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# OFFICIAL PLAN of the CITY of ORILLIA

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November 8, 1999



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## 1.0 INTRODUCTION

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### 1.1 PURPOSE OF THE OFFICIAL PLAN

The Official Plan is one of a series of plans and policies, which direct the actions of local government, and shape growth and development. The Orillia Official Plan establishes a vision for the future urban structure of the City. The Plan will serve as the basis for managing change over the next 20 years. The achievement of this future urban structure will, in large part, be dependent on the form, location and rate of growth permitted by Council.

### 1.2 CONTEXT

The policies of this Plan are based on an integrated view of economy, environment and community.

#### Economy

This Plan establishes several principles to direct planning and development in a manner, which supports the local economy. Guided by this Plan, the City can influence the local economy by providing and maintaining the City's roads, transit, water supply and sewage facilities, and ensuring that there is a good supply of serviced land for residential, commercial and industrial development.

This Plan also promotes economic development by promoting an urban structure, which is suited to the needs of a variety of businesses based on a concept of allowing a broad range of uses minimizing the time involved in obtaining approvals.

#### Community

In Orillia, community or quality-of-life, is influenced by a wide range of factors. In addition to needs traditionally associated with community, such as schools, hospitals, emergency services, parks, and libraries, this Plan recognizes that a broader range of issues including local heritage, the economy, and the built and natural environment play an important part in forming and sustaining community.

#### Environment

This Plan is based on the recognition that a healthy natural environment is an important attribute of the community and the local economy. This environment is shaped by natural features such as forests, wetlands and shorelines as well as man-made improvements such as street trees and

landscaping that are important elements of the city landscape. While these features are recognized as having recreational and aesthetic value, they are also important as functioning elements of local and regional ecosystems. The Plan recognizes the need for linkages and, where feasible, buffering of these features.

### 1.3 CONSULTATION

The City has a responsibility to involve and consult residents as it makes planning decisions. The process to review and update the Official Plan was comprehensive and benefited from the participation of many stakeholder groups.

The Official Plan process is an extension of the public consultation that was undertaken to identify the community's goals and vision for Orillia's 2005 Strategic Plan. As a result, the policies within this Official Plan reflect the collective aims and aspirations of the people of Orillia. This Plan is one means through which the community's unique character and quality of life can be preserved while remaining competitive in the larger region.

### 1.4 PHILOSOPHY OF THE PLAN

With recent changes in Provincial responsibilities, the City of Orillia no longer requires the approval of the Ministry of Municipal Affairs and Housing to amend the Official Plan. This change in authority provides an opportunity to simplify the process of planning and development approvals in the City.

While the 1999 Plan reflects the experience of the City over the past twenty years, the form, structure and content of this Plan represent a substantial departure from that of the previous Plan that was written in the 1970's. It is intended to be simpler in structure and application.

When change is proposed, this Plan is intended to provide clear direction to Council, both in general terms related to the long-term vision as well as through specific guidelines to judge the impacts and benefits of change and the degree to which proposed changes are in the public interest.

This Plan is written to focus the process of judging the suitability of land use change through the planning approval process. The Plan sets out five, very broad land use designations within which substantial change can occur, provided performance standards can be met to ensure the minimization of impacts and the maximization of benefits.

### 1.5 CONTENTS OF THE PLAN

The format of the Official Plan is as follows:

- Section 1, Introduction, contains the purpose of the Plan and the context in which it was prepared;
- Section 2, Vision Statement, provides the conceptual basis for the policies that follow;
- Section 3, Official Plan Principles, describes the long-term strategy for planning and development of Orillia;
- Section 4, Land Use Designations, translates the vision and principles into a development pattern and urban structure for Orillia;
- Section 5, Overlay Designations, provides additional site-specific policies to govern areas of significance or with unique attributes. The uses permitted on the lands affected by these overlay designations are established by the underlying land use designation, subject to the policies of the overlay designation.
- Section 6, Urban Design Guidelines, provides policies to ensure that the built form and structure of Orillia continues to reinforce the City's small-town atmosphere and amenities;
- Section 7, Heritage Policies, outlines the policies to ensure that the heritage resources of Orillia are preserved and enhanced where possible;
- Section 8, Transportation, describes the priorities of Council relative to transportation issues and future works;
- Section 9, Implementation, establishes the way in which the policies of the Plan will be achieved; and,
- Section 10, Interpretation, represents a general statement regarding the contents of the Plan, the standards used, and the meanings of some of the expressions and phrases employed by the Plan.

These ten sections and the attached Schedules constitute the approved parts of the Orillia Official Plan.

The primary purpose of the Official Plan is to provide the basis for managing growth that will capitalize on Orillia's unique small-town character, strong civic identity and attractive built and natural heritage features. The Plan also establishes a land use context to foster continued economic vitality for the community and the people who live and work here.

Orillia's unique character and strong civic identity make it a desirable place to live. It's 'home town' atmosphere is rooted in a thriving, pedestrian oriented downtown, excellent park system, waterfronts on two lakes, and a rich array of cultural festivals and heritage features. The City boasts a relatively compact form of urban development, a strong sense of place, and a broad range of amenities and community services.

Orillia's location along the western shore of two lakes has shaped the growth and development of the surrounding community. The waterfronts along Lakes Simcoe and Couchiching are amenities enjoyed by residents and tourists alike. The shoreline along Lake Couchiching is a major attraction inextricably linked to the downtown. Lake Simcoe also provides recreational opportunities and is a major gateway along the Trent-Severn Waterway. The open space along these two shores functions as an anchor for the rest of the City's open space network that stretches throughout the community and includes numerous neighbourhood parks, recreational facilities, trails and natural areas. This Official Plan will ensure that Orillia's downtown, waterfront, natural heritage features and open spaces are maintained and managed as valuable community resources.

Policies related to Orillia's downtown are an important component of this Plan. It is a focal point in the community that provides a mix of community facilities, residential and commercial uses with links to the waterfront and other areas of the City. The combination of the downtown's central location, civic presence, proximity to the waterfront, strong commercial base and presence of heritage buildings contributes to an overall image of Orillia as a thriving and vibrant City. This Plan recognizes the Downtown District as the City's commercial, civic and business focus. Council will continue to encourage a mix of uses and densities in the Downtown District in order to ensure a continuation of that role.

As a regional centre within Simcoe County, Orillia offers a mix of employment opportunities in industry, service, commerce and tourism. As a result, the City has experienced moderate levels of growth with approximately 28,000 people now settled in the community. These growth trends are expected to continue as we enter the twenty-first century. Accordingly, additional land and services will be required to house and

employ future residents. Growth will be accommodated through development of the lands to the west of Highway 11 and in other areas of the City that have been identified as having opportunities for infilling and re-development. This Plan will guide future development patterns and land use so as to maintain the established character of the community and ensure that areas of change within the City are re-developed to their maximum social, environmental and economic potential.

Orillia's local economy is supported by a wide range of employment opportunities. In part, this is due to Orillia's central location within the province and an excellent transportation infrastructure that allows easy movement of goods and people to commercial markets in any direction. A significant portion of Orillia's opportunities for economic development rely not only on the export of goods, services and talents of our population, but also on the City's amenities such as its parks, waterfront, downtown, cultural facilities, festivals and recreational services. These facilities make Orillia an easily accessible tourist destination, generating an influx of tourist dollars. This Plan recognizes the need to maintain a strong, diverse economic base with sufficient land supply to support employment.

The new Official Plan assumes that the high quality of life now enjoyed by the City's residents can be maintained and enhanced if Orillia's existing strengths and attributes form the basis for future development. The City is expected to maintain moderate growth rates. It is the intent of this Plan to provide Council with a set of policies to manage this future growth while protecting Orillia's unique character, natural heritage features and continued economic vitality.

This Plan recognizes that planning should protect what we value, provide as much choice as possible for each of us and ensure that the rate of change is consistent with the community's finances, social values and ability to adapt.

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## 3.0 OFFICIAL PLAN PRINCIPLES

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The principles in this Section of the Plan build on the Vision Statement and form the basis of the policies contained within this Plan. There are three principles established by this Plan that are intended to guide the City in the achievement of the Vision. They are:

### 3.1 PRINCIPLE # 1 - MANAGE GROWTH IN A RESPONSIBLE AND EFFICIENT MANNER.

3.1.1 In order to accommodate population growth and economic activity, land must be developed or re-developed for new housing, employment, institutional and recreation facilities. The City of Orillia will take the necessary steps to ensure that future growth occurs in a responsible and efficient manner that is complementary to the community's existing character.

3.1.2 Compact forms of development that make more efficient use of existing developed or vacant lands, buildings and municipal services will be encouraged.

3.1.3 A high quality of urban design for new buildings and re-development projects will be encouraged.

3.1.4 All new development and re-development should be designed to be consistent with and sensitive to, the style and context of the existing community.

3.1.5 Re-development, infilling and transportation systems, particularly within the Downtown District, should foster a pedestrian environment which promotes social interaction and easy access to community amenities.

### 3.2 PRINCIPLE # 2 - PROMOTE A STRONG AND DIVERSE EMPLOYMENT BASE.

3.2.1 Economic development will be encouraged to achieve sustainable economic prosperity for Orillia on the basis of competitiveness, a positive business environment and diversified economic base.

3.2.2 It is estimated that within the next 25 years, Orillia will require a moderate increase in land for employment uses. In order to accommodate future demands, a supply of adequately serviced land will be maintained and enhanced.

3.2.3 The tourist potential of the Waterfront, Downtown District and adjacent residential neighbourhoods will be enhanced by promoting and encouraging waterfront-related facilities and development.

3.3 PRINCIPLE # 3 - ENSURE THE SUSTAINABILITY AND INTEGRITY OF THE ENVIRONMENT

3.3.1 The protection and enhancement of natural heritage features and environmental resources is a priority as are the ecological and hydrological functions that create and maintain these features.

3.3.2 All potential environmental impacts will be considered in reviewing development applications and the development of servicing options.

3.3.3 Public open space areas will continue to form a key element of the City's natural heritage system.

3.3.4 Street trees and other landscaping elements will be a priority, particularly in the Downtown and Waterfront areas and are to be included in all development and re-development proposals in order to supplement and enhance streetscapes and natural features.

