

**CONSOLIDATED OFFICIAL PLAN
OF THE
TOWN OF SHELBURNE**



DECEMBER 2017 CONSOLIDATION

FOR OFFICE USE ONLY

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

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

Amendment No. Official Plan	Date of Adoption By Council	Date of Approval By Ministry	Description
OFFICIAL PLAN	Mar.23, 1970		Entire Village of Shelburne
1		Nov.24, 1972	
2		Aug.8, 1973	
3	Apr.14, 1975		-Commercial designations NW & NE corners Greenwood and Main -Multiple Residential density Main Street east of Besley Drain
4	Nov.29, 1976	Feb.4, 1977	-Commercial designation NW corner of James Street and First Avenue
5	May 9, 1977	Sept.25, 1978	-Residential designation density E. Half of Lot 2, Conc.2, Old Survey, Twp. Of Melancthon & 50 acres in NW corner of Town -Incorporate Policies into Section 4-Residential
6	June 26, 1978	Jan.11, 1979	-Additions to Section 6- Development Policies and Section 7-Implementation to

			Control Development on Land annexed by the Town (50 acres in NW corner of Shelburne)
7	Jan.24,1977	Mar.25, 1977	-Text changes to Section 6 to clarify residential uses
8	June 13, 1977	Aug.6, 1977	-Residential designation SW corner of Owen Sound Street and Louise Street
9	Feb.14,1985		-Commercial designation SE corner of First Ave. and William Street
10	Dec.28,1982	Mar.4,1983	-Commercial designation Lots 7,8 and 9, Block 32 Reg. Plan 13A, 91 metres east of Main Street East and Dufferin
11	June 13, 1983	Aug.19,1983	-Residential designation NW corner of John Street and Main Street
12	July 25, 1983	Mar.16, 1984	-Comprehensive review
13	Dec.30, 1985	Feb.20,1986	-Incorporate Community Improvement policies, added Schedule 'D'
14	Feb.10,1986	Feb.27,1986	-Incorporate Site Plan Control Policies, deleted Subsection 8.a.8 and replaced
15	Dec.21,1987	Apr.24, 1989	-Residential, Industrial and Open Space Conservation designations - Part of North Half of East and West Halves of Lot 31, Conc.2, Town of Shelburne
16	Sept.26,1988	Apr.18, 1989	-Commercial designation SW corner of Main Street and CPR
17	Feb.13, 1989	May 23, 1989	-Commercial designation NW corner of Main Street and Centennial Road
18	Apr.9, 1990	June 16, 1990	-Residential designation of 4 Board of Education lots, Third Avenue, Schedules 'A' and 'B'
19	Apr.9, 1990	May 17, 1991	-Schedule 'B'-multiple development area, Shelburne Meadows, next to Centennial Highland and industrial park
20	June 25, 1990	Sept.21, 1990	-Special Institutional policies, Old Shelburne School, Second Avenue
21	Sept.24,1990	Jan.25,1991	-Revisions to Industrial Policies

22	Feb.24, 1992	June 19,1992	-Special Residential policies, Pitter Patter Restaurant, Owen Sound and Jane Streets
23	Approved by OMB	July 30,1991	Fiddler Hill Multiple, Park Avenue and Olde Village Lane
24	Sept.13,1993	Oct.8, 1993	
25	Jan.8, 1996		-Residential designation as Single and Semi-Detached, Semi-Detached, from Special Residential, for Block 76, Reg. Plan 322 on Park Avenue
26	Jan.8, 1996		-Residential designation, as 37 U.P.H. Single Detached, Semi-Detached and Multiple Dwelling, from Special Institutional on Second Avenue
27	May 27,1996		-Special Industrial, from Residential, in Part of the West Half Lot 31, Concession II on Victoria Street South
28	June 10, 1996		-Residential designation, from Special Tourism, as 24 u.p.h., single detached, semi-detached, duplex
29	June 9, 1997	July 16, 1997	Industrial designation in Part of the South Half Lot 31, Concession 2 and Part of East Half Lot 2, Concession 2, Old Survey
30	June 9, 1997		13.8 acres designated Special Commercial and Open Space Conservation in Part of the Northwest Half of Lot 32, Concession 1 to the Town of Shelburne
31			Allowance of residential apartment units on a portion of the ground floor in the Central Business district; housekeeping map change for property noting designation from Institutional to Commercial
32	May 26, 2003		Open Space Recreation to Residential, Residential to Open Space Conservation, Institutional to Residential in Part of West Half of Lot 1, Concession 2, Old Survey on Schedule 'A'; Maximum

			density of 24 u.p.h in Part of West Half of Lot 1, Concession 2, Old Survey on Schedule 'B'
33	February 28, 2005	November 24, 2005	Five Year Review and Update
34	July 25, 2016	June 8, 2017	Revisions under section 26 of the Planning Act and section 12 of the Places to Grow Act, Municipal Comprehensive Review
35	March 5, 2012	May 3, 2012	Residential density increased from 24 units per hectare to 37 units per hectare in Part of the East Halves of Lots 3 & 4, Concession 3, Old Survey (Shelburne North Phase 2)
36	July 25, 2016	June 8, 2017	Shelburne West Secondary Plan

SECTION 1 – FOUNDATIONS OF THE PLAN

1.1 INTRODUCTION

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

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

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

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

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

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

The provincial planning framework has continued to evolve. In 2010, provincial regulations were finalized in support of the development of drinking water source

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

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

This Official Plan is prepared in the context of the Town's history, current needs, opportunities and the challenges of the future. The fundamental principles on which the Plan is based are as follows:

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

1.2 PURPOSE AND SCOPE

The Official Plan establishes the pattern which *development* within the Town should follow during the planning period to 2036. In accordance with the Planning Act, this Plan will be reviewed every five years to consider revisions to the Plan as required to ensure that it:

- conforms with provincial plans or does not conflict with them;
- has regard to matters of provincial interest as set out in the Planning Act; and,

- is consistent with provincial policy statements.

The policies in the Plan are intended:

- To assist Council, all public and private sector agencies and members of the public concerned with the *development* of the Town, in determining future policies and actions on all matters relating to the growth and *development* of the Town;
- To consider the financial status of the Town when considering future *development* in order that a healthy balance between residential and commercial/industrial assessment may be maintained;
- To make available to the public information regarding the future *development* pattern of the Town;
- To ensure that public works undertaken by the Town or by private developers conform with the provisions of the Plan;
- To ensure that land use planning within the Town contributes to the protection, maintenance and enhancement of water and water related resources and aquatic ecosystems, on an integrated watershed management basis;
- To ensure that growth and *development* within the Town enhances and protects public health and safety, including the prevention of disease and injury, the promotion of healthy lifestyle choices, and the protection of human life and property from natural and human-made hazards;
- To ensure that all land use decisions protect municipal drinking water supplies and *designated vulnerable areas*, promote water conservation and support the efficient use of water resources on a watershed basis;
- To manage land use change in a manner that has the greatest positive impact on the Town and encourages cooperation with other municipalities in Dufferin County and with the County itself in order to work towards common policies which will exercise firm control over the *development* of urban and rural areas;
- To manage land use change and *development* in the context of the larger growth areas outside of Dufferin County which may influence growth and settlement in the Town;

- To preserve and enhance the natural amenities of the community and surrounding area through environmental control of lands exhibiting ecological, environmental and/or hazardous characteristics; and,
- To maintain the historical, residential character of the Town and at the same time provide a framework within which future *development* can take place and within which long term needs of the community can be planned and met.

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

1.3 STRUCTURE

1.3.1 Foundations

Section 2 of the Plan describes the basic assumptions, observations, forecasts, technical information, public comment and political direction that form the basis for establishing objectives in Section 3 of the Plan.

1.3.2 Objectives

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

1.3.3 Future Land Use, Environment and Transportation

Section 4 of the Plan outlines future land use policies and patterns for the Town. Schedule 'A', Land Use Plan and the related Secondary Plans, graphically depict the future land use areas throughout the Town. Schedules 'B1' and 'B2' depict the planned staging of *development* areas, and the residential density, mixed use and commercial structure plan, respectively. The policies in Section 4 describe how *development* will occur within the different land use designations on Schedule 'A' and within the residential density designations, mixed use and commercial structure plan designations on Schedule 'B'.

Schedule 'C1' provides a Transportation Plan and Schedule 'C2' provides the Active Transportation Plan. The Transportation Policies of the Plan are found in Section 5.

Schedule 'E' identifies the Natural Heritage System and Natural Hazards. Section 6 provides the *Cultural Heritage Resource* policies of the Plan.

1.3.4 Development Policies

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

1.3.5 Implementation and Interpretation

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

SECTION 2 – BASIS

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

- a) Shelburne is a service centre for the surrounding rural areas as well as a transportation junction point. In the past two decades, Shelburne has seen significant growth in population, employment and land area.
- b) Shelburne has been faced with continuous *development* pressure as the Greater Toronto Area represents one of the fastest growing areas in Canada. Shelburne has continued to provide employment through a range of industries and commercial services and has a range of housing available from older heritage homes to new subdivision homes developed in the last 10 years.
- c) The provincial planning context has continued to evolve including changes to planning legislation, provincial planning policies and provincial plans that provide the basis for new or amended policies in the Town's Official Plan. In addition, the first Official Plan for the County of Dufferin came into effect in 2015. Pursuant to the Planning Act, the Town's Official Plan shall be consistent with the Provincial Policy Statement and conform with provincial plans and the County Official Plan.
- d) The Provincial Policy Statement and the *Growth Plan* for the *Greater Golden Horseshoe* require municipalities to direct growth to existing settlement areas through *intensification* of existing *Built-up Areas* and *development* in *Designated Greenfield Areas*. Additional growth within the existing community will permit a wider range of services and facilities to be provided. Growth within the community is contingent on the ability to provide adequate services on a *sustainable* basis.
- e) The *Growth Plan* for the *Greater Golden Horseshoe* establishes population and employment growth forecasts for Dufferin County for the years 2031, 2036 and 2041. The County Official Plan establishes population and employment growth forecasts for the County and each local municipality, including the Town of Shelburne, for the years 2031 and 2036, and policies for the allocation of reserved population and employment to the Town as one of the three designated urban settlement areas in the County where the majority of growth and *development* is directed. Based on these population and employment growth forecasts and policies of the County Official Plan, and the results of the 2015 municipal comprehensive review, this Plan provides for achieving the population and employment growth forecasts shown in Table 1. The achievement of the 2031 and 2036 population and employment growth targets will be contingent on demonstration of sufficient municipal water supply capacity and municipal wastewater treatment capacity to service the future population growth. Allocation of remaining municipal water supply capacity and municipal wastewater treatment capacity will

occur in a logical and *sustainable* manner, in accordance with the policies of this Plan and a Council-approved Servicing Allocation Policy.

TABLE 1: Population and Employment Forecasts

	<u>Year</u>			
	<u>2016*</u>	<u>2026**</u>	<u>2031**</u>	<u>2036**</u>
<u>Population</u>	<u>7,650</u>	<u>9,500</u>	<u>10,000</u>	<u>10,000</u>
<u>Employment</u>	<u>2,855</u>	<u>3,311</u>	<u>3,760</u>	<u>3,760</u>

*estimated

**forecast

- f) The qualities that make Shelburne a desirable place to live are the small town character, the safety and comfort provided by the Town, and the opportunities and confidence in the community. Throughout the *development* of the Plan, Council and the public have indicated the desire to maintain the small town character, protect natural features and provide for orderly and well-defined *development*.
- g) The Town has been successful in providing efficient servicing to its residents and industries. All new *development* shall take place on full municipal services. New municipal *infrastructure* shall be developed in accordance with the recommendations of the Master Servicing Study and other municipal servicing studies approved by Council, and shall be financially feasible.
- h) It is a basic premise of the Plan that the following need to exist in the Town:
 - i) Continuous review of the financial status of the Town with emphasis on the need for additional non-residential sources of assessment and tax revenue.
 - ii) Continuous review of the social conditions including health, housing and welfare relating to both old and new residential areas.
 - iii) Annual review and monitoring of the Town's municipal water supply and municipal wastewater treatment servicing capacity available to support planned growth and *development*.
 - iv) Annual review of *development* activity to monitor the achievement of population and employment growth, *intensification* and *greenfield* density targets in accordance with the *Growth Plan* and the County Official Plan.
 - v) Recognition of the value of the *downtown core* to the economic life of the community and direct action to improve the ability of the *downtown core* to remain the centre of all major service and commercial activity for some time and to improve the level of service to the area by providing off-street parking and convenient pedestrian access.

- vi) Decision-making that fully considers social, economic and environmental dimensions and supports healthy and *sustainable* community design and *development*.
- vii) The continued review of required improvements to the Town's transportation network.
- viii) The establishment of programs for recreation, public parks and open space *development*, taking advantage of the natural amenities of the area.
- ix) The provision of all needed information regarding areas of *development*, projected densities and priorities to the area school boards to select new school sites when required.
- i) Land use designations in the Plan shall be regulated in the Zoning By-law. Land uses not normally controlled in this manner will be regulated under licensing by-laws and through other means under the Municipal Act.

SECTION 3 – OBJECTIVES

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

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

be met locally, to encourage local market retention of retail expenditures and to promote Shelburne's function as a service centre for the surrounding area.

- l) To identity and preserve properties and areas of cultural heritage value or interest.
- m) To provide for an appropriate mix and range of employment uses to meet the Town's long term needs and to preserve *employment areas* for current and future employment uses.
- n) To safeguard health, safety, welfare and quality of life for the Town's residents.
- o) To encourage all forms of *development* to be built and sustained in a manner that minimizes water and energy consumption, reduces associated waste and pollution, contributes to improved air quality and integrates *sustainable* design features and technologies.
- p) To protect and enhance the quality and quantity of groundwater and surface water and the function of groundwater recharge/discharge areas, and aquifers, including the *headwaters* of the Boyne River, and to ensure safe drinking water sources are sustained and protected in accordance with the Source Protection Plan.
- q) To provide for the protection and conservation of the natural environment including wetlands, woodlands, fish and wildlife habitat and streams, on an ecosystem management and natural heritage system basis.
- r) To plan for and provide *infrastructure* and *public service facilities* in a co-ordinated, efficient and cost-effective manner so that they are financially viable over their lifecycle and available to accommodate current and projected needs.
- s) To plan for a *complete community* that meets the needs of residents throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, a range of housing types, retail and commercial services and community *infrastructure* including health services, schools, recreation facilities, and public parks and open space, and providing for mixed use *development*.
- t) To foster a *sustainable* local food system and encourage local food production by protecting existing farmland in the Non-Urban Area for agriculture and related uses until the land is included within the *urban area* in accordance with the *urban area* expansion policies of this Plan (Section 8.27) and until such time as the land is needed for *development*, and by encouraging *compatible urban agriculture*;
- u) To minimize the environmental impact of municipal buildings, facilities, *infrastructure* and operations and integrate long-term *sustainability* considerations into the planning, design and renewal of these assets.

3(t) as
modified by
the County
of Dufferin
on June 8,
2017

SECTION 4 – LAND USE POLICIES

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

Schedule 'A' – Land Use Plan

Schedule 'A1' – Shelburne West Secondary Plan

Schedule 'B1' – Development Staging Plan

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

Schedule 'E' – Natural Heritage System and Natural Hazards

Schedule 'F' – Source Water Protection – Designated Vulnerable Areas

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

- 4.2 Residential
- 4.3 Commercial
- 4.4 Mixed Use
- 4.5 Employment
- 4.6 Institutional
- 4.7 Open Space Recreation
- 4.8 Natural Environment
- 4.9 Non-Urban
- 4.10 Special Tourism

4.1 GENERAL LAND USE POLICIES

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

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

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

Opportunities for *intensification* and redevelopment shall be promoted in all urban land use designations where it can be accommodated taking into account existing building stock, brownfield sites and the availability of suitable existing or planned *infrastructure* and *public service facilities*.

4.2 RESIDENTIAL

4.2.1 Introduction

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

4.2.2 Objectives

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

- a) To direct the majority of future housing *development* to the designated residential areas through *intensification*, redevelopment and *greenfield development* on full municipal services to promote *compact urban form*.
- b) To ensure a variety of housing types to accommodate the diverse economic and social needs and desires of the residents.
- c) To participate in government programs relating to housing where considered appropriate to the community.
- d) To encourage a high standard of urban design for all residential *development*, that supports pedestrian and cyclist access, safety and convenience.
- e) To encourage, and where possible require, the use of energy and water conservation measures, *sustainable* building technologies, landscape treatments and *infrastructure*.
- f) To protect the existing residential areas adjacent to the downtown core.
- g) To encourage and support the *intensification* of previously developed residential areas in order to optimize the use of land and *infrastructure*.

4.2.3 General Policies

1. Permitted Uses

The Residential land use designation shall mean that the primary use of land shall be for all forms of housing, including *special needs housing*, except for mobile homes as defined in the Zoning By-law.

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

2. Criteria for Residential *Development*

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

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

3. Criteria for Secondary Uses

Council shall require demonstration of the following when considering proposals for *secondary uses* within an area designated as Residential:

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

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

4. Residential Targets

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

-
- i. An overall Town-wide housing unit mix, including rental and owner-occupied units, of 70% low density in the form of single and semi-detached dwellings units, 15% medium density in the form of multi-unit dwellings such as townhomes, duplex, triplex, fourplex and apartments not exceeding 2 stories in height, and 15% high density in the form of multi-unit dwellings not exceeding 3 stories in height;
 - ii. A minimum of 38% of all new residential units to be developed in the form of *intensification* within the *Built-up Area* by the year 2015 and in each year thereafter;
 - iii. A *greenfield* density target of 41 residents and jobs combined per hectare within *Designated Greenfield Areas*;
 - iv. Minimum targets for the provision of housing which is affordable to low and moderate income households shall be established by Council and may be determined through the preparation and Council approval of an Affordable Housing Strategy and in accordance with the Dufferin County 10 Year Housing and Homelessness Plan which establishes a County minimum target of 20%.
- d) To preserve the character of the Town's residential neighbourhoods while contributing to meeting the residential targets of this Plan, all new residential *development* shall be in accordance with the primary permitted dwelling types and minimum and maximum densities shown in Table 2 and applicable to land within the residential density designations identified on Schedule 'B2'.
- e) Notwithstanding the minimum density targets identified in Table 2 and the residential density designations shown on Schedule 'B2', where existing residential *development* does not conform with the permitted dwelling types and/or does not meet the minimum density for the area, the *existing uses* shall be permitted to continue and may be redeveloped at existing densities where existing buildings are being rebuilt due to fire, flood, natural disaster or hazardous condition, subject to all other applicable policies of the Official Plan and the Town's Zoning By-law.
- f) It is recognized that the achievement of the residential targets of this Plan will be contingent upon adequate capacity in municipal water supply and wastewater treatment systems.
- g) The residential targets of this Plan do not imply an intention on the part of Council to develop or redevelop land.

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

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

5. Intensification Strategy

4.2.3.5(a) as modified by the County of Dufferin on June 8, 2017

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

4.2.3.6(a), (d) and (e) as modified by the County of Dufferin on June 8, 2017

6. Second Units and Conversion of Existing Dwellings

In order to preserve the existing housing stock, address the need to provide additional rental accommodation, and contribute to achieving the residential targets of this Plan, the conversion of existing single detached, semi-detached and street townhouse dwellings into two-unit dwellings, or the incorporation of a dwelling unit within a residential accessory building, shall be permitted subject to the following:

- a) the Zoning By-law which shall give effect to the policies of this subsection by:
 - (i) permitting a second unit within a single detached, semi-detached, or townhouse dwelling, if no accessory building or structure to the single detached, semi-detached, or townhouse dwelling contains a dwelling unit;
 - (ii) permitting a second unit within an accessory building or structure to a single detached, semi-detached, or townhouse dwelling if the single detached, semi-detached, or townhouse dwelling contains a single dwelling unit;
 - (iii) establishing regulations for the minimum lot area and frontage, minimum and maximum floor areas, permitted exterior alterations, parking requirements, and other provisions for the permitted uses in clauses (i) and (ii) above;
- b) second units/converted dwellings shall not be permitted on private or partial services and shall be subject to confirmation of the availability of adequate servicing capacity in the municipal water supply and wastewater treatment systems in accordance with a Council approved servicing allocation policy;
- c) the requirements of the Ontario Building, Fire and Electrical Safety Codes and the Property Standards By-law must be satisfied and the Town may require the registration and periodic review/inspection of existing and proposed second units/conversions to monitor and enforce compliance with these requirements;
- d) the proposed *development* implements the Town's Urban Design Guidelines for any proposed exterior alterations or accessory building or structure for the second unit;
- e) the proposed second unit will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural or human-made hazards, in accordance with Sections 4.8 and 7.15.20 of this Plan.

7. Special Needs Housing

- a) A variety of housing types to meet supportive housing needs for the elderly, persons with disabilities and others with special needs shall be permitted within the Residential designation in accordance with the policies of this Plan, and shall be directed to appropriate locations with convenient access to supporting services and *public service facilities*.
- b) To promote and facilitate the provision of *special needs housing*, the Town will work with other agencies, providers and local groups to assess the extent of the need for housing for those people with special needs and to assist in identifying opportunities for the provision of *special needs housing*;
- c) The Town will encourage the *development* of age-friendly communities through the provision of a diverse range of housing, housing in close proximity to available *public service facilities*, and universal design principles which support various levels of need and accessibility.
- d) The Town will encourage the provision of long-term care facilities that meet the needs of the community.
- e) *Group homes* and other forms of *special needs housing* shall comply with the applicable requirements of Provincial regulations and municipal by-laws.
- f) Foster homes as defined by the Ministry of Community and Social Services and administered by the Children's Aid Society Services are permitted in any permitted dwelling.
- g) In order to determine that adequate services are available to the residents of *group homes* and other forms of *special needs housing*, the Town will request the comments of the Upper Grand District School Board and the Dufferin-Peel Catholic District School Board, Dufferin County Social Services Department, the Ministry of Community and Social Services and any other appropriate agency.

4.2.3.7(b) as
modified by the
County of Dufferin
on June 8, 2017

8. Dwelling Types

In order to maintain and enhance the community environment and contribute to achieving the residential targets of this Plan, the Town shall encourage a variety of dwelling types and densities. Similar dwelling types should be grouped together for aesthetic and functional purposes. The Zoning By-law shall contain several residential zones which contain among other matters detailed provisions indicating minimum lot size and maximum lot coverage. The primary permitted dwelling

types and *gross residential density* within each residential density designation shown on Schedule 'B2' shall be in accordance with Table 2.

9. Housing Affordability

Given the high costs associated with housing, Council should be constantly aware of the costs of Town standards when considering *development* applications. Commenting agencies should be made aware of the Town's desire to provide affordable housing. Council should assist and/or encourage, whenever possible, *developments* and programs designed to meet the needs of the average household or special groups such as seniors. Council will update its residential policies relating to affordable housing consistent with Provincial Policy. In order to establish measurable targets for housing affordability, Council shall consider the preparation and adoption of an Affordable Housing Strategy pursuant to subsection 4.2.3.4 (c)(iv).

10. Housing Programs

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

11. Lot Shape

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

12. Access

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

13. Buffering

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

14. Energy and Water Conservation

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

15. Urban Agriculture

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

16. Servicing and Staging of Development

New residential uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing residential uses are on private services, the Town may require connection to full municipal services when they become available. All residential *development* shall be carried out in accordance with Schedule 'B1' and the policies in subsection 7.10 of this Plan. Residential *development* in the community shall be predominately by plan of subdivision in accordance with subsection 8.3 and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) The criteria of subsections 4.2.3.2 and 4.2.3.3;
- b) The residential targets in subsection 4.2.3.4;
- c) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- d) the need for *compact development* and the general location relative to the downtown core and *public service facilities*;

- e) the need to develop in complete phases which should take into account the logical extensions of road patterns, *infrastructure* and *utilities* and the problems associated with partially completed *developments* such as weed control, drainage, etc.;
- f) the routing which *development* traffic will have to follow in entering and leaving the proposed subdivision and the ability of adjacent roadways to handle the volumes of traffic to be generated;
- g) school site provision if this should become a factor, and the provision of safe pedestrian and cyclist access to existing or planned school facilities;
- h) the sufficiency of the municipal water, supply and distribution system, municipal sanitary sewers and wastewater treatment and pumping facilities, and storm sewers and stormwater management facilities.

17. Site Plan Control

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

18. Zoning

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

4.2.4 Residential Policy Exceptions

1. Residential Policy Exception Area 1

Lot 15, Registered Plan 78

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

2. Residential Policy Exception Area 2

Notwithstanding the designation of the land on the north side of Main Street West, west of John Street, and identified with reference to this Section on Schedule 'A' as "Natural Environment", this land may be developed in accordance with the Residential land use designation and the applicable designations shown on

Schedule 'A1' and related policies for the Shelburne West Secondary Plan area, subject to the completion of a site-specific EIS prepared in accordance with subsection 4.8.5 demonstrating that the natural features and areas on the site and related ecological functions are not significant independently or as part of the natural heritage system shown on Schedule 'E', and that the natural features and areas can be removed, or reduced in their extent provided that any significant features and areas shall be conserved or enhanced.

3. Residential Policy Exception Area 3

(Fiddle Park)

The lands identified as Part of Lots 31 and 32, Concession 1 West, known as Fiddle Park shall be permitted to continue to be used in accordance with the Special Tourism policies as provided for in this Plan until such time as the lands are developed for residential, commercial and/or other related uses in accordance with the applicable Residential density designation and subject to the demonstration of available servicing capacity and staging of *development*, as shown on Schedules 'B1' and 'B2', respectively. The Town will also consider the need for potential alternative locations to accommodate the uses and activities permitted within the Special Tourism designation.

4.3 COMMERCIAL

4.3.1 Introduction

Commercial areas shall provide for a wide range of commercial uses to meet the needs of residents and contribute to achieving a *complete community*. Commercial areas shall include the Commercial Core area within the defined downtown core including the historic downtown as the primary locations for concentrations of diverse local economic activity, Community Commercial areas which primarily contribute to meeting the retail and service needs of residents, and the Arterial Commercial areas which contribute to meeting both local and regional retail and commercial service needs.

4.3.2 Objectives

The objectives for Commercial areas are as follows:

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

4.3.3 General Policies

1. Permitted Uses

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

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

Farmers markets and local food retailers will be permitted and promoted in all Commercial areas.

