

Springwater Official Plan

Section 24 – Special Policy Area Policies

24.1. Definition

24.1.1. The policies of this section relate to the development and redevelopment of specific areas or land uses that are deemed to be of particular importance or interest.

24.2. Community Improvement Areas:

24.2.1. General

24.2.1.1. Council recognizes the need to maintain and rehabilitate the physical environment, infrastructure, buildings, recreational facilities and the arrangement of existing land uses within urban settlement areas. Therefore Council is committed to ongoing improvements where deficiencies and/or opportunities exist. With this in mind this section contains the Township's goals and objectives for community improvement, provides criteria for the selection of community improvement areas, the prioritization of community improvement projects and the implementation of community improvement plans and programs.

24.2.2. Goals

24.2.2.1. Future community improvement initiatives shall be directed to the attainment of the following goals:

- a) To stabilize and enhance existing development by providing a safe, convenient and attractive environment;
- b) To provide for and encourage the ongoing maintenance, improvement, rehabilitation and renewal of the settlement areas residential, commercial and industrial areas; and
- c) To maintain and improve the economic base of the Municipality.

24.2.3. Objectives

24.2.3.1. To achieve the community improvement goals of this plan, Council adopts the following objectives:

- a) To encourage the maintenance and improvement of the existing housing stock in a safe and attractive form and in compliance with the provisions of the Maintenance and Occupancy Standards By-law;
- b) To encourage the provision, maintenance and upgrading of the physical infrastructure and public services and utilities;

- c) To alleviate or eliminate any problem resulting from existing incompatible land uses within the settlement area;
- d) To improve and upgrade the settlement area environment and in particular, to address deficiencies with respect to the residential, commercial, industrial, recreational and community facility areas by increasing the efficiency of the movement of vehicular and pedestrian traffic and by enhancing the visual and environmental characteristics of the area;
- e) To encourage and support efforts by the private sector to maintain and improve existing buildings and structures;
- f) To undertake community improvement projects in a manner that is fiscally responsible recognizing anticipated growth;
- g) To ensure that the population is served by an adequate supply of community and recreational services, by improving and upgrading Township facilities and services including those serving institutional, recreational, cultural, social and community related functions;
- h) To enhance the settlement areas' ability to accommodate new development and economic growth and to foster a favourable climate for private investment;
- i) To ensure that buildings and property are maintained to acceptable standards; and
- j) To provide a framework to guide improvement expenditures by undertaking a monitoring program to review budgeting and program direction in respect to the attainment of specific community improvement goals and objectives;
- k) To enhance significant heritage buildings, districts and landscapes and encourage the conservation and maintenance of such resources.

24.2.4. **Criteria for Selection of Community Improvement Areas**

24.2.4.1. In order to determine the areas needing community improvement, the foregoing data shall be analyzed on a geographic basis and shall be evaluated against a number of criteria to identify community improvement areas. The specific selection criteria shall include:

- a) Sanitary sewage disposal and water systems in need of upgrading or construction;
- b) Roads in need of improvement, expansion, etc.;
- c) A need for new or the replacement of existing sidewalks;
- d) A need for new or the replacement of existing stormwater drainage systems and/or a need for improved drainage of particular properties;
- e) A need for new or the replacement of existing street lighting;
- f) A need for new or the replacement of outdated traffic signals or traffic directional information signs;
- g) A need for new or the upgrading of existing recreational facilities or land;

- h) A need for new or the upgrading of existing institutional and community facilities or land;
- i) A need for new or the upgrading of existing cultural and social facilities or land;
- j) A deficiency in the amount, variety and/or quality of housing to meet the needs of the residents;
- k) A deficiency in off street and/or on street parking resulting in traffic hazards and inconveniences;
- l) A deficiency in the aesthetic or structural quality of streetscapes particularly in existing commercial areas;
- m) A deficiency in traffic circulation or access; and
- n) Opportunities to enhance tourism and public education;
- o) Opportunities to conserve and enhance significant heritage buildings, districts and landscapes
- p) In addition to the criteria noted above, consideration for the selection and designation of community improvement areas may also be given in circumstances where:
 - i. Conflicts exist between existing land uses;
 - ii. Environmental problems such as flood susceptibility, noise or odour are apparent;
 - iii. Manmade hazards such as level crossings, abandoned buildings, etc. are in evidence; and
 - iv. Vacant or under utilized lots or blocks with good potential for development or redevelopment exist.

