

NOBLETON COMMUNITY PLAN

TOWNSHIP OF KING

**Office Consolidation
February, 2005**

*AMENDMENT NO. 57
to the
OFFICIAL PLAN
for the
TOWNSHIP OF KING PLANNING AREA*

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Nobleton Community Plan

OFFICIAL PLAN AMENDMENT NO. _____ TO THE TOWNSHIP OF KING OFFICIAL PLAN

PART I – THE PREAMBLE

This is not an operative part of Official Plan Amendment No. _____.

1. AMENDMENT STRUCTURE

Official Plan Amendment No. _____ consists of the following parts:

PART I – THE PREAMBLE is included for information purposes and is not an operative part of this Official Plan Amendment.

PART II – THE OFFICIAL PLAN AMENDMENT, including Schedule “A1” attached thereto, identifies the amendments to the Township of King Official Plan required to implement the Community Plan and is an operative part of this Official Plan Amendment.

PART III – THE NOBLETON COMMUNITY PLAN, including Schedule “A” – Land Use Plan, Schedule “B” – Special Site Policy Area, Schedule “C” – Natural Environment Features and Schedule “D” – Transportation Plan attached thereto, constitute the Nobleton Community Plan. Part III is also an operative part of the Official Plan Amendment.

PART IV – THE APPENDICES contain supporting and explanatory information. They do not constitute part of the actual amendment.

2. PURPOSE

The purpose of this Official Plan Amendment is to put in place a Community Plan which will guide the development of the Nobleton Community over a 20 year timeframe to the year 2016.

The Community Plan establishes a policy framework which will provide the basis for future development in the community. To this end, a land use plan is established, together with policies dealing with such matters as community character, land use designations, the natural environment, urban design, infrastructure and servicing, transportation, and heritage.

3. LOCATION

The Nobleton Community Plan area includes all of Lots 2 to 10 inclusive in Concessions 8 and 9, comprising approximately 1,450 hectares (3,600 acres). The Community Plan area is bounded on the east and west by the 8th Concession Road and the 10th Concession Road, respectively, on the north by the 15th Sideroad, and on the south by the municipal boundary between the Township of King and the City of Vaughan.

4. BASIS

The Community Plan is based on a number of planning and servicing initiatives, which include planning and servicing studies undertaken by the Region of York and the Township, as well as a strong policy directive, both at the provincial and the regional level, requiring the development of plans for communities such as Nobleton.

Township of King Official Plan

The existing policy framework applying to the Nobleton Community in the Township of King Official Plan is incomplete and out of date. Firstly, it does not recognize recent policies which have been established at the Provincial and Regional levels. Secondly, it does not provide a secondary, or more detailed, level of planning policy for the Community. Thirdly, it does not recognize the recent initiatives which have been taken to provide municipal sanitary sewer services to the Community.

The current Township of King Official Plan identifies Nobleton as one of the municipality's three urban centres. The Plan was written at a time when municipal servicing was not an option for development within any portion of the Township and therefore it provides for only limited development of the urban centres.

The Township completed a Community Plan for Nobleton in September 1980 (OPA 14). Although OPA 14 was never formally adopted or approved by the Province, Council adopted the Community Plan as an interim policy document in January 1981. As with the Township Official Plan, the Community Plan did not contemplate municipal sanitary sewer services and therefore provided for only limited growth.

Community Plan Process

In June 1990, the Township retained McDermott & Associates to prepare a comprehensive Background Planning Study for the Nobleton Area. The consultant's report was completed in November 1992 and included four conceptual scenarios for the future growth of the community. Council did not take a formal position on a preferred alternative.

In May 1994, the Township retained R.V. Anderson Associates Limited in conjunction with Gartner Lee Ltd. To undertake a Settlement Capability Study. The study found that there were significant problems with existing septic systems and that the soil and drainage conditions in Nobleton were problematic for the maintenance and installation of septic systems. A Class Environmental Assessment for servicing was therefore recommended.