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

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

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

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

2. Criteria for Commercial Development

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

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

3. Planned Commercial Structure

- a) The Core Commercial area is intended to recognize and support the continued *development* and revitalization of the historic downtown commercial core of Shelburne as the primary location for a concentration of diverse local economic activity and as an important regional destination and service centre. Within the Core Commercial area, new *development* and improvements shall be in keeping with the following additional policy direction establishing the intended planned function and design of the area:
 - i) The historic village mainstreet character and role of the Core Commercial area in providing for convenient access to local office, retail and commercial services and as a focal point for local economic and civic activity will be maintained or enhanced;
 - ii) Mixed use buildings that include commercial and residential uses and the location of residential uses within and in close proximity to the Core Commercial area will be encouraged to promote live-work opportunities, pedestrian access and convenience;
 - iii) The Core Commercial area should be well-defined and remain compact with consistent building massing, scale, setbacks and pedestrian-orientation, and the built form shall promote a pedestrian-friendly

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

access, and sidewalks shall be provided and other facilities may be required for pedestrian and cycling access;

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

pedestrian and cycling access, shall be provided based on applicable transportation studies for the area, an environmental assessment where required, and approval of a traffic impact study for the proposed *development*.

- iii) The design of *development* within Arterial Commercial areas shall address the street frontages and the interface with adjoining uses to address compatibility, access and the safe and efficient movement of vehicles, pedestrians, and cyclists;
- iv) Arterial Commercial Areas that include multiple properties and/or businesses shall be designed to function as a combined site through shared access and parking with cohesive building design and landscaping;
- v) It shall be demonstrated that proposed *development* in the Arterial Commercial areas will not negatively impact the role and function of the Commercial Core as the primary focus of commercial activity and existing commercial areas. All *development* in the Arterial Commercial designation shall be limited to uses that cannot reasonably be located within the downtown core. To assist in ensuring that the primary commercial function of the Core Commercial area and downtown core is maintained, specific commercial uses in the Arterial Commercial designation will be subject to a minimum floor area to be established in the Zoning By-law. In addition, Council may require a Market Impact Assessment to be completed at the applicants' expense by a qualified professional for any proposed *development* in the Arterial Commercial area to provide a justification of need for the *development* and an analysis of the existing commercial inventory demonstrating no negative impact on the planned role and function of existing commercial areas. Additionally, a Market Impact Assessment may be required to demonstrate the need and justification for the proposed commercial uses and floor areas proposed and to provide evidence of long-term economic viability and *sustainability* in consideration of economic factors affecting the local and regional market/trade area.

4. Parking and Access

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

5. Buffering

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

6. Servicing and Staging of Development

New commercial uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing commercial uses are on private services, the Town may require connection to full municipal services when they become available. All commercial *development* shall be carried out in accordance with Schedule 'B1' and the policies in subsection 7.10 of this Plan. Commercial *development* in the community shall be predominately by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

- a) the criteria of subsection 4.3.3.2;
- b) the need for the proposed type of *development* in view of other available alternatives or proposals/applications in the community;
- c) the sufficiency of the municipal water, supply and distribution system, and storm sewers and stormwater management facilities.

7. Site Plan Control

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

8. Zoning

Commercial uses shall be placed in separate categories in the Zoning By-law.

4.3.4 Commercial Policy Exceptions

1. Commercial Policy Exception Area 1

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

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

- a) The completion of a tree preservation and management plan for the woodlot on the property to include, but not be limited to, a feasibility assessment to maintain a mature tree landscape feature along the Provincial Highway; to maintain a mature tree landscape between parking areas and blocks to parking to minimize visual impact of the parking and lighting onsite, and to maintain the existing managed forest on the easterly portion of the property, and provision to ensure the longevity of the trees to be maintained or located at the cut edges of the existing woodlot;
- b) The completion of a Market Impact Assessment as required in subsection 4.3.3.3(c)(v) of the Official Plan, which shall include an evaluation of the impact on the existing downtown core, and an analysis of the potential vacancy rates which can be expected upon *development* of the commercial retail on the property; and,
- c) The approval of the Ministry of Transportation Ontario (MTO) for any access proposed to the Provincial Highway system prior to any construction being undertaken. Alternatively, approvals are to be received from the County of Dufferin for any *development* proposing primary access from County Road 11 (Second Line).

4.4 MIXED USE

4.4.1 Introduction

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

4.4.2 Objectives

The objectives for the *Mixed Use* areas are as follows:

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

- g) To support the *compatible* commercial of office employment use of existing dwellings fronting Main Street to the east of the *downtown core* that will encourage the retention and improvement of these dwellings and maintain the residential character of this corridor.
- h) To promote live-work opportunities that reduce the need for daily commuting between areas of housing, commerce and employment.
- i) To provide for the integrated *development* of a mixed use centre with a range of retail and commercial services, supported with housing and local employment opportunities, as a community and regional destination and service centre.

4.4.3 General Policies

1. Permitted Uses

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

- The Downtown Mixed Use area, where the primary permitted uses in the Mixed Use designation shall include those uses permitted in the Commercial Core area. The primary permitted uses shall also include the conversion and/or redevelopment of existing properties to provide opportunities for residential *intensification* and redevelopment. Residential uses in the Mixed Use areas shall not be limited to the second floor or location behind the street frontage and oriented to the Municipal Lanes. Existing residential uses shall be permitted and new residential *development* shall be permitted in accordance with the Zoning By-law.
- The Mixed Use Corridor, where the primary permitted uses shall include those uses permitted in the Residential designation. The primary permitted uses shall also include *compatible* commercial uses within a permitted dwelling, limited to office, service commercial and retail uses that maintain or enhance the existing residential character of Main Street East.
- The Mixed Use Centre, where the primary permitted uses shall include those of the Arterial Commercial area and the Community Commercial area oriented to Provincial Highway 89 and County Road 124, and those uses permitted in the Residential designation which shall be permitted, planned and developed only in conjunction with the permitted commercial uses and shall be setback from the arterial roads and oriented to local roads, with appropriate interface/integration with the permitted commercial uses.

Farmers markets and local food retailers will be permitted and promoted in all Mixed Use areas.

New automotive commercial uses will be directed to locations where permitted in the Commercial land use designation in accordance with the policies of subsection 4.3.3.1, and may be permitted in the Mixed Use Centre in a location that can accommodate the use with adequate separation and buffering from permitted residential uses and subject to maintaining the intended role and function of the Mixed Use Centre.

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

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

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

2. Criteria for Mixed Use *Development*

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

- iii) the adequacy of the road system to accommodate the increased traffic volume;
- iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
- v) the adequate provision of parks and recreation facilities in accordance with subsection 4.7 Open Space Recreation and the proximity to existing or planned *public service facilities* such as parks, schools, the *downtown core* and other commercial and mixed use areas, and with local roads providing efficient access to arterial and/or collector streets to reduce consumption of energy for transportation to such areas and facilities;
- vi) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vii) land use compatibility and regard for the density and character of adjacent *development* and appropriate integration of the proposed use(s) into the Mixed Use area and surrounding community with respect to building location, form, general exterior design features and landscaping of the site;
- viii) the proposed *development* implements the Town's *Urban Design Guidelines* and *Development Standards* as may be adopted by Council;
- ix) the adequate provision for access and off-street parking facilities, with the latter generally being located in the rear or side yard in the case of an apartment building;
- x) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
- xi) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xii) the requirements of Section 7, Development Policies, have been met.

3. Role and Function of Mixed Use Areas

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

improvements shall in keeping with the following additional policy direction establishing the intended function and design of the area:

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

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

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

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

4. Parking and Access

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

5. Buffering

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

6. Servicing and Staging of Development

New mixed uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing mixed uses are on private services, the Town may require connection to full municipal services when they become available. All mixed use *development* shall be carried out in accordance with Schedule 'B1' and the policies in subsection 7.10 of this Plan. Mixed use *development* in the community shall be predominately by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

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

7. Site Plan Control

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

8. Zoning

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

4.4.4 Mixed Use Policy Exceptions

4.5 EMPLOYMENT

4.5.1 Introduction

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

4.5.2 Objectives

The objectives from which the Employment policies evolved are as follows:

- a) To provide employment opportunities for the residents of the Town.
- b) To contribute to planning for the employment growth forecasts and achieving the *greenfield* density targets for the Town.
- c) To encourage a stronger tax base within the Town.
- d) To encourage a diversity of employment uses to locate within Shelburne in a variety of forms.
- e) To maintain the quality of the environment by controlling the type and land use/environmental impacts of industrial uses to be permitted in the community.
- f) To provide a framework for the Town's involvement in promoting and facilitating local economic *development*.
- g) To encourage a high standard of urban design for all new employment land *development*, that supports pedestrian and cyclist access, safety and convenience.
- h) To encourage, and where possible require the use of energy and water conservation measures, *sustainable* building technologies, landscape treatments and *infrastructure*.

4.5.3 General Policies

1. Permitted Uses

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

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

Third and fourth paragraphs as modified by the County of Dufferin on June 8, 2017

Secondary uses may be permitted where they are complementary to and supportive of the *employment area*, and may include limited retailing associated with an employment use, cartage and truck or transportation facilities, research, training and educational facilities (excluding sensitive uses), hotels/motels and conference facilities, vendors markets, and limited commercial uses such as financial institutions, personal services, restaurants, and recreational establishments, provided the secondary use is *compatible* with adjacent land uses. The permitted locations and maximum floor areas for these secondary uses within an *employment area* shall be established in the implementing Zoning By-law.

A limited amount of outdoor storage may be permitted accessory to a permitted employment use and shall be directed to locations behind buildings and shall be screened from view from public streets and adjoining properties, in accordance with the regulations of the implementing Zoning By-law. Outside display areas may be permitted in conjunction with certain permitted uses in specified locations on a lot as may be set out in the implementing Zoning By-law.

2. Criteria for Employment Land Development

- a) Employment uses shall be located in accordance with Schedule 'A' Land Use Plan.
- b) When considering proposals for *development* of employment uses, including permitted primary uses and secondary uses, Council shall require demonstration of the following:

4.5.3.2(b)(i) as
modified by the
County of Dufferin
on June 8, 2017

- i) the proposed *development* will contribute to achieving the employment forecast in Table 1 of Section 2(e) and *greenfield* density target of this Plan and to creating a *complete community*;
- ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
- iii) the adequacy of the road system to accommodate the increased traffic volume;
- iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
- v) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
- vi) land use compatibility and regard for the density and character of adjacent *development* and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
- vii) the nature of the industrial/business operation and the location of related buildings, structures, parking and loading areas and outdoor storage will not have *adverse effects* on residential and other sensitive land uses, or potential impacts can be sufficiently mitigated through appropriate buffering and setbacks in accordance with the policies of this Plan and the Zoning By-law;
- viii) the proposed use implements the *Town's Urban Design Guidelines* and *Development Standards* as may be adopted by Council;
- ix) the adequate provision for access and off-street parking facilities;
- x) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
- xi) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,

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

3. Employment Forecast and Greenfield Density Target

- a) The Town shall maintain a sufficient supply of land designated for employment uses, including consideration of *intensification* and redevelopment of existing *employment areas* within the *Built-up Area* and land in *Designated Greenfield Areas* that is available for *development* of employment uses, to accommodate this Plan's employment forecast in Table 1 of section 2 (e), subject to the availability of sufficient servicing capacity within municipal water supply and wastewater treatment systems.
- b) *Development of employment uses in Designated Greenfield Areas* shall contribute to achieving the *greenfield* density target of 41 residents and jobs combined per hectare in accordance with the policies of this Plan;

4. Employment Land Conversion

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

- a) the land is not required for employment purposes over the long term in order to achieve the employment forecast of this Plan;
- b) there is a need for the conversion and there are no alternative sites designated for the proposed use elsewhere in the Town;
- c) the conversion will not negatively impact the overall viability of the *employment area* and the proposed use will not have *adverse effects* on the long term viability and functioning of the adjacent employment uses including existing industrial facilities and sites and their ability to accommodate other permitted employment uses;
- d) the change in use is consistent with other policy objectives of the Town including the planned function of the Town's existing and planned commercial areas and the primary role of the downtown core;
- e) where the proposed conversion includes a residential use, the application will contribute to meeting the residential targets of this Plan;
- f) there is capacity available within existing or planned municipal servicing systems to accommodate the proposed conversion;

- g) the increased traffic volume can be accommodated by the local road system and the proposed use and location will provide opportunities for active transportation;
- h) the lands are not required in the long term for the employment purposes for which they are designated; and,
- i) cross-jurisdictional issues have been considered.

For the purposes of this policy, major retail uses are considered non-employment uses, and Employment land includes all land designated as “Employment” on Schedule ‘A’.

5. Industrial Emissions

All storage and disposal of industrial waste and all emissions to the environment including dust, noise, vibration, light, odour, contaminants, water, wastewater and other emissions must satisfy the requirements of the Ministry of the Environment and Climate Change (MOECC).

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

6. Parking and Access

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

7. Buffering

Where conflict could result between employment uses and adjacent uses, adequate screening or a buffer strip may be required in accordance with Section 7, Development Policies. Landscaped buffering and setbacks, appropriate lighting,

external design and signs shall be located and designed to minimize conflict with other uses. Fencing shall be required where necessary to ensure safety. Areas of outdoor storage shall be located in the rear yards and adequately fenced and screened from view from adjacent properties and public roads.

8. Servicing and Staging of Development

New employment uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing employment uses are on private services, the Town may require connection to full municipal services when they become available. All *development* of Employment land shall be carried out in accordance with Schedule 'B1' and the policies in subsection 7.10 of this Plan. Employment land *development* in the community shall be predominantly by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

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

9. Site Plan Control

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

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

10. Zoning

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

4.5.4 Employment Policy Exceptions

1. Employment Policy Exception Area 1

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

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

Criteria for *Development*

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

Servicing

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

Buffering

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

Site Plan Control

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

Storage

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

Zoning

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

2. Employment Policy Exception Area 2

4.5.4.2 as modified
by the County of
Dufferin on June 8,
2017

Notwithstanding the designation of the land on the north side of Main Street East and east and south of the Besley Drain, and identified with reference to this Section on Schedule 'A' as "Residential" and "Employment", this land may be developed in accordance with either the Residential land use designation or the Employment land use designation and related policies, subject to demonstration of land use compatibility with existing residential and employment uses in the area. The employment land conversion policies of this Plan have been addressed through a municipal comprehensive review, and therefore no further demonstration of need and no further municipal comprehensive review are required to permit residential uses on the subject land. Proposals to develop the land based on the mapping of the "Residential" and "Employment" designations as shown on Schedule 'A' shall demonstrate land use compatibility and address the interface between the residential and employment uses as well as adequate road access for each use.

4.6 INSTITUTIONAL USES

4.6.1 Introduction

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

4.6.2 Objectives

The objectives from which the Institutional policies evolved are as follows:

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

4.6.3 General Policies

1. Permitted Uses

The Institutional land use designation shall permit the use of land for: public and semi-public buildings, facilities and establishments; religious institutions; public and private schools; emergency facilities and services; community centres and recreation facilities; cemeteries; hospitals and other health care facilities and services, long-term care and retirement homes; *group homes*; and other forms of *special needs housing* and assisted living facilities.

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

2. Criteria for Institutional *Development*

4.6.3.2(a) as
modified by the
County of Dufferin
on June 8, 2017

- a) Institutional uses shall be located in accordance with Schedule 'A' Land Use Plan, and may also be permitted in other land use designations, except *Employment Areas*, subject to implementing zoning in the Zoning By-law and the policies of this subsection;
- b) When considering proposals for institutional *development*, Council shall require demonstration of the following:
 - i) the proposed *development* will contribute to achieving the employment growth forecast and the *intensification* or *greenfield* density target, where applicable, and to creating a *complete community*;
 - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
 - iii) the adequacy of the road system to accommodate the increased traffic volume;
 - iv) the proposed street configurations, densities and urban form and the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence;
 - v) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
 - vi) land use compatibility and regard for the density and character of adjacent *development* and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
 - vii) the proposed use implements the Town's *Urban Design Guidelines* and *Development Standards* as may be adopted by Council;
 - viii) the adequate provision for access and off-street parking facilities;
 - ix) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;

- x) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
- xi) the requirements of Section 7, Development Policies, have been met.

3. Parking and Access

Adequate off-street parking shall be provided in easily accessible and convenient locations. New institutional *development* or redevelopment may require a traffic impact study to determine improvements to current access and parking facilities. The site must have direct access to a public road with year round maintenance. Adequate parking facilities must be available with access to be designated to ensure minimal danger to vehicular traffic and pedestrians.

4. Buffering

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

5. Servicing and Staging of Development

New institutional uses will be required to be serviced by the municipal water supply and municipal sanitary sewers. Where existing municipal uses are on private services, the Town may require connection to full municipal services when they become available. All institutional *development* shall be carried out in accordance with Schedule 'A1' and the policies in subsection 7.10 of this Plan. Institutional *development* in the community shall be predominately by site plan and shall proceed in an order determined and approved by the Town taking into consideration the following matters:

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

6. Site Plan Control

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

7. Zoning

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

4.6.4 Institutional Policy Exceptions

4.7 OPEN SPACE RECREATION

4.7.1 Introduction

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

4.7.2 Objectives

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

4.7.2(a) as
modified by
the County of
Dufferin on
June 8, 2017

- a) To provide sufficient land for an equitable distribution of accessible indoor and outdoor, active and passive leisure and recreational activities for groups or individuals of all ages and diverse interests in keeping with the needs of the community and within the financial resources of the Town.
- b) To provide a connected system of open space areas that provides pedestrian and cycling linkages among residential neighbourhoods, recreation centres, *public service facilities*, commercial areas and employment districts to support active transportation throughout the Town, and that can adapt to changing public needs and preferences.
- c) To promote the use of open space as a buffer between *incompatible* land uses.
- d) To preserve and enhance the natural environment of the municipality.
- e) To preserve treed areas wherever possible.
- f) To provide parks and recreation facilities in an efficient and *sustainable* manner that optimizes their use and minimizes environmental impacts.

4.7.3 General Policies

1. Permitted Uses

The Open Space Recreation land use designation shall mean that the primary use of land shall be for recreational, leisure or conservation uses and shall include public and privately owned or operated parks, arenas, pools, community centres, museums and other recreational and cultural facilities and services.

Secondary uses which are complementary to and/or serve the principal uses are permitted such as *urban agriculture*, forestry, wildlife management, institutional and public uses, temporary uses such as community events, festivals and farmers markets, and public works facilities. Accessory dwelling units may be permitted as secondary uses associated with certain primary uses as may be provided in the Zoning By-law provided that the open space and/or recreational character is maintained as the principal use.

2. Designated Open Space Recreation Areas

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

3. Land Acquisition for Public Open Space and Recreation

- a) The Municipal acquisition of land for public open space and recreational needs shall be primarily through land dedication in accordance with this Plan, the Parks Master Plan and the following policies: The conveyance of land to the Town suitable for park and other public recreational purposes shall be required as a condition of *development* in accordance with the Planning Act, subsection 8.5 of this Plan and the criteria and standards set out in the Parks Master Plan.
- b) If it is determined that lands for park purposes are not required based on the criteria and standards set out in the Parks Master Plan, the Town shall require cash-in-lieu of the land conveyance in accordance with the Planning Act, subsection 8.5 of this Plan and the Parks Master Plan.
- c) Council may consider the acquisition of land for public parks, trails, open space and recreation through direct purchase by the Town and/or in partnership

with other agencies where appropriate based on the guidance of the Parks Master Plan. The Town may encourage partnerships with other agencies, institutions and service providers such as the Conservation Authority and the Ministry of Natural Resources and Forestry (MNRF) to secure lands into public ownership for conservation or public recreational purposes. If the Municipality wishes to acquire lands or secure easements, consideration should first be given to the utilization of any available funding from the senior levels of government.

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

4. Lands under Private Ownership

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

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

- a) Private open space and recreation uses shall be located in accordance with Schedule 'A' Land Use Plan.
- b) When considering proposals to establish a private or commercial open space or recreational facility, Council shall require demonstration of the following:
 - i) the proposed *development* is consistent with the principles and recommendations of the Parks Master Plan and will contribute to creating a *complete community*;
 - ii) the adequacy of municipal services to service the *development* in accordance with this Plan and a Council approved Servicing Allocation Policy, and the integration of *sustainable* design features, conservation measures and the use of technologies that will optimize the efficient use of municipal servicing systems;
 - iii) the adequacy of the road system to accommodate the increased traffic volume;

- iv) the availability of existing or planned pedestrian and cycling pathways will promote active transportation and reduce automobile dependence and, where applicable, the continuity of public walkways to provide a continuous open space system will be maintained or enhanced by the *development*;
 - v) the physical layout and design of the *development* optimizes the available supply, means of supplying, efficient use and conservation of energy;
 - vi) land use compatibility and regard for the density and character of adjacent *development* and appropriate integration of the proposed use into the community with respect to building location, form, general exterior design features and landscaping of the site;
 - vii) the proposed use implements the Town's Urban Design Guidelines and Development Standards as may be adopted by Council;
 - viii) the adequate provision for access and off-street parking facilities;
 - ix) the proposed use will not have *negative impacts* on areas of natural heritage, and will not create unsafe conditions in relation to natural hazards, in accordance with subsection 4.8;
 - x) the proposed *development* will conserve identified heritage resources, in accordance with Section 6; and,
 - xi) the requirements of Section 7, Development Policies, have been met.
- c) The site must have frontage on and direct access to a public road built to standards of the Town, County and/or the MTO, as applicable, with year road maintenance and which can adequately handle the traffic generated by the *development*. Adequate parking facilities must be available with access designated to ensure minimal danger to vehicular traffic and pedestrians. Approval of public road access shall be subject to, and in accordance with, the Transportation policies of Section 5 of this Plan.

4.7.3.5(c) as
modified by the
County of Dufferin
on June 8, 2017

6. Zoning

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

4.7.4 Open Space Recreation Policy Exceptions

4.8 NATURAL ENVIRONMENT

4.8.1 Introduction

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

4.8.2 Objectives

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

- a) To prevent loss of life and minimize property damage and social disruption from flooding or other natural hazards.
- b) To protect and preserve all natural heritage features over the long term, recognize, maintain and support natural processes and ecological functions, and conserve biodiversity.
- c) To maintain and enhance the environmental health of the Boyne River subwatershed within which the Town of Shelburne is located.
- d) To preserve the quantity and quality of surface and groundwater resources upon which the Town relies and specifically protect municipal *wellheads* from land uses that could have *adverse effects* on the quantity or quality of the municipal water supply.
- e) To preserve and enhance the inherent scenic quality of the environment.
- f) To prevent the *development* of lands that are ecologically significant or sensitive lands that support natural features and functions and lands that exhibit hazardous characteristics such as steep slopes, unstable soils, etc.
- g) To preserve open space systems to provide a connected corridor within the municipality linking to the larger corridors and open space areas in surrounding municipalities.

- h) To encourage the conveyance of natural environment land into public ownership and provide for *compatible* levels of public access to publicly owned natural areas for passive recreation, where possible.
- i) To promote public awareness and understanding of the Town's natural heritage features, environmental issues and natural hazards by supporting educational programs that encourage environmental stewardship and community safety

4.8.3 General Policies

1. Permitted Uses

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

4.8.3.1(a) as modified by the County of Dufferin on June 8, 2017

- a) The Natural Heritage System shown on Schedule 'E' comprised of natural heritage features and areas including wetlands, fish and wildlife habitat, habitat of endangered and threatened species, woodlands, valleylands, Areas of Natural and Scientific Interest (ANSI), and related linkages and buffers that may include land used for agriculture. While limited natural heritage features exist within the municipality, the Town will periodically review data sources and revise land use schedules as necessary to reflect updated information from the MNRF and the Nottawasaga Valley Conservation Authority (NVCA). Nothing in this policy is intended to limit the ability of agricultural uses to continue.
- b) *Hazardous lands* and *hazardous sites* including areas within the regulatory *flood plain*, or areas exhibiting erosion, unstable soils, or steep slopes, as defined by the *flooding hazard* limit and the *erosion hazard* limit within the Natural Heritage System as shown on Schedule 'E'.
- c) For the purposes of this subsection, the term "buffer" means an area of land located adjacent to the defined edge of a natural heritage feature or area, which is to be protected from *development* and is intended for a vegetated protection zone to mitigate the impacts of *development*, *site alteration* and land use on the natural heritage feature and its ecological functions.

Passive recreation uses such as trails and connecting pathways, outdoor education, nature interpretation and similar uses and activities may be permitted in non-sensitive areas that can sustain these uses and activities without having *negative impacts* on the natural heritage features and areas or their ecological functions, and will be subject to the approval of the Town and the NVCA.

2. Hazardous Lands and Sites

1. Flooding Hazards

Development and site alteration shall not be permitted on lands within the *flood hazard* limit.

For the purposes of applying the policies of this Plan and implementing the necessary restrictions in the Zoning By-law, the one zone concept shall be used for land that is within a *flood plain*, such that the *floodway* is the entire contiguous *flood plain* and shall be zoned appropriately in the implementing Zoning By-law to restrict *development* in accordance with the policies of this Plan.

Should an area be identified where the two zone concept is proposed to be applied, the limits of the *floodway* and the *flood fringe* shall be established through an amendment to this Plan and shall be zoned appropriately in the implementing Zoning By-law to restrict *development* in the *floodway* in accordance with the policies of this Plan, and to establish the permitted uses and applicable regulations for *development* within the *flood fringe* in accordance with the policies of this Plan.

2. Erosion Hazards

Development and site alteration shall not be permitted on lands within the *erosion hazard* limit.

3. Wildland Fire Hazards

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

4.8.3.2.4 as
modified by the
County of Dufferin
on June 8, 2017

application and the implementation of any recommended mitigation measures as a condition of *development*. Where mitigation is required, environmentally appropriate mitigation measures will be promoted and shall be subject to the Natural Heritage System policies of this Plan where the proposed mitigation requires *site alteration*.

4. Permitted Uses

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

- Flood and/or erosion control works
- In-water works such as culverts and bridges
- *Infrastructure* works approved through an Environmental Assessment (EA) where there is no alternative location
- Passive non-structural uses which do not affect flood flows
- Existing uses
- Minor additions

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

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

Where a *flood fringe* is identified by amendment to this Plan and to the Zoning By-law pursuant to subsection 4.8.2.3.1, *development* and *site alteration* may be permitted within the *flood fringe*, excluding *development* and *site alteration* that is prohibited as listed above in this subsection, in accordance with the applicable land use designation of this Plan where it is demonstrated to the satisfaction of the Town that:

- *Development* and *site alteration* is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;

- New hazards are not created and existing hazards are not aggravated; and
- No adverse environmental impacts will result.

5. Conservation Authority Approval

Under Ontario Regulation 172/06 established under the Conservation Authorities Act, permission or written approval is required from the NVCA prior to any *development* within a regulated area and prior to altering or interfering with a *watercourse* or wetland.