24.2.5. **Community Improvement Areas**

24.2.5.1. Following the selection of the community improvement areas, they shall be ranked based upon the Official Plans overall community improvement goals and objectives and on the basis of improvements to “hard” municipal services such as sewers, water supply, streets and sidewalks having first priority; improvements to buildings having second priority and improvements to “soft” municipal services such as those serving recreational, cultural and social functions having third priority.

24.2.5.2. Despite this general method of prioritization, it is this Plan’s intent that community improvement projects be undertaken in identified areas as needed, whenever funds are available providing Council is satisfied that the Township can reasonably finance and afford its share of any costs.

24.2.6. **Implementation of Community Improvement**

24.2.6.1. Council shall implement the Official Plan’s community improvement goals and objectives by one or more of the following methods:

- a) By designating by By-law the whole or part of any community improvement area for the purpose of the preparation and implementation of “Community Improvement Plans” pursuant to the appropriate section of the Planning Act;
- b) By participating in available provincial or other funding programs or opportunities to assist in the implementation of a Community Improvement Plan;
- c) By encouraging the participation of the private sector in the implementation of a Community Improvement Plan, including infilling and redevelopment policies;
- d) By supporting and encouraging the participation of local community groups, service clubs and other public organizations in the implementation of the Community Improvement Plan, particularly as their assistance might relate to recreational uses and community facilities and services;
- e) By improving, acquiring or disposing of land and/or buildings in the designated area in accordance with a Community Improvement Plan;
- f) By upgrading utilities, municipal services and recreational and community facilities; and
- g) By the application of the Ontario Heritage Act to support the preservation of historic or architectural significant buildings and the use of funding programs under the Act.

24.3. Highway Special Policy Area

[This section was appealed to the OMB by Chase and withdrawn on Oct. 22/98]

24.3.1. General

- 24.3.1.1. The corridor of land fronting on *County Road 27*, north of Midhurst and extending to Horseshoe Valley Road (County Road 22) was the subject of a previous study and Official Plan Amendment to recognize growing development pressures in this area. As a result of further consideration, the extent of the area subject to the policies of this section is extended to include **County Road 27 [OPA #3 - Sept.29/99]** north of Horseshoe Valley Road to the Township boundary north of Elmvale. These policies do not apply within the settlement area of Elmvale as set out on Schedule “A-6” to this Official Plan. These policies also apply to **County Road 92 [OPA #3 - Sept.29/99]** from the boundary of the Elmvale settlement area to the Town of Wasaga Beach. The following provides two specific subsections being the “Highway Special Policy Areas” and “Restricted Rural”. These subsections set out the various policy considerations to be applied in the evaluation of any development proposals in this area. The policies found elsewhere in this plan apply to the various other land use designations as are set out on Schedule “A” to this Official Plan which details the subject area.

24.3.2. Highway Special Policy Area

24.3.2.1. Objectives

- a) The “Highway Special Policy Areas” designation and the associated policies are intended to achieve the following objectives:
 - i. To provide one or more areas where comprehensively planned light industrial/commercial development may be established by amendment to the Official Plan if such development can be substantiated on the basis of detailed investigations of such areas;
 - ii. To protect and maintain **County Roads 27 and 92 [OPA #3 - Sept.29/99]** as major transportation facilities;
 - iii. To utilize, where appropriate, the potential for commercial and industrial development in areas adjacent to **County Roads 27 and 92; [OPA #3 - Sept. 29/99];**
 - iv. To achieve high quality commercial or industrial development in specific areas where supported by an amendment to the Official Plan;
 - v. To prevent strip commercial/industrial development along the highways;
 - vi. To minimize the number of new commercial/industrial accesses onto the highways;
 - vii. To provide some flexibility in the development of commercial/industrial uses and employment opportunities in the Township;
 - viii. The Township may require the preparation of a preliminary market analysis study by a proponent. Such study, if required, shall consider commercial land needs and/or industrial land needs.