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## 4.0 LAND USE DESIGNATIONS

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To achieve the objectives of this Plan, five land use designations have been established. It is the intent of this Official Plan that all development within the City occur in accordance with these land use policies. Schedule 'A' maps out the land use designations and should be read in conjunction with Schedules 'B', 'C' and 'D' and the policies of this Plan.

### 4.1 EMPLOYMENT AREA

Lands designated Employment Area include industrial, large-scale institutional, commercial and business uses. The designation is intended to include lands where people presently work and lands where employment opportunities will be provided in the future. Vacant employment lands have been included within this designation to provide growth areas for future industrial and commercial development.

The Employment Area consists of various types of commercial, institutional and industrial uses grouped into concentrations throughout the City.

The policies of this Plan recognize that many commercial uses and some community facilities are appropriate on the edges of industrial areas and that many under-used commercial areas could support some forms of light manufacturing or warehousing. This Plan anticipates the gradual blending of some forms of commercial and light industrial uses, particularly at the interface of land uses, without the need for an amendment to this Plan.

Large-scale business or industrial parks will be maintained primarily for manufacturing and related service uses. Older industrial areas and those which border on commercial uses may be considered appropriate locations for the mixing of employment functions.

It is a policy of this Plan that the general public and the private sector will, between them, determine the most appropriate number, location, nature and size of retail uses. The City's policies are designed to ensure compatibility among uses, sufficient infrastructure to support change and the minimization of negative impacts. The City's policies are not intended to intervene in the natural process of the market.

#### 4.1.1 Objectives

- a) To encourage the development of a range of employment opportunities.
- b) To encourage the expansion of employment opportunities so that they at least equal the resident labour force.
- c) To maintain an adequate supply of serviced land for employment use.
- d) To minimize and mitigate conflicts with sensitive land uses.

#### 4.1.2 Permitted Uses

- a) Permitted industrial uses on lands designated Employment Area on 'Schedule A' of this Plan are those uses which do not emit noticeable or noxious noise, dust or air emissions which negatively impact adjacent land uses and are entirely contained within a building, except for accessory vehicle parking and limited accessory outdoor storage. These uses may be situated in proximity to commercial and residential uses provided that suitable buffering measures are undertaken to minimize impacts.
- b) Commercial uses permitted within the Employment Area designation may include retail stores of various forms and sizes, offices, and medical facilities, hotels and convention centres, restaurants, service commercial uses, financial institutions, entertainment and recreational uses, and motor vehicle oriented uses. These uses shall be grouped based upon the nature, compatibility and characteristics of the uses.
- c) Residential uses may be permitted on upper floors of commercial buildings provided that adequate access, amenity areas and parking can be provided in accordance with the policies of this Plan and the environment in the area is compatible with residential use.

#### 4.1.3 Form of Development

- a) New lots for employment use may be created by consent or by Plan of Subdivision provided issues relating to servicing and access are addressed to the satisfaction of the City.
- b) New industrial developments shall meet or exceed provincial standards for noise and emissions to protect adjacent uses.

#### 4.1.4 Change of Use

- a) While the policies of this Plan permit a wide range of uses in all areas designated as "Employment Area" it is the intention of this Plan that areas currently used for industrial purposes will continue to be used primarily for manufacturing and related purposes.

- b) There are a number of concentrations of retail uses along arterial roads and at other highly accessible locations in the City that are also designated as "Employment Area" lands.
- c) Applications to permit either the conversion from or to industrial, residential or commercial uses shall be assessed on the basis of the following criteria:
  - i) compatibility with adjacent land uses;
  - ii) use of under utilized or vacant land or building space;
  - iii) proximity to transit routes;
  - iv) adequacy of public services;
  - v) adequacy and capacity of existing roads; and
  - vi) past on-site contamination.

#### 4.1.5 Development Policies

- a) All new development shall be subject to Site Plan Control. Any re-development of existing uses, which would involve an expansion of the floor area, by more than **15%**, shall also be subject to Site Plan Control.
- b) Adequate parking and loading facilities shall be provided on the site. These facilities, except for a limited amount of visitor parking, should not be located between the building(s) and adjacent Arterial Roads and Highways 11 and 12. Shared access and parking among various developments is encouraged.
- c) Buildings shall be designed to blend in with their surroundings and with other buildings in the area.
- d) A high standard of landscaping shall be required and in particular on the lands adjacent to Highways 11 and 12.
- e) Outdoor storage areas shall be substantially screened from view from passing traffic on Highways 11 and 12 as well as streets providing access to the site.
- f) Where a proposed use abuts or is in proximity to an existing residential or open space use, fencing, landscaping, berming, distance and grade separation or a combination of these features shall be utilized to ensure that there is adequate screening between the uses.
- g) The following policies apply to motor vehicle oriented facilities:
  - i) new service stations and fuel bars will only be permitted at the intersection of Collector and/or Arterial roads;
  - ii) not more than two service stations or fuel bars shall be located at any intersection;
  - iii) the location and orientation of any car washing establishment shall minimize visual and noise impacts on abutting properties; and
  - iv) shared access points, provisions for internal circulation and rear service lanes shall be incorporated into site plans wherever possible.

#### 4.1.6 Implementation

The Zoning By-Law shall establish zone provisions generally consistent with the existing nature and function of Employment Areas.

#### 4.2 DOWNTOWN DISTRICT

This Downtown District designation applies to the City's existing downtown core and adjacent areas.

It is the intent of this Plan that the Downtown District should remain the City's most significant single concentration of commercial, office, civic, cultural and tourist uses. This shall be achieved by encouraging a broad variety of uses in the Downtown District. Substantial areas of land and buildings are currently under-utilized and/or vacant, providing many opportunities for additional development and re-development.

In order to encourage development in the Downtown District, the City will consider reducing parking standards and development related charges in recognition of existing municipal parking and infrastructure capacity.

It is the City's intent to minimize public policy restrictions in the Downtown District and to provide the maximum opportunity to utilize existing public and private infrastructure.

Expenditures of public funds in the Downtown District will be directed to enhancement of streetscapes, facades and infrastructure for the benefit of local residents and visitors through the development of the Downtown District and linkages to the Lake Couchiching Waterfront.

##### 4.2.1 Objectives

- a) To encourage the continued vitality and linkages of the Downtown District and the Lake Couchiching Waterfront.
- b) To serve as the main focus of commerce, government, culture and tourist activities of the City.
- c) To encourage a strong residential presence in the Downtown District.

##### 4.2.2 Permitted Uses

- a) The Downtown District as shown on Schedule A, is the historic centre of the City and may include office, commercial, cultural, institutional entertainment, tourist, civic and residential uses.
- b) Industrial uses permitted in the Downtown District shall be limited to light industries and related commercial and wholesale establishments that are compatible with the function of the Downtown District. Small-

scale, light, industrial uses may be permitted such as assembly, processing, repairing, warehousing and wholesaling uses. These uses may be permitted on upper floors of buildings or in areas on the fringes of the Downtown District that are primarily motor vehicle oriented.

- c) There are a number of residential areas within the Downtown District, which are located on the periphery of the commercial core. It is intended that these residential areas be zoned appropriately in order to preserve them as residential neighbourhood and maintain a compact commercial core.

#### 4.2.3 Development Policies

- a) Mississauga Street shall continue to be the focus of retail activity in the Downtown District. Where feasible, major new retail projects should be oriented to Mississauga Street.
- b) In order to foster a prosperous and vibrant downtown, retail and office uses along Mississauga Street shall be encouraged to be grade-related with residential and office uses locating on upper floors.
- c) Densities and types of dwellings may be mixed in residential neighbourhoods within the Downtown District. Increases in density are encouraged in accordance with the provisions for development standards of this Plan. Mixed commercial and residential development shall be encouraged in new or existing structures in the Downtown District.
- d) In order to encourage pedestrian use of the Downtown District, the commercial areas of the downtown shall be kept reasonably compact. In order to maximize pedestrian access and linkages between the Downtown District and waterfront areas, Council may require access to the waterfront open space system as a condition of approval for any development or re-development proposals.
- e) Street parking in the Downtown District will be located to provide adequate parking facilities within easy access to Downtown District business and retail establishments. Road works in the Downtown District will be designed to maintain a pedestrian friendly environment on Mississauga Street.
- f) On-site parking will not be a prerequisite for new development or re-development within the Downtown District if Council is satisfied that adequate off-street parking can be provided in proximity to the site. In order to encourage re-development within the Downtown District, the City may require a cash payment in lieu of individual parking facilities where the City deems such an agreement to be appropriate or exempt re-development from any parking or cash-in-lieu requirement. Cash-in-lieu payments will be placed in a reserve fund to be expended in accordance with the provisions of the Planning Act and will be used to provide consolidated parking facilities in and around the Downtown District.

- g) Efforts to improve and enhance the Downtown District will be directed to strengthening its economic viability and maintaining and improving the ambiance, aesthetics and function of the area as a tourist destination. General policies to guide Urban Design within the Downtown District can be found in Section 6 of this Plan.
- h) The facade and scale of new development and re-development shall complement the Victorian buildings that give unique visual character to the Downtown District. The City will continue to encourage the enhancement of building fronts through its Facade Improvement Program.
- i) Improvements to the Downtown District in the form of infill development, upgrading and rehabilitation shall be encouraged, including the rear of buildings which are visible from adjacent streets, at a scale that retains the historic character of the area.
- j) New infill lots for commercial use may be created by consent if the lot(s) can be provided in a manner that will not create a traffic hazard.

### 4.3 LIVING AREA

The Living Area designation permits a variety of housing types and a broad range of residential densities as well as limited local commercial and institutional uses. This is intended to meet the City's long-range housing needs and optimize opportunities to provide affordable living accommodation. Schedule A - Land Use, does not designate specific sites as locations for the various permitted residential densities. Rather, it is the intent of this Official Plan that locations for low, medium and high-density residential uses be determined on a site-specific basis by amendment to the zoning by-law.

The precise location of local commercial and institutional uses, intended to serve the daily living needs of area residents, shall also be determined on a site-specific basis by amendment to the zoning by-law.

