

MAY  
2026

PLANScape  
BUILDING COMMUNITY THROUGH PLANNING

# OFFICIAL PLAN



Council Adopted:  
County of Dufferin Approved:  
Office Consolidation:



TOWNSHIP OF  
EAST GARAFRAXA



# OFFICE CONSOLIDATION TRACKING

This copy of the Township of East Garafraxa Office Consolidation provides users with a current copy of the Official Plan Policies in effect for the Township of East Garafraxa. This Office Consolidation is provided for convenience purposes, for accurate reference, please consult the original Official Plan, and applicable approval authority decisions, and/or Ontario Land Tribunal decisions. This Office Consolidation of the Township of East Garafraxa incorporates the following Official Plan Amendments:

## OFFICIAL PLAN AMENDMENTS

<b>Official Plan Amendment No.</b>	<b>Date of Adoption by Council</b>	<b>Date of County of Dufferin Decision</b>



## PLANNING AUTHORITY APPROVALS

### County of Dufferin Approval

The Official Plan for the Township of East Garafraxa, adopted by the Council of the Township of East Garafraxa on the \_\_\_ day of \_\_\_, 2025, by by-law number \_\_\_ is hereby approved by the County of Dufferin \_\_\_ day of \_\_\_, 2025, by by-law number \_\_\_ in accordance with Section 17 (34) of The Planning Act, R.S.O. 1990, cP.13, as amended, as the Official Plan for the Township of East Garafraxa.

[insert by-law]

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DATE



**Township of East Garafraxa Adoption**

**THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA**

**BY-LAW NUMBER [REDACTED] 2026**

The Council of the Corporation of the Township of East Garafraxa in accordance with the provisions of the Planning Act, R.S.O., 1990, c P.13, as amended, hereby ENACTS as follows:

- 1) THAT the Official Plan for the Township of East Garafraxa, being the attached text and Schedules [REDACTED], is hereby adopted.
- 2) THAT the Clerk is hereby authorized and directed to request the County of Dufferin approve this Official Plan as the approval authority under subsection 17(34) of the Planning Act.
- 3) THAT Council declares to Dufferin County that this Official Plan meets the requirements of Section 26. 1c) of The Planning Act.
- 4) THAT this By-law shall come into force and take effect on the day of approval by the County of Dufferin.

AND THAT upon approval of this Plan by the County of Dufferin, the Official Plan for the Township of East Garafraxa approved by the Minister of Municipal Affairs and Housing on the 15<sup>th</sup> day of December, 2004 by By-law 59-2004 as amended, is hereby repealed and replaced, save and except those parts of this Plan and specific designations that are subject to an appeal that is outstanding.

Enacted and passed this [REDACTED] day of [REDACTED], 2026.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

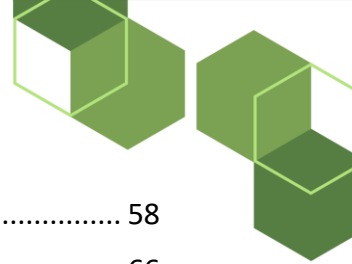
Certified that the above is a true copy of By-law No. [REDACTED] enacted and passed by the Council of the Corporation of the Township of East Garafraxa on the [REDACTED] day of [REDACTED], 2026.

\_\_\_\_\_  
CLERK



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## **SCHEDULES**

Schedule A: Land Use

Schedule A-1: Marsville Land Use

Schedule A-2: Orton Land Use

Schedule B: Environmental Protection

Schedule C: Development Constraints

Schedule D: Greenbelt Boundaries and Natural Heritage Features

Schedule F: Source Water Protection Areas

## **Appendices:**

Appendix 1 – Wildland Fire Risk



# 1 Introduction & How to Use This Plan

The Official Plan for the Township of East Garafraxa (the “OP” or “Plan”) provides overarching policy direction on matters of municipal significance. The Plan directs Township growth management and land use decisions by providing land use planning direction based on the County’s upper-tier guidance. Decision-making authority for land use planning is shared between the Township of East Garafraxa and the County of Dufferin.

The Plan guides Township Council in the consideration of its responsibilities and provides direction and certainty to residents of East Garafraxa on land use planning matters.

To determine which policies apply to a specific property or area within the municipality, first locate the subject property or area on the Official Plan Schedules.

Once the land use designation and constraints are identified, the user should refer to the applicable sections and policies of the Plan to determine general land use direction and intent.

**Note:** applicants who are contemplating development or filing a planning application are strongly encouraged to schedule a pre-consultation meeting.

## 1.1 Purpose

The Official Plan provides land use planning policies to manage growth and development within the Township. This Plan establishes the criteria for evaluating proposals for change and growth, based on a policy-led system that focuses on the Township’s long-term goals and objectives.

The purpose of this Official Plan is to:

- a) Establish the planning framework for all lands within the Township of East Garafraxa within the context of the Dufferin County Official Plan which is guided by provincial policy.
- b) Use the 20-year planning horizon and growth management framework set out by the County to accommodate the anticipated population and employment forecasts for the Township over the planning horizon to 2051.
- c) Promote orderly growth and development through the logical, efficient and cost-effective distribution of land uses and infrastructure, recognizing that no public water or sewer services are planned for any areas other than partial water service in the community of Marsville.
- d) Set out policies to encourage economic development, including policies for employment, agriculture, and tourism and recreation-based uses.
- e) Define the measures and means of implementing, monitoring, reviewing and updating the policies and schedules of this Plan.



- f) Foster the creation of complete, healthy, and sustainable communities and enhance the quality of life for residents of all ages and abilities.
- g) Direct most of the growth to the community settlement areas of Marsville, and to a lesser extent, the community of Orton.
- h) Protect agricultural areas consisting of mostly prime agricultural land and promote a range of agricultural uses, activities and complimentary uses and recognize the local contribution to a sustainable food system.
- i) Protect, mineral, aggregates, and petroleum resources for their long-term use in a manner that is socially and environmentally responsible.
- j) Maintain and protect the natural heritage features in the Township, including the Greenbelt Natural Heritage System, in a manner that recognizes ecosystem functions and contribution to the natural landscape.
- k) Direct development away from human-made and natural hazards to avoid risks to human health and safety and avoid property damage.
- l) Protect significant cultural heritage and archaeological resources and the history and defining character of the Township.
- m) Encourage the provision of a range of housing opportunities, recognizing the rural nature of the Township and servicing limitations.
- n) Promote a safe, integrated transportation system which meets the needs of the residents.
- o) Ensure all land use decisions conform with the applicable Source Protection Plan and the water protection policies of this Plan to protect the quality and quantity of groundwater and surface water, the provision of safe drinking water, and the functions of the water systems throughout the Township.
- p) Ensure the coordination of planning and land use matters with surrounding municipalities, school boards and the County.
- q) Encourage the allocation of Open Space for public parks, greenspace, and trails throughout the Township to support community well-being.
- r) Support and encourage opportunities for active transportation throughout the Township by promoting safe, connected, and context-appropriate walking and cycling networks that enhance mobility, community well-being, and access to local destinations, where feasible.

### **1.1.1 Basis**

The basis for the Official Plan is outlined as follows, which summarizes the planning and policy context upon which this Plan was prepared:



- a) This Plan establishes the goals, objectives and policies to direct and manage growth, informed by the social, economic and natural environments of the Township in accordance with the Planning Act.
- b) A priority of this Plan is to create complete and healthy communities that are resilient to the effects of climate change, including increased risks associated with flooding, extreme heat, and declining air quality.
- c) The Township of East Garafraxa contains vulnerable areas associated with municipal wells located in the boundaries of the Credit Valley and Grand River Source Protection Areas. All development within vulnerable areas shall conform with the applicable Source Protection Plan and the source water protection policies of this Plan.
- d) This Plan implements the policies of the Provincial Planning Statement (PPS), 2024 and the Greenbelt Plan.
- e) The importance of agriculture and the need for the protection of agricultural resources and lands is recognized throughout this Plan.
- f) This Plan is based on the upper-tier policies of the County of Dufferin.
- g) This Plan aims to achieve orderly development and the protection of agricultural, aggregate and natural heritage resources.

### 1.1.2 The Township's Vision Statement is:

In East Garafraxa our future is built on a commitment to respect our natural heritage, our sense of community and the land while enhancing our opportunities for growth.

This vision is reflected in the purpose and policies of this Plan.

## 1.2 Plan Organization

This Plan includes several interrelated components, which must be read together. The Official Plan is organized into eleven sections:

**Section 1 – Introduction & How to Use This Plan** provides the background, basis for the preparation of the Plan as well as the structure of the Plan. Within this section, important overarching land use goals and objectives are provided which establish the framework within which the policies of the Plan have been prepared and should be read to understand the intent behind the policies.

**Section 2 – Strategic Framework** provides the vision for growth in the municipality. This section also provides the Provincial and County context for the policies of this Plan.

**Section 3 – Indigenous Engagement** outlines the land acknowledgement of the Township and the commitment to effective engagement with Indigenous partners.



**Section 4 – Settlement Area Structure & Growth Needs Management** provides policies related to growth projections and allocations for where growth should be directed.

**Section 5 – Residential and Mixed Uses** provides policies in support of the development of complete, healthy, and inclusive communities by accommodating a variety of housing types, densities, and complementary uses, while respecting servicing constraints, rural character, environmental features, and existing community form.

**Section 6 – Economy and Employment Areas** provides the policies related to employment uses as defined by the Provincial Planning Statement.

**Section 7 – Rural Areas and Agricultural System** provides the policies related to Rural and Agricultural uses, including the Agricultural Land Base and Agri-Food Network.

**Section 8 – Infrastructure, Facilities and Community Services** provides policies related to physical infrastructure, including water and

wastewater systems, roads, utilities and telecommunication networks, energy efficiency and conservation, and the coordination of infrastructure.

**Section 9 – Local Landscape and Resource Management** provides policies related to the protection of public health and safety associated with risks of flooding, steep slopes, waste disposal sites, contaminated lands and other potential hazards, the long-term protection and appropriate management of mineral resources, including mineral aggregate resources, minerals, and petroleum resources, and the protection and preservation of agricultural lands.

**Section 10 – Implementation and Interpretation** provides policies which describe the mechanisms and processes to implement the policies of the Plan. This section also directs users to the hierarchy of authority for interpreting and defining terms.

The Plan is supported by the following schedules and appendices, which are described in the policies to enhance the understanding of the Plan and form part of this Plan:

**Schedules:**

- Schedule A: Land Use (entire jurisdiction)
- Schedule A-1: Marsville Land Use
- Schedule A-2: Orton Land Use
- Schedule B: Environmental Protection
- Schedule C: Development Constraints
- Schedule D: Greenbelt Boundaries and Natural Heritage Features
- Schedule F: Source Water Protection Areas

**Appendices:**

- Appendix 1 – Wildland Fire Risk



## 2 Strategic Planning Framework

### 2.1 Provincial and Regional Planning Context

This section of the Official Plan identifies the primary factors that have been considered during the preparation of this Plan.

#### 2.1.1 Provincial Context

Planning at the Official Plan level is carried out within a framework primarily established through the Planning Act. Municipalities are required to be “consistent with” provincial policy statements and conform to or not conflict with provincial plans when exercising their authority on planning matters. This includes the Provincial Planning Statement, 2024 and the Greenbelt Plan, 2017 in the southeastern portion of the Township. It also directs conformity with upper-tier Official Plans, which in this case is the County of Dufferin Official Plan.

It is the policy of the Township that:

- a) Notwithstanding the policies of this Plan, the Greenbelt Plan must be consulted to determine whether lands are subject to its designations and policies.
- b) The Greenbelt Boundaries and the Natural Heritage System have been identified in Schedule D of this Plan alongside detailed land use policies and development criteria.
- c) Amendments to those areas of the Plan designated as Greenbelt Protected Countryside can only be proposed by the Minister of Municipal Affairs and Housing. Amendments are subject to the approval of the Lieutenant Governor in Council, in accordance with Section 5.7 of the Greenbelt Plan.
- d) Where there is a conflict between policies of this Plan and the Greenbelt Plan, the more restrictive policy will apply, except for lot creation policies where the policies set out in the Greenbelt Plan will prevail. The policies of this Plan and the Zoning By-law will not be more restrictive than the Greenbelt Plan as they apply to agricultural uses and mineral aggregate resources.

#### 2.1.2 Dufferin County Context

The County of Dufferin is in the north-western portion of the Greater Golden Horseshoe (GGH) Area, which is one of North America’s fastest growing regions. The County is recognized as a significant part of what is commonly known as the headwaters area of Ontario, since it offers the source of five major river systems in the Province: the Credit, Humber, Grand, Saugeen and Nottawasaga.

Dufferin County is an upper-tier municipality which is comprised of eight local municipalities which include the following:

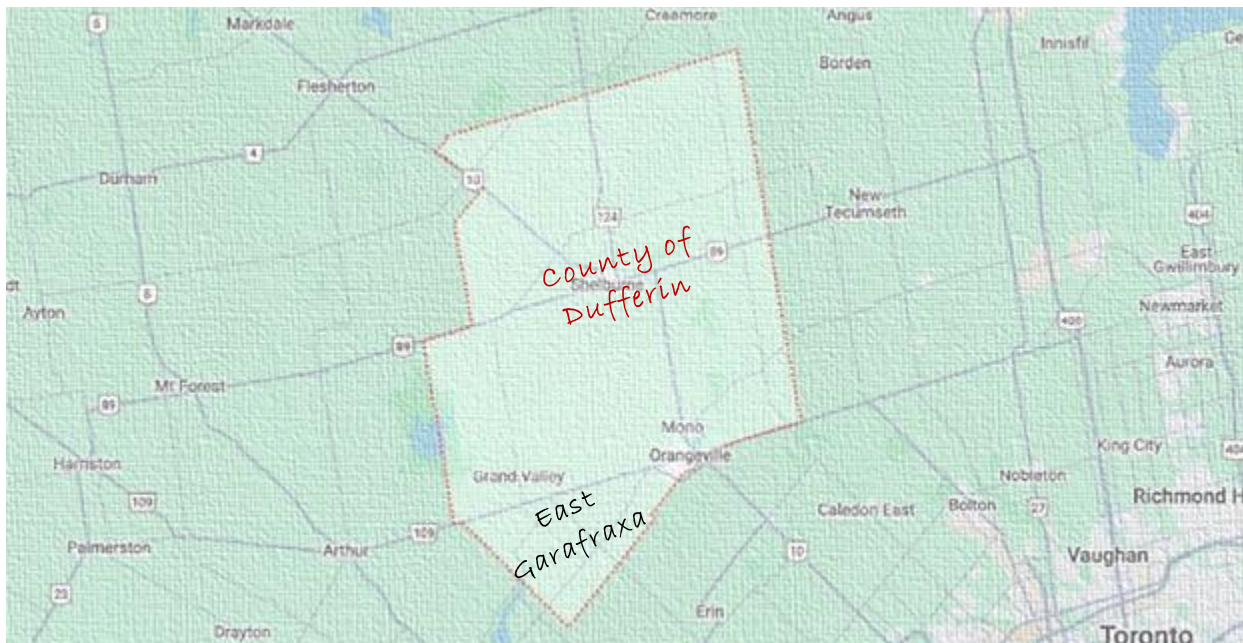


- 1) Township of Amaranth;
- 2) Township of East Garafraxa;
- 3) Town of Grand Valley;
- 4) Township of Melancthon;
- 5) Town of Mono;
- 6) Township of Mulmur;
- 7) Town of Orangeville; and
- 8) Town of Shelburne.

### 2.1.3 Township of East Garafraxa Context

East Garafraxa is home to a variety of small businesses and agricultural pursuits. It is situated in the southwestern portion of Dufferin County, allowing an easy commute to the south to Brampton, Mississauga, but also to Fergus, Guelph and the Waterloo Region. The Grand River flows through the Township, giving the local artists inspiration and the local farmers ample water. Manufacturing, retail and construction are the top three employment industries.<sup>1</sup>

There is no municipal sewage service in the Township and only limited municipal water services in Marsville. Within the County, municipal water and sewage services are available, and planned for in Shelburne, Orangeville and Grand Valley. These 3 municipalities are projected to receive the majority of new growth in the County, over the planning horizon.



<sup>1</sup> [Community Profile - Township of East Garafraxa](#)



### 3 Indigenous Engagement

The Township acknowledges that it is located on the traditional territory and ancestral lands of the Tionontati (Petun), Attawandaron (Neutral), Haudenosaunee (Six Nations), and Anishinaabe peoples who have stewarded these lands since time immemorial. These lands are part of a broader treaty landscape, reflecting agreements that established shared responsibilities, relationships, and understandings between Indigenous peoples and settler governments. The Township recognizes that many of these agreements were not honoured as intended, and acknowledges the lasting impacts of this history, including the legacy of broken promises and ongoing inequities.

In recognizing this history, the Township affirms the continued rights of Indigenous peoples and the importance of upholding the spirit and intent of treaties in present-day decision-making. The Township recognizes Indigenous communities as distinct rights-holders with enduring connections to the land and acknowledges their important role in shaping the future of the community.

This approach is consistent with the requirements of the Planning Act, the Provincial Planning Statement, and the principles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). However, the Township's intent extends beyond meeting legislative and policy obligations. The Township seeks to foster meaningful, long-term relationships with Indigenous communities, grounded in trust, respect, reciprocity, and a commitment to reconciliation. This includes supporting authentic dialogue, facilitating the sharing of knowledge, and ensuring that Indigenous perspectives meaningfully inform land use planning processes and decisions.

The Township recognizes that meaningful engagement is an ongoing process that requires continuous learning, reflection, and relationship-building. Planning processes will seek to understand and incorporate Indigenous knowledge systems, including Traditional Ecological Knowledge with the guidance of Indigenous communities. This approach supports more informed decision-making, environmental stewardship, and culturally inclusive planning.

The Township further acknowledges the importance of long-term, intergenerational thinking, including the Seven Generations perspective, and will strive to consider the environmental, cultural, social, and economic impacts of decisions on future generations. Through this Plan, the Township commits to working constructively with Indigenous communities to identify, avoid, minimize, or mitigate potential impacts on Indigenous rights, interests, and culturally significant places, supporting both the protection of cultural landscapes and the advancement of reconciliation.

The Township will work cooperatively with the County of Dufferin to support and enhance Indigenous Engagement and relationship building.



## 4 Settlement Area Structure and Growth Needs Management

### 4.1 Settlement Areas

There are two Community Settlement Areas within the Township: Marsville and Orton. Most of the growth within the Township will be directed to these rural communities, with the remainder of anticipated growth to occur in the rural area.

#### 4.1.1 Community Settlement Area Policies

It is the policy of the Township that Community Settlement Areas will:

- a) Encourage healthy and complete communities, with a diverse mix of land uses, a range and mix of employment and range of housing types, including special needs housing, high quality public open space and convenient access to local services.
- b) Efficiently use land, resources, infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion.
- c) Minimize adverse impacts on air quality, reduce greenhouse gas emissions, and promote energy-efficient and low-carbon development.
- d) Promote development that is compact, mixed-use, and supports safe, accessible, and multi-modal transportation, services and amenities available for residents of all ages and abilities.
- e) Encourage appropriate intensification through Additional Residential Units (ARUs) and other infill development appropriate to the community character and services available.
- f) Increase the opportunity for job creation by attracting and maintaining industries and businesses closer to where residents live.
- g) Optimize the long-term availability, viability and use of agricultural and other resources.
- h) Maintain a rural settlement character and evolve as service and residential centres for their surrounding rural areas, where appropriate.
- i) In the Community of Marsville, encourage safe and well-connected cyclist and pedestrian linkages to achieve pathways between East Garafraxa Public School, parks, and residential development to encourage active travel.



#### **4.1.2 Community Settlement Area Expansion**

An expansion to the community settlement area boundaries may be considered by a privately or municipally lead individual application to amend this Plan.

The following shall guide the evaluation of such an application:

- a) the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
- b) if there is sufficient capacity in existing or planned infrastructure and public service facilities;
- c) whether the applicable lands comprise specialty crop areas;
- d) the evaluation of alternative locations which avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- e) whether the new or expanded settlement area complies with the Minimum Distance Separation Formulae;
- f) whether impacts on the agricultural system are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an Agricultural Impact Assessment or equivalent analysis, based on provincial guidance;
- g) the new or expanded settlement area provides for the phased progression of development;
- h) Whether lands can be developed in a manner that avoids or mitigates risks associated with natural and climate hazards, such as flooding and erosion;
- i) Whether lands can be developed in a manner that avoids regulated wetlands and watercourses; and,
- j) Notwithstanding the above, planning authorities may identify a new settlement area only where it has been demonstrated that the infrastructure and public service facilities to support development are planned or available, approved by Council and supported by a financial study.

## **4.2 Growth Management**

### **4.2.1 Objectives**

The Township's growth management objectives include:

- a) Foster the creation of complete, healthy, and vibrant communities and enhance the quality of life for all residents while protecting and preserving the rural and agricultural character of the Township.