M.M. Dillon was retained in July 1995 to undertake the Class Environmental Assessment. Their Phase 2 analysis was presented in a draft report dated July 1996. The report provides a review of the existing sewage disposal situation, undertakes an assessment of alternative sanitary servicing options, and makes recommendations as to the preferred option. The objective of the study was to identify and select the preferred sanitary sewage option that would best satisfy the community's needs, solve the identified problems, and be environmentally acceptable at a reasonable cost. The preferred option identified through this analysis was a communal collection system connected to other treatment systems, specifically the York-Durham Servicing Scheme (YDSS).

Bousefield, Dale-Harris, Cutler & Smith were retained in May 1995 to undertake the Nobleton Community Plan, including the preparation of a background report which would serve as an update to the McDermott Background Planning Study. A key component of the Community Plan process was the selection of a preferred population projection on which the Community Plan would be based, which was also to be used as input to the Class Environmental Assessment for servicing.

Bousefield, Dale-Harris, Cutler & Smith prepared four population projection scenarios, which reflected the servicing options under consideration by M.M. Dillon. These four scenarios were presented to the public on April 4, 1996, at a joint open house with Dillon on the Class Environmental Assessment Servicing Study.

Based on Dillon's recommendation for connection to the YDSS, a preliminary recommendation for a preferred population projection of approximately 6,000 to 6,500 by 2016 was presented at a second open house on June 20, 1996. At this open house, preliminary recommendations were also presented with respect to housing density and mix, land requirements, commercial and industrial land use options, and parks and open space options. Four growth options were presented based on the preferred population projection and the recommended housing mix and density i.e. (1) growth primarily to the north, (2) growth primarily to the south, (3) growth primarily to the west, and (4) growth divided between north and south. As well, recommendations were presented regarding criteria to be used in evaluating the growth options in order to select a preferred option.

Subsequent to the June 20, 1996 open house, it was determined that a Growth Management Study for the Township would be required, in accordance with Regional Official Plan policies, prior to finalization of the Community Plan. The Township retained C.N. Watson and Associates Ltd. to undertake this work. A Growth Management Strategy/Growth Forecast for the Township of King, dated February 17, 1997, was subsequently prepared and used as input into the preparation of the Nobleton Community Plan. The C.N. Watson report assessed the growth potential (population and employment) for the Township and for the Nobleton Community in particular, with and without servicing over the period 1991 to 2021.

The Growth Management Study projected a population of 6,080 for Nobleton by the year 2016, consistent with the 6,000 to 6,500 range recommended as the preferred projection

option in the Community Plan Background Report prepared by Bousefield, Dale-Harris, Cutler & Smith.

A third public open house was held on January 28, 1997, at which Bousfield, Dale-Harris, Cutler & Smith presented the Preferred Option for urban boundary expansion, a draft Land Use Schedule, a long term concept for future road patterns, and an outline of the contents of the Community Plan policy document. In addition to lands which were previously designated for future residential development, the Preferred Option included new residential expansion areas in the northeast, northwest, and southwest quadrants, totaling approximately 325 acres. A 30 acre parcel was identified for business area (employment) purposes in the southeast quadrant. (Subsequently increased to 55 acres in the recommended Community Plan) Appropriate park and commercial locations were identified in order to serve the proposed expansion areas.

On June 10, 1997, the Regional Municipality of York issued a letter confirming that the Region had directed the Class Environmental Assessment consultant (Dillon) to investigate more rigorously the prospect of a stand-alone sewage treatment plant alternative for Nobleton.

A statutory public hearing was held with respect to the Proposed Community Plan on June 12, 1997.

Preferred Servicing Scheme

Six alternative solutions were considered during Phase 2 of the Class EA. The initial screening of the alternative solutions was undertaken and a communal collection system and local treatment system and a communal collection system connected to other treatment systems were considered the only viable alternatives.

