

## **EXPLANATORY NOTE**

This office consolidation of the Sutton Secondary Plan, being Official Plan Amendment No. 72 to the Town of Georgina Official Plan, includes Regionally approved modifications to the text and schedules as of the date of this consolidation. The office consolidation is for information only and the actual Regional approval(s) should be used for legal purposes.

As part of the Region's approval on July 08, 1997, portions of the Secondary Plan were deferred for further consideration. These deferrals are listed on the following page. All of the deferrals are site specific and do not impact on the general application of the approved policies. The deferred items that have been resolved, as of the date of this consolidation, are indicated by a strikeout over the text, accompanied by an explanation and date when the item was finalized. Also, those matters that have been referred to the Ontario Municipal Board are listed on a separate page.

**MATTERS DEFERRED FOR FURTHER CONSIDERATION PURSUANT TO SECTIONS 17 AND 21 OF THE PLANNING ACT, 1990, R.S.O.:**

1. Deferral #1 addressed through approval of the Medium Density Residential designation on Schedule G1, Land Use Plan by the Region on April 29, 1998.

~~Schedule G1, Land Use Plan, as it relates to a property described as Part of Lot 1, Concession 8 (G), Plan 65R-11686, Parts 2, 3, and 5, shown as "DEFERRAL 1" on the said schedule.~~

2. Subsection 14.2.20, Schedule G1 Land Use Plan, Schedule G2, Urban Structure Plan, Schedule G3, Planned Road Widths, Schedule G4, Environmental Resources, and Schedule G5, Municipal Servicing Plan as they relate to a property described as Part of Lots 18 and 19, Concession 9 (NG) (estates of W. Sanders and J. Sanders), shown as "DEFERRAL 2" on the said schedules.
3. Schedule G1, Land Use Plan, Schedule G2, Urban Structure Plan, Schedule G3, Planned Road Widths, Schedule G4, Environmental Resources Plan, and Schedule G5, Municipal Servicing Plan, as they relate to a property described as Part of Lots 4, 5, and 6, Concession 6 (G) (Amber Heights Developments), shown as "DEFERRAL 3" on the said schedules.

4. Deferral #4 addressed through approval of the Commercial designation on Schedule G1, Land Use Plan by the Region on October 15, 1998.

~~Schedule G1, Land Use Plan, as it relates to a property described as Part of Lot 7, Block 60, Registered Plan 69, shown as "DEFERRAL #4" on the said schedule.~~

5. The policies of Subsection 14.2.5 (Low Density Residential Development) and renumbered Subsection 14.2.6 (Medium Density Residential Policies) and Schedule G1, Land Use Plan as they relate to a property described as Part of Lot 5 and 6, Block 60, Registered Plan 69 (855788 Ontario Limited (Pat Burrows)), shown as "DEFERRAL 5" on the said schedule.
6. The policies of Subsection 14.2.5 (Low Density Residential/Development) and Schedule G1, Land Use Plan as they relate to a property described as Lot 5, Block 14, and north half of East Street, Registered Plan 69 (Louise Pranger), shown as "DEFERRAL 6" on the said schedule.
7. This referral addressed by Order of the Ontario Municipal Board issued on September 21, 2000. The Ontario Municipal Board approved special

policy provision (Section 14.6.4 e) iii) and a modification to Schedule G6 - SPECIAL PROVISIONS by including the subject lands as Special Provision No. 12.

**MATTERS REFERRED TO THE ONTARIO MUNICIPAL BOARD PURSUANT  
TO SECTION 50(15) OF THE PLANNING ACT, 1990, R.S.O.:**

1. This referral addressed by Order of the Ontario Municipal Board issued on September 21, 2000. The Ontario Municipal Board approved special policy provision (Section 14.6.4 e iii)) and a modification to Schedule G6 - SPECIAL PROVISIONS by including the subject lands as Special Provision No. 12.

~~The polices of subsections 14.6.2 a) I), 14.6.4 a), 14.6.4 b), and 14.6.4 c), and 14.6.4 d) and Schedule G2 Urban Structure Plan, as they relate to property described as Lots 12 to 15 inclusive, Block 60, Registered Plan 69 (799215 Ontario Limited) (Referred by the Region to Ontario Municipal Board on July 5, 1999).~~

## COMPONENTS OF THE AMENDMENT

Only that part of this document entitled “Part II: The Amendment” comprising text and schedules for the Secondary Plan for Sutton, prepared and adopted as Amendment No. 72 to the Official Plan of the Town of Georgina Planning Area.

**PART I - THE PREAMBLE** - consists of the introduction, purpose, location and basis for the Amendment and does not constitute part of the actual amendment.

**PART II - THE AMENDMENT** - the Sutton Secondary Plan, consisting of text and schedules G1, G2, G3, G4, G5 and G6, constitutes Amendment No. 72 of the Official Plan for the Town of Georgina Planning Area.

**PART III - THE APPENDICES** - this Section does not constitute part of the actual Amendment. These appendices (A, B, C, D and E) consist of information pertinent to this Amendment in the form of a Background Report, Policy Review Report, Municipal Servicing Report, Record of Participation and Water and Sewage Servicing Allocation Factors.

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## **PART I: The Preamble**

### **1.0 PREAMBLE TO THE SUTTON SECONDARY PLAN**

#### **1.1 INTRODUCTION**

This Secondary Plan shall be known as:

Amendment No. 72 to the Official Plan of the Town of Georgina Planning Area - The Sutton Secondary Plan;

being an amendment to the Official Plan of the Town of Georgina Planning Area.

Part I - The Preamble is included for informational purposes, and is not part of the amendment.

Part II - The Sutton Secondary Plan, comprising of text and Schedules G1 to G6 inclusive, constitutes Amendment No. 72 to the Official Plan of the Town of Georgina Planning Area - The Sutton Secondary Plan.

Part III - The Appendices consist of background reports which are for information purposes only and do not constitute a part of this amendment.

#### **1.2 PURPOSE**

The purpose of this Secondary Plan is to set out land uses, policies, community facilities and servicing requirements, and development standards to serve as the basis for the evaluation of development proposals within the limits of the Sutton Secondary Plan Area as depicted on Schedule G1 - Land Use Plan.

#### **1.3 LOCATION**

The Sutton Secondary Plan Area comprises 2550 hectares (6300 acres) of land bounded by Lake Simcoe to the north, Park Road (Regional Road 18) to the east, Latimer Road (Concession 6) and the lot line between Lots 18 and 19, Concession 7 and 8, (NG) to the south and the Seventh Concession Road and the lot line between Lots 15 and 16, Concession 9 (NG) to the west. The location of the Sutton Secondary Plan and the boundaries are shown on Figures 1 and 2.

#### **1.4 BASIS**

The basis of the Sutton Secondary Plan is as follows:

#### **1.4.1**

On March 12, 1982, the Official Plan for the Town of Georgina Planning Area received approval from the Ministry of Municipal Affairs and Housing. On March 14, 1985, a Secondary Plan (OPA 15) for the Sutton Secondary Plan Area was adopted by the Council of the Town of Georgina. Official Plan Amendment No. 15 envisaged a modest expansion to Sutton on the basis of private services. Given changing provincial and regional policy initiatives regarding the use of private services, Official Plan Amendment No. 15 was repealed by Council on January 30, 1995.

#### **1.4.2**

Section 6.7.2.1 of the Official Plan for the Town of Georgina Planning Area provides that prior to permitting any major new development within the Sutton community, Council will adopt a Secondary Plan for Sutton.

The Town of Georgina has received numerous development applications which propose extensive development within the Secondary Plan area. It is therefore appropriate to prepare a comprehensive plan to guide the future development of Sutton.

#### **1.4.3**

Section 6.3.1.5 of the Official Plan for the Town of Georgina Planning Area provides that in the community of Sutton, new urban development will take place on full municipal services.

#### **1.4.4**

As per Section 6.3.1.3 of the Official Plan for the Town of Georgina Planning Area, the sewage treatment capacity for Sutton is a population of 4,500 persons equivalent.

A Class Environmental Assessment has been approved to facilitate the expansion of the Water Pollution Control Plant to a population equivalent of 8,500 persons. Based on the Environmental Study Report by MacViro, the Water Pollution Control Plant can be expanded to accommodate a population capacity of 13,500 persons equivalent, which under present conditions, would be the maximum phosphate loading permitted to enter Lake Simcoe, as per the Ministry of Environment and Energy's water quality standards.

#### **1.4.5**

An expansion of the Water Pollution Control Plant to 8,500 persons equivalent would provide only marginal opportunities beyond servicing existing unserved

areas and would not provide for the population growth forecasted. An expansion of the facility to 13,500 persons equivalent would allow for an 'economy of scale' effect and result in the cost of the expansion to be distributed across a greater number of residential units and allow the Town and Region's population forecasts for the community to be achieved.

#### **1.4.6**

The existing water treatment facility can service a maximum capacity of 5,670 persons equivalent. The water facility will require expansion to accommodate the growth contemplated by this Plan. The location of the facility has yet to be determined.

#### **1.4.7**

Additional development within the Sutton Secondary Plan Area will provide for expanded residential, recreational and employment opportunities. New growth will provide the economic support to expand the Water Pollution Control Plant, extend municipal services to existing unserved areas, some of which have been identified by the Medical Officer of Health as experiencing environmental problems, provide additional community facilities and encourage infilling and redevelopment in existing built-up areas.

#### **1.4.8**

An extensive analysis of the Sutton Secondary Plan Area, and issues influencing the future development of these lands was authorized by the Town of Georgina Council on August 19, 1993. The Secondary Plan Study was completed over a period of ten months by a professional consulting team retained by Town Council. Experts in the fields of land use planning, civil engineering, transportation planning, landscape architecture and market research were involved in the completion of the study. The process employed during the preparation of this Plan, involved the collection of background data, a review of existing policies and regulations, the development of alternative growth scenarios and the recommendation of a preferred growth option. The background report and policy review are appended as Appendices A and B respectively in Part III.

#### **1.4.9**

The Sutton Secondary Plan Study featured extensive input from members of the public, landowner interests, municipal staff, regulatory and administrative bodies and a locally appointed Steering and Technical Committees. A record of public participation has been included in Appendix D to this document.

## **PART II: The Amendment**

### **2.0 THE SUTTON SECONDARY PLAN**

#### **2.1 INTRODUCTION**

This Section, entitled Part II - The Amendment, consisting of the following text and attached Schedules G1 to G6, constitutes Amendment No. 72 to the Official Plan for the Town of Georgina Planning Area and shall be known as the Sutton Secondary Plan. The Official Plan of the Town of Georgina Planning Area is amended as follows:

##### **2.1.1 Schedule Changes**

- Item 1:** Map 3 of Schedule 'A' Land Use Plan, Sutton is hereby deleted and replaced with Schedule G1 - Land Use Plan and G6 - Special Provisions.
- Item 2:** The portion of Maps 1 and 2 Schedule 'B' Environmental Protection Areas pertaining to the Sutton Secondary Plan area is hereby deleted, the boundary of the Sutton Secondary Plan area is outlined in black and the following note is added adjacent to the Sutton area. "For details related to Sutton see the Sutton Secondary Plan including Schedule G4 - Environmental Resources.
- Item 3:** The portion of Map 3 Schedule 'B' Resource Priority Areas pertaining to the Sutton Secondary Plan area is hereby deleted, the boundary of the Sutton Secondary Plan area is outlined in black and the following note is added adjacent to the Sutton area. "For details related to Sutton see the Sutton Secondary Plan including Schedules G4 - Environmental Resources and G2 - Urban Structure Plan.
- Item 4:** The portion of Schedule 'C' Roads Plan pertaining to the Sutton Secondary Plan area is hereby deleted, the boundary of the Sutton Secondary Plan area outlined in black and the following note is added adjacent to the Sutton area. "For details related to Sutton see the Sutton Secondary Plan including Schedule G3 - Planned Road Widths.
- Item 5:** The portion of Schedule 'D' Community Improvement Areas pertaining to the Sutton Secondary Plan Area is hereby deleted with the boundary of the Sutton Secondary Plan area outlined in black and labeled with "For details related to Sutton, see the Sutton Secondary Plan including Schedule G2 - Urban Structure Plan.

## 2.1.2 Text Changes

**Item 6:** Section 2.1 of the Official Plan is hereby amended by deleting the second sentence in the second paragraph and replacing it with the following:

“An expansion of the Water Pollution Control Plant will allow for a population of approximately 13,500 persons to be serviced by municipal sanitary sewers. It is the intent of this Plan that the 13,500 population equivalent include an allowance for the connection of existing privately serviced development on full municipal services.

Development within the Sutton community shall take place in conformity with the policies of the Sutton Secondary Plan, contained in Section 14 of this Plan. Only those policies contained in Section 14 and Schedules G1, G2, G3, G4, G5 and G6 and relevant Appendices shall apply to the Sutton Secondary Plan Area.”

**Item 7:** Section 2.1 of the Official Plan is further amended by deleting the footnote in its entirety.

**Item 8:** Section 5.2.2.4 of the Official Plan, Special Provisions is amended by deleting in its entirety the unassigned policy specific to Lot 113, Judges Plan 602.

**Item 9:** Section 6.3.1.3 of the Official Plan is deleted in its entirety and replaced with the following:

“Sutton Services

An expanded Water Pollution Control Plant will have a capacity to accommodate approximately 13,500 persons equivalent. The water distribution system presently has a capacity of 5,670 persons equivalent and will require expansion to accommodate development contemplated within the Sutton Secondary Plan. Until such time as water and sewage capacity is available, new development will not be permitted.”

**Item 10:** Section 6.7.2.1 of the Official Plan is hereby amended by adding the following paragraph:

“Having completed a secondary plan study in accordance with the above policy, major development may be permitted within the

Sutton community, provided that it conforms to the policies of the Sutton Secondary Plan - Official Plan Amendment Number 72.”

