

Springwater Official Plan

Section 29 – Implementation

29.1. General

29.1.1. This Plan may be implemented by a number of means including:

Zoning By-law;
Plans of Subdivision;
Development Agreements;
Public Works;
Site Plan Agreements; and
Condominium Agreements.

29.1.2. The implementation of this Plan through the above means may also be augmented and supported by a number of means including:

Growth Management Strategy
Official Plan Background Report
Environmental Management Plans
Minimum Distance Separation Formula
Watershed Plans [Mod. #67 - Jan.28/98][OMB Order #2575]

29.2. Zoning By-law

29.2.1. The existing Zoning By-laws shall be reviewed and if necessary, new by-laws shall be prepared and passed by Council to establish:

29.2.1.1. Suitable land use zones to permit the types of development provided for by this Plan;

29.2.1.2. Site development standards appropriate to each type of development; and

29.2.1.3. Other development regulations as required to meet the intent of this Plan.

29.2.2. It is not intended that all lands be zoned at the outset for the uses indicated on Schedule “A”, or any other land use schedule to the Official Plan, but rather the by-law will recognize existing uses and be of a restrictive nature. Applications for re-zoning will be considered on an individual basis in order to achieve the objectives of this plan.

29.2.3. The Planning Act provides for the use of the holdings symbol “H” (or “h”) in conjunction with any land use zone found within the implementing Zoning By-law. The purpose of this holding symbol is to generally prevent or limit the use of land until such time as Council is satisfied that further

development may take place. The objectives and use of this symbol are set out herein.

- 29.2.3.1. The objective of the use of the holding symbol is to prevent or limit the use of land in order to achieve orderly, phased development and to ensure that the servicing and design criteria established in the Plan have been met prior to removing the holding symbol.
- 29.2.3.2. Generally, the holding symbol should be applied to undeveloped or unserviced lots or areas where development is anticipated by the designations of this Official Plan.
- 29.2.3.3. The holding symbol may be used in conjunction with any land use zone established in the implementing Zoning By-law. In conjunction with the use of this symbol, the By-law shall specify the use to which the lands, buildings or structures may be put, if any, while the holding symbol is in effect and may specify the use or uses permitted when the holding symbol is removed.
- 29.2.3.4. Where the holding symbol is used in conjunction with a Residential Zone, Council, through the By-law, may permit the development of not more than one single family dwelling on a lot existing before the passing of this By-law. Where the holding symbol is used in conjunction with other land use zones, generally no uses will be permitted while the holding symbol is in effect. Uses existing prior to the By-law may also be recognized if, in the opinion of Council, the recognition of the existing use will not hinder the long-term use of the property.
- 29.2.3.5. Prior to the removal of any holdings symbol, Council shall be satisfied, by the developer, that all conditions of any agreements have been met or will be met and that the policies of this Plan have been met or fulfilled in regard to such aspects as phasing and servicing criteria.
- 29.2.3.6. When the holding symbol is removed, the Planning Act, which normally allows for the appeal by an interested party, of a change in zoning, does not apply and no appeal process is provided for.
- 29.2.3.7. In regard to the giving of notice of Council's intention to pass an amending by-law to remove the holding symbol, such notice shall be given in the manner prescribed, and provide for a reasonable time period, prior to the passing of the By-law, for receipt of the said notice by those affected and for the provision of further information in regard to any inquiries about the By-law.
- 29.2.3.8. Where Council wishes to apply a holding symbol to an area designated by this Plan, wherein more than one type of zone classification found within the implementing By-law may eventually be applied, Council may use the

holding symbol in conjunction with a non-specific zone category. For example “CH” instead of “CI-H”. In this instance, the By-law may permit interim land uses, however, when it is intended that the holding symbol be removed and replaced by a specific zone, such a change will be subject to the formal rezoning process and to all pertinent regulations in this regard.

- 29.2.4. Council shall ensure conformity to the intent of this Plan in considering applications to amend the Zoning By-law.

29.3. Existing and Non-conforming Land Use

- 29.3.1. Nothing in this Plan shall interfere with the continuation of a land use which is legally existing at the time of the passing of this Plan.

- 29.3.2. The implementing Zoning By-Law may recognize existing uses not in conformity with the policies of the Official Plan.

