that the development can be adequately serviced and that an appropriate contribution has been secured toward the provision of community services.

In particular, prior to the approval of any development proposal for the lands designated "Potential Vandorf Residential Area", "Potential Vandorf Medium Density Residential Area", "Potential Employment Area", and/or "Potential Mixed Use Area" on Schedule "G", the following conditions shall be met:

- i) Prior to the approval of development, the Town and the Region of York shall be satisfied as to the availability of water supply and sewer capacity to accommodate said development. This may require front end or accelerated payment agreements and limitations to be placed on development.
- ii) Prior to the registration of any development, the owner shall have entered into a servicing agreement, including any front end requirements or

accelerated payments with the Town and/or the Region of York that will identify the capital expenditures associated with the servicing of the lands.

- iii) Prior to any development approvals, an assessment of infrastructure cost requirements to accommodate the Secondary Plan development, including development phasing, the timing of infrastructure emplacement, and the methods of financing including developer front end or accelerated payment agreements shall be addressed in conjunction with other proponents developments.

13.10.3.3 Developers Group Agreement(s)

Prior to the final approval of development for the lands designated "Potential Vandorf Residential Area", "Potential Vandorf Medium Density Residential Area", "Potential Employment Area", and/or "Potential Mixed Use Area" on Schedule "G", the Town may require that landowners with applications for development enter into an agreement or agreements to address the sharing of the common costs of development.

13.10.4 Relationship to Official Plan

The provisions of the Vandorf-Preston Lake Secondary Plan shall prevail over the provisions of the Official Plan in the Vandorf-Preston Lake Secondary Plan Area in the event of any conflict. However, in the event of any conflict, the provisions of the Oak Ridges Moraine Conservation Plan shall prevail over any provisions within this Secondary Plan or the Official Plan within the Oak Ridges Moraine Conservation Plan Area as identified in Ontario Regulation 140/02.

13.10.5 Required Studies

Where this Plan requires the submission of technical studies by the applicant in support of a development application, the Town may, at its discretion and after consultation with the applicant, require that such studies be carried out by a consultant retained by the Town at the cost of the applicant. The applicant shall have input in the establishment of the terms of reference for such a study and a specific cost limit shall be established prior to the commencement of the study.

13.10.6 Employment Land Conversion

Notwithstanding any other provisions of this Secondary Plan, the conversion of lands in the “ORM Employment Area”, “Employment Area”, and “Potential Employment Area” designations to non-employment uses, including residential, major retail, and other retail and commercial uses which are non-ancillary to employment uses, is not permitted. Notwithstanding this prohibition, the conversion of employment lands to non-employment land uses may only be considered at the time of a municipal comprehensive review in accordance with the provisions of Section 8.3.2, Employment Land Conversion, of the Official Plan.

SECTION 13
APPENDIX A
STREET PLANS

SECTION 13

APPENDIX B

BACKGROUND PLANNING REPORTS (under separate cover)