**Item 11:** That Section 14, the Sutton Secondary Plan be included in the Official Plan, as follows:

## **14.1 Goals and Objectives**

### **14.1.1 Guiding Principle**

Sutton is a small community with a rich history and a recreational/rural character based largely on its relationship to Lake Simcoe and its rural surroundings. In directing physical changes to the community, Council will endeavour to enhance the historic built environment, and the economic and social interests of the community by directing growth, and ensuring that development and redevelopment will complement and strengthen Sutton's residential neighbourhoods and the tourist and service commercial/recreational economic base of the community. In doing so, it is Council's objective to provide for the health, safety, and well being of the present and future residents of the Sutton Secondary Plan Area.

### **14.1.2 Housing**

#### **Goal**

To provide a wide range of housing types which are compatible with the established character of the community.

#### **Objectives**

- a) To protect the physical character areas of existing residential development.
- b) To maintain a supply of land to accommodate local housing demand.
- c) To encourage built forms which conserve land and which are compatible with adjacent forms of development.
- d) To encourage the provision of affordable housing, as defined within the Provincial Policy Statement, Land Use Planning for Housing.
- e) To encourage the development of a range of housing types in accordance with the Provincial Policy Statement, Land Use Planning for Housing.

### **14.1.3 Natural Environment**

#### **Goal**

To conserve and enhance significant environmental features within the Sutton Secondary Plan Area and the water quality of Lake Simcoe.

## **Objectives**

- a) To conserve and enhance significant natural features such as, watercourses, aquifer recharge areas, agricultural priority areas, woodlots, critical habitat of fish and wildlife, wetlands, and the water quality of the Black River and Lake Simcoe.
- b) To preserve and promote, natural functions, attributes and linkages which are part of the ecosystem.
- c) To maintain or enhance the base flow component in watercourses within the Sutton Secondary Plan Area.
- d) To maintain and enhance significant visual resources within the Sutton Secondary Plan Area.
- e) To identify and protect areas with aggregate resources from incompatible land uses which may impair the future supply of aggregate.
- f) To protect the natural environment, through the provision of municipal services.
- g) To identify, preserve and enhance the natural systems within the Regional Greenlands system.

### **14.1.4 Transportation**

#### **Goal**

To provide the Sutton Community with a safe and efficient means of travel both within the Sutton Secondary Plan Area and to adjacent communities.

#### **Objectives**

- a) To develop an integrated road system for the safe, efficient movement of vehicles.
- b) To minimize conflicts between pedestrian and vehicular movement.
- c) To align, where possible, linkages between existing and future roads.
- d) To encourage, during the design of development, the provision of safe, convenient pedestrian and/or bicycle routes.
- e) To encourage the distribution of land uses and the design of development which can support future local and regional public transit initiatives.

### **14.1.5 Land Use**

#### **Goal**

To provide for the efficient distribution of the social, economic and physical components of human settlement in a sustainable manner for the convenience of present and future residents of the Secondary Plan Area.

#### **Objectives**

- a) To create a comprehensively designed and functioning community which may accommodate a planned population of approximately 16,500 people.
- b) To create an urban development area which features convenient access to schools, parks, recreational facilities, employment opportunities, institutional uses and public river and lake front lands.
- c) To establish density limits which reflect the established 'small town' character of the Sutton Community.
- d) To employ the Dalton Road, Baseline Road, High Street, and Lake Drive corridors as community focal points and to direct higher order uses such as commercial, mixed uses and medium density residential uses to those areas.
- e) To ensure that future land uses are compatible with the long term land use assignments of the Plan.
- f) To integrate existing areas of separate urban development, where appropriate.
- g) To prevent new development which is not adjacent to the existing developed areas within the community.

### **14.1.6 Economic**

#### **Goal**

To provide for a diverse range of employment opportunities which support and expand upon existing commercial and industrial activities.

#### **Objectives**

- a) To provide sufficient commercial services to meet community shopping needs.

- b) To support and encourage the development of the tourist industry.
- c) To provide the opportunity for the development of a local industrial base.
- d) To support the continued function of High Street and Lake Drive as significant commercial areas of Sutton and Jackson's Point.

#### **14.1.7 Open Space/Parkland**

##### **Goal**

To ensure that active and passive park and open space areas are provided for in the Sutton Community.

##### **Objectives**

- a) To provide a wide range of recreational opportunities to accommodate the diverse social and athletic needs of the community.
- b) To encourage the development of integrated linkages of municipal facilities and areas of open space.
- c) To encourage, where practical, public access to Lake Simcoe and the Black River.
- d) To support the joint use initiatives between various levels of government and/or the private sector with regard to the provision of community related recreational/institutional facilities.

#### **14.1.8 Municipal Services**

##### **Goal**

To establish an Urban Service Boundary and provide adequate municipal services within that boundary.

##### **Objectives**

- a) To provide water supply, sanitary sewage collection, and storm drainage systems to the area within the Urban Service Boundary.
- b) Where practical, or where groundwater/soil contamination or health hazards have been identified to extend municipal services to existing unserved urban development.

- c) To ensure that the manner in which development proceeds is logical and cost efficient.
- d) To ensure that all municipal services are designed and constructed in accordance with fundamental engineering and environmental practices.

## **14.2 Land Use Policies**

### **14.2.1 Urban Structure**

- a) The urban structure which has developed within the Sutton Secondary Plan Area has created two focal points: the downtown areas of Sutton (High Street) and Jackson's Point (Lake Drive). Connecting these two points of destination is the Dalton Road corridor. Land uses have been assigned to emphasize the importance of Sutton and Jackson's Point and to more efficiently utilize the land holdings abutting Dalton Road.
- b) With regard to residential uses within the Urban Service Area, higher order uses have been directed to locations where access to schools, parks and shopping is readily available. Low density residential uses are to be located on the periphery, beyond the downtowns (High Street/Lake Drive) as well as beyond the Dalton Road corridor. It is intended that these low density residential uses will reinforce the 'small town' character of the community. In addition, low density residential uses are proposed as infill, connecting pockets of previously scattered development, in an attempt to ultimately create a cohesive compact community. Some multiple unit housing will be permitted in low density residential areas in accordance with Section 14.2.5.

### **14.2.2 General Policies**

- a) The area which forms the subject of this amendment is shown on Schedule G1 - Land Use Plan. The area is described as the land located south of Lake Simcoe, west of Park Road (Regional Road 18), east of the 7<sup>th</sup> Concession Road and the lot line between Lots 15 and 16, Concession 9 (NG) and north of Latimer Road (Concession Road 6) and the lot line between Lots 18 and 19, Concessions 7 and 8 (NG).
- b) Schedule G1 - Land Use Plan depicts the land use designations within the Sutton Secondary Plan Area and reflects the general pattern of future development.
- c) Future land development within the Sutton Secondary Plan Area shall be in conformity with the policies and schedules of this Plan. Amendments to the policies or land use designations of this Plan shall have consideration for the intent and purpose of the goals and objectives of this Plan.

- d) The nature of future development within the urban area of the Secondary Plan Area reflects an extension of the 'small town' character of the community. Residential uses of higher density have been contemplated within the urban area of the Keswick Secondary Plan.
- e) In the planning period extending to 2016, the Sutton Secondary Plan Area will be developed as a community having a population of approximately 16,500.
- f) Approximately 1247 hectares (3080 acres) of the total 2550 hectares (6300 acres) within the Secondary Plan Area are within the Urban Service Boundary.
- g) All future development within the Urban Service Boundary is contemplated to take place on full municipal services. Notwithstanding this policy, development may be allowed on existing lots of record in an area not serviced by municipal water and municipal sewage treatment, subject to the approval of the Regional Health Services Department, and other relevant Town or agency requirements.
- h) The following uses shall be permitted in all land use designations provided that the use is compatible with adjacent land uses:
  - hydro facilities
  - public utilities;
  - stormwater management facilities;
  - fire stations, ambulance bases and similar institutional uses;
  - elementary schools;
  - parks and open space;
  - pedestrian and bicycle routes;
  - accessory buildings and structures as per the Town of Georgina Zoning By-law.
- i) Council shall strive to maintain compatibility between sensitive land uses and industrial facilities, the water pollution control plant as well as aggregate operations. Measures including land use separation shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of Environment and Energy. Distances will vary

depending on the nature of the industrial facility, water pollution control plant or aggregate operation and the intervening land uses. The greater the scale and intensity of the industry, water pollution control plant or aggregate operation, the greater the separation distance required.

- j) Where there is evidence that a site may be contaminated due to the previous use of the property, Council shall require that a soils study in accordance with provincial guidelines for the decommissioning and clean up of contaminated soils be submitted along with any application for development. Development of any contaminated site shall not be permitted until the site is decommissioned or cleaned up to the satisfaction of the Town.

#### **14.2.3 Housing Policies**

- a) As per the Provincial direction outlined in the Land Use Planning for Housing policy statement approved by the Lieutenant Governor in Council on July 13, 1989, the following policies shall apply to residential development within the Sutton Secondary Plan Area:
  - i) A wide range of housing types shall be provided to meet the needs of the community, as per the policies of the Land Use Planning for Housing policy statement.
  - ii) Affordable housing may be located throughout the entire planning area. However, emphasis will be placed upon locating affordable housing in close proximity to commercial, community and transportation facilities.
- b) Residential intensification shall be encouraged within the Urban Service Boundary provided that it conforms to the policies of this Plan, the Town of Georgina Official Plan and Zoning By-law, is compatible with adjacent forms of development in site design, and full municipal services are available.
- c) The Town of Georgina shall monitor the housing forms which are approved within the Sutton Secondary Plan Area to ensure that a variety of housing forms are provided to accommodate the needs of the community.

#### **14.2.4 General Residential Policies**

- a) To maintain the small town character of the community of Sutton, the predominant residential form shall be low density residential.

- b) Medium density development and mixed use development shall be located on lands in close proximity to the Dalton Road, High Street (and its extension) and Lake Drive corridors. Limited medium density housing may also be permitted on lands designated “Low Density Residential” in accordance with Sections 14.2.1 b) and 14.2.5 a).
- c) A variety of housing types will be encouraged to accommodate the diverse income groups and lifestyles which exist within the Secondary Plan Area.
- d) Urban residential development shall only occur on full municipal services. Residential development within areas which do not have full municipal services available, shall only take place in accordance with the policies of this Plan, the Official Plan for the Town of Georgina Planning Area and shall be subject to all relevant regulatory approvals.
- e) Where medium density and mixed uses are located adjacent to low density residential uses, the compatibility between uses shall be provided through the use of landscape buffers, gradation of height, setbacks and road separations.
- f) ‘Net residential hectare’ within the Sutton Secondary Plan area, shall mean the measured area of the individual building lot(s) and development sites and land to be employed for local road purposes.
- g) Gross residential area within the Sutton Secondary Plan shall mean the area of residential land which includes road allowances and other lands accessory to the basic residential uses. The land for accessory uses include churches, neighbourhood parks and playground, open space, schools and local commercial uses. Areas of open space required for environmental protection (valley land, floodplain, environmentally sensitive areas), land for stormwater management facilities and land for major institutional uses such as a hospital or cemetery shall not be considered as gross residential area.
- h) Home occupation uses, where permitted in accordance with the policies of this Plan, shall conform to the following provisions:
  - i) the use is carried out entirely within the dwelling unit, and can be appropriately accommodated within a residential structure;
  - ii) the home occupation use is clearly secondary to the primary use of the property as a residence, in terms of floor space utilization;
  - iii) the property is the principle residence of the person carrying on the home occupation use;

- iv) no outside storage of goods, materials, equipment or service vehicles such as trailers and commercially licensed vehicles related to the home occupation use shall be permitted;
- v) the activities associated with the home occupation use including traffic generation and hours of operation shall not adversely affect the surrounding residential area; and
- vi) compliance with on-site parking requirements and other provisions regulating home occupations in the Town of Georgina Zoning By-law.

#### **14.2.5 Low Density Residential Development Policies**

- a) In Low Density Residential areas, the permitted uses shall be limited to single detached, semi-detached, duplex and link dwelling units as well as accessory apartments in accordance with Section 14.2.5 f). To promote greater conservation of land within the Secondary Plan area, alternative ground related building forms may be permitted provided the overall low density residential requirements in 14.2.5 b) and/or 14.2.5 c) are not exceeded. Alternative ground related building forms shall include multiple dwelling units joined by a common vertical wall(s) each with separate entrances.
- b) The maximum average residential density in Sutton, in the Development Areas as shown in Schedule G2, Urban Structure Plan, shall not exceed 12.3 units per gross residential hectare (5 units per gross residential acre). The specific density of development may be higher or lower in parts of a Development Area in order to achieve the overall maximum average density outlined above, to implement the urban structure principles, and land use designations as shown on Schedule G1.
- c) The residential density in low density residential areas not within a development area as shown on Schedule G2, Urban Structure Plan, shall not exceed 11.0 units per gross residential hectare (4.5 units per gross residential acre).
- d) Limited local commercial uses may be permitted in areas designated as low density residential, within plans of subdivision which have been approved after the adoption of this Plan, subject to the criteria contained in Section 14.2.13.
- e) Where Low Density residential uses abut land designated for medium density residential, commercial, industrial or mixed use purposes, appropriate buffering setbacks shall be employed to minimize conflict between land uses.