- 29.3.3. Any land use existing at the date of approval of this Plan that does not conform with the land use designations as shown on the map schedules to this Official Plan or the policies related thereto, as a general rule, should cease to exist in the long run. In special instances, however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that extensions and enlargements shall be handled through the use of the Planning Act.

- 29.3.4. Any application, under the Planning Act, for the extension or enlargement of a use, which does not conform to the implementing Zoning By-law (hereinafter called a non-conforming use) and which existed at the time of passing of such By-law shall be dealt with in the following manner:

- 29.3.4.1. Council shall determine the feasibility of acquiring the property concerned at the time of application or possibly at some future date and of holding, selling, leasing or redeveloping the property in accordance with the provisions of the Planning Act. Special attention will be given to the chances for the re-establishment of the use under consideration in a different location where it would be able to perform and produce under improved conditions in accordance with the policies of this Official Plan.

- 29.3.4.2. If acquisition at this time does not appear to be feasible and if the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the non-conforming use, Council may consider the amendment of the Zoning By-law pursuant to the Planning Act and such amendment may then be passed without the necessity to amend the Official Plan providing it complies with the policies of Section 29.3.4.3 below.

29.3.4.3. Prior to making any decision on the application, the Council will refer such applications to the appropriate municipal department or committee and report on the various aspects of the matter for the information of Council. The Council, before passing such an amending By-law shall be satisfied that those of the following requirements which are relevant to the specific application for the extension or enlargement of the non-conforming use are, or will be, fulfilled in order to safeguard the wider interests of the general public:

- a) That the proposed extension or enlargement of the established non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of the Official Plan and the requirements of the Zoning By-law applying to the area;
- b) That the proposed extension or enlargement shall be in an appropriate proportion to the size of the non-conforming use established prior to the passing of the implementing Zoning By-law;
- c) That an application which would affect the boundary areas of different land use designations on the Land Use Plan will only be processed under these policies, if it can be considered as a “minor adjustment” permitted under the flexibility clause of Section 29 of the Official Plan without the need for an amendment. Any major variances will require an amendment to the Official Plan;
- d) The characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generating capacity. No amendment to the implementing By-law shall be passed which would significantly increase the incompatibility of the use with the surrounding area;
- e) The neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement and, wherever feasible, be also extended to the established use in order to improve its compatibility with the surrounding area;
- f) That traffic and parking conditions of the vicinity will not be adversely affected by the application and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and

from the site and improvement of sight conditions especially in proximity to intersections;

- g) That adequate provisions have been, or will be made for offstreet parking and loading facilities;
- h) That applicable municipal services such as storm drainage, water supply and roads, etc. are adequate or can be made adequate.

29.3.4.4. Council will not pass an implementing Zoning By-law under the Planning Act before it is satisfied in regard to the policies contained in Section 29.3.4.3 above. It will also be the policy of the Township to notify property owners in the area, of each application for the extension or enlargement of a non-conforming use prior to a final decision on the matter in order to obtain their views and to satisfy the requirements of the Planning Act.

29.4. Subdivision Control

29.4.1. All lands in the Township are subject to subdivision control and part-lot control. The Council shall exercise the power of subdivision control and part-lot control in accordance with the powers delegated to it by the Planning Act. Old registered plans of subdivision which Council feels are inadequate, may be deemed by Council to be no longer registered under authority of the Planning Act.

29.5. Plans of Subdivision

29.5.1. It shall be the policy of Council to recommend to the approval authority for approval only those plans of subdivision which comply with the policies of the Plan and which, to the satisfaction of the Council, can be supplied with adequate services such as fire protection, water supply, sewage disposal, storm drainage facilities, and road maintenance, and which, by reason of such approval, would not adversely affect the economy of the Township.

29.5.2. Subdivision agreements may deal with all applicable aspects of development such as landscaping, parking, circulation, access, sign control and design, drainage, grading, lighting, services, staging and timing.

29.6. Public Works and Capital Works Programme

29.6.1. The implementation of the policies of this Plan which relate to municipal facilities and services will involve the township directly in the financing of such projects. The text and Schedules of this Plan outline the nature and scope of these projects which include the development of community parks and facilities, the upgrading of roads and the improvement of intersections.

