

# Springwater Official Plan

## Section 3 – General Development Policies

- 3.1. It shall be a policy of this Plan to encourage orderly development in the appropriate areas of the Township as established by this Plan. No public work will be undertaken which does not comply with the provisions of this Plan, nor shall public works be undertaken to facilitate development which does not comply with this Plan, except as may be provided for under The Planning Act. All opportunities to use, expand or upgrade existing infrastructure and public facilities to accommodate growth will be evaluated and, where practicable, utilized before developing new infrastructure and public facilities.
- 3.2. Prior to the consideration of any development proposal, Council may undertake or direct to be undertaken, planning studies to ensure that the objectives of this Plan are met. Such studies may include the ecological, social and economic impact on residents of the Township, **natural resource impacts including stormwater management, [Mod. # 2 - Jan. 28/98]** delineation of internal road patterns, distribution of housing types, location of schools including capacity of schools and ability to accommodate additional pupils, parks, and other community uses, shopping facilities, pedestrian walkways, buffer strips, noise implications, consideration of urban and landscape design concepts; and effect on the municipal tax base.
- 3.3. Throughout the Planning Area, the adequacy of individual or piped water supply and sewage disposal facilities shall be subject to approval of the appropriate agency having jurisdiction.
- 3.4. The Township shall control and guide development so as to support and encourage the preservation and use of agricultural land **and to this end the Township shall apply the Provincial Minimum Distance Separation Formula to any development that proceeds in designations where agriculture is a permitted use. [Mod. # 3 - Jan 28/98]**
- 3.5. The Township, public authorities and private individuals will be encouraged to develop open space areas as parks and recreational areas. Environmentally *significant* **[Mod. #4 - Jan. 28/98]** lands will be protected from undesirable and damaging forms of development.
- 3.6. The straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse and the construction of any building or structure in or on a pond or swamp or any area susceptible to flooding, shall not be permitted in an area over which the Conservation Authority has jurisdiction except with written approval of the Authority. **Where such activities create environmental impacts, other legislation such as the Environmental Protection Act, or its successor, may apply. [Mod. # 5**

- **Jan. 28/98]** Fill Regulations prohibit the placing or dumping of fill of any kind, in any defined part of the area over which the Conservation Authority has jurisdiction, unless authorized by the Conservation Authority. These policies only encompass the lands within the jurisdiction of the Conservation Authority.
- 3.7. No new buildings or structures shall be permitted to locate in close proximity to either side of a natural or a municipal drainage course. The development setback distance may be determined on site in consultation with the appropriate regulatory agencies and/or a qualified professional. The intent of this restriction is to protect the stream system by providing a buffering capacity, to reduce the potential for increased flooding and erosion, and to allow for regular and unimpaired maintenance of the drainage course.
- 3.8. It shall be a policy of this plan to minimize direct vehicular access to all provincial highways and arterial roads, in order to maintain the safety and efficiency of these roads. Ribbon development on these roads shall be discouraged.
- 3.9. Council will actively co-operate with the appropriate education authority in the planning of school facilities for residents of the planning area, and in the evaluation of existing educational facilities and services, to serve new and existing development.
- 3.10. Lots for residential use shall only be permitted in rural areas subject to the policies for consents and conveyances specified in this Plan and to the minimum lot requirements as stated herein. New residential development shall be encouraged to locate on an infilling basis in present urban and rural settlement areas and infilling areas as designated in this Plan provided that **appropriate type and level of servicing is available, and in the case of private servicing that [Mod. #6 - Jan. 28/98]** the soil conditions are suitable for the proper disposal of sewage effluent by individual septic tank systems in the opinion of the appropriate agency having jurisdiction.
- 3.11. The existing amenities and environment of the urban settlement areas will be maintained and enhanced. Growth in the urban settlement areas will be premised on this policy.
- 3.12. Growth in urban settlement areas shall be encouraged to proceed in depth away from highways and arterial roads in order that these roads retain their efficiency as highways. This will allow for the freer movement of vehicular traffic and provide for greater safety and convenience for the community inhabitants.