- f) Accessory apartments shall be permitted in single detached dwelling units on full municipal services within Low Density Residential Areas in accordance with the following provisions:
  - i) An “accessory unit” which is a self-contained dwelling unit supplementary to the primary residential use of the property;
  - ii) only one accessory unit can be created within each single detached dwelling;
  - iii) the maximum size of the accessory unit shall be limited to 65m (700 ft<sup>2</sup>) gross floor area;
  - iv) sufficient off-street parking spaces are provided;
  - v) municipal water and sewer servicing allocation capacity is available; and,
  - vi) conformity with the Town of Georgina Zoning By-law shall be maintained.
- g) The creation of an accessory apartment will be subject to building permit, which will ensure that all apartments conform to the Ontario Building Code, municipal property maintenance standards and other relevant requirements.
- h) All new development within the Low Density Residential area shall take place on full municipal services. Notwithstanding this policy, development may be allowed on existing lots of record in an area not serviced by municipal water and municipal sewage treatment, subject to the approval of the Regional Health Services Department, and other relevant Town or agency requirements.
- i) Development of residential uses within the Low Density Residential area shall generally proceed by plan of subdivision. The creation of lots by consent shall be discouraged except in circumstances of minor infilling and extensions and where the dedication of a public road or the extension of municipal services are not required.
- j) On those lands designated Low Density Residential which abut lands described as Part of Blocks 22 to 24, 28, 29, 44, 45 and 46, Plan 69 and shown on Schedule G6 - Special Provisions, measures such as additional lot depths, fencing, and landscape buffers shall be provided to ensure compatibility between uses.

- k) Special Provisions
- i) Notwithstanding the policies of Section 14.2.5 a), land described as Part Lot 11, Registered Plan 248, and shown on Schedule G6 - Special Provisions, the permitted uses may also include an art gallery for the sale and repair of artwork, and the sale of art supplies, provided that on-site parking is provided in accordance with the Town of Georgina Zoning By-law.
  - ii) Notwithstanding the policies of Sections 14.2.5 a) and 14.2.5 b), on land described as Part of Lot 3, Concession 7 (G) and shown on Schedule G6 - Special Provisions, a total of 121 dwelling units, consisting of single family detached, semi-detached and a maximum of 71 street townhouse dwellings shall be permitted. The maximum number of units within one building shall be four.
  - iii) Within those lands described as Part Lots 21 and 22, Concession 7 (NG), and shown on Schedule G6 - Special Provisions, the development of a residential community which is oriented to serving the physical and social needs of senior citizens is encouraged. Development of these lands shall be in accordance with the general policies of this Plan and those listed below:
    - a) Development shall proceed by one plan of subdivision/condominium containing a total of two lots.
    - b) The maximum number of dwelling units shall be 550.
    - c) The maximum number of bedrooms permitted within any dwelling shall be two.
    - d) Improvements to the 7<sup>th</sup> Concession Road and Catering Road, necessary to accommodate additional traffic originating from this development shall be reviewed by the Town of Georgina in its approval of the Development Area Plan.
  - iv) Notwithstanding the policies of Section 14.2.6 a), land described as Lot 113, Judges Plan 602 and shown on Schedule G6 - Special Provisions, may be used for a 20 unit apartment building and chronic care facility. Municipal sewage disposal and water supply services shall be made available only to this site.
  - v) Within those lands described as Lots 12 to 15 inclusive, Block 60, Registered Plan 69, and shown on Schedule G6 - Special Provisions, and notwithstanding Section 14.2.5 c), a maximum of

88 dwelling units may be developed within that portion of the lands designated "Low Density Residential" on Schedule G1 - Land Use Plan.

(vi) PART OF LOT 5, CONCESSION 8 (G) Amendment #84

Notwithstanding Sections 14.2.4 (b), 14.2.5 (a), 14.2.5 (b), 14.2.13 (a), 14.2.13 (d), 14.2.17 (a), 14.4.1 (h), 14.5.1 (j) and 14.6.4, Schedules G1 and G6 are hereby amended as shown in heavy outline on Appendix 'A' hereto ("the Subject Lands"), the following provisions shall apply:

- 1) An adult lifestyle community shall be the only permitted use having between 235 and 315 one-storey (with open lofts), two-bedroom dwellings (single-detached, semi-detached and linked), or *equivalent density*. One-storey, two-bedroom townhouse dwellings (with open lofts) may be permitted where it can be shown that a greater conservation of land results and compatibility with the character of the community is maintained to the satisfaction of the Town of Georgina.

In accordance with Section 14.13 (c) of the Sutton Secondary Plan the number of units that may be developed, may be increased or decreased by a maximum of 5 units beyond the range permitted above provided the intent of the plan is maintained.

An adult lifestyle community for purposes of this amendment shall be defined as "*a condominium residential development utilizing private roads and services, which is designed to provide to provide a living environment which is attractive to persons generally between the ages of 45 and 75*".

Such a development shall exhibit a high standard of design, construction and services and shall provide on-site recreational facilities including a clubhouse as well as other amenities which may include a swimming pool, tennis courts, walkways and Open Space areas for more passive recreational activities.

A public elementary school shall also be a permitted use.

- 2) A retirement residence is a permitted use with a maximum of 150 beds and a maximum height of two-storeys. When determining the maximum number of units for the entire site, one single-detached, one semi-detached, one linked, or one

townhouse dwelling unit shall be the equivalent of two beds in a retirement residence ("equivalent density").

A retirement residence for purposes of this amendment shall be defined as *"premises that provide accommodation primarily to retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms, and health care facilities, and internal ancillary convenience commercial uses for the residents only, may also be provided"*.

The retirement residence, if pursued, shall be constructed in the second phase of development or later.

- 3) To ensure that this development proceeds as a retirement community where adequate water and sewer servicing capacity has been made available and where the provision of a public elementary school and abutting public park on the site is not required, development of the subject lands shall proceed on the basis of a Master Site Plan for development to proceed in at least two phases, as set forth in the development phasing plan, which will form part of the site plan/condominium agreement.
- 4) A Holding "H" provision by-law under the provisions of Section 36 of the Planning Act shall be utilized to initially restrict the use of the Subject Lands to only those uses permitted on the lands prior to the enactment of the holding provision. The terms under which Council shall remove the Holding "H" provision to allow a maximum first phase of 150 dwellings are as follows:
  - a) Adequate water and sewer capacity being made available for the Subject Lands;
  - b) The approval of a Master Site Plan as set out in subsection 16 below;
  - c) Registration of draft plan of subdivision 19TG-2000001; and,
  - d) The approval of a Site Plan for the phase or portion of the phase to be developed.

The terms under which Council shall remove the Holding “H” provision to allow further development beyond 150 dwellings are as follows:

- a) Upon occupancy of the first 100 dwellings, the developer shall retain a qualified consultant to conduct a demographic study to determine the number of persons per dwelling. Prior to the removal of the “H” symbol, Council for the Town of Georgina, in consultation with the Public School Board, shall be satisfied that the average number of persons per unit for those dwellings that are occupied does not exceed 2 and that 75% of the permanent residents are aged 50 and over;
- b) Full compliance with all required agreements, financial and otherwise, executed between the Owner and the Town of Georgina governing any and all previous phases of the development; and
- c) Adequate sewer and water servicing capacity are available for the Subject Lands.

In the event Council is not satisfied that the development is proceeding as an adult lifestyle community, the proposed development shall be reviewed and assessed in terms of whether adequate facilities and services, including but not necessarily limited to, an elementary school and public park, can be incorporated as part of any subsequent phase or phases. Amendments to the official plan, zoning by-law, plan of subdivision, plan of condominium, site plan agreement, subdivision agreement and/or condominium agreement may be required prior to permitting further development beyond a first phase of 150 dwellings.

- 5) On-site recreational amenities shall be provided in accordance with a Master Site Plan.

On-site recreational amenities shall be provided in accordance with a Master Site Plan. The construction of a clubhouse/recreational/administrative center shall be completed within 1 year after the occupancy of the first 150 dwellings. Council may, at its sole discretion, permit the provision of these or other recreational facilities at a different timing, without amendment to this Plan.

- 6) No buildings or structures shall exceed two storeys in height.
- 7) The maximum number of bedrooms permitted within any dwelling unit shall be two.
- 8) Notwithstanding Sections 14.2.5(d) and 14.2.13, no local commercial uses shall be permitted within the development except as provided for in clause 2.
- 9) Development of individual dwelling sites which front on a private road which is set forth as part of a registered condominium plan shall be permitted notwithstanding Section 14.4.1(h).
- 10) Road access from the Subject Lands shall be permitted from Black River Road subject to appropriate environmentally sensitive construction through the natural area to the satisfaction of the Town and Lake Simcoe Region Conservation Authority. No road access shall be permitted to Hedge Road and Maple Avenue. One emergency vehicle access, with an appropriate barrier, shall be provided to the Subject Lands from Maple Avenue. Notwithstanding the prohibition of road access to Hedge Road, a temporary driveway access to a sales pavilion may be permitted in accordance with the requirements of the Town.
- 11) Those lands shown as Open Space in Schedule 'G1' - Land Use Plan shall be used for no other purposes than forest and conservation uses, and passive recreational uses, with the exception of entrance signage and a road which provides access at Black River Road for the Subject Lands.
- 12) Approval of this Amendment or subsequent implementing land use approvals, including the approval of any plans of subdivision/condominium, shall not be predicated on the approval of the Northeast Sutton Development Area Plan, notwithstanding Section 14.6.4.
- 13) The provision of recreational amenities on the lands abutting Lake Simcoe and forming part of the registered condominium plan shall be permitted, subject to all necessary approvals from agencies and public bodies having jurisdiction over development in or abutting the lake and the Town of Georgina. Such recreational amenities may include a dock, boardwalk and/or gazebo and shall not

include a dock or marina for commercial purposes. No dwellings or other large buildings shall be permitted on the lands abutting Lake Simcoe.

- 14) Development of the Subject Lands is to be in accordance with the urban design objective to ensure all vehicular accesses are freely open to the public.
- 15) An urban design/streetscape plan for the entire development shall be prepared in accordance with Section 14.2.22, to the satisfaction of the Town of Georgina as part of the site plan approval process.
- 16) A Master Site Plan for the entire property, including a Development Phasing Plan, shall be prepared to the satisfaction of the Town of Georgina pursuant to the jurisdiction of Section 41 of the Planning Act. The Development Phasing Plan shall describe the sequence of development of the Subject Lands, including the provision of necessary supporting infrastructure, community facilities, and treatment of natural amenity areas. The Master Site Plan will address the following:
  - i) Translating the limit of development between the Open Space and the Development Area as delineated on the draft plan of subdivision to the field;
  - ii) Hydrogeological, including soils analysis, topographic and tree preservation studies shall be undertaken in sufficient detail to adequately determine the size and location of opportunity areas within the development to be utilized for the retention of mature vegetation and retention of existing vegetation within undisturbed grade areas;

It shall be the intent of the Master Site Plan to identify these areas to optimize opportunities for tree retention, to provide visual screening between these lands and adjacent residential uses to provide areas of micro habitat and to provide areas for the passive management of stormwater;

The Master Site Plan will include specific edge treatment designs and impact mitigation measures to ensure that the ultimate development of the Subject

Lands does not negatively affect the adjacent Open Space;

Specific development objectives and mitigation principles for the opportunity areas shall be determined, including the preliminary surveyed boundaries and the functions that the opportunity areas are intended to serve.

The objectives and mitigation principles will form part of the conditions of draft plan of condominium to ensure they are communicated to the Condominium Corporation, and

- iii) Preparation of a preliminary block and lotting plan, taking into account:
  - a) site servicing, including road locations and final grades;
  - b) efficient urban structure and layout;
  - c) lot size and conceptual housing mix; and
  - d) retention of mature vegetation and areas for passive stormwater management.
- 17) The conditions of Draft Plan of Subdivision shall include provisions that require the applicant to prepare a Master Site Plan and the requirement to comply with its recommendations.
- 18) At the conclusion of the Master Site Plan process, a zoning by-law for the Subject Lands shall be prepared to implement the Master Site Plan to the satisfaction of the Town of Georgina.
- 19) For each phase, one or more site plans, plans of subdivision or condominium pursuant to the Planning Act shall be prepared to the satisfaction of the Town of Georgina and approved before construction of any dwelling unit is permitted within the phase. Site plans and/or plans of subdivision or condominium shall implement the Master Site Plan.

OMB Order #0798

- 20) Draft Plan of Subdivision approval shall not be granted until such time as an agreement has been reached between the appropriate authorities and the proponents of the subject development as to the timing and funding of required sanitary sewer facilities. These works shall be provided for in the subdivision and/or site plan agreements. Phasing of development based on the completion of external sewer and water services, and/or the allocation of services, shall be implemented as required by the Town of Georgina.
- 21) No development shall occur on the Subject Lands until the Town of Georgina has been satisfied that adequate water and sanitary sewer facilities and servicing allocation and storm water management facilities are available to service the Subject Lands, pursuant to all necessary approvals and agreements.
- 22) The owners of the Subject Lands shall enter into an agreement with the Town of Georgina to ensure unrestricted pedestrian access through the community.

(vii) PART OF LOT 31, PLAN 267 Amendment #85

Notwithstanding the uses permitted in the Low Density Residential designation, as set forth in Section 14.2.5, on those lands designated 'Low Density Residential' in Schedule 'G1' and shown in heavy outline in Schedule 'G6' hereto, the only permitted uses shall be a women's shelter having a maximum of 30 beds, a single family dwelling which may include an accessory apartment, a home occupation and/or a bed and breakfast residence, and accessory buildings, structures and uses to any permitted uses.

For the purposes of this amendment, a women's shelter means:

*"A building and premises operated for the purposes of providing secure temporary living accommodation to abused women, with or without children. Staff are available in the residence to provide supervision, counseling and other assistance, as required, on a 24-hour basis."*

(viii) PART OF LOT 1, PLAN 247 Amendment #85

Notwithstanding the uses permitted in the Low Density Residential designation, as set forth in Section 14.2.5, on those lands designated 'Low Density Residential' in Schedule 'G1' and shown in heavy outline in Schedule 'G6' hereto, the only permitted uses

shall be a single family dwelling which may include an accessory apartment, a home occupation and/or a bed and breakfast residence, a building containing 4 dwelling units, women's shelter office space with a maximum of 3 dwelling units and accessory buildings, structures and uses to any permitted uses.