24.3.2.2. General Policies

- a) The lands included in the “Highway Special Policy Areas” designation, and as delineated on Schedule “A” may have the potential to be developed as comprehensively planned commercial/industrial parks. These areas have not been placed in a light industrial/commercial designation because the principle of development in such areas has not been conclusively established. If such development is to occur these are the preferred areas. However, no such development shall be permitted unless an Official Plan Amendment and Zoning By-law Amendment are prepared and approved for such area and all of the policies of this Plan and all of the requirements of the affected local and provincial agencies have been satisfactorily addressed. If the

policies of this Plan and the agency requirements cannot be met, then the policies of the “Restricted Rural” designation will continue to apply to such areas.

- b) Until a specific fully documented industrial/commercial development is proposed and an Official Plan Amendment is approved in such areas, the policies of the “Restricted Rural” designation shall apply with the exception that no rural residential severances shall be permitted.
- c) Development may take the form of a single commercial/industrial use occupying an entire special policy area or it may involve a Plan of Subdivision with internal access roads or service roads.
- d) Highway Special Policy Areas may be placed in Holding Zones in accordance with the provisions of The Planning Act and the relevant policies of this Official Plan, after an amendment to the Official Plan has been adopted.

24.3.2.3. Permitted Industrial/Commercial Uses

- a) As stated in Subsection 24.3.2.2 b) above, a limited range of “Restricted Rural” uses will be permitted until such time as a comprehensive industrial/commercial development plan is proposed and an Official Plan Amendment is approved for the relevant Highway Special Policy Area.
- b) Any proposed Official Plan Amendment in a Special Policy Area shall permit light industrial/commercial uses. These may include such commercial uses as service stations, new vehicle dealerships, restaurants including drive-in restaurants, food and other retail stores, personal service shops, service shops, financial service establishments, fruit and vegetable markets, commercial nurseries and commercial schools. Land extensive commercial uses may also be permitted such as building supply outlets, recreational establishments, mobile home sales, prefabricated building sales and display and swimming pool sales and display. In addition to such highway oriented and specialized commercial uses, these lands may also be used for the manufacturing, processing and storing of goods and raw materials. Service industrial uses such as a contractor’s yard may be permitted. Other uses which are complimentary to and serve these industrial uses may be permitted as well as public and institutional uses.

24.3.2.4. Site Planning and Design Guidelines

- a) After an Official Plan Amendment is approved, Council may pass a By-law designating all or part of any Highway Special Policy Area as an area of Site Plan Control under the provisions of The Planning Act.
- b) Generally, commercial uses will be encouraged to locate on those lands directly abutting the highway.

- c) The design guidelines of Section 7 of this Plan shall apply to development in those areas immediately visible from the highway. Specific design guidelines relating to identified circumstances, and situations in other parts of the Township shall not apply to these areas.

24.3.2.5. Servicing Policies

- a) The appropriate sewage treatment systems shall be approved by the Ministry of Environment & Energy or the local authority having jurisdiction.
- b) All development shall comply with the policies and regulations of the above noted agencies.
- c) Any substantial development in these areas shall proceed by Registered Plan of Subdivision or Plan of Condominium.
- d) A hydrogeological study shall accompany any commercial or industrial development proposal identifying the water supply for the development and the ability of the site to accommodate individual lot sewage treatment systems in conformity with all relevant policies and regulations.

24.3.2.6. Transportation and Access Policies

- a) It is a policy of this Plan to restrict to the greatest extent possible, all new non-residential or non-agricultural access points in the Highway Special Policy Areas.
- b) Generally, new commercial/industrial development shall have direct access only to internal subdivision roads or to service roads, except as provided for in Section 24.3.2.6 c).
- c) Where an individual commercial/industrial use is permitted as a first phase in a comprehensive development, an individual access to the highway may only be permitted provided there is compliance with the standards of the Ministry of Transportation or the appropriate government agency having jurisdiction and where the access location is suitable for future public road allowance to service the subdivision. Where a single use occupies an entire Special Policy Area, carefully controlled access to the highway from that use may be permitted in accordance with the policies of this Plan and the standards of the Ministry of Transportation, or the appropriate government agency having jurisdiction.
- d) In the case of any development of the Highway Special Policy Area in Part Lot 9, Concession 4, provision shall be made for a possible road linkage between Gill Road and **County Road 27. [OPA #3 - Sept. 29/99]** A detailed study of the area will be undertaken prior to the approval of any development here and if a route is found for such a

linkage, it shall be protected and incorporated into any development of the subject area.