#### 4.3.1 Objectives

- a) To maintain and enhance the character and identity of existing residential communities.
- b) To encourage and facilitate the production of a range of dwelling types and forms of tenure.
- c) To encourage a high quality of design consistent with the policies of Section 6 of this Plan.
- d) To encourage residential intensification.

#### 4.3.2 Permitted Uses

Permitted uses on lands designated Living Area on Schedule 'A' to this Plan are housing, public parks, schools, places of worship and community recreation facilities. Medium and high-density housing is permitted subject to the criteria specified in Sections 4.3.7 and 4.3.8 respectively. Home occupations, local convenience retail stores, local service uses and bed and breakfast establishments are permitted in areas designated Living Area subject to the criteria specified in Sections 4.3.9, 4.3.10 and 4.3.11.

#### 4.3.3 Housing Demand

- a) Council recognizes that the number of low, medium and high density residential dwelling units required to meet the long-term needs of the City's population could vary over time due to market factors. Accordingly, this Official Plan shall not limit the mix of low, medium and high density housing within the Living Area designation, providing the other residential objectives of the Official Plan are attained.
- b) When site conditions warrant such special consideration and notwithstanding the location guidelines specified for that type of housing, Council may consider proposals for residential development in the form of multi-family housing, at densities substantially less than that normally permitted for that type of housing.
- c) Innovative housing forms that will facilitate affordable housing will be encouraged.

#### 4.3.4 Form of Development

- a) Development within the Living Area designation may occur by Plan of Subdivision or Plan of Condominium. The creation of lots may be permitted by Consent if the proposed and retained lot:
  - i) front onto an existing public road that is maintained on a year round basis by the City;
  - ii) are consistent with expected future development patterns; and,
  - iii) can be serviced by the City's water supply and sewage system or, in areas identified as Special Policy Areas subject to Policies 5.4.1 to 5.4.4 inclusive on Schedule B to this Plan, by private well and waste water disposal system where municipal services are not planned or existing.

#### 4.3.5 Adequacy of Municipal Services

The density figures set forth in the following sections are maximum figures. In all instances of development or re-development to medium and high-density uses the adequacy of municipal services to serve the proposals will be considered. Council may require development to take place at reduced densities if it is found that municipal services are inadequate to serve higher density proposals. Municipal services include not only the services relating to water supply, sanitary sewage disposal and storm drainage but also roads and park facilities.

#### 4.3.6 Low Density Residential Uses

- a) Low density residential building forms may include single detached dwellings, semi-detached dwellings, linked semi-detached dwellings and duplexes. Low density residential uses are those which have a density no greater than 20 units per gross hectare for detached dwellings and 25 dwelling units per gross hectare for semi-detached, linked semi-detached or duplex dwelling units.
- b) Low-density residential development shall, wherever possible, front on local roads rather than on collector or arterial roads.

#### 4.3.7 Medium Density Residential Uses

- a) Medium density residential uses are those which have a density of 25 to 42 units per net hectare. Medium density residential building forms may include detached and semi-detached dwellings, duplexes, triplexes, fourplexes, townhouses, low rise apartment buildings and similar multiple dwellings.
- b) New medium density residential uses may be permitted in the Living Area designation by amendment to the zoning by-law, subject to the following criteria:
  - i) Medium density development may be located in the Living Area designation provided the proposed site is located close to public transit, parks, schools, community recreational facilities, and local commercial facilities and has direct access to arterial or collector roads; and
  - ii) Medium density development shall also be encouraged to locate in the Downtown District and in the Living Area close to the Downtown District as defined by Schedule 'A' to this Plan.

#### 4.3.8 High Density Residential Uses

- a) High-density residential uses are those which have a density greater than 42 units per net hectare and less than 100 units per net hectare. New high-density uses are permitted in the Living Area designation subject to an amendment to the Zoning By-law. High-density

residential development may include components comprised of lower density forms such as triplexes, townhouses, low rise and medium rise apartments and similar buildings. All high-density uses existing at the time this Plan is approved shall be deemed to be in conformity with this Plan.

- b) High density development shall be encouraged to locate in the Living Area adjacent to the Downtown District as defined by Schedule 'A' to this Plan or at highly accessible locations in the Living Area designation. High density uses should be located near public transit, parks, schools, community residential facilities, local commercial facilities and along arterial or collector roads or on sites where access is not obtained from a local road.
- c) All high-density development shall require an amendment to the Municipality's Zoning By-law and shall be subject to Site Plan Control.

#### 4.3.9 Local Convenience/ Service Retail

Local retail stores and service uses oriented to the surrounding community may be permitted through an amendment to the zoning by-law. Such uses should be limited in size, located at intersections of arterial and collector roads and be well buffered from adjacent residential uses.

#### 4.3.10 Bed and Breakfast Establishments

- a) New bed and breakfast establishments are permitted in the Living Area designation and shall be subject to Site Plan Control. The implementing by-law and/or site plan shall ensure that:
  - i) the use shall not have a negative impact on the enjoyment and privacy of neighbouring properties; and
  - ii) adequate parking facilities are available on the lot for the proposed use.

#### 4.3.11 Home Occupations

Home occupations are permitted in the Living Area designation provided the use is of an accessory and subordinate nature and does not substantially alter the residential nature of the property.

### 4.4 PARKLAND AND MAJOR OPEN SPACE

Parkland may be located within any land use designation. It is the intent of Council to retain existing City parks within the Parkland and Major Open Space designation. These areas will be maintained as open space with facilities that meet the recreational needs of residents and tourists.

It is Council's intention to plan and develop a system of pedestrian and bicycle routes and recreational trails that will link residential areas, parks, the waterfront and the downtown as shown conceptually on Schedule 'D'.

Council shall endeavour to ensure that privacy and security impacts, of linkages, upon abutting residential areas can be mitigated. Potential mitigation mechanisms to be investigated shall include alternative routes, screening, limited hours of entry, and limits on the forms of use of the linkage.

#### 4.4.1 Objectives

- a) To provide physical and visual access to the Lake Simcoe and Lake Couchiching waterfronts and recognize the citywide significance of these waterfronts as open space amenities.
- b) To conserve and protect shoreline lands for recreational use.
- c) To provide a system of parkland and open space areas which can adapt to changing public needs and preferences.
- d) To provide linkages for pedestrian and bicycle use.
- e) To maintain and protect natural features and their functions.

#### 4.4.2 Permitted Uses

Permitted uses on lands designated Parkland and Major Open Space include passive and active recreational uses, conservation uses, cemeteries and public infrastructure.

#### 4.4.3 Parkland and Open Space Designations

- a) Lands designated Major Open Space include major City parks, other publicly owned lands and privately owned lands which are free of major buildings or structures. It is the intent of Council to retain City-owned lands in public ownership and to use these lands for public recreation purposes. It is expected that privately owned lands will continue to contribute to the visual open space of the City. Development of privately owned land, designated as Major Open Space, which is privately owned, will not require an amendment to this Plan provided it is planned in a comprehensive manner, is integrated with adjacent land uses and preserves significant mature vegetation. Any new Parkland or Major Open Space will be buffered from adjacent residential uses in order to minimize impacts.
- b) Parkland identified with a District Park (DP) symbol on Schedule 'D' will generally have an area specific to the environmental, heritage or recreational demand served by the facility. District Parks are intended to serve the entire City and tourists to the City. Facilities in a District Park may include beaches, picnic areas, trails, boating facilities, boardwalks, observation areas, interpretive centres, museums,

amphitheatres, visitor service centres and parking areas . In addition, all uses permitted in a Community Park are permitted in a District Park. In most cases, District Parks will have significant natural or cultural heritage features. Development or re-development of a District Park shall require preparation of a detailed Site Master Plan that will include a public pre-consultation process in order to ensure that compatibility with surrounding residential areas is considered.

- c) Parkland identified with a Community Park (CP) symbol on Schedule 'D' will generally have an area of between 3.0 and 12.0 hectares and will be provided at a ratio of 1.0 ha per 1000 persons of population. Community Parks are intended to serve a wider geographic area of the City than Neighbourhood Parks. Facilities in a Community Park may include major playgrounds, major or illuminated playing fields, multiple tennis courts, indoor and outdoor ice facilities, seating areas, walkways, community centres and indoor and/or outdoor swimming facilities. In most cases Community Parks will have a high level of landscaping and structured development that is limited to that necessary to serve the particular on-site facilities. This may include parking, washrooms, concessions, picnic areas and equipment storage buildings. Development or re-development of a Community Park shall require preparation of a detailed Site Master Plan that will include a public pre-consultation process in order to ensure that compatibility with surrounding residential areas is considered.
- d) Parkland identified with a Neighbourhood Park (NP) symbol on Schedule D' will generally have an area of between 1.5 and 3.5 hectares and will be provided at a ratio of 0.8 ha per 1000 persons of population. Neighbourhood Parks are intended to serve the recreational and open space needs of the immediate surrounding residential area. Facilities in a Neighbourhood Park may include playgrounds, playing fields, a single tennis court, outdoor skating rinks, seating areas, walkways and water spray features. In all cases Neighbourhood Parks will have a high level of landscaping and buildings shall be limited to those necessary to serve the particular on-site facilities. This may include washrooms and equipment storage buildings.
- e) Parkland identified with a Parkette (P) symbol on Schedule 'D' represents the smallest public parks and are intended to provide neighbourhood green space, visual amenity and minor open space areas and/or linkages within the City. There shall be no minimum standards for parkettes. It is the intent of the City not to develop new parkettes Council may enter into agreements for the maintenance and use of existing parkettes by local ratepayers or service clubs.

## 4.5 ENVIRONMENTAL PROTECTION

The City recognizes the important contribution that natural systems and their related ecological and hydrological functions make to the creation of a vibrant, livable city.

The Environmental Protection designation is intended to protect natural areas, which feature significant ecological functions. Policies within this Plan place a high priority on maintaining and enhancing the ecological function of natural features and favour restoration and enhancement of ecological function where possible.

Areas designated Environmental Protection include Provincially Significant Wetlands and habitat for endangered or threatened species. This designation may also include areas of local environmental significance or lands that, due to steep slopes or other physical hazards, such as floodplains, are not appropriate for development.