6. Mapping of Hazardous Lands and Sites

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

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

Where there is uncertainty regarding the presence of *hazardous lands* or *hazardous sites*, or the extents thereof, for any land that is proposed for *development*, even if the land is not within or abutting the Natural Environment designation shown on Schedule 'A' or the Natural Hazards shown

on Schedule 'E', the proponent shall be required to prepare and submit a Natural Hazards Assessment, prepared by a qualified professional, to determine the presence or absence of natural hazards and type and extent of natural hazards, and to recommend any related limitations to *development* and any required mitigation measures. If the presence of one or more natural hazards is confirmed, such land or part thereof shall be deemed to be within the Natural Environment designation, shall be subject to the policies of this designation and the policies of this subsection for the identified natural hazard(s), and shall be restrictively zoned in the Zoning By-law. If it is determined by the Town, in consultation with the NVCA and based on the findings of the Natural Hazards Assessment, that there are no natural hazards affecting the land, the applicable land use designation for the land and related policies shall apply based on the Town's interpretation of Schedule 'A'.

3. Natural Heritage System

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

1. *Habitat of Endangered Species and Threatened Species*

Should an area within the Town of Shelburne be identified as habitat of *endangered species* and *threatened species*, the following policies shall apply:

- a) *Development* and *site alteration* shall not be permitted in the habitat of *endangered species* and *threatened species* except in accordance with provincial and federal requirements.
- b) *Development* proposed on lands within 120 metres of habitat of *endangered species* and *threatened species* shall require a satisfactory EIS to demonstrate that there will be no *negative impact* on the habitat of *endangered species* and *threatened species* or its ecological function.

2. *Wetlands*

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

- a) *Development and site alteration* shall not be permitted within wetlands or within the required buffer width. The required buffer shall generally be a minimum of 30 metres measured from the boundary of the wetland. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 30 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on Provincial and/or NVCA requirements.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 120 metres of a wetland shall require a satisfactory EIS to demonstrate that there will be no *negative impact* on the wetland or its ecological function.

3. Woodlands

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

- a) *Development and site alteration* shall not be permitted in woodlands or within the required buffer width. The required buffer shall generally be a minimum of 10 metres measured from the drip line of the woodland. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 10 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on NVCA requirements.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 120 metres of a woodland shall require a satisfactory EIS to demonstrate that there will be no *negative impact* on the woodland or its ecological function.

4. Valleylands

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

- a) *Development and site alteration* shall not be permitted in *valleylands* or within the required buffer width. The required buffer shall generally be a

minimum of 7.5 metres measured from the long-term stable top-of-bank. The final width of the required buffer shall be established through an approved EIS or an approved subwatershed study. A buffer width greater than 7.5 metres may be required based on the results of the EIS or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on NVCA requirements.

- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 120 metres of valleyland shall require a satisfactory EIS to demonstrate that there will be no *negative impact* on the valleyland or its ecological function. Geotechnical studies may also be required to establish the limit of the stable top-of-bank and identify measures to ensure long-term slope integrity, to the satisfaction of the Town and the NVCA.
- c) Valleyland shall be preserved in a natural state and further channelization of existing *watercourses* shall not be permitted except for flood control works by a public authority where required subject to approval of the NVCA.
- d) The Town shall encourage and may require as a condition of *development* the enhancement of riparian vegetation and tree canopies to contribute to the restoration and protection of valleyland.

4.8.3.3.5 as
modified by the
County of Dufferin
on June 8, 2017

5. Significant Wildlife Habitat

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

- a) *Development* and *site alteration* shall not be permitted in significant wildlife habitat.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 120 metres of significant wildlife habitat shall require a satisfactory EIS to demonstrate that there will be no *negative impact* on the habitat or its ecological function.

6. Areas of Natural and Scientific Interest (ANSI)

Should an area within the Town of Shelburne be identified as an *ANSI*, the following policies shall apply:

- a) *Development* and *site alteration* shall not be permitted in a significant *ANSI* unless it has been demonstrated through an *EIS* that such *development* will not have a *negative impact* on the feature or its ecological function.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 50 metres of a significant *ANSI* (earth science) or within 120 metres of a significant *ANSI* (life science) shall require a satisfactory *EIS* to demonstrate that there will be no *negative impact* on the *ANSI* or its ecological function.

7. Fish Habitat

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

- a) *Development* and *site alteration* shall not be permitted in fish habitat or within the required buffer width, except in accordance with Provincial, Federal and NVCA requirements. The required buffer shall generally be a minimum of 30 metres measured from the edge of the bankfull channel or meander belt allowance. The final width of the required buffer shall be established through an approved *EIS* or an approved subwatershed study. A buffer width greater than 30 metres may be required based on the results of the *EIS* or subwatershed study. A reduced buffer may be considered by the Town only where considered acceptable based on Provincial, Federal and/or NVCA requirements.
- b) Unless otherwise directed by the NVCA, *development* proposed on lands within 120 metres of fish habitat and/or that include stormwater management facilities and/or drains out letting to *watercourses* identified as fish habitat shall require a satisfactory *EIS* and Stormwater Management Plan to demonstrate that there will be no *negative impact* on the fish habitat or its ecological function.
- c) Further channelization of existing *watercourses* shall not be permitted except for flood control works by a public authority where required subject to approval of the NVCA.

- d) The Town shall encourage and may require as a condition of *development* the enhancement of riparian vegetation and tree canopies to contribute to the restoration and protection of fish habitat.

4.8.3.3.8 as
modified by the
County of Dufferin
on June 8, 2017

8. Permitted Uses

Notwithstanding subsections 4.8.3.3.1 to 4.8.3.3.7, the following uses may be permitted within the natural heritage system subject to Federal and Provincial requirements where applicable, and written approval from the NVCA and the Town of Shelburne, and subject to an EIS demonstrating that there will be no *negative impacts* on the natural features or their ecological functions for any related *development* or *site alteration*:

- Flood and erosion control works
- In-water works such as culverts and bridges
- *Infrastructure* works, approved through an Environmental Assessment (EA) where proposed to be located within provincially significant wetlands or the habitat of endangered species and threatened species, where there is no alternative location
- *Compatible* recreation uses excluding buildings
- Existing uses

9. Mapping of the Natural Heritage System

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

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

Where there is uncertainty regarding the presence of natural heritage features or areas, or the extents thereof, or potential linkages may exist or there is an opportunity for linkages to be created, for any land that is proposed for *development*, even if the land is not within or abutting the Natural Environment designation shown on Schedule 'A' or the natural heritage system shown on Schedule 'E', the proponent shall be required to prepare and submit an EIS to determine the presence or absence of natural heritage features and areas and existing and/or potential linkages and to recommend any related limitations to *development* and any required mitigation measures. If the presence of one or more natural heritage features or areas or linkages is confirmed, such land or part thereof shall be deemed to be within the Natural Environment designation, shall be subject to the policies of this designation and the policies of this subsection for the identified natural heritage feature or area, and shall be restrictively zoned in the Zoning By-law. If it is determined by the Town, in consultation with the NVCA and based on the findings of the EIS, that there are no natural heritage features or areas or linkages affecting the land, the applicable land use designation for the land and related policies shall apply based on the Town's interpretation of Schedule 'A'.

4.8.4 Natural Environment Boundaries

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

4.8.5 Environmental Impact Studies

An Environmental Impact Study (EIS) may be required for any *development* application located within 120 metres of any natural heritage feature or area identified through the Natural Environment designation. The proponent shall consult with the Municipality and the NVCA to discuss and determine the requirements of the Study. The Study shall:

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

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

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

4.8.6 Natural Environment Policy Exceptions

4.9 NON-URBAN

4.9.1 Introduction

Lands within the Non-Urban land use designation are predominantly vacant, undeveloped lands which are not designated for urban *development* due to potential limitations of wastewater servicing capacity related to the assimilative capacity of the receiving water body, and may relate to projected needs that may be beyond the 2031 population forecast of this Plan.

4.9.2 Objectives

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

4.9.2(a) and
(b) as
modified by
the County of
Dufferin on
June 8, 2017

- a) To discourage premature fringe *development* that would create an adverse economic burden for the Town and/or that could prevent the efficient use of land for urban uses on the basis of a future expansion of the *urban area* in accordance with the *urban area* expansion policies of Section 8.27 of this Plan;
- b) To reserve a land base which will be required to accommodate additional population growth but is subject to confirmation of wastewater treatment servicing capacity related to the assimilative capacity of the receiving water body, and expansion of the *urban area* in accordance with the *urban area* expansion policies of Section 8.27 of this Plan.

4.9.3 General Policies

4.9.3.1 as
modified by
the County of
Dufferin on
June 8, 2017

1. Permitted Uses

Within the Non-Urban designation, the predominant use of land shall be for agricultural and rural purposes, excluding livestock facilities, manure storage, and anaerobic digesters. Other permitted uses may include recreational and cultural facilities, public and community uses, and parks and open space, temporary uses such as community events, festivals and farmers markets, forestry, wildlife management and conservation uses, and public works facilities, which shall be established through the implementing Zoning By-law and may be subject to information demonstrating to the Town's satisfaction that the interim nature of the use or other aspects of the *development* will not prevent the efficient use of land for urban uses on the basis of a future expansion of the *urban area* in accordance with the *urban area* expansion policies of Section 8.27 of this Plan.

Uses that existed on lands prior to the designation of such lands as Non-Urban shall be permitted to continue. Secondary uses to existing residential uses shall be limited to second units in accordance with the policies of subsection 4.2.3.6, and home occupations. Land division shall be restricted to lot sizes that will not impact

the future designation and orderly *development* of the area. New lot creation shall be limited to infilling of existing residential lots by the severance of an existing lot containing an existing residential use to create one or more new residential lot(s), only where existing full municipal water and municipal sewer services are available to service the existing and new lot(s), and for other permitted uses, provided that no new lot creation shall be permitted on the basis of private services.

4.9.4 Non-Urban Policy Exceptions

4.10 SPECIAL TOURISM

4.10.1 Introduction

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

The Special Tourism designation provides for Fiddle Park and is intended as the primary location for camping and associated activities and events during Fiddleville and in association with other community events and uses of the park approved by the Town. Additional uses including a museum, workshop, farmers market, local vendors market, eating establishments and other associated uses including tourism related and recreational uses may also be considered by the Town.

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

4.10.2 Objectives

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

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

4.10.3 General Policies

1. Permitted Uses

The Special Tourism land use designation shall mean that the primary use of land shall be for Fiddle Park and shall include institutional and recreational uses of a tourism or economic *development* nature such as a park, a campground run under the auspice of the Fiddle Park Committee, a museum, facilities for workshops,

meeting rooms, concerts, etc. and other tourism and recreational uses which encourage economic growth in the community. Secondary uses which are complementary to and/or serve the principal uses are permitted such as temporary farmers markets or local vendors markets, eating facilities, gift shops, education or training activities associated with the tourism uses, public uses and a residence for the caretaker associated with the primary use provided the institutional/recreational character is maintained as the principal use.

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

2. Servicing and Staging of Development

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

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

3. Access & Parking

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

4. Buffering

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

5. Site Plan Control

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

6. Zoning

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

4.10.4 Special Tourism Policy Exceptions

4.11 SHELburnE WEST SECONDARY PLAN

4.11.1 Introduction

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

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

4.11.2 Objectives

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

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

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

4.11.3 General Policies

1. Permitted Uses

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

- The Low Density Residential areas, where the primary permitted uses shall include a range of housing types such as single detached, semi-detached, duplex and townhouse dwellings;
- The Medium Density Residential areas, where the primary permitted uses shall include a range of multiple residential housing types such as apartments, townhouses, triplex, fourplex and other multi-unit dwellings;
- The Community Commercial areas, where the primary permitted uses include a range of office, service commercial and retail commercial uses of a community or neighbourhood scale and nature that are primarily intended to meet the day to day needs of local residents and businesses; and,

Secondary uses, which are complementary to the primary permitted uses and supportive of the objectives and policies for the Shelburne West Secondary Plan, shall include recreational and cultural facilities, public and community uses, home occupations, second units, and parks and open space. Accessory dwelling units may be permitted as secondary uses within certain commercial establishments as may be provided in the Zoning By-law. Institutional uses shall be permitted provided

that major institutional and other large scale uses shall be directed to the Mixed Use – Commercial/Employment/Institutional area.

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

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

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

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

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

2. Land Use and Street Pattern

- a) The land use and street pattern for the Shelburne West Secondary Plan area shall be based on Schedule 'A1'. The location of roads, intersections, trails, neighbourhood parks, stormwater management facilities and boundaries of land uses shown on Schedule 'A1' should be considered approximate. Amendments will not be required for minor adjustments to the location of these features provided the general intent of this Plan is maintained, and subject to the policies of subsection 9.1 of this Plan identifying circumstances where land use boundaries are to be considered absolute.
- b) The pattern of *development* is based on a distinction between private lands and the public realm. The public realm is composed of clearly defined and connected streets, parks and open spaces and trails and the Shelburne West Secondary Plan recognizes the need to plan for these public spaces. *Development* shall provide landscaping adjacent to the public street or public sidewalk to promote an attractive landscaped transition between the public and private realm.
- c) Future land use and *development* proposals, as well as public works and other municipal projects, shall contribute to the establishment of balanced and integrated neighbourhoods with a mix of housing types and densities distributed among low and medium density residential areas, support retail, office and services within community commercial areas, public and *public*

service facilities, a connected network of trails and a linked parks and open space system, based on Schedule 'A1'.

- d) Buildings shall be oriented to front, face and feature public streets and intersections with articulation of street-facing building facades to provide a high quality of design, detail and variety, human-scale and pedestrian orientation, and buildings abutting residential uses should be of a similar height as the dwellings.

3. Criteria for Development

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

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

- iii) Landscape treatments and building design that create an attractive and unified streetscape and a sense of entrance and arrival to the community;
- iv) High quality design and character of *development* that contributes to the image and identity of Shelburne.

4. Residential Areas

The following policies apply to the land designated as “Low Density Residential” and “Medium Density Residential” on Schedule ‘A1’ in addition to the policies of subsection 4.2:

- a) Residential uses shall be primarily accommodated within the residential density designations on Schedule ‘A1’, with a targeted housing mix of 60% low density and 40% medium density for the Shelburne West Secondary Plan area;
- b) *Development* within the Low Density Residential designation shall have a *gross residential density* ranging between 15 units per hectare and 24 units per hectare and should not exceed 2 storeys in height;
- c) *Development* within the Medium Density Residential designation shall have a *gross residential density* ranging between 24 units per hectare and 40 units per hectare and should not exceed 3 storeys in height;
- d) *Development* within the High Density Residential designation shall have a *gross residential density* between 40 units per hectare and 80 units per hectare and should not exceed 3 storeys in height except that a greater height may be permitted in the implementing Zoning By-law subject to confirmation of adequate fire protection;
- e) Reverse-lotting of housing units and direct property access along Main Street West shall not be permitted except where permitted for existing uses and where no other access can be provided, and where the building design addresses both street frontages with façade and landscape treatments that create an attractive streetscape, and in accordance with the permit and other requirements of the MTO, where applicable.
- f) Entrance features to new residential neighbourhood *development* shall be encouraged, provided that the features are landscape-related and require minimal maintenance, and are in keeping with the Urban Design policies of this Plan and have regard for the Town’s Urban Design Guidelines.
- g) All residential *development* shall ensure appropriate orientation and massing of residential buildings to provide adequate private and public open spaces.

4.11.3.4(d) as
modified by the
County of Dufferin
on June 8, 2017

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

5. Community Commercial Areas

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

- a) Where commercial *development* is proposed adjacent to a residential area, building setbacks, visual screening of parking areas, landscaping, fencing and other forms of buffering will be required to mitigate potential *adverse effects* between the uses.
- b) No open storage of goods, materials, machinery or equipment is permitted. Outside display may be permitted in accordance with the Zoning By-law.
- c) *Development* within the Community Commercial designation shall provide for building orientation, façade and landscape treatments that create an attractive streetscape along the north and south sides of Main Street West (Provincial Highway 89) and along any other existing or future street frontages.

6. Mixed Use – Commercial/Employment/Institutional Area

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

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

7. Neighbourhood Parks

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

- a) Neighbourhood Parks shall be located, planned and designed in a manner that provides for street frontage and a high level of access and visibility, with connections to existing and future trail routes and linkages among parks, recreational and open space areas.
- b) Neighbourhood Parks shall be planned and developed alongside new residential *development* and shall form part of a linked public open space system providing diverse settings for a range of passive and active recreational

pursuits and cultural activities, barrier-free access and use, healthy lifestyles, social engagement, and active transportation.

- c) Parkland shall be dedicated as a condition of future *development* in accordance with subsection 4.7 of this Plan to facilitate the establishment of new Neighbourhood Parks approximately in the locations shown on Schedule 'A1', or in alternative locations provided that the intent of this Plan is maintained.
- d) The future location of Neighbourhood Parks should take advantage of site locations that provide natural amenities and access to other public open space areas.
- e) The future location of Neighbourhood Parks should be coordinated with the location of a future school site if additional school facilities are required by the School Board(s) to service the Shelburne West Secondary Plan area.

8. Natural Environment

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

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

community, to reduce impacts of flooding and erosion, and to protect coldwater fish habitat;

- v) For Natural Environment areas conveyed to the Town or other public ownership, and through agreements with private landowners, the Town working with the NVCA may establish and implement tree plantings and other enhancement programs within and along the edges of these areas; and,
 - vi) The establishment of buffers on the basis of the recommendations of the NVCA through the review of site specific Environmental Impact Studies, which shall be provided as a condition of *development*.
- b) Opportunities for *compatible* forms of public access and passive recreational uses such as trails, wildlife viewing areas, outdoor education and interpretive signage shall be encouraged within Natural Environment areas and associated buffers. Where possible, the location of Neighbourhood Parks, open space and trails will be complementary to, and integrated and coordinated with, the Natural Environment areas and associated buffers, based on Schedule 'A1'.

9. Servicing Strategy

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

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

Development Charges for growth-related capital projects. The Town may establish an area-rated Development Charge for the Shelburne West Secondary Plan area or portions thereof to recover the growth-related capital cost of servicing improvements required to service this area. Identified priority works will be undertaken at the earliest opportunity within the financial capabilities of the Town. Front-ending agreements and Development Charges credit agreements will be utilized where possible to facilitate timely servicing improvements aligned with the phasing of *development* and to ensure the proper apportionment of costs among benefitting properties and *developments*.

- e) Services and *utilities* shall be provided in an orderly and coordinated manner that:
 - i) Provides for the phasing of *development* aligned with the availability of servicing capacity based on the *development* staging policies of this Plan;
 - ii) Provides for and encourages the construction and maintenance of services and *utilities* in an efficient manner while minimizing conflicts with other land uses;
 - iii) Provides for the future extension of services by developing sufficient capacity in the distribution, collection and treatment facilities to service the present and future needs of *development* in the Shelburne West Secondary Plan area;
 - iv) Protects the natural environment while providing the required services and *utilities*;
 - v) Is coordinated with public agencies in planning for and designing the multiple use of servicing and utility rights-of-way and corridors; and,
 - vi) Protects the services and *utilities* from encroachment that would constrain or increase the costs of its operation, access for maintenance, repair and future replacement, and in a manner that avoids potential risks to public health and safety and property damage.
- f) Servicing of the Shelburne West Secondary Plan area shall be based on the recommended servicing strategy in the Town's Master Servicing Plan, which will be updated from time to time.
- g) Conceptual locations for future Stormwater Management (SWM) facilities are shown on Schedule 'A1'. The location and number of future SWM facilities should be considered approximate and revised locations and/or additional

facilities shall be determined through site-specific *development* applications, in accordance with the following:

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

10. Transportation Policies

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

- a) The transportation system for the Shelburne West Secondary Plan area shall include a continuous and linked network of existing and future Arterial, Collector and Local Roads, on-road pedestrian and cycling facilities and trails, and shall be coordinated with the planned future land use based on Schedule 'A1'.

- b) Main Street West (Provincial Highway 89) is an Arterial Road and is under the jurisdiction of the MTO. All *development* located adjacent to and in the vicinity of a Provincial Highway within MTO's permit control area under the Public Transportation and Highway Improvement Act is subject to MTO approval and shall be subject to the policies of subsection 5.3.3. All new property access for future land use and *development* shall be from Local or Collector Roads, except where permitted by the MTO, or by the Town within the Connecting Link, where no other road access is available or planned.
- c) Improvements to Main Street West including, but not limited to, upgrades to an urban cross section with underground stormwater system and *utilities*, bike lanes, sidewalks and boulevards, and traffic calming measures, may be required as a condition of *development* of the land on either side of Main Street West, as well as other means to create and enhance connections with the downtown core.
- d) As shown on Schedule 'A1', future intersections along the Arterial Road will be required to provide Collector Road or Local Road access to the land north and south of Main Street West (Provincial Highway 89). The number of intersections shall be minimized, and spacing between intersections shall be maximized. Intersections will be aligned with existing Local Roads (John Street) and located within the Connecting Link portion of Main Street West (Provincial Highway 89), where possible, based on Schedule 'A1'.
- e) The Town will work with the MTO, private property owners and developers to promote efficient connections and transportation choice and access to the downtown core from the west as part of area road improvements, including sidewalks and consideration of bike lanes, trail *development*, traffic calming measures, signage and future intersections/ pedestrian road crossings.
- f) Victoria Street is a Collector Road and is under the jurisdiction of the Town of Shelburne. Direct property access to Victoria Street shall be minimized and access to the land along the west side of Victoria Street for future land use and *development* will be accommodated by future Local Roads or Collector Roads approximately in the locations shown on Schedule 'A1', where possible. Direct property access to Victoria Street may be permitted where the proposed land use or *development* will not negatively impact the Collector Road function, provided that land is reserved and dedicated to the Town for future Local and/or Collector Roads based on Schedule 'A1'.
- g) The future Collector Roads shown on Schedule 'A1' shall be constructed as a local service as a condition of *development* to the Town's satisfaction and assumed by the municipality. Where a future Collector Road is shown with a dashed line on Schedule 'A1', the following policies shall apply:

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- i) These Collector Roads shall be provided where possible to provide connections with existing local roads and to extend and complete the other future Collector Roads shown;
 - ii) The Town may determine that these roads/connections are not required as a condition of *development* approval where it is demonstrated through Traffic Impact Studies that existing roads and/or other future roads will provide an adequate level of service to the area based on the future land uses shown on Schedule 'A1' and related traffic generation allowing for current and future background traffic volumes;
 - iii) The northerly extension of John Street as shown on Schedule 'A1' shall only be permitted on the basis of an Environmental Impact Study or Environmental Assessment demonstrating that there will be no *negative impacts* to significant natural heritage features or areas and their ecological functions and in accordance with subsection 4.2.4.2 of this Plan;
 - iv) The potential need for and feasibility of a westerly extension of Wellington Street shall be determined as part of any proposed change in land use or redevelopment proposal for the existing industrial use located south of Main Street West and west of the former rail corridor, and the design shall address the trail crossing and any improvements required to the existing roadway;
 - v) Notwithstanding the identification of these potential future roads/connections shown on Schedule 'A1' as Collector Roads, these future roads may alternatively be designed as Local Roads where a Collector Road function and capacity are not required based on the anticipated traffic volumes; and,
 - vi) Where it is determined that any of the potential future roads/connections shown on Schedule 'A1' are not required, the Town may alternatively require the dedication of pedestrian and cycling pathways.
- h) Conceptual future Local Roads are shown on Schedule 'A1' and are intended to illustrate a potential street pattern based on a modified grid, ensuring multiple access points, providing for the efficient movement of vehicles, cyclists and pedestrians, minimizing crossings of *watercourses* and avoiding Natural Environment areas. The precise location and alignment of future Local Roads will be determined through the review of future land use and *development* proposals, shall be in keeping with the intent of this policy, and shall be developed and dedicated to the Town as public roads. Street connections to existing Local Roads should be provided wherever possible.

- i) Conceptual future trails are shown on Schedule 'A1' and are intended to illustrate a potential west side trail network based on completing and providing connections with the existing and future trails system shown on Schedule 'C2' and establishing an expanded and connected future trails system linking residential neighbourhoods with on road routes and a future trail within the former rail corridor, Neighbourhood Parks and open space areas, the downtown core and other commercial areas, and to provide recreational amenities and convenient active transportation routes for pedestrians and cyclists. The precise location and alignment of future trails will be determined through the review of future land use and *development* proposals, shall be in keeping with this policy, and shall be dedicated to the Town as pedestrian and/or cycling pathways as a condition of *development*.
- j) Any future road crossings, trail *development* or other works within the former rail corridor shall be subject to the permit and other requirements of the County of Dufferin.

11. Implementation

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

SECTION 5 – TRANSPORTATION POLICIES

5.1 INTRODUCTION

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

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

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

5.2 OBJECTIVES

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

- a) To ensure an adequate road system is provided for the efficient movement of people and goods within and through the Town with particular regard for the safety and the economic and social impact of such a system.

- b) To ensure that land use and transportation policies are mutually supportive recognizing that land use can have a significant impact on the transportation network and conversely that the transportation system can have a major influence on the use of land and energy consumption.
- c) To provide a network of pedestrian and cycling facilities that support active transportation as an alternative to the automobile.
- d) To ensure that land use and *development* is supportive of active transportation and the potential for future transit services.

5.3 GENERAL POLICIES

5.3.1 Schedule 'C' Transportation Plan

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

5.3.2 Function of Roads

The road classification system as shown on Schedule 'C1' reflects the ultimate function envisaged for these roads. Where a change in function is proposed, an amendment to this Plan will be required.

5.3.3. Arterial Roads

- a) Arterial Roads designated on Schedule 'C1' to this Plan include Provincial Highways 10 and 89 and County Roads 11 and 124.
- b) The intended primary function of Arterial Roads is to distribute traffic to or from other classes of roads and facilitate the efficient movement of through traffic.
- c) Provincial Highways are under the jurisdiction of the MTO. The following policies shall apply to *development* located adjacent to or impacting Provincial Highways:
 - i) All *development* located adjacent to and in the vicinity of a Provincial Highway or located within the Ministry of Transportation's permit control area under the Public Transportation and Highway Improvement Act will be subject to MTO approval.
 - ii) Permits must be obtained from the MTO prior to any grading and/or construction being undertaken. Entrance permits on to Provincial Highways are subject to approval by the MTO in accordance with the Public Transportation and Highways Improvement Act.
 - iii) The Town will circulate *development* applications involving land within the MTO permit control area to the MTO for review and comment, in accordance with MTO policy.
 - iv) Right-of-way widths for Provincial Highways shall be in accordance with MTO requirements.
- d) As shown on Schedule 'C1', a portion of the Provincial Highways is designated as a Connecting Link. The following policies shall apply to *development* located adjacent to or impacting the Connecting Link portion of the Provincial Highways:
 - i) Access to Connecting Links is subject to Municipal approval.
 - ii) The Town will circulate *development* applications involving land adjacent to or impacting the Connecting Links to the MTO for review and comment.
 - iii) Right-of-way widths for Connecting Links shall be in accordance with the requirements of the Town and the MTO.
- e) The Town will continue to pursue Provincial approval of an extension of the Connecting Link designation for the sections of the Provincial Highways located within the Town limits that are currently not part of the Connecting Link Agreement.