#### **14.2.6 Medium Density Residential Policies**

- a) In areas designated Medium Density Residential, permitted uses shall include low density residential uses and multiple unit housing such as, walk-up apartments, street and block townhouses, three and four unit dwellings and lodging houses.
- b) Medium density residential uses shall not exceed 35 units per net residential hectare (14 units per net residential acre) and shall generally not exceed 12 metres (40 feet) in height.
- c) A Lodging House, being a rooming or boarding house in which the occupants are provided with room and board, shall be permitted, subject to the following provisions:
  - i) the site is adjacent to and has direct access to an arterial road;
  - ii) the site is located with convenient access to community services and facilities, and to a commercial area;
  - iii) the lot size and configuration is sufficient to accommodate the building, required parking, green space and amenity areas;
  - iv) the Building code, as well as health and safety requirements, can be satisfied;
  - v) any changes to a building resulting from the conversion to a lodging house shall be in keeping with the physical form and character of the surrounding neighbourhood;
  - vi) municipal property maintenance standards and all other relevant municipal regulations and standards shall apply to the lodging house; and
  - vii) Lodging house operators shall obtain a licence in accordance with the municipal Lodging House Licensing By-law.
- d) All medium density development shall be subject to Site Plan Control, as per Section 41 of The Planning Act and shall be in accordance with the policies of Sections 14.2.22 and 14.6.2 of this Plan.

#### **14.2.7 Mixed Use Policies**

- a) In areas designated as Mixed Use, the permitted uses shall include only residential uses in the form of apartments, walk-up apartments, townhouses and stacked townhouses built in conjunction with retail and/or business and professional offices. Non-residential uses shall include retail uses, banks or financial institutions, professional or business offices, restaurants, personal service shops, commercial schools, pharmacies and dry cleaning outlets.
- b) On lands designated Mixed Use, which abut the extension of High Street, floor areas of business and professional offices in excess of fifteen per cent of the total non-residential floor area of a mixed use building shall not be permitted. On occasion, when justification has been provided by the applicant, an increase in floor area beyond fifteen per cent will be considered provided the justification includes but is not limited to the following matters:
  - i) the viability of the office development in the existing downtown core area centered High Street east of Dalton Road;
  - ii) the opportunity for similar development in the existing core area based on absorption rates;
  - iii) the vacancy rate in the existing core area.
- c) Residential uses may be provided to a maximum density of 20 units per net hectare (8 units per net acre).
- d) Where possible, parking facilities for residents shall be provided separate from non-residential parking spaces.
- e) Maximum building heights shall be 14 metres (46 feet).
- f) Residential and non-residential uses are to be provided within the same building.
- g) In consideration of development applications for Mixed Use proposals on lands abutting the extension of High Street, a comprehensive streetscaping analysis shall be completed which will address matters of building theme, lighting, parking location, pedestrian linkages and the provision of a municipal parking lot.

- h) All Mixed Use Development shall be subject to Site Plan Control, as per Section 41 of The Planning Act and shall be in accordance with Sections 14.2.22 and 14.6.2 of this Plan.

#### **14.2.8 Rural Modular Home Park Policies**

- a) The policies herein pertaining to this designation are intended to recognize the existing and committed Rural Modular Home Park sites. New lands shall not be designated for Rural Modular Home Parks within the Secondary Plan area.
- b) The maximum number of dwelling units for the existing and committed Rural Modular Home Park, legally described as Part Lots 5 and 6, Concession 7 (G), shall be 320 units.
- c) The development of lands designated as Rural Modular Home Park shall take place by way of plan of subdivision.
- d) The development of the lands located outside of the Environmental Service Area shall take place on private waste disposal services and a private communal water distribution system, approved by relevant regulatory approval authorities, if required. The developer shall enter into an agreement with the Town of Georgina and the Regional Municipality of York regarding the operation of the communal water supply system. The developer shall operate the water distribution system at his/her own expense. The Regional Municipality of York shall assume ownership and operate the system in the event the Town of Georgina or the Regional Municipality of York deem it necessary.
- e) The development of the lands designated Rural Modular Home Park, and located within the Environmental Service Area shall be subject to the following policies:
  - i) The Town of Georgina is aware of public health issues within the existing Rural Modular Home Park, described as Part of Lots 5 and 6, Concession 7 (G). These health problems arise from the malfunctioning of the private septic waste disposal systems located on the individual sites.
  - ii) In recognition of these site specific environmental problems and the Town of Georgina's desire to prevent future problems, municipal waste disposal services may be extended to the existing development. Due to the location and nature of the existing development, municipal services would not be made available were it not for existing environmental problems and the potential for further problems to arise.

- iii) The Town of Georgina shall not bear any financial responsibility or pay any costs for the extension of municipal services to these lands.

#### **14.2.9 Rural Policies**

- a) Use of “Rural” designated lands as shown on Schedule G1 - Land Use Plan shall only be for agricultural, forestry and conservation purposes. Other permitted uses include farm related uses, hunting, mineral aggregate extraction, rural residential uses, home industry, and commercial and industrial uses of a limited nature directly related to the resource base. Cemeteries shall also be permitted.
- b) New livestock operations shall be discouraged from locating near designated non-rural areas or generally within the boundaries of the Sutton urban area. For the purpose of this Plan, livestock operations shall include such uses as feedlots, poultry barns, piggeries, the raising of fur bearing animals or similar uses.
- c) New non-farm uses generally shall not be permitted to locate within 305 metres (1000 feet) of an existing livestock operation.
- d) In all cases where the compatibility of an agriculturally related use is in doubt with other uses permitted by this Plan, the guidelines of the Agricultural Code of Practice and the provisions of the implementing Zoning By-law shall apply.
- e) When considering non-agricultural development proposals, the Town of Georgina shall determine to its satisfaction that the lands involved are not productive agricultural lands and that the proposal will not negatively impact existing or potential agricultural operations and where these matters cannot be adequately determined, the opinion of the Ministry of Agriculture, Food and Rural Affairs shall be sought.
- f) In addition to any other policies found herein, the general criteria for permitting non-agricultural uses shall be: the use of poorer quality agricultural lands, wherever possible, little or no interference with existing agricultural operations or uses, location on well maintained roads where heavy traffic is likely to be generated by the use, and adequate distance and buffering from incompatible uses. In assessing the use of the Rural designated lands for industrial use, consideration shall be given by the Town of Georgina to the demand for such a use and the opportunity to locate said use in an area which is fully serviced.

- g) New residential development by severance generally shall not be permitted within 150 metres (500 feet) of an area of aggregate potential to ensure that the possible future extraction of the resource will not be compromised.
  - h) The construction of a dwelling and accessory uses may be permitted on a vacant lot where such a lot fronts on an existing and assumed municipal road and where the road is of a reasonable standard of construction. Such construction shall proceed in accordance with the provisions of the implementing Zoning By-law and where a permit for a sewage disposal and tile field system has been approved by the Regional Municipality of York and other relevant authorities.
  - i) Land uses of the Rural designation are to be serviced by private on-site water supply and waste disposal system. All private services are subject to the approval of the Regional Municipality of York and other relevant authorities.
  - j) Division of lands designated Rural, for Agricultural, Forestry or Conservation purposes which conform to the policies of this Plan shall be supported. Where the consolidation of land through title registration for these uses necessary, and where an existing dwelling is no longer needed due to the consolidation, a lot containing the existing dwelling may be severed, subject to conformity with the policies of this Plan and other relevant guidelines and policies.
  - k) Rural residential severances may be permitted where infilling takes place between two dwellings which existed as of the adoption of this Plan and where the two houses are not more than 100 metres (330 feet) apart and are on the same side of an assumed road or around a corner of an intersecting road.
- Amendment #89
- l) Agricultural Retirement Lot - A consent may be permitted for a full-time farmer of retirement age who is retiring from active working life where the existing farm parcel is 40 hectares or more, contains a dwelling, has not had a previous consent which resulted in the creation of a new non-farm residential lot and has been owned by the farmer for at least three years.
  - m) Where a farm is the subject of a severance for residential purposes, the creation of the new lot shall not result in a significant impact upon the farm's operational abilities.
  - n) Any severance of lands designated Rural, for the purpose of creating a new residential lot shall conform to all relevant Provincial, Regional and Municipal policies and guidelines.

- o) Where Rural Residential land division is to be permitted, the area of the lot to be created shall generally be a minimum of 6000m<sup>2</sup> (1.5 acres) in area.
- p) Home Industry uses are very limited industrial uses which are secondary to the main rural use of the lot and generally employing only family members. These uses will not be permitted in a dwelling unit or a building attached thereto. They must be compatible with adjacent uses, limited in size, and may be provided for in a general amendment or specific amendment of the zoning by-law to ensure that compatibility.

Amendment #82

- q) An accessory apartment may be permitted in a single detached dwelling within the Rural designation, subject to an amendment to the Zoning By-law, and in accordance with the following provisions:
  - i) an apartment is an “accessory unit” which is a self-contained dwelling unit supplementary to the primary residential use of the property;
  - ii) only one accessory unit can be created within each single detached dwelling;
  - iii) the minimum lot area for a single detached dwelling being considered for the creation of an accessory unit shall be 2000 square metres;
  - iv) the creation of an accessory unit within a single detached dwelling shall comply with the requirements of the Building Code Act, namely Part 8 - “Sewage Systems” of the Ontario Building Code, as amended and/or the applicable requirements of any other relevant agency relating to private sewage system servicing, with the exception that a holding tank shall not be a permitted servicing option for new development;
  - v) a potable and sufficient supply of water for drinking and sanitary purposes shall be available;
  - vi) the creation of an accessory unit shall be within a single detached dwelling that has frontage on an assumed public street;
  - vii) the maximum size of the accessory unit shall be limited to a maximum of forty percent of the residential floor area of the single detached dwelling;
  - viii) two parking spaces shall be provided for the accessory unit;

- ix) the creation of an accessory unit shall maintain conformity with the Town of Georgina Zoning By-law;
  - x) the creation of an accessory apartment will be subject to applicable Fire Code standards, in addition to a building permit, which will ensure that all apartments conform to the Ontario Building Code, municipal property standards and other relevant requirements;
  - xi) minor variations to the minimum lot area and maximum size policies required in (iii) and (vi) above, may be permitted provided the intent of this plan is maintained.
- r) Special Provisions
- i) On land described as Part of Lot 2, Concession 6 (G), and further described as Parts 1 and 2 on Plan 65R-11506 and shown on Schedule G6 - Special Provisions, a severance to permit a total of two lots of record shall be permitted.
  - ii) On land described as Part of Lot 6, Concession 3 (G) and which abuts Regional Road 18, and shown on Schedule G6 - Special Provisions, a computer skills learning center shall be a permitted use. Accessory uses shall be permitted and shall include only a computer retail store not exceeding 185 square meters (1991 square feet) and a single family dwelling.

#### **14.2.10 Commercial Policies**

- a) The location of commercial land uses within the Sutton Secondary Plan are shown on Schedule G1 - Land Use.
- b) Future commercial facilities shall include commercial blocks to be located on the north side of Baseline Road, west of Dalton Road, and on the north side of Highway 48. Several smaller sites shall be located on lands abutting Dalton Road, north of Black River Road and south of Allen Drive.
- c) Commercial land uses shown on Schedule G1 - Land Use can be categorized into General Commercial and Tourist Commercial land uses. Local Commercial sites have not been depicted Schedule G1 - Land Use Plan and are subject to the provisions of Section 14.2.5 d) of this Plan.
- d) To promote the revitalization of the downtown business areas of Sutton (High Street) and Jackson's Point (Lake Drive) development standards such as setbacks and on-site parking may be reduced, during the review

- of development applications, provided the relief requested does not pose a significant adverse impact upon adjacent land uses.
- e) All commercial development and re-development proposals shall be subject to Site Plan Control, as per Section 41 of The Planning Act and shall be in accordance with Sections 14.2.22 and 14.6.2 of this Plan.
  - f) Special Provisions
    - i) Notwithstanding the above policies, on land described as Part Lot 23, Concession 7 (NG) and further described as Part 2 on Plan 65R-2927 and shown on Schedule G6 - Special Provisions, an apartment having a maximum of eight dwelling units shall be permitted.
    - ii) In addition to the uses permitted as per Section 14.2.11 a) Land described as Lot 8, Block 5, Registered Plan 69 and shown on Schedule G6 - Special Provisions, may be used for dwelling units, a motor vehicle sales area, a nursing home or, a wholesale establishment which conducts retail sales on the same premises.

#### **14.2.11 General Commercial Policies**

- a) Permitted uses of lands designated Commercial shall be limited to retail stores, financial institutions, professional and business offices, medical clinics, repair shops, personal service shops, restaurants, hotels, motels and inns.
- b) Notwithstanding Section 14.2.11 a), commercial uses which require large tracts of land for building size and parking shall be encouraged to locate on commercially designated lands abutting Baseline Road, Highway 48 and Dalton Road. Examples of such uses shall include, but are not limited to, automobile sales establishments, retail warehouses, furniture stores, supermarkets, building supply centers and automobile service centers.
- c) Where commercial uses are proposed for lands which abut existing or planned residential uses, it must be demonstrated to the satisfaction of the Town of Georgina that access, lighting, noise and odour conditions have adequately been addressed.

#### **14.2.12 Tourist Commercial Policies**

Tourist Commercial uses shall be permitted on lands which are designated commercial and are located near Lake Simcoe or the Black River. Uses permitted within these designations shall be limited to retail stores, restaurants, hotels, motels, inns and commercial uses related to the recreational use of Lake

Simcoe. In addition to these uses, larger properties with direct access to Lake Simcoe may be utilized for marine related uses, such as light repairs and marinas.

- a) Development or re-development of Tourist Commercial uses shall not pose significant visual or noise impacts upon adjacent land uses. The use of landscape buffers and distance separation shall be encouraged where commercial uses abut residential uses.
- b) Tourist Commercial land uses will be encouraged to provide access to the water to patrons of the business and to the public.