### 4.5.1 Objectives

- a) To achieve a balanced relationship between development and nature by preserving natural features and ecological systems, conserving natural resources and protecting people and property from environmental hazards.
- b) To maintain and enhance the ecological integrity of the natural heritage system.
- c) To minimize the loss or fragmentation of significant wetlands and the habitats and ecological functions they provide.

### 4.5.2 Permitted Uses

Permitted uses on lands designated Environmental Protection shall include conservation uses, public infrastructure, passive recreational opportunities and other similar open space recreational opportunities which do not require site alterations. Only buildings or structures necessary for flood or erosion control shall be permitted.

### 4.5.3 Boundaries

The boundaries of the Environmental Protection designation are approximate and it is the intent of this Official Plan that their precise location be determined in consultation with the appropriate authorities, at the time of the City's consideration of development applications. Re-designation of Environmental Protection areas, that are comprised of Provincially Significant Wetlands, shall not be considered in the absence of re-classification by the Province.

#### 4.5.4 Adjacent Lands

- a) Adjacent lands are identified on Schedule 'B' as 'Environmentally Sensitive'. For the purposes of this Section, all lands within 120 metres of an area identified within the Environmental Protection designation are considered to be adjacent lands. No new development shall be permitted on these adjacent lands unless an Environmental Impact Study and a Management Plan are completed and approved by Council, following consideration of the comments of the appropriate agencies.
- b) Building setbacks shall be imposed from lands designated as Environmental Protection relative to the extent and severity of the identified hazard or natural feature.

#### 4.5.5 General Policies

- a) The establishment of any permitted use shall occur in a manner, which minimizes disturbance to the natural environment or the supporting ecological and hydrological functions of that environment.
- b) No buildings or structures nor the removal or placing of fill of any kind whether originating on the site or elsewhere, shall be permitted in Environmental Protection areas except with the approval of the City in consultation with the appropriate authorities. Buildings or structures required for flood control or other conservation or public projects shall be permitted.
- c) It is essential that Environmental Protection areas be protected from future development to preserve Orillia's natural resources and to permit the implementation of a comprehensive storm water management system within the City as a whole. As such, an application for the redesignation of an area designated Environmental Protection to permit development, may be given due consideration only if it is established to the satisfaction of Council and the appropriate provincial agency through an environmental impact study, slope stability study or flood impact study that:
  - i) In the case of flood prone lands or steep slopes the remedial works to be undertaken to overcome the environmental hazards will not transfer those hazards to other areas;
  - ii) The proposed methods by which the hazards or environmental impacts are to be overcome are consistent with accepted engineering techniques, resource management and conservation practices;
  - iii) The entire cost of the proposed remedial or mitigative works will be borne by the proponent of the development; and
  - iv) The ecological and hydrological functions of the feature are protected.

- d) Amendments will not be considered where the Environmental Protection designation coincides with Provincially Significant Wetlands or the habitat of endangered or threatened species. There is no public obligation to redesignate any land if there is an existing or potential hazard that would be difficult or excessively costly to overcome.
- e) Nothing in this Official Plan shall be construed to imply that Environmental Protection areas are free and open to the general public or that such areas will be purchased by the City or any other public agency.
- f) Where new development is proposed on a site which includes lands designated Environmental Protection because of physical hazards or environmental features, such lands shall not necessarily be acceptable as part of the parkland dedication pursuant to the provisions of the Planning Act. All Environmental Protection lands that are dedicated to the City under subdivision procedures or the rezoning process shall be conveyed in a satisfactory physical condition and if an open watercourse is involved, the dedication shall provide sufficient land for property maintenance operations to be carried out.

#### 4.5.6 Implementation

It is the intent of this Official Plan that the boundaries of the Environmental Protection areas shown on Schedule A be used as a guide in preparing the implementing zoning by-law and that appropriate setbacks from the high water mark of any creek, stream or wetland will be established in the implementing zoning by-law in consultation with the appropriate authorities.

Council may establish an Environmental Advisory Committee to assist in the implementation of environmental sustainability and integrity.

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## 5.0 OVERLAY DESIGNATIONS

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Schedule 'B' his Plan identifies a number of "Overlay" designations. These are not land use designations in and of themselves but serve to identify specific issues or restrictions related to development of land as shown on Schedule 'A' Land Uses.

### 5.1 ENVIRONMENTALLY SENSITIVE AREAS OVERLAY

5.1.1 Lands identified within the Natural Features Overlay on Schedule 'B' contain significant natural heritage features or provide an important buffering function for an area designated on Schedule 'A' as Environmental Protection and shown for reference purposes on Schedule B. Significant natural heritage features include fish habitat, wetlands, woodlands, valleylands, wildlife habitat areas and Areas of Natural and Scientific Interest which are important for their environmental and social values. Also shown are fishery spawning and nursery areas and waterfowl production areas. Development adjacent to these areas will be required to demonstrate no negative impacts on the feature or its ecological function.

5.1.2 Notwithstanding the land use designations on Schedule A, development shall only be permitted on lands within the 'Environmentally Sensitive Areas Overlay' where it is established to the satisfaction of Council, in consultation with the appropriate authorities, that development can proceed without constraint and/or without having a negative impact on any identified natural features.

5.1.3 Where it has been established to Council's satisfaction that development can be undertaken, then it may proceed on the basis of the land use designations delineated on Schedule A.

### 5.2 AGGREGATE RESOURCES OVERLAY

5.2.1 Lands identified within the Aggregate Resources Overlay on Schedule 'B' have been identified as having potential for mineral extraction. Notwithstanding the land use designations on Schedule A - Land Use, where deemed appropriate by the Province, Council's consideration of new public works and/or private development proposals within these areas shall be preceded by a geological assessment of a proposed development site's mineral aggregate resources to establish the precise quality, quantity and extent of any mineral deposits. Where geological investigation reveals a high potential for mineral aggregate extraction, the identified resource shall be removed prior to the occurrence of development, without the need for an amendment to Schedule A of this Official Plan, subject to Provincial licensing of the aggregate operation.

5.2.2 If the mineral aggregate potential of an identified site has been exhausted, or shown to be insignificant, development may proceed in accordance with the land use designations delineated on Schedule A.

5.2.3 Mineral aggregate extraction may, subject to the approval of the Province, be undertaken as a component of the general development process, whereby the aggregate is predominantly utilized in the construction of on-site services and/or is provided to the municipality for similar use in other parts of the City.

5.2.4 The following policies shall apply in the differing circumstances:

a) Wayside Pits and Quarries and Portable Asphalt Plants

Council recognizes the need for wayside pits and quarries and temporary, portable asphalt plants to provide sand, gravel and other mineral aggregates for road construction and maintenance and other municipal projects. As such, it is a policy of this Official Plan to permit wayside pits and quarries to locate in all land use designations delineated on Schedule A, with the exception of the Environmental Protection designation, without the need for an amendment to this Official Plan and/or zoning by-law. Temporary, portable asphalt plants may be permitted in the 'Employment Area' designation on lands affected by the Aggregate Resources overlay on Schedule B.

b) General Development

- i) The establishment of a new commercial Pit or Quarry and/or the expansion of an existing pit or quarry shall require an amendment to this Official Plan and to the zoning by-law.
- ii) Where mineral aggregates are to be extracted, as part of the development process for the same site, such extraction shall be permitted without the need for an amendment to this Official Plan and/or zoning by-law.
- iii) The uses permitted shall be limited to the preparation of a site for mineral aggregate extraction, the extraction and storage of mineral aggregates and the rehabilitation of a site after mineral aggregate extraction or as extraction progressively occurs. In addition, ancillary uses to mineral aggregate extraction such as very limited screening and washing may be permitted.

### c) Development Criteria

Applications to amend the zoning by-law to permit a new commercial pit or quarry or the expansion of an existing commercial pit or quarry shall be accompanied by the following:

- i) A site plan prepared in accordance with the provisions of the Aggregate Resources Act and Ontario Regulations as may be amended from time to time;
- ii) A report prepared by a geologist indicating the estimated or approximate pattern, quality and quantity of the resource;
- iii) A transportation report which shall indicate the anticipated number of truck movements, anticipated truck routes and the daily time period during which trucks will be travelling on local roads;
- iv) Reports prepared by a professional engineer, biologist or other qualified professional indicating the impact of the proposed operation on the environment, including air and water pollution, noise, changes in the water table, changes in surface drainage both on and off the site and the effectiveness of the proposed ameliorative measures; and
- v) Where necessary, a Certificate of Approval from the Province in accordance with Section 8 of the Environmental Protection Act.

### 5.2.5 Implementation

Pits and quarries shall be zoned in a separate category in the implementing zoning by-law.

## 5.3 WOODLOT OVERLAY

5.3.1 Lands shown as Environmentally Sensitive and identified with a Woodlot (W) symbol on Schedule 'B' to this Official Plan are areas of significant forest cover which require protection as a result of their physical and aesthetic qualities including wildlife habitat, stormwater retention, air and water filtration and buffering capabilities. Property owners will be encouraged to utilize appropriate forestry management techniques to maintain and where possible enhance the quality of woodlots.

### 5.3.2 Development Criteria

- a) While "Woodlots" may be lands intended for some form of development as identified on Schedule A, development will only be permitted to occur in accordance with sound conservation management practices to Council's satisfaction and in accordance with the following policies:
  - i) The City shall, as a component of the development review process, require an evaluation of a woodlot's composition and/or

the preparation of a tree preservation plan. The analyses shall be undertaken by a forestry consultant or other qualified professional acceptable to Council, and shall identify:

- ii) Trees and/or areas within a wood lot that should not be disturbed;
- iii) Trees scheduled for removal;
- iv) Any habitat linkages that should be preserved; and
- v) Specifications for construction techniques that will minimize the impact on the natural environment.

#### 5.4 RESTRICTED DEVELOPMENT AREAS OVERLAY

Due to their location relative to existing and future infrastructure, some areas of the City are subject to specific constraints. Area specific policies related to these locations are set out below and referenced on Schedule 'B'.