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- f) County Roads are under the jurisdiction of the County of Dufferin and shall be subject to the following policies:
- i) An entrance permit shall be obtained from the County of Dufferin for any access to a County Road.
 - ii) *Development* applications will be circulated to the County of Dufferin for review and comment in accordance with the Planning Act.
 - iii) Right-of-way widths for County Roads shall be in accordance with County requirements.
- g) The Town shall work with the MTO and County of Dufferin to ensure the provision of safe and appropriately located pedestrian crossings along Arterial Roads which shall generally be directed to signalized intersections.
- h) Sidewalks will generally be required along both sides of Arterial Roads and may be imposed as a condition of *development* located along Arterial Roads. Cycling lanes should be considered within the Connecting Link in conjunction with scheduled or planned road improvements subject to appropriate engineering study and design solutions demonstrating that on-road cycling routes can be safely accommodated without compromising the through traffic function of the Arterial Road.
- i) Maintenance responsibilities for Arterial Roads shall be in accordance with agreements between the Municipality and the MTO or the County of Dufferin, as applicable.
- j) Transportation improvements within the Shelburne East Area limits shown on Schedule 'C1' shall be implemented based on the recommendations of the Shelburne East Area Transportation Study, the results of approved environmental assessment(s) where required, and approval of a traffic impact study for proposed *development(s)* in the area.

5.3.4 Collector Roads

- a) Collector Roads designated on Schedule 'C1' to this Plan include:
- Victoria Street
 - Simon Street
 - Greenwood Street
 - Fiddle Park Lane
 - Susan Street

- Jane Street
 - Cedar Street from Jane Street to its northerly limit
 - Wansburgh Way
 - Col. Phillips Drive
- b) Future Collector Roads are planned in the Shelburne East Area, including a north-south street intersecting Main Street East / Highway 89 east of County Road 124, and an east-west street intersecting County Road 124 north of Main Street East / Highway 89. The details of the design of these roads and intersections shall be established based on an environmental assessment, if required, in conjunction and coordinated with proposed *development* in the area, and based on the recommendations of the Shelburne East Area Transportation Study.
- c) Collector Roads are intended to serve a dual function of facilitating through traffic movement and providing direct access from adjacent land uses.
- d) Collector Roads shall be located and designed to distribute traffic between local and arterial roads and carry lighter volumes for shorter trips than an Arterial Road.
- e) Access to Collector Roads shall be subject to Municipal approval.
- f) Right-of-way widths for Collector Roads shall be a minimum of 20 metres.
- g) The Town shall continue to provide year-round maintenance of Collector Roads upon municipal assumption.
- h) Sidewalks will generally be required along both sides of new Collector Roads. The provision of sidewalks and bicycle lanes should be considered where new Collector Roads are proposed and in conjunction with scheduled or planned improvements to existing Collector Roads.

5.3.5 Local Roads

- a) Existing and proposed Local Roads are illustrated on Schedule 'C1' to this Plan.
- b) The primary function of Local Roads is to provide access to adjacent land uses.
- c) Local Roads should be designed to discourage use by through traffic.
- d) Access to Local Roads shall be subject to Municipal approval. Restrictions on access generally relate to sight distances.
- e) Generally the minimum right-of-way for Local Roads should be 20 metres.

- f) The Town shall continue to provide year-round maintenance of Local Roads upon municipal assumption.
- g) Sidewalks will generally be required along at least one side of all new Local Roads to be developed within residential plans of subdivision.

5.3.6 Municipal Lanes

- a) Municipal Lanes are identified on Schedule 'C1' to this Plan and are generally located to the rear of existing properties within the downtown core and existing residential blocks in the surrounding area.
- b) Municipal Lanes are Town-owned rights-of-way that are intended to provide secondary access to properties. The creation of new lots and any proposed *development* having frontage only on a Municipal Lane shall not be permitted.
- c) Municipal Lanes have a right-of-way width of less than 20 metres. Generally, the existing right-of-way widths for Municipal Lanes will be maintained as a minimum.
- d) The existence of a Municipal Lane right-of-way does not imply any obligation on the Municipality to develop or maintain roadways or other forms of public access with these rights-of-way.
- e) The provision of Municipal Lanes within existing rights-of-way or the creation of new Municipal Lanes will only be considered where sufficient right-of-way width can be provided to address issues related to maintenance, snow storage and other issues to the satisfaction of the Town, and where the construction and operation costs are warranted at Council's discretion.
- f) Maintenance levels for Municipal Lanes shall be at Council's discretion based on the financial resources and operational capabilities of the Town. Consideration may be given to maintaining Municipal Lanes on a year-round or seasonal basis, or leaving them unmaintained temporarily or for extended periods of time provided appropriate regard is given to public safety.
- g) Council may consider the closure of Municipal Lane rights-of-way to address matters of public safety and/or to facilitate the conveyance and assembly of land for *intensification* and redevelopment or the provision of public services and facilities.
- h) Council may restrict public access to Municipal Lanes. Access may be limited to pedestrian and other non-motorized use where required to achieve the objectives of this Plan, the Active Transportation Plan and the Parks Master Plan to create a linked pedestrian and cycling network.

- i) *Development* and alterations to the land other than required maintenance activity shall not be permitted within unopened Municipal Lanes except as specifically permitted in writing by the Town where it is demonstrated that there will be no negative impacts to the Town property or adjacent lands or the existing or potential future use of the Municipal Lane for access, servicing or other municipal purposes.

5.3.7 Road Improvements, Right-of-Way Acquisition and Road Widenings

- a) The Town shall continue its program of road maintenance, of improvements to road alignments and intersections and of acquiring adequate rights-of-way where those in existence are deficient or where new *development* occurs by plan of subdivision.
- b) Council shall reserve or obtain the necessary rights-of-way for future roads as a condition of *development* approval. Existing and planned municipal rights-of-way shall be protected for future roadways in accordance with the intended right-of-way widths established in this Plan.
- c) As a condition of *development* approval, Council will require the dedication of a road widening strip to the Town, the County of Dufferin or the MTO to achieve the intended right-of-way widths established in this Plan. Road Widenings required for specific roads are identified in Table 3.

Table 3: Road Widenings

Road	Location	Existing Right-of-Way Width	Designated Right-of-Way Width
Jelly St.	Centre St. to its limit 45.3 m (145 feet) north of Pine Grove Ave.	15.2 metres (50 feet)	20 metres (66 feet)
James St.	Centre St. to Shelburne Plaza	15.2 metres (50 feet)	20 metres (66)
Cedar St.	Susan St. to the Centre Dufferin District High School	20.1 metres (66 feet)	23.2 metres (76 feet)
Gordon St.	First Ave. to Main St.	Varies 5.8-15.2 metres (19-50 feet)	20 metres (66 feet)
Owen Sound St.	O'Flynn St. to First Ave.	20.1 metres (66 feet)	26.21 metres (86 feet)
Joseph St	Former railway corridor to Victoria St.	15.2 metres (50 feet)	20 metres (66 feet)
Centre St.	Victoria St. to Laneway	15.2 metres	20 metres

		(50 feet)	(66 feet)
Simon St.	Victoria St. to Laneway	15.2 metres (50 feet)	20 metres (66 feet)
Franklin St.	Victoria St. 136.5 metres (448 feet) easterly	15.2 metres (50 feet)	20 metres (66 feet)

- d) The width of the road widening strip will not exceed that required to achieve the right-of-way widths set out in this Plan, except in cases where additional road width is required for grading purposes and/or to accommodate turning lanes at intersections or service driveways that eliminate individual points of access to and from an arterial or collector road.
- e) The extent of such road widening shall be determined by, among other matters, the physical characteristics of the land, the existence of mature trees, the proximity of structures and buildings to be retained on the lot, the existence of a heritage resource, existing and proposed road widths, drainage considerations and sight lines.
- Where possible, equal amounts of widening will be required from either side of a road allowance, but in specific cases, it may be necessary to deviate from this policy where physical characteristics of the land, the location of existing buildings, the existence of mature trees or woodlot areas and/or a heritage resource make it impossible. In such cases, it may be necessary to acquire more than half or even all of the total required widening from one side in order to attain the full required width. Where widenings are required on existing streets which are lined with trees, discretion will be used and all methods explored to reduce loss of such trees, where possible.
- f) Minor road realignments and widenings will not require an amendment to this Plan.

5.3.8 Setbacks

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

5.3.9 Plans of Subdivision

- a) In considering proposed plans of subdivision, Council will follow a policy of requiring direct property access to be from local and collector roads. Reverse lotting to any public road will be discouraged and the use of window streets, service

roads, enhanced front, side and/or rear building facades will be promoted to provide for building orientation towards arterial and collector roads.

- b) While utilizing good design and energy conservation principles in the plan, the length of roads should be kept to a minimum whenever possible in order to lower construction and maintenance costs as well as reduce trip lengths in the community. Additional energy conservation measure to be considered include minimizing requirements for stops and providing road alignments that create lot orientations which maximize solar access.
- c) A modified grid street pattern will be provided wherever possible, while maximizing connectivity with existing roads, incorporating traffic calming and promoting reduced speeds, and ensuring convenient walking distances and pedestrian/cycling routes. Pedestrian and/or cycling pathways/connections may be required for long blocks of *development* to shorten walking/cycling distances and to maximize connectivity of parks, open spaces and trails.

5.3.10 Road Access

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

5.3.11 Road Closure

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

5.3.12 Pedestrian & Bicycle Trails and Routes

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

- e) In order to create a pedestrian- and cyclist-friendly environment, Council will consider investing in enhanced streetscaping measures such as landscaping, lighting, street furniture and weather protection, particularly within the downtown core.

5.3.13 Former Railway Right-of-Way

- a) The former railway right-of-way is identified as a trail on Schedule 'C2' to this Plan and continued trail use shall be permitted.
- b) The Town will monitor proposals for the redevelopment of rail facilities within the rail corridor and potential impacts on existing and proposed *developments* located in proximity to the former railway.
- c) Where possible, the Town shall participate in the review of any proposals and related studies undertaken for the re-establishment of an operational railway, or for other proposed uses of the corridor, to ensure public safety considerations and potential land use impacts are addressed to Council's satisfaction.
- d) In the event that the re-establishment of an operational railway or other use is proposed within the former rail corridor, trail opportunities will be investigated at that time to determine whether continued trail use may safely occur within or adjacent to the rail corridor in conjunction with the proposed use. Uses of the corridor that preclude a trail or that could have *adverse effects* on public health and safety related to trail use within the corridor will be discouraged.

5.3.14 Parking

- a) Off-street parking spaces shall be required for all new *development* in accordance with the Zoning By-law.
- b) The Town may consider the establishment of both minimum and maximum parking standards to maximize the efficient use of land and promote active transportation.
- c) On-street parking will continue to be permitted within the downtown core to increase activity along the street and serve as a protective buffer between pedestrians and moving vehicles. Reduced off-street parking standards may be permitted within the downtown core.
- d) Reduced surface parking may be considered as part of a TDM plan in accordance with the policies of subsection 5.3.16.
- e) Cash-in-lieu of parking may be considered in accordance with the Planning Act and a Cash-in-Lieu of Parking By-law.

- f) Bicycle parking standards may be implemented through the Zoning By-law.
- g) Design standards for location, layout, construction, lighting and landscaping of off-street parking areas will be applied through the Zoning By-law and site plan control, as well as *development* standards and urban design guidelines as may be adopted by Council.

5.3.15 Transit Services

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

5.3.16 Transportation Demand Management (TDM)

- a) Council will encourage car-sharing and car-pooling programs, walking and cycling initiatives and businesses and organizations that promote these and/or other programs and make provisions to reduce demands on the road network. Car-

pooling and walk-to-work initiatives will be promoted for municipal staff and the community.

- b) As an incentive to encourage TDM, the Town may permit reduced parking standards for *developments* that demonstrate a commitment to TDM and provide justification for reduced parking standards through a TDM strategy.

5.3.17 Anti-Idling

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

5.3.18 Commercial Truck Traffic

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

5.3.19 Traffic Impact Studies

- a) A Traffic Impact Study (TIS) may be required for any *development* application that could impact the safe and efficient movement of people and goods within and

through the community. A TIS will generally be required where a proposed *development* involves any of the following:

- i) Retail commercial having a Gross Leasable Floor Area of 900 square metres or larger;
 - ii) Residential *development* of 50 dwelling units or greater;
 - iii) Office uses having a Gross Floor Area of 2,500 square metres or larger;
 - iv) Industrial uses having a Gross Floor Area of 4,500 square metres or greater;
 - v) Educational facilities accommodating 120 or more students;
 - vi) A drive-through facility;
 - vii) Peak hour trip generation of 100 two-way trips or more on adjacent streets.
- b) Exceptions to policy (a) may be granted at the discretion of Council. *Development* applications that do not involve any of the items listed in policy (a) may still be required to undertake a TIS at the discretion of Council based on advice from the Town Engineer due to the cumulative impact of smaller *developments* and depending on specific site and situational characteristics of the application.
- c) The proponent shall consult with the Town and the MTO and the County of Dufferin, where applicable, to discuss and determine the need for and requirements of the Study. The Study shall:
- i) describe the proposed *development*;
 - ii) examine the existing traffic conditions in the area;
 - iii) examine the function of area roadways and the impacts of the proposed *development* on the ability of area roadways to serve their intended function;
 - iv) identify the volume of traffic to be generated by the proposed *development* and the examine the capacity of area roadways to accommodate the additional traffic;
 - v) identify mitigating measures to address impacts on area roadways and ensure the safe movement of vehicle traffic, pedestrians and cyclists within and in the area surrounding the site;
 - vi) examine the cumulative traffic impact of the proposed *development* and other planned or approved *developments*;
 - vii) illustrate proposed access and parking layout on the site;

- viii) identify requirements for auxiliary lanes and other improvements to area roadways and intersections;
- ix) identify special access arrangements with adjacent landowners, where applicable.

5.3.20 Noise and Vibration

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

5.3.21 Drive-Through Facilities

- a) Drive-through facilities and other uses which cater to automobiles shall be designed and located in a manner that ensures compatibility with surrounding sensitive land uses and promote a pedestrian-friendly environment, and shall be directed to locations where permitted in the Zoning By-law, and shall be subject to the following:
 - i) No drive-through queuing, drive aisle or parking shall be located between the building and the street;
 - ii) Drive-through facilities shall be located on sites of sufficient size to accommodate all of the components of the drive-through facility, prevent traffic spill onto the street and meet the Town's design policies and guidelines;
 - iii) Drive-through facilities should be located within commercial plazas to benefit from the shared parking and access, and sufficient land area shall be provided on the site in accordance with clause (ii) of this subsection; and,
 - iv) Multiple drive-through facilities shall not be permitted for one building.

SECTION 6 – CULTURAL HERITAGE RESOURCE POLICIES

6.1 INTRODUCTION

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

6.2 OBJECTIVES

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

- a) To identify and conserve *cultural heritage resources* which may include buildings, structures and landscapes of cultural heritage value or interest and archaeological sites.
- b) To protect *cultural heritage resources* that contribute significantly to the identity and character of the Town.
- c) To encourage the maintenance, restoration and enhancement of *cultural heritage resources*.
- d) To ensure new *development* and redevelopment is sensitive to and *compatible* with *cultural heritage resources*.
- e) To promote public awareness and participation in the conservation, improvement and appreciation of the Town's *cultural heritage resources* in a *sustainable* manner which will perpetuate their functional use.

6.3 GENERAL POLICIES

6.3.1 Development Criteria

6.3.1 as
modified by the
County of
Dufferin on
June 8, 2017

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

6.3.2 Identification of Properties, Buildings and Areas of Cultural Heritage Value or Interest

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

6.3.3 The Ontario Heritage Act

6.3.3 as
modified by the
County of
Dufferin on
June 8, 2017

The Town may, by by-law pursuant to the Ontario Heritage Act, designate properties or areas of cultural heritage value or interest to conserve, protect, and enhance the heritage of the community.

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

6.3.4 Municipal Heritage Committee

The Town may establish a Municipal Heritage Committee pursuant to Section 28 of the Ontario Heritage Act to advise and assist Council on matters related to Parts IV and V of the Act and to assist Council on other matters of cultural heritage conservation.

6.3.5 Heritage Conservation District Plan

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

- a) By-laws enacted under the Ontario Heritage Act, identifying an area for study may be passed by Council;
- b) A survey may be conducted to locate and categorize all buildings, structures and sites of cultural heritage value or interest in the Study Area;
- c) A study may be prepared to examine those aspects of the Study Area that contribute to its special character and contain recommendations as to what actions or policy directions should be initiated to conserve the heritage of the District;
- d) Based on the Study, a Heritage Conservation District Plan for the area shall be prepared;
- e) The Town may seek endorsement by the Ministry of Tourism, Culture and Sport of its Heritage Conservation District Plan;
- f) The Town will promote public awareness of the objectives of heritage conservation through public consultation in the study and designation of a Heritage Conservation District and heritage conservation programs;
- g) By-laws implementing the Plan may be enacted under the Ontario Heritage Act and Section 39 of the Planning Act, RSO 1990.

6.3.6 Heritage Impact Studies

- a) A Heritage Impact Study may be required to the satisfaction of the Town and the Ministry of Tourism, Culture and Sport for any *development* application that could impact identified *cultural heritage resources* and for protected heritage properties located on lands adjacent to the *development* and *site alteration* location that may be impacted by the undertaking.
- b) The Town may impose, as a condition of *development* approval, the implementation of appropriate conservation, restoration or mitigation measures

identified in the studies to ensure the preservation of any affected *cultural heritage resources*.

6.3.7 Archaeological Assessments

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

SECTION 7 – DEVELOPMENT POLICIES

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

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

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

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

7.1 RESIDENTIAL DEVELOPMENT

The small town character of Shelburne should be maintained by encouraging *compatible* residential *development* in the form of *intensification* and redevelopment within the *Built-up Area* and new *development* in designated growth areas in accordance with the policies of subsection 4.2 of this Plan, and mixed use *development* in accordance with the policies of subsection 4.4 of this Plan.

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

7.2 COMMERCIAL DEVELOPMENT

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

Owners of commercial properties and/or businesses in the downtown core should be encouraged to renovate their facilities in a manner in keeping with the atmosphere of

the Town and the unique nature of the downtown core. The Town will endeavour to provide off-street parking through municipal parking areas.

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

7.3 MIXED USE DEVELOPMENT

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

7.4 EMPLOYMENT LAND DEVELOPMENT

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

7.5 RECREATIONAL DEVELOPMENT

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

7.6 PUBLIC USES AND DEVELOPMENT OF TOWN LANDS

7.6(a) as
modified by the
County of
Dufferin on
June 8, 2017

- a) Public uses include educational, institutional, administrative, cultural, recreational and public works facilities that are operated by a public authority or by an authorized agent of a public authority, and public *utilities* such as hydro, natural gas, cable and telephone transmission facilities. Unless otherwise prohibited in this Plan, public uses shall be permitted in all land use designations subject to the

criteria for *development* within the applicable land use designation. In the Employment designation, permitted public uses shall be limited to uses that are *compatible* with adjacent employment uses, and may include uses such as public works facilities, offices, emergency facilities and services, and recreation facilities, but shall not include sensitive land uses. In the Natural Environment designation, public uses that require *development* or *site alteration* shall only be permitted subject to satisfying the natural heritage policies of this Plan, where applicable, and shall not be located on *hazardous lands* and sites except for those uses specifically permitted in accordance with subsection 4.8.3.2 of this Plan. Permitted public uses shall not include waste management facilities, waste disposal operations or other similar uses which are subject to an environmental assessment and shall only be permitted by an amendment to this Plan supported by studies addressing the environmental, social, financial and servicing impacts of the use to the satisfaction of the Town.

- b) Notwithstanding (a) of this subsection, the *development* of electric power facilities and other transmission facilities and related *infrastructure* shall occur in an orderly manner to facilitate the efficient and reliable provision of services to address the needs of the population of the Town of Shelburne. The location of electrical power and other transmission facilities and *infrastructure* within the Town shall be discouraged if it is not directly required to meet the needs of the local population for these services. The Town may participate and provide comments to the proponent through the planning, environmental assessment or other approval processes for *infrastructure* projects to ensure local interests are represented and there is a net benefit to the local community.
- c) The Town will be directly involved in the *development* of municipally-owned lands to achieve the best result for the residents of the Town.
- d) To encourage local food production through *compatible urban agriculture*, Council may permit the use of Town-owned property for the establishment of community allotment gardens subject to consideration of the following:
 - i) confirmation of suitable soil conditions and the absence of potential contaminants;
 - ii) availability of a *sustainable* water supply, where required, without negatively impacting the capacity of the municipal water supply system to support existing and planned *development*;
 - iii) suitable grading and drainage characteristics of the site with no significant change to existing site topography and drainage patterns;
 - iv) the level of interest in participation based on input from the community;

- v) the availability of required equipment and operational support;
- vi) there shall be no negative impact on the municipality's operations and financial position;
- vii) there shall be no *negative impact* on adjacent lands and natural heritage features;
- viii) the raising or keeping of livestock shall not be permitted.

7.7 COORDINATION AND CROSS-JURISDICTIONAL MATTERS

7.7 as
modified by
the County of
Dufferin on
June 8, 2017

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

7.8 SERVICING

- a) All new *development* within the *urban area* shall be connected to full municipal sewage and municipal water services, where the proposed use requires servicing.
- b) Notwithstanding (a) of this subsection, existing permitted uses that are on private individual on-site water and/or private individual on-site sewage services, or partial services, shall be permitted to continue and may be expanded in accordance with the applicable land use designation and the Zoning By-law subject to demonstration of capacity within the existing private servicing system(s) or connection to municipal services, where the use or the expansion thereof requires servicing. Existing vacant lots of record that are located in areas where municipal services are not available or planned may be used in accordance with the permitted uses of the applicable land use designation and the Zoning By-law, subject to approval of private individual on-site servicing system(s) by the Town and the County, where the use requires servicing. The Town may require geotechnical, hydrogeological or other technical studies to demonstrate the viability and *sustainability* of the proposed private individual on-site servicing system(s). All private individual on-site sewage systems shall only be permitted where it is demonstrated that the existing lot size and site conditions are suitable for such systems over the long term with no negative impacts. No new lot creation shall be permitted on the basis of private services.
- c) Servicing shall be carefully monitored and all *development* shall be subject to the *development* staging policies of this Plan.
- d) No new *development* shall be approved unless uncommitted sewage treatment and water supply capacity is available and allocation of required servicing capacity is granted by Council in accordance with the policies of this Plan and a Council approved Servicing Allocation Policy.
- e) It is the intention of this Plan to provide and reserve servicing capacity for *development* within the *urban area* to accommodate the population and employment forecasts of this Plan and to allow for the achievement of the *intensification* target concurrent with *development* in designated *greenfield areas* that will achieve the *greenfield* density target.
- f) The Town shall encourage the conversion of private systems to municipal servicing upon any redevelopment application or upon the construction of new watermains or trunk sewers which pass through areas on private servicing systems. Servicing capacity will be reserved to allow for the connection of existing privately serviced properties to the municipal water and municipal sewage systems, and the determination of sufficient sewage system capacity shall include treatment capacity for hauled sewage from private systems.

7.8(g) as modified
by the County of
Dufferin on June 8,
2017

- g) All stormwater management plans and programs shall be developed in accordance with the requirements of the Nottawasaga Valley Conservation Authority, the policies of subsection 7.15.11 of this Plan, and applicable Town standards, and to achieve the following:

- i) minimize, or, where possible, prevent increases in contaminant loads;
- ii) minimize changes in water balance and erosion;
- iii) not increase risks to human health and safety and property damage;
- iv) maximize the extent and function of vegetative and pervious surfaces; and,
- v) promote stormwater management best practices, including stormwater attenuation and re-use, and *low impact development*.

Stormwater management works considered as sewage may require approval pursuant to Section 53 of the Ontario Water Resources Act.

- h) All municipal transportation facilities and new roads shall be developed in accordance with Section 5 – Transportation Policies of this Plan and in consultation with the MTO and the County should such roads or access points fall within their respective jurisdictions.
- i) Water, sanitary and stormwater management facilities and services and roads shall be subject to the Municipal Environmental Assessment Class Environmental Assessment process.

7.9 SERVICING COSTS

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

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

7.10 DEVELOPMENT STAGING

The *Development* Staging policies of this Plan are intended to ensure orderly *development* aligned with the provision of municipal services and within the Town's servicing capabilities. Schedule 'B1' identifies the *Development* Staging Plan:

- Stage 1 areas represent areas of existing land use or approved *development* that are serviced by existing municipal water and wastewater services, as well as existing privately or partially serviced areas where connection to municipal water and wastewater services is available or is reserved for the future connection of these areas to the municipal systems. The Town will reserve servicing capacity to allow for *intensification* and redevelopment and to allow for the connection of privately serviced properties to existing municipal services within Stage 1 areas. Allocation of servicing capacity to specific properties and *developments* within Stage 1 will be based on confirmation of sufficient Stage 1 reserve capacity by the Town Engineer, and will occur at the time of *development* approval, service connection or building permit, as applicable.
- Stage 2 areas represent the primary areas designated for residential *intensification* and redevelopment, areas of municipally serviced vacant or under-utilized land within the *built boundary*, and municipally serviced vacant land in *designated greenfield areas* available for *development* within the Mixed Use, Commercial, Employment and Institutional land use designations. Servicing capacity for Stage 2 areas will be reserved by the Town to provide for the *development* of these areas in accordance with the applicable land use designations. Allocation of servicing capacity to specific properties and *developments* within Stage 2 will be based on confirmation of sufficient Stage 2 reserve capacity by the Town Engineer, and will occur at the time of *development* approval.
- Stage 3 areas represent land to be developed in accordance with the applicable land use designation based on confirmation of available reserve capacity to service all land within the Stage 1 and 2 areas. The servicing of Stage 3 areas relates to planned capital improvements to the municipal water supply and wastewater treatment systems and servicing capacity for these areas may also relate to the implementation of the Town's inflow and infiltration reduction program, conservation and other measures that will optimize the efficient use of existing *infrastructure*. Allocation of servicing capacity to specific properties and *developments* within Stage 3 will be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required capacity improvements, and on the basis of maintaining reserve capacity for Stage 1 and 2, and will occur at the time of *development* approval.