- 3.13. Development in the urban settlement areas will be subject to the provision of appropriate sewage disposal methods and the availability of an adequate water supply of good quality.
- 3.14. Commercial development shall generally be directed to urban settlement and rural settlement areas as identified in this Plan. This Plan will also provide for other commercial uses such as Tourist and Recreational, Highway and General Commercial.
- 3.15. The Township encourages the creation of a business park in the vicinity of Highways 400, Penetanguishene Road (Hwy. 93) and Flos Road Four East.
- 3.16. Industrial uses shall generally be limited to locations adjacent to urban settlement areas providing such uses are not incompatible with existing residential uses. Incompatible industrial uses such as mineral extractive operations, intensive agricultural oriented industries and waste disposal sites shall be prevented from locating in the vicinity of urban settlement areas and built-up areas.
- 3.17. No new residential use should be allowed to locate in close proximity to the licensed area of an existing industrial extractive operation where sand and gravel are being extracted and setbacks should be further increased where a quarry operation has been established. Setbacks for other uses may be established in the implementing zoning by-law. Further to the above, consents for the creation of new lots in close proximity to extractive operations should be discouraged.
- 3.18. Wayside pits and quarries are permitted in the Township without amendment to this Plan or the Zoning By-Law. The establishment of such operations will be discouraged in areas zoned for residential purposes or in areas where severe environmental disruption may occur.
- 3.19. It shall be a policy of Council to ensure whenever possible, that the existing landscape amenities are preserved and enhanced. In this regard, the municipality shall consider enactment of a by-law or by-laws under the appropriate legislation, to regulate the size, type and location of signs.
- 3.20. The removal of topsoil shall be controlled and generally prohibited through the use of appropriate by-laws.
- 3.21. No development shall be allowed in the Township which would place an undue burden on the financial resources of the Township. A desirable balance of residential, commercial, industrial and farm assessment shall be sought to maintain a good financial position for the Township. Development which would require the expenditure of large amounts of public money on facilities such as roads, water, sewer facilities, etc. shall be discouraged.

Development should occur in such a manner as to minimize such municipal expenditures.

- 3.22. All existing electric power facilities and the development of any new electric power facilities, including all works as defined in the Power Corporation Act, such as transmission lines, transformer stations and distribution stations, shall be permitted in any land use designation, provided that such development satisfies the provisions of the Environmental Assessment Act, or its successor, including regulations made under the Act, and any other relevant statute. Setbacks for residential uses from transformer stations and major installations may be implemented in the zoning by-law to ensure a reasonable distance separation between these types of uses.
- 3.23. Council shall endeavour to ensure that all land use planning decisions have regard for the conservation of significant built heritage features, cultural heritage landscapes and archaeological resources.
- 3.24. Council shall endeavour to ensure that significant cultural heritage resources identified in the Township are managed in a manner which perpetuates their functional and wise use, while maintaining their heritage value and benefit to the community.
- 3.25. It shall be a policy of Council to permit the establishment of group homes within the corporate limits of the Township. Council shall establish, through the zoning bylaw, an appropriate definition for group home, the appropriate zones in which group homes may be permitted, the number of persons who may reside in a group home, the minimum separation distance between group homes and such other matters as may be deemed appropriate.
- 3.26. Except as may be otherwise specifically stated in this Plan, it shall be a policy of this plan to permit the use of any land, building or structure, for the purposes of public service by any public utility, any telephone or telegraph company, any natural gas, hydro-electric transmission or distribution company, any conservation authority established by the Government of Ontario, any Department or Ministry of the Government of Ontario or of Canada. Such uses may be subject to the provisions of the implementing zoning by-law. All permanent structures and excavations must be located at least 10 metres (30 feet) from the limits of the natural gas pipeline as indicated on Schedule A-3 unless otherwise permitted by the pipeline owner. Furthermore, excavation using power operated equipment or explosives within 30 metres (98 feet) of the pipeline must obtain leave from the National Energy Board before starting any work. All crossings of natural gas pipelines must obtain appropriate authorization and approval together with any required agreements. The placement of cable lines and communication towers is also permitted.

- 3.27. Council shall review the policies of this plan as required to ensure that land use control decisions made by the Township continue to conform with the intent and policies of the Plan. In addition, a review of the Plan, in accordance with the Planning Act, shall from time to time and not less frequently than every five years, be undertaken by the holding of a special public meeting for the purpose of determining the need to make changes to the Plan. In order to provide a frame of reference in time for the recommendations of this plan, a planning period terminating in 2016 has been chosen,
- 3.28. Council shall ensure in considering any proposed amendments to this Plan that the applicant provide a statement detailing the impact of such an amendment on all related policies in this Plan.
- 3.29. It shall be a policy of this Plan to restrict new non-farm development within a reasonable distance of any boundary of the City of Barrie and the Town of Wasaga Beach. The purpose of this policy is to maintain a clear separation between rural and urban land uses and to prevent urban sprawl adjacent to these urban areas. The policies of Section 24.4, Green Belt Policies shall apply. **[Appealed to OMB by Wismer, appeal denied Order #2575 -14 Oct. 98]**
- 3.30. New residential, recreational, commercial, industrial and institutional development outside of settlement areas should not be permitted in identified significant natural heritage areas, on prime agricultural lands, and mineral aggregate resource lands.
- 3.31. Where development is proposed outside the urban and rural settlement areas, the following studies should be provided by the applicant: **[Section was appealed to the OMB by Chase and withdrawn on Oct. 22/98]**
- 3.31.1. **Justification Studies**
- 3.31.2. As a result of the Township's Growth Management Strategy, the following policies have been formulated:
- 3.31.3. Development should be directed to urban settlement areas and away from *significant* **[Mod. #7 - Jan. 28/98]** environmental features and natural resource lands, and hazardous lands adjacent to lakes, rivers and creeks.
- 3.31.4. Council will consider, but is not obligated to approve development proposed in any justification study. A justification study shall generally not be required for consents for conveyance, minor variances or minor applications which are site specific and encompass a small parcel of land which is less than 1 hectare.
- 3.31.5. The justification study shall include the following:

- 3.31.5.1. A comprehensive analysis which demonstrates the need for the proposed type and scale of development, including at least the following:
- a) the demand for the type and scale of development proposed in relation to the demographics for the area;
  - b) the amount of developable land within existing urban settlement areas;
  - c) an evaluation of opportunities for accommodating development within existing urban settlement areas. This should include those settlement areas outside of the municipality but within a reasonable distance of the proposed development.
- 3.31.5.2. An evaluation of the long term impacts on municipal servicing costs and the environmental factors including at least the following:
- a) the ability of the land and natural resources to accommodate the proposed development;
  - b) impacts of the development on the quality and quantity of surface water and ground water;
  - c) impacts on significant environmental features and areas of significant cultural resources;
  - d) impacts on existing hard and soft service provisions; and
  - e) interactions of the proposed developments impacts with those of surrounding existing and proposed developments.
- 3.31.5.3. Study results that ensure that necessary infrastructure and public facilities can be provided in an efficient and environmentally sound manner.
- 3.31.5.4. Study results that ensure that the scale and design of the proposed development is compatible with that of the existing development and with the rural setting in general.
- 3.32. The Township deems Wetlands Classes 1 to 7 to be *an important natural resource*. Wetlands perform essential ecological *and hydrological* functions which include providing plant and animal habitat; controlling and storing *and treating* of surface water; recharge and discharge of ground water; maintaining and improving water quality; immobilizing some contaminants and nutrients while reducing other contaminants to less damaging compounds. The Township recognizes the hydrological, biological, and socio-economic benefits derived from the long term protection of these lands **and the ecological and hydrological functions which create and maintain them. [Mod. # 8 - Jan. 28/98]**
- 3.33. In addition to all the applicable municipal requirements, all development adjacent to Provincial and County roads and highways is also subject to the

requirements and permits of the Ministry of Transportation, the County or the appropriate agency.

- 3.34. Portable asphalt plants, used by a public road authority or their agents, shall be permitted throughout the municipality without amendment to this plan or the zoning by-law. Portable asphalt plants are not permitted in existing built-up areas and in environmentally sensitive areas designated as such in the Official Plan. Portable asphalt plants are discouraged on active agricultural lands. Wherever required, consideration shall be given to the use of existing asphalt plants and to locating the portable plant in a wayside pit, a vacant industrial site, the highway right of way or on inactive or less productive agricultural lands. Only when these alternatives have been explored and a suitable location cannot be found, consideration will be given to locating a portable asphalt plant on active agricultural lands. Portable asphalt plants are subject to the following provisions.
- 3.34.1. *Under the Environmental Protection Act or its successor*, all portable asphalt plants must have a Certificate of Approval from the appropriate authority and must meet **the conditions of that approval which may relate to the minimum separation distance and hours of operation as may be prescribed. [Mod. # 9 - Jan. 28/98]** Portable asphalt plants should not be located within 300 m (985 feet) of a residential dwelling.
- 3.34.2. Sites used for portable asphalt plants within the agricultural area shall be rehabilitated to their former agricultural capability.
- 3.34.3. Portable asphalt plants will be removed from the site upon completion of the project and the site restored to as near to its original condition as possible including the removal of any contaminated soils or like material.
- 3.34.4. Upon removal of the portable asphalt plant a Certificate of Compliance concerning remediation of the site to a non-hazardous status may be required from the appropriate government agency having jurisdiction. In the absence of a suitable certificate, an Environmental Audit, conducted by a qualified professional, will be required from the user setting out the remediation work required and conducted and certifying the non-hazardous status of the site.