- b) Allow for additional community planning through a Secondary Plan where appropriate.
- c) Promote land use patterns that efficiently use land, resources, infrastructure, and public service facilities while protecting the agricultural system.
- d) Encourage opportunities for redevelopment, revitalization and intensification in appropriate locations and of a scale and character of development that is compatible with the rural landscape.
- e) Encourage economic development opportunities through the protection of employment areas and providing an appropriate range and mix of uses.
- f) Encourage a broad range of housing types and affordability to meet the needs of the existing and future residents.
- g) Consider environmental constraints and long-term risk associated with climate variability, including flood and erosion hazards, groundwater protection, and changes to the natural system, when planning for growth and development.

#### **4.2.2 Growth Projections and Allocations**

- a) East Garafraxa's current population is approximately 3,000 people. The median age of residents is 44 years old and there are a total of 893 private dwellings in the Township.<sup>2</sup> The County of Dufferin projects that by 2051, the Township of East Garafraxa will experience population growth of approximately 1,000 residents and an increase of 300 jobs.<sup>3</sup>
- b) The County and the Township will monitor population and employment growth on an on-going basis in accordance with the policies of the County Plan. The majority of the Township growth will be directed to the Township's community settlement areas – primarily Marsville and secondarily Orton.

#### **4.2.3 Growth Rate and Location**

- a) To ensure infrastructure is provided in an efficient and financially sustainable manner, the Township may phase development to align the timing and rate of growth with the availability and capacity of municipal services and infrastructure.
- b) New growth in the Township shall be primarily in the Community of Marsville and secondarily in the Community of Orton. Estate Residential and Rural areas will accommodate limited growth. Approximate distribution of growth shall be in accordance with the following guidelines:
  - Communities: 80 percent

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<sup>2</sup> [Community Profile - Township of East Garafraxa](#)

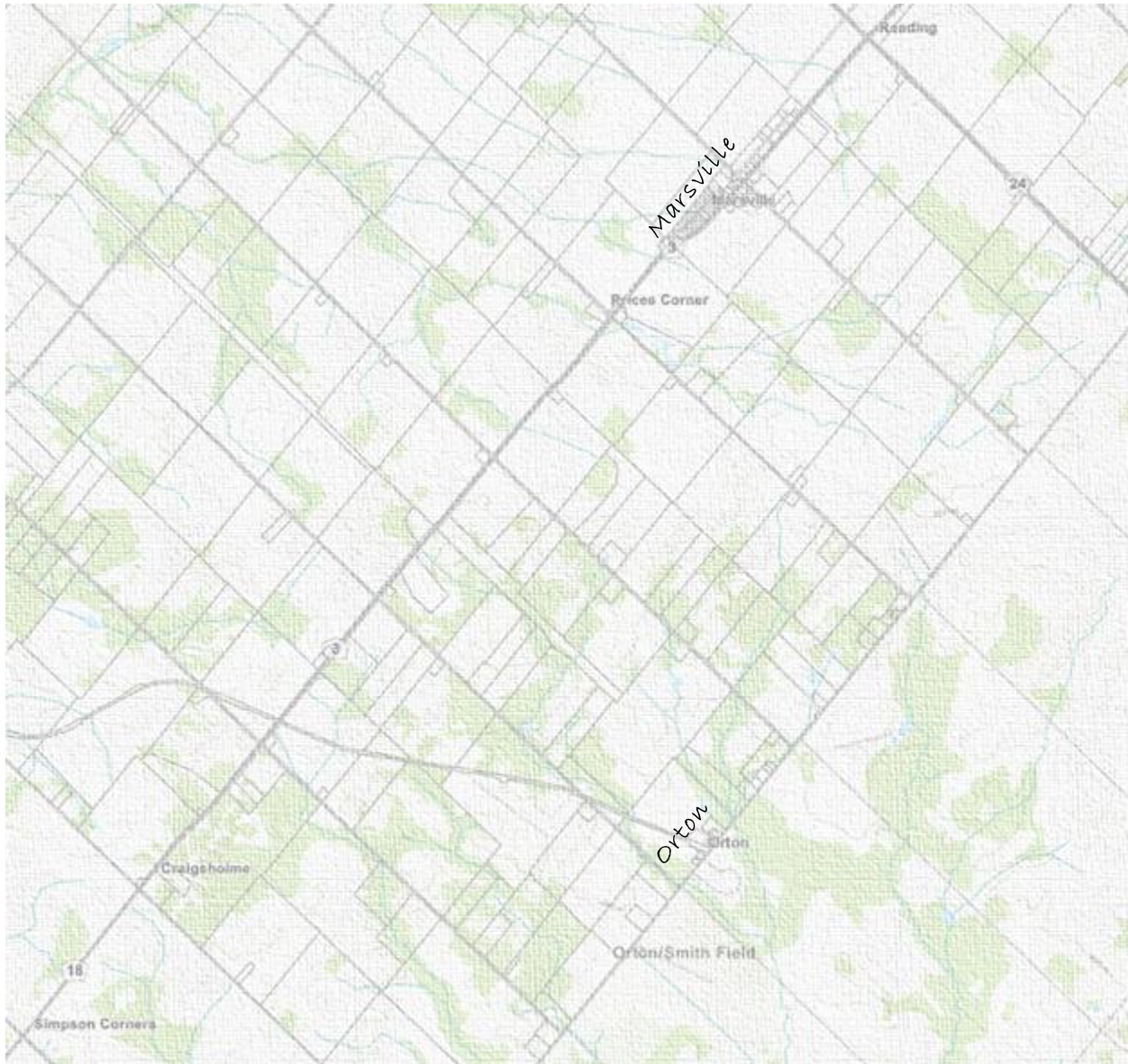
<sup>3</sup> [Dufferin County Official Plan \(Consolidated\)](#)



- Rural Areas: 20 percent

#### 4.2.4 Tourism and Recreation

- a) The policies of this Plan are intended to recognize the importance of tourism and recreation-based activities by supporting the long-term viability and growth of existing and future tourism resources and destinations.
- b) It is the policy of the Township to encourage appropriate tourism and recreational development that supports existing recreational uses and new development consistent with the policies of this Plan.





## 5 Residential and Mixed Uses

### 5.1 Housing:

To respond to the housing and community needs of current and future residents, this Plan provides for a range of residential and mixed-use opportunities within appropriate locations across the Township. The policies of this section support the development of complete, healthy, and inclusive communities by accommodating a variety of housing types, densities, and complementary uses, while respecting servicing constraints, rural character, environmental features, and existing community form.

It is the policy of the Township to direct residential development in a manner that is compatible with surrounding land uses, efficiently utilizes infrastructure, and contributes to the long-term sustainability and livability of the Township.

#### 5.1.1 Community Settlement Areas

##### 5.1.1.1 Identification

- a) The existing communities of Marsville and Orton in the Township provide an important residential, commercial and social function to residents of the Township. The boundaries of the Community areas of the Township of East Garafraxa are identified on Schedule A, and land uses identified on Schedule A-1 and A-2.
- b) Within the Community Settlement Area, Employment, Open Space, Rural, Environmental Protection, Residential, Commercial and Institutional designations may apply.

##### 5.1.1.2 General Community Settlement Area Development Policies

- a) A mix of residential, commercial, open space, environmental protection and small-scale institutional uses are encouraged within the Community Settlement Area boundaries.
- b) Development shall be serviced at a minimum by public water services in Marsville. Private septic service is permitted. Communal servicing shall only be considered through an amendment to this Plan and in accordance with the policies contained within Section 8.4 and in conformity with provincial standards.
- c) New development shall be designed to maintain the small-town character of Marsville and Orton while recognizing the need for affordable and attainable housing options up to three storeys in height.
- d) Development shall be undertaken to create complete and healthy communities for persons of all ages and abilities. This includes addressing the need for communities that support active travel, public services and functionality that will support a mix and range of housing types and demographics.



- e) Site Plan Control may be used to regulate commercial or industrial development in a manner that reflects the character of the community and respects the neighbouring uses.
- f) Community development shall be planned to provide a logical, and where possible continuous, open space and parks system within the community. Parks that serve the Communities should be linked through Environmental Protection corridors.
- g) Expansions to the boundary of these settlement areas are subject to a County and Township Official Plan Amendment and the criteria of the Provincial Planning Statement.
- h) Development shall avoid natural hazards and conform with Section 9.8 of this Plan, and where proposed on or adjacent to such features, shall require a floodplain analysis.
- i) A maximum of three lots may be created by Consent. Additional lots are subject to approvals through a Plan of Subdivision.

#### 5.1.1.3 Community Residential Permitted Uses

Land in the Community Residential designation may be used for the following:

- a) Residential uses up to three storeys in height;
- b) Two Additional Residential Units (ARUs) are permitted in addition to the primary dwelling, subject to demonstrating servicing ability and capacity;
- c) Home occupations; and
- d) Public parks, trails and open space.

#### 5.1.1.4 Community Residential Development Policies

- a) Lot size and density in Community Residential areas shall minimize land consumption and reduce servicing costs.
- b) Development applications proposing alternative individual wastewater treatment systems will only be permitted where the proposed lot size would accommodate a conventional individual wastewater treatment system, and based on MECP Guidelines, as may be updated from time to time, including Nitrate dilution calculations that include potential ARUs.
- c) Development shall demonstrate, through technical studies, servicing options and a stormwater management plan, where appropriate.
- d) Residential development by a registered Plan of Subdivision is encouraged. However, infilling or minor expansions through the creation of lots by severance may be permitted subject to approval of the sewage and water services by the appropriate authority.



- e) Community Residential areas that are adjacent to County Roads shall demonstrate, through technical studies, compliance with MECP Guidelines. Developments that require noise fences are encouraged to use landscaped noise berms.
- f) Any proposed development, as defined under O. Reg 41/24, or site alteration within the regulated area of the applicable Conservation Authority requires a permit.

#### 5.1.1.5 Community Institutional Permitted Uses

Permitted institutional uses shall include:

- i. public schools;
- ii. places of worship;
- iii. community halls;
- iv. municipal facilities;
- v. long-term care facilities;
- vi. public parking areas;
- vii. medical facilities;
- viii. day care facilities; and
- ix. similar uses.

#### 5.1.1.6 Community Institutional Development Policies

- a) It is recognized that not all services and facilities that provide public services are owned and operated by public authorities or agencies. Where private facilities are proposed, those facilities shall be subject to Site Plan Control.
- b) It is recognized that the existing Township works yard on the west side of 13th Line, south of County Road 3 in Marsville, is an interim use. Upon the lands ceasing to be used for Community Institutional purposes, the lands shall be designated as Community Residential without requiring any further amendment to the Official Plan and shall be shown as such on subsequent mapping of Schedule A and A-1 to this Official Plan.
- c) Council shall require that proposals for new institutional development shall be accompanied by supporting technical studies regarding compatibility, parking, transportation impacts, stormwater management and servicing studies, as well as any provincial servicing permits that may be necessary.
- d) Expansion of legally existing uses which are incompatible due to noise, odour or other emissions, will be discouraged.
- e) Community Institutional uses are intended to provide a focus for social activities within the Township and to serve the community and surrounding areas.



### 5.1.2 Community Design & Complete Communities

- a) This Plan seeks to promote high-quality community design and the development of complete communities that support the health, well-being, and daily needs of residents. These policies guide development to be well-designed, accessible, and compatible with surrounding land uses, and to integrate housing, community services, parks and open spaces, and transportation networks. Community design considerations include built form, accessibility, and the provision of a diverse range of housing options to support residents of all ages, abilities, and incomes.
- b) The municipality may create community design guidelines to ensure the rural character of multi-unit development is recognized and preserved.
- c) The integration and accessibility of community uses, including schools, municipal facilities, institutional uses, parks and open spaces and recreational uses through pedestrian, cycling and trail linkages is required to be considered in the development stages. The provision of certain pedestrian, cycling and trail linkages and parking laybys through the development approvals process, in accordance with the policies of this Plan, and any other associated Master Plans may be required.
- d) A Community Improvement Plan may be created by the Township to proactively stimulate community improvement, rehabilitation and revitalization as per the provisions of the Planning Act.

### 5.1.3 Housing and Affordability

The Township shall encourage the provision of affordable housing with a target that a minimum of 20 percent of all new residential units created within the Township be affordable, as defined by the Province and the County of Dufferin. The Township will work closely with all levels of government and the private and non-profit housing sector to provide for sufficient, diverse and affordable housing opportunities, and maintain a stable residential housing market.

To achieve this objective, the Township shall:

- a) Encourage an appropriate range and mix of housing types, forms, tenures, and densities to meet the projected needs of current and future residents, recognizing existing servicing constraints.
- b) Encourage and support opportunities to increase the supply of affordable housing and require that such opportunities be investigated and documented through the development review process, where appropriate.
- c) Encourage affordable housing opportunities within Settlement Areas where residents have convenient access to existing services, facilities, infrastructure, public spaces, and transportation options. Innovative housing solutions and development approaches are encouraged.



- d) Encourage housing opportunities that support aging-in-place and respond to the mental, physical, social, and accessibility needs of seniors and persons with disabilities.
- e) Discourage the conversion of affordable rental housing stock to a condominium if such conversion results in a reduction in the amount of rental housing units available as determined in consultation with the County.
- f) Encourage the provision of long-term care facilities that meet the needs of the community.
- g) Provide a barrier-free environment, where possible, and will meet the requirements of the Ontario Building Code and the Accessibility for Ontarians with Disabilities Act.
- h) To facilitate affordable housing, the Township may:
  - i. enter into capital facility agreements and/or partnerships with both private and non-profit organizations for affordable housing;
  - ii. use available grants and loans, including tax-equivalent grants or loans to encourage the construction of affordable housing; and
  - iii. enter into public/private partnerships for the provision of new affordable housing.

#### **5.1.4 Additional Residential Units (ARUs)**

Additional Residential Units are permitted in any designation or zone where residential uses are permitted, provided that satisfactory servicing can be demonstrated and the policies of Sections 9.8 & 9.9 of this Plan are complied with.

The following defines the permissions for Additional Residential Units:

- a) A second residential unit is allowed in a dwelling provided the property permits the residential use and all ancillary buildings together contain no more than one residential unit;
- b) A third residential unit may be added to a dwelling provided the residential use is permitted and no ancillary building contains a residential unit.
- c) One residential unit may be located in an ancillary building if the dwelling has no more than two units and no other ancillary building contains a residential unit.
- d) In the case of a second farm dwelling, the second dwelling is to be counted as an additional residential unit so that a total of three units is permitted on a rural or agricultural lot.

The creation of an Additional Residential Unit within an area regulated by the applicable Conservation Authority requires a permit. Additional Residential Units are not permitted within one-zone floodplain policy areas or within riverine erosion hazard areas.



## 5.2 Estate Residential

### 5.2.1 Identification

The Estate Residential Designation is intended to recognize existing estate residential lots in plans of subdivision and areas designated Estate Residential prior to June 16, 2006. Any new proposed estate residential development shall be subject to a County and Township Official Plan Amendment.

### 5.2.2 Objectives

- a) To identify areas where estate residential subdivisions have occurred in the Township.
- b) To provide a basis for the evaluation of any applications for development or redevelopment in existing Estate Residential areas.

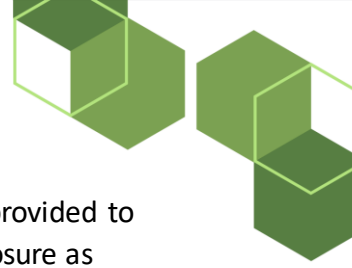
### 5.2.3 Permitted Uses

Land in the Estate Residential designation may be used for the following:

- a) Residential uses;
- b) Two Additional Residential Units (ARUs), subject to appropriate servicing;
- c) Public parks and recreational facilities;
- d) Public utilities; and
- e) Home-based businesses.

### 5.2.4 Land Use Policies

- a) Lot size, pattern and density shall be determined to minimize land consumption but reflect the servicing requirements, including Nitrate dilution calculations that include potential ARUs.
- b) Development applications proposing alternative individual wastewater treatment systems will only be permitted where the proposed lot size would accommodate a conventional individual wastewater treatment system and based on MECP Guidelines as may be updated from time to time. Applications for individual well supply shall include assessments based on MECP Guidelines such as D-5-5 Private Wells: Water Supply Assessment, as may be updated from time to time.
- c) On non-municipally serviced lots less than 1 hectare in size, a detailed hydrogeological assessment prepared by a qualified professional shall be required to demonstrate that site conditions are suitable for the long-term provision of private services and that no negative impacts will result.



- d) Tree screening and earth berms (or other methods as appropriate) shall be provided to shield dwellings from passing traffic and to create as much privacy and enclosure as possible.
- e) Council may require a Tree Preservation Plan to preserve existing mature trees and provide for reforestation so that a substantial proportion of the area of each lot is tree covered.
- f) The natural topography, surface drainage pattern and vegetative cover shall be an essential consideration in the layout of the road system, lot pattern and design of proposed units.
- g) Lands to be developed for estate residential purposes shall have direct access to an external paved road system. Access to individual lots or units shall be from paved internal public roads.
- h) New development proposed in or adjacent to high-potential aggregate deposits, identified as the Sand and Gravel Resource Area on Schedule C, or areas designated as Extractive Industrial, shall not preclude or hinder the establishment of new operations or access to the resources.
- i) Servicing shall conform to all Source Water Protection Act provisions where required.
- j) Any proposed development, as defined under O. Reg 41/24, or site alteration within the regulated area of the applicable Conservation Authority requires a permit.
- k) New lot creation within an area designated Estate Residential is encouraged to reflect the existing lot size and character of the community.

## 5.3 Community Commercial

### 5.3.1 Identification

Community Commercial areas are designated within Settlement Areas to accommodate small-scale commercial and mixed-use development that supports the day-to-day needs of local residents and the surrounding rural community. These areas are intended to maintain and reinforce the Township's rural character while providing limited opportunities for economic activity.

### 5.3.2 Objectives

The objectives of the Community Commercial designation are to:

- a) Provide for small-scale commercial and mixed-use development that serves the local community;



- b) Ensure development is compatible with and reinforces the rural character of the Township;
- c) Support local entrepreneurship and businesses, and rural economic development;
- d) Minimize the need for residents to travel outside the Township for basic goods and services;
- e) Ensure that development occurs at a scale and intensity that can be supported by available infrastructure; and
- f) Promote safe, functional, and attractive development that integrates with surrounding land uses.

### 5.3.3 Permitted Uses

Permitted uses within the community area shall include:

- a) Small-scale retail stores and service shops;
- b) Personal service establishments (e.g., hair salons, studios);
- c) Offices, including professional and business offices;
- d) Restaurants, cafés, and take-out establishments of a limited scale;
- e) Artisan workshops, craft studios, and similar small-scale production uses;
- f) Mixed-use buildings with commercial uses at grade and residential units above or behind;
- g) Bed and breakfast establishments and small-scale tourist-oriented uses;
- h) Institutional and community uses such as community centres, places of assembly, or libraries; and
- i) Accessory uses customarily incidental to the above.

All permitted uses shall be of a scale appropriate to a rural settlement and not require full municipal servicing unless such services are available.

### 5.3.4 Prohibited Uses

The following uses shall not be permitted within the Community Commercial designation:

- a) Large-format or highway commercial uses intended to serve a regional market;
- b) Industrial uses, including manufacturing, warehousing, and processing operations that are not compatible with surrounding residential and rural uses;
- c) Uses that generate significant traffic, noise, or other impacts incompatible with adjacent residential or rural uses;



- d) Outdoor storage or display not clearly accessory and screened; and
- e) Any use requiring a level of servicing or infrastructure beyond what is reasonably available in the settlement area.

### **5.3.5 Buffering**

- a) Development within the Community Commercial designation shall provide appropriate buffering, screening, and landscaping to minimize impacts on adjacent residential and rural uses;
- b) Buffering measures may include setbacks, berms, fencing, vegetation, and/or building orientation with preference being given to low maintenance natural options;
- c) Lighting shall be directed away from adjacent properties and designed to preserve dark-sky conditions; and
- d) Loading, parking, and service areas shall be located and designed to reduce visual and operational impacts on neighbouring properties.

### **5.3.6 Community Commercial Development Policies**

- a) All commercial uses shall be subject to Site Plan Control.
- b) The expansion of legally existing uses that are incompatible with surrounding land uses due to noise, odour, vibration, traffic, or other emissions shall be discouraged. Where such expansion is considered appropriate, the proponent shall demonstrate through appropriate technical studies that adverse impacts can be adequately mitigated.
- c) New development and redevelopment shall be compatible with adjacent land uses in terms of scale, massing, design, traffic, and potential impacts.
- d) Commercial uses that support tourism and the local economy are encouraged,
- e) Development shall be designed to reflect and maintain the rural character of the Township, including appropriate building scale, massing, architectural design, materials, landscaping, and site layout.
- f) Development shall be designed to reflect and maintain the rural character of the Township, including building scale, massing, materials, and site layout;
- g) Site design shall prioritize pedestrian accessibility, safe vehicular access and circulation, and efficient traffic movement. The Township may require traffic impact, parking, or circulation studies where warranted by the scale or nature of the proposed development.
- h) Adequate on-site parking shall be provided for all development; however, large parking areas shall be discouraged through appropriate site design, landscaping, and buffering measures.



- i) Expansions to Community Commercial areas shall be limited and shall only be permitted where it has been demonstrated that a need exists, infrastructure capacity is available, and impacts on the rural character of the Township can be minimized.