##### 5.4.1 Victoria Point

- a) These policies recognize the process of transition from seasonal uses to a year-round residential neighbourhood.
- b) The predominant use of land in this area shall be for single detached dwellings but may also include other uses considered necessary to serve the area such as parks and public infrastructure uses.
- c) Prior to zoning any existing permanent residence or any proposed residence on a vacant lot, or the conversion of a seasonal residence to year-round residential use, Council shall give consideration to the following matters:
  - i) The adequacy of the lot to accommodate and permit the proper functioning of a private well and septic system;
  - ii) The lot shall have approval from the necessary governmental agencies for year-round use of such well and septic system;
  - iii) The year-round use of this lot shall not require any undue extension to the City's present servicing of this area;
  - iv) The owner of such lot shall have entered into covenants or agreements with the City, as required by the City, which shall pass with the sale of the land and place the responsibility for adequate water and sewage servicing on the owner until such time as the City initiates full piped servicing of part or all of this area.
- d) All existing residential uses not meeting these criteria shall be zoned for seasonal residential use or placed in a holding zone and may be enlarged or reconstructed, but not converted to permanent residential use. Regulations for enlargement and reconstruction shall be provided in the Implementing Zoning By-law. All vacant lots not fulfilling these criteria shall be zoned in a holding zone until these criteria can be fulfilled. Until such time as this area may be serviced by public piped water and sewage treatment facilities, Council may consider an application for conversion of a seasonal residence to a permanent

residence or a proposed new permanent residence on vacant lands in light of criteria iii) to v) inclusive, as noted above.

#### 5.4.2 Harvie Settlement Road

The policies of this section apply to lands shown on Schedule 'B' which consist of approximately 1.3 hectares of land designated 'Living Area' in Schedule A of this Official Plan, located on the west side of Harvie Settlement Road. This overlay designation recognizes two substantial existing residential uses and two additional vacant lots in order to allow the future construction of two residential dwelling units on private sewer and water services. Not more than 4 residential units total shall be permitted on the lands and all dwelling units on the lands shall connect to municipal water and sewer services, when such sewer services become available.

#### 5.4.3 Grape Island

The policies of this section apply to seasonal residential properties that are located on Grape Island to the south of Victoria Point and identified in the Living Area designation on Schedule 'A' of this Plan. Access to the island is by water only and individual lots rely on private services. All development and re-development including additions and re-construction, shall require the approval of the existing or proposed services by the appropriate authority. All lots shall be limited to seasonal residential use by the zoning by-law.

#### 5.4.4 Commerce Drive

The policies of this section apply to approximately 0.6 hectares of land with a frontage of 0.55 metres, which is located on the south side of Commerce Drive and designated as Employment Area on Schedule 'A' of this Plan. This site may be developed on the basis of an approved private waste disposal system if developed before the availability of municipal sewer services and shall be limited to commercial uses that, by their nature, have limited water consumption and disposal requirements.

#### 5.4.5 Huronia Regional Centre

- a) The Huronia Regional Centre is an institutional facility owned by the Province of Ontario. The site encompasses a significant stretch of shoreline and open space in addition to a well-maintained campus infrastructure of dormitories and administrative buildings. The site is currently occupied by a number of institutional uses including a residential facility for people with developmental disabilities. The facility has significant development potential and its utilization is important to the future growth and development of the City.
- b) It is the intention of this Plan that any re-development of the Huronia Regional Centre lands be planned comprehensively. Significant changes to land use must be supported by a comprehensive

development plan encompassing the entire property. The future use of the property shall be consistent with the general goals of this Plan.

#### 5.4.6 Annexation Lands

On lands identified within the Living Area designation on Schedule 'A' to this Plan and within the area of the City identified as 'Orillia Annex' on Schedule 'B' of this Plan, the maximum number of residential units shall be 4250 units.

#### 5.4.7 Utility Corridors

- a) The Utility Corridors identified on Schedule 'B' of this Plan include natural gas transmission pipelines and telecommunication trunk facilities. These facilities present both safety and design related development constraints. Public works and private development or re-development proposals within 200 m of Utility Corridors shall only be undertaken in consultation with the gas and telecommunication companies having jurisdiction for them.
- b) The Trans-Canada Pipelines Limited publication titled 'Urban Development Adjacent to Pipeline Facilities' guidelines may be utilized in the consideration of new public works and private development.
- c) Any use of a utility corridor for recreational trail purposes shall be subject to the approval of the Utility Company having jurisdiction.

#### 5.4.8 Contaminated Sites

Lands identified as being Special Policy Areas subject to Section 5.4.8 are areas of known environmental contamination. Development of such lands will only be considered where it has been demonstrated to Council and the Province that the environmental contamination has been or can be corrected or the effects of the contamination can be mitigated or contained. Development applications for such lands shall be accompanied by a Phase 1 Environmental Site Assessment (ESA) in compliance with Provincial guidelines. Where the Phase I ESA indicates or confirms contamination a detailed Phase 2 ESA will be required. Development proposals within 500 m of identified sites will also be required to consider the potential for off-site effects from such sites and may be required to submit an impact assessment.

#### 5.4.10 Steep Slopes

Lands identified as being subject to the Steep Slopes Overlay are areas where steep slopes present a potential risk to development. Development applications, which include such lands, shall be accompanied by a slope stability study prepared by a professional engineer qualified to undertake such studies.

### 5.5 HERITAGE DISTRICT OVERLAY

5.5.1 Lands covered by the Heritage District Overlay reflect the historic boundaries of the "Village of Orillia". Within this area particular regard shall be had to the policies of Section 6 of this Plan. Given the area's topography and orientation toward the downtown and waterfront, a limit of four storeys shall apply to development and re-development. In addition, a high priority shall be given to preservation of trees, landscaping and the maintenance of the overall heritage character of the area. The subdivision or re-development of existing large lots shall be carefully assessed to ensure that further development will not lead to a deterioration of the heritage character of the area. Future road works shall reinforce these objectives by maintaining the character of the area to the greatest extent possible.

### 5.6 SPECIAL STUDY AREA

5.6.1 Lands designated as a Special Study area require further investigation prior to permitting a change in use. The City shall undertake a review of the long term use or uses of the lands in consultation with the general public and the landowners. Until such time, the use of lands, identified as Special Study Area, shall be limited to existing uses. Expansion and enlargement of such uses shall be subject to the policies of this plan applicable to the underlying land use designation. Upon completion of the Special Study the City shall initiate an amendment to this plan to implement its recommendations.

### 5.7 SCENIC VISTAS

5.7.1 Schedule B identifies a number of Scenic Vistas, which include views of the lakes, streetscapes and the built form. Development proposals or public works that could impinge upon or negatively impact these vistas shall be required to demonstrate that the vista will be preserved and or enhanced.

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## 6.0 URBAN DESIGN GUIDELINES

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The policies contained in this Section are intended to establish good urban design as an important part of the planning process.

### 6.1 OBJECTIVES

6.1.1 The City's objectives for urban design are:

- a) based on the belief that the livability and physical appeal of a community can be enhanced by the quality, layout and attractiveness of its public and private spaces and buildings.
- b) intended to provide development proponents with an understanding of the design intent of the City. The fundamental basis of these Urban Design Guidelines is to create a built environment, which provides:
  - i) visual diversity, interest and beauty;
  - ii) a well-defined public realm, including an interconnected open space network;
  - iii) sensitive integration of new development with existing development;
  - iv) a transit supportive and pedestrian oriented development pattern;
  - v) an attractive and distinctive, pedestrian-oriented downtown, with connections to the waterfront; and
  - vi) a road system which recognizes and preserves the historic character of the City's Downtown District and adjacent neighbourhoods.

### 6.2 DESIGN GUIDELINES

6.2.1 Measures for personal safety and amenity shall be incorporated in the planning and design of all development.

6.2.2 New development will be required to harmonize with its context, having regard for:

- a) Scale, proportion, continuity, architectural character and texture of the built form, particularly in areas developed prior to 1940;
- b) Orderly and appropriate transition to adjacent lands;
- c) The relationship of spaces to buildings and to the street;
- d) The preservation of natural light; and
- e) The protection of scenic vistas as shown on Schedule B.

- 6.2.3 The scale of new buildings and structures should be appropriate to their surroundings. Building heights should be consistent with the general context of the surrounding area and existing structures. An eight storey maximum height will be maintained across the City with the exception of those areas subject to the Heritage District Overlay where a four storey maximum height restriction shall apply.
- 6.2.4 The use of building materials and building designs that blend with the predominant architectural character, the landscape and with each other shall be encouraged.
- 6.2.5 Buildings or structures on untreed sites shall incorporate landscaping including vegetative plantings to enhance the site, the streetscape and the surrounding area.
- 6.2.6 The design of all residential uses shall be in accordance with good design principles and consideration shall be given to the following:
- a) Urban design which is in keeping with the character of surrounding land uses, has common internal vehicular and pedestrian circulation and physically integrate with the surrounding urban form in a positive manner;
  - b) The provision of adequate parking and loading facilities; and,
  - c) Adequate buffering and or screening from adjacent lower density residential uses. This may be achieved through fencing, landscaping, berming or a combination of these features.
- 6.2.7 Where fencing is required, the use of natural construction materials such as wood or stone shall be encouraged and the fencing shall be maintained in a condition, which blends with the landscape. Preference shall be given to designs incorporating additional planting or properly designed berming rather than fencing.
- 6.2.8 Generally, new development shall be screened from major roads by existing tree cover, planting areas or other appropriate vegetation or berming.
- 6.2.9 Existing mature trees and other vegetative amenities should be retained and preserved except where removal is necessary due to disease, damage or to ensure public health and safety.
- 6.2.10 Existing vegetation, including forested areas and hedgerows, topography, views and watercourses shall be preserved as much as possible. Clear cutting of sites with mature trees shall be prohibited and where deemed appropriate, tree inventories shall be undertaken and preservation techniques devised, to ensure the survival of designated trees. Supplementary planting of trees and shrubs shall be encouraged.