29.7. Legislation Pursuant to the Municipal Act

29.7.1. It is intended that the Township shall review existing legislation pursuant to the Municipal Act governing such uses as automobile wrecking yards, waste collection, the allotment of municipal services, trailers and signs and, where necessary, amend existing by-laws or pass such new by-laws as may be required to ensure that such items and uses are properly regulated and controlled.

29.8. Committee of Adjustment

29.8.1. Applications for minor variances to the regulations of the Implementing Zoning By-law and applications for consent to convey land shall be dealt with by the Committee of Adjustment. In deciding applications for consent, the Committee of Adjustment shall implement the policies of this Plan.

29.9. Building By-law

29.9.1. The regulations of the Ontario Building Code shall govern the issuance of all building permits within the Township.

29.10. Minimum Standards of Maintenance and Occupancy By-law

29.10.1. Council may enact a by-law in regard to minimum standards of maintenance and occupancy to help maintain a reasonable standard of building and property maintenance within the planning area.

29.11. Financial Assistance

29.11.1. The Township may avail itself of any federal or provincial programs and incentives that will result in a benefit to the residents of the planning area.

29.12. Public Participation

29.12.1. The Planning Act permits a municipality to set out in its Official Plan provisions for informing and securing the views of the public and government agencies in respect to amendments to the Official Plan and implementing Zoning By-law. The provisions of the Planning Act, and the regulations passed under these sections, shall apply unless the alternative procedures outlined in this section are complied with.

29.12.2. Official Plan Amendments

29.12.2.1. With regard to an Official Plan Amendment, the following procedures shall apply:

- 29.12.2.2. Council, or a Committee of Council which has been delegated the authority, shall hold a Public Meeting with respect to an Official Plan Amendment.
- 29.12.2.3. Notice of the Public Meeting shall be given at least 20 days in advance of such a meeting in the manner and to the persons and public bodies prescribed, or such alternate procedure as set out in this section. Where more than one Notice of a Public Meeting is given, the meeting will not be held sooner than 20 days after the date of the initial notice.
- 29.12.2.4. The Notice of Public Meeting shall contain the information prescribed by Ontario Regulation and any other information deemed appropriate by Council.
- 29.12.2.5. The Notice of Public Meeting shall be given in the following manner:
- a) By personal service, first class mail or facsimile transmission to the approval authority as may be designated from time to time. In the event that the approval authority has notified the Clerk that such notice is not required, no such notice will be given.
 - b) By personal service or prepaid first class mail to the owner(s) of the land to which the proposed Official Plan Amendment applies. Notice will be given to the owner(s) and address(es) as provided from the Property Information database maintained by the Township for assessment, taxation or geographic information purposes.
 - c) By personal service, prepaid first class mail or facsimile transmission to any agent representing the owner(s) of the land to which the proposed Official Plan Amendment applies. Notice will be given to the name and address or fax number as provided in the written application or written request for notice.
 - d) By personal service or prepaid first class mail to every owner of land within 120 metres of the area to which the proposed Official Amendment applies. Notice will be given to the owner(s) and address(es) as provided from the Property Information database maintained by the Township for assessment, taxation or geographic information purposes. Where certain lands within the 120 metre circulation area are located within another municipality, notice will be given to the name(s) and address(es) provided by the adjacent municipality.
 - e) By personal service, prepaid first class mail or facsimile transmission to the public bodies as prescribed under Ontario Regulation, and to any other public body as deemed appropriate by Council.

- f) By personal service, prepaid first class mail or facsimile transmission to every person or public body who has given the Clerk a written request for Notice of Public Meeting for the proposed Official Plan Amendment. Notice will be given to the name and address or fax number as provided in the written request.
- g) By personal service, prepaid first class mail or facsimile transmission to any other person or owner of land as deemed appropriate by Council. Notice will be given to any such owner(s) and address(es) as provided from the Property Information database maintained by the Township for assessment, taxation or geographic information purposes. Notice to any such person will be given to the name and address provided to the Clerk.
- h) By posting in a conspicuous location in the Township Offices or such other public places as deemed appropriate by Council.
- i) Notwithstanding b) and d) in this Subsection, where the proposed Official Plan Amendment is a textual change which does not apply to a specific area and/or applies to the municipality as a whole, Notice will be given by publication in a local newspaper(s) of sufficiently general circulation in the area affected by the proposed Official Plan Amendment which would, in the opinion of the Clerk, give the public reasonable notice.
- j) The policies of Section 19, Aggregate Extractive/High Aggregate Potential Policies and Section 20, Waste Disposal Policies, should be referred to concerning additional notice requirements related to the establishment of land uses permitted under these sections.
- k) The above does not preclude additional Notice by other means as deemed appropriate by Council.