## 6 Economy and Employment Areas

### 6.1 Economic Development

- a) To respond to changing economic conditions, this Plan encourages an appropriate settlement structure to accommodate evolving needs as they relate to economic activity, while balancing social, cultural, and natural environment and other initiatives, and encourages the creation of complete communities.
- b) It is the policy of the Township to encourage appropriate economic development that is consistent with the policies of this Plan.

### 6.2 Employment Uses

#### 6.2.1 Identification

Employment Areas include large-scale industrial development, comprised of manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. They have high exposure to traffic and are easily accessible. The following policies shall apply to those lands having an Employment Area designation on Schedules A, A-1 and A-2:

#### 6.2.2 Objectives

- a) To encourage industrial development that will provide a variety of opportunities for employment and economic growth in the Township of East Garafraxa.
- b) To direct and focus large-scale industrial uses to specific areas in the Township where those uses will benefit from roadway exposure and be compatible with adjacent land uses.
- c) To provide development criteria to minimize potential land use conflicts and ensure an attractive and functional employment area.

#### 6.2.3 Permitted Uses

Lands in the Employment Area designation may be used for the following:

- a) Clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities;
- b) Legally existing uses; and
- c) Fire halls, police and ambulance stations, utilities and similar public facilities.



#### **6.2.4 Prohibited Uses**

Prescribed activities within vulnerable areas shall be prohibited or restricted, as applicable, in accordance with Section 57 of the *Ontario Clean Water Act, 2006* and the applicable Source Protection Plan. Where development is proposed within a vulnerable area, it shall be demonstrated that any associated activities will not result in a significant drinking water threat, in accordance with the policies of the relevant Source Protection Plan.

- a) Employment areas for current and future uses shall be protected, and necessary infrastructure will be planned and provided to service current and future needs;
- b) The appropriate transition to adjacent non-employment areas to ensure land use compatibility and economic viability shall be provided;
- c) On lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines;

#### **6.2.5 Conversion of Employment Area Lands**

- a) Lands may only be removed / converted from employment areas where it has been demonstrated that:
  - i. there is an identified need for the removal, and the land is not required as Employment Area uses over the long-term;
  - ii. the proposed uses would not negatively impact the overall viability of the Employment Area;
  - iii. existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and
  - iv. the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved Official Plan.

#### **6.2.6 Buffering**

- a) All Employment Area uses shall minimize the noise, visual, traffic, pollution and other related nuisances and hazards arising from their use. Industrial uses that are in proximity to non-industrial uses shall provide, to the satisfaction of the Township, a combination of the mitigation measures to reduce any potential negative impacts that the development may have on these non-industrial uses. These measures may include landscaping, fencing or berming between potentially incompatible uses, and appropriate building design and location on the lot.
- b) Where residential land or other sensitive land uses are within the distances identified below from proposed Employment Area uses, an assessment of the potential impact of



the industrial use and mitigation measures to prevent adverse effects that may be experienced shall be required in accordance with the Ministry of Environment, Conservation and Parks Guidelines:

TYPE OF USE	AREA OF INFLUENCE
i. Class III (Heavy industrial uses) Large scale manufacturing or processing industries, characterized by major annoyances and high probability of fugitive emissions	1,000 metres
ii. Class II (Medium industrial uses) Medium scale processing and manufacturing including outdoor storage associated with minor annoyances including noise, odour, dust, vibrations and low probability of fugitive emissions	300 metres
iii. Class I (Light industrial uses) Small scale, self-contained plants or buildings having a low probability of fugitive emission, and has no outdoor storage	70 metres
c) Where an impact assessment study recommends larger setbacks, such larger setbacks shall be considered the appropriate minimum setbacks for industrial development from residential or other sensitive land uses.	
d) Where a residential development abuts a designated employment land use that has not yet been developed, the residential development shall be designed to reduce barriers for the employment land use. The Township encourages the use of roads to separate residential and employment use or other means to provide buffers between land uses.	

### 6.2.7 Development Controls

Development in the Employment Area designation shall be designed to incorporate the following through the Site Plan Control process:

- a) water supply servicing;
- b) sanitary sewage servicing;
- c) appropriate storm drainage works;
- d) appropriate outdoor lighting, safe and accessible sidewalks and walkways, and landscaping;
- e) all traffic movement, vehicle parking and loading; and
- f) any other services, works or consideration the Township may deem appropriate or that are required elsewhere in this Plan.



## 7 Rural and Agricultural Designations

### 7.1 Rural Designation

Rural areas are intended to protect the natural amenities and rural character of the Township while providing opportunities for resource-based activities as well as recreational and tourism opportunities. Lot creation will prevent the over-fragmentation of the landscape and the creation of long, narrow strip development. Some lot creation on Rural Lands shall be permitted in the form of wide, shallow lots to protect the larger land base and the rural character of the area along roadways.

#### 7.1.1 Identification

Lands designated Rural are shown on Schedule A, A-1 and A-2. Rural lands are lands outside of the Community Settlement Areas and the defined Agricultural Lands. The Rural designation may include agricultural operations.

#### 7.1.2 Objectives

- a) Protect and promote agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices;
- b) Promote development opportunities related to the management or use of resources; resource-based recreational uses (including recreational dwellings); tourism, limited residential development; home occupations and industries; and other rural land uses that cannot be located in settlement areas;
- c) Promote development that is compatible with the rural landscape and character and can be sustained by rural service levels, which generally includes individual on-site sewage and individual on-site water services;
- d) Accommodate development that is appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of infrastructure;
- e) Provide for the protection of natural heritage features and their ecological functions; and
- f) Support rural land use patterns that are compatible with environmental constraints that maintain the long-term integrity of groundwater resources and natural systems under changing climate conditions.

#### 7.1.3 Permitted Uses

The following are the permitted uses on lands within the Rural Designation:

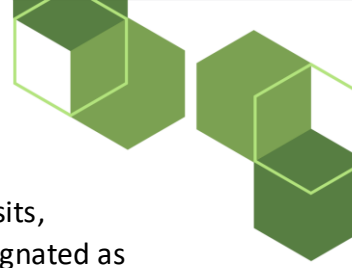


- a) The management or use of resources, such as forestry and mineral aggregate operations (including wayside pits and quarries and portable asphalt plants), subject to the Aggregate Resources Act;
- b) Resource-based recreational uses (including recreational dwellings);
- c) Limited residential development, including two Additional Residential Units (ARUs) for a total of three dwelling units per lot;
- d) Home occupations and home industries;
- e) Cemeteries and public uses such as transportation and utility facilities;
- f) Places of worship in the rural area are subject to an amendment to this Plan and may be subject to Site Plan Control;
- g) Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices;
- h) Other similar rural land uses that cannot be located in settlement areas; and
- i) In addition to agricultural uses and agriculture-related uses, rural industrial/commercial uses which are resource-based and forestry uses, may be permitted without an amendment to this Plan, but will be subject to a site-specific Zoning By-law Amendment.

#### **7.1.4 Land Use Policies**

##### **7.1.4.1 Land Use Compatibility**

- a) All farm and non-farm development, including lot creation and new or expanding livestock facilities, will comply with the Minimum Distance Separation Formulae as per provincial guidance.
- b) Those uses that create or potentially create extreme environmental stress because of air, noise, and/or vibration emissions, and/or the generation and/or handling of solid or liquid wastes will only be considered based on the submission of an impact assessment that includes mitigation measures and plans satisfactory to the Township as part of the process of obtaining a site specific amendment to this Plan.
- c) An appropriate separation distance, based upon the Ministry of the Environment, Conservation and Parks' relevant guidelines related to land use compatibility, will be established between a rural industrial land use and any sensitive land use. This separation distance will be enforced through a site-specific amendment to the applicable Zoning By-law and/or through Site Plan Control.
- d) Rural industrial uses will be developed in such a manner to ensure protection and screening from neighbouring uses.



- e) New development proposed in or adjacent to high potential aggregate deposits, identified as the Sand and Gravel Resource Area on Schedule C, or areas designated as Extractive Industrial shall not preclude or hinder the establishment of new aggregate or mineral operations or access to the resources.
- f) New residential developments of four or more lots shall be approved as a Plan of Subdivision to ensure orderly development and will require an amendment to this Plan.
- g) Site Plan Control can be applied to all industrial, recreational and commercial uses to ensure that the development is integrated into the rural environment and to ensure that agricultural buildings used for non-agricultural purposes are retained.
- h) Outdoor storage areas and the storage/removal of on-site generated waste shall be developed in a manner to ensure protection and screening from all adjacent roads and residential uses and may be subject to Site Plan Control.

#### 7.1.4.2 Recreational Uses

The development of recreational facilities in the Rural area shall respect the open landscape characteristic and environmentally sensitive lands. Significant alteration of these features shall not be permitted to accommodate a recreational use.

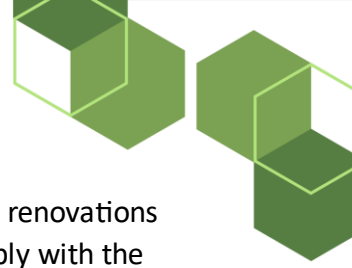
- a) Golf Courses may be developed in the Rural designation by amendment to this Plan where the intent of the policies of this Plan has been met. In addition, the development or expansion of golf courses shall comply with the following criteria:
  - i. road access shall be from a paved public roadway system;
  - ii. water for irrigation shall be obtained from surface run-off and surface sources rather than sub-surface sources;
  - iii. the natural topography of the landscape shall be maintained except for minor modifications required for buildings, parking areas, tees and greens;
  - iv. a buffer strip of undisturbed vegetation of not less than 15 metres shall be maintained adjacent to natural watercourses. Where the watercourse is identified as a cold-water stream, a buffer strip not less than 30 metres shall be required;
  - v. where development occurs within a valley or stream corridor, modification to the contours shall maintain the predevelopment characteristics of the flood plain;
  - vi. applications shall be accompanied by the following:
    - a. site and grading plan;
    - b. hydrogeological study;
    - c. landscape analysis and landscaping plan;



- d. environmental impact study;
  - e. traffic impact study;
  - f. supply and demand analysis; and
  - g. any other requirements of Council.
- vii. golf courses shall be designed to comply with the Audubon Golf Course certification program.

#### 7.1.4.3 Rural Industrial / Commercial Uses

- a) Where rural industrial/commercial uses are proposed, the following must be met:
- i. Site Plan Control in the form of a registerable agreement;
  - ii. The proposed use will not create or add to a negative impact on the environment, adjacent or nearby sensitive land uses, or traffic patterns;
  - iii. The proponent will demonstrate how outside storage and transport truck yards, if any, and the storage and removal of on-site generated waste are to be accommodated and screened from the roadway and nearby residential uses;
  - iv. The proponent will demonstrate how the traffic generated from the proposed use will impact the existing roads and how much will be generated;
  - v. For a use that may have the ability to compromise or contaminate the subject lands, the proponent will submit a remediation plan to be used upon the discontinuation of use to the satisfaction of the Township, County, and the applicable Ministry(ies); and
  - vi. The proponent will submit a study that not only justifies the proposed use of land but also demonstrates how any other requirements set out in this Plan will be met.
- b) Small scale, industrial and commercial developments in the Rural area shall be designed to maintain the historical and cultural character of the Township and not negatively impact the environment, adjacent sensitive land uses, or traffic patterns. To encourage the retention of existing agricultural buildings, Council may pass a Temporary Use By-law, to permit an agricultural building that existed on the date of approval of this Plan to be used for a non-agricultural purpose, as a temporary use, provided that the intent of this Plan is met. In considering such development, Council will ensure that:
- i. the exterior of the building is maintained and the rural character of the surrounding lands is not changed. Prior to approving such development, Council shall require a report and preliminary building plans prepared by a



professional architect or engineer outlining the extent of building renovations being proposed to ensure that the renovations required will comply with the Building Code;

- ii. the use does not adversely impact the rural character of the surrounding lands in terms of noise, odour, dust or traffic;
  - iii. the proposed use does not adversely affect the continuation of agricultural uses on the surrounding lands;
  - iv. the building complies with the requirements of the Building Code for the form of occupancy proposed; and
  - v. applications to permit new commercial or industrial uses must demonstrate by way of an appropriate technical assessment that the location will be able to supply water of adequate quality and quantity and sustain a sewage treatment and disposal system in accordance with the applicable legislated requirements.
- c) Council may extend the Temporary Use By-law or may pass a By-law to permit the permanent use of the lands after three years, where it has been demonstrated that the use satisfies the objectives of this Plan.

#### 7.1.4.4 Road Access

Access to a Provincial Highway, County Road or municipal road will require approval from the Ministry of Transportation, County and/or local Township, as applicable.

#### 7.1.4.5 Water and Sewer Servicing

The scale of non-residential and recreational uses in the Rural area shall be restricted by the amount of sewage effluent generated by the use. Small scale uses shall be defined as those uses which generate less than 10,000 litres of sewage effluent daily. Uses which generate larger volumes of sewage, or which generate non-domestic or hazardous effluent, shall generally not be permitted in the Rural area and shall require an amendment to this Plan. Technical studies demonstrating the feasibility of water and sewage services shall be required, with consideration given to the potential impacts of extreme precipitation events and prolonged dry periods on groundwater availability and private servicing performance.

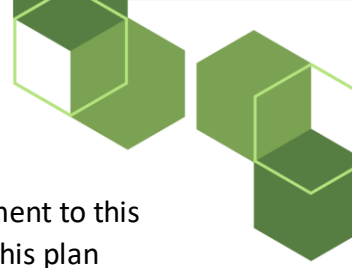
#### 7.1.5 Lot Creation

New rural lots may be created with the following being met:

- a) A minimum lot size of 5 ha;
- b) Lot configuration is intended to have wide, shallow lots to protect the larger land base and prevent long, strip development;



- c) The proposed retained and severed lands will have at least 60 metres of frontage. Where slightly less than 60 m is required, and has a valid justification, no amendment to this Plan is required based on the discretion of staff and /or Council;
- d) Lots are created along existing publicly maintained roadways and can demonstrate safe ingress and egress;
- e) Lots are located away from natural and human-made hazards, in conformity with Section 9.8 and 9.9 of this Plan;
- f) Site conditions are suitable for private water and septic services and shall not require the expansion of public services;
- g) Where lands have been used for the spreading of bio-solids in compliance with the Ontario Ministry of Agriculture and Agribusiness (OMAFRA), the Ministry of the Environment, Conservation and Parks (MECP) and the Government of Canada through the Canadian Food Inspection Agency (CFIA), in the previous five years, a compliance report from the provincial or federal authority shall be required;
- h) New lots shall reflect the physical characteristics of the land and the lot pattern in the immediate vicinity and shall not adversely affect agricultural uses in the Township;
- i) Within the Rural designation, the creation of new lots with an area of less than 5 hectares may be permitted as infill within a cluster of residential development, provided:
  - i. The proposed lot(s) is infill within a cluster of existing residential development;
  - ii. The proposed lot(s) are compatible in size and character with the surrounding lots; and
  - iii. The lands are rezoned to a Rural Residential zone through a Zoning By-law Amendment.
- j) On non-municipally serviced lots less than 1 hectare in size, a detailed hydrogeological assessment prepared by a qualified professional shall be required to demonstrate that site conditions are suitable for the long-term provision of private services and that no negative impacts will result;
- k) Minimum Distance Separation requirements shall be met for new lots;
- l) Natural heritage features should not be fragmented where practical; and
- m) In assessing applications for any development severance, priority for the approval of the application will be given to the preservation of nearby agricultural operations.
- n) A maximum of three severances from any original Township lot of approximately 40 hectares, where the severed and retained lots are at least 5 hectares and the applicant has owned the land for at least ten years prior to the application.



- o) New residential developments of three or more lots shall require an amendment to this Plan and be developed in accordance with the Estate Residential policies of this plan through the submission of a Plan of Subdivision or Condominium.

### **7.1.6 Site Specific Exceptions**

#### **7.1.6.1 Rural Special Policy 1 (RU-1)**

- a) For the lands municipality known as 182918 20 Sideroad, Concession 12, West Part Lot 20, Parcels 6 and 7, only one (1) new lot may be created with a minimum lot area of 1 ha.

#### **7.1.6.2 Rural Special Policy 2 (RU-2)**

- a) For the lands municipally known as 101055 10 Sideroad, Concession 9, Part Lot 11, specifically Part 1 on Plan 7R-6906.
- b) The purpose of this Amendment is to apply a site-specific policy to the Subject Lands permitting two lots with areas of 6.3 hectares and 8 hectares. The rear portion of the Subject Lands, occupied by a woodlot and an associated 10 metre buffer, will also be redesignated from Rural to Environmental Protection with the remainder of the property designated Rural.

## **7.2 Agricultural Designation**

### **7.2.1 Identification**

Lands designated Agricultural Lands are shown on Schedule A and A-1 of this Plan. These lands are intended to preserve and strengthen the continued viability of the agricultural system, including the surrounding agricultural community. Agricultural areas and lands are to be protected from fragmentation and incompatible uses, while accommodating a diverse range of agricultural uses, agriculture-related uses and on-farm diversified uses.

### **7.2.2 Objectives**

- a) To encourage all forms of agriculture and protect the long-term ability of farming operations to adapt to changing markets conditions.
- b) Utilize an Agricultural Systems Approach for the identification, protection and modifications to the Agricultural Designation within this Plan.
- c) Protect the Township's Agricultural lands from fragmentation, development and land uses unrelated to agriculture through development constraints and the preservation of large farming parcels.
- d) To encourage a best management approach to farming and farm planning.



- e) Promote a diverse, innovative and economically strong agricultural industry.
- f) Recognize the role of agriculture in protecting and strengthening local food systems.

### 7.2.3 Permitted Uses

The following are the permitted uses on Agricultural lands:

- a) All types, sizes and intensities of agricultural uses and normal farm practices including:
  - i. the growing of crops, including nursery, biomass and horticultural crops;
  - ii. raising of livestock;
  - iii. raising of other animals for food, fur or fibre, including poultry and fish;
  - iv. aquaculture;
  - v. apiaries;
  - vi. agro-forestry;
  - vii. maple syrup production; and
  - viii. associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storage, value retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.
- b) Accessory buildings, structures and facilities and site modifications required to accommodate permitted uses;
- c) Wayside pits and quarries and portable asphalt plants used on public authority contracts, subject to the Aggregate Resources Act;
- d) One primary residential dwelling is permitted per lot. A secondary detached farm residence may be permitted when the size and nature of the operation requires additional employee support and provided the secondary farm residence is on the same lot, is accessory to the main farm operation, is used for full time farm help, and is adequately serviced. A consent for land division for such a dwelling will not be permitted. A secondary farm residence is not considered an ARU;
- e) Agriculture-related uses that include farm-related commercial and farm-related industrial uses are permitted subject to the use:
  - i. being directly related to farm operations in the area;
  - ii. supporting agriculture;
  - iii. benefitting from being near farm operations;
  - iv. providing direct products and/or services to farm operations as a primary activity; and



- v. demonstrating appropriate access, servicing and safety.
- f) On-farm diversified uses will be permitted which include but are not limited to:
  - i. home occupations;
  - ii. home industries;
  - iii. bed and breakfasts;
  - iv. those uses which add value to farm produce such as the processing, preserving, storing and packaging of the farm's products on the farm property;
  - v. sales outlets for agricultural products produced on the farm; and
  - vi. agri-tourism uses such as farm machinery and equipment exhibitions (temporary events), farm tours, petting zoos, hayrides and sleigh rides, processing demonstrations, pick-your-own produce establishments, small-scale farm theme playgrounds for children and small-scale educational establishments that focus on farming instruction.
- g) On-farm diversified uses are secondary to the principal agricultural use of the property and are limited in area. Appropriate provincial guidance shall be used;
- h) On-farm diversified uses may be subject to Site Plan Control at the discretion of the municipality;
- i) Proposed on-farm diversified uses will be compatible with, and will not hinder, surrounding agricultural operations. Uses determined by staff to exceed the scope and scale recommendations of provincial guidance, in area or scale, will require a Zoning By-law Amendment and/or Site Plan Control approvals;
- j) Forestry, conservation uses, wildlife and fisheries management uses, passive recreational uses are permitted;
- k) Watershed management and flood and erosion control projects carried out or supervised by a public agency are permitted;
- l) Legally licensed production of cannabis (marijuana) facilities shall require a Site Plan Control approval and Agreement registered on title where impacts to surrounding sensitive receptors to light, odour and noise are present. Mitigation plans may be required to the satisfaction of the Township and security elements shall be identified on the Site Plan;
- m) Limited non-residential uses may be permitted if all of the following are demonstrated:
  - i. the land does not comprise a specialty crop area;
  - ii. the proposed use complies with the Minimum Distance Separation Formulae;



- iii. there is an identified need within the planning horizon identified in the official plan for additional land to accommodate the proposed use;
  - iv. alternative locations have been evaluated;
  - v. there are no reasonable alternative locations which avoid prime agricultural areas; and
  - vi. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.
- n) Non residential uses may be subject to Site Plan Control approvals at the discretion of the municipality.