- 6.2.11 On-site parking shall be integrated with the development of the site and the view from surrounding roads and properties visually enhanced by fencing or landscaping.
- 6.2.12 Signage should be integrated with the architecture and landscape, not only to identify and inform, but also to complement and enliven the streetscape. The City may, if deemed necessary by Council, regulate signage by enacting by-law(s) pursuant to the provisions of the Municipal Act and/or Planning Act as amended from time to time.
- 6.2.13 Utility services shall be located underground where practical. Transformers, pumping stations or other structures ancillary to the utility distribution system shall be placed in accessible locations and screened, designed and maintained in harmony with surrounding land uses.
- 6.2.14 In order to maximize pedestrian access and linkages between the Downtown District and waterfront areas, Council may require access to the waterfront open space system as a condition of approval for any development or re-development proposals.
- 6.2.15 The City may require the provision of design elements that maximize physical accessibility for all members of the public in recognition of the City's population characteristics and the potential need for adaptable housing to accommodate special needs.

### 6.3 DOWNTOWN DISTRICT DESIGN GUIDELINES

- 6.3.1 The City will endeavour to reinforce and maintain the architectural, visual and thematic integrity of structures and streetscapes within the Downtown District by encouraging new buildings, additions and renovations to maintain sensitive designs in terms of the physical context into which such development may be located.
- 6.3.2 New development and re-development in the Downtown District shall preserve and enhance the scenic vistas of the waterfront and views from the Downtown District.
- 6.3.3 The design of buildings, outdoor uses and public spaces shall incorporate and respect the cultural heritage resources of the City and the Downtown District.
- 6.3.4 Where possible, existing trees shall be preserved and efforts shall be made to improve the overall landscaping within the Downtown District. Additional trees should be planted at appropriate locations and avoid screening architecturally significant buildings, facades and important views.

- 6.3.5 New street furniture, signage, façade improvements and pedestrian amenities shall be coordinated to blend with the Victorian characteristics and heritage facades of the Downtown District.
- 6.3.6 Bus shelter design should be appropriate to the character of the Downtown District.
- 6.3.7 Attractive, well-designed parking lots that complement the special character of the Downtown District shall be encouraged.
- 6.3.8 New development and re-development fronting on Mississaga Street shall blend in and reinforce the Victorian main street character of the Downtown District.
- 6.3.9 Existing building lines along street faces shall be respected. In order to accommodate this, front yard parking shall not be permitted.

#### 6.4 LANDSCAPED OPEN SPACE

- 6.4.1 Landscaped open spaces complement streetscapes to form the basis of the community's character. Landscaped open spaces in the community should complement parks, streetscapes and natural features. Landscaped open spaces should be arranged so that:
- a) Community identity and visual amenity are enhanced by exposure to view;
  - b) They are accorded their due value and importance by their location and prominence on a street frontage;
  - c) Passive recreation and social interaction are encouraged;
  - d) Street layouts and vistas are enhanced; and
  - e) Personal safety is addressed.

#### 6.5 IMPLEMENTATION

These Urban Design Policies shall be implemented through plans of subdivision, implementing zoning by-laws, tree-cutting by-laws, sign by-laws, subdivision agreements and/or site plan control mechanisms in conformity with the policies of this Official Plan.

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## 7.0 HERITAGE POLICIES

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The protection of heritage resources contributes to a sense of community by providing continuity between the past and the present. Through understanding and protecting its heritage, the City can incorporate the past into planning for the future.

Heritage planning is the responsibility of the Provincial Government and the City. A citizens' advisory committee has been established to advise Council on matters pertaining to heritage.

### 7.1 OBJECTIVES

7.1.1 The objectives of the policies contained within this Section of the Plan are:

- a) To encourage growth and development patterns which promote the protection and sympathetic treatment and use of heritage resources.
- b) To identify, protect and preserve heritage resources of significant value.
- c) To integrate structures of historic and architectural significance into development proposals where appropriate.
- d) To maintain and enhance the character of the built environment.

### 7.2 POLICIES

7.2.1 Council recognizes the importance of cultural heritage resources within the City. Therefore, Council will encourage the identification, conservation, protection, restoration, maintenance and enhancement of cultural heritage resources. All new development permitted by the land use policies and designations of this Plan shall have regard for cultural heritage resources and shall, wherever possible, incorporate these resources into any new development plans. In addition, all new development will be planned in a manner, which preserves and enhances the context in which cultural heritage resources are situated.

7.2.2 Cultural heritage resources include but are not restricted to, archaeological sites, cemeteries and burials, buildings and structural remains of historical and architectural value and urban districts or landscapes of historical and scenic interest.

7.2.3 The City may designate Heritage Sites, Heritage Conservation Districts and other heritage elements in accordance with the Ontario Heritage Act.

- 7.2.4 Council recognizes the role of the Local Architectural Conservation Advisory Committee (LACAC) to advise and assist Council on matters of heritage conservation. Pursuant to the Ontario Heritage Act and in consultation with the LACAC, Council may, by By-Law:
- a) Designate properties to be of historic and architectural value or interest; and
  - b) Define any areas or area within the City to be examined and nominated for designation as a heritage conservation district.
- 7.2.5 It shall be the policy of the City that individual properties may be considered for designation pursuant to the provisions of the Ontario Heritage Act if they exhibit or contain one or more of the following:
- a) The property contributes to the identity of the community or landscape;
  - b) The property is associated with an historic event or person;
  - c) The property has architectural significance or distinguishing artistic or cultural value; and
  - d) The property contains substantial remaining original materials, workmanship and siting.
- 7.2.6 Applications for development of a Heritage Site having known cultural heritage resources or adjacent to a site having known cultural heritage resources, will require a Heritage Impact Statement prepared to the satisfaction of the City and other appropriate authorities having jurisdiction.
- 7.2.7 The character of an individual historically designated property shall be maintained or enhanced through the careful consideration of plans for additions, alterations, renovation and restoration. The proposed relocation, removal or demolition of designated structures, and the construction of new structures on a designated property shall be subject to the provisions of the Ontario Heritage Act.
- 7.2.8 The City in consultation with the Province, where appropriate, shall determine the potential for impacts to archaeological resources from any new development. Where such potential is determined to exist, the proponent shall retain a consultant to carry out an archaeological assessment of the subject property prior to any demolition, grading or other soil disturbance. Any archaeological resources found to be present on the subject property shall be mitigated through preservation on site or removal and documentation to the satisfaction of the City.
- 7.2.9 Owners of designated heritage properties are encouraged to seek any available government grants or loans for eligible heritage conservation works.

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## 8.0 TRANSPORTATION

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Orillia's transportation system moves people and goods via roads, public transit, pedestrian linkages and bicycle routes. It is the goal of this Plan to facilitate an integrated transportation system that is safe, efficient, economical, convenient and comfortable while respecting the heritage features and character of the City.

### 8.1 OBJECTIVES

8.1.1 The City's objectives for transportation are:

- a) To create a transportation system that has regard for the environmental, social and aesthetic character and amenities of the community.
- b) To provide a transportation system which encourages convenient movement within the City as well as providing linkages to external transportation systems.
- c) To develop a transportation system that is compatible with existing and future land use patterns.
- d) To achieve a pattern of development which supports public transit use.
- e) To improve access to transit and transportation facilities for special user groups.
- f) To provide an efficient system of pathways for pedestrians and cyclists.

### 8.2 GENERAL POLICIES

8.2.1 New facilities or major improvements to the existing transportation system will only occur where such improvements are consistent with the existing character and amenities of the community.

8.2.2 Major capacity improvements to the existing road system will only occur when the need exists and all possible traffic control options have been previously implemented.

8.2.3 Transportation facilities will be planned, designed and constructed to minimize the effects of noise, fumes and vibration on existing and future residential development.

### 8.3 ROADS

8.3.1 The road network, for purposes of right-of-way protection, is shown on Schedule 'C'. While serving private motor vehicles, the road network shall be designed to permit the operation of an efficient public transit network. Schedule 'C', together with the following policies, forms the basis for the provision of roads, right-of-way widths and access controls. Expressways and Highways, under Provincial jurisdiction, are subject to Provincial requirements and permits in addition to the other policies of this Plan.

8.3.2 The functional road classification and associated guidelines of this Plan pertain to Highways, Arterial, Collector and Local streets as shown on Schedule 'C'. This Plan reflects the City's proposed road improvements for the next 20 years. Roads are intended to function in accordance with the following guidelines:

a) Highways are restricted or controlled access routes with little or no access to adjacent land. Their function is to carry traffic at higher speeds and provide for longer trips in and outside the area. The design and location of access will be strictly controlled so that any service to adjacent land does not detract from the primary function of moving traffic.

b) Arterial roads are primarily traffic carrying facilities, providing through routes across the City. Access to property can be permitted although the number, design and location of access points will be controlled so that the service to adjacent land does not detract from the primary function of moving traffic.

Arterials will generally limit private land access to existing lots, and commercial and industrial uses, with new residential access permitted only where traffic movement, volume, speed and safety are not compromised, no alternative local or collector road access is available and the entrance criteria of the City are met. Arterial roads will generally have a minimum right-of-way width of 26 metres. Where necessary, to minimize impacts upon existing land uses, a maximum right-of-way width of 20 metres will be used.

c) Collector roads carry traffic between arterial roads and the local or neighbourhood roads. Through traffic will be discouraged from using these roadways. Access to properties abutting these roadways will be permitted. Collector streets will generally have a minimum right-of-way width of 23 metres.

d) Local roads are designed to accommodate only low volumes of traffic at low speeds and generally only serve the properties that abut these roadways. Local roads will generally have a minimum right-of-way width of 20 metres, however this may be reduced in circumstances where alternative development standards have been approved by the City.

8.3.3 In the design of all roads except highways, particular regard will be given to adequate space and safety provisions for the movement of pedestrians

and cyclists, with a clear system of through routes and for safe transfers on and off of transit vehicles.