The following criteria will be considered by Council for the allocation of servicing capacity to *development*:

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- a) *Development* shall be staged in accordance with Schedule 'B1' *Development* Staging Plan, the policies of this Plan, and a Council approved Servicing Allocation Policy.
- b) In accordance with the Provincial Policy Statement and the *Growth Plan* for the *Greater Golden Horseshoe*, staging of *development* and the provision of municipal services will be based on meeting the specified targets for *intensification* within the existing *Built-up Area* prior to, or concurrent with, new *development* in *designated greenfield areas*.
- c) To ensure wastewater treatment services are available to achieve the minimum residential *intensification* target, sufficient reserve capacity shall be maintained to service *development* within Stage 1 and 2 areas identified on Schedule 'B1'.
- d) For Stage 1 areas shown on Schedule 'B1', the Town will reserve servicing capacity for *intensification* and redevelopment and for the connection of privately serviced properties to existing municipal services within Stage 1 areas. Allocation of servicing capacity to specific properties and *developments* within Stage 1 will be based on confirmation of sufficient Stage 1 reserve capacity by the Town Engineer, and will occur at the time of *development* approval, service connection or building permit, as applicable.
- e) For Stage 2 areas shown on Schedule 'B1', the Town will reserve servicing capacity for residential *intensification* and redevelopment, areas of municipally serviced vacant or under-utilized land within the *built boundary*, and municipally serviced vacant land in *designated greenfield areas* within the Mixed Use, Commercial, Employment and Institutional land use designations. Allocation of servicing capacity to specific properties and *developments* within the Stage 2 areas will be based on confirmation of sufficient reserve capacity by the Town Engineer, and will occur at the time of *development* approval.
- f) For Stage 3 areas shown on Schedule 'B1', the establishment of reserve servicing capacity shall be based on availability of servicing capacity within the rated capacities of the municipal water supply and wastewater treatment systems after Stage 1 and 2 reserves and with planned capital improvements to the municipal water supply and wastewater treatment systems, and may also relate to the implementation of the Town's inflow and infiltration reduction program, conservation and other measures that will optimize the efficient use of existing *infrastructure*. Allocation of servicing capacity to specific properties and *developments* within Stage 3 will be based on confirmation of sufficient reserve capacity by the Town Engineer and aligned with the timing of any required *infrastructure* improvements, and on the basis of maintaining reserve capacity for Stage 1 and 2, and will occur at the time of *development* approval.

- g) Confirmation of wastewater treatment capacity commitments will occur at the time of *development* approvals in accordance with the policies of this Plan and a Council approved Servicing Allocation Policy. Commitments will be reviewed annually by the Town and may also be re-evaluated upon expiry of *development* approvals where *development* does not proceed in a timely manner.
- h) In evaluating the allocation of servicing capacity to *development* proposals, preference will be given to *developments* that:
 - i) Optimize the use of existing municipal *infrastructure* or represent a logical, cost-efficient extension of existing services;
 - ii) Include energy and/or water conservation measures, *sustainable* technologies and design measures;
 - iii) Contribute to meeting the affordable housing targets of this Plan;
 - iv) Maximize parks and open space provision;
 - v) Contribute to enhanced urban design; and,
 - vi) Contribute to achieving a *complete community* and *compact urban form*.

7.11 UTILITIES

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

7.12 DEVELOPMENT PROPOSALS

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

- a) The criteria of the applicable land use designation within which the *development* is located in accordance with Section 4 of this Plan;
- b) The need for the *development* in relation to creating a *complete community* and having regard to the *sustainability* policies of this Plan;
- c) The timing of its commencement and if necessary, the phasing of the *development*;
- d) The impact of the *development* on the existing human, cultural and natural environments;

- e) The impact of the *development* on both the existing and anticipated adjacent land uses and compatibility with such adjacent land uses;
- f) The efficiency with which the *development* can be serviced;
- g) The adequacy of access to and within the *development* and the effect on traffic flows;
- h) The impact on the Town's financial capability;
- i) The effects of the *development* on full municipal sewage and water services and facilities, the capability of such services and facilities to be expanded and the financial capabilities of the Town to provide adequate services and facilities;
- j) The desirability of the *development* proposal and;
- k) The adequacy of *infrastructure*, waste management systems and *public service facilities* to accommodate proposed *development*.

7.12.1 Review of Development Proposals

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

- a) the proposal conforms with the policies and land use designation of this Plan and the provisions of the Zoning Bylaw;
- b) that all *development* will be located outside of *hazardous lands* and *hazardous sites* to the satisfaction of the Town and the NVCA;
- c) soil and drainage conditions are suitable to permit the proper siting of buildings;
- d) suitable arrangements have been made for water supply, sewage disposal, storm drainage, and all other necessary services and that there is no danger of pollution;
- e) no traffic hazards will occur because of excess traffic generated or limited sight lines on curves or grades;
- f) the land fronts on a public road which is of a reasonable standard of construction and maintained year round;
- g) the proposed use is *compatible* with adjacent uses or can be made *compatible* through the use of buffering;
- h) significant built heritage resources and/or significant cultural heritage landscapes located on, or adjacent to, a proposed use are conserved;

7.12.1(i), (j),
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- i) natural heritage features have been protected in accordance with subsection 4.8;
- j) the land is free from contamination and a Record of Site Condition pursuant to Ontario Regulation 154/04 will be required prior to final planning approval and/or issuance of a building permit, where necessary; and
- k) any impacts of new or expanding non-agricultural uses on surrounding agricultural operations are mitigated to the extent feasible.

7.13 BUFFERING

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

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

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

7.14 COMMUNITY IMPROVEMENT POLICIES

The Town of Shelburne intends to continue its ongoing program of maintenance and upgrading of its existing facilities and services. However in order to assess these needs within an overall planning program and to qualify for available provincial funding, a generalized assessment of its needs was carried out. The Community Improvement Area, as shown on Schedule 'D' was based upon the criteria included in subsection 7.14.2, Criteria for the Selection of the Community Improvement Area.

7.14.1 General Goals & Objectives for Community Improvement

1. Goals

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

2. Objectives

- a) To provide a comprehensive analysis and approach to community improvement within Shelburne based upon the improvements required, the prioritization of these improvements and the financial capabilities and resources of the Town.
- b) To support and encourage property owners to upgrade existing land and buildings.
- c) To continue to improve social, cultural and recreational services and facilities, to a reasonable level within the Town primarily through funding programs of senior levels of government and the support of special interest and service groups.
- d) To continue the ongoing program of improvements to the physical services such as water, sanitary, storm water drainage, roads and streetlights.
- e) To enhance the viability of the commercial areas of the community through such means as coordinated programs for streetscape and building façade improvements, and the encouragement of the establishment of a business improvement area.

- f) To enhance the viability of existing industrial areas through improvements to roads, water and boulevards.

7.14.2 Criteria for the Selection of a Community Improvement Area

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

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

7.14.3 Community Improvement Areas

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

7.14.4 Phasing of Improvements

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

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

7.14.5 Implementation Measures

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

- a) The designation, by by-law, of Community Improvement Project areas and the preparation of a Community Improvement Plan for each area in accordance with the provisions of the Planning Act, including provisions for public input.
- b) The enactment and enforcement of a Minimum Maintenance and Occupancy Standards By-law.
- c) The utilization of federal and provincial government funding programs by the municipality and special groups.
- d) The utilization of municipal and senior government funds for the acquisition of land and/or buildings.
- e) The acquisition of land.
- f) The establishment and support of a Business Improvement Area to strengthen the downtown core.
- g) The utilization of local improvement through the Local Improvement Act.
- h) The disbursement of information to the ratepayers regarding special government programs designed to provide assistance for the redevelopment, renovation or maintenance of their properties.

- i) The encouragement of preservation of properties and buildings having cultural heritage value or interest through the utilization of such measures as the Ontario Heritage Act.
- j) The continued co-operation between the Town and special interest and service groups to provide new services and/or facilities for the community.
- k) The consideration of the utilization of other programs offered by private organizations such as the “Cause” program offered by the Ontario Association of Architects.

7.15 COMMUNITY SUSTAINABILITY POLICIES

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

7.15.1 Energy Conservation

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

- a) Council shall encourage growth as a *compact urban form*.
- b) Council shall encourage mixed use *development* in areas designated for these uses.
- c) Council should support the use of conversions of single detached, semi-detached and townhouse dwellings to include a second unit subject to the policies of subsection 4.1.3.6, the redevelopment of underutilized buildings and the location of residential uses within and adjacent to the downtown core.
- d) Council should encourage and support innovative ideas through subdivision, site or building design for residential, commercial, mixed use, employment and institutional uses, where applicable to Shelburne.
- e) Council should promote the use of bicycle and pedestrian paths for active transportation as a means of encouraging energy conservation.
- f) Council should encourage urban design and the use of appropriately selected and located vegetation to reduce the energy consumption of buildings.

7.15.2 Energy Generation

- a) The Town shall encourage proposals for renewable energy generation at appropriate scales, including facilities that generate energy from wind, solar and geothermal sources, subject to compatibility being achieved with surrounding land uses and the environment.
- b) New energy generation facilities and systems that are subject to this Plan shall be in accordance with the following, except where such facilities are exempted from the Planning Act and approved under the Green Energy Act and/or through an Environmental Assessment:
 - i) Small scale energy generation facilities may be permitted accessory to a permitted use where the facilities will primarily or exclusively supply power to, or offset the consumption of electricity by, buildings, structures and uses located on the same lot that are permitted in accordance with the applicable land use designation and policies of this Plan and the Zoning By-law;
 - ii) Provisions established in the implementing Zoning By-law to regulate the location, height and other aspects of these facilities;
 - iii) District energy plants may be permitted in the downtown core, Arterial Commercial, Mixed Use Centre and Employment land use designations provided they are designed to be *compatible* with surrounding land uses and further provided that no power generation facilities exceeding a total capacity of 10 megawatts will be permitted without an amendment to this Plan;
 - iv) Other forms of new energy generation facilities that are not accessory to a permitted use and/or that will primarily or exclusively supply energy to the Provincial electrical grid shall require an amendment to this Plan and to the Zoning By-law;
 - v) New or expanded energy facilities and systems shall be located, designed and constructed to minimize impacts on adjacent land uses and to prevent *adverse effects* from noise, vibration, lighting, odour, particulates or other emissions, and minimize risk to public health and safety;
 - vi) Properties to be used for energy generation facilities and systems shall have sufficient areas to provide appropriate setbacks from sensitive uses; and,
 - vii) New lot creation for energy generation facilities and systems shall not be permitted and will require an amendment to this Plan.

- c) For energy generation facilities and systems that are not subject to this Plan, the Town will provide input to the approval authority when applications are submitted in locations within or near the Town. The Town may develop a protocol for reviewing and commenting on energy generation proposals.

7.15.3 Water Conservation

- a) Council shall encourage efficient water use and water conservation.
- b) In order to reduce water demand, the Town may implement by-laws limiting the frequency and/or timing of outdoor water use.
- c) The Town may implement programs and strategies for water conservation in order to extend the capacity of existing water supply and wastewater treatment systems and delay requirements for capital upgrades to increase the capacity of these systems. The strategy may include conservation programs, educational and regulatory initiatives, and structuring water rates based on consumption as an incentive to reduce water usage.
- d) Developers will be encouraged to use drought-resistant grasses and provide an adequate soil base layer for new lawns and landscaped areas to reduce outdoor watering requirements.
- e) Developers and builders will also be encouraged to use low consumption, water-efficient facilities and appliances and water recycling measures in buildings wherever feasible.

7.15.4 Green Buildings

- a) Council shall encourage innovative programs and construction methods which support the *sustainable development* and redevelopment of buildings, including but not limited to building and site *developments* that incorporate the following: renewable energy systems such as wind, geothermal and solar installations; energy efficient technologies that are consistent with high energy efficiency standards such as Energy Star and LEED programs, design features and construction practices; green roofs or high albedo roofs that reduce heating and cooling requirements; the use of recycling materials; permeable paving and other innovative stormwater management methods; water conservation, recycling and efficiency measures; and, conserving heritage resources thereby reducing landfill and lessening the demand for energy and resources for new construction.

7.15.5 Waste Management

- a) The Town shall regularly review its solid waste disposal practices and work with the County towards a future long term plan for the community with the goal of reducing waste.
- b) Accommodation of waste from future growth and *development* shall be considered with new *development*. The Town's waste management practices will facilitate, encourage and promote reduction, reuse, recycling and other waste reduction and diversion objectives and programs.

7.15.6 Environmental Features and Protection

- a) The natural heritage system shall be protected by the Town through the designation of such areas as Natural Environment and related policies of this Plan, and through the implementing Zoning By-law. The Town shall not permit any *development* on lands adjacent to Natural Environment lands that would be detrimental to the ecological integrity of the feature. All adjacent land uses must comply with the Natural Environment policies of this Plan.
- b) Council will encourage the conservation, protection and enhancement of the natural environment by promoting best practices in *sustainable development* and ensuring that *development* and *infrastructure* are within the carrying capacity of the Town's supporting ecosystems.

7.15.7 Tree Preservation

- a) Given their contribution to maintaining and improving air quality, moderating climate, soil and slope stabilization, aesthetic contribution and other benefits to the community, the Town shall ensure that mature trees, tree stands and tree lines are preserved. The preservation of trees along streets and roads shall be encouraged and removal shall only take place due to disease or necessary works. The Town may adopt additional tree preservation policies such as specific site plan policies for older residential areas and enact related by-laws such as a tree-cutting by-law and/or *site alteration* by-law.
- b) When considering subdivision, *development* or redevelopment proposals, the Town may enter into an agreement with the proponent wherein only those trees directly preventing construction and servicing will be removed and may be required to be replaced. The Town shall require developers to provide and plant trees along road rights-of-way, at no cost to the Town, the size and number to be set out in the *development* or subdivision agreement.

- c) A plan for tree conservation, planting and management may be required as a condition of *development* approval. Generally *development* will be required to achieve no net loss in the quantity of trees in the Town.

7.15.8 Subwatershed Planning

- a) To ensure planning is undertaken in a subwatershed context, individual *development* applications shall be reviewed in conjunction with the objectives and directions of the applicable subwatershed plan in consultation with the NVCA.
- b) Environmental Impact Studies and/or *Risk Assessments* may be required to be prepared by the applicant for lands adjacent to *watercourses*, *headwaters*, aquifers, natural features, and related physiographic or topographic formations that contribute to groundwater recharge or discharge.

7.15.9 Source Water Protection

1. Objectives

The quality and quantity of groundwater and surface water resources and *designated vulnerable areas* in Shelburne will be protected for the provision of safe and clean drinking water in accordance with the Clean Water Act and the Source Protection Plan for the South Georgian Bay Lake Simcoe Source Protection Region as it applies to the Nottawasaga Valley Source Water Protection Area. The municipality's objectives for source water protection are as follows:

- a) To ensure that municipal well water quality and quantity is protected from contamination due to *incompatible* land uses and activities.
- b) Identify and map *designated vulnerable areas* including *Wellhead Protection Areas (WHPA)*, *Significant Groundwater Recharge Areas (SGRA)*, and *Highly Vulnerable Aquifers (HVA)*;
- c) Identify activities that are or will be *significant drinking water threats*, based on the potential risk to groundwater resources, that should be prohibited or restricted in *Wellhead Protection Areas*;
- d) Apply land use restrictions through the Zoning By-law to require *risk assessment studies* or hydrogeologic analysis where activities, land use, and *development* may pose significant risk to groundwater and surface water resources, particularly in *designated vulnerable areas*;
- e) Require environmental impact review and site screening for *development* applications and building permits in *designated vulnerable areas*;

- f) Support implementation of the Source Protection Plan for the South Georgian Bay Lake Simcoe Source Protection Region;
- g) Encourage voluntary measures to address risk associated with existing land uses;
- h) Where voluntary risk mitigation measures are not undertaken, establish *Risk Management Plans* to define mitigation measures for any existing site activities that pose a *significant drinking water threat*;
- i) Prohibit any future or proposed uses that would create new *significant drinking water threats*;
- j) Avoid any public works which would impair the quality of the groundwater;
- k) Establish an area wide monitoring program that includes the quality and quantity of surface water and groundwater;
- l) Develop a source water protection database and integrated information management system;
- m) Implement programs of community awareness and educate residents about potential contamination sources and the risk associated with groundwater contamination.
- n) Support undertaking education and community outreach programs in collaboration with the Source Protection Authority, other municipalities, the County and Province, by targeting specific land uses and activities that could become *significant drinking water threats* to promote best management practices to safeguard water supplies.
- o) Develop and implement a community awareness and education program concerning water conservation, *sustainable* use of aquifers, and associated best practices in regard to water use and protection.

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2. Policies

Within the *Wellhead Protection Areas (WHPAs)* shown on Schedule 'F' of this Plan, and in other areas as noted below, the following policies shall apply:

- a) Under the guidance of the *Risk Management Official (RMO)*, the Town shall pre-screen proposed applications for Planning Act approvals, building permits,

change of use and business licenses, excluding those for residential uses, to determine if there is potential for a *significant drinking water threat*;

- b) Where the Town has determined through pre-screening that there is the potential for a *significant drinking water threat*, the RMO shall review the proposal and determine if there would be a *significant drinking water threat*, and the RMO will provide direction, in writing, indicating that:
 - i) The application may proceed, where it is determined that there will be no *significant drinking water threat*; or
 - ii) The specific circumstances under which the application may proceed, where the Town is satisfied that the application complies with the specified circumstances and the applicant has demonstrated that there will be no *significant drinking water threat*; or
 - iii) The application may not proceed due to the potential for a *significant drinking water threat*;

and the Town will require a copy of the RMO's written direction in accordance with complete application policies in subsection 8.25(b) of this Plan.

- c) Where an existing *significant drinking water threat* has been identified and confirmed by the *Risk Management Official* or a duly qualified person under the Clean Water Act, a *Risk Management Plan* is required.
- d) In accordance with the Clean Water Act and the Source Protection Plan, the following new land uses and facilities are prohibited, or managed through a *Risk Management Plan*, in *Wellhead Protection Areas* where they would constitute a *significant drinking water threat*:
 - i) Waste disposal sites within the meaning of Part V of the Environmental Protection Act (excluding storage of wastes described in clauses (p), (q), (r), (s), (t), or (u) of the definition of hazardous waste (O.Reg 347) and storage of hazardous or liquid industrial waste);
 - ii) Large (more than 10,000L) on-site sewage systems;
 - iii) Agricultural source material storage facilities;
 - iv) Non-agricultural source material storage facilities;
 - v) Commercial fertilizer storage facilities;

- vi) Pesticide storage facilities;
- vii) Road salt storage facilities;
- viii) Snow storage facilities;
- ix) Fuel storage facilities;
- x) Dense non-aqueous phase liquid (DNAPL) storage facilities;
- xi) Organic solvent storage facilities;
- xii) Outdoor confinement or farm animal yard in WHPA-A.

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- e) The Zoning By-law will identify the vulnerable areas within *WHPAs* where the uses listed in (d) of this subsection would constitute a *significant drinking water threat*.
- f) The Town will encourage the design of parking and loading areas, roadways and sidewalks in a manner that minimizes impermeable areas and the need for road salt application, site and grading design that directs run-off outside of *designated vulnerable areas* or to storm sewers, and the implementation of salt management measures and best practices. Road salt shall be used in an environmentally responsible manner, and minimize the negative environmental effects of handling, storage and application of salt on the environment. Site design should reasonably address impervious surfaces, site grading, drainage and stormwater management located within or directed to *designated vulnerable areas*.
- g) The design of new stormwater management facilities shall reduce the risk of drinking water contamination, and where possible direct the discharge of stormwater outside of *designated vulnerable areas*, and shall not be located or designed in a manner that would result in a *significant drinking water threat*.
- h) Private individual on-site sewage systems shall not be permitted within a *designated vulnerable area* where it would constitute a *significant drinking water threat*. Connection to municipal sanitary sewers, where available, will be required in *designated vulnerable areas* where an on-site sewage system constitutes a *significant drinking water threat*.

7.15.9.2(i) as
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- i) The Town may require that Master Environmental Servicing Plans (MESPs) or similar information required to be submitted as part of a complete application for *development* to demonstrate that the location and design of stormwater

discharges, sanitary sewers and other *infrastructure* will avoid *designated vulnerable areas* to minimize threats to drinking water.

- j) The Town shall notify the Source Protection Authority of applications under the Planning Act affecting a site identified as a *significant drinking water threat* condition.
- k) The Town will enact a by-law to require the removal of fuel tanks from abandoned properties within one year of known abandonment, and unused tanks from occupied properties once no longer in use within *designated vulnerable areas* where the handling and storage of fuel would constitute a *significant drinking water threat*.
- l) The Town will encourage the identification and decommissioning of unused private water wells, septic system inspections and upgrades, run-off and erosion protection, and best practices for stormwater management, including *Low Impact Development (LID)* principles and measures, to protect groundwater and surface water resources and drinking water sources. This policy shall apply throughout the municipality.
- m) The Town supports and may participate in establishing and providing education and outreach programs to raise awareness and promote best management practices regarding the protection of drinking water sources.
- n) Water-takings and de-watering shall only be permitted in accordance with the standards and permit requirements of the MOECC and the NVCA. This policy shall apply throughout the municipality.
- o) When establishing the location of new municipal drinking water sources, the municipality shall evaluate the potential impact of existing uses and permitted uses in designations within the potential *designated vulnerable area* of the proposed well or intake. Designations that permit uses that may constitute a *significant drinking water threat* shall be avoided.
- p) Within *Highly Vulnerable Aquifers (HVA)* and *Significant Groundwater Recharge Areas (SGRAs)* shown on Schedule 'F to this Plan,' proposals for new *development*, or the expansion or other changes to existing *development*, for land uses that would constitute a *significant drinking water threat*, shall incorporate mitigation measures to manage any risk to source water, to the satisfaction of the Town in consultation with the Source Protection Authority. A *Risk Management Plan* may be required as determined based on consultation with the *Risk Management Official*. Impervious cover limits may be established in the Zoning By-law.

7.15.10 Setbacks from Hazard Lands and Watercourses

- a) No *development* shall take place in any area having physical or environmental hazards such as poor drainage, organic solids, flood susceptibility, erosion, steep slopes or other conditions that could result in *adverse effects*. Appropriate setbacks will be imposed and maintained near these hazard lands and features.
- b) *Development* and *site alteration* will be setback from the Besley Drain, Walter's Creek and all other *watercourses* within the Town in order to protect their natural features and functions, provide riparian habitat and minimize the risk to public safety and property. In general, *development* and *site alteration* should be set back a minimum of 30 metres from *watercourses*. Greater setbacks to *watercourses* may be required or reduced setbacks to *watercourses* may be considered in the Zoning By-law, where approved by the Town based on NVCA requirements.

7.15.11 Stormwater Management

- a) Stormwater management techniques shall be used in the design of new *developments* to control both the quantity and quality of stormwater runoff to the satisfaction of the Town, the NVCA and the MOECC. In areas where soil types permit, on-site infiltration shall be encouraged to the maximum extent feasible.
- b) Council shall encourage innovative designs for stormwater management that follow best management practices together with innovative design to provide a mechanism for habitat enhancement and restoration, balancing the engineering functions of stormwater management with habitat creation and diversity.
- c) The provision of stormwater drainage facilities shall be in accordance with master plans established through subwatershed studies, where applicable, or the engineering standards of the Town and NVCA.
- d) The use of *Low Impact Development (LID)* principles and measures such as permeable surfaces, soft landscaping and other factors that impact on stormwater management shall be encouraged through the preparation and review of subwatershed plans and stormwater management plans and existing groundwater recharge rates shall be maintained in *development*, where possible.
- e) A stormwater management plan or report must be reviewed and approved by MTO for *developments* adjacent to or in the vicinity of a Provincial Highway, where drainage could impact highway drainage.

7.15.12 Air Quality

- a) The Town will work to improve air quality through decisions affecting land use and transportation, including but not limited to: ensuring *compact urban form* and mixed use *developments*; providing a well-connected pedestrian and bicycle network and encouraging pedestrian-oriented *development*; promoting transportation demand management; and, maximizing tree preservation and planting.

7.15.13 Development of Vacant Lots

- a) In order to minimize land consumption by *development* and to optimize the delivery and use of existing *infrastructure*, the *development* of existing vacant lots shall be encouraged by the Town provided that the requirements of the Zoning Bylaw can be met and in conformity with the policies of this Plan.

7.15.14 Sustainability Plan

- a) Council may pursue the preparation of an Integrated Community Sustainability Plan (ICSP) or similar plan for the Town that would include such things as the establishment of *sustainability* benchmarks, targets, implementation and monitoring components.

7.15.15 Sustainable Local Economy

- a) Commercial and *employment areas* in the Town will be planned to contribute to economic *sustainability* by providing opportunities for the retention of local jobs, businesses and retail expenditures.
- b) In order to attract further investment in green industries, businesses, housing *developments* and tourism, Council will promote the Town's efforts to become a green community as well as the opportunities offered in the surrounding region for the *development* of green industries, e.g. alternative energy *development*, bio-products, educational programming, green building product manufacturing and other green technologies.

7.15.16 Complete Community

- a) *Development* in Shelburne shall be planned to contribute to achieving a *complete community* by ensuring that the needs of residents for daily living throughout an entire lifetime are provided through convenient access to an appropriate mix of jobs, local services, a full range of housing and community *infrastructure* including affordable housing, schools, recreation opportunities and open space areas, and access to active transportation options for safe, accessible, non-motorized travel.

- b) Council shall strive to ensure that community services such as recreational facilities, parks, open space, public spaces and other amenities, services and *infrastructure* needed to support growth and change are provided in a timely way relative to the population served.

7.15.17 Community Heritage and Creativity

- a) Council supports the retention and recognition of Shelburne's built and natural heritage assets to maintain a sense of community identity and a degree of continuity between the past and the present.
- b) The Town of Shelburne is committed to promoting and developing new cultural assets and sustaining a creative community, open and accessible to artists, the broadest range of artistic expression, and the widest participation.

7.15.18 Corporate Sustainability

- a) The Town will take a leadership role in achieving environmental *sustainability* by considering implementation of the following:
 - i) *sustainable* building principles in all new and existing municipal buildings achieving measurable life cycle cost savings;
 - ii) evaluating and changing, as appropriate, Town processes to promote the *development* and operation of *sustainable* buildings;
 - iii) establishing corporate targets for reducing greenhouse gas emissions;
 - iv) the use of low maintenance naturalized landscaping on Town properties;
 - v) the adoption of an energy and water conservation strategy including audits of energy and water use in existing municipal facilities to identify conservation opportunities;
 - vi) adopting strategies to prevent pollution, reduce waste generation and respond to *climate change* issues;
 - vii) pursuing opportunities to engage, collaborate and partner with organizations and other levels of government in programs and legislative initiatives to improve the environment; and,
 - viii) continually seeking out new ways to improve its environmental performance, meet environmental goals and contribute to community *sustainability*.