29.12.3. **Zoning By-law Amendments**

29.12.3.1. With regard to a comprehensive Zoning By-law or Zoning By-law Amendment, the following procedures shall apply:

- a) Council, or a Committee of Council which has been delegated the authority, shall hold a Public Meeting with respect to a Comprehensive Zoning By-law or an Amendment thereto.
- b) Notice of the Public Meeting shall be given at least 20 days in advance of such a meeting in the manner and to the persons and public bodies prescribed, or such alternate procedure as set out in this section. Where more than one Notice of a Public Meeting is

given, the meeting will not be held sooner than 20 days after the date of the initial notice.

- c) Notwithstanding Subsection 29.12.3.1 b) above, where a Zoning By-law Amendment is the result of a condition of a decision made by the Committee of Adjustment, and where part of the processing of the previous application involved the sending of notices in accordance with subsection 29.12.3.1 e) and the holding of a Hearing, the minimum notice period may be reduced to 14 days.
- d) The Notice of Public Meeting shall contain the information prescribed by Ontario Regulation and any other information deemed appropriate by Council.
- e) The Notice of Public Meeting shall be given in the following manner:
 - i. By personal service, first class mail or facsimile transmission to the approval authority as may be designated from time to time. In the event that the approval authority has notified the Clerk that such notice is not required, no such notice will be given.
 - ii. By personal service or prepaid first class mail to the owner(s) of the land to which the proposed Comprehensive Zoning By-law or Amendment applies. Notice will be given to the owner(s) and address(es) as provided from the Property Information database maintained by the Township for assessment, taxation or geographic information purposes.
 - iii. By personal service, prepaid first class mail or facsimile transmission to any agent representing the owner(s) of the land to which a proposed Zoning By-law Amendment applies. Notice will be given to the name and address or fax number as provided in the written application or written request for notice.
 - iv. By personal service or prepaid first class mail to every owner land within 120 metres (393 feet) of the area to which the proposed Zoning By-law Amendment applies. Notice will be given to the owner(s) and address(es) as provided from the Property Information database maintained by the Township for assessment, taxation or geographic information purposes. Where certain lands within the 120 metre (393 feet) circulation area are located within another municipality, notice will be given to the name(s) and address(es) provided by the adjacent municipality.
 - v. By personal service, prepaid first class mail or facsimile transmission to the public bodies as prescribed under Ontario Regulation, and to any other public body as deemed appropriate by Council.

- vi. By personal service, prepaid first class mail or facsimile transmission to every person or public body who has given the Clerk a written request for Notice of Public Meeting for the proposed Comprehensive Zoning Bylaw or Amendment. Notice will be given to the name and address or fax number as provided in the written request.
- vii. By personal service, prepaid first class mail or facsimile transmission to any other person or owner of land as deemed appropriate by Council. Notice will be given to any such owner(s) and address(es) as provided from the Property Information database maintained by the Township for assessment, taxation or geographic information purposes. Notice to any such person will be given to the name and address provided to the Clerk.
- viii. By posting in a conspicuous location in the Township Offices or such other public places as deemed appropriate by Council.
- ix. Notwithstanding ii) and iv) in this Subsection, where a proposed Zoning By-law Amendment is a textual change which does not apply to a specific area, or a Comprehensive Zoning By-law or Amendment which applies to the municipality as a whole, Notice will be given by publication in a local newspaper(s) of sufficiently general circulation in the area affected by the proposed Comprehensive Zoning By-law or Amendment which would, in the opinion of the Clerk, give the public reasonable notice.
- x. The policies of Section 19, Aggregate Extractive/High Aggregate Potential Policies and Section 20, Waste Disposal Policies, should be referred to concerning additional notice requirements related to the establishment of land uses permitted under these sections.
- xi. The above does not preclude additional Notice by other means as deemed appropriate by Council.

29.12.3.2. Where Council, after due consideration, proposes to make changes, which in Council's opinion are of major significance or may resolve the public's concerns or where there is a need for additional information to be presented or where deemed appropriate in the public interest, may schedule a second public meeting. This public meeting shall not be held sooner than 7 days following compliance with the giving of notice. The requirements of this Section shall also apply where for reasons beyond the control of Council, a public meeting is cancelled.