- 8.3.4 The coordinated installation of utilities and tree planting will be part of the planning, design, and construction of roads.
- 8.3.5 It is a policy of this Plan that proposals for the widening or reconstruction of existing arterial roads shall include pre-consultation with the Planning and Development Department and be preceded by a public consultation process to address such issues as construction schedules, rights-of-way widening, impacts on street trees and streetscape improvements. Where the class and function of an existing road is to be changed to a higher class and function, such change will require a functional study and an amendment to this plan.
- 8.3.6 In the case of arterial roads, affected by the Heritage Overlay, as delineated on Schedule B, particular regard shall be had to preservation or enhancement of scenic vistas and the character of the neighbourhood and will include preparation of a detailed streetscape plan by a qualified landscape architect or planner. Such plan shall require Council approval prior to proceeding with or tendering of the construction project.
- 8.3.7 Specific lane requirements shall be determined at the detailed design stage and will, in addition to traffic demand, be based upon planning considerations such as preservation of mature trees and the overall effect upon the streetscape.
- 8.3.8 Development and redevelopment proposals that require an amendment to this plan may be required to carry out and implement a transportation impact study. Development adjacent to Highways 11 and 12 are subject to the safety requirements and permit control of the Province.
- 8.3.9 Road Widening and Intersection Improvements and Alignments
- a) In the policies identifying road function, the City has identified road allowance widths. These are the ultimate widths required to provide for traffic surfaces, boulevards, utility locations and ditches. The identified road allowance widths are based on the existing situation, expected future development and the intended road function. For the purposes of Section 41 of the Planning Act R.S.O. 1990, each road described or shown on Schedule C shall be considered a "highway to be widened" and the identified road allowance width plus the widths specified in 8.3.9 (b), (c) and (d) shall determine the extent of the required widening.
  - b) The City may require, at intersections, road widenings for daylighting triangles in order to provide sufficient sight distances, turning lanes and locations for traffic control measures.

- c) The City may require turning lanes at any other location along roads to provide safe and appropriate access to major generators or attractors of traffic. Dimensions of such widenings shall be in accordance with the standards of the City of Orillia.
- d) Where a road allowance is identified as including, or comprising part of, a cycling or trail system, the City may require additional road widenings for a cycling lane or trail. The maximum width for such a dedicated widening shall be 1.5 metres per side.
- e) The City may, under certain topographic conditions, require a greater width in order to address appropriate design or traffic safety measures. Where such circumstances are encountered a further 10 metres may be added to the road width that would be established through the policies of Section 8.0 of this Plan. In addition, where topographic conditions make it impractical or prohibitive to expand a road allowance to an equal extent on both sides then the City may acquire a greater portion, or the entire extent, of the required widening on only one side of the existing allowance. Where a dedication of land is being required as a condition of a development approval the land owner shall only be required to dedicate a widening equivalent to 50% of the total required width to bring the road width up to the width specified for the applicable road classification.

8.3.10 Where a road allowance is less than the prescribed width, and additional widenings are required in accordance with the transportation policies of this Plan or to achieve geometric alignment, the City may also require that such widenings or realignments be obtained through the development approval process through dedication in accordance with the Planning Act, R.S.O. 1990.

8.3.11 In areas where the majority of the existing land use along a road, or a significant portion of a road, is developed at the time that this Plan is adopted, then the standards for the right-of-way of the road, as specified by this Plan, shall act only as a guide. Further evaluations may be undertaken to determine a practical right-of-way width that can serve the traffic requirements along the road while minimizing the negative impacts on existing development

8.3.12 A possible route for a waterfront collector road has been illustrated on Schedule C to this plan. The need for this particular road will be further reviewed in the context of land access requirements, intersection alignments at Forest Avenue, potential conflicts with recreational trails and traffic needs.

## 8.4 COMMERCIAL TRAFFIC

8.4.1 It is the policy of Council, in recognition of the importance of an efficient goods movement system to the health of the City's economy, to give appropriate weight to the consideration of the need to move goods, products and other materials in the resolution of transportation issues.

8.4.2 The following policies will ensure protection of residential neighbourhoods with regard to commercial traffic:

- a) Through-way movement of large commercial vehicles will generally be restricted on local and collector roads within residential neighbourhoods wherever possible; and
- b) Activities generating substantial commercial traffic will be located near or adjacent to highways and arterial roadways.

## 8.5 PUBLIC TRANSIT

It is the intent of this Plan to promote the use of public transit as an alternative to the use of private motor vehicles. As such, public transit is considered to be a priority in the interest of reducing traffic and the avoidance of road expansions through established neighbourhoods.

8.5.1 The City's public transit system shall be an integral part of the City's transportation network.

8.5.2 In the planning and design of public transit routes, stations, bus stops and transfer points, the following criteria will be applied:

- a) Stations, stops and bus routes will be located so as to allow safe pedestrian access to as many residences and employment locations as possible;
- b) In areas to be developed or redeveloped, land use will be designed to incorporate land use and road patterns that facilitate use of public transit and permit convenient access to major transit routes; and
- c) In the planning and operation of public transit services, facilities for comfortable and convenient pick-up, including off-line bus bays will be provided. Transit stops will be designed to minimize walking distances and may offer amenities such as seating areas and climate protection.

## 8.6 BICYCLE AND PEDESTRIAN TRAFFIC

8.6.1 The City of Orillia encourages increased bicycle and pedestrian traffic subject to the following policies:

- a) Pedestrian paths will be provided in new development linking centres of activity - for example parks, shopping areas, schools;
- b) Rights-of-way for bicycle/pedestrian paths will be considered as part of the land requirements for transportation and will be dedicated as public rights-of-way;

- c) Adequate provision will be made in the planning, design and construction of all developments to ensure safety and efficient bicycle/pedestrian movement; and
- d) Pedestrian circulation will generally be on sidewalks adjacent to roads.

## 8.7 RECREATIONAL TRAILS

- 8.7.1 The City supports the creation of public recreational trail systems that promote active recreational touring, particularly in the form of walking, cycling, skiing and snowmobiling in a manner that is sensitive to the environment and private land holdings.
- 8.7.2 The City of Orillia has acquired a number of abandoned rail corridors. These corridors may be used by the City for recreation, transportation and utility purposes. The principal use of the corridors shall be for recreational purposes. Use for transportation or utility purposes will not require an amendment to this plan but should be based upon demonstrated need and mitigation of any impacts upon recreational activities.
- 8.7.3 Development proposals abutting such corridors shall be designed and buffered to mitigate any potential impacts associated with the use of the corridors and to minimize vehicular crossings of the corridors.
- 8.7.4 The City will encourage the development of a public recreational trail system in a manner which will facilitate linkage between parks, open space areas, bicycle/pedestrian paths and recreational trail systems in adjacent municipalities and thereby foster the development of provincial and national trail networks.

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## 9.0 IMPLEMENTATION

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### 9.1 IMPLEMENTATION TOOLS

#### 9.1.1 Zoning By-Laws

- a) It is intended that the City will review its comprehensive zoning By-law to ensure that it implements the principles, policies, and land use designations contained in this Plan. Such By-law shall make provision for adequate development standards and establish specific zones and permitted uses that reflect the policies and designations of this Plan. Within each designation, separate zones may be established to ensure that compatible uses will be appropriately grouped.
- b) Within the City of Orillia no habitable building or portion thereof shall be built such that any opening is below the minimum elevation of 220.5 m, Canadian Geodetic Datum, and fill shall be placed to that same elevation for a distance of 2 m around the external walls of all buildings.
- c) Filling of lands below the elevation of 220.5 m, Canadian Geodetic Datum, prior to any new development of these lands, shall be subject to the written approval of the City Engineer. In the interim, such lands shall be zoned in a holding zone, where property is presently undeveloped, prior to the necessary approval being obtained.

#### 9.1.2 Temporary Use By-Laws

- a) The City may pass temporary use By-Laws permitting temporary housing, temporary accommodation facilities, tourist uses and facilities, parking lots, events and industrial uses related to the resource base of the area and other similar uses. Such a use need not conform to the Official Plan designation.
- b) These temporary uses may be authorized for a specific time, as provided for by the Planning Act, and should be considered where it is deemed inappropriate by the municipality to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. Subsequent By-Laws granting extensions may be passed subject to the provisions of the Planning Act.
- c) Prior to the approval of a temporary use Zoning By-law, Council shall be satisfied that the following principles and criteria are met:

- i) The proposed use shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use;
- ii) The proposed use shall be compatible with adjacent land uses and the character of the surrounding neighbourhood;
- iii) The proposed use shall not require the extension or expansion of existing municipal services;
- iv) The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads;
- v) Parking facilities required by the proposed use shall be provided entirely on-site; and,
- vi) The proposed use shall generally be beneficial to the neighbourhood or the community as a whole.

### 9.1.3 Holding Provisions

- a) In accordance with the Planning Act, Council may pass a Zoning By-law which identifies a use of land, but places limitations on the actual development of the land until a later date when identified conditions have been met. These conditions are set out in the policies applying to the land use designations in this Plan.

- b) Objectives

The objective of using a Holding Provision is to ensure that one or more of the following objectives are met:

- i) Consideration is given to a site's location, physical features, environmental sensitivity, agricultural or aggregate potential, adjacent land uses, school capacity and relationship to roads, road intersections and watercourses.
- ii) The placement of fill as required prior to re-development for low-lying areas falling below 220.5 m Canadian Geodetic Datum.
- iii) The appropriate phasing of development or re-development occurs.
- iv) Development does not proceed until services and utilities are available to service the development.

- v) Agreements respecting the design and servicing of the proposed development are entered into.
- c) Council, at any time, may designate any Zone or part of a Zone as a Holding Zone by placing an "H" in conjunction with the Zone symbol in order to meet one of the above-mentioned objectives. During the period, when the Holding Zone is in place, uses permitted on the affected lands are generally limited to existing uses as specified in the Comprehensive By-Law.
- d) Notwithstanding the above, a holding by-law may also be utilized to restrict the expansion of existing uses and, where appropriate, a restricted number of uses may be permitted within an area subject to holding provisions for reasons related to servicing or phasing.

#### 9.1.4 Site Plan Control

- a) All areas of the City are designated as Site Plan Control areas under the provisions of the Planning Act. All uses may fall under Site Plan Control.
- b) Where land abuts a road under the jurisdiction of the City, prior to development, the City may require, in those circumstances where the right-of-way for a local or collector road is less than 20 metres and 23 metres respectively or less than 26 metres for an arterial road, that land be dedicated to the City, at no expense to the City, for the widening of the road, so as to establish the required right-of-way. This shall be exclusive of any sight triangles, turning lanes or turning tapers that may also be required by the City. The provisions of Section 8.3.8 shall also apply to road widenings provided through site plan control.
- e) Where existing buildings or structures adjacent to roads makes it impractical to require a land dedication for road widenings to the specified right-of-way widths, outlined in Section 8.0; such dedication may be waived.