- b) Council will ensure that all Town operations, including the work of contractors, comply with environmental legislation, standards and other requirements.
- c) In order to promote *sustainability*, the Town may implement a *climate change* protection program that is intended to reduce greenhouse gas emissions and reduce energy consumption, including the introduction of targets to reduce the Corporation's and community's greenhouse gas emissions.
- d) The Town may, by amendment to this plan, introduce specific policies and regulations requiring energy conservation and climate protection measures, including higher minimum standards of construction based on best available technology. Until such policies and regulations are introduced, the Town encourages the design, location and construction of all buildings with the objectives of reducing energy consumption and maximizing passive solar gain opportunities.
- e) In order to encourage the continued maintenance and improvement to private property, the Town may adopt policies with respect to the standards of appearance and *sustainable* design of public buildings, facilities and works such as roads, curbs and ditches within the financial resources of the Municipality.

7.15.19 Aggregates

- a) New commercial pits and quarries shall not be permitted.
- b) Notwithstanding (a) of this subsection, wayside pits and quarries, portable asphalt plants and portable concrete plants may be permitted for a temporary period for use by area municipal, County or Provincial governments in accordance with the Aggregate Resources Act without the requirement for an Official Plan Amendment, re-zoning or *development* permit under the Planning Act, except in those areas of existing *development* or particular environmental sensitivity which have been determined to be *incompatible* with extraction and associated activities.

7.15.19(b)
as modified
by the
County of
Dufferin on
June 8,
2017

7.15.20 Safety Policies

- a) Prior to any *development* or redevelopment being approved by the Town assurance shall be received that the necessary *utilities*, and fire and police protection will be provided. *Development* approvals shall only be granted in locations where such services are economically feasible to maintain.
- b) Where land is required for utility easements or emergency access, such land shall be conveyed to the relevant agency as a condition of *development* approvals.

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- c) *Development* shall be directed in a manner that avoids public health and safety concerns related to human-made hazards. No *development* shall be permitted on or adjacent to contaminated sites, land affected by mine hazards, oil, gas and salt hazards, or former mineral mining operations, mineral aggregate operations, or petroleum resource operations unless the following have been addressed to the satisfaction of the Town:
- i) Rehabilitation and measures to address and mitigate known or suspected hazards are underway and will be completed, or have been completed;
 - ii) The site shall be remediated as necessary prior to any activity on the site associated with the proposed use;
 - iii) For land which may have been contaminated due to historic use and adjacent land that is potentially contaminated, Environmental Site Assessments (ESAs) shall be prepared and submitted to the Town to determine whether contamination exists, its extent and remediation requirements, the site shall be remediated prior to *development* and/or required mitigation measures shall be established with the *development*, and a Record of Site Condition (RSC) shall be prepared confirming that the site conditions meet Provincial criteria for the proposed use;
 - iv) While there were no known petroleum resource operations in the Town at the time of the preparation of this Plan, should a petroleum resource operation be developed or a petroleum well identified, no new *development* shall be permitted within 75 metres from the petroleum wells and associated works.
- d) Where there is uncertainty regarding the presence of human-made hazards, or the extents thereof, for any property that is proposed for *development*, the proponent shall be required to prepare and submit a hazards assessment to determine the presence or absence of human-made hazards and to recommend any related limitations to *development* and any required mitigation measures.
- e) The importation, dumping, disposal or use of contaminated fill, soil, water or other contaminated materials shall not be permitted, except where approved facilities are available at a permitted waste disposal site for proper handling, treatment and disposal.
- f) *Development* shall not be permitted where it is anticipated that noise, vibration, odour, particulates, light or other emissions from vehicles or stationary sources will exceed MOECC sound level criteria and/or guidelines at sensitive receptors.

- g) Where a *development* or land use involves the storage or processing of hazardous substances or contaminated materials, including water, all relevant Provincial and/or Federal regulations shall be complied with.

7.16 URBAN DESIGN POLICIES

The Town is committed to creating an attractive and *sustainable* urban environment that contributes to a sense of community identity, a safe and healthy physical and natural environment, functional urban form and a strong local economy by making Shelburne an appealing place to live, work, visit and play.

7.16.1 Public Realm

- a) *Development* should extend, establish or reinforce a modified grid-like street pattern with an inter-connected network of roads designed to reduce and disperse traffic and provide alternative routes for pedestrians and enhance bicycle and other vehicular movement and preserve and respond to existing natural and topographical features.
- b) New cul-de-sacs shall only be permitted where warranted by natural site conditions and in accordance with the Transportation Policies of this Plan and Town standards.
- c) Blocks within new *development* should be of a walkable length which promotes convenient and efficient walking routes. Mid-block pedestrian walkways should be created on blocks longer than 250 metres.
- d) Streetscapes shall be designed to promote a pedestrian-oriented environment that is safe, attractive and accessible and provides for seamless transitions between the public and private realm.
- e) New *development* shall contribute to an attractive and pedestrian-oriented streetscape through the placement of main building entrances towards the street and corner intersections where applicable, achieving variation in façade design and treatments and improving the visibility of and access to prominent and unique natural and *cultural heritage resources*. Exceptions to the placement of main building entrances toward the street will be considered on a site-specific basis where street setbacks along Provincial Highways and County Roads or other conditions exist that warrant consideration of an alternative placement or orientation, provided the *development* addresses pedestrian safety and convenience to the satisfaction of the Town.
- f) *Utilities* should be located underground, where possible.

7.16.2 Public Art

- a) Public art should be encouraged throughout the Town to contribute to community identity through the interpretation of local history, traditions and culture and to showcase local talent.
- b) Public art should be located in visible and publicly accessible places, such as parks, gateways and public building sites.

7.16.3 Built Form

- a) Buildings should align with neighbouring buildings to create a continuous streetwall and to provide interest and pedestrian comfort at street level. Exceptions to the alignment of buildings relative to the street and neighbouring buildings will be considered on a site-specific basis where street setbacks along Provincial Highways and County Roads or other conditions exist that warrant consideration of an alternative building configuration, provided the *development* addresses pedestrian safety and convenience to the satisfaction of the Town.
- b) Buildings located on corner lots shall provide a distinct architectural appearance with a high level of detailing and shall ensure that the design continues around the corner, with primary, articulated facades oriented towards both streets and building setbacks that align with the respective street frontages.
- c) New *development* shall ensure that proposed building heights are *compatible* with adjacent existing *development* by employing an appropriate transition of height from new to existing *development*.
- d) Continuous streetwalls of identical building height shall be discouraged.
- e) New *development* shall be designed to be universally accessible and incorporate barrier-free design for persons of all abilities and ages.
- f) Mechanical equipment should be screened from view through planting and architectural features.

7.16.4 Parking, Access and Circulation

- a) The following should be provided for all new *development* involving driveway entrances and off-street parking areas:
 - i) Defined internal driving aisles to establish on-site circulation, direct traffic and frame parking areas;

- ii) Walkways through the site to connect pedestrians to main building entrances, the public sidewalk, other pedestrian routes, trails, and adjacent *developments* where applicable;
 - iii) Landscaping and tree planting integrated within and along the edges of parking areas.
- b) Consolidated driveway entrances are encouraged to minimize disruption of the public sidewalk, maximize the areas available for landscaping and minimize expanses of pavement.
 - c) Surface parking areas should be located to the rear or sides of buildings in areas that can be appropriately screened so they do not dominate the streetscape while allowing sufficient visibility to achieve safety and functionality, connected to sidewalks, designed with landscaped islands of sufficient size to ensure growth of vegetation including healthy trees. Exceptions to the location of parking areas will be considered on a site-specific basis where frontage along Provincial Highways or County Roads or other conditions warrant consideration of parking area locations along the street frontage, provided the *development* addresses the landscaping, design and screening of the parking areas to minimize the streetscape dominance of the parking areas and to allow for sufficient visibility to achieve safety and functionality, pedestrian access, safety and convenience to the satisfaction of the Town.

7.16.5 Service, Loading and Storage Areas

- a) Service, loading and storage areas should be located to minimize impacts on adjacent properties and the natural environment, oriented away from pedestrian facilities and driveways/parking aisles and areas, screened from view from the public realm, and buffered from residential areas.

7.16.6 Landscaping

- a) Landscaping shall be provided for all new *developments* that enhances the visual appeal of the site, promotes pedestrian access to and movement within the site, preserves, complements and where possible enhances the existing natural landscape, and gives priority to indigenous plant species and trees having historic or cultural significance and/or minimal watering and maintenance requirements.

7.16.7 Signage and Lighting

- a) The use of exterior signs and other exterior advertising devices shall be minimized in residential areas.

- b) Signs located on cultural heritage properties or within heritage conservation districts shall be *compatible* with the architecture and character of the property or district.
- c) Signs shall be subject to the Municipality's Sign By-law. Signs located along Provincial Highways shall be subject to the permit requirements of the MTO.
- d) Lighting of buildings and sites shall be provided at levels sufficient for building identification and safety but shall be located, designed and oriented to minimize impacts on adjacent properties. The use of outdoor light fixtures that reduce energy consumption and direct light downwards minimizing illumination of the night sky are encouraged. Adequate pedestrian-scaled lighting should be provided along pedestrian walkways.

7.16.8 Urban Design Guidelines

- a) The Town may adopt Urban Design Guidelines for various types and/or locations of *development* and may require that *development* applications have regard for such guidelines prior to granting *development* approvals.

SECTION 8 – IMPLEMENTATION

8.1 GENERAL

It is intended that the policies established by this Plan shall be implemented by the exercise of the powers conferred on the Municipality, Boards and Committees by Statute, most particularly the Planning Act and the Municipal Act.

Future decisions related to land use and *developments* within the Municipality made by Council and any other municipal authorities shall be guided by this Plan.

8.2 ZONING BY-LAW

- a) Following each five-year review and amendment of this Plan it is intended that the implementing Zoning By-law will be amended, or a new Zoning By-law will be enacted, in order to establish *development* standards and control growth within the Town in conformity with the policies of this Plan.
- b) Pursuant to the Planning Act, Council may refuse to consider requested amendments to the Zoning By-law made before the second anniversary of the day on which Council repeals and replaces all Zoning By-laws in effect in the Town and enacts a new comprehensive Zoning By-law.
- c) Notwithstanding clause (b) of this subsection, and pursuant to the Planning Act, Council may declare by resolution that specific requests for amendments to the Zoning By-law, a class of requests for amendments to the Zoning By-law, or that requests in general for amendments to the Zoning By-law will be considered by the Town.

8.3 SUBDIVISION CONTROL

In accordance with the Planning Act, all lands within Shelburne are subject to subdivision control and part-lot control.

8.3.1 Draft Plans of Subdivision

The Town may not approve a plan of subdivision if the subdivision:

- a) lands are not designated for the proposed use in the Official Plan and Council does not wish to amend the Plan to permit the *development*;
- b) is deemed to be premature or not in the best interest of the community;
- c) cannot be provided with adequate services and facilities set out in the Plan; or

- d) is deemed to impose a financial hardship on the Municipality.

8.3.2 Deeming By-laws

Existing registered plans of subdivision may be deemed not to be a plan of subdivision by by-law enacted by Council pursuant to the Planning Act. The use of deeming by-laws should generally be discouraged except where necessary to facilitate the assembly of land for *intensification* and redevelopment or in other circumstances that assist in achieving the targets and objectives of this Plan. When applications are made for the enactment of a deeming by-law, Council shall apply the criteria of this Plan in the same manner as they are applied to proposals for the creation of a new lot.

8.4 LAND DIVISION POLICIES

8.4.1 Authority

The land division policies this Plan apply to the division of land either by plan of subdivision or consent within Shelburne. The creation of lots can have a very significant and long term effect on a community. As such, these policies are to be utilized by any Board, Committee or Authority involved in the creation of new lots within the Town.

8.4.2 Land Division Method

The division of land within Shelburne shall occur by means of a plan of subdivision or consent application in accordance with the Planning Act. Prior to giving consideration to a consent application, the consent granting authority shall determine whether or not a plan of subdivision is necessary in the public interest and for the proper *development* of the subject lands.

As it is in the best interest of the community to create the majority of new lots by plan of subdivision, a plan will generally be required under the following circumstances:

- a) where more than two additional residential lots are created; or
- b) where a new road or an extension to an existing road is required.

8.2.3 Land Division by Consent

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

- a) that regard shall be given to the objectives of Section 3 of this Plan;
- b) that the severance will conform to Schedule 'A' and the appropriate land use policies in this Plan, and the provisions of the Zoning By-law; and

- c) that the severance will conform to the Land Division policies in this Plan.

8.2.4 General Land Division Policies

The following policies shall apply in assessing all plan of subdivision and consent applications for the lands shown on Schedule 'A'.

1. Lot Size

- a) The lot area and frontage of the proposed lot(s) and any retained lot(s) are to be adequate for the existing and the proposed uses and all lots shall comply with the provisions of the Zoning By-law. If a lot does not meet the requirements of the Zoning By-law, the Town will require as a condition of approval an application for Zoning By-law Amendment and the enactment of an amendment to the By-law to permit compliance or the approval of an application for a minor variance.
- b) The topography, soils and drainage of the lands must be satisfactory for the proposed size and use of the lots and must enable compliance with the requirements of the MOECC and the County.

2. Public Road Access & Improvements

- a) All lots must front onto and have access to an existing public road, or a new public road to be constructed as the case may be for a plan of subdivision, or a condominium road, built to the standards of the Town, the County and the MTO, as applicable. Lots shall not be created which would have access onto a public road where a traffic hazard would be created due to limited sight lines on curves or grades or where year round maintenance is not provided.
- i) Direct access from Arterial Roads shall be restricted in accordance with the Transportation policies of this Plan and the requirements of the Town, the County and the MTO, as applicable. Residential lots shall, where possible, have access only from Local Roads or Collector Roads. An entrance permit from the appropriate authority shall be obtained for access to the applicable road, where required by the Town, the County and/or the MTO.
- ii) No severance or plan of subdivision shall be approved which would create a landlocked parcel unless such parcel is approved subject to it merging with adjoining lands which front onto an open public road. All lots must front onto and have access to an open public road, or a new public road to be constructed within a plan of subdivision, or a condominium road,

which can meet the requirements of the Town, the County and the MTO, as applicable.

- iii) As a condition of approval, any road widenings and extensions to existing rights-of-way shall be provided when requested by the Town, the County or the MTO, as applicable.

3. Compatibility with Surrounding Area

- a) Consideration shall be given to the compatibility and suitability of the proposed use, lot size or type of structure with the surrounding uses, structures and lot sizes.

4. Natural Environment and Hazardous Lands and Sites

- a) Where a lot is proposed to be created which is partially designated Natural Environment, or that is within or adjoining *hazardous lands* or *hazardous sites*, sufficient lands must be available outside of this designated area to permit the construction of the building or structure. Lot creation, where permitted by the policies of this Plan, shall not further subdivide the Natural Heritage System or *hazardous lands* and sites into separate lots and shall, wherever possible, consolidate land that forms part of the Natural Heritage System including the natural heritage features and areas, related buffers and required access, into one or more larger lots or blocks separate from the area to be developed. The Town will encourage the acquisition, conservation and management of the Natural Heritage System by such means as conservation easements and conveyance to public ownership.

8.5 PARKLAND DEDICATION

- a) As a condition of *development*, a consent or plan of subdivision the Town shall require that as a condition of approval, land shall be conveyed to the Town suitable for park purposes pursuant to the Planning Act. All conveyances shall be made in accordance with the criteria and standards set out in the Town's Parks Master Plan at the following rates:
 - i) In the case of residential *development*, 5% of the lands or 1 hectare per 300 dwelling units, whichever is greater;
 - ii) in the case of industrial or commercial *development*, 2% of the lands; and,
 - iii) 5% of the lands in all other cases.

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- b) The Town may, in lieu of land dedication, require cash payment in lieu of the land conveyance otherwise required under the following circumstances:
 - i) Where the required land dedication fails to provide an area of suitable shape, size or location for *development* of public parkland. Generally a parcel of land may be considered to be of an unsuitable size if its area is less than 0.5 hectare.
 - ii) Where, using the guidelines established in the Parks Master Plan, it is determined that existing park facilities in the planning area are adequate to serve the projected increase in population.
 - c) For residential *development*, the amount of the payment in lieu of parkland required pursuant to this Plan and/or the Town's by-laws shall not exceed the value of the land otherwise required to be dedicated calculated at the rate of 5% of the land area or 1 hectare per 500 units, whichever is greater.
 - d) The determination of the value of the land shall be in accordance with the Planning Act. The amount of the payment shall be equal to the appraised value of the land as of the day before the day of the draft approval of a plan of subdivision or the giving of the consent application or the issuance of the building permit in the case of a *development* or redevelopment proposal. Such monies are to be paid into a special account and used for the acquisition, maintenance or improvement of lands or facilities for park purposes.
 - e) In accepting the land to be conveyed to the Municipality for park purposes, the Town shall require the following:
 - i) the lands are to be easily accessible to the public and as centrally located as possible to the proposed users;
 - ii) the lands are to be in a condition acceptable to the Municipality;
 - iii) lands containing an open *watercourse* or other hazard area will not necessarily be accepted as part of the required dedication under the Planning Act, RSO 1990. However, where lands accepted by the Town do contain an open *watercourse*, sufficient lands must be included to permit proper maintenance of the area;
 - iv) the lands should not be land locked but should be designed to meet the minimum requirements of the Zoning By-law; and
 - v) the lands are to be suitable for the *development* of an open space-recreational facility. Characteristics to be considered are that the site be level, and rectangular or square in shape for flexibility.

- f) The Town, where appropriate and in compliance with the Parkland Dedication policies of this Plan and the Parks Master Plan, may consider portions of protected natural areas for parkland dedication purposes where sufficient active parkland is provided for the neighbourhood and / or community and where the lands are of particular value, either because of their physical, or if appropriate social or environmental character, or because their location provides a link with other portions of the open space system, such as trails. The acceptance of woodlots and other natural areas, in specific circumstances, will encourage the protection of the natural amenity and allow for passive recreational use and educational opportunities.

8.6 PUBLIC WORKS AND MUNICIPAL BY-LAWS

8.6 as
modified by
the County of
Dufferin on
June 8, 2017

It is the intent of this Plan that future public works shall be undertaken and all by-laws enacted by the Municipality shall be in accordance with the policies established by this Plan and that no public works will be undertaken and no by-laws may be passed which would be in conflict with the policies of this Plan except in accordance with Section 24 of the Planning Act.

Further, nothing in this Plan shall be interpreted to mean that an undertaking, subject to the Environmental Assessment Act, may proceed except in compliance with that Act. The municipality will not give any license, permit or approval that may lead to the commencement of any such undertaking that is not approved or exempted under the Environmental Assessment Act.

The specific by-laws identified within this Plan are not intended to represent an inclusive list of all by-laws that may be contemplated and enacted by Council and this Plan shall not be interpreted to limit the number or title of by-laws that Council may enact. Council may enact other By-laws from time-to-time provided they conform to this Plan as indicated above.

8.7 DEVELOPMENT AGREEMENTS

In order to apply the most appropriate *development* standards, and ensure that the Town will not be left with the cost of *development*, the municipality may enter into agreements with private or public developers. The *development* agreement may contain provisions relating to any policy within this Plan in addition to the following:

- a) a description of the lands to which the agreement applies;
- b) the specifications to which the roads and *utilities* will be constructed;

- c) requirements regarding the submission of a stormwater management and drainage report;
- d) provisions for easements for hydro, telephone, and drainage;
- e) requirements regarding maintenance and guarantees;
- f) procedures regarding acceptance of works by the Municipality;
- g) requirements for the payment of *development* charges and municipal fees;
- h) requirements for deposits of cash, lands or letters of credit to guarantee completion of the project;
- i) insurance requirements;
- j) provisions for sidewalks, underground wiring and street lights;
- k) requirements regarding the issuing of building permits, e.g. the permits must be applied for within a certain time period from the date of signing the agreement; and
- l) any other items deemed necessary from time to time by Council.

It may be the policy of the Town that all matters relating to the proposed *development* must be resolved prior to the signing of the *development* agreement and the rezoning of the subject lands.

8.8 SITE PLAN CONTROL

8.8.1 Introduction

Section 41 of the Planning Act, enables a municipality to require as a condition of *development* or redevelopment, a parcel of land, the submission of a plan indicating the proposed location of buildings and structures on the property and the signing of a site plan agreement to ensure the property is developed in accordance with the approved site plan.

Through the utilization of site plan control, the Town will strive to ensure that *development* provides or contributes to the following benefits for the community:

- a) ensures the attractive design of the site to be developed and the utilization of consistent municipal standards to ensure the community would benefit aesthetically from such *development*.

- b) ensures the *development*, as approved by the Town is built and maintained in accordance with the plans and agreement as approved and signed by Council.
- c) minimizes any incompatibility between the existing land uses and the proposed *development*.
- d) ensures that both pedestrian and vehicular traffic can be handled safely and efficiently while on the site and when entering and leaving the site.
- e) ensures that all easements required for public *utilities*, drainage, water courses, etc. are conveyed to the proper authority.
- f) ensures proper grading of the site to control storm drainage.
- g) controls the location of buildings on the site which are in keeping with the size of the site and the surrounding *development*.
- h) ensures that location and design of facilities provided on site and in conjunction with buildings and structures have regard for accessibility for persons of all abilities and ages;
- i) promotes or requires the incorporation of *sustainable* design elements and landscaping.

8.8.2 Proposed Site Plan Control Area

In order that property owners are aware as to whether they may be affected by site plan control, the Planning Act requires that the Official Plan indicate those areas subject to site plan control. In accordance with Section 41 of the Planning Act the entire Town of Shelburne is designated as a proposed site plan control area. It is the intent of Council to pass a by-law setting out the actual uses which will be subject to site plan control, however, the following land uses will be excluded from site plan control:

- a) single and two unit dwellings
- b) accessory buildings to single and two unit dwellings
- c) in ground and above ground swimming pools accessory to single and two unit dwellings
- d) agricultural buildings which by their day to day use are not accessed by the general public and/or do not charge public user fees.

Council may require the submission of drawings showing plans, elevation and cross section views for each building to be erected within the area of site plan control within the Town as identified above and in accordance with Section 41 of the Planning Act.

8.8.3 Road Widenings

Section 41 of the Planning Act enables the Town and the County to acquire road widening in a site plan control area as a condition to the approval of plans and drawings, provided that the roads that may be widened and the extent of the widenings are described in the Official Plan. In accordance with Section 41 of the Planning Act the roads shown in Table 3, Road Widenings, in subsection 5.3.7 of this Plan are those roads for which widening may be taken under Section 41 of the Planning Act when applications are received for the *development* or redevelopment of lands for uses which are subject to site plan control.

8.9 SIGN BY-LAW

The Town may consider passing by-laws under the Municipal Act to regulate the size and location of signs.

8.10 CAPITAL IMPROVEMENT PROGRAM AND ASSET MANAGEMENT

- a) Council may undertake the preparation of a Capital Works Program in accordance with the policies of this Plan to provide for the phasing of *infrastructure* and *public service facilities* together with other programs which require public financing in order to assess major expenditures with regard to the Municipality's financial resources.
- b) The Town will coordinate planning for *infrastructure*, electricity generation facilities and transmission distribution systems, and *public service facilities* with land use planning so that they are financially viable over their life cycle, which may be demonstrated through asset management planning.
- c) Where opportunities exist, the Town will encourage the co-location of *public service facilities* into community hubs.

8.11 PROPERTY STANDARDS BY-LAW

The Town may prescribe maintenance standards and conditions of occupancy for all types of property through the enactment of a property standards by-law in accordance with the Building Code Act.

The Property Standards By-law shall have regard to and may include any or all of the following matters:

- a) the physical conditions of yards, walkways, fences and driveways;
- b) the facilities for sewage, drainage and garbage;
- c) the condition of all residential and non-residential buildings and structures particularly with respect to the following:
 - i) pest prevention;
 - ii) structural conditions;
 - iii) access;
 - iv) control of moisture;
 - v) ventilation and lights;
 - vi) conditions of walls, windows, ceilings and floors;
 - vii) conditions of cleanliness;
 - viii) kitchen and bathroom facilities;
 - ix) heating, plumbing and electrical services.

A Property Standards By-law shall be enforced and administered by a By-law Enforcement Officer as appointed by Council.

The By-law shall include provisions for the establishment of a property standards committee which shall hear appeals from property owners who are not satisfied with the terms or conditions of the order received from the By-law Enforcement Officer regarding violations to the standards.

8.12 FINANCIAL RESTRICTIONS

In order to maintain tax levies at a reasonable level, future *development* will be regulated to ensure that the level of expenditures and debt is kept at an equitable level with revenue and assessment. As such, Council may:

- a) limit residential growth if such *development* could cause a significant demand for a higher level of community services;

- b) postpone approval of a proposed *development* where large scale public works are required, until the Municipality is capable of financing such works without undue hardship being imposed upon the residents;
- c) require the submission of a Financial Impact Study to the satisfaction of Council prior to approval of a *development* application.

8.13 LAND ACQUISITION

The Town may consider acquiring land to implement any portion of this Plan in accordance with the provisions of the Planning Act, the Municipal Act, or any other Act.

8.14 TEMPORARY USE BY-LAWS

Where Council deems it desirable to permit the temporary use of lands which otherwise would not conform to the permitted uses in the Zoning By-law, it may in accordance with the Planning Act pass a temporary use by-law. Such by-law shall contain provisions indicating the permitted temporary use, the area to which it applies and the length of time that it will be a permitted use.

8.15 HERITAGE RESOURCES

Further to those measures outlined in Section 6 with respect to the Ontario Heritage Act, the Council may investigate and adopt other measures available for the implementation of heritage resource conservation policies. These shall include:

- a) measures pursuant to the Building Code Act and the Planning Act including a property standards by-law, demolition control areas, site plan control and subdivision agreements; and
- b) measures pursuant to the Municipal Act including sign by-laws, improvement area designation and tree preservation by-laws.

8.16 ENVIRONMENTAL MONITORING

The Town, in consultation with the NVCA, provincial ministries and other interested groups and organizations, will encourage the establishment of environmental monitoring programs in order to measure the effectiveness of the environmental policies of this Plan. A monitoring report should be prepared annually in support of the environmental monitoring program.