- e) Except as provided for in Section 24.3.2.6 c), all new commercial and industrial development shall only be permitted if access is provided by internal service roads provided for the Special Policy Area by the developer. Internal service roads shall be provided by utilizing the following general principles:
 - i. Only one access is permitted for each “Special Policy Area”.
 - ii. All properties fronting on the highway shall only have access via an internal service road.
 - iii. Internal service roads shall have a minimum width of 26 metres (85 feet) and shall be developed to industrial road standards. Where internal service roads meet the highway, intersection improvements shall be made as warranted by traffic volumes and the Ministry of Transportation. Notwithstanding the aforementioned requirements, if a suitable location along the highway frontage of an area designed as a Special Policy Area is unavailable because of an inability to meet MTO requirements, no access to the highway will be considered.
- f) A Traffic Study will analyze the transportation impacts of the proposed development and provide findings and recommendations as they relate to possible intersection improvements.

24.3.2.7. **Environmental Policies**

- a) Applications for development in the “Special Policy Areas” shall be accompanied by technical studies related to the following:
 - i. A Biological Assessment will be undertaken to document existing biological conditions; to interpret the significance of existing biological conditions; to predict the potential for impact on significant biological features and functions; and to provide recommendations for mitigating any negative environmental impacts.
 - ii. The plan shall include stormwater management analysis and recommendations, as may be required under Section 23, Stormwater Management, of this Official Plan.
 - iii. A Hydrogeological Investigation will be performed to assess the suitability of local ground conditions for development using individual septic tanks and tile fields; impact of sewage disposal at the site on local groundwater and surface water resources; impact of the proposed development on infiltration rates and groundwater recharge at the site.

24.3.3. **Restricted Rural**

24.3.3.1. **Objectives**

- a) The “Restricted Rural” designation is intended to indicate predominantly marginal agricultural land which, because of the proximity to **County Roads 27 or 92, [OPA #3 - Sept. 29/99]** requires more restrictive planning policies than those applying to areas designated “Rural” in the Township.
- b) The designation is intended to protect the function of **County Roads 27 and 92 [OPA #3 - Sept. 29/99]** as major transportation facilities by reducing the potential for future strip development along the highway.
- c) The designation is intended to reduce or eliminate the potential for future spot rezonings for commercial or industrial development along the highways in order to assist in the safe movement of large numbers of vehicles on the highways.
- d) As a further method of protecting the highway’s important transportation function, the designation is intended to encourage access controls in regard to residential severances adjacent to the highways.

24.3.3.2. **Permitted Uses**

- a) With the exception of the uses stated in Subsection 24.3.3.2 b), below, all uses permitted in the “Rural” designation, in accordance with the policies of Section 18, shall be permitted within the area designated “Restricted Rural” on Schedule A.
- b) Agriculturally related commercial and industrial uses, as described in Subsection 18.3.3 of this Plan and minor nonagricultural rural uses as described in Subsection 18.3.4 and 18.4.6 of this Plan, shall not be permitted within the area designated “Restricted Rural” on Schedule “A”.
- c) Residential severances may be permitted in the area designated “Restricted Rural” on Schedule “A” in accordance with the policies of Subsection 28.6, Consent Policies, and all other policies of this Plan.

24.3.3.3. **General Policies**

- a) All of the policies of Subsection 18.3, relating to the permitted uses in the “Rural” designation, shall also apply to the uses permitted in Section 24.3.3.2 a) above.

24.4. **Green Belt Areas**

- 24.4.1. It shall be a policy of this Plan to restrict new non-farm development within one kilometre of any boundary of the City of Barrie and Town of Wasaga

Beach. The purpose of this policy is to maintain a clear separation between rural and urban land uses to prevent urban sprawl adjacent to these two urban centres. Notwithstanding this policy, existing commercial and industrial uses legally established at the date of passage of this Plan, may be permitted to reasonably expand or modify their operations. Interpretation of the one kilometre separation distance may be slightly modified where roads or other cultural or natural boundaries can be utilized to clearly define the extent of the Green Belt area. **[Appealed to OMB by Wismer - Appeal denied by Order #2575 dated 14 Oct. 98]**