#### **7.2.4 Land Use Policies**

- a) To avoid land use conflicts within the Agricultural Lands designation, new land uses, including lot creation, and new or expanding livestock facilities will comply with the Minimum Distance Separation Formulae.
- b) Any changes to the designation of Agricultural Lands will require an amendment to this Plan, an amendment to the County Official Plan and be supported by an Agricultural Impact Assessment or equivalent study completed by a qualified person.
- c) Site Plan Control will be applied to all institutional, industrial, recreational and commercial uses or temporary uses to ensure that the development is integrated into the rural environment. This includes requiring the exterior of a farm building to remain in its existing rural character and aesthetic.
- d) Land application of manure, biosolids and septage is regulated by the Province in accordance with the Nutrient Management Act and the Environmental Protection Act and shall follow the requirements of legislation. Commercial storage of biosolids and septage is not permitted in the Agricultural Designation.
- e) Extraction of minerals, petroleum resources and mineral aggregate resources may be permitted by way of an amendment to this Plan.
- f) Development proposed on lands within the Greenbelt Plan area are required to meet the policies of the Greenbelt Plan.
- g) Access to a Provincial Highway, County road or municipal road will require approval from the Ministry of Transportation, County and/or Township, as applicable.
- h) Proposed development in the Agriculture Lands designation will be serviced with adequate sewage and water services. New agriculture-related commercial or industrial uses or other non-agricultural uses must demonstrate by way of appropriate technical assessment that the location will be able to supply water in adequate quantity and



quality and sustain a sewage treatment and disposal and stormwater management system in accordance with the applicable legislated requirements.

- i) Any development, as defined under O. Reg 41/42, that is located within the regulated area of the applicable Conservation Authority requires a permit.

### **7.2.5 Lot Creation**

It is the intention of this Plan to preserve the agricultural land base and protect the agricultural viability of the lands for the long term. Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for:

- a) agricultural uses, provided that the lots are 40 ha in size;
- b) one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that:
  - i. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
  - ii. new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by a severance and shall be rezoned to recognize this prohibited use; and
- c) infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
- d) Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.

### **7.2.6 Site Specific Exceptions**

## **7.3 Agri-Food Network**

This Plan incorporates an agricultural systems approach to planning for agriculture, recognizing that the Agricultural System in East Garafraxa is part of a broader Agricultural System extending across the County of Dufferin and within the Greater Golden Horseshoe. The Agricultural System consists of:

- a) a continuous and productive agricultural land base comprised of Prime Agricultural Area and of Rural Lands linking Prime Agricultural Area, within East Garafraxa and beyond East Garafraxa's boundaries, and
- b) a complementary agri-food network of infrastructure, services and other elements important to the viability of the agri-food sector.

The Agricultural System is linked to the food system, which includes all activities involved in ensuring a community is well nourished: growing, harvesting, processing, packaging,



transporting, marketing and consuming food and disposing of food waste. This Plan supports the food system through policies to support the Agricultural System and the agri-food network.

### 7.3.1 Objectives

- a) Sustain and enhance the viability of the agricultural system to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network, through minimizing land use conflicts that impede agricultural activity, providing opportunities to support local food production, and maintaining and enhancing the agri-food network;
- b) support initiatives to maintain and enhance the economic viability and environmental sustainability of the agricultural system;
- c) work in cooperation with farmers and agricultural organizations, the County of Dufferin municipalities, and other public agencies and stakeholders to promote and enhance the agricultural system, including the development of regional and local agri-food strategies and food systems planning; and
- d) consider opportunities to support and enhance the agricultural system through integrated planning for growth management, including goods movement and transportation planning.

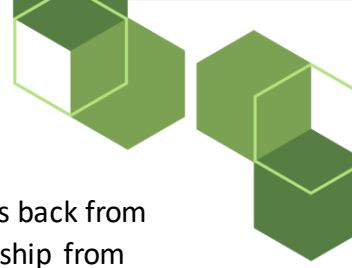


## 8 Infrastructure, Facilities and Community Services

- a) To support orderly growth and development, this Plan promotes the provision of safe, efficient, and cost-effective infrastructure, transportation networks, and public service facilities that meet the needs of current and future residents. The policies of this section are intended to ensure that roads, servicing, utilities, stormwater management, parks, and public facilities are planned, designed, and maintained in a coordinated and sustainable manner, while minimizing impacts on the natural environment and existing communities.
- b) It is the policy of the Township to direct infrastructure investment in a manner that supports complete communities, protects public health and safety, and aligns with long-term fiscal, environmental, and climate resilience objectives.

### 8.1 Transportation

- a) The Township will not open or maintain roadways that are not constructed to municipal standards. New roads developed within Plans of Subdivisions will be constructed to Township standards by those developing the lands at the applicant's expense. All new Plans of Subdivision shall be accessible from a paved road system.
- b) The Township, as a condition of development or redevelopment for any development application, including Plans of Subdivision or Condominium, site plan approval, severances, and Official Plan and zoning amendments, may require lands for the purpose of road widening to be dedicated to the appropriate authority having jurisdiction in accordance with the policies of this Plan. Additional lands in excess of the typical right-of-way widths may also be required to be conveyed for works related to, but not limited to, extensive cut/fill operations, intersection improvements, bridges, sight triangles, and drainage and buffering improvements.
- c) Where possible, equal amounts of widening will be required from either side of the road allowance, but in specific cases, it may be necessary to deviate from this policy where physical characteristics of the land make it impossible. In such cases, it may be necessary to acquire more than half or all of the total required widening from one side in order to attain the full width required.
- d) Sight triangles shall be provided at all intersections as follows, or as required by the roads authority and the County's entrance policy:
  - i. Intersections between Township and Township Roads - 10.0 m by 10.0 m
  - ii. Intersections between Township and County Roads - 15.0 m by 15.0 m. Where speed is beyond 50 km/h, further provisions may be required.
  - iii. Intersections between County Roads and County Roads - 30.0 m by 30.0 m



- iv. All new septic system tile fields shall be kept a minimum of 10 meters back from all original County and Township road allowances to protect the Township from relocation costs during any road rebuilding operations.
- v. All entrances onto Township roads must meet Township entrance standards.

#### **8.1.1 County Roads**

- a) Wherever possible, County Roads shall have a minimum 30.5 metre (100') Road Allowance. Existing County Road allowances less than 30.5 metres wide may require widening where possible to bring them up to standard.
- b) Access to County Roads shall be permitted in accordance with County policies and design criteria.

#### **8.1.2 Township Roads**

- a) All Township side roads and concession roads shall have a minimum 26 metre road allowance. In certain areas, a wider Road Allowance may be required to provide sufficient area to ensure proper grades and the stabilization of slopes due to topography or environmental conditions. The Township will require dedication of lands to achieve this road allowance width as a condition of land division or site plan approval.
- b) Local roads within Plans of Subdivisions and in community areas shall have a minimum 20 metre road allowance. Within settlements, a narrower right-of-way may be permitted in order to preserve the character of the community and mature trees.
- c) Haul routes are encouraged to be identified, and where local Township roads may be impacted by aggregate or other large industrial operations, agreements may be entered into for the maintenance and repair of Township-owned roads.

#### **8.1.3 Private Roads**

New building lot creation by severance or subdivision will not be permitted on private roads. Building permits will not be issued for lands that do not have frontage and safe and adequate access to a year-round maintained municipal road.

#### **8.1.4 Road Improvements**

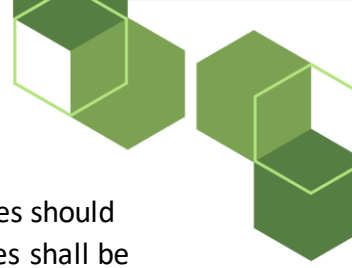
- a) The Township shall assess existing roads and intersections with a view to improving such aspects as grade, alignment, sight distance, access and traffic flow, and safety for all road users.
- b) The Township shall monitor the condition of roads and bridges and plan for their repair or replacement as will be required to maintain the road system.



## 8.2 Infrastructure Corridors

The following development policies shall apply to all transportation and utility facilities. For lands within the Greenbelt, the policies of the Greenbelt Plan also apply:

- a) All new and reconstructed transportation and utility facilities shall be designed and located to minimize impacts to the environment and be consistent with the objectives of this Plan.
- b) Site and design guidelines should include the following:
  - i. In Plans of Subdivision, grading and tree removal should be minimized where possible through sensitive road alignment.
  - ii. New roads should be designed to ensure that there are no negative upstream or downstream flood impacts and will remain flood-free under regional storm conditions.
  - iii. Finished slopes should be graded to a 3 to 1 slope or less and covered with vegetation. Large cuts should be terraced to minimize surface erosion and slope failure.
  - iv. Site rehabilitation should use native species of vegetation and blend into the surrounding landscape.
  - v. Vegetation screens should be used where feasible, provided that they do not interfere with vision or create problems with blowing snow.
  - vi. Transportation and utility structures should be sited and designed to minimize visual and environmental impacts. The effects of blowing snow shall be considered in all road design.
  - vii. A development setback from the top of bank for utility structures will be required to minimize visual impacts.
  - viii. The visual and environmental impact of utility structures should be minimized by siting, structural design, colouration, landscape planting and other mitigation techniques.
  - ix. The Township road standards may be modified to accommodate physical, environmental or natural features.
  - x. New road systems should be through roads. The use of cul-de-sacs shall be discouraged. Should the Township approve the use of a cul-de-sac, the diameter of the turning circle shall be 44 metres.



- c) New transportation and utility facilities, such as gas, telephone, cable services should avoid Environmental Protection Areas wherever possible. However, these uses shall be permitted in all designations.
- d) Wherever possible, communication facilities shall utilize existing towers and share facilities.

### 8.3 Public Service Facilities

It is the policy of this Plan to:

- a) Facilitate the coordination between growth management and the maintenance and expansion of the telecommunication sector, both in terms of technological advancement and service provision;
- b) Through planning activities, existing utilities, telecommunications and transmission corridors and networks will be protected and enhanced, and maintained and operated to minimize their impact on the local communities;
- c) Encourage the establishment of a modern telecommunications network to meet the needs of the Township, and such facilities are to be located and designed, to the extent possible, to reflect local conditions and implement the policies of this Plan;
- d) Promote and encourage the shared and multiple use of telecommunications towers and corridors for utility uses and support the shared use of corridors for transportation and trail uses, where appropriate;
- e) Utilities will be permitted in all land use designations and will be installed, where possible, within public road allowances or within appropriate easements, and permission for such uses is subject to the policies of this Plan and the Telecommunication Facility Installation By-law;
- f) Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent land uses, may be permitted within utility corridors, where compatible with surrounding land uses and subject to any required technical approvals;
- g) Ensure that adequate utility networks are, or will be, established to serve the anticipated development and that these networks can be phased in a manner that is cost-effective and efficient;
- h) Promote all utilities and telecommunications, to be planned for and installed on a coordinated and integrated basis to be more efficient, cost-effective and minimize disruption; and



- i) Ensure that all large, above-ground utility infrastructure is located and designed to be compatible with its surroundings.

## 8.4 Water and Wastewater

- a) Individual on-site sewage services and individual on-site water services may be used, provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development.
- b) The required servicing capacity must be confirmed prior to development being approved, and not until an appropriate servicing agreement is in place to ensure that such capacity will be available to service the development within a reasonable timeframe. Such an agreement will be executed once the Environmental Assessment process has been completed, where applicable.
- c) Public or private investment in upgrading or expanding municipal sewage services or municipal water services is to be focused within the settlement areas. A comprehensive master servicing plan for the planning, expansion and on-going operation of sewage treatment and water treatment facilities, pumping stations, force mains and trunk distribution and collection systems may be developed where appropriate. Joint servicing plans are encouraged to ensure that infrastructure is built and maintained in a cost effective, environmentally sound and co-ordinated manner that meets the long-term needs of the communities affected.
- d) The use of green infrastructure is encouraged.
- e) Private sewer and water supplies will continue to be the preferred form of servicing for small-scale development outside of settlement areas.
- f) For development within settlement areas, and for major development outside of the settlement areas, a servicing option report will be required to be completed to the satisfaction of the Township. Municipally operated facilities will be maintained in accordance with Provincial standards. The costs of maintaining municipal water systems shall be borne by the users of the systems. Any expansions or upgrades to the existing municipal water systems or any new municipal water systems shall be constructed at the cost of those who would use the system.
- g) Any proposal to develop lands utilizing communal services shall require an amendment to this Plan and comply with applicable Provincial policy.

## 8.5 Stormwater Management

- a) In planning for stormwater management, the Township will:



- i. minimize, or, where possible, prevent increases in contaminant loads;
  - ii. minimize changes in water balance and erosion;
  - iii. not increase risks to human health and safety and property damage;
  - iv. maximize the extent and function of vegetative and pervious surfaces; and
  - v. promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.
- b) Where development is proposed that is not serviced by a stormwater management facility, existing drainage patterns are to be maintained to the greatest extent feasible, and all related infrastructure shall be located within the limits of development wherever practical.
- c) Development shall also be designed to maintain a feature-based water balance, such that post-development hydrologic conditions do not exceed the capacity of adjacent natural features to sustain their ecological functions and long-term stability.

To achieve this, development shall incorporate appropriate low impact development measures and adhere to best management practices, including but not limited to the appropriate location and design of outlets, minimization of runoff volume and velocity, and the restoration of disturbed areas. Proponents shall consult with the applicable Conservation Authority early in the planning process to determine the scope of any required feature-based water balance assessment and to ensure that potential risks to natural features are appropriately evaluated and mitigated.

- d) New and expanding commercial, industrial, recreational and institutional development and residential Plans of Subdivision shall be accompanied by a Stormwater Quantity/Quality Management Report, prepared by a qualified professional to the satisfaction of the Township. Stormwater management is to be addressed prior to development with the preparation of a Stormwater Quantity/Quality Management Report. The report shall be prepared in accordance with the Township's design criteria, taking into consideration any applicable stormwater management guidelines or materials of the appropriate Conservation Authority, integration with any planning for sewage and water services, and following:
- i. the Stormwater Management Planning and Design Manual, as prepared by the Ministry of Environment, Conservation and Parks;
  - ii. Best Management Practices (BMP);
  - iii. a Stormwater quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the 100 year event unless the Conservation Authority provides alternate quantity control criteria; and



- iv. the effects of development on watershed flow regimes, including the interconnection with groundwater resources.

For lands with the Greenbelt Protected Countryside shown on Schedule D, the stormwater management plan shall address the requirements provided in the Greenbelt Plan.

## 8.6 Parks and Open Space

### 8.6.1 Objectives

- a) To encourage the provision of parks and the development of an integrated trail system throughout the Township, designed with flexible standards that respond to local context and environmental sensitivity.
- b) To provide sufficient lands to meet the recreational needs of the population and to provide ample opportunity for passive and active recreation for residents of all ages and abilities; and,
- c) To protect sensitive environments within the Township.

### 8.6.2 Permitted Uses

The following are the permitted uses on Open Space lands:

- a) Neighbourhood parks, parkettes, trails and open space linkages; and
- b) Community recreation centres, public utilities and stormwater management facilities.

### 8.6.3 Land Use Policies

- a) Lands designated Open Space shall be used primarily for active and passive recreational purposes.
- b) The provision of pedestrian, cycling and trail linkages and the integration of recreational and parks and open space uses that meet the needs of residents of all ages and abilities will be promoted.
- c) The Township, with support from the Ministry of Natural Resources, the County, and other agencies and organizations, will seek opportunities to create linked open spaces through the integration of:
  - i. natural heritage features and areas in public ownership;
  - ii. existing municipal rights-of-way;
  - iii. established and proposed service and utility corridors;
  - iv. existing park and open space lands;



- v. sidewalks, trails and pathways;
  - vi. linkages provided through the draft plan of subdivision approvals process;
  - vii. agreements with private landowners;
  - viii. retention or acquisition of access easements; and
  - ix. land acquisition.
- d) The Township will seek to achieve the maximum benefit of the Planning Act with respect to parkland dedication or cash-in-lieu of parkland from development.
  - e) The Township will encourage appropriate recreational development in parks, open spaces, along natural features and other similar areas that provide opportunities for active, passive and programmed community recreation and leisure, and that contribute to the conservation and protection of open space and the natural environment.
  - f) Encourage private recreation development to complement public recreational opportunities and encourage and support involvement by private recreation groups within the area.
  - g) Actively encourage residential, commercial and industrial developers to provide greater connections and opportunities to extend trail systems where possible.
  - h) Actively encourage cyclist and pedestrian linkages that provide safe and accessible pathways to schools within community settlement areas.
  - i) Land deemed by the County and the Township to be significant to the linear park system, as identified in the County Official Plan, will be retained in ownership by a suitable organization for the purpose of implementing a linear park system, which may include abandoned rail corridors and utility corridors.
  - j) The intent of the Open Space designation is to establish an identifiable and continuous open space and trail network through the Township. The open space network is intended to integrate, wherever possible, environmental features with parks to provide opportunities for active and passive recreation.
  - k) The locations, configurations and boundaries of the Community Park, Neighbourhood Parks, Parkettes and open space linkages shall be established in Plans of Subdivision and in the Zoning By-law.
  - l) All lands dedicated to the Township shall be conveyed in a physical condition acceptable to Council. When an open watercourse is involved in an area to be dedicated, the Township may require that easements for access to and maintenance of watercourses be dedicated to the Township as a condition of approval.



#### **8.6.4 Lot Creation**

Lands designated Open Space should only be divided where it is necessary to do so in order to improve the lands for public parks and open space uses.



## 9 Local Landscape and Resource Management

- a) The policies of this Plan seek to protect and manage the Township’s natural heritage features, water resources and mineral resources in a manner that supports environmental sustainability, economic viability, and long-term community well-being. These resources are fundamental to the Township’s rural character and economy and require careful stewardship to ensure they are conserved, used responsibly, and protected from incompatible development.
- b) This section provides direction to balance resource protection with appropriate development, recognizing the fixed or sensitive nature of these resources and the need to address potential land use conflicts while supporting growth and prosperity in the Township.

### 9.1 Natural Heritage

- a) The Township recognizes the environmental, economic and social importance of the natural heritage features, functions and systems in East Garafraxa. These resources are to be protected and enhanced where possible.
- b) The Township supports the County initiative to create a County Natural Heritage System Strategy (NHSS) that promotes linkages and connections between natural heritage features and areas and considers the relationship of those features with groundwater and surface water features. This will ensure that sustainable natural heritage systems are created or enhanced throughout the County.
- c) The Township recognizes the role of Conservation Authorities in watershed planning and environmental protection, including their natural systems approach, policy objectives, and regulatory responsibilities, particularly with respect to the protection and regulation of wetlands and associated hydrologic and ecological functions.

#### 9.1.1 Identification

- a) The Environmental Protection designation includes lands that are environmentally sensitive and those used for outdoor recreation. The outdoor amenities of the Township include passive parks and trails. The Environmental Protection designation includes:
  - i. Areas with physical constraints to development such as poor drainage, organic soils, flood susceptibility, erosion, steep slopes or any other physical condition which is hazardous to potential development;
  - ii. Fish habitat;
  - iii. Habitat of threatened or endangered species;
  - iv. Significant Wildlife Habitat;



- v. Areas of Natural or Scientific Interest (ANSI);
  - vi. Environmentally Sensitive Areas (ESA);
  - vii. Wetlands;
  - viii. Significant Woodlands;
  - ix. Significant Valleylands;
  - x. Rivers, lakes, streams and creeks; and
  - xi. Passive use open space areas such as parks and trails.
- b) These areas are shown as Environmental Protection on Schedule B with Natural Heritage Features shown. Additional direction may also apply in accordance with the policies of the Greenbelt Plan.

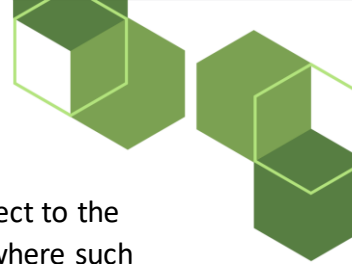
### 9.1.2 Objectives

- a) To protect and enhance the Environmental Protection areas and natural heritage features in the Township of East Garafraxa, including surface and groundwater quantity and quality, understanding the role these areas play in managing flooding, protecting water resources, maintaining natural systems, and mitigating the impacts of climate change in the long-term;
- b) To prohibit development where the proposal would have a negative impact on natural heritage functions, features or linkages in conformity with Section 9.8 of this Plan;
- c) To recognize linkages between and among natural heritage features and areas, surface water features and groundwater features;
- d) To establish criteria regarding the scope, content and evaluation of Environmental Impact Studies;
- e) To recognize the value and promote the long-term protection of a natural heritage system to strengthen and promote interconnectivity for the township and surrounding areas; and
- f) To encourage the maintenance and improvement of public and privately owned lands to provide for a sustainable natural ecosystem throughout the Township.

### 9.1.3 Permitted Uses

Uses permitted within the Environmental Protection designation include:

- a) Existing agricultural operations and expansions to existing agricultural buildings and structures, and accessory uses to both;
- b) Legally existing uses;
- c) Golf Courses subject to the policies of this Plan;



- d) Single-detached dwellings on existing lots, including home occupations, subject to the land use policies of the Environmental Protection designation and rezoning where such zoning satisfies the requirements of this Plan;
- e) Passive recreation uses such as nature viewing, interpretive facilities and trail activities, that do not require buildings or structures or involve the use of motorized vehicles and do not adversely affect the environment, soil or topography or impact on nearby agricultural uses;
- f) Forest, wildlife and fisheries management;
- g) Essential transportation and utility facilities; and
- h) Essential watershed management and flood and erosion control projects carried out or supervised by the public authority.