#### **14.2.13 Local Commercial Policies**

- a) Local Commercial areas are intended to serve the day-to-day shopping needs of the nearby residential community. Uses permitted within this land use category shall include a convenience retail store, automated teller banking machines, a dry cleaning establishment, personal services shop, a video store, a professional office and a pharmacy. Places of amusement and arcades shall not be permitted.
- b) Development of Local Commercial uses shall be in accordance with Section 14.2.5 d).
- c) The location and size of Local Commercial uses will be determined in conjunction with the preparation of Development Area plans provided for in Sections 14.6.2 and 14.6.4.
- d) Development of local commercial uses shall be subject to the following criteria:
  - i) The design, appearance and scale of any local commercial uses shall reflect the character of the adjacent residential uses.
  - ii) The maximum gross floor area permitted for any one individual local commercial site shall be 190 square metres (2045 square feet).
  - iii) Where possible, local commercial uses shall be located on lands abutting collector or arterial roads.
  - iv) A distance separation between local commercial uses of 1200 metres (3950 feet) shall be maintained.

- v) Local commercial uses shall be comprehensively designed within a plan of subdivision and shall be adequately buffered and set back from adjacent residential uses.

#### **14.2.14 Institutional Policies**

Permitted uses within lands designated Institutional on Schedule G1 - Land Use Plan shall be limited to places of worship, municipal facilities such as libraries, arenas, community halls, swimming pools, private schools, day nurseries, cemeteries, hospitals, nursing homes and educational institutions.

#### **14.2.15 Industrial Policies**

- a) The Sutton Secondary Plan provides for approximately 10 hectares (25 acres) of serviced industrial land located on the north side of Baseline Road.
- b) Permitted uses within municipally serviced Industrially designated areas shall only include: warehousing, processing, manufacturing, assembly and storage. Commercial uses which are accessory to an industrial use or which would primarily serve the industrial area will also be permitted. A caretakers residence which is secondary to the industrial use may also be permitted.
- c) Commercial uses oriented to serve the adjacent industrial area as per Section 14.2.15 b) of the Plan, shall be located on lands which abut an arterial or collector road.
- d) Industrial uses which abut residential land uses or Baseline Road shall be set back and screened to the satisfaction of the Town of Georgina and the Regional Municipality of York.
- e) Industrial uses which require open storage shall not be permitted on lands which abut arterial or collector roads or residentially designated lands. Outside storage shall only be permitted in other locations and shall only be permitted in the rear yard and shall be screened and set back to the satisfaction of the Town of Georgina.
- f) Development of industrial uses shall be subject to Site Plan Control as per Section 41 of The Planning Act and shall be in accordance with Sections 14.2.22 and 14.6.2 of this Plan.

#### **14.2.16 School Policies**

- a) One public secondary school, four public elementary schools, and two separate elementary school sites are proposed to serve the Sutton

Secondary Plan Area. One of the planned separate school sites is the relocated St. Bernadette's Elementary School. The Sutton Educational Centre, located adjacent to the Black River Road extension is intended to accommodate students presently housed in the temporary facilities of the Sutton Public School. These sites are generally located adjacent to future municipal park sites and/or open space linkages and are shown on Schedule G1 - Land Use Plan.

- b) Joint use school facilities shall be encouraged to be located within the Secondary Plan Area.
- c) The York Region Board of Education has determined that the Planning Area is adequately served by the existing Sutton District High School located on the south side of Baseline Road, west of Dalton Road and an additional secondary school is not required.
- d) Future school site locations shown on Schedule G1 - Land Use Plan shall indicate presently preferred locations. These may be modified or relocated by the respective school boards in cooperation with the Town without amendment to this Secondary Plan.
- e) School site locations shall be finalized at the time of approval of Development Area Plans by the York Region Roman Catholic Separate School Board and the York Region Board of Education in consultation with the Town of Georgina.
- f) Wherever possible, schools shall be located on sites adjacent to proposed municipal parks.
- g) Where appropriate, and subject to the approval of the Town of Georgina and/or Regional Municipality of York, 'lay-by' lanes shall be provided within the design of roads abutting school sites.
- h) Where a designated school site is not required by either Board, the land which has been designated for school purposes may be used for low density residential.

#### **14.2.17 General Open Space Policies**

- a) Within the Open Space designation shown on Schedule G1 - Land Use Plan, permitted uses shall be limited to parks, open space and private open space, all of which are outdoor areas which are generally accessible for passive or active leisure opportunities which may include areas of environmental, cultural or historical significance.

- b) In considering proposed plans of subdivisions or site plans for residential purposes, the Town may require that land included in the plan be dedicated to the Town for park or other recreational purposes at a rate of up to 5 percent of the lands proposed for residential development, or one hectare for every 300 residential units proposed, as provided for in The Planning Act. As an alternative, Council may also accept cash-in-lieu of parkland.
- c) As a condition of development for commercial and industrial purposes, Council may require that up to 2 percent of land to be developed be conveyed to the municipality for parkland or other recreational facilities as provided for in The Planning Act. As an alternative, Council may also accept cash-in-lieu of parkland.
- d) Lands which are not developable due to their inclusion within the top-of-bank setback, within the Regional Floodline and within wetlands shall be zoned to permit only conservation uses.
- e) The Town of Georgina shall endeavour to protect woodlot areas which possess significant biophysical functions, and other lands possessing environmental characteristics considered worthy of preservation, and shall consider acquiring such areas conditional upon its ability to acquire them at minimal cost to the Town. In implementing Provincial, Regional and Municipal Policy, the Town may secure lands which are considered to be significant woodlots and other lands possessing environmental characteristics considered worthy of protection through one or more of the following means:
  - i) acquisition in accordance with the Planning Act;
  - ii) encouraging other levels of government and agencies to acquire land;
  - iii) municipal purchase;
  - iv) expropriation as provided for in the Municipal Act;
  - v) negotiation as a condition of development approval;
  - vi) through the transfer of development density to an alternate site;
  - vii) development bonus under Section 37 of the Planning Act;
  - viii) land exchange with land owners;

- ix) creation at the time of subdivision or condominium of reserves to be held in common ownership among abutting land owners within the development;
- x) property tax exemptions for non-useable land areas;
- xi) donations, gifts and bequests;
- xii) lease agreements established between the owner and the Town;  
and,
- xiii) easements registered on title.

#### **14.2.18 Open Space Policies**

- a) Open space areas will generally consist of buffers adjacent to the Water Pollution Control Plant, pedestrian trails/linkages, forested and woodlot areas, environmentally significant areas, wetlands, valley lands and watercourses.
- b) A pedestrian linkage shall be provided as shown in Schedule G2 - Urban Structure Plan. This location is the presently preferred locations and may be modified without amendment to this plan, subject to the approval of the Town of Georgina.
- c) In reviewing and approving subdivision and site plans, the Town shall seek to establish open space linkages wherever possible to allow access to High Street and the surrounding area.
- d) Open space buffers shall be provided adjacent to the Water Pollution Control Plant. Should technological improvements take place which eliminate the need for distance separations between the Water Pollution Control Plant and adjacent residential uses, the open space buffers may be employed for Low Density Residential purposes. Approval of the Regional Municipality of York, the Ministry of Environment and Energy and the Town of Georgina shall be required prior to the use of the lands for residential purposes.
- e) Should a portion of the land upon which the water pollution plant is situated become surplus, then the surplus lands may be used for recreational or open space purposes.
- f) The Town of Georgina shall encourage the establishment of a pedestrian/bicycle trail along the Lake Simcoe shoreline through the use

of roadways, rights-of-way and land dedicated through the development process.

#### **14.2.19 Municipal Parks Policies**

- a) The total lands reserved for park uses under the Open Space designation in the Sutton Secondary Plan shall be no less than 14 ha (35 acres).
- b) The locations and sizes of individual parks are approximate and may be adjusted without amendment to this plan.
- c) Parks shall be centrally located in residential neighbourhoods, within a safe and convenient walking distance of the majority of the residents and wherever possible, located adjacent to an elementary school.
- d) Neighbourhood Parks shall generally be 2.4 ha to 3.0 ha (6.0 – 7.5 acres) in size.
- e) Neighbourhood Parks which are adjacent to elementary schools shall provide recreational facilities that are complementary to school facilities.
- f) Parkland dedication shall not include valley lands or open space areas for stormwater management purposes, but may include wooded areas.

#### **14.2.20 Private Open Space Policies**

Private Open Space uses are shown on Schedule G1 - Land Use Plan. These uses consist of large tracts of privately owned open spaces and include, the fairground lands owned by the Agricultural Society, and privately owned golf courses. These lands will be restricted to their present uses.

#### **14.2.21 Special Development Areas Policies**

- a) Two special policy areas have been created for Jackson's Point and High Street. These designations have been created to address unique issues and community objectives specific to each area.

- b) **Special Development Area A**

Special Development Area A applies to lands generally abutting High Street from West Street to Dalton Road and is specifically depicted on Schedule G2 - Urban Structure Plan. Within Special Development Area A, in addition to the uses permitted in accordance with Section 14.2.11, lands will also be subject to the following:

- i) A range of institutional, office, retail and other commercial activities shall be permitted and encouraged to remain as a viable focal point in the Sutton Community.
  - ii) Mixed use residential/office/retail uses may be permitted, to a maximum height of 14 metres (45 feet). Commercial uses shall be limited to a maximum height of 14 metres (45 feet).
  - iii) The ground floor of mixed use buildings shall be restricted to non-residential uses.
  - iv) Pedestrian accessibility and urban streetscaping shall be a priority encouraged in the design of projects abutting High Street. Parking, where possible, shall be provided in the rear yard.
  - v) Reduced zoning standards may be provided, where proposed uses include residential or office components. A parking study addressing the parking requirements of the proposed uses shall be approved by the Town prior to granting reductions to the required parking standards. In addition, where parking is provided in a yard which abuts a street line, measures to buffer the sight lines from adjacent roads shall be implemented.
  - vi) Architectural design, building materials and massing shall reinforce the existing 'small town' character of the community.
- c) **Special Development Area B**

Special Development Area B applies to lands located north of Lake Drive from Lot 19 in the west to Lake Simcoe in the east. This is depicted on Schedule G2 - Urban Structure Plan. Within Special Development Area B, lands will also be subject to the following:

- i) Limited retail and other commercial uses may be permitted to encourage and promote Jackson's Point as a shopping and tourist destination. Such development shall complement the existing concentration of specialty retail and restaurant uses located on Lake Drive.
- ii) Should major redevelopment of existing residential land be contemplated or the Jackson's Point Harbour project be approved, a comprehensive review of the permitted land uses within the Special Development Area shall be undertaken. Matters to be considered in the event that a public/private harbour development takes place shall be:

- i.i) The extension of commercial uses to locations abutting Lorne Street and Thompson Drive and the determination of appropriate commercial uses.
- i.ii) The opportunities for residential intensification and re-development within the Special Development Area.
- i.iii) The development of an area-wide urban design and streetscaping policy to encourage a consistent theme, massing and street presence.
- i.iv) The review of future municipal infrastructure needs such as parks, walkways, parking areas and road connections.

#### **14.2.22 Urban Design Policies**

- a) It is the policy of the Town of Georgina to encourage residential, commercial, industrial and institutional development which reflect a high standard of architectural quality through the use of high quality materials and appropriate site planning provisions.
- b) The design of new development shall complement and enhance the existing vistas of the community as schematically represented on Schedule G2 - Urban Structure Plan.
- c) Residential subdivision development proposals shall have regard for the following design criteria:
  - i) lot size and configuration, massing, and building materials for residential subdivision development shall be complementary throughout an individual subdivision and where possible shall be incorporated to adjacent developments;
  - ii) safe, convenient bicycle and pedestrian paths shall be incorporated into subdivision design to link adjacent developments and open space systems;
  - iii) where practical, reversed frontage lots shall be discouraged. The use of single loaded roads on lands abutting arterial roadways shall be encouraged;
  - iv) where reversed frontage lots are necessary, a streetscape plan shall be prepared in conjunction with the subdivision approval process. Planting, fence materials and fence articulation shall be addressed in the streetscape plan;

- v) housing and streetscape design which reduces the visual prominence of attached garages shall be encouraged;
  - vi) in order to encourage social interaction, reduced front yard requirements may be considered where open front porches, or other appropriate architectural features, are provided in the housing design;
  - vii) the provision of boulevard islands at entrance points to residential subdivisions shall be encouraged;
  - viii) in conjunction with (vii) above, and where practical, entry features which distinguish subdivision identity shall be required;
  - ix) Subdivision design shall recognize existing urban treed areas.
- d) Proposals for medium density and mixed use developments shall have regard for the following criteria:
- i) building massing and sighting shall generally be compatible with adjacent land uses;
  - ii) townhouse development shall feature articulated roof and garage elevations;
  - iii) to enhance visual aesthetics between adjacent uses, apartment balconies, from the floor of the balcony to the top of the railing, shall be constructed of solid and opaque materials;
  - iv) landscape buffers, distance separation, fencing, low profile lighting shall be provided where medium density and mixed use development abuts low density residential development;
  - v) where development is contemplated for lands abutting Lake Drive, High Street and Dalton Road, and where appropriate, the siting of the building shall be directed toward the streetline;
  - vi) garbage collection facilities abutting a streetline shall be discouraged;
  - vii) where practical, parking shall be encouraged to be located in the rear yard. Visitor parking may be provided within the front yard. This provision does not apply to mixed use development;
  - viii) on site amenity space shall be provided in a safe and convenient location;

- ix) the use of high quality building materials shall be employed.
- e) Proposals for commercial, industrial and institutional uses shall have regard for the following criteria:
  - i) parking for industrial uses shall generally be provided in the rear or side yards. Visitor parking to a maximum of ten per cent of the total parking demand may be provided in the front yard;
  - ii) commercial and institutional buildings shall be encouraged to locate close to the street line to promote pedestrian activity;
  - iii) signage shall be complementary to the design of the main building;
  - iv) loading areas shall be located in the side and rear yards and shall be screened from view;
  - v) roof top equipment shall be screened from view;
  - vi) where practical, mutual access and integrated parking areas shall be provided;
  - vii) centre islands with landscaping shall be utilized to enhance public sight lines of parking areas.
- f) It shall be the policy of this plan to minimize the impact of noise from Highway No. 48 on future residents of the community. Council shall require noise/acoustical studies to be completed prior to final approval of plans of subdivision or site plans located within 500 metres of the highway.