Following detailed studies and evaluations, the preferred solution for sewage servicing for Nobleton, as identified in the Class EA is a communal conventional gravity sewage collection system with localized areas served by grinder pumps together with a local treatment plant and treated effluent discharge to the Main Branch of the Humber River. A sewage pumping station will be required to in the southwest quadrant of the community to pump the sewage to the wastewater treatment plant.

The design of the sewage treatment facilities is 6,500 persons, consistent with the Community Plan. The design flows for the treatment plant have been established in accordance with the Ministry of the Environment guidelines and effluent quality criteria for treated effluent discharge for the Main Branch of the Humber River have been established in consultation with the MOE.

A screening of alternative sewage treatment processes for Nobleton were considered and four were determined to be capable of producing effluent that will consistently meet the proposed effluent quality limits. Thought the EA process alternative sites for the sewage treatment facility were considered and a preferred site was selected to the west of the

existing community located in the West Half of Lot 5, Concession 10, Township of King. The site bounded to the east by a hydro transmission corridor and to the south by lands owned by the Toronto Region Conservation Authority.

A treatment effluent outfall pipe will be installed from the plant to the Main Branch Humber River at the 11th Concession. The existing background phosphorous concentrations in the Main Branch of the Humber River currently exceed the Provincial Water Quality Objectives limit. The MOE has agreed to consider a Deviation from Policy 2 with respect to phosphorous, to permit discharge of treatment to the Main Branch of the Humber River. As a condition of approval for a Deviation from Policy 2, the MOE will require implementation of offsetting measures to reduce the phosphorous loadings from other sources to achieve a net reduction in phosphorous loading.

The MOE, MNR and TRCA have all indicated their acceptance of the proposed treated effluent discharge to the Main Branch of the Humber River, and agreed that outstanding issues may be addressed through the normal approvals and permitting process, prior to construction of the works. The EA was approved in July 2003.

Oak Ridges Moraine

Subsequent to the preparation and approval of the Nobleton Community Plan by Council the Province of Ontario passed the Oak Ridges Moraine Conservation Plan Act. A portion of the north east and north west quadrants of Nobleton have been identified by the Province as being located within the Oak Ridges Moraine. These lands are identified as Settlement. The Township of King has adopted OPA#570 and forwarded the same to the province as the conformity exercise for the Nobleton Community Plan. The existing policies in the Nobleton Community Plan (OPA#57) have been deferred pending the provincial approval of OPA #570.

Provincial Policy Statement

The Planning Act requires that the Nobleton Community Plan must “have regard to” the Provincial Policy Statement, issued May 1996.

Section 1 of the Policy Statement establishes an objective of developing strong communities and, to that end, indicates that rural settlement areas such as Nobleton are to be the focus of growth within rural areas. The Policy Statement also indicates that land requirements and land use patterns are to be based on the provision of sufficient land for various uses to promote employment opportunities and provide for an appropriate range and mix of housing to accommodate projected growth for up to 20 years (although a longer time horizon to 2021 may be used to reflect the time horizon used in the York Region Official Plan).

The Policy Statement includes policies relating to the expansion and servicing of communities which indicate that, in determining the most appropriate directions for expansions to settlement areas, expansions into prime agricultural areas will only be permitted where there are no reasonable alternatives, and that full municipal sewage and

water services are the preferred form of servicing for urban areas and rural settlement areas. Partial services (e.g. municipal water services and private sewage services) are generally discouraged.

Section 2 of the Policy Statement contains policies with respect to prime agricultural areas, natural heritage features and areas, and cultural heritage and archaeological resources, all of which have been reflected in the Community Plan.

Section 3 of the Policy Statement contains policies with respect to development on hazardous lands (e.g. within floodplains) which have also been incorporated into the Community Plan.

Region of York Official Plan

The Planning Act requires that the Nobleton Community Plan must conform with the Region of York Official Plan. Where it does not conform, an amendment to the Regional Plan may be required.