29.12.3.3. No notice of public meeting will be required for an amendment which simply consolidates existing documents without affecting the policies and intent of the documents in any way, and or which delete obsolete provisions, alter the number or arrangement of any provision, punctuate or alter language to

obtain a uniform mode of expression, or correct clerical, grammatical or typographical errors.

29.13. Site Plan Control

- 29.13.1. The Planning Act permits a municipality to require, as a condition of development or redevelopment, a site plan agreement setting out the various aspects and conditions of development. The Planning Act requires that a proposed site plan control area be shown or described in the Official Plan. The land use subsections found herein identify those areas or uses subject to site plan control.
- 29.13.2. The policies relating to why such control is required, what is hoped to be achieved through its implementation and the general objective applicable to the area or land adjacent to the site plan control area are set out as follows:
 - 29.13.2.1. To protect existing adjacent uses from new development where it is likely that the new use, due to its nature, would have a detrimental impact either visually or physically on the existing use or uses;
 - 29.13.2.2. To ensure adherence to proper development standards and to encourage aesthetic design and proper landscaping;
 - 29.13.2.3. To ensure the safe and efficient movement of both vehicular and pedestrian traffic as it relates to the development and surrounding area;
 - 29.13.2.4. To ensure the conveyance of any required easements to the municipality for maintenance or improvement of drainage works, watercourse, public utilities, roadways and similar undertakings;
 - 29.13.2.5. To ensure proper grading, storm drainage and maintenance in regard to surface water and erosion and
 - 29.13.2.6. To control the placement of buildings, public utilities and related site facilities.
- 29.13.3. Where, in the Official Plan, an area is proposed as a site plan control area, Council may pass by-laws designating the whole or any part of such an area as a site plan control area.
- 29.13.4. Once such areas are established by By-law, Council may require, as a condition of development, or re-development, the entering into of an agreement between the municipality and an owner of land in this area. Such an agreement may stipulate, through the text of the agreement and/or through the use of plans and drawings, the location of all buildings and structures to be erected and show or describe the location of all works and

facilities to be provided, or any other items provided for under the Planning Act.

- 29.13.5. The areas and land uses where Council may, as a condition of development or redevelopment, require a site plan agreement are generally limited to commercial and industrial uses. Reference should be made to each section of this plan to determine whether a site plan agreement may be required and what, if any, additional objectives and requirements are applicable.
- 29.13.6. Notwithstanding the provisions of this subsection, site plan control shall not apply to all existing electric power facilities and any undertakings of Ontario Hydro, the Springwater Hydro Electric Commission or the government authority having jurisdiction which is subject to the provisions of the Environmental Assessment Act.
- 29.13.7. The Township may prepare and implement guidelines in regard to the procedure to be followed and the material required in the event that applications are made to amend either the Official Plan or the implementing Zoning By-law. Such guidelines may also set out reasonable fees to be charged so as to cover the Municipality's costs in dealing with such applications.

29.14. Temporary Use By-laws

- 29.14.1. The Planning Act, permits the passing of a By-law to authorize the temporary use of land, buildings or structures for any purpose set out in the By-law that might otherwise be prohibited. Such a by-law must describe the area affected and set an expiry date for the By-law.
- 29.14.2. In the case of a By-law authorizing the temporary use of a garden suite, the prescribed time shall not exceed ten years from the day of passing of the By-law. In all other cases, the prescribed time shall not exceed three years from the day of passing.
- 29.14.3. Council may pass subsequent By-laws granting extensions of not more than 3 years, however, once the By-law has lapsed, the use permitted by the By-law must cease and any use which continues will be viewed as an illegal use in regard to the implementing Zoning By-law.
- 29.14.4. The Council, before passing a By-law to permit a temporary use, shall be satisfied that those of the following requirements which are relevant to the specific application are, or will be, fulfilled in order to safeguard the wider interest of the general public.
 - 29.14.4.1. That the proposed development or redevelopment must be consistent with the temporary nature of the proposal;

- 29.14.4.2. That the proposed use will be compatible with adjacent uses;
- 29.14.4.3. That the size of the parcel of land or building to be used is appropriate for the proposed use;
- 29.14.4.4. That services such as water, sewage disposal, roads, etc. are sufficient;
- 29.14.4.5. That items such as noise, vibration, fumes, smoke, dust, odours, lighting and traffic generating capacity be considered to ensure that the impact of any such use will not be detrimental in regard to adjacent uses or the wider community;
- 29.14.4.6. Where necessary, neighbouring uses will be protected by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings, structures or uses, devices and measures to reduce nuisances, regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc.; and;
- 29.14.4.7. That the By-law will establish suitable regulations in regard to setbacks, lot coverage, parking and other such items as may be required either through the text of the by-law or by reference to the Township's Zoning By-law.