## **14.3 Environmental Policies**

### **14.3.1 General Policies**

- a) The Town of Georgina shall ensure that development within the Sutton Secondary Plan Area proceeds in an environmentally sustainable manner.
- b) The use or development of land within or near those lands designated on Schedule G4 - Environmental Resource Plan shall not be permitted unless it can be demonstrated that such development will not have an adverse effect on the overall function of the resource.
- c) An environmental impact statement shall accompany all applications for draft plan of subdivision/condominium or site plan control approval, which

are deemed by the Town of Georgina, and/or the Regional Municipality of York to be in, adjacent or near an environmental resource shown on Schedule G4 - Environmental Resource Plan. The environmental assessment analysis shall document in detail all natural features and their ecological functions of the property proposed for development. These evaluations shall include, but not limited to:

- existing vegetation
- topography
- water courses
- wetlands
- forest and general tree cover
- environmentally significant areas
- fisheries and habitat
- other natural features
- hydrological functions

The environmental impact statement shall document any anticipated effects of the proposed development upon the environmental resources and shall recommend measures by which the anticipated effects can be minimized or eliminated. The Town of Georgina shall consult with the Lake Simcoe Region Conservation Authority, the Regional Municipality of York and any other relevant agency in the assessment of the analysis. Where development produces a significant adverse impact on the overall function of the resource, said development, in whole or in part shall not be permitted.

- d) Adjustments to expand or reduce the limits of environmental features identified on Schedule G4 - Environmental Resource Plan and to the land use designations shown on Schedule G1 - Land Use Plan where environmental conditions necessitate such a change, shall be agreed upon by the Town of Georgina, the Regional Municipality of York and the Lake Simcoe Region Conservation Authority at the time of the approval of the Development Area Plan required in Section 14.6.4 or at plan of subdivision/condominium, site plan approval and an amendment to this Plan will not be necessary.

- e) Where an environmental impact statement is required in accordance with Section 14.3.1 c) of this Plan, it shall be in conformity with the findings and recommendations of the environmental assessment completed in accordance with Development Area plans provided for in Section 14.6.2 and 14.6.4.
- f) The environmental impact statement shall be to the satisfaction of the Town of Georgina in consultation with relevant agencies.

#### **14.3.2 Environmental Protection Policies**

- a) Development within the Sutton Secondary Plan Area shall be complementary with the environmental protection provisions listed below:
  - i) to protect, enhance and manage lands of sensitive environmental balance including: headwater control, aquifer and recharge areas, forests, wetlands, fish and wildlife habitats, streams and river valleys, areas of unique biological features, areas of outstanding scenic beauty and areas with organic soils;
  - ii) to permit land use changes on environmentally sensitive lands only where it can be demonstrated that the overall function will not be significantly adversely affected;
  - iii) to protect and enhance the water quality of Lake Simcoe and maintain its shoreline as a major environmental resource; and
  - iv) to prepare environmental impact assessments for all significant municipal projects.
- b) The Town of Georgina, in consultation with the Lake Simcoe Region Conservation Authority and the Regional Municipality of York, shall have regard for the following matters in the review of development applications within the Sutton Secondary Plan Area:
  - i) The protection and enhancement of environmental features, functions, attributes and linkages which are part of, and perform in concert with, the existing ecosystem;
  - ii) the conservation and enhancement of valleylands;
  - iii) The maintenance and enhancement of the base flow component in watercourses throughout the Sutton Secondary Plan Area;
  - iv) To encourage an ecological approach to the management of water resources on site;

- v) Avoid watercourse crossings wherever possible to ensure the preservation of the existing natural environment. Road crossings of significant natural systems such as the Black River shall only be permitted where it can be demonstrated that significant adverse environmental impact will not be created;
  - vi) Adequate buffers and setbacks in accordance with the guidelines of the Lake Simcoe Region Conservation Authority and the Ministry of Natural Resources shall be provided adjacent to sensitive areas/features such as natural corridors, wetlands, defined environmentally significant areas, watercourses, forested areas. Generally, development shall be setback 15 metres from warm water streams and 30 metres from cold water streams. Precise determination of setbacks shall be determined in conjunction with the environmental impact statement required by Section 14.3.1;
  - vii) Protection and enhancement of Regional and other existing forest cover, so as to prevent significant adverse impacts;
  - viii) Encourage forest management and reforestation and maintenance along streams, valleys, and hazard lands to reduce flooding and soil erosion and to provide fish and wildlife habitat;
  - ix) Setbacks from valley corridors, uses permitted in valleys, stormwater quality and quantity control and fill regulation limits shall be reviewed by the Town of Georgina, Lake Simcoe Region Conservation Authority, and any other relevant agency.
  - x) Where floodplain mapping is not available, mapping shall be undertaken by the landowner to the satisfaction of the Lake Simcoe Region Conservation Authority;
  - xi) Land uses having any direct or indirect impact on fish habitat shall be subject to the review by the relevant government agency and may necessitate redesign, relocation, vegetative buffers and/or planting of additional vegetation.
- c) In consultation with the Lake Simcoe Region Conservation Authority, the Town of Georgina, in its review of development applications, shall have regard for the Flood Plain Planning policy statement. In particular, but not limited to, the review of development proposals and the enactment of Zoning By-laws, shall have regard for:

- i) the prohibition of development within areas susceptible to flooding which will cause adverse impacts to upstream or downstream development or lands.
- ii) the prevention of land uses in flood susceptible areas which may pose an unacceptable risk to public safety.
- iii) the requirement for public and private works which must locate in the floodplain areas to obtain the necessary permit.

#### **14.3.3 Environmentally Significant Areas**

- a) Development of land within or in close proximity to Environmentally Significant Areas which are defined in this plan, or by the Lake Simcoe Region Conservation Authority shall only be permitted subject to the completion of the environmental impact statement required as per Section 14.3.1 c) and the concurrence by the Town of Georgina and the Lake Simcoe Region Conservation Authority that the development will not have a significant adverse impact upon the function, linkages and attributes of the Environmentally Significant Area.
- b) Environmentally Significant Areas have been shown on Schedule G4 - Environmental Resource Plan. Should development be permitted in accordance with Section 14.3.3 (a) applications shall require a detailed environmental assessment, detailed topographic information, grading and servicing plans, tree preservation and staking plan to the satisfaction of the Town of Georgina, the Regional Municipality of York and the Lake Simcoe Region Conservation Authority.

#### **14.3.4 Aggregate Resource Policies**

- a) It is a policy of this Plan to protect and preserve, wherever possible, the opportunity to extract mineral aggregate from those lands shown on Schedule G4 - Environmental Resources Plan as Aggregate Resources.
- b) Agricultural and farm related uses, conservation, forestry, fish and wildlife uses shall be permitted within areas designated as Aggregate Resources, provided they do not hinder the future extraction of the aggregate.
- c) To permit mineral resource extraction in the Rural designation by specific amendment to the Zoning By-law.
- d) To permit the establishment of wayside pits and quarries without amendments to this plan or Zoning By-law except in areas of existing residential development or environmental sensitivity.

- e) Mineral aggregate extraction sites which are no longer operational shall be rehabilitated to the satisfaction of the Town of Georgina and the Ministry of Natural Resources.

#### **14.3.5 Cultural Heritage Conservation Policies**

- a) In acknowledging the contribution of heritage features which foster civic pride, the Town of Georgina shall support efforts which conserve structures and features of cultural, archeological, historical or architectural importance.
- b) In consultation with the Local Architectural Conservation Advisory Committee, the Town of Georgina shall ensure that the heritage resources of the Sutton community are preserved through the following policies:
  - i) where appropriate, designate heritage resources pursuant to the Ontario Heritage Act;
  - ii) where a heritage resource is to be located in or near a proposed development, said resource is to be protected and incorporated into the project with complementary site plan and architectural design.
  - iii) The feasibility of rehabilitation and reuse versus demolition of designated heritage properties will be based on architectural, structural and economic information. All cultural heritage resources which are to be demolished or significantly altered will be documented for archival purposes with a history, photographic record and measured drawings prior to the demolition or alteration and such documentation shall be the responsibility of the applicant in consultation with the Local Architectural Conservation Advisory Committee.
- c) Where requested by the Town of Georgina or the Ministry of Culture, Tourism and Recreation, an archeological study completed by a qualified archeological consultant shall accompany applications for plan of subdivision approval. Such study, as a minimum, shall include an examination of the site, a description of any artifacts discovered on site, an evaluation of the significance of any artifacts discovered, and mitigation measures proposed.

#### **14.3.6 Energy Conservation Policies**

- a) The conservation of energy shall be encouraged by the Town of Georgina through the coordination of building siting and subdivision design.

- b) Promotion of alternative means of transportation such as walking and cycling shall be encouraged in subdivision design by the linking of tracks and paths and through site plan control by supporting pedestrian oriented designs.

## **14.4 Transportation Policies**

### **14.4.1 General Transportation Policies**

- a) The road system shown on Schedule G3 - Planned Road Widths will consist of a provincial highway, arterial, collector and local roads. Although future local roads have not been shown, conceptual locations of some local roads have been indicated. The final need for and location of roads will be determined at the Development Area plan or subdivision / site plan / condominium stage.
- b) Road widenings and daylighting triangles shall be provided in accordance with the requirements of the relevant agency.
- c) The requirements for sidewalks shall be determined by the Town of Georgina at the time of draft plan of subdivision or condominium approval.
- d) Signalized intersections shall be provided in accordance with Town of Georgina requirements and where appropriate, the Regional Municipality of York and the Ministry of Transportation of Ontario.
- e) Development proposals which are likely to generate significant traffic will be required to provide a transportation study which will assess the impact on the transportation system.
- f) The creation of new arterial and collector roads may take place from time to time subject to the approval of the Town of Georgina, the Regional Municipality of York and the Ministry of Transportation of Ontario. An amendment to Schedule G3 - Planned Road Widths will be required when the function of a road is upgraded and a greater road width is required.
- g) A monitoring program shall be established by the Town and the Regional Municipality of York to determine the available roadway capacity and the level of development in the Town of Georgina. The intent of such a program will be to ensure that there is appropriate transportation infrastructure to support development envisaged by the Secondary Plan.

h) Development On An Assumed Public Highway

The erection of any building or structure on a lot which does not front on an assumed public highway, as defined in the Municipal Act, shall not be permitted, except where such erection is for:

- i) the extension, enlargement, replacement or reconstruction of an existing building or structure, including a building or structure destroyed by natural causes, or fire. The approval of the Lake Simcoe Region Conservation Authority is a pre-requisite to reconstruction on lands susceptible to flooding;
  - ii) a building or structure accessory to an existing permitted use;
- and
- iii) a building structure on a lot in a registered plan of subdivision where there exists a valid subdivision agreement and where the streets are not yet assumed.

Notwithstanding the foregoing provisions, the erection of a building for a use permitted by this Plan, or conversion of a seasonal residence to a permanent residence on a lot which fronts on a public highway, but which is not assumed, or is within a rural mobile home park, will be considered by Council with regard to the following:

- a) the nature and cost of public works required to bring the road up to an assumable standard;
- b) the existing land use on the road, including the number of vacant lots and seasonal residences;
- c) the location of the subject lot in respect to the intersection of the subject road and an assumed public highway; and
- d) whether the road is planned for assumption in the foreseeable future.

Having reviewed these matters, Council may, through amendment of the zoning by-law, permit the proposed construction or conversion if satisfied that the assumption of the subject road is not a necessary pre-requisite to permitting the said construction or conversion and providing there is compliance with all other policies of this Plan. No new buildings and structures nor conversions will be permitted on private rights-of-way, except where such buildings and structures are accessory to existing

buildings or structures, or are a replacement of an existing building or structure.

#### **14.4.2 Provincial Highway Policies**

- a) Highway 48 is a provincial highway which carries high volumes of vehicular traffic to and from the Sutton Secondary Plan Area. A planned road width of 35 metres (115 feet) has been shown. Additional lands may be required for the creation of intersections and turn lanes.
- b) Individual access to Highway 48 shall be discouraged and shall require the approval of the Ministry of Transportation of Ontario.
- c) The Ministry of Transportation is currently undertaking an Environmental Assessment for the proposed extension of Highway No. 404. Although the Environmental Assessment Report is not yet complete, the Technically Preferred Route is shown passing through the Secondary Plan on Schedule G3. All development applications in proximity to this route should be forwarded to the Ministry of Transportation for comments.

#### **14.4.3 Arterial Roads Policies**

- a) Park Road, Baseline Road, Metro Road and Black River Road and its extension, and Dalton Road are the arterial roads within the Sutton Planning Area.
- b) Arterial roads are intended to efficiently move large volumes of traffic at moderate speeds.
- c) Access to arterial roads shall be by way of intersection with collector and local roads.
- d) The right-of-way width for arterial roads is shown on Schedule G3 - Planned Road Widths.

#### **14.4.4 Collector Roads Policies**

- a) Collector roads are intended to collect and distribute traffic to and from local roads, collector roads and arterial roads.
- b) The easterly mid-block collector, the extension of High Street and the collector proposed to the west of Dalton Road are the collectors intended to service the Secondary Plan Area.
- c) Limited direct access may be permitted onto collector roads, where such access will not impair the function of the road or create safety problems.