**9.1.4 Land Use Policies**

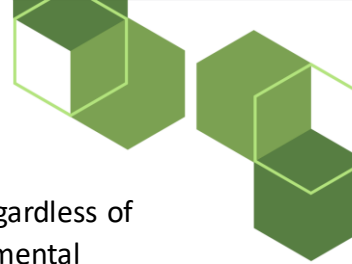
- a) It is recognized that natural heritage features and functions naturally support the success of adjacent agricultural operations. It is the intent of this Plan to protect both resources.
- b) Adjacent lands are the lands contiguous to a natural heritage feature or area where development or site alteration may have a negative impact on the natural heritage feature or area. For the purposes of this Plan, adjacent lands are determined to include all lands within the specified distance of the boundary of natural heritage features and areas as set out in Table 1.

**Table 1 – Extent of Adjacent Lands**

<b>Natural Heritage Feature</b>	<b>Extent of Adjacent Lands (metres)</b>
Provincially Significant Wetlands	120
Significant Habitat of Endangered Species and Threatened Species	120
Significant Woodlands	50
Significant wildlife habitat	50
Significant Valleylands	50
Fish habitat	30
Provincially Significant Areas of Natural and Scientific Interest - Life Science	120
Provincially Significant Areas of Natural and Scientific Interest - Earth Science	50
Unevaluated wetlands	30
Locally or Regionally significant wetlands	30



- c) No development, including buildings and structures, or site alteration will be permitted on adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through an Environmental Impact Study (EIS), that there will be no negative impact on the natural features or their ecological functions.
- d) No alteration of the natural grade or drainage shall occur within the setback, where, in the opinion of the implementing authority, such action would adversely affect surface and/or ground water resources.
- e) The cutting of trees within the setback shall be regulated by site plan control or as a condition of consent or subdivision.
- f) An Environmental Impact Study shall be required where development is proposed within 120 metres of any Provincially Significant Wetland or 30 metres within an unevaluated wetland as identified on Schedule B.
- g) Development and site alteration shall not be permitted in:
  - i. Significant wetlands;
  - ii. Other wetlands;
  - iii. Significant woodlands;
  - iv. Significant valleylands;
  - v. Significant wildlife habitat; and,
  - vi. Significant Areas of Natural and Scientific Interestunless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through an Environmental Impact Study by a qualified professional.
- h) Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
- i) Development and site alteration shall not be permitted adjacent to fish habitat unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural feature or on their ecological functions.
- j) Best available construction and management practices shall be used to protect water quality and quantity, both during and after construction. Treatment of surface run-off to maintain water quality and hydrological characteristics in receiving watercourses shall meet the standards established by the Ministry of Environment, Conservation and Parks and the Ministry of Natural Resources.



- k) The protective policies of the Environmental Protection designation apply regardless of whether or not a natural heritage feature is within lands designated Environmental Protection. There are many components of significant wildlife habitat and other key natural or hydraulic features that have not been mapped. These components shall be determined through a future study as development applications that are processed based on criteria provided by the province.
- l) All buildings and structures shall be set back from the crest of the embankment of any stream valley to ensure adequate structural stability, to avoid adversely affecting the visual amenity of the landscape and to protect the quality of the stream and fisheries habitat. The Township shall consult the Conservation Authority when considering the appropriate setback.
- m) No development or alteration of the natural shoreline and shoreline vegetation shall be permitted within 30 metres of the high-water mark.
- n) A buffer strip of undisturbed vegetation of not less than 15 metres shall be maintained adjacent to natural watercourses. Where the watercourse is identified as a cold-water stream, a buffer strip not less than 30 metres shall be required;
- o) Where an EIS determines the boundaries of the Environmental Protection designation or the natural features are more correctly shown on more detailed mapping, the boundaries on Schedule B may be refined without an amendment to this Plan and the policies of the abutting designations shall apply.
- p) Within and adjacent to the deer yards shown on Schedule B, development shall only be permitted where it can be demonstrated to the satisfaction of the Township through an EIS that the development will not remove critical deer wintering habitat. Development should avoid areas of dense conifer cover. The Township may seek technical advice or a peer review, and such review shall be at the cost of the applicant and recommendations of the EIS shall be implemented through a site-specific zoning, site plan control or development agreement.
- q) No development or site alteration shall be permitted within significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Notwithstanding, minor development may occur within 50 metres of identified significant wildlife habitat.
- r) Significant Forest Areas include but are not limited to, County Forests, all woodlands 40 ha in size or larger and all forest stand areas that are in excess of 60 years of age and 4.0 ha in size. Forest Areas are shown on Schedule B. The identification of other significant forest areas shall be undertaken through the completion of an Environmental Impact Study based on these criteria.
- s) Existing tree cover or other stabilizing vegetation should be maintained on slopes in excess of 25 per cent (1 in 4 slopes).



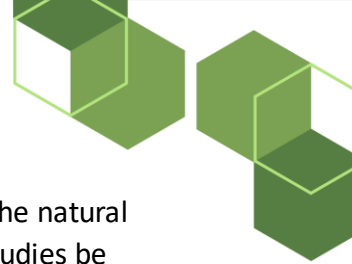
- t) Water resources and vegetation abutting watercourses will be maintained in a clean and healthy condition to protect aquatic life and functions.
- u) Development proposed in or adjacent to a natural heritage feature or an area designated Environmental Protection will require an Environmental Impact Assessment to demonstrate that there will be no negative impacts on the features and functions of the Environmental Protection area. Buffering of the features and a setback for development may be required to mitigate predicted impacts and will be established by the Township in consultation with the appropriate Conservation Authorities, when applicable, to ensure no negative impacts on natural features or their ecological functions or areas of physical and environmental hazard. The detailed requirements for such a study, and the degree of scoping of such a study, shall be determined by the Township.
- v) The Township may require ecological offsetting through the development process when there is an unavoidable loss of a natural heritage feature and after the provincial and municipal policy tests have been met. Offsetting shall only be utilized where approved by the Township. An ecological offsetting strategy shall be required (where necessary) as part of an Environmental Impact Study prepared in support of an application for development or site alteration and shall result in a net environmental gain. The ecological offsetting strategy shall be prepared to the satisfaction of the Township in consultation with the applicable Conservation Authority, when applicable.
- w) The Township will seek the technical advice of the appropriate review agencies, including the appropriate Conservation Authorities, when dealing with development proposals in or adjacent to this designation, when applicable, and such review shall be at the cost of the applicant. The peer review of an Environmental Impact Study, and completion of such a study, shall also be at the cost of the applicant.
- x) Where new development is proposed on a site that includes areas designated Environmental Protection, such lands shall not be included as part of the dedication for parkland provided for in the Planning Act.
- y) In considering development proposals on lands containing important natural heritage features, Council may require the conveyance of portions of the natural heritage features to a public agency or otherwise set the lands aside for non-development purposes.
- z) The recommendations of an EIS will be implemented through Official Plan amendments, Zoning By-laws, subdivision conditions, site plan control, and/or applicable regulations. The EIS will demonstrate that the relevant policies of this Plan and the County OP are met, and provincial plans, where applicable. The EIS should also demonstrate that the use will not have a negative impact on significant natural heritage features and related ecological functions.



- aa) All development and site alteration approvals issued by the Township shall require measures to limit the introduction and spread of invasive species.
- bb) Implementation of Environmental Protection policies may be achieved through a combination of decisions on planning applications, conditions of approval, zoning by-law designations and permitted uses, agreements and other tools under the Municipal and Planning Acts.

## 9.2 Water Resources

- a) The watershed is the correct scale of consideration for protecting water resources.
- b) Stormwater management facilities on-site and/or downstream of new developments will be required where appropriate, to mitigate development impacts on stormwater quantity and quality.
  - i. New and expanding commercial, industrial, recreational and institutional development and residential Plans of Subdivision shall be accompanied by a Stormwater Quantity/Quality Management Report, prepared by a qualified professional to the satisfaction of the Township and the appropriate Conservation Authority. Stormwater management is to be addressed prior to development with the preparation of a Stormwater Quantity/Quality Management Report. The report shall be prepared in accordance with the Township's design criteria, taking into consideration any applicable stormwater management guidelines or materials of the appropriate Conservation Authority, when applicable, integration with any planning for sewage and water services, and following:
  - ii. The Stormwater Management Planning and Design Manual (2003), or its successor, as prepared by the Ministry of Environment, Conservation and Parks;
  - iii. Best Management Practices (BMPs);
  - iv. a Stormwater quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the 100-year event unless the Conservation Authority provides alternate quantity control criteria;
  - v. the effects of development on watershed flow regimes, including the interconnection with groundwater resources; and
  - vi. For lands with the Greenbelt Protected Countryside shown on Schedule D, the stormwater management plan shall address the requirements provided in the Greenbelt Plan.
- c) Permitted uses which involve water taking or undertake stream diversions must demonstrate such actions to be an essential part of their operation and shall be of a



scale and intensity that will not adversely affect water quality, quantity and the natural environment. The implementing authority, as applicable, may require that studies be undertaken to justify the need and amount of water taking and/or diversions and to mitigate impact on the natural environment.

- d) When considering whether to allow a use that involves water taking or diversion, the implementing authority shall consider the number, distribution, location and intensity of such activities within the watershed in terms of:
  - i. the impact on water quality and quantity;
  - ii. the cumulative effect on the objectives of the Plan and designation; and,
  - iii. the quantity and character of natural streams and water supplies.
- e) Under the very limited circumstances where permitted by this Plan, development applications that propose to make use of a private water source, such as any commercial, industrial, or any other large water user, which proposes to extract a minimum of 50,000 litres per day, will be required to submit a detailed hydrogeological study to determine the suitability of the lands for groundwater extraction in addition to any water taking permits/studies required by applicable provincial Ministries to ensure protection of the natural ecosystem, fair sharing and conservation of water, and prevention of unacceptable interference with other water users. The permits/studies will be prepared to the satisfaction of the County, the Township, and the Province.
- f) Commercial water taking and bottling operations shall be considered an industrial use and shall require an amendment to this Plan.
- g) Commercial, industrial and new agricultural operations requiring in excess of 50,000 litres of water per day shall enter into a development agreement with the Township.
- h) Water for irrigation shall be obtained from surface runoff and surface sources rather than subsurface sources wherever possible.
- i) As required by the Clean Water Act, 2006, any decision made by the Township under the Planning Act, Condominium Act, 1998, or Building Code Act shall conform with significant threat policies set out in the applicable SPP and have regard to other policies set out in the applicable SPP.

### **9.2.1 Drinking Source Water Protection**

- a) The Clean Water Act, 2006 was enacted to protect existing and future sources of municipal drinking water. It requires the development and implementation of Source Protection Plans (SPPs) for Source Protection Areas throughout Ontario. It also requires the Province, Conservation Authorities and municipalities to develop and implement policies to manage the reduction and/or elimination of threats to sources of municipal drinking water.



- b) In accordance with Section 40 of the Clean Water Act, municipalities are required to include source protection policies in their Official Plans to ensure that they conform to the significant threat policies of the Source Protection Plans. In addition, Section 39 of the Clean Water Act requires that all decisions under the Planning Act and Condominium Act, made by Council must conform to the significant threat policies as set out in the Source Protection Plan.
- c) The Township is located within the Credit Valley Toronto and Region and Central Lake Ontario Source Protection Plan (CTC SPP) and the Grand River Source Protection Plan (GR SPP) Regions. The CTC and GR SPP identify vulnerable areas where a threat to municipal drinking water resources could impact the quality and quantity of those resources. Vulnerable areas include:
- i. Wellhead Protection Areas for quality (WHPA) and quantity (WHPA Q); and
  - ii. Issue Contributing Areas (ICA).

These areas are shown on Schedule E, with the WHPAs intended to function as an overlay to the primary land use designation.

- d) All planning applications shall be reviewed in conformity with this Plan, the applicable Dufferin County Official Plan policies and the applicable SPP to ensure proposed development will not pose a risk to existing and future municipal water sources. In the event of a conflict between the policies and schedules of this Plan, and the applicable SPP, the corresponding policies of the SPP shall prevail. The applicable SPPs are:
- i. Grand River Source Protection Plan (GRSPP); and,
  - ii. Credit Valley, Toronto and Region, Central Lake Ontario (CTC) Source Protection Plan which contains the Credit Valley Source Protection Plan (CVSPP).
- e) As required by the Clean Water Act, 2006, any decision made by the Township under the Planning Act, Condominium Act, 1998, or Building Code Act shall conform with significant threat policies set out in the applicable SPP and have regard to other policies set out in the applicable SPP.
- f) Vulnerable areas within the Township include Wellhead Protection Areas for quality (WHPA) and quantity (WHPA-Q), as well as Issue Contributing Areas (ICA). The following policies apply only to those vulnerable areas and issues contributing areas in the Township of East Garafraxa that are identified in the applicable SPPs and are shown on Schedule E. The WHPA's are intended to function as an overlay on the primary land use designations. Updates to this Official Plan to reflect changes in Wellhead Protection Area and Issue Contributing Area mapping shall be permitted without an amendment to this Plan.



## 9.2.2 Municipal Wellhead Protection Areas

- a) Within Wellhead Protection Areas (WHPAs), land use activities that include a significant drinking water threat may be restricted or prohibited as outlined in the applicable SPPs.
- b) WHPA means the area around a municipal drinking water well that may be vulnerable to threats to water quality or quantity in accordance with the following:
  - i. For water quality threats, the size and delineation of the WHPAs are determined by how quickly water travels underground to the well, measured in years, as outlined below:

WHPA-A: A 100 m RADIUS around the well;

WHPA-B: The 2-year Time of Travel Zone;

WHPA-C: The 5-10-year Time of Travel Zone;

WHPA-D: The 25-year Time of Travel Zone; and,

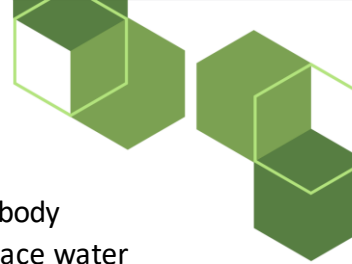
WHPA-E: Surface Vulnerability Zone – the vulnerable area for groundwater supplies which are under the direct influence of surface water. The area is calculated on a two-hour travel time of surface water to well.
  - ii. WHPA for Water Quantity due to Water-Taking (WHPA-Q1): is an area around a municipal well where activities that take water without returning it to the same source pose a threat to the quantity of groundwater supply.
  - iii. WHPA for Water Quantity due to Recharge Reduction (WHPA-Q2): is an area delineated through a Tier 3 Water Budget and Water Quantity Risk Assessment as being an area that includes a WHPA Q1 and an area where a future reduction in infiltration recharge to the aquifer (Q2) would pose a threat to the quantity of groundwater supply.
  - iv. Issue Contributing Area (ICA): are areas around a municipal well where activities have contributed, or could contribute to elevated concentrations of particular contaminants in relation to the Ontario Drinking Water Standards.

### 9.2.2.1 Prohibited / Restricted Activities in Wellhead Protection Areas

- a) Land uses which include one or more of the following activities may be prohibited, or restricted and require a risk management plan in accordance with Sections 57, 58 and 59 of the Clean Water Act in any WHPA where there is or would be a significant municipal drinking water threat as determined by the Risk Management Official (RMO):
  - i. The establishment, operation, or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act;



- ii. The establishment, operation or maintenance of an on-site system that collects, stores, transmits or disposes of sewage;
- iii. The establishment and operation of a liquid hydrocarbon pipeline;
- iv. The use of land for the discharge from a stormwater management facility;
- v. The application of agricultural source material (ASM) to land;
- vi. The storage of ASM;
- vii. The management of ASM;
- viii. The application of non-agricultural source material (NASM) to land;
- ix. The handling and storage of NASM;
- x. The application of commercial fertilizer to land;
- xi. The handling and storage of commercial fertilizer;
- xii. The application of pesticide to land;
- xiii. The handling and storage of pesticide;
- xiv. The application of road salt;
- xv. The handling and storage of road salt;
- xvi. The storage of snow;
- xvii. The handling and storage of fuel;
- xviii. The handling and storage of a dense non-aqueous phase liquid (DNAPLs) (excluding incidental volumes for personal/domestic use);
- xix. The handling and storage of an organic solvent;
- xx. The management of runoff that contains chemicals used in the de-icing of aircraft;
- xxi. The use of land as livestock grazing or pasturing land where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre;
- xxii. An outdoor confinement area, or a farm animal yard provided that such uses are prohibited in WHPA-A, unless approval for such use is obtained through the Nutrient Management Act and the use is permitted in the Zone in which it is proposed; and
- xxiii. Land uses which include the following activities may pose a threat to the quantity of municipal drinking water sources, and may be restricted in accordance with the policies of this Plan and the policies of the applicable SPP:



- a. An activity that takes water from an aquifer or surface water body without returning the water taken to the same aquifer or surface water body; and,
  - b. An activity that reduces the recharge of an aquifer.
- b) Permitted land uses that involve activities that include a significant drinking water threat within a WHPA identified in Schedule E to this Plan may be either prohibited or regulated in accordance with the applicable SPP;
- i. An activity that takes water from an aquifer or surface water body without returning the water taken to the same aquifer or surface water body; and,
  - ii. An activity that reduces the recharge of an aquifer.

The significance of any of the drinking water threats listed above is determined based on a number of factors, including the characteristics of the use/activity and where it occurs or is planned to occur within a WHPA. The policies of the applicable SPP set out whether a significant drinking water threat is to be prohibited or regulated in accordance with Sections 57 and 58 of the Clean Water Act, 2006 and the SPP.

- c) Where an existing significant drinking water threat (as defined in the applicable SPP) has been identified and confirmed by the Risk Management Official, or another person duly qualified under the Clean Water Act, a Risk Management Plan may be required. A Risk Management Plan is a site-specific document to be negotiated with the Risk Management Official, which includes terms and conditions to address identified significant drinking water threats and account for risk management measures that are in place.

#### 9.2.2.2 Policies for Wellhead Protection Areas

- a) Any planning application submission for lands within a WHPA, as shown on Schedule E of this Plan must be submitted to the Risk Management Official (RMO) or another person duly qualified under the Clean Water Act for pre-screening to determine if a Notice to Proceed may be issued in accordance with Section 59 of the Clean Water Act. The RMO shall review the proposal, having regard to the policies of this Plan and the applicable SPP and determine if there would be a significant drinking water threat, and provide direction on whether:
- i. the processing of the application may proceed by issuing a Notice to Proceed; or
  - ii. the application may not proceed due to the potential for a significant drinking water threat.
- b) All planning application submissions for lands within a WHPA must include a Notice to Proceed issued in accordance with Section 59 of the Clean Water Act, to be considered a complete application submission.



- c) Any planning application submission for lands within a WHPA may be required to submit a Source Water Protection Disclosure Report, to provide information on whether any prescribed threats under Section 59 of the Clean Water Act are anticipated for a property, including the expected quantity, storage and handling of substances and proposed mitigation practices.
- d) For new development or redevelopment proposed within the WHPA-Q1 area on Schedule E of this Plan, where an application is submitted for a proposal that requires the removal of water from an aquifer without returning the water to the same aquifer, the application must demonstrate that the taking of water would:
  - i. not cause drawdown impacts beyond safe and sustainable levels
  - ii. not preclude the Town from maintaining its well(s) above a safe level of drawdown; and
  - iii. constitute a sustainable level of water removal as determined by the Ministry of Environment Conservation and Parks in accordance with the applicable SPP and the Ontario Water Resources Act.
- e) For new development or redevelopment proposed within the WHPA-Q2 area on Schedule E of this Plan, where the proposed development will reduce groundwater recharge to the aquifer as a result of additional impervious areas:
  - i. A Water Balance Study, or similar study, in accordance with the applicable SPP, may be required to the satisfaction of the Town, and in consultation with Conservation Authority, in order to demonstrate that pre-development recharge rates will be maintained.
  - ii. In instances where pre-development recharge rates cannot be maintained on-site, proponents will be required to provide compensation for off-site recharge enhancement elsewhere within the WHPA-Q2 commensurate with the predicted loss of recharge attributable to the proposed development.
  - iii. An Infiltration Management Plan, or similar plan, may be required for new major development or site alterations, to assess long-term development recharge performance, in order to maintain or enhance recharge to the greatest extent possible through best management practices, including recharge compensation approaches.
  - iv. For non-major development or site alterations, best management practices such as low-impact development techniques will be implemented to maintain pre-development recharge rates.
  - v. The location, design and construction of stormwater management facilities within WHPAs shall be permitted in compliance with the applicable SPP. The use of best



management practices, such as low-impact development measures, will be encouraged for all developments.