29.15. Increased Density Height Provision By-laws

- 29.15.1. The Planning Act permits Council to pass a By-law authorizing increases in the height and density of development otherwise permitted by By-law that will be permitted in return for the provision of such facilities, services or matters as are set out in the By-law. Where an owner elects to provide facilities, services or matter in return for an increase in the height or density of development, the Township may require the owner to enter into one or more agreements with the Township dealing with the facilities, services or matters. Any such agreement may be registered against the title of the land.

29.16. Interim Control By-laws

- 29.16.1. The Planning Act permits the passing of a By-law to prohibit the use of land, buildings or structures within the Township or within a defined area for, or except for, such purposes as may be set out in the By-law. The purpose of such a By-law is to prevent development or redevelopment until a review or study can be undertaken in respect of the land use planning merits of any use or proposal. Such a By-law shall set an expiry date for the By-law no more than one year from the date of passing thereof.

- 29.16.2. Council may pass subsequent By-laws granting extensions to the interim control By-law period provided that the total period of time does not exceed 2 years from the date of passing of the original interim By-law.
- 29.16.3. No notice or hearing is required prior to the passing of an interim control By-law, however, the Clerk shall provide notice of the passing of the By-law in the manner prescribed in the appropriate provincial regulations.

29.17. Exemptions from Required Parking Requirements

- 29.17.1. The Planning Act permits the owner or occupant of a building to enter into an agreement with the Council of the Township, exempting the owner or occupant, as may be specified in the agreement, from the requirement of providing or maintaining parking facilities as may be otherwise required.
- 29.17.2. As a general policy, Council should strive to ensure that development or redevelopment meet the requirements of the various parking regulations found within the implementing Zoning By-law. However, where circumstances dictate, the provisions of this section may be implemented.
- 29.17.3. Notwithstanding anything to the contrary contained within this Official Plan or the implementing Zoning By-law, no amendment to the implementing Zoning By-law will be required to permit a change in the regulations governing the provision of maintaining of parking facilities where an agreement, made under this section, has been entered into. Furthermore, any changes made in regard to the regulations of the implementing Zoning By-law, through the provisions of this section, shall be deemed to be in conformity with the said implementing Zoning By-law.
- 29.17.4. An agreement entered into under this section may provide for the payment of money or alternate provisions as a consideration for the granting of the exemption and shall set forth the basis upon which such payment or alternate provision is calculated.
- 29.17.5. All monies received by the Township under an agreement entered into under this section may be paid into a special account which may be used to offset Township parking related expenses.

29.18. Monitoring

- 29.18.1. **Council may establish a program to monitor the policies of this Plan in conjunction with environmental, economic and social changes in the Township. This monitoring program, which may involve research, data collection and analysis, will measure the effectiveness of the policies within this Plan. In addition, the Township, in consultation with the County of Simcoe, adjacent municipalities, Conservation Authorities,**

Provincial Agencies and other interested groups and organizations will consider the establishment of environmental monitoring programs in order to measure the effectiveness of the environmental policies within this Plan. [Mod. #68 - Jan.28/98][OMB Order #2575]