- d) Limited on-street parking shall be allowed except where it creates conflict between pedestrian and vehicular traffic as determined by the Town of Georgina.
- e) The right-of-way width for collector roads is shown on Schedule G3 - Planned Road Widths.

#### **14.4.5 Local Roads Policies**

- a) Local roads are intended to carry lower volumes of traffic and provide access to individual properties. They shall be designed to discourage through traffic.
- b) The right-of-way width for local roads shall generally be 20m (66 feet).

#### **14.4.6 Parking Policies**

- a) Adequate off-street parking shall be provided for all development within the Secondary Plan Area as per the Town of Georgina Zoning By-law.
- b) Notwithstanding the above, in Special Development Areas 'A' and 'B', parking relief may be granted where proper design encourages pedestrian or bicycle access.

#### **14.4.7 Public Transit**

- a) Arterial and Collector roads shall be designed to accommodate public transit services.
- b) The Town of Georgina shall consult with the Regional Municipality of York with respect to the inclusion of the municipality in a regional transit service.
- c) Future public transit usage shall be encouraged in the design of development applications through:
  - i) minimizing walking distances to arterial and collector roads through the provision of walkways;
  - ii) encouraging medium density and commercial projects to be oriented to the street front;
  - iii) the provision of streetscaping features such as benches, street lights and parkettes at intersections of arterial and collector roads.

- d) The Town of Georgina, in consultation with the Regional Municipality of York, shall investigate the establishment of a transit terminal in the vicinity of Highway No. 48 and High Street. Special consideration should be given to a transit facility which can be integrated with a development proposal.

#### **14.4.8 Bicycle and Pedestrian Policies**

- a) The Town of Georgina will encourage bicycle and pedestrian transportation through the coordination of walking and cycling paths at the Development Area plan stage.
- b) During the review of development applications, consideration shall be provided to the provision of safe and convenient bicycle and pedestrian routes.
- c) Local streets to be built within the Urban Service Boundary shall provide a sidewalk along at least one side of the street.
- d) Where appropriate, arterial and collector roads shall incorporate opportunities for bicycle lanes.

### **14.5 Services and Utilities Policies**

#### **14.5.1 General Services and Utilities Policies**

- a) Only the lands which may be serviced by full municipal services are located within the limit defined as Urban Service Boundary and shown on Schedule G1 - Land Use Plan and Schedule G5 - Municipal Servicing Plan.
- b) Development within the Urban Service Boundary shall take place on the basis of full municipal services including roads with curbs and gutters, sidewalks, piped water, sanitary sewers, storm drainage facilities, street lights and electrical distribution systems. Where appropriate, consideration will be given to the utilization of alternative development standards to promote economic efficiency, environmental sustainability and social diversity.
- c) The trunk servicing proposals for the Sutton Secondary Plan Area are shown on Schedule G5 - Municipal Servicing Plan.
- d) It shall be the principle of this plan that the cost of providing full municipal services to facilitate the development of lands within the Sutton Secondary Plan Area shall not impose a financial burden on existing taxpayers outside the Secondary Plan Area. Accordingly, such costs shall be the

responsibility of the developer(s), with cost-sharing with future benefiting land parties, by agreement with the Town. Servicing costs associated with servicing of existing developed unserviced areas shall be borne by the affected property owners except for those costs associated with the expansion of the Water Pollution Control Plant, Water Plant and Trunk Distribution Mains.

- e) In extending services to develop specific vacant parcels within the Urban Service Boundary, the developer(s) shall provide adjacent existing unserviced or partially serviced residences within the Urban Service Boundary with the opportunity to connect to the municipal servicing system.
- f) It is expected that landowners within the Urban Service Boundary will cooperate with each other in order to facilitate the development of lands in the Planning Area on the basis of full urban services and to that end permit access to services installed within their lands by way of easements or in such other way as shall be satisfactory to the Town of Georgina.
- g) Capacity allocation in the Sewage Treatment and Water Treatment Plants and the size of trunk sewer and water lines shall be calculated on the basis of the factors shown in Appendix E.
- h) The Town of Georgina shall assign municipal water and sewer servicing allocation for development requiring site plan approval according to the following procedures:
  - i) submission of Site Plan application to the Town.
  - ii) confirmation from the Town's Development Services Department to the Public Works Department on the status of allocation availability.
  - iii) if allocation is available, the applicant shall submit a completed site plan application. Servicing allocation shall be set aside for a one year period from the date of the receipt of the application to allow the applicant to execute a site plan agreement with the Town.
  - iv) if an agreement is not executed with the one year time frame, a report will be brought to Council to either extend or revoke preliminary assignment of servicing allocation. Council, at that time may revoke the municipal servicing allocation in whole or in part.
  - v) if an agreement is executed within the one year time frame, the agreement shall stipulate that a building permit shall be obtained within six months of said execution date, otherwise the agreement

is deemed to be null and void, and servicing allocation shall be deemed to be revoked unless further extension is given by Council.

- i) The Town of Georgina shall assign a preliminary municipal water and sewer allocation for draft plans of subdivision at the time of draft plan endorsement by Council. In the event, approval by the Regional Municipality of York has not been obtained for a draft plan of subdivision within one year of Council endorsement, the Town of Georgina may revoke the preliminary servicing allocation and advise the Region accordingly.

If an approved draft plan of subdivision has not proceeded to the satisfaction of Town Council within the term of draft plan approval, the Town of Georgina at the time of commenting on Regional extension of the draft plan approval, may revoke the preliminary assignment of municipal servicing allocation, in whole or in part. Prior to revoking an allocation, the Town shall afford the developer an opportunity to address Council on the matter.

If approved infilling or redevelopment proposals have not proceeded within one year of approval by the Town of Georgina. Council may revoke municipal servicing allocation in whole or in part.

- j) The Town of Georgina shall only approve developments which can be allocated municipal servicing capacity. However, the Town may approve proposals and allocate municipal servicing capacity when such capacity will be made available through plant expansion(s) under construction at the time.
- k) The inclusion of land within the Urban Service Boundary is not an assurance that water and sewer allocation will be available for the development of each landholding. Allocation may be granted by the Town of Georgina in accordance with Sections 14.5.1 h) and 14.5.1 i).
- l) The lands designated for urban development within this Plan, reflect a modest over allocation of the capacity of the Water Pollution Control Plant. Over the term of this Plan, technological improvements, confirmation of development rights and existing residents declining connection to municipal services through the Local Improvement Process will likely provide capacity for existing and proposed development within the Urban Service Boundary to be connected to the plant.
- m) In conjunction with the policies of Section 14.6.1 g), the Town of Georgina shall canvas all areas of existing unserviced development, which by their inclusion within the Urban Service Boundary, are proposed to be serviced, to determine each area's desire to receive services.

n) Special Provisions

- i) Notwithstanding Section 14.5.1 a) and Section 14.2.8 d), the undeveloped portion of Block Y and Block Z of the Sutton-By-the-Lake Development may be serviced by full municipal services only if the environmental servicing problems at Sutton-By-the-Lake are resolved. Therefore, 16 of the housing units remaining to be developed in Block Y and Block Z as referred to on Schedule G6 - Special Provisions as item 9 is included in the Urban Service Boundary on Schedule G1 - Land Use Plan and Schedule G5 - Municipal Servicing Plan without further amendment to this Plan, to provide servicing for a maximum of 98 modular homes on sites within Block Z of draft Plan of Subdivision 19T-86080 approved by the Regional Municipality of York on July 24, 1987, provided: the owners of Sutton-By-the-Lake enter into an agreement with the Town of Georgina in order to resolve the environmental servicing problems at Sutton-By-the-Lake. That agreement should include the following terms:

The Agreement is subject to the approval of the Region of York;

The Agreement is to the satisfaction of the Town Solicitor and provides for:

- a study of the environmental servicing problems with respect to Sutton-By-the-Lake by an environmental consultant approved by the Town;
- the preparation of an action plan which makes recommendations to remedy the environmental servicing problems to the satisfaction of the Town;
- provides for all costs respecting the resolution of the environmental servicing problems including the Town's legal and planning costs, to be borne by the owners of Sutton-By-the-Lake;
- provides for security of all costs;
- includes for a time table which requires remedying the environmental servicing problems as soon as is practicable; and,

- provides that no development shall occur on Block Z until all environmental servicing problems are corrected in accordance with the Agreement.

#### **14.5.2 Sanitary Sewer Policies**

- a) Lands within the Urban Service Boundary of the Sutton Secondary Plan will be serviced by expanding the existing Water Pollution Control Plant on Black River Road to its maximum capacity of 13,500 persons equivalent or as revised through further study and shall include the decommissioning of the existing lagoon and construction of a new outfall into Lake Simcoe. Expansion may be completed in one or more phases.
- b) The design of the sanitary sewer system in the Sutton Secondary Plan Area shall be designed to the satisfaction of the Town of Georgina and the Regional Municipality of York. Potential pumping station sites are indicated on Schedule G5 - Municipal Servicing Plan.
- c) A Functional Servicing Plan, as per the provisions of Section 14.6.4 c) of this Plan shall be prepared in accordance with criteria established by the Town of Georgina and shall be submitted prior to or concurrently with any significant development application within a Development Area. The Functional Servicing Plan shall identify detailed design requirements, phasing and costs of providing sanitary sewers.
- d) The lands located west of the watercourse, (east of Birch Road) have been included within the study area of an Environmental Study Report for the Willow Beach area whereby servicing is intended from the Keswick Water Pollution Control Plant. Should municipal services be available to these lands from the Keswick plant, prior to the expansion of the Sutton Water Pollution Control plant, these lands may receive their services from the Keswick system.

#### **14.5.3 Water Supply Policies**

- a) Water supply shall be made available from a new water intake, filtration plant, pump house and elevated tank to be built by the Regional Municipality of York. The specific location of the new water plant shall be determined by the Regional Municipality of York in consultation with the Town of Georgina. The existing filtration plant and pumphouse is to be decommissioned.
- b) The Sutton Secondary Plan will be serviced by a loop water system consisting of existing, and proposed watermains as indicated on Schedule G5 - Municipal Servicing Plan and subject to the location of a new water supply system to be built by the Regional Municipality of York.

- c) A Functional Servicing Plan as per the provisions of Section 14.6.4 c) of this Plan shall be prepared in accordance with criteria established by the Town of Georgina and shall be submitted prior to or concurrently with the approval of any significant development application within a Development Area. The Functional Servicing Plan shall identify detailed design requirements, phasing and the costs of providing the water distribution system.

#### **14.5.4 Storm Drainage Policies**

- a) Lake Simcoe is recognized by the Town of Georgina as a significant natural, environmental and economic resource. Therefore every effort is to be made to protect this resource to control the quantity and protect and enhance the quality of stormwater runoff entering the Lake.
- b) Stormwater runoff from the Sutton Secondary Plan Area drains into the Black River and two minor drainage courses, eventually outletting into Lake Simcoe.
- c) Stormwater management shall be implemented in the Sutton Secondary Plan Area to satisfy the latest requirements of the Ministry of the Environment and Energy, the Ministry of Natural Resources, the Regional Municipality of York, the Lake Simcoe Region Conservation Authority and the Town of Georgina with respect to stormwater quantity and quality.
- d) Detention ponds may be used where appropriate as part of the stormwater management system for the Sutton Secondary Plan Area.
- e) The stormwater management system for the Sutton Secondary Plan Area shall generally control runoff to pre-development levels and maintain a natural hydrologic regime.
- f) Best management practices applicable during and after construction shall be implemented in the Sutton Secondary Plan Area to ensure water quality standards established by the approval authorities are met and/or exceeded.
- g) Retention of existing natural vegetation and tree cover wherever possible shall be encouraged to facilitate the infiltration of stormwater runoff into the ground wherever soil conditions permit.
- h) Where practical, stormwater facilities shall be located adjacent to areas of parkland dedication or open space areas. The design of the facility should preferably be curvilinear in shape with gentle slopes so as to present as natural a landscape effect as possible and utilize the latest bio-

engineering and naturalization techniques. Potential locations of stormwater facilities in the Sutton Secondary Plan Area are indicated in Schedule G5 - Municipal Servicing Plan.

- i) A Master Drainage Plan, prepared on a sub-watershed basis, as per the provisions of Section 14.6.4 c) shall be prepared by the proponent in accordance with criteria established by the Ministry of the Environment and Energy, the Ministry of Natural Resources, the Lake Simcoe Region Conservation Authority, the Regional Municipality of York and the Town of Georgina shall be submitted prior to or concurrently with the approval of any significant development application within a Development Area. The Master Drainage Plan shall identify detailed design requirements, phasing, and the cost of providing storm water drainage systems.

#### **14.5.5 Electrical Supply Policies**

- a) Wiring for electrical power distribution shall be located underground. Main electrical feeder transmission lines may be installed above ground along arterial or collector roads.
- b) A Functional Servicing Plan, as per Section 14.6.4 c) shall be prepared by the proponent in accordance with criteria established by, and to the satisfaction of the Town of Georgina and shall be submitted prior to or concurrently with the approval of any significant development application within a Development Area. The Functional Servicing Plan shall identify detailed design requirements, phasing and cost of providing an electrical distribution system in the Sutton Secondary Plan Area.

### **14.6 Implementation**

#### **14.6.1 General Policies**

- a) The policies of the Sutton Secondary Plan will be implemented by the Council of the Town of Georgina in accordance with authority granted to the municipality under the provisions of The Planning Act, The Municipal Act and other applicable statutes.
- b) The adoption and implementation of the policies of this Plan will re-designate lands to allow for Residential, Mixed Uses, Commercial, Industrial, Park, Open Space, Private Open Space, Institutional, and Rural Modular Home Park land uses within the Sutton Secondary Plan Area.
- c) The Sutton Secondary Plan is intended to act in concert with the policies which are contained within the Official Plan for the Town of Georgina Planning Area and should be read in conjunction with the Official Plan.