- f) Planning Approval Authorities shall examine municipal water supply servicing constraints, including servicing capacity and the maintenance of the hydrological integrity of municipal wells, as part of their municipal comprehensive review when Infrastructure Restrictions in WHPAs.
- g) New private or municipal sewage system infrastructure should be located, wherever possible, outside of all WHPAs. New systems that must be located within WHPAs may be considered where compliance with the policies set out in this Plan and the applicable SPP has been demonstrated.
- h) No new lots requiring septic systems, including holding tanks or utilizing sub-surface disposal, governed under the Building Code Act, shall be created where the activity would be a significant drinking water threat.
- i) The use of land for the establishment of facilities for the storage of sewage shall be prohibited where the activity would be a significant drinking water threat in a WHPA-A.
- j) Where a new small on-site sewage system could be a significant municipal drinking water threat on a lot located within a WHPA, development may only be permitted where the lot is of a sufficient size to accommodate a small, on-site sewage system designed and constructed in accordance with the standards of the Ontario Building Code. Existing lots of record as of the date of Ministry of Environment, Conservation and Parks' approval of the applicable SPP are not subject to this policy.
- k) Large private septic systems (greater than 10,000 L of effluent treated per day) may only be permitted in WHPAs where it has been demonstrated through an Environmental Assessment or similar process that the location is acceptable and the safety of the municipal drinking water system will not be compromised. The location, design and construction of stormwater management facilities within WHPAs shall be permitted in compliance with the applicable SPP. However, the use of land for the establishment of a new stormwater management facility shall be prohibited where the discharge (including infiltration) of stormwater would be into a significant threat area in a WHPA-A and all stormwater management facilities shall direct discharge of stormwater outside of WHPAs where the activity would be a significant municipal drinking water threat.
- l) The use of best management practices such as low impact development will be encouraged for all developments, except where such practices may adversely impact water quality or interfere with the protection of vulnerable areas, including Issues Contributing Areas. In such cases, development shall be designed to avoid or mitigate potential impacts in accordance with the applicable SPP policies.
- m) The establishment of new parking lots in excess of 2,000 m<sup>2</sup> utilizing the application of road salt shall be prohibited in a WHPA-A.

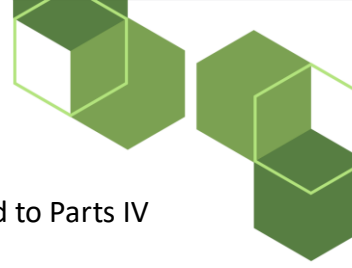


- n) All new development within WHPAs shall be subject to site plan control as described in this Plan.

### 9.3 Cultural Heritage and Archaeology

- a) Cultural Heritage and Archaeological Resources are important and will be conserved and enhanced. To protect the integrity of potentially sensitive sites, Cultural Heritage and Archaeological Resources in the Township are not shown on a map. The Cultural Heritage Resources of the Township include archaeological resources, built heritage resources, and cultural heritage landscapes.
- b) Cultural Heritage Resources shall be conserved through the following means:
  - i. Protection of resources through the prohibition of development and site alteration where significant impacts cannot be avoided;
  - ii. Mitigation of impacts through measures recommended by qualified professionals that may include;
    - a. Conservation of archaeological resources by removal and documentation;
    - b. Preservation of cultural heritage resources on site (including trees);
    - c. Preservation of heritage integrity and history as appropriate;
- c) Indigenous rightsholders and partners shall be engaged at the pre-consultation stage of any development that may impact heritage resources;
- d) Pursuant to the Ontario Heritage Act, Council may by by-law, and in consultation with the municipal heritage committee, where one has been established:
  - i. designate properties to be of cultural heritage value or interest;
  - ii. define the municipality, or any area or areas within the municipality as an area to be examined for designation as a heritage conservation district; and;
  - iii. designate the municipality, or any area or areas within the municipality, as a heritage conservation district

Development and site alteration will be permitted on lands containing archaeological resources or areas of archaeological potential only where the archaeological resources have been assessed, documented, and conserved. Any alterations to known archaeological sites will only be performed by licensed archaeologists.
- e) The municipal clerk shall maintain a Register of Heritage Properties, which will include properties that have been designated under Part IV or Part V of the Ontario Heritage Act (OHA). A Municipal Heritage Committee (MHC) may be established pursuant to Section

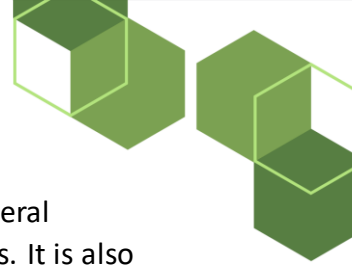


28 of the Ontario Heritage Act to advise and assist council on matters related to Parts IV and V of the Act.

- f) Prior to the designation of a heritage conservation district(s), council:
- i. should pass a by-law defining an area or areas to be examined for future designation as a heritage conservation district(s), and;
  - ii. should prepare a study for the area(s) to determine the feasibility of designation, the delineation of the district boundaries, an evaluation of the area's heritage character, and guidelines for future conservation and planning.
- g) Where individual sites are designed by Council, in accordance with the Ontario Heritage Act, Council shall conserve these sites by the following means
- i. Require any person who proposes to demolish or alter a property to submit an application to Council for approval under the Ontario Heritage Act. The application shall be accompanied by the materials prescribed in O. Reg 385/21.
- h) Council may require a heritage impact assessment report prepared by a professional heritage consultant and/or archaeologist where development is proposed on a site containing cultural heritage resources.
- i) Development or site alteration will not be permitted on adjacent lands to protected heritage properties except where proposed development and site alteration has been assessed and it has been demonstrated that the heritage attributes of the protected property will be conserved.
- j) Areas of archaeological potential are determined through provincial screening criteria, or criteria developed by a licensed consultant archaeologist based on the known archaeological record for the Township and its surrounding region. The Township may undertake the preparation of an Archaeological Management Plan.
- k) An archaeological impact assessment by a licensed consultant archaeologist is required when a known or suspected cemetery or burial site may be affected by a proposed development. Provisions under both the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act shall apply. Development shall be guided by applicable legislation and any direction from the Ministry of Public and Business Service Delivery and Procurement. Council recognizes that, within the boundaries of the municipality, there may be archaeological remains from the pre-contact period through the modern era up to the last 50 years.

## 9.4 Mineral Aggregate Resources

Mineral resources are a fixed location, non-renewable resource found throughout the Township. These resources are identified as the Sand and Gravel Resource Area on Schedule C. The



Township will ensure the long-term protection and appropriate management of mineral resources, including mineral aggregate resources, minerals, and petroleum resources. It is also recognized that a balance must be struck between the competing priorities for the protection of the mineral resources and the need to address other goals of the Official Plan in accommodating growth and prosperity in the Township.

#### **9.4.1 Identification**

This Plan recognizes all existing pits, other than wayside pits, with licenses issued in accordance with the Aggregate Resources Act. Licensed pits are designated Extractive Industrial.

High Potential Aggregate Resources are also identified on Schedule C so that such areas can be protected for long term use. However, the identification of such areas does not presume that all lands located in such areas are suitable for the establishment of new pits and quarries or expansions of existing pits and quarries. Further, it is recognized that there is potential for establishment of pits and quarries outside the identified areas.

#### **9.4.2 Objectives**

- a) Protect deposits of mineral aggregate resources and areas of potential mineral aggregate resources for potential future extraction.
- b) Recognize existing pits and quarries and aggregate operations and protect them from development and activities that would preclude or hinder their continued use or expansion, or which would be incompatible for reasons of public health, public safety, or environmental impact.
- c) Require that mineral aggregate operations are carried out in a manner that minimizes potential negative social, economic and environmental impacts.
- d) Achieve better than minimum standards or minimum levels of mitigation where avoidance of effects from mineral aggregate extraction is not possible for air quality, noise, vibration, and other matters of compatibility. Require the progressive rehabilitation of pits and quarries to an appropriate after-use.

#### **9.4.3 Permitted Uses**

- a) Existing aggregate extraction operations, licensed in accordance with the Aggregate Resources Act including those Aggregate extraction operations designated under Official Plan Amendments 5 (Tri-County) and 6 (Greenwood).
- b) Existing uses.
- c) Agricultural operations.
- d) Forest, fisheries and wildlife management.
- e) Public roads and infrastructure.



- f) Wayside pits, wayside quarries, portable asphalt plants and portable batching plants.
- g) Watershed management and erosion control projects carried out or supervised by a public agency.

#### **9.4.4 Land Use Policies**

- a) Accessory uses to aggregate operations such as asphalt, concrete and redi-mix plants, are not permitted as of right. Any such use shall require a site-specific Official Plan amendment, and a Zoning By-law amendment that ensures that the timing of when the use shall cease is provided.
- b) New Extractive Industrial operations shall require an amendment to this Plan.
- c) No quarry, excavation of aggregate or peat shall occur within 30 metres of the limit of any road right-of-way and 15 metres from any adjoining property line unless the adjoining property is also zoned for Extractive Industrial uses in which case the setback may be eliminated.
- d) A Rehabilitation Plan subject to all provincial requirements shall be required to the satisfaction of the Township.
- e) Wherever possible, rehabilitation shall be progressive as the extraction proceeds.
- f) In prime agricultural areas, on prime agricultural land the extraction of mineral aggregate resources is permitted as an interim use provided the site will be rehabilitated back to an agricultural condition. Complete rehabilitation back to an agricultural condition is not required if:
  - i. the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
  - ii. agricultural rehabilitation in remaining areas is maximized.
- g) The opportunity to use existing aggregate, including abandoned pits, shall be encouraged.
- h) Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations. When a license for extraction or operation ceases to exist, policy 8.4 i) continues to apply.



- i) In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
  - i. resource use would not be feasible; or
  - ii. the proposed land use or development serves a greater long-term public interest; and
  - iii. issues of public health, public safety and environmental impact are addressed.
- j) A pre-application consultation meeting with the Province, County, Township and applicable Conservation Authority is encouraged to ensure that any specific requirements for each of the agencies are addressed to avoid overlap among the required studies, and such that the studies can satisfy all the requirements of the identified agencies. Following the pre-application consultation meeting, the County and/or Township, may appropriately scope, waive, or establish a peer review or other suitable evaluation process for any required study, at the expense of the applicant.
- k) For the purposes of this Plan, an area of influence of 1,000 metres shall be defined around the extraction limit of existing licenced operations or the proposed licenced area boundary for a proposed new operation. Sensitive receptors within the area of influence shall be identified in the technical studies supporting an application for new mineral aggregate extraction to inform the identification of potential impacts and how they are to be addressed, and may be part of the natural, agriculture, or built environment.
- l) Haul routes shall be identified and impacts on and from the haul route, including but not limited to traffic, noise, safety, road improvements and maintenance, shall be required.
- m) Existing Extractive Industrial uses will be zoned specifically in the Zoning By-law. New extractive uses will require an amendment to the Zoning By-law.

#### **9.4.5 Lot Creation**

- a) New lots in the Extractive Industrial designation shall be discouraged.
- b) The consolidation of existing parcels in the Extractive Industrial designation shall be encouraged.
- c) Lot creation shall require demonstration that the lot and new use will not prevent the continuation, expansion or establishment of new extractive industrial uses in area of high mineral or aggregate potential.



## 9.4.6 Site Specific Amendments

### 9.4.6.1 Distinct Policy 1

- a) This policy pertains to the lands on East Half Lot 2, Concession 17, West Half Lot 2, Concession 16, and West Half of Lot 2, Concession 18.
- b) On the above-noted properties, a processing plant for aggregate material and/or concrete batching plant will be permitted, but shall not be located within 90 metres of an existing residence or property zoned for residential purposes and within 30 metres of any boundary of the property on which the operation is being carried out. Council may, at its discretion, reduce these requirements.

### 9.4.6.2 Distinct Policy 2

- a) Distinct Policy 2 for East Part of Lots 2, 3, and the West Part of Lot 3, Concession 18. The following policies are applicable to Extractive Industrial Special Policy 2 (MX-2):
  - i. Extraction of sand and gravel shall be permitted as an interim land use together with crushing, processing, washing, screening and haulage of the extracted aggregate;
  - ii. Extraction shall be permitted to a maximum depth of 1.5 m above the established groundwater table, i.e. pit above water table;
  - iii. Limited importation, being no more than 5% per annum of the annual production, is only permitted as part of blending of aggregate with such blending limited to the importation of sand and gravel, but the recycling and/or importation of concrete and/or asphalt shall not be permitted;
  - iv. The area disturbed on the site shall be limited as much as possible through the use of staged stripping, extraction and progressive rehabilitation operations, with a maximum disturbed area to be 32.2ha;
  - v. Development Agreement(s) shall be entered into with the Township and the County of Dufferin to the satisfaction of each respective municipality;
  - vi. The importation of topsoil only for the purposes of backfilling for final rehabilitation slopes - and with all other importation of fill prohibited, save and except for iii. above or as specifically authorized otherwise as per the Development Agreement with the Township;
  - vii. The hours of operation shall be as per the Development Agreement with the Township;
  - viii. Uses such as a permanent or portable concrete batch plant or permanent or portable asphalt batch plant or any other extractive industrial use not specifically permitted or enumerated above shall not be permitted;



- ix. Agricultural use is permitted as set out in the implementing Zoning By-law;
- x. Rehabilitation shall to be to an agricultural condition;
- xi. Upon the agricultural rehabilitation being final and the surrender of the licence being accepted by the Ministry of Natural Resources, the interim designation for Extractive industrial Special Policy 2 shall cease and shall be removed from Schedule A to the Official Plan for the Township of East Garafraxa and the underlying Agricultural designation shall remain and shall be shown on the subsequent mapping of Schedule A to the Official Plan for the Township of East Garafraxa.

#### 9.4.6.3 Distinct Policy 3

Distinct Policy 3 for East Half of Lot 1, Concession 18 (East Pit) and West Half of Lot 2, Concession 17 (West Pit). The following policies are applicable to Extractive Industrial Special Policy 3 (MX-3):

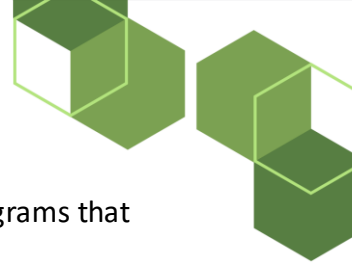
- a) Extraction of sand and gravel shall be permitted as an interim land use together with primary crushing, processing, screening as set on the Site Plan(s) together with the conveyance of the extracted aggregate from the East Pit to the abutting licenced Pit (Licence No. #80956), and from the West Pit to the abutting licenced Pit (Licence No. #10606) for final crushing, processing and screening at the processing plants in those abutting licenced Pits;
- b) No haulage of aggregate directly from the East Pit or from the West Pit to the Township roads is permitted, (as the aggregate is to be conveyed to the abutting licenced Pits, with the aggregate then being hauled from those abutting licenced Pits using the 17th Line entrances and haul route);
- c) Extraction shall be permitted to a maximum depth of 1.5 m above the established groundwater table, i.e. pit above water table;
- d) Importation of sand and gravel, concrete and/or asphalt shall not be permitted;
- e) The area disturbed on the site shall be limited as much as possible through the use of staged stripping, extraction and progressive rehabilitation operations, with a maximum disturbed area to be 20 ha for each of the East Pit and West Pit;
- f) Development Agreement(s) shall be entered into with the Township and the County of Dufferin to the satisfaction of each respective municipality;
- g) The importation of topsoil, soil and fill is not permitted save except as specifically authorized as per the Development Agreement with the Township;
- h) The hours of operation shall be as per the Development Agreement with the Township;



- i) Uses such as a permanent or portable concrete batch plant or permanent or portable asphalt batch plant or any other extractive industrial use not specifically permitted or enumerated above shall not be permitted;
- j) Agricultural use is permitted as set out in the implementing Zoning By-law;
- k) Rehabilitation shall be to an agricultural condition;
- l) Upon the agricultural rehabilitation being final and the surrender of the licence being accepted by the Ministry of Natural Resources, the interim designation for Extractive Industrial Special Policy 3 shall cease and shall be removed from Schedule A to the Official Plan for the Township of East Garafraxa and the underlying Agricultural designation shall remain and shall be shown on the subsequent mapping of Schedule A to the Official Plan for the Township of East Garafraxa.

## 9.5 Energy Conservation

- a) Energy efficiency and conservation are important elements of sustainable policy. Reduced energy demand allows for a more sustainable approach to the management of energy use and could provide additional opportunities for local renewable energy projects.
- b) By reducing the impacts of greenhouse gas emissions, energy conservation is an important part of lessening climate change. Energy conservation facilitates the replacement of non-renewable resources with renewable energy sources. The Township will:
  - i. Assess opportunities for the development of energy supply, including electricity generation facilities and transmission and distribution systems to accommodate current and projected needs.
  - ii. Contribute to and promote a culture of conservation among all public, private, and community groups and local citizens and aim to reduce energy use in all sectors.
  - iii. Contribute to and show leadership by considering energy conservation and efficiency within its municipal decision making and operations.
  - iv. Prepare a Conservation and Demand Management Plan in accordance with the Green Energy Act.
  - v. Promote renewable energy systems, where feasible, in accordance with provincial and federal requirements.
  - vi. Encourage the design and development of neighbourhoods and green buildings that conserve energy.



- vii. Promote and encourage business and homeowner participation in programs that reward or incentivize investments in energy-efficient technologies.
  - viii. Support government programs and encourage industries to substantially reduce the production of chemical products known to have negative impacts on air quality.
  - ix. May undertake tree planting, landscaping, and naturalization initiatives, where appropriate, on municipal property to improve air quality and support climate change adaptation and snow management.
  - x. Promote a living snow fence, tree planting strategy along appropriate roadways.
  - xi. Opportunities for upgrades to municipal infrastructure will consider the impacts of climate change, including more frequent and severe rain events and floods, to prevent a failure of existing systems.
  - xii. Promote compact forms, a mix of land uses and the use of active transportation and transit-supportive development.
  - xiii. Promote the use of low-impact development technologies when considering development and redevelopment proposals.
- c) New or expanded alternative or renewable energy systems should be designed and constructed to minimize impacts on adjacent land uses to prevent adverse effects from odours, noise and other contaminants and minimize risk to public health and safety. Sites for large-scale alternative or renewable energy systems should have sufficient area to provide appropriate setbacks from sensitive residential and institutional land uses to provide safety and/or minimize other potential impact in accordance with the Green Energy Act.
- d) The Township will provide input to the Province on applications for alternative and renewable energy systems.

## 9.6 Natural Hazards

The policies of this Plan seek to protect the residents of the Township and their property by managing natural hazards that may represent a risk to health and/or safety or may pose constraints to development. In support of the objectives and policies contained within this section, the Township will work in collaboration with the applicable Conservation Authority, which plays a key role in regulating development within hazardous lands and areas, reviewing proposals for natural hazard and environmental impacts, and providing technical expertise to ensure that development occurs in a safe and environmentally responsible manner.



### 9.6.1 Identification

- a) Natural hazards may include:
  - i. flood susceptibility resulting from proximity to water resource systems, including wetlands, floodplains, rivers, lakes, and streams;
  - ii. erosion susceptibility resulting from steep slopes and unstable soils;
  - iii. land uses which may pose unacceptable levels of noise, vibration or odour.
- b) Identification shall be applied with an awareness that the frequency and severity of certain natural hazards may be influenced by long-term climate variability and climate change.

### 9.6.2 Objectives

- a) Reduce the potential for public cost or risk to residents from natural hazards.
- b) Direct development away from areas of natural hazards where there is an unacceptable risk to public health or safety or of property damage and not create new or aggravate existing hazards.
- c) Minimize potential land use conflicts by ensuring compatibility amongst land uses and activities.

### 9.6.3 Flooding Hazards, Steep Slopes, Unstable Soils and Erosion Hazards

- a) Development will be directed away from areas of natural hazards, including flooding hazards, and lands subject to hazards due to steep slopes, unstable soils and/or erosion hazards. Development of such areas may be considered provided the policies of the applicable Conservation Authority are complied with and the risks of the existing or potential hazards can be satisfactorily mitigated.
- b) Development will be directed to areas outside of flooding hazards, erosion hazards, and hazardous lands adjacent to river, stream and small inland lake systems that are impacted by flooding hazards and/or erosion hazards.
- c) Development and site alteration will not be permitted within:
  - i. areas that would be rendered inaccessible to people and vehicles during times of flood hazards and erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard, as confirmed by the County and/or Township and the applicable Conservation Authority; and
  - ii. a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.



- d) The replacement of existing buildings or structures, or minor additions to existing buildings or structures, may be permitted on an existing lot of record in a flood plain, steep or unstable soils, or eroding lands and potential hazards associated with waste disposal sites, potentially contaminated lands, and land uses which may pose unacceptable levels of noise, vibration or odour, subject to the policies of this Plan and subject to approval from the applicable Conservation Authority and/or Ministry of Natural Resources. Lot creation will be directed to areas outside of hazardous lands.
- e) Development and site alteration may be permitted in certain areas associated with a flooding hazard along river, stream and small inland lake systems where development is limited to uses by their nature which must be located within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
- f) The applicable Conservation Authority may require the crest or brow and toe of the slope or ravine to be surveyed by a qualified professional where development is proposed. Site-specific geotechnical or engineering assessments that establish more precise limits for the Riverine Flooding Hazard, Riverine Erosion Hazard, valley slope and any associated development setbacks may also be required.
- g) The Conservation Authority may establish a minimum development setback from the brow or crest and toe of a slope or ravine and no disturbance of grades or vegetation below the crest or brow and above the toe shall occur except for erosion and sedimentation control projects approved by the Conservation Authority.
- h) On existing vacant lots, where the restrictions established by minimum development setbacks cannot be achieved on a steep slope, the development setback may be reduced or eliminated provided an Engineering Report prepared by a qualified professional is prepared to the satisfaction of the Conservation Authority and the Township of East Garafraxa. The report shall confirm that the slopes will be stable during and after construction.
- i) Uses prohibited from locating in wetlands or hazardous lands, including the flood plain or on lands that may be susceptible to a flooding or erosion hazard, include:
  - i. an institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day care, and assisted living facilities where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities, or the young;
  - ii. an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; and
  - iii. uses associated with the disposal, manufacture, treatment, transfer or storage of hazardous substances.