29.19. Snow Valley [OPA #13 OMB approved Jan. 27/03]

- 29.19.1. In order to ensure that property owners contribute their proportionate share towards the provisions of major community facilities such as schools, roads and road improvements, external services and stormwater management systems, and other shared facilities or services, property owners may be required to enter into one or more agreements encompassing area specific development charges and/or cost sharing, as a condition of development of their lands, providing for the equitable distribution of the cost of the aforementioned community and common facilities and services. Council of the Township of Springwater will endeavour to ensure that these agreements are formalized prior to development taking place.
- 29.19.2. It is the policy of the Township to encourage the public acquisition of lands within and adjacent to the Minesing Swamp, as generally designated Natural Heritage (Environmental Protection) Category 1 on Schedule *A-12'. Public acquisition may occur through partnerships with local landowner groups, the Nature Conservancy of Canada, the Nottawasaga Valley Conservation Authority, non-governmental organizations, the Ministry of Natural Resources, or other such organization. The Township will not assume ownership of any lands designated Natural Heritage (Environmental Protection) Category 1 north of Snow Valley Road.
- 29.19.3. Development agreements may also establish time limits for construction in the vicinity of fish habitat in order to reduce the potential impacts.
- 29.19.4. Notwithstanding Section 22.2.2 of this Official Plan, waste water treatment facilities or communal wastewater treatment systems will not be located on lands designated for this specific use. Prior to development approval, sewage disposal systems will be located and sited to the satisfaction of the Township, Ministry of the Environment or the appropriate agency having jurisdiction. No amendment will be required to the Official Plan.

Waste water treatment facilities or communal wastewater treatment systems may be located within Urban Residential and/or Open Space land use designations provided they meet appropriate land use compatibility criteria including suitable setbacks from adjacent uses.

This exception to Section 22.2.2 of the Official Plan is based upon the physical and operational characteristics of the specific waste water treatment and disposal systems. The waste water treatment plant will

incorporate technology to produce a finished effluent that meets or exceeds current Ministry of the Environment guidelines. Treatment plants incorporating this technology produce minimal odour and noise and may be located considering minimum setbacks from adjacent land uses.

Treated (finished) effluent from the waste water treatment plant will be distributed to subsurface leaching trenches or beds. Leaching beds or trenches are located and sized to provide suitable subsurface contact area and distribution of effluent.

Further, future development is to take place in geographically defined phases. Prior to development, draft plans of subdivision and/or condominium will be approved for an entire phase. Waste water treatment plants and subsurface disposal areas will be located within plans of subdivision and/or condominium considering servicing efficiency and land use compatibility for the subject development and considering future development to be serviced by specific plants. Subsurface disposal of treated effluent from respective plants may be distributed across one or more plans of subdivision and/or condominium or development phases as required based on physical and geographical requirements.

29.20 Requirement to pre-consult

- 29.20.1 Prior to submission of an application for an Official Plan Amendment, a Zoning By-law Amendment, a Site Plan Control application and/or an application for Subdivision/Condominium approval, the person or public body requesting the amendment or approval shall submit a pre-consultation package for review by the municipality. Pre-consultation may also be required prior to the submission of an application for consent at the discretion of Township staff.
- 29.20.2 During the pre-consultation process the nature and scope of studies to be prepared in support of the application shall be identified. The studies required may include any of the following:

<ul style="list-style-type: none"> • Active Transportation Report • Affordable Housing Report • Archeological Assessment • Cultural Heritage Report • Environmental Site Assessment • Environmental Impact / Natural Heritage Study • D4 Landfill Study • Economic Cost Benefit Impact Analysis • Electrical Economic Evaluation Plan • Fire Safety Plan • Fisheries Impact Study • Flooding, Erosion and Slope Stability Report • Functional Servicing Report • Geotechnical /Soil Stability Report • Growth Management Report • Heritage Impact Assessment • Hydrogeological /Hydrology Study • Illumination Study 	<ul style="list-style-type: none"> • Marina or Coastal Engineering Study • Market Impact Study • Master Fire Plan • Needs/Justification Report • Noise Study • Odour /Nuisance /Dust /Vibration Study • Parking Report/Analysis • Planning Report • Shadow Analysis • Spray Analysis - Golf Courses • Stormwater Management Report • Sustainability Analysis • Traffic Impact Study • Tree Preservation Plan • Urban Design Report including Architecture and Streetscape Design • Wellhead Protection Area - Risk Assessment Report
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29.20.3 In addition, under unique site circumstances, the Township may require further or other reports which it determines are necessary to address such circumstances.

29.20.4 The costs associated with all required studies shall be borne by the applicant. Costs incurred by the municipality in engaging peer review consultants in order to evaluate the proposal and supporting submissions shall also be borne by the applicant. Failure to attend a pre-consultation meeting with Township staff prior to the submission of an application may result in the application being deemed 'Incomplete' by the Municipality.