#### 9.1.5 Tree Cutting By-laws

- a) In order to implement the provisions of this Plan pertaining to the protection and enhancement of the natural environment Council may enact a by-law pursuant to the Trees Act or any successor thereto.

### 9.1.6 Sign By-laws

- a) In order to implement the provisions of this Plan pertaining to protecting and enhancing the aesthetics of the City and the character of the Downtown District Council may enact sign by-laws pursuant to the Municipal Act or any successor thereto.

## 9.2 NON-CONFORMING USES

9.2.1 As a general rule, existing uses that do not conform with the policies of this Plan should gradually be phased out so that the affected land use may change to a use which is in conformity with the goals of the Official Plan and the intent of the implementing Zoning By-law. In some instances, it may be necessary and practical to allow the replacement, extension or enlargement of non-conforming uses through the approval of the Committee of Adjustment or by placing the use in an appropriate zone in the implementing Zoning By-law. In doing so, regard shall be had to the following options:

- a) The feasibility of acquiring the property for holding, sale, lease or development by the City for a more appropriate permitted use; and,
- b) The possibility of relocating the non-conforming use to another site.
- c) The impact of the proposed replacement or change in use upon adjacent properties.

### 9.2.2 Expansion

If the property is not to be acquired or the use can not be re-located, the Committee of Adjustment may, without an amendment to this Plan, allow extensions to a non-conforming use. Prior to such approval, the Committee shall consider the following:

- a) The size of the extension in relation to the existing operation;
- b) Whether the proposed extension is compatible with the character of the surrounding area;
- c) The characteristics of the existing use in relation to noise, vibration, fumes, dust, smoke, odours, lighting and traffic generation and the degree to which any of these factors may be increased or decreased by the extension; and,
- d) The possibilities of reducing these nuisances through buffering, building setbacks, landscaping, Site Plan Control and other means to improve the existing situation, as well as minimize the problems from extension.

### 9.2.3 Role of the Implementing Zoning By-Law

Where existing uses which do not conform with the policies of this Official Plan have been recognized and zoned in the Comprehensive Zoning By-law a rezoning may be considered provided that:

- a) The Zoning will not permit any change of use or performance standard that may negatively impact adjoining uses;
- b) The uses do not constitute a danger to surrounding land uses, humans or the natural environment by virtue of their hazardous nature;
- c) The uses do not interfere with the appropriate development of the surrounding lands; and,
- d) When the use is discontinued, re-zoning should take place in accordance with the policies and intent of this Plan.

## 9.3 COMMUNITY IMPROVEMENT POLICIES

### 9.3.1 Property Standards

Council may enact By-laws pursuant to the Building Code Act, setting forth minimum standards for maintenance and occupancy for all buildings and structures. These By-laws should have regard for any or all of the following matters or related items and set appropriate standards or conditions:

- a) The physical conditions of yards and passageways including the accumulation of debris and rubbish;
- b) The adequacy of sanitation including drainage, waste disposal and garbage;
- c) The physical condition of accessory buildings; and
- d) The physical conditions of dwellings or dwelling units, commercial and industrial properties.

### 9.3.2 Community Improvement Plans

- a) Council will encourage the Community to become actively involved in Community Improvement Plans and projects. Throughout the development of Community Improvement Plans, the City will involve the residents of the affected areas in the identification of service level deficiencies and the evaluation of priorities.
- b) Council may designate all or part of the City as a Community Improvement Area based on some of the following criteria:

- i) Municipal services such as sidewalks, curbs, gutters, sewers, watermains, roads, street lighting are deficient or have deteriorated and are below the municipal standard;
  - ii) Community and recreational facilities such as parks, community centres, libraries, arenas, gymnasiums, ball diamonds and similar type facilities are deficient or have deteriorated;
  - iii) Incompatible land uses that result in conflicts, such as unacceptable noise levels or encroachment of industrial traffic in residential areas;
  - iv) The buildings and structures are in need of rehabilitation;
  - v) There are parking or loading space deficiencies;
  - vi) There is a high vacancy rate in commercial or industrial buildings; and
  - vii) There are inadequate outside storage facilities.
- c) Council encourages the continuation of Business Improvement Areas to enhance and maintain the viability of the Downtown District.
- d) The following areas constitute Community Improvement Areas in which a Community Improvement Plan may be prepared to cover all or part of the Community Improvement Area:
- i) The Downtown District;
- e) In order to undertake a Community Improvement Project, the area or municipality shall be identified by this Plan. To be identified, a study must be undertaken to show that it qualifies as a Community Improvement Area based upon a review of the area and the criteria contained in this Plan. The area identified as meeting the criteria shall be added to Section d) by means of amendment to this Plan with a study forming the background justification for the amendment. For those areas identified the City may pass a By-law designating the area for a Community Improvement Plan, apply for Provincial funding to assist in implementing the Community Improvement Plan and undertake the work.

## 9.4 CAPITAL AND PUBLIC WORKS

- 9.4.1 The extension or construction of capital or public works will be carried out in accordance with the policies of this Plan. City Council shall prepare annually and adopt without amendment to this Plan a staging program to

implement features of this Plan. This program shall be cognisant of changing conditions of supply and demand for services and significant changes in economics and technology. In order to equitably assess and distribute the costs of public improvements City Council may levy against benefiting properties all or part of the cost of public infrastructure, services and facilities and may enter into agreements in respect of same.

- 9.4.2 Public buildings, structures, easements, infrastructure or rights-of-way may be considered, within any designated area, provided suitable buffering and screening from adjacent uses are provided.

## 9.5 LAND ACQUISITION

- 9.5.1 The City may acquire land to implement any feature of this Plan in accordance with the provisions of Provincial Statutes and Regulations.
- 9.5.2 Municipal land assembly for industrial uses shall be encouraged in appropriate locations designated as Employment Area.
- 9.5.3 As an alternative to the 5% parkland dedication for residential development the City may require land be dedicated at a rate of 1 hectare for each 300 dwelling units. This shall not limit the City from accepting land dedications that exceed this maximum requirement.

## 9.6 PARKING

- 9.6.1 In order to provide adequate off-street parking in the Downtown District Council will from time to time assess parking needs. Where property becomes available in suitable locations, the City may acquire property so as to reduce parking deficiencies. All new development in the Downtown District shall be encouraged to provide sufficient parking to accommodate the proposed use whether independently or in common with other downtown merchants. If such parking cannot be provided, the City may collect cash-in-lieu to be used expressly for the provision of additional parking spaces in an appropriately defined area.
- 9.6.2 Parking for all uses outside the Downtown District should be provided entirely on-site.

## 9.7 PUBLIC PARTICIPATION

- 9.7.1 City Council shall undertake a program that increases public awareness of the complexities of land use and resource management planning. Council shall encourage the active participation of citizens and citizen groups during the preparation of amendments to this plan or the comprehensive zoning by-law.
- 9.7.2 In order to encourage public participation, development proponents will be required to undertake pre-consultation, with neighbouring landowners prior to consideration of the application by the City's Planning Advisory Committee.

## 9.8 MUNICIPAL SERVICES

- 9.8. Unless otherwise permitted by amendment to this Plan all new development shall be connected to municipal sewer and water systems. No new development shall be permitted to connect to the municipal systems unless adequate capacity exists in both the plant and lines to accommodate such development.

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## 10.0 INTERPRETATION

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### 10.1 INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES

10.1.1 The boundaries between land uses designated on the Schedules to this Plan are approximate except where they meet with roads, railway lines, pipeline routes, transmission lines, the shoreline or other clearly defined physical features and in these cases are not open to flexible interpretation. Where a highway separates land use designations the Plan shall be interpreted such that the centre line of the highway represents the boundary between designations. Where the general intent of the document is maintained, minor adjustments to boundaries will not require amendment to this Plan.

10.1.2 It is recognized that the boundaries of the Environmental Protection overlay designation may be imprecise and subject to change. The City shall determine the extent of the environmental areas on a site by site basis when considering development proposals, in consultation with the appropriate agencies. Any refinement to the Environmental overlay designation shall not require an Amendment to this Plan.

### 10.2 AMENDMENTS TO THE PLAN

10.2.1 It is the intent of this Plan to serve as the basis for all land use decisions in the City for the next 20 years. It is not the intent of this Plan to be utilized as the primary development control document. Development controls will be implemented through the Comprehensive Zoning By-Law and other by-laws authorized by Provincial legislation. As a result, this Plan identifies enough land area for residential, commercial and employment uses to last until the year 2020.

10.2.2 It is therefore a policy of this Plan that it should only be amended when the policies of this Plan have been found not to address issues or alternatively, issues have been raised with respect to site specific proposals that must be addressed in a comprehensive manner.

10.2.3 Council may eliminate notice to the public and a public meeting for a minor Official Plan or Zoning By-Law Amendment which does the following:

- a) Changes the numbers of sections or the order of sections in the Plan, but does not add or delete sections;

- b) Consolidates previously approved Official Plan Amendments in a new document without altering any approved policies, or maps;
- c) Corrects grammatical or typographical errors in the Plan which do not affect the intent or affect the policies or maps;
- d) Rewords policies or re-illustrates mapping to clarify the intent and purpose of the Plan or make it easier to understand without affecting the intent or purpose of the policies or maps; and,
- e) Translates measurements to different units of measure or changes references to legislation or changes to legislation where the legislation has changed.

10.2.4 In all other instances, notification to the residents of the City of public meetings held by Council shall be given in accordance with the requirements of The Planning Act.

### 10.3 OFFICIAL PLAN REVIEW PROCESS

10.3.1 The assumptions, objectives and policies of this Plan shall be reviewed at least once every five years at a meeting of Council, which shall be advertised in accordance with the Planning Act, as amended.

10.3.2 The five-year review shall consist of an assessment of:

- a) The continuing relevance of the vision that forms the basis of all policies found in this Plan;
- b) The degree to which the objectives of this Plan have been met;
- c) The effectiveness of the policies in the Plan in solving problems; and
- d) The change that has occurred in areas of transition.