- iv. Cemeteries.
- j) Development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all the following are demonstrated and achieved:
  - i. development and site alteration are carried out in accordance with floodproofing standards, protection works standards, and the access standards of the Municipality and the Conservation Authority;
  - ii. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
  - iii. new hazards are not created, and existing hazards are not aggravated; and
  - iv. no adverse environmental impacts will result.
- k) A geotechnical study or engineering analysis may be required to determine the feasibility of proposed development adjacent to hazardous lands. A minimum setback may be included in the implementing Zoning By-Law.

#### **9.6.4 Flood Plains**

The following development criteria shall apply to development proposed within flood plains, as identified on Schedule B, and confirmed by the appropriate Conservation Authority:

- a) No building or structure shall be permitted in any areas susceptible to flooding, except watershed management and flood and erosion control projects and accessory buildings, structures, facilities and site modifications carried out or supervised by a public agency.
- b) Watershed management and flood and erosion control projects shall be carried out in accordance with the standards, policies or guidelines of the Ministry of Natural Resources and/or to the satisfaction of the Conservation Authority. Where possible, such projects should be designed and located to avoid or minimize the impact on wetlands, wildlife habitat, source areas, streams, steep slopes and other areas of visual and environmental significance.
- c) When considering a new development project, the implementing authority shall consider the number, distribution and location of flood and erosion control works within the watershed in terms of their cumulative effect on the objectives of the applicable designation and watershed management policies/activities of the Ministry of Natural Resources and the Conservation Authority.



### **9.6.5 Development Interference with Wetlands and Alterations to Shorelines and Watercourse Regulation**

- a) Certain lands within the Township are subject to Ontario Regulation 41/21: Prohibited Activities, Exemptions and Permits issued by the Province, which is implemented by the relevant Conservation Authority. The Regulation Limit represents a compilation of various information, including wetlands, engineered flood plain mapping, estimated flood plain mapping and erosion hazards. The extent of these regulated areas and features are subject to adjustment as confirmed by site visits and studies. The respective Conservation Authorities should be consulted for details and the implementation of the regulation.
- b) Development in a regulated area or the straightening, changing, diverting or interfering in any way with the existing channel or a river, creek, stream, watercourse or changing or interfering with wetlands and other areas will require permission or clearance from the applicable Conservation Authority, as required.

### **9.6.6 Steep Slopes and Ravines**

Development shall be directed away from areas subject to hazards due to steep slopes, unstable slopes and/or erosion. The following development criteria shall apply to development affecting steep slopes and ravines:

- a) The Conservation Authority may require the crest or brow and toe of the slope or ravine be surveyed by a qualified professional where development is proposed. Site-specific geotechnical or engineering assessments that establish more precise limits for the Riverine Flooding Hazard, Riverine Erosion Hazard, valley slope and any associated development setbacks may also be required.
- b) On existing vacant lots, where the restrictions established by b) above cannot be achieved on a steep slope, the development setback may be reduced or eliminated, provided an Engineering Report prepared by a professional soils consultant, is prepared to the satisfaction of the Conservation Authority and the Township of East Garafraxa. The report shall confirm that the slopes will be stable during and after construction.
- c) Development should be designed in such a way as to minimize the disturbance of and ensure the stability of slopes. Where alteration of a slope is proposed to accommodate development, appropriate restoration and/or reinforcement measures shall be required to ensure slope stability during and after construction.

### **9.6.7 Wildland Fire Hazards**

- a) Certain lands within the Township have been identified as areas that may be unsafe due to the presence of hazardous forest types for wildland fire. Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire, unless the risk can be appropriately



mitigated in accordance with the Provincial wildland fire risk assessment and mitigation reference manual.

- b) Appendix 1 is provided for information purposes and is intended to provide a screening tool for identifying areas at risk for wildland fire. Where updated and/or more detailed assessments are undertaken. Appendix 1 may be revised without requiring an amendment to this Plan.
- c) In the absence of detailed municipal assessments, proponents of development applications will undertake a site review to assess for the presence of areas of high to extreme risk for wildland fire on the subject lands and adjacent properties, to the extent possible. Where areas of high to extreme risk for wildland fire are present, measures should be identified as to how the risks will be mitigated.
- d) Environmentally appropriate mitigation measures will be promoted. Wildland fire mitigation measures that would result in development or site alteration will not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or ecological functions.

## 9.7 Human-Made Hazards

The policies of this Plan seek to protect the residents of the Township and their property by managing human-made hazards that may represent a risk to health and/or safety or may pose constraints to development.

### 9.7.1 Identification

Hazard areas, and areas within 100 metres of hazard areas, including pits, quarries, waste disposal sites, will not be considered for development unless it is demonstrated to the satisfaction of the Township in consultation with the Ministries of Natural Resources and Environment, Conservation and Parks and the applicable Conservation Authority that rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed.

- a) Human-made hazards may include:
  - i. potential hazards associated with waste disposal sites;
  - ii. potentially contaminated lands; and
  - iii. land uses which may pose unacceptable levels of noise, vibration or odour.
- b) Identification shall be applied with an awareness that the frequency and severity of certain natural hazards may be influenced by long-term climate variability and climate change.



## 9.7.2 Objectives

- a) Reduce the potential for public cost or risk to residents from natural hazards.
- b) Direct development away from areas of natural hazards where there is an unacceptable risk to public health or safety or of property damage and not create new or aggravate existing hazards.
- c) Promote the redevelopment and revitalization of contaminated or potentially contaminated lands for reintegration into the community.
- d) Minimize potential land use conflicts by ensuring compatibility amongst land uses and activities.

### 9.7.2.1 Waste Disposal Sites

- a) Waste disposal sites in the Township are identified on Schedule C.
- b) The location of new waste disposal sites and facilities and the expansion of existing waste disposal sites or facilities will require an amendment to this Plan and the County Official Plan. New or expanded waste disposal sites are not contemplated within the horizon of this Plan.
- c) Development proposals within 500 metres of any closed or inactive waste disposal site will be accompanied by a study prepared by the proponent that meets the requirements of the Ministry of the Environment, Conservation and Parks guidelines related to land uses on or near landfills and dumps to the satisfaction of the County and Township. The study will demonstrate to the satisfaction of the Township that there are no environmental problems associated with the site that may make the lands unsuitable for development, demonstrate that the water supply will not be negatively affected and that there are no other problems such as leachate, gas, other contaminants, rodents or vermin, and address any mitigation measures required.
- d) Use of any closed waste disposal site will be in accordance with the Certificate of Approval.
- e) Wherever practical and feasible, methane or other greenhouse gas emissions from waste management systems will be captured and used as an alternative energy source for the County and its surrounding areas. Additional opportunities for other renewable energy undertakings on any of the waste disposal sites will be supported.
- f) Re-use of an inactive waste disposal site will require approval in accordance with the Environmental Protection Act.

### 9.7.2.2 Potentially Contaminated Lands

- a) Potentially contaminated lands represent a potential hazard to human health, ecological health and the natural environment, but also represent opportunities for potential



redevelopment and reintegration into the community, if they are properly remediated to suit a new use of the site.

- b) The County and the Township encourage remediation and the appropriate redevelopment of contaminated sites, or land adjacent to known or potentially contaminated sites, in accordance with provincial regulations and procedures and the policies of this Plan.
- c) For land with a historic use which may have resulted in site contamination or land adjacent to known or potentially contaminated sites, Environmental Site Assessments (ESAs) will be prepared as part of the development approvals process to determine whether contamination exists, its extent where it does exist, and to determine remediation requirements.
- d) The Township encourages owners of potentially contaminated sites to remediate their sites so that they may be reintegrated into the community.
- e) Development may only be permitted on, abutting or adjacent to contaminated sites if rehabilitation or other measures to address and mitigate known or suspected hazards are underway or have been completed.

#### 9.7.2.2.1 Environmental Procedures for Potentially Contaminated Lands

- a) If the site of a proposed use or development is known or suspected to be a contaminated site by the County, Township or other approval authority, the Township will require that, prior to permitting development on the site, the proponent will complete the following to the satisfaction of the County or other approval authority:
  - i. Environmental Site Assessment (ESA) in accordance with Ministry of Environment guidelines; and,
  - ii. site restoration in accordance with a remedial plan, where the need for remediation is identified.
- b) Where an ESA has determined that contamination exists, no development will be permitted until such time as the completion of any required decommissioning and/or remediation of the site, and a Record of Site Condition (RSC) has been prepared by a Qualified Person confirming that site soil conditions meet provincial criteria for the proposed use outlined in O. Reg. 153/04.

#### 9.7.2.3 Noise, Vibration, Odour and Other Contaminants

- a) Managing noise, vibration and odour levels is important to ensuring health and well-being, and in managing appropriate relationships between sensitive land uses, land uses that emit noise, vibration and/or odour, and certain elements of the transportation system.



- b) New residential or other sensitive uses will not be located in noise-sensitive areas unless noise abatement techniques are employed to reduce the noise to comply with the Ministry of the Environment, Conservation and Parks sound level criteria/guidelines.
- c) New residential or other sensitive uses will not be permitted in any area where it is anticipated that noise, vibration, odour or other contaminants from vehicular traffic or from the nature of the use will exceed Ministry of the Environment, Conservation and Parks sound level criteria and/or guidelines.
- d) Only those new commercial or employment uses that can meet the Ministry of the Environment, Conservation and Parks' sound level criteria will be permitted.
- e) The development of new employment uses and sensitive land uses will have regard for the Ministry of the Environment guidelines respecting separation distances between industrial uses and sensitive land uses.
- f) Initiatives of agencies to develop standards, regulations and procedures to prevent spillage of toxic materials and appropriate methods and capability to deal with spills with due speed and diligence are supported. Additional safety measures for the storage, transportation and use of toxic materials will be encouraged.
- g) Development proposals for uses that involve the storage or processing of hazardous substances or contaminated materials, including water, will demonstrate, to the satisfaction of the County and Township, that they will comply with all relevant Provincial and/or Federal regulations.



## 10 Implementation and Interpretation

This Official Plan will be implemented by means of the powers conferred upon the Township through County approval by the Planning Act, the Municipal Act and other statutes as may be applicable. In particular, the Official Plan will be implemented primarily through the Zoning By-law, and the planning tools available to the Township, development control under the Planning Act, and the undertaking of public works.

### 10.1 Land Use Designations

The following is an overview of the land use designations within the Township of East Garafraxa with a description of the intent for development within each.

#### 10.1.1 Community Residential

Intended to accommodate a range of residential housing types within the settlement areas of Marsville and Orton. These areas are planned as complete communities with opportunities for housing, parks, institutional uses, and limited supporting uses while maintaining the Township's rural character and servicing constraints. Growth is primarily directed to these areas.

#### 10.1.2 Community Commercial

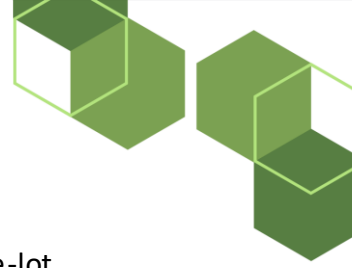
Intended to provide small-scale commercial and mixed-use development that serves the day-to-day needs of local residents and the surrounding rural areas. These areas support local businesses, services, tourism, and community functions while reinforcing village character and functioning as local service centres.

#### 10.1.3 Community Institutional

Intended for schools, places of worship, municipal facilities, community halls, medical facilities, long-term care facilities, and similar public or institutional uses that provide social, civic, educational, and community services to residents. These uses are intended to serve as community focal points.

#### 10.1.4 Employment Area

Intended to accommodate industrial and employment-generating uses such as manufacturing, warehousing, goods movement, associated offices, and ancillary facilities. These areas are intended to support economic growth, provide employment opportunities, and direct larger-scale industrial uses to appropriate locations with good transportation access and compatibility measures.



#### **10.1.5 Estate Residential**

Intended to recognize and maintain existing estate residential subdivisions and large-lot residential development areas established prior to 2006. These areas accommodate low-density residential development on private services while maintaining privacy, tree cover, and rural character.

#### **10.1.6 Rural Area**

Intended to protect the rural landscape and character of the Township while permitting a broad range of rural land uses, including limited residential development, agricultural activities, resource-based uses, home industries, recreation, tourism, and rural commercial or industrial uses that cannot be located in settlement areas. These lands also support preservation of the broader agricultural and natural landscape.

#### **10.1.7 Agricultural Lands**

Intended to preserve and strengthen the long-term viability of the agricultural system and prime agricultural areas. These lands are primarily for agricultural uses, agriculture-related uses, and on-farm diversified uses while protecting farmland from fragmentation, incompatible development, and non-farm land uses. The designation also supports local food systems and the agri-food network.

#### **10.1.8 Open Space**

Intended for parks, trails, recreation facilities, greenspaces, and open space linkages that provide active and passive recreational opportunities for residents. The designation also supports the creation of a connected open space and trail network integrated with environmental features and community areas.

#### **10.1.9 Environmental Protection**

Intended to protect environmentally sensitive lands and natural heritage features such as wetlands, woodlands, valleylands, watercourses, wildlife habitat, and hazardous lands. The designation focuses on conserving ecological functions, water resources, natural linkages, and environmental resilience while limiting development that could negatively impact these features.

#### **10.1.10 Extractive Industrial**

Intended to protect and permit mineral aggregate extraction activities and associated operations in areas with significant aggregate resources. The designation recognizes the long-term importance of aggregate resources while managing compatibility and rehabilitation requirements.



## 10.2 Processes

- a) The Township will actively monitor and review the policies of this Plan to ensure they provide sufficient participation and consultation with the public and First Nation communities in the planning process.
- b) The Township will review the policies of this Plan at regular intervals to ensure they remain relevant in addressing planning issues and matters related to coordination and cross-jurisdictional issues and emerging provincial policies and legislation.
- c) Council will not undertake any public work or pass any by-law that does not conform to the intent and policies of this Plan. This section of the Plan describes how the Official Plan will be administered, updated and amended, as required.
- d) As provided for in the Planning Act, the Township will provide the opportunity for interested citizens and organizations to present submissions on the Plan no less than every five years after the Plan comes into effect. Through this process, the Township will determine the need to amend the Plan to ensure that the policies: remain realistic and appropriate with regard to changing social, economic and environmental circumstances; conform or do not conflict with Provincial Plans; have regard to matters of provincial interest; and are consistent with any policy statements issued under subsection 3(1) of the Planning Act.
- e) In response to any changes in the regulatory environment, changes to the planning policies of the Province of Ontario or other planning initiatives, the Township may initiate an amendment process at any time.
- f) Where judicial or quasi-judicial decisions, including those of the Ontario Land Tribunal, materially impact the Township's interpretation or intent in the policies of this Plan, the Township may choose to initiate a review of any or all of the policies at any time.

### 10.2.1 Amendments to the Official Plan

- a) The Township will consider all complete applications to amend this Official Plan, and will notify the County as the approval authority, the public and other agencies in accordance with the requirements of the Planning Act.
- b) Applications to amend this Plan will include a planning rationale report for the proposed change, prepared by the proponent. This will include, but not be limited to, information regarding the proposed use, servicing, density, floor area, layout, and site plans as appropriate and applicable. The Township may waive the requirement for a planning rationale report for minor and/or site-specific amendments.
- c) Any specific Official Plan amendment procedures and supporting information requirements as outlined in the policies of this Plan will apply in the consideration of the

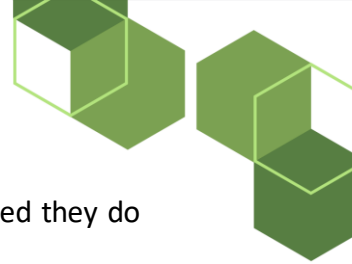


application and the completeness of the application, in accordance with the requirements of the Planning Act.

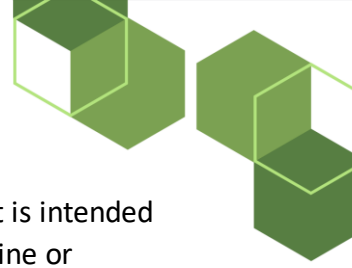
- d) The Township will consider the following criteria when reviewing applications to amend this Plan:
- i. the manner in which the proposed amendment is consistent with Provincial Planning Statements issued under the Planning Act, and prevailing provincial policy and regulations, and the policies of this Plan;
  - ii. the impacts of the proposed amendment on the provision of and local demand for municipal services, infrastructure and facilities;
  - iii. the impact of the proposed amendment on surrounding land uses, the transportation system, municipal services and community amenities and services;
  - iv. the impact of the proposed amendment on cultural heritage resources and/or natural heritage features and areas;
  - v. the impact of the proposed amendment on prime agricultural areas and agricultural uses;
  - vi. the impact of the proposed amendment on the financial sustainability of the Township; and
  - vii. any other information determined by the Township, in consultation with the County, and appropriate agencies, to be relevant and applicable.
- e) Where applications to amend both the County Official Plan and this Plan are required, the proponent is encouraged to submit concurrent applications to amend both Plans.

### **10.2.2 Interpretation Policies**

- a) The interpretation of the numerical figures can be varied within 10 per cent of the figures in the text and such minor variation will not require an amendment. The boundaries of land use designations and other features or areas shown on the Schedules will be considered approximate, except where they coincide with roads, railways or other easily recognizable physical features.
- b) The Township and its staff will be responsible for interpreting all aspects of the Plan. Where policies may reference specific issues of significance to the Province, the appropriate Ministry may assist the Township on an as-needed basis.
- c) This Plan will be read in its entirety to understand its intent as a policy guide for priority setting and decision making.
- d) This Plan is intended to serve as public policy for the sustainable planning and development of the Township and will be interpreted on that basis.



- e) Technical revisions to this Plan are permitted without an amendment, provided they do not change the intent of the Plan. Technical amendments include:
  - i. changing the numbering, cross-referencing and arrangement of the text, tables, schedules and maps;
  - ii. altering punctuation or language for consistency;
  - iii. correcting grammatical, dimensional and boundary, mathematical or typographical errors; and
  - iv. adding technical information to maps or schedules.
- f) An amendment to this Plan will be required where a policy, designation, schedule, goal, or objective is added, deleted or significantly altered.
- g) The boundaries of the land use designations will be considered approximate, except where they coincide with roads, railways, lot and concession lines, or other definitive features. The boundaries of the land use designations will be interpreted by the Township in consultation with the County, where appropriate.
- h) Any modifications or revisions to street names, or other names in this Plan, including the schedules, will not require an amendment to this Plan.
- i) In the case of a discrepancy between the policies in the text and the related schedule, the policies in the text will take precedence.
- j) In the case of a perceived discrepancy between the policies, the more restrictive policy, as determined by the Township, will apply.
- k) Permitted uses included in this Plan are intended to illustrate the range of activities in each respective land use designation rather than a complete list of uses. Specific uses are defined in the Zoning By-Law. Wherever a use is permitted in a designated area, it is intended that uses, buildings or structures normally incidental, accessory and/or essential to that use will also be permitted.
- l) Terms and words used in this Plan are consistent with the Provincial Planning Statement 2024. The definition of words and terms can be found in the Provincial Planning Statement, the County of Dufferin Official Plan, and the Township of East Garafraxa Zoning By-law. Municipal buildings, activities, services and public and private utilities will be permitted in any land use designation, except for in significant natural heritage features and the Agricultural Area. This will be deemed to include activities and services provided under the Municipal Act or any other legislation.
- m) Where any Act or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent legislation that may amend or replace the specific statute.



- n) Where any guideline, manual, or portion thereof, is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent guideline or manual that may amend or replace the referenced document.
- o) The effect of this Plan is such that no municipal public works will be undertaken, and no municipal by-law passed for any purpose, that does not conform to and comply with this Plan.
- p) The implementation of this Plan will take place over time and the use of words such as “shall”, “will” or “must” should not be construed as the Township’s commitment to proceed with all of the undertakings in this Plan immediately. These undertakings will typically occur in a phased manner, subject to budgeting and program availability.
- q) The references to the “County” in this Plan will mean the County of Dufferin. References to the “the Township” will mean the Township of East Garafraxa.
- r) This Plan has been prepared to be consistent with the Provincial Planning Statement, 2024 and to conform with applicable Provincial Plans and legislation. Should the Province, at any time, amend the Provincial Planning Statement or Provincial Plan, the Township will amend the Plan in a manner that reflects the legislative requirements to implement the Provincial Planning Statement or Provincial Plan at the earliest 5 year review or otherwise as directed by Provincial legislation. The Township’s planning decisions may go beyond the minimum standards provided in the Provincial Planning Statement and/or Provincial Plan provided they do not conflict with any other area of the Provincial Planning Statement and/or Provincial Plan.