8.17 EXISTING LAND USES

- a) Certain uses of land which exist at the date of the adoption of this Plan may be deemed to conform with the intent of this Plan for the purpose of any Zoning By-Law. Such uses may be zoned specifically in accordance with their present use and performance standards, provided:
 - i) The zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
 - ii) They do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;
 - iii) They do not pollute air or water to the extent of interfering with the ordinary enjoyment of property; and
 - iv) They do not interfere with the desirable *development* or enjoyment of the adjacent area.
- b) Alternatively, such uses may be placed in a *development* zone in the Zoning By-law under which only the existing use is permitted. Any future change of use to one of compliance with this Plan may require the adoption by Council of an amendment to the Zoning By-law and the approval of the Ontario Municipal Board.
- c) In the event of the substantial or total destruction by fire of a building or use under this category, an amendment to the Zoning By-law may be required to be passed by Council and approved by the Ontario Municipal Board, if the proposed rebuilding does not conform with the provisions of the Implementing Zoning By-law.
- d) Any land use existing at the date of the approval of the Implementing Zoning By-law that does not conform with the land use designations shown on Schedules 'A', or 'B' to this Plan, should cease to exist in the long term. In special instances, however, it may be desirable to permit the extension or enlargement of the non-conforming use on the property owned on the above noted date, in order to prevent unnecessary hardship. Such extensions or enlargements will require the approval of the Committee of Adjustment.

8.18 HOLDING PROVISIONS

- a) A holding symbol may be used in conjunction with any land use zoning to specify the use to which lands, buildings or structures may be put at such time in the future when the symbol is removed by amendment to the Zoning By-law.

- b) Council may affix a holding symbol with the prefix “H” to any lands within the Town of Shelburne, and specify the future use of those lands that, at the present time, are considered premature or inappropriate for the *development*.
- c) A holding symbol may be used in a variety of situations and will require conditions to be met prior to the removal of the holding symbol.
- d) The Holding Symbol By-Law is to be amended by By-law to remove the symbol when all the requirements for removal as set out have been met.

8.19 INTERIM CONTROL BY-LAWS

- a) The Town may pass an interim control by-law in accordance with the Planning Act in order to restrict the use of land, buildings or structures within a defined area where circumstances warrant the review or study of land use policies.

8.20 DEMOLITION CONTROL

- a) The Town may enact a demolition control by-law to establish areas of demolition control in accordance with the Planning Act.

8.21 EMERGENCY PLAN

- a) The Emergency Plans Act provides for the formulation and implementation of emergency plans by municipalities. An Emergency Plan has been prepared for the Town of Shelburne to provide a guideline for the most effective response to an emergency situation and safeguard the health, safety, welfare and property of the Town’s population. The Emergency Plan will govern the provision of requested services during an emergency.

8.22 BONUSING

- a) *Development* standards may be incorporated into the Zoning By-law to permit increases in height and/or density of *development*, where such *development* provides public benefits above and beyond what would otherwise be required, including but not limited to:
 - i) public parking;
 - ii) affordable housing for a wide array of socio-economic groups;
 - iii) conservation and preservation of *cultural heritage resources*;

- iv) protection and/or enhancement of natural features and functions;
- v) community centres and/or facilities and improvements thereto;
- vi) parkland and improvements to parks;
- vii) day care centres;
- viii) public art;
- ix) integration of office uses in mixed use *developments*;
- x) green buildings; and,
- xi) other local improvements that contribute to achieving the objectives of Section 3 of this Plan.

8.23 COMMITTEE OF ADJUSTMENT

- a) The Town shall appoint a Committee of Adjustment to consider applications for consent and minor variance in accordance with the Planning Act.
- b) The Committee of Adjustment may grant minor variances to the Zoning By-law pursuant to the Planning Act and subject to information demonstrating that the Planning Act criteria are met.
- c) The Committee of Adjustment may impose conditions to the approval of minor variances to ensure the *development* is in keeping with the policies of this Plan. The conditions may include, but are not limited to, the requirement for a *development* agreement in accordance with the policies of this Plan.
- d) Council may, by by-law pursuant to the Planning Act, establish criteria which are required to be satisfied for the granting of minor variances.
- e) Pursuant to the Planning Act, the Town may refuse to consider requests for minor variances that are filed prior to the second anniversary of the day on which the Zoning By-law is amended in respect of the same land, building or structure as is the subject of the minor variance request.
- f) Notwithstanding clause (e) of this Subsection, and pursuant to the Planning Act, Council may declare by resolution that specific requests for minor variance to the Zoning By-law, a class of requests for minor variances to the Zoning By-law, or that requests in general for minor variances to the Zoning By-law will be considered by the Town.

8.24 DEVELOPMENT PERMITS

- a) The Town may, by by-law, designate one or more *development* permit areas within the Town pursuant to the provisions of the Planning Act, subject to compliance with applicable regulations, with the objectives of:
 - i) Preservation and improvement of the character of the affected and adjacent area(s);
 - ii) Protection of the natural environment;
 - iii) Promotion and rehabilitation of industrial properties; and
 - iv) Protection of heritage resources and landscapes.
- b) Council may delegate to Town staff the approval or issuance of *development* permits. Limits on and criteria for such delegation will be established in the Development Permit By-law.
- c) The Town may impose conditions permitted by Sections 34, 40, 41, 42 of the Planning Act and grant provisional approval prior to final approval of a *development* permit.
- d) As may be provided in the Development Permit By-law, a *development* permit may be issued to permit, as a discretionary use, any use not specifically listed as a permitted use in the Development Permit By-law, provided that the proposed use is similar to and *compatible* with the listed permitted uses, would have no *adverse effect* on adjoining properties, and would generally maintain the intent, principles and policies of this Official Plan. A *development* permit may also be issued to permit, as a discretionary use, an extension to a legal non-conforming use or change in use of a legal non-conforming use, provided that the proposal is desirable in order to avoid hardship, that it would have no *adverse effect* on adjoining properties, and that it would generally maintain the intent, principles and policies of this Official Plan.
- e) As may be provided in the Development Permit By-law, a *development* permit may be issued to permit variations to the standards and provisions outlined in the Development Permit By-law. Such variations will only be permitted if they are consistent with the policies of this Official Plan.
- f) Any proposal for a use which is not listed as a permitted use and which does not qualify as a discretionary use or a variation in accordance with these policies and the Development Permit By-law will require an amendment to the Development Permit By-law.

- g) The Development Permit By-law shall be developed and implemented in accordance with the requirements of the Planning Act.
- h) Prior to adopting a Development Permit By-law, an Official Plan Amendment is required in order to refine the Town's goals and objectives in proposing a *development* permit system for the area, the scope of any delegation of authority and limitations, the types of conditions that may be included in the Development Permit By-law, the types of criteria that may be included in the Development Permit By-law for evaluating discretionary uses and variations, or any other matters mandated by Ontario Regulation 608/06 or any other regulation adopted under the Planning Act.

8.25 PRE-APPLICATION CONSULTATION AND COMPLETE APPLICATION SUBMISSION REQUIREMENTS

- a) Consultation with the Town shall be required prior to the submission of an application requiring approval under the Planning Act. Other affected agencies such as the County, the MTO and the NVCA shall be encouraged to participate, where appropriate.
- b) The following information and materials shall be required to be submitted to fulfill the Town's requirements for a complete application:
 - i) The completed application form and prescribed fee(s) including a signed agreement acknowledging that the applicant shall be responsible for all costs of external consultants used by the Town in the review and processing of the *development* application;
 - ii) A description of the site and proposal including a map or drawings illustrating existing site conditions and the proposed *development*;
 - iii) A draft plan of subdivision, draft plan of condominium and/or site plan, as applicable;
 - iv) A planning report where required in accordance with the policies of this Plan;
 - v) Engineering submissions where required in accordance with the policies of this Plan and based on pre-application consultation with the Town, the County, the Province and the NVCA which may include a Master Environmental Servicing Plan (MESP), functional servicing report, grading and drainage plan, stormwater management report, hydrogeology and/or geotechnical study; hydraulic analysis for *flood plain* delineation; erosion and sediment control plan; noise and vibration study;

- vi) Urban design submissions where required in accordance with the policies of this Plan and as required based on pre-application consultation with the Town which may include an urban design brief, streetscape design study, shadow analysis, park/open space plan, building elevations, landscape plan;
 - vii) Environmental impact study where required in accordance with the policies of this Plan;
 - viii) Traffic impact study where required in accordance with the policies of this Plan;
 - ix) Market impact and/or financial impact studies where required in accordance with the policies of this Plan;
 - x) Heritage impact study and/or archaeological studies where required in accordance with the policies of this Plan;
 - xi) Written direction or notice from the RMO that the application may proceed, where required in accordance with the policies of this Plan;
 - xii) *Risk Management Plan* where required based on pre-application consultation with the *Risk Management Official* for *development* proposals within *designated vulnerable areas* that involve any of the uses or activities in accordance with the policies of this Plan;
 - xiii) Any additional information identified by the Town during the pre-application consultation process.
- c) Exceptions to the submission requirements and any additional requirements shall be determined and specified in writing by the Town during the pre-application consultation process.
 - d) All required reports and technical studies shall be prepared by qualified professionals and in accordance with Town standards.
 - e) The Town may require a peer review by an appropriate public agency or by a professional consultant retained by the Town at the applicant's expense.

8.26 PLANNING PROCESS AND PUBLIC ENGAGEMENT

- a) The Town will notify and consult with the public and agencies regarding planning matters in accordance with the Planning Act, and will consider comments received regarding planning matters to inform decision-making.

- b) The Town will circulate information regarding planning matters to municipal departments, boards and advisory committees to facilitate inter-departmental coordination and the integration the *development* review process and land use planning with public works, finance, transportation, *public service facilities, infrastructure*, transportation, economic development, heritage and other local municipal services and considerations.
- c) The Town will pursue the coordination of planning matters and address cross-jurisdictional matters in accordance with section 7.7 of this Plan.
- d) The Town will provide notice of its decisions regarding planning matters, including a brief explanation of the effect that written and oral submissions received by the Town had on the decision, in accordance with the Planning Act.
- e) The Town may appoint a planning advisory committee, pursuant to the Planning Act, to provide advice regarding the consideration of planning matters in the Town and to inform the Town's decision-making.

8.27 URBAN AREA EXPANSION

8.27 as added
by the County
of Dufferin on
June 8, 2017

- a) The Town intends that all land with the Town Boundary shown on the schedules to this Plan will be included within the *urban area* by future amendment(s) to this Plan and to the County Official Plan.
- b) *Urban area* expansion, or any alteration to the *urban area* boundary, will require an amendment to this Plan and the County Official Plan, and will only be considered at the time of a municipal comprehensive review and in accordance with the Shelburne Urban Settlement Area Expansion policies (s. 3.5.1.2) and the County Municipal Comprehensive Review policies (s. 3.5.1.1) of the County Official Plan, as it applies to the Town of Shelburne.

SECTION 9 – INTERPRETATION

The Official Plan must be read in its entirety. The policies in this Section provide guidance for the interpretation of the text and schedules of this Plan.

9.1 LAND USE BOUNDARIES AND NUMERICAL FIGURES

It is intended that the boundaries of the land use classifications shown on the Schedules be considered as approximate and absolute only where bounded by arterial or area services roads, railways, rivers or streams or other similar geographical barriers. It is also intended that the location of roads and trails indicated on the Schedules be considered as approximate and not absolute. Therefore, amendments to the Official Plan will not be required in order to make minor adjustments to the approximate land use boundaries or to the location of roads and trails, provided the general intent of the Plan is preserved. Such minor deviation will not be reflected on the Schedules. Similarly any numerical figures in the plan will be considered as approximate only and not absolute, except that certain figures and quantities in this Plan that are required by a Provincial policy and/or Provincial Plan shall not be varied without amendment to this Plan.

9.2 ACCESSORY USES

Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use be also permitted, provided they are in accordance with the Zoning By-law.

9.3 MINOR CHANGES

Changes to the text or schedules of this Plan to correct grammatical or reference errors, punctuation, or to alter formatting, numbering or sequencing may be made without a Plan amendment, provided the general intent of this Plan is maintained.

9.4 REFERENCES TO LEGISLATION

Where reference is made to any Act or portion thereof, it is intended that any subsequent amendments or replacements to the Act shall be included in the Plan.

9.5 CONFLICT

In the event of a conflict between this Plan and a Provincial Plan, the applicable Provincial Plan shall prevail.

9.6 GLOSSARY

9.6 as modified
by the County
of Dufferin on
June 8, 2017

Note: Italicized terms that are used in this Official Plan but are not defined below shall have the same meaning as defined by the Province in the Provincial Policy Statement (PPS) or a Provincial Plan.

Built-up area means all land within the *built boundary*.

Built boundary means the limits of the developed *urban area* as identified in the Provincial paper, *Built Boundary for the Growth Plan for the Greater Golden Horseshoe*, 2006 (2008).

Climate change is a change in the average weather that a given region experiences. Average weather includes all the features associated with weather such as temperature, wind patterns and precipitation. On a global scale, *climate change* refers to changes in the climate of the earth as a whole.

Compact urban form or compact development means a land use pattern that encourages efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and institutional all within one neighbourhood), proximity to transit and reduced need for *infrastructure*. *Compact urban form* can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial *developments*, and apartments or offices above retail.

Compatible means the *development* or redevelopment of uses which may not necessarily be the same as, or similar to, the existing *development*, but can coexist with the surrounding area without *adverse effects*.

Complete community means a community that meets people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and community *infrastructure* including affordable housing, schools, recreation and open space for their residents. Convenient access to active transportation including options for safe, non-motorized travel is also provided.

Cultural heritage resources include buildings, structures and properties designated or listed under the Ontario Heritage Act, significant built heritage resources, and significant cultural heritage landscapes as defined and interpreted by the applicable Provincial Policy Statement.

Designated vulnerable areas means areas defined as such in the Provincial Policy Statement and applicable Source Protection Plan, including *Wellhead Protection Areas*

(WHPAs), *Highly Vulnerable Aquifers* and *Significant Groundwater Recharge Areas*, as shown on Schedule 'F'.

Development means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include activities that create or maintain *infrastructure* authorized under an environmental assessment process or works subject to the Drainage Act. For the purposes of subsection 8.8 and all references to site plan control in this Plan, the meaning of *development* shall be as defined in Section 41 of the Planning Act. All references to *development* in this Plan shall include *site alteration*, except where the applicable policy or context requires otherwise.

Ecological footprint is a measure of the demands humans place on nature. It measures what humans consume from nature, for individuals, organizations, cities, regions, nations or humanity as a whole. It shows how much biologically productive land and water is occupied to produce all the resources consumed and to absorb waste.

Employment areas means areas designated in the Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. For the purposes of subsection 4.5.3.4 of this Plan, *employment areas* shall mean land designated as Employment on Schedule 'A'.

Erosion hazard means the loss of land, due to human or natural processes, that poses a threat to life and property, and the *erosion hazard* limit is determined using considerations that include:

- a) the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time space), an area defined along a watercourse;
- b) an allowance for slope stability; and,
- c) an erosion/erosion access allowance.

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

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

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

Flooding hazard means the inundation of areas not ordinarily covered by water along river, stream and small inland lake systems, and the *flooding hazard* limit is the greater of the flood resulting from:

- the rainfall actually experienced during a major storm such as the Hurricane Hazel (1954) or the Timmins Storm (1961), transposed over a specific watershed and combined with the local conditions,
- The one hundred year flood, and
- A flood which is greater than either of the above and which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry (MNRF), except where the use of the one hundred year flood or the actually experienced event has been approved by the MNRF as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard). The *flooding hazard* limit will be defined on a site-by-site basis in consultation with the NVCA.

Floodway means, for river, stream and small inland lake systems, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*. Where the two zone concept is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the *flood plain* is called the *flood fringe*.

Greater Golden Horseshoe means the geographic area designated as the *Greater Golden Horseshoe growth plan* area in Ontario regulation 416/05.

Greenfield or greenfield area means the area within a settlement area that is not *built-up area*.

Gross Residential Density means the density of a proposed residential *development* calculated as the number of residential dwelling units proposed divided by the total gross land area involved in the *development*, including all local roads, parkland, natural environment areas and hazard land, and expressed in units per hectare. In mixed use *developments*, the area of land reserved exclusively for non-residential uses shall be excluded from the calculation.

Group home means a single housekeeping unit in a residential dwelling in which residents (excluding staff or the receiving owners/occupants) live under responsible supervision consistent with the requirements of its residents. The home is licensed or

approved under Provincial statute and in compliance with municipal by-laws and the Ontario Building, Fire and Electrical Safety Codes.

Growth Plan means the *Growth Plan* for the *Greater Golden Horseshoe*, 2006.

Hazardous lands means property or lands that could be unsafe for development due to naturally occurring processes along river, stream and inland lake systems, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limit.

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

Headwater means the source of a *watercourse*.

Highly Vulnerable Aquifer (HVA) means an aquifer that can be easily changed or affected by contamination from both human activities and natural processes as a result of (a) its intrinsic susceptibility, as a function of the thickness and permeability of overlaying layers, or (b) a preferential pathways to the aquifer.

Infrastructure means sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Intensification means the *development* of a property, site or area at a higher density than currently exists through redevelopment, the *development* of vacant and/or underutilized lots within previously developed areas, infill *development* or the expansion or conversion of existing buildings.

Low Impact Development (LID) means a stormwater management strategy that seeks to mitigate the impacts of increased runoff and stormwater pollution by managing runoff as close to its source as possible. *LID* comprises a set of site design strategies that minimize runoff and distributed, small-scale structural practices that mimic natural or pre-development hydrology through the processes of infiltration, evapotranspiration, harvesting, filtration and detention of stormwater. These practices can effectively remove nutrients, pathogens and metals from runoff, and they reduce the volume and intensity of stormwater flows.

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

social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include infrastructure.

Risk Assessment Study means a study completed by a qualified person that examines the relevant hydrologic pathways and qualitatively evaluates the level of risk associated with a land use or activity that may pose a threat to the quantity or quality of a municipal drinking water supply.

Risk Management Official means a qualified person appointed by the Town of Shelburne who is responsible for preparing, negotiating, and establishing Risk Management Plans and evaluating risk assessments under Part IV of the Clean Water Act, 2006.

Risk Management Plan means a site-specific document, approved by a *Risk Management Official*, that outlines actions required to address and mitigate existing *significant drinking water threats*, and should include and account for risk management measures that are already in place.

Significant Drinking Water Threat means an existing activity, possible future activity, or existing condition that results from a past activity that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, or that results in or has the potential to result in the raw water supply of an existing or planned drinking water system failing to meet any standards prescribed by the applicable provincial regulations the respecting the quality or quantity of water.

Significant Groundwater Recharge Areas (SGRAs) means the area where an aquifer is replenished from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, stream and wetlands, or from human intervention, such as the use of storm water management systems, including *Low Impact Development (LID)* design techniques.

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

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

Sustainability or **Sustainable** means *development* that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Time of travel means estimate of the time required for a particle of water to move in the saturated zone from a specific point in an aquifer into the well. *Wellhead Protection Areas* are divided into *time of travel* capture zones.

Urban agriculture means gardening and food production within the *urban area* as an accessory use to a permitted land use and that is *compatible* with adjacent land uses.

Urban area means the land within the *Urban Boundary* as shown on Schedule 'A'.

Urban boundary means the boundary of the land area within the Town intended for urban land uses in accordance with the policies of this Plan.

Utilities include power, communications/telecommunications and other cable services, as well as gas and district energy services.

Watercourse means an identifiable depression in the ground in which a flow of water regularly or continuously occurs.

Wellhead means the location of an operating municipal well that provides water to a public water supply system.

Wellhead Protection Area (WHPA) means the surfaces and subsurface area surrounding a water well or well field that supplies a municipal drinking water system or other designated system through which contaminants are reasonably likely to move so as eventually to reach the water well or well field, which are mapped as capture zones around wells where land uses must be regulated in order to protect the quality and quantity of the municipality's water supply in accordance with the Clean Water Act, 2006, the South Georgian Bay Lake Simcoe Source Protection Plan (2015) and the supporting Source Protection Assessment Reports. Schedule 'F' of this Plan illustrates the mapping of the two, five, ten and twenty-five year *time of travel* capture zones (WHPA categories A, B, C, and D) surrounding each municipal drinking-water supply well, as follows:

- **Wellhead Protection Area WHPA-A** - 100 metre Fixed Radius Area Capture Zone - The area centered on the well with an outer boundary identified by a radius of 100 metres.
- **Wellhead Protection Area WHPA-B** - 2 Year Capture Zone - The area within which the *time of travel* to the well is less than or equal to two years.
- **Wellhead Protection Area WHPA-C** – 10 Year Capture Zone – The area within which the *time of travel* to the well is less than or equal to ten years.

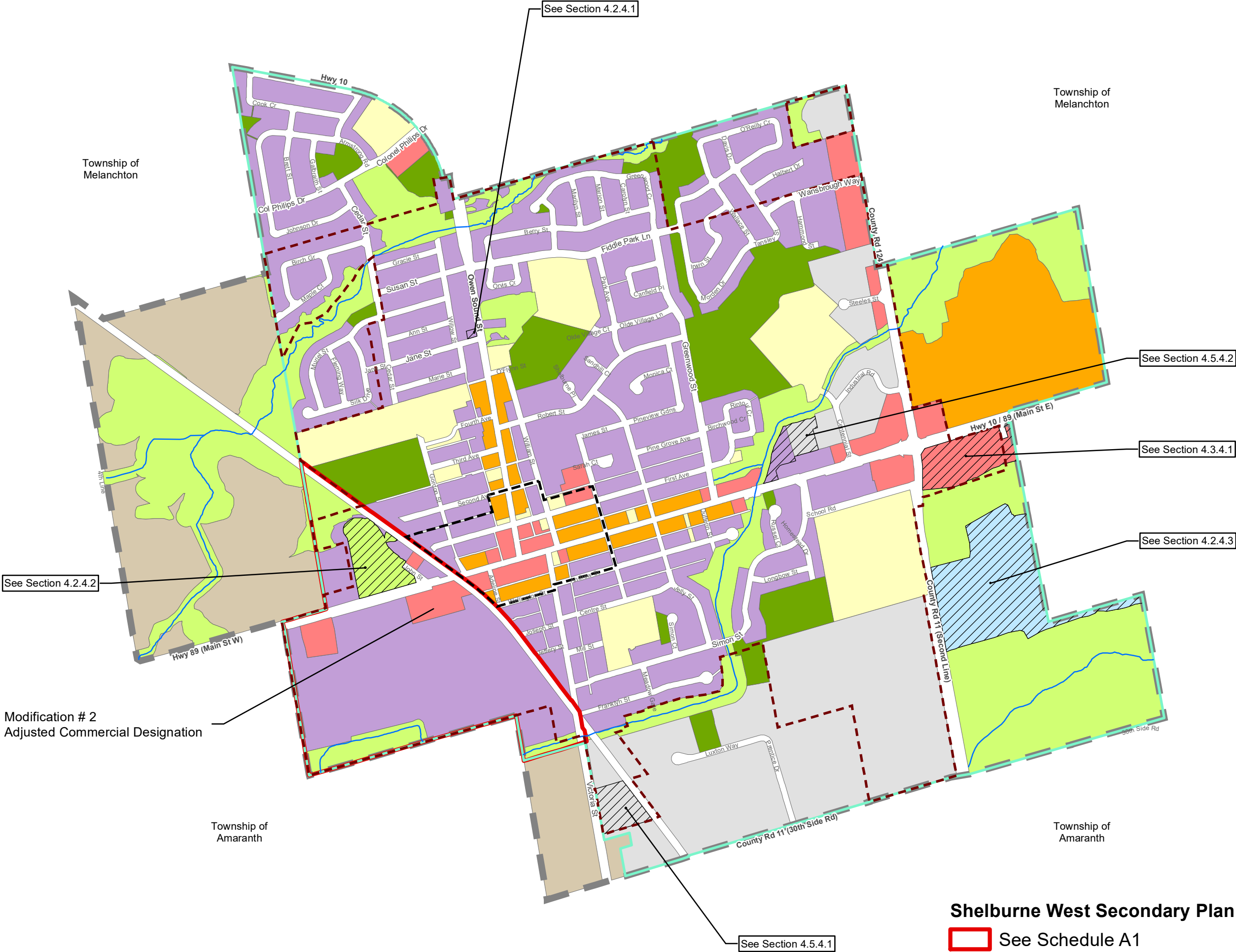
- **Wellhead Protection Area WHPA-D** - 10 Year to 25 Year Capture Zone - The area within which the *time of travel* to the well is less than or equal to twenty-five years but greater than ten years.
- **Wellhead Protection Area WHPA-E** – The vulnerable area for ground groundwater supplies which are under the direct influence of groundwater. The area is calculated on a two hour travel time for surface water to the municipal well.

These capture zones reflect the length of time water within the zone will take to reach the municipal drinking water supply. The size and shape of the capture zones are influenced by many factors including the well pumping rate, the topography of the land, the nature of the subsurface materials, and the rate and direction of groundwater or water flow.

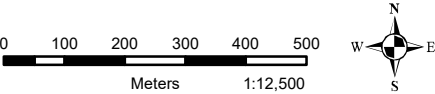
TOWN OF SHELBURNE
OFFICIAL PLAN

SCHEDULE 'A'

LAND USE PLAN



- Land Use Designations**
- Residential
 - Commercial
 - Mixed Use
 - Employment
 - Institutional
 - Open Space Recreation
 - Natural Environment
 - Non Urban
 - Special Tourism
 - Policy Exception Areas
- Urban Structure Boundaries**
- Downtown Core
 - Built Boundary
 - Urban Area
 - Town Boundary
- Base Features**
- Watercourses
 - Streets, Lanes, and Corridors



This map only provides graphical illustrations and data for planning purposes. Legal property data and descriptions, detailed engineering data, CAD drawings and other data should be used when greater accuracy is required for design or other purposes.

Restrictions under the Municipal Freedom of Information and Protection Privacy Act, RSO 1990, M56, Part II, may apply if your municipality is contemplating the release of data collected. Please consult with your lawyer for advice.

License agreements may apply to this data and license agreements should be referenced for terms and conditions on its use if the municipality is contemplating provisions of copies or use of the data by unlicensed parties.