- d) Upon approval by the Ministry of Municipal Affairs the Sutton Secondary Plan will be incorporated as an amendment into the Town of Georgina Official Plan.
- e) The Town of Georgina shall convene a public hearing at least once every five years of the life of this Plan, to consider the need to review the policies of the Sutton Secondary Plan. Matters to be addressed will include the status of Development Area plans and emerging issues, development applications, servicing allocation status, housing form analysis and building starts.
- f) The policies of this Plan do not pose any obligations upon the Town of Georgina to construct any public work referred to in this Plan. Issues to be addressed will be the status of Development Area plans, development applications, servicing issues and housing form analysis.
- g) In conjunction with the public hearing referred to in Section 14.6.1 e) of this Plan, the Town of Georgina shall monitor and report on existing flow rates of the Water Pollution Control Plant.

#### **14.6.2 Development Requirements**

- a) The implementation of the Sutton Secondary Plan policies shall take place through processes permitted by The Planning Act. Prior to significant development being approved by the Council of the Town of Georgina, in accordance with the policies of this Plan the following items will be required on behalf of the development proponent(s):
  - i) As per Section 14.6.4, a Development Area Plan shall be prepared for the Development Area within which the development is proposed.
  - ii) Where deemed appropriate, the Town of Georgina may require the execution of a developer's group agreement to establish the mechanism whereby the provision of community facilities and common elements can be provided.
  - iii) Individual plans of subdivision shall be reviewed by the Town of Georgina in accordance with the policies of this Plan and Section 51 of The Planning Act.
  - iv) Front end financing, accelerated development charge payment, and/or other special development related financial agreements are to be in place regarding the provision of roads, water and sanitary sewer service, to the satisfaction of the Regional Municipality of York.

- v) Site Plan Control approval under Section 41 of The Planning Act shall be required for all land uses within the Secondary Plan Area with the exception of:
- single family detached, semi-detached duplex uses and structures which are accessory to these uses which do not require municipal easements;
  - agricultural and farm related buildings which do not serve the public and a farm produce stand;
  - residential and farm fences.
- vi) Development applications within the Sutton Secondary Plan Area shall be reviewed by having regard to the Urban Design policies provided in Section 14.2.22 of this Plan.
- vii) Amendments to the Town of Georgina Zoning By-law may be required to implement the policies of this Plan. Zoning By-laws which do not conform to the policies of this plan shall not be enacted by the Council of the Town of Georgina.

#### **14.6.3 Staging Policies**

- a) Development within the Sutton Secondary Plan Area shall take place in an orderly and efficient manner.
- b) Generally, the urban development of lands shall be governed by the following principles:
- the sequential development of lands takes place within a Development Area
  - the provision of necessary community facilities (schools, parks prior to, or concurrent to development)
  - the presence and coordination of access to arterial and collector roads
  - municipal services can adequately accommodate contemplated development
  - mitigative measures are implemented to prevent adverse environmental impacts from occurring.

#### 14.6.4 Development Areas

Four Development areas have been created to provide for the comprehensive design and servicing of lands within those areas. The locations of the four development areas are shown on Schedule G2 - Urban Structure Plan and consist of:

1. Northeast Sutton Development Area
  2. Southeast Sutton Development Area
  3. Northwest Sutton Development Area
  4. Southwest Sutton Development Area
- a) Prior to the approval of any plans of subdivision within a Development Area, the Town of Georgina shall require the preparation and approval of detailed Development Area plans. These plans shall be subject to the review of the Lake Simcoe Region Conservation Authority, the Regional Municipality of York, the Town of Georgina and any other relevant agency.
  - b) Development Area plans shall adhere to the policies of the Sutton Secondary Plan.
  - c) Matters to be addressed by a Development Area Plan shall be:
    - i) distribution of land uses;
    - ii) internal road and collector road design;
    - iii) master functional servicing plan generally outlining storm water drainage, sanitary sewer and water distribution design, and the provision of electrical services;
    - iv) the location and need for facilities within municipal parkland within the Development Area, an examination of the community's parkland, open space and linkage needs shall be completed prior to the approval of any Development Area Plan. The study shall encompass a minimum of Development Areas 1 and 2 for proposals located east of Dalton Road and Development Areas 3 and 4 for proposals located west of Dalton Road.
    - v) an environmental assessment employing a subwatershed planning approach of natural features within the Development Area and proposed mitigative measures. Matters to be included within the environmental assessment shall be the identification of natural

features and their functional significance, an assessment of the impacts of development upon the natural features, recommended mitigative measures including the opportunity for enhancement and suggestions for the incorporation of the natural features into the project design;

- vi) conceptual streetscaping plan outlining pedestrian/bicycle linkages, entry features, lighting treatments which can be implemented to ensure that development appears and functions as a comprehensive, consistently planned entity.
  - vii) an assessment of traffic impacts and road improvements;
  - viii) where development within a Development Area is largely complete or has achieved approved status, the Town of Georgina may reconsider the need to include the lands within a Development Area Plan or the matters to be addressed in the Development Area Plan.
- d) The preparation of Development Area plans may address matters referred to in Section 14.16.4 c) on a scale larger than the individual development area.
- e) Special Provisions
- i) Notwithstanding Section 14.6.4 a), approval of Plan of Subdivision 19T-90033 for the development of a residential community as set out in Section 14.2.5 k) iii) shall not be subject to the requirement for a development area plan as a condition of subdivision approval. However, in the event there are major changes to the proposed development or a new proposal is submitted, the Town retains the right to reconsider the need for and inclusion of the subject land as part of a development area plan and requirements thereto prior to subdivision approval;
  - ii) Notwithstanding Section 14.6.4 a), approval of Plan of Subdivision 19T-88065 for a residential development as set out in Section 14.2.5 k) ii) shall not be subject to the requirement for a development area plan as a condition of subdivision approval. However, in the event there are major changes to the proposed development or a new proposal is submitted, the Town retains the right to reconsider the need for an inclusion of the subject land as part of a development area plan and requirements thereto prior to subdivision approval.
  - iii) Notwithstanding Section 14.6.4 a), approval for a Plan of Subdivision or Plan of Condominium for the lands described as

Lots 12 to 15 inclusive, Block 60, Registered Plan 69, and shown on Schedule G6 - Special Provisions, shall not be subject to the requirements for a Development Area Plan as a condition of subdivision or condominium approval, provided the lands are developed in accordance with the recommendations of ESG International in their Environmental Assessment Analysis report dated August 31, 2000. Notwithstanding that a Development Area Plan is not required for the lands, the Town may still require studies demonstrating that the development of the proposed plan of subdivision or plan of condominium will be coordinated with surrounding lands, including location of future road connections and functional servicing studies relating to storm water design, sanitary sewer and water distribution design for the site.

#### **14.7 Non Conforming Uses**

- a) A lawful land use existing at the time of adoption of this Plan, which does not conform to the policies of this Plan shall be considered to be a legal non-conforming use.
- b) Non conforming uses shall be encouraged to relocate or redevelop so that the subject land may be used in conformity with the policies of this Plan.
- c) The policies of the Sutton Secondary Plan shall not prohibit the passing of a by-law to permit the extension or enlargement of the non-conforming use provided that the enlargement or extension conforms to the following criteria:
  - i) the extension or enlargement is appropriate relative to the existing size of the use;
  - ii) adjacent land uses are not significantly adversely affected by the extension or enlargement;
  - iii) services to the site are adequate to support the additional size of the use;
  - iv) the expansion does not pose adverse parking or traffic problems to adjacent land uses or the transportation system.

#### **14.8 Holding By-laws**

- a) The Town of Georgina may enact holding by-laws in accordance with Section 36 of The Planning Act to ensure that development will take place in a logical, efficient manner conforming to the policies of the Plan.

- b) Holding by-laws shall be identified by affixing an 'H' symbol to the applicable zoning category. The holding zone will prevent or limit the ultimate use from taking place until the Town of Georgina is satisfied that all necessary requirements of development have been met.
- c) Prior to enacting a by-law to delete the holding provision accordance with the Planning Act, Council shall be satisfied that:
  - i) adequate servicing, such as water supply, sewage disposal facilities, storm water drainage, solid waste collection and disposal, and roads can be provided;
  - ii) all necessary requirements of the Town have been satisfied;
  - iii) all necessary subdivision or development agreements have been entered into, and that the conditions of these agreements have been, or will be met; and,
  - iv) the proposed development satisfies all other relevant policies of this Secondary Plan.
- d) No provision of this Plan shall require Council to immediately zone all the lands in the Secondary Plan area for the designated uses.

#### **14.9 Interim Control By-laws**

- a) Council may enact Interim Control By-laws in accordance with the Planning Act, in order to limit or prevent the use of certain lands until such time as a review or study of the land use planning policies of the lands has been undertaken.
- b) Interim Control By-laws will specify the use (and any additional regulations applicable thereto) which will be permitted while the By-law is in effect, provided that such interim uses do not conflict with the ultimate designated use of the lands.
- c) Interim Control By-laws shall define the specific area affected and establish an expiry date of not more than one year from the date of passing thereof.
- d) Council may pass a further By-law to grant an extension of the Interim Control By-law of up to one additional year. Council may not enact another Interim Control By-law for a period of three years on the same lands where one has lapsed.

- e) Interim Control By-laws shall not prohibit the use of lands for any purpose lawfully in existence, or for which a building permit has been issued under the Building Code Act, on the date of passing the Interim Control By-law.

#### **14.10 Consent**

- a) Generally where no more than three lots are to be created, and where it is determined that a registered plan of subdivision is not required to ensure proper and orderly development, the land to be developed may be divided by consent of the Committee of Adjustment. In determining whether a proposed land division should require a plan of subdivision or merely a consent to sever, the following questions shall be examined:
  - i) whether to extension of an existing public road, opening of an unopened road allowance or the creation of a new road is required; or
  - ii) whether the extension or expansion of municipal services is required; or
  - iii) whether an agreement with appropriate conditions is required by the Town, Region or Province in respect of any part of the lands that would be defined as remaining lands in a consent application.

Where there is an affirmative answer to any of such questions, the proposed development should take place by plan of subdivision.

- b) Consents may be permitted for such reasons as the creation of a new lot, boundary adjustments, right-of-way, easements, and to convey additional lands to an abutting lot, provided an undersized lot is not created.
- c) Applications for consents for all land use designations will only be granted where:
  - i) it is clearly not in the public interest that a plan of subdivision be registered;
  - ii) the lot can be adequately serviced by roads, sanitary sewage disposal, water supply, and storm drainage facilities;
  - iii) no extension, improvement or assumption of municipal services is required;
  - iv) the lot will have frontage on an open and assumed public road, and access will not result in traffic hazards;

- v) the lot will not restrict the ultimate development of adjacent lands;
- vi) the size and shape of the lot conforms to the Zoning By-law, and is appropriate for the use proposed and is compatible with adjacent lots; and,
- vii) the consent complies with all relevant provisions of this Secondary Plan.

#### **14.11 Bonus Zoning**

- a) The Town of Georgina may enact by-laws in accordance with Section 37 of The Planning Act which will permit increases in the height and density otherwise permitted for a proposed development in return for the provision of such facilities, services or matters as set out in the by-law.
- b) Height and density increases resulting from the provision of facilities, services or matters described in Section 14.11 a) shall not result in a scale of development which is incompatible with adjacent land uses.
- c) Increases in height and density may be granted to obtain facilities, services and matters such as:
  - i) parks and open space in excess of that required by this Plan or The Planning Act;
  - ii) day care and community facilities;
  - iii) preservation of heritage facilities;
  - iv) transit facilities;
  - v) improvements to municipal services which benefit larger areas than contemplated within a development proposal and for which cost recoveries will not be made;
  - vi) cultural facilities.

#### **14.12 Community Improvement Areas**

- a) Community Improvement Areas are shown on Schedule G2 - Urban Structure Plan.

Other areas may be designated by by-law after public meetings are held to obtain input from landowners and area residents. Community Improvement Areas shall be created where a need exists for a

- coordinated approach to improve services, facilities or buildings within a prescribed area.
- b) Identification of Community Improvement Areas will not require amendments to this Plan.
  - c) The Town of Georgina shall encourage the creation and on-going operation, of Business Improvement Areas.
  - d) The identification of a Community Improvement Area may take place when a coordinated programme is required to achieve improvements to one or more of the following services, utilities or buildings:
    - i) an area of existing housing stock requires maintenance or rehabilitation;
    - ii) preservation of historically significant buildings;
    - iii) municipal sanitary sewers, storm water sewers, water disposal services;
    - iv) roads, lighting, curbs, sidewalks, etc.;
    - v) social and recreational facilities;
    - vi) commercial area infrastructure such as parking and landscaping.
  - e) The Town of Georgina shall ensure that the Community Improvement Area projects are financially responsible and that the Town is fiscally able to contribute its share of any work.

### **14.13 Interpretation Policies**

- a) All Schedules must be read in conjunction with the applicable policies of the text. All policies must also be considered together to determine conformity.
- b) The boundaries between land use designations, the location of proposed roads, and the location of environmental resource areas are approximate except where they coincide with roads or clearly defined physical features such as streams. Minor adjustments shall not require an amendment to this Plan provided the intent of the policies within the Plan are maintained.
- c) Where figures, quantities and measurements are referred to in this Plan, minor variations to these numbers shall be permitted provided that the intent of this Plan is maintained.

- d) In the event that a conflict between the provisions of the Official Plan of the Town of Georgina Planning Area and the Sutton Secondary Plan may exist, the policies of the Sutton Secondary Plan are to apply.
- e) Unless otherwise specified, deviation from the provisions of the text and Schedules will require an amendment to this Plan.
- f) The designation of community facilities such as parks, schools, roads, etc., is an indication of the preferred location of social facilities, and is not to be considered a commitment by the Town of Georgina to provide the facility at a specific point in time.