### **10.2.3 Parkland Development**

In addition to the permitted uses in any designation, parkland development projects, including any accessory buildings, structures, facilities and site modifications carried out or supervised by a public agency shall be permitted in any designation in the Township of East Garafraxa, with the appropriate zoning.

### **10.2.4 Greenbelt Protected Countryside**

All development within the identified Greenbelt Protect Countryside is subject to the policies of the Greenbelt Plan and Act and shall be evaluated under those policies, as amended.

### **10.2.5 Public Consultation and Participation**

- a) The Township supports the opportunity for public participation and input through all stages in the planning process.
- b) The Township will provide the opportunity for residents and property owners to become involved and participate in the planning process related to the implementation of this Plan in accordance with the policies of this Plan and the requirements of the Planning Act. The following policies will apply to public consultation and participation:



- i. the Township will use a variety of techniques to encourage the participation of the public when changes to this Plan are being considered. Subject to the requirements of the Planning Act, the Township may establish the public consultation program it feels will best deal with the matters before it;
  - ii. the Township will provide notification of any amendment to this Plan in accordance with the requirements of the Planning Act, and may consider additional notice to ensure that the potentially affected residents in the County and adjacent First Nations are aware of the purpose and intent of the amendment;
  - iii. the Township shall encourage pre-consultation as a means of fostering clarity and understanding of the requirements of a complete application; and
  - iv. the Township recognizes that the provisions of the Planning Act require it to take action on a development application within a prescribed period of time, subject to the application being complete and the provision of adequate information regarding the proposal being available to the public and County so that informed decisions can be made.
- c) The Township will actively seek the views and participation of the public prior to making any decisions regarding amendments to this Plan. In each case involving such planning matters, at least one public meeting will be held and the public will be encouraged to offer their opinions and suggestions.

#### **10.2.6 Coordination and Cross-Jurisdictional Matters**

- a) The Township will support cross-jurisdictional coordination and will work with the County, Province, First Nation communities, adjacent municipalities, and other agencies.
- b) The Township will ensure that a coordinated, integrated and comprehensive approach is used when dealing with planning matters that transcend municipal boundaries, including:
  - i. managing and/or promoting growth and development;
  - ii. economic development strategies;
  - iii. managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
  - iv. managing infrastructure, electricity generation facilities and transmission and distribution systems, multimodal transportation systems, public service facilities and waste management systems;
  - v. managing ecosystem and watershed related issues;
  - vi. managing natural and human-made hazards;



- vii. population, housing and employment projections for the County; and
- viii. addressing housing needs in accordance with provincial guidance.

### 10.2.7 Land Use Compatibility

- a) New development must be compatible with surrounding land uses. Proposals for development requiring Planning Act approval may be required to provide an assessment of the impact of the proposed development on the adjacent land uses, including noise, odour, dust, traffic, character, scale and the visual impact of the proposal.
- b) Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, to minimize and mitigate any potential adverse effects from odour, noise and other contaminants; minimize risk to public health and safety; and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.
- c) All provincial land use guidance regarding industrial, sensitive and natural heritage resources will be utilized as the standard for dealing with land use compatibility issues.

#### 10.2.7.1 Minimum Distance Separation Formulae

- a) When considering a planning application for lot creation, Official Plan amendment and rezoning or a building permit application, such application must meet the Provincial Minimum Distance Separation Formulae, as amended from time to time.
- b) The Minimum Distance Separation Formulae:
  - i. Does not apply to building permit applications for new dwellings on an existing lot of record that were created prior to December 31, 2025;
  - ii. Does not apply to existing and proposed development within approved settlement areas;
  - iii. Does not apply to a surplus farm dwelling consent where the barn is located on a separate lot;
  - iv. MDS1 setbacks from existing livestock facilities and anaerobic digesters will not be applied for land use planning applications establishing new agricultural-related uses and on-farm diversified uses characterized by Type A low density of human occupancy and activities. However, Type B human occupancy or activity such as agri-tourism, food service, accommodation and retail operations, shall apply MDS1;
  - v. MDS2 setbacks from proposed new or altered livestock facilities and anaerobic digesters will not be applied for land use planning applications establishing new agricultural-related uses and on-farm diversified uses characterized by Type A low density of human occupancy and activities. However, Type B human



occupancy or activity such as agri-tourism, food service, accommodation and retail operations, shall apply MDS2; and,

- vi. Existing cemeteries shall be considered a Type A land use for the purpose of MDS2 setbacks.

### **10.2.8 General Consent (Severance) Policies**

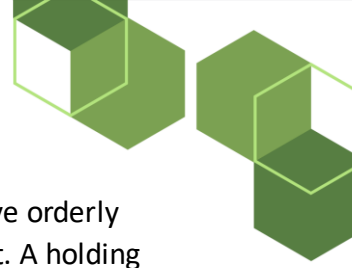
- a) Where a lot is proposed in more than one designation, the severance policy of the most restrictive designation shall apply.
- b) New development shall have safe and adequate access and shall front onto a public road that meets current standards of construction and is maintained year-round.
- c) New lots may include a portion of lands containing physical constraints to development, such as poor drainage, flood susceptibility and steep slopes so long as a building envelope can be established outside of constrained areas. New lots will not be permitted where physical conditions may jeopardize public health and safety. Mitigation measures and studies may be required to ensure new lots are appropriate for development.
- d) Where possible, natural heritage features will not be separated by lot creation. If no other alternative is available, the features will be protected from development through rezoning of the feature and appropriate buffers. An Environmental Impact Study may be required to delineate these boundaries.
- e) In addition to severances permitted in each designation, technical consents may be permitted for the following purposes:
  - i. An easement or right of way;
  - ii. A lot addition, deed correction or boundary adjustment which is required for legal or technical reasons and does not create an additional lot or result in a significant reduction of the land area actively farmed;
  - iii. To recreate original Township lots of each along the originally surveyed lot lines as long as the lots meet existing development standards of the Zoning By-law; and
  - iv. Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
- f) Where three or more lots are to be created from a single parcel of land (not including the retained portion) existing as of the date of adoption of this Plan, a plan of subdivision shall be required. Exceptions to this policy may be considered where the proposal would not result in strip development, there are no residual lands resulting from the development and there is no need to extend municipal services, including roads.



- g) The following policies apply to all development by plan of subdivision:
- i. In considering a proposed plan of subdivision, the Township shall ensure that all costs associated with the development of the land are borne by the developer;
  - ii. All roads within a plan of subdivision shall be constructed to Municipal standards, shall be paved and shall be dedicated to the Township;
  - iii. Prior to considering a plan of subdivision, the Township shall require the applicant to submit professional reports addressing the policies of this Plan;
  - iv. The use of communal servicing for plans of subdivision will only be considered through an amendment to this Plan and in accordance with the policies contained within Section 8.4; and
  - v. If a plan of subdivision or part thereof has been registered for eight years or more, the Township may use its authority under Section 50(4) of the Planning Act to deem it not to be a registered plan of subdivision in consultation with the County. The Township will require that approvals of draft plans of subdivisions include a lapsing date in accordance with Section 51(32) of the Planning Act.
- h) The creation of new lots to correct a situation where two or more lots have merged on title may be permitted, provided the approval authority is satisfied that the merging of the lots was unintentional and was not merged as a requirement of a previous planning approval and provided that the new lot:
- i. Was once a separate conveyable lot in accordance with the Planning Act;
  - ii. Is generally of the same shape and size as the lot which once existed as a separate conveyable lot;
  - iii. Can be adequately serviced by on-site sewage and water systems; and
  - iv. There is no public interest served by maintaining the property as a single conveyable parcel.

#### **10.2.9 By-laws**

- a) Zoning By-laws are the regulatory tool that implements the policies of the Official Plan. A Zoning By-law contains provisions that regulate the use, size, height, density and location of buildings on properties within the Township. The basic purpose of a Zoning By-law is to regulate what can be built on a property, its character, relationship to adjacent uses, and how it will be configured on the lot.
- b) When this Plan or any part thereof takes effect, the Zoning By-law will be amended pursuant to Section 27(1) of the Planning Act. The Amendments to the Zoning By-law must conform to the County and Township Official Plans.



- c) Holding zones may be incorporated into the Zoning By-law in order to achieve orderly development and ensure that policies established in this Plan have been met. A holding symbol may be placed on a zone that prevents development from occurring until the Township is satisfied that certain conditions have been met. This allows the Township to indicate support for the development in principle, while identifying the need for additional actions prior to development proceeding. Specific actions or requirements for the lifting of the holding provision will be set out in the Zoning By-law and/or applicable Zoning By-law Amendment.
- d) The Township may pass a temporary use by-law to allow the temporary use of land, buildings or structures for a purpose otherwise not permitted by the Zoning By-law for a specific period of time not to exceed three years. The Zoning By-law will establish the requirements and considerations for passing temporary use by-laws.
- e) The Township may establish interim control by-laws in accordance with the relevant sections of the Planning Act, in order to control the use of land, buildings or structures within specifically identified areas for a specified period of time not exceeding one year, plus a permissible one-year extension in length.
- f) The Township, in accordance with the Planning Act, may pass a site-specific Zoning By-law amendment to authorize increases in the height and density of development above what is permitted in the Zoning By-law, in return for such matters, which may include, but are not limited to the following:
  - i. provision of affordable or rental housing;
  - ii. conservation of built heritage resources, cultural heritage landscapes, or archaeological resources;
  - iii. provision of sustainable design features;
  - iv. protection, restoration or, where possible enhancement of natural heritage features;
  - v. parkland dedication;
  - vi. provision of community centres, day care facilities or other public service facility;
  - vii. public art; and/or
  - viii. development charge credits, subject to the Development Charge By-law.
- g) This Plan encourages the use of site plan control where appropriate on any lands within the Township with the exception of multi-residential development of less than 10 units. It shall be at the discretion of Township staff where site plan control applies to a development to control issues such as access, storage, lighting, parking etc. A Site Plan Control By-law will reflect the objectives of this Plan.



- h) The use of Community Improvement Plans as per the Planning Act is encouraged to proactively stimulate community improvement, rehabilitation and revitalization.
- i) The Township may choose to enact a by-law to implement a Community Planning Permit System (CPPS), related to the Zoning By-law, minor variances, and site plan control. If a CPPS is to be utilized within the Township, an amendment to this Plan shall:
  - i. Identify the area as a proposed development permit area;
  - ii. Set out the scope of the authority that may be delegated and any limitations on the delegation, if the Township intends to delegate any authority under the development permit by-law;
  - iii. For each proposed development permit area identified, contain a statement of the Township's goals, objectives and policies in proposing a CPPS for the area;
  - iv. Set out the types of criteria that may be included in the CPP by-law for determining whether any class of development or any use of land may be permitted by development permit;
  - v. Set out the types of conditions that may be included in the development permit by-law in accordance with the Planning Act; and
  - vi. Upon approval of the Official Plan amendment, a by-law will be passed for any area in the local Township outlining where the CPPS will be applied.

#### **10.2.10 Parkland Dedication**

- a) The minimum parkland dedication as part of a plan of subdivision or consent shall not include lands that are unsuitable for parkland development.
- b) As an alternative to parkland conveyance, the Township may require the payment of cash in lieu of parkland as per the provisions of the Planning Act or an improved park to the satisfaction of the Township.
- c) Parkland may be acquired pursuant to the provisions of the Planning Act and by other available means, including:
  - i. using moneys allocated in the Municipal Budget;
  - ii. using donations, gifts, and bequests from individuals or corporations; and/or
  - iii. using moneys allocated by any authority having jurisdiction.

#### **10.2.11 Excess Soil**

The Township will support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment. A Site Alteration By-law (14-2015) provides detailed provisions regarding the removal and placement of soils within the Township.



### 10.2.12 Existing Land Uses

- a) Certain uses of land that do not conform with the specific policies of this Plan may be zoned specifically in accordance with their present use and performance standards, provided:
  - i. the zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
  - ii. the uses are located outside the flood way portion of a river or stream system's flood plain;
  - iii. the uses do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;
  - iv. the uses do not pollute air or water to the extent of interfering with the ordinary enjoyment of property; and
  - v. the uses do not interfere with the desirable development or enjoyment of the adjacent area.
- b) Any land use existing at the date of the approval of the Zoning By-law that does not conform with the land use designations shown on the schedules to this Plan, should cease to exist in the long term. It however may be desirable to permit the extension or enlargement of such non-conforming use in order to prevent unnecessary hardship. Such extensions or enlargements will require the approval of the Committee of Adjustment under Section 45 of the Planning Act.
- c) Any land use which is illegal under the existing approved By-laws of the Township does not become legal by virtue of the adoption of this Plan.

### 10.2.13 Non-Conforming Uses

- a) Legally existing uses that do not comply with the Land Use designations outlined in this Plan may be zoned to permit the continuation of the use and may provide for limited expansion provided that the development policies of this Plan and the implementing Zoning By-law are met.
- b) Where a non-conforming use changes, the new use shall be in keeping with the intent of this Plan.

## 10.3 Implementation Tools

### 10.3.1 Pre-Application Consultation

The Planning Act permits municipalities to set out requirements for technical studies and plans to support a development application. Once this required information has been submitted, the application is then deemed to be “complete” in accordance with the Planning Act, with this date



being the date on which the processing time frame in the Planning Act begins. In addition, applicants cannot appeal a non-decision on their application once the application is complete until the processing time frames set out in the Planning Act have elapsed.

### 10.3.2 Complete Applications and Studies List

- a) When the pre-application consultation process for a proposed development approval application identifies the need for one or more supporting studies, the application will not be considered complete for processing purposes until the required supporting studies, information and materials are prepared and submitted to the approval authority.
- b) Notification of a complete application will be given to the applicant and all other parties by the Township in accordance with the Planning Act. Applications will not be considered complete for processing purposes until the required supporting studies, information and materials are prepared and submitted to the approval authority.
- c) Certain supporting studies, information and materials will be required as part of a development approval process or as part of a detailed planning study as identified throughout this Plan. The need and timing of such supporting studies, information and materials will be determined by the approval authority on a site-specific basis in consideration of the site's land use context and regard to the policies of this Plan.
- d) Applicants seeking development approval will be advised of the required supporting studies, information and materials as part of the pre-application consultation process or, if subsequently deemed necessary, prior to scheduling a prescribed public meeting.
- e) During the pre-application consultation process (or at any point during the processing of an application) for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision/condominium, or consent application, the applicant may be required to submit any of the following information and supporting studies at the time of the submission of an application, in accordance with the policies outlined in this Plan and/or accepted professional standards and/or guidelines as applicable:
  - i. Affordable or Attainable Housing Report;
  - ii. Agricultural Impact Assessment;
  - iii. Air, Noise and/or Vibration Study;
  - iv. Approved Class Environmental Assessment;
  - v. Archaeological Impact Assessment;
  - vi. Condominium Description;
  - vii. Conservation Plan;
  - viii. Deed and/or Offer of Purchase;
  - ix. Draft Plan of Subdivision;



- x. Engineering Assessment;
- xi. Environmental Impact Study (EIS) (may also be referred to as an Environmental Impact Assessment (EIA));
- xii. Environmental Site Assessment;
- xiii. Erosion and Sediment Control Plan or Construction Management Plan;
- xiv. Financial Study or Financial Impact Assessment;
- xv. Fire Risk Assessment;
- xvi. Floodplain Analysis;
- xvii. Floor Plan and/or Elevations;
- xviii. Geotechnical Study or Slope Stability Study;
- xix. Groundwater Impact Assessment;
- xx. Heritage Impact Assessment;
- xxi. Hydrogeological Study;
- xxii. Landscaping Plan;
- xxiii. Lighting Study;
- xxiv. Market Study;
- xxv. Master Plan / Block Plan;
- xxvi. Municipal Financial Impact Assessment;
- xxvii. Natural Hazard Assessment;
- xxviii. Needs Assessment;
- xxix. Parking Study;
- xxx. Phase I Environmental Site Assessment (ESA);
- xxxi. Planning Justification or Rationale Report;
- xxxii. Public Consultation Plan;
- xxxiii. Record of Site Condition (RSC);
- xxxiv. Retail Market Impact Study;
- xxxv. Servicing Feasibility Study / Functional Servicing Report;
- xxxvi. Site and Grading Plan;
- xxxvii. Site Plan (Conceptual);
- xxxviii. Site Screening Questionnaire, where a Phase 1 Environmental Site Assessment is not required;
- xxxix. Stormwater Management Plan;
- xl. Supply and Demand Analysis;



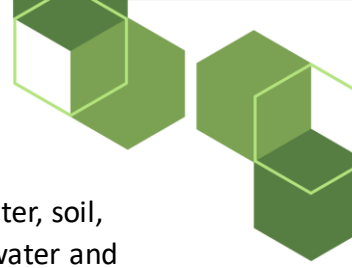
- xli. Topographic Plan of Survey;
  - xlii. Transportation Impact Study;
  - xliii. Traffic Impact Study;
  - xliv. Tree Survey or Arborist Report;
  - xlvi. Urban Design Strategy;
  - xlvi. Water Balance Study, or similar;
  - xlvi. Water Supply Assessment;
  - xlvi. Water Quality or Quantity Risk Assessment; and
  - xlix. Other information or studies relevant to the development and lands impacted by the proposed development approval application.
- f) Fees required by the Township or other agencies shall include any costs for outside consultants retained by the Township to review the information and materials submitted to establish that the information and materials have been prepared in accordance with terms of reference or other criteria identified by the Township in consultation with the County, appropriate Conservation Authority and other agencies.
- g) Development applications within designated greenfield areas will be accompanied by a density analysis to demonstrate how the proposed development will assist the County and Township in achieving the density targets of this Plan, where applicable.
- h) The approval authority will ensure that supporting studies, information and materials provided by an applicant of a complete development application will be made available to the public for review.
- i) The cost of supporting studies and any other required supporting documentation will be borne by the proponent.

### **10.3.3 Environmental Impact Studies**

- a) All Environmental Impact Studies shall be undertaken by qualified professionals in accordance with the policies of this Plan and shall include a description and analysis of the following, as well as addressing any other requirements established by the Township:
- i. The proposed development;
  - ii. The boundaries of the natural features and ecological functions of the area potentially affected directly and indirectly by the development;
  - iii. The sensitivity of the features and functions to development;
  - iv. The direct and indirect effects to the ecosystem that might be caused by the development;



- v. Any environmental hazards (i.e. slope, flooding contaminants) that need to be addressed as part of the development;
  - vi. Identification and evaluation of measures to avoid and minimize impacts and mitigation measures to be employed before and after development Including the identification of potential linkages between and among natural heritage features and areas and surface and groundwater features;
  - vii. A Management Plan identifying how adverse effects will be avoided or minimized over the construction period and the life of the undertaking and how environmental features and functions will be enhanced where appropriate may be required. The Management Plan should describe the net effect of the undertaking after implementation of the Management Plan and establish the limits of buffers and/or setbacks adjacent to the environmental resource; and
  - viii. Any monitoring that may be required to ensure that mitigating measures are achieving the intended goals.
- b) Where major developments such as subdivisions or developments that require an Official Plan Amendment are proposed, detailed Environmental Impact Study shall be undertaken by qualified professionals and shall contain specific detailed information regarding the hydrogeological, and biological functions and linkages related to the following features:
- i. wetlands;
  - ii. habitat of endangered and threatened species;
  - iii. fish habitat;
  - iv. deer yards;
  - v. significant forested areas;
  - vi. valley and stream corridors;
  - vii. significant wildlife habitat;
  - viii. Areas of Natural and Scientific Interest; and
  - ix. A key hydrologic feature in the Greenbelt Protected Countryside.
- c) Minor development proposals requiring rezoning, minor variance, consent to sever land or site plan approval may only need to be supported by a Scoped Environmental Impact Study as determined by the Township, in consultation with the appropriate Conservation Authority.
- d) Prior to approving a development based on an Environmental Impact Study, the Township, in consultation with the appropriate Conservation Authority and other appropriate agencies, shall be satisfied that the proposed use will:



- i. not discharge any substance that could harm air quality, groundwater, soil, surface water and plant and animal life or human health surface water and plant and animal life;
- ii. be supplied by an adequate supply of water and that the groundwater taking associated with the use will not harm existing water supplies and plant and animal life;
- iii. not cause erosion or siltation of watercourses or changes to watercourse morphology;
- iv. not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
- v. not cause an increase in flood potential on or off the site;
- vi. maintain, enhance or restore the natural condition of affected watercourses and protect aquatic habitat;
- vii. not encourage the demand for further development that would negatively affect wetland function or contiguous wetland areas;
- viii. enhance and restore endangered terrestrial and aquatic habitat where appropriate and feasible; and
- ix. demonstrate that there will be no negative impacts resulting from the proposed use on the significant natural features that are identified on Schedule B to this Plan.

## 10.4 Definitions

This Plan establishes a hierarchy of authority for interpreting and defining terms. When a definition is required to apply a policy in this Plan, the following sources shall be used in the order of precedence listed below:

1. Provincial Planning Statement, 2024 (and subsequent amendments)
2. County of Dufferin Official Plan, as amended
3. East Garafraxa Zoning By-law

If a term is not defined in the above sources, the definition provided in the Planning Act shall apply. Where the Planning Act does not define the term, the common or ordinary meaning of the word shall be used.

Definitions specific to land use policies in the Township of East Garafraxa may be added without an amendment to this Plan.