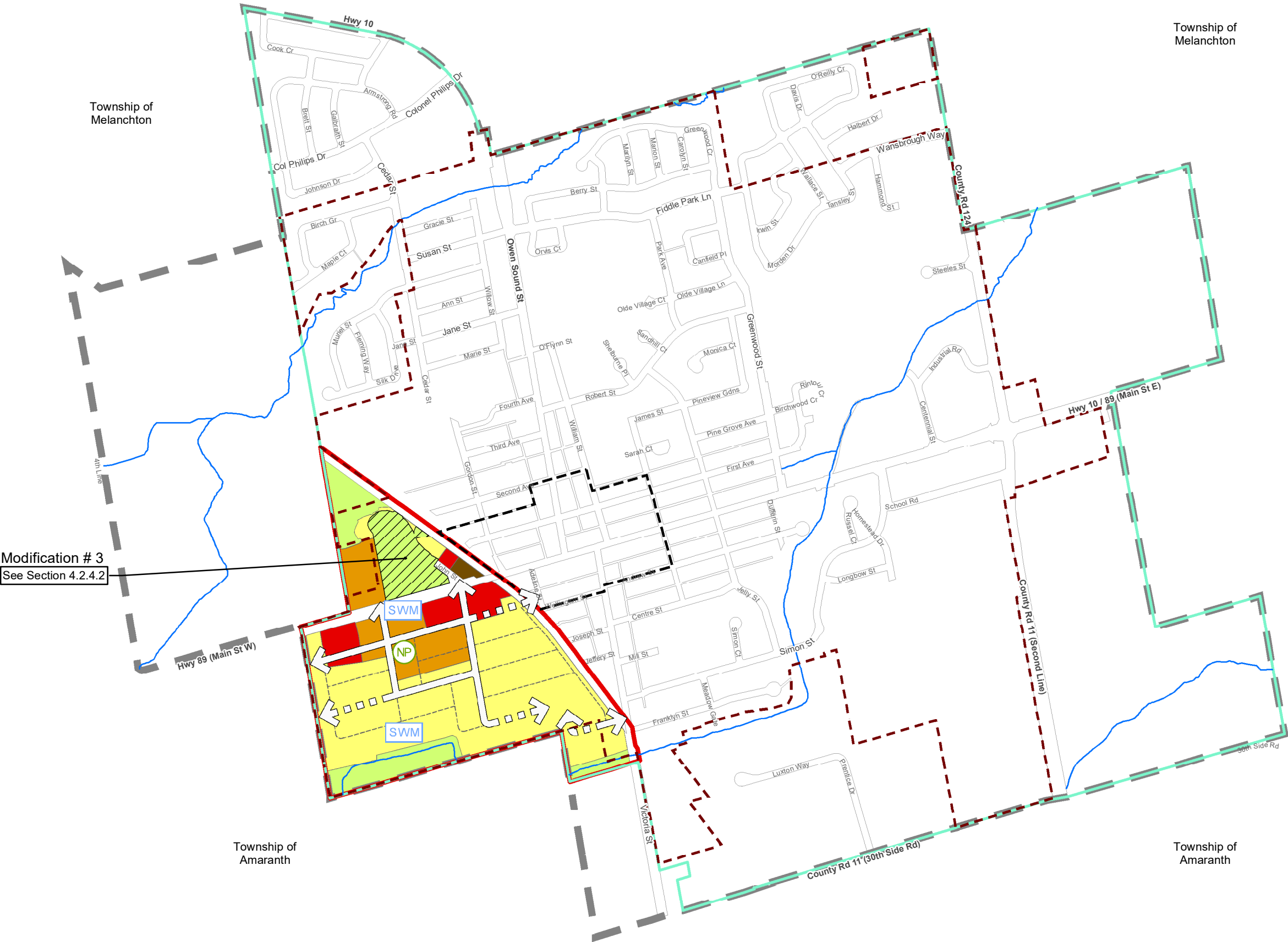
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TOWN OF SHELBURNE
OFFICIAL PLAN

SCHEDULE 'A1'

SHELBURNE WEST
SECONDARY PLAN



Land Use Designations

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Community Commercial
- Mixed Use - Commercial / Employment / Institutional
- Employment
- Institutional
- Natural Environment
- Policy Exception
- Potential Neighbourhood Park Locations
- Potential SWM Facility Locations

Transportation

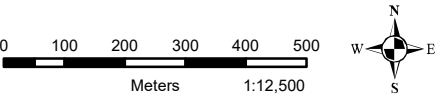
- Existing Trails
- Future Collector Street
- Future Local Street

Urban Structure Boundaries

- Downtown Core
- Built Boundary
- Urban
- Town Boundary

Base Features

- Watercourses
- Streets, Lanes, and Corridors



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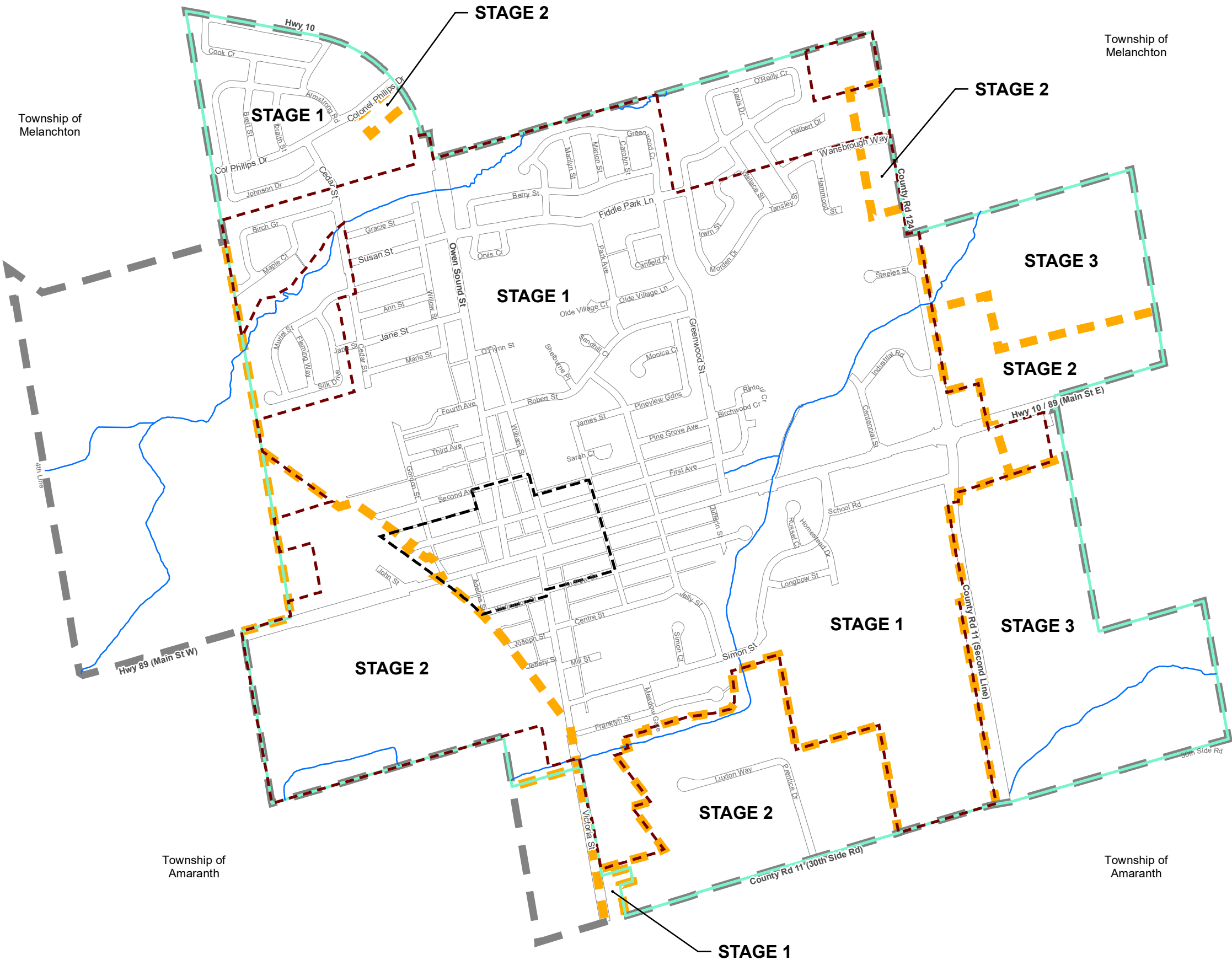
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Shelburne West Secondary Plan

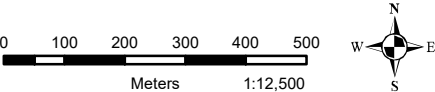
TOWN OF SHELBURNE
OFFICIAL PLAN

SCHEDULE 'B1'

DEVELOPMENT
STAGING PLAN



- Development Staging**
- Staging Boundary
- Urban Structure Boundaries**
- Downtown Core
 - Built Boundary
 - Urban Area
 - Town Boundary
- Base Features**
- Watercourses
 - Streets, Lanes, and Corridors



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TOWN OF SHELBURNE
OFFICIAL PLAN

SCHEDULE 'B2'

RESIDENTIAL DENSITY,
MIXED USE, AND
COMMERCIAL
STRUCTURE PLAN

Residential Density Designations

- High Density
- Medium Density
- Low Density

Commercial Area Designations

- Commercial Core
- Community Commercial
- Arterial Commercial

Mixed Use Area Designations

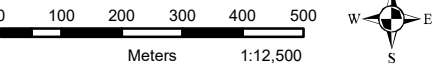
- Downtown Mixed Use
- Mixed Use Corridor
- Mixed Use Centre
- Policy Exception Areas

Urban Structure Boundaries

- Downtown Core
- Built Boundary
- Urban Area
- Town Boundary

Base Features

- Watercourses
- Streets, Lanes, and Corridors



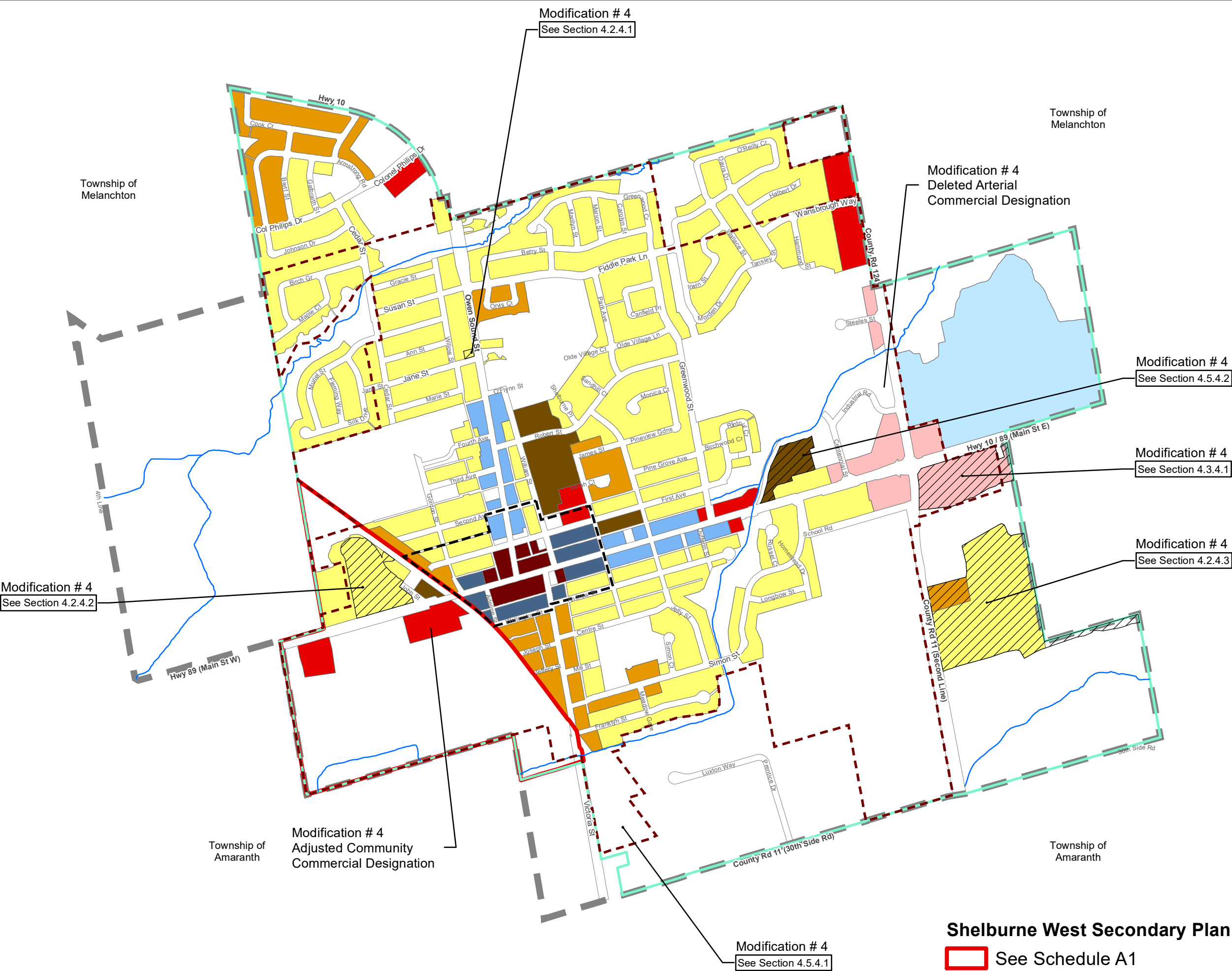
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Shelburne West Secondary Plan

See Schedule A1

TOWN OF SHELBURNE
OFFICIAL PLAN

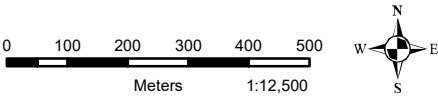
SCHEDULE 'C1'

TRANSPORTATION PLAN



Shelburne West Secondary Plan
See Schedule A1

- Roads**
- Arterial
 - Connecting Links
 - MTO Permit Control Area
 - Collector
 - Future Collector
 - Local
 - Future Local
 - Municipal Lanes
- Urban Structure Boundaries**
- Town Boundary



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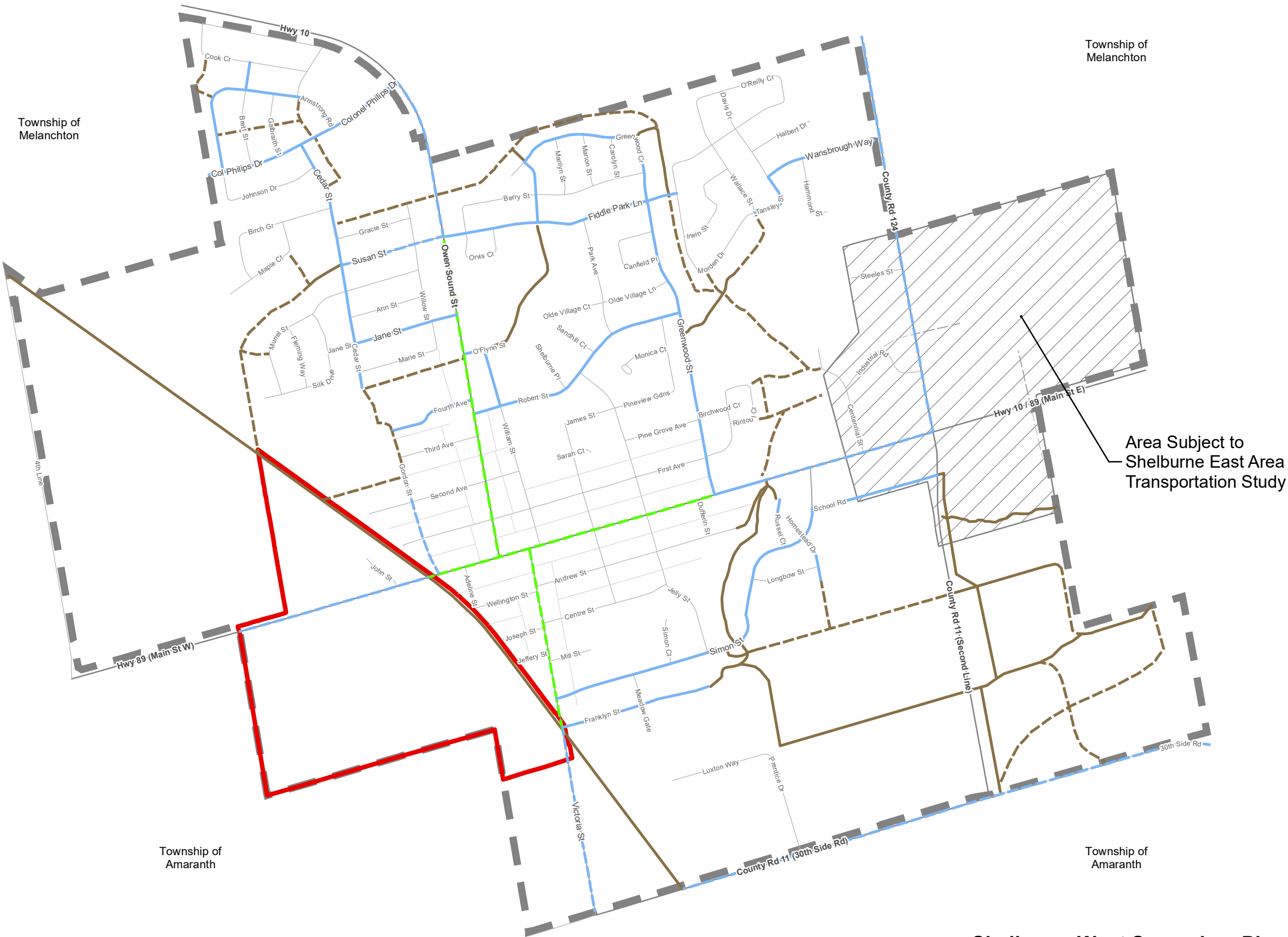
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TOWN OF SHELBURNE
OFFICIAL PLAN

SCHEDULE 'C2'
ACTIVE
TRANSPORTATION PLAN



Shelburne West Secondary Plan

See Schedule A1

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
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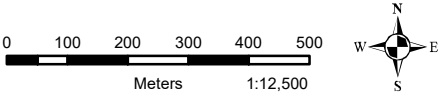
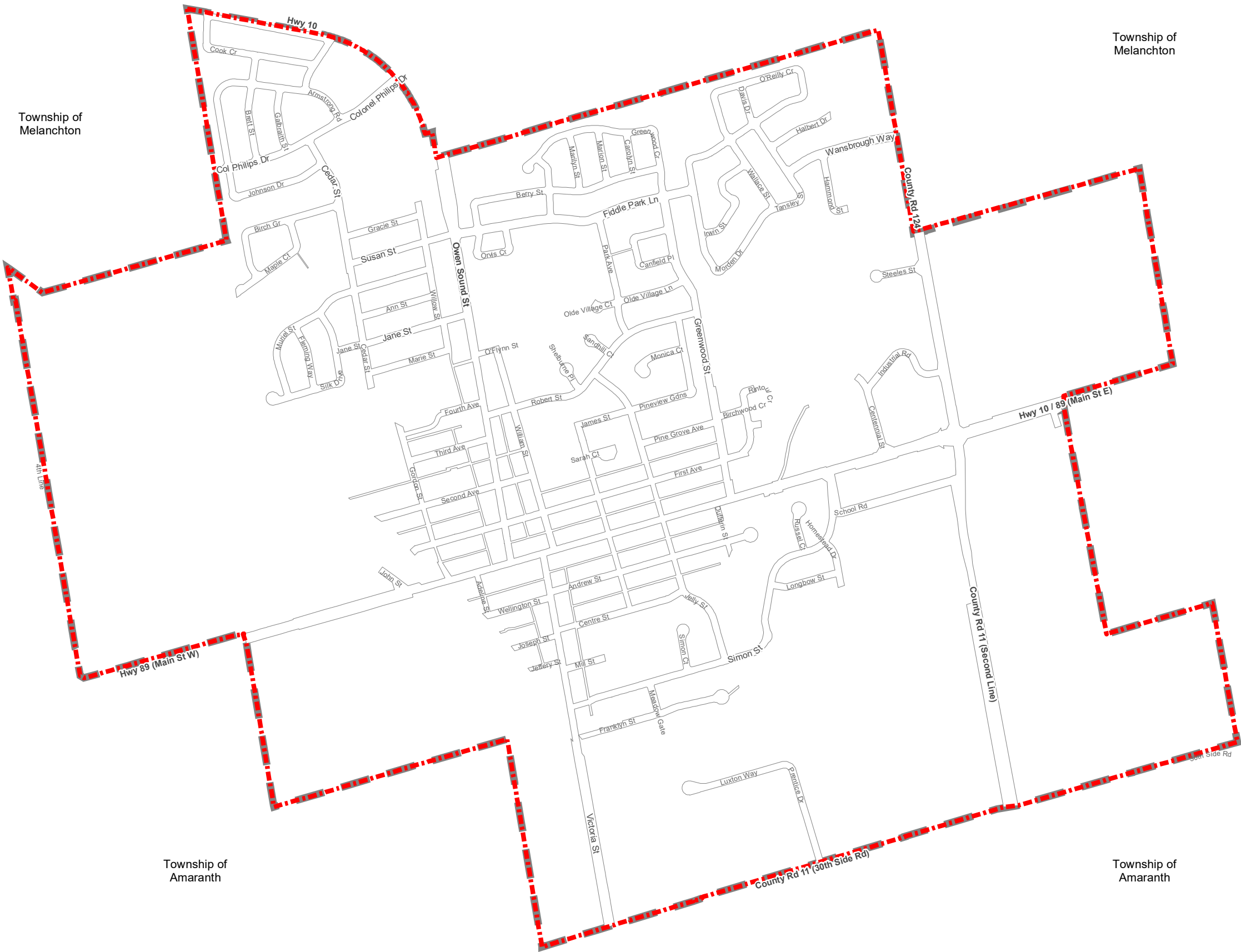
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TOWN OF SHELBURNE
OFFICIAL PLAN

SCHEDULE 'D'

COMMUNITY
IMPROVEMENT AREA

-  Community Improvement Area
-  Streets, Lanes, and Corridors



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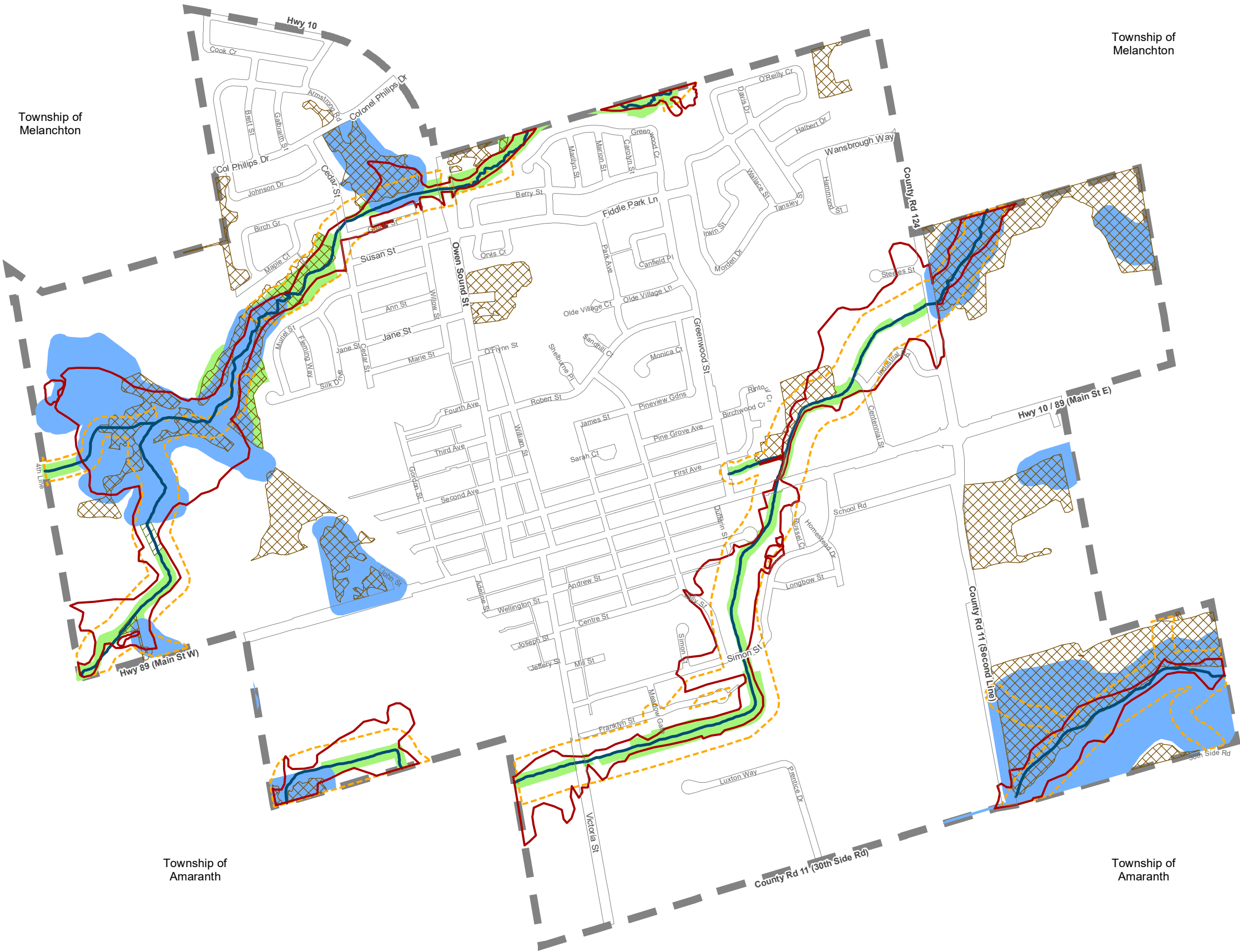
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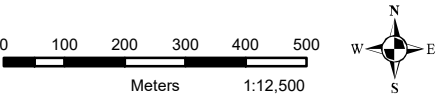
TOWN OF SHELBURNE
OFFICIAL PLAN

SCHEDULE 'E'

NATURAL HERITAGE
SYSTEM AND
NATURAL HAZARDS



- Natural Heritage System Designations**
- Woodlands
 - Wetlands
 - Valleylands
 - Linkages
 - Fish Habitat
- Natural Hazard Boundaries**
- Flooding Hazard Limit
 - Erosion Hazard Limit
- Urban Structure Boundaries**
- Town Boundary
 - Streets, Lanes, and Corridors



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TOWN OF SHELBURNE
OFFICIAL PLAN

SCHEDULE 'F'

SOURCE WATER
PROTECTION
DESIGNATED
VULNERABLE AREAS

Wellhead Protection Areas

- WHPA - A
- WHPA - B
- WHPA - C
- WHPA - D
- WHPA - E

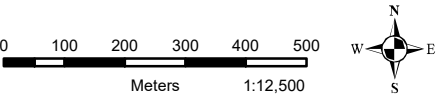
WHPA Vulnerability Scores

- 2
- 4
- 6
- 8
- 10

- Municipal Wells
- Highly Vulnerable
- Significant Groundwater Recharge Areas

Urban Structure Boundaries

- Town Boundary
- Streets, Lanes, and Corridors



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