The Region of York Official Plan, approved in October 1994, designates the Nobleton Community as a “Town or Village”. The conceptual designation roughly corresponds to the existing built-up area, with areas outside the built-up area being largely designated Agriculture Policy Area. The Agriculture Policy Area policies indicate that lands within this designation are categorized as Class 1 to 4 lands by the Canada Land Inventory and that the primary uses should be farm and accessory uses. However, the Regional Plan recognizes that some existing farmland will be required to accommodate future growth and explicitly provides a policy framework for growth in identified Towns and Villages such as Nobleton.

Section 5.2.8 of the Regional Plan indicates that major growth within Towns and Villages should be governed by Secondary plans which are based on the availability of water and sewer services to accommodate the proposed growth. The Regional Plan also directs that the planning area for the secondary plan should be sufficiently large to take a long term view of the community and that the secondary plan should consider the entire town or village, with provision for integrating the new development area into the existing community.

Section 7.1 of the Regional Plan specifies that a planning horizon of up to 20 years should generally be used in local Official Plans, such as the Nobleton Community Plan.

PART II – THE OFFICIAL PLAN AMENDMENT

1. INTRODUCTION

The following text and Schedules “A1” and “A” to “D” inclusive attached hereto constitute Amendment No. ____ to the Township of King Planning Area Official Plan.

2. THE AMENDMENT

- i) Schedule “A”, “Land Use Plan” to the Official Plan of the Township of King Planning Area is hereby amended by deleting the land use designations on the lands bounded on the east by the 8th Concession Road, on the west by the 10th Concession Road, on the north by the 15th Sideroad, and on the south by the municipal boundary between the Township of King and the City of Vaughan, and by placing on these lands a reference to the Nobleton Community Plan as shown on Schedule “A1” to the Amendment.
- ii) The text and schedules of the Official Plan of the Township of King Planning Area are hereby amended by adding the policies and schedules contained in the Nobleton Community Plan which is contained in Part III of this amendment. Further, and except as may hereinafter be provided, the text and policies of the Official Plan shall not apply to the lands which are the subject of the Nobleton Community Plan, and the policies in the Nobleton Community Plan shall be the policies applicable to the Nobleton Community.

3. IMPLEMENTATION

The provisions of the Official Plan, as amended from time to time, regarding the implementation of the Plan shall apply to the Amendment.

4. INTERPRETATION

The provisions of the Official Plan, as amended from time to time, regarding the interpretation of the Plan shall apply to the Amendment.

SECTION ONE

ORGANIZATION OF THE COMMUNITY PLAN

This Community Plan consists of text and maps which provide a policy framework to guide future growth and development within the Nobleton Community to the year (2016 – under appeal) The Community Plan establishes the land use areas and policies required to accommodate this growth, while maintaining the distinctive character of the Nobleton Community.

1.1 Components of the Plan

The text of this Plan consists of five main sections, as follows:

- Section 1 - Organization of the Community Plan
- Section 2 - Community Character Policies
- Section 3 - Land Use Policies
- Section 4 - Development Policies
- Section 5 - Implementation

The Community Plan maps include:

- Schedule AA@ - Land Use Plan
- Schedule AB@ - Special Site Policy Areas
- Schedule AC@ - Natural Environment Plan
- Schedule AD@ - Transportation Plan

1.2 How to Read This Plan

This Community Plan is intended to be a policy document which establishes in a general way how Nobleton will grow and evolve over the planning period. It is intended to provide a broad overall direction while leaving a reasonable degree of flexibility in terms of how the Plan will be

implemented over the next *(20 years – under appeal)* To that end, the policies in this Plan should not be interpreted rigidly but should be applied in a flexible manner having regard to the Plan’s overall policy principles.

This Community Plan also recognizes that the implementation of its policies will occur through a variety of planning mechanisms or *tools* (e.g. Zoning By-laws, subdivision plans, site plans), as development and redevelopment occurs over time. Accordingly, the Plan provides direction as to how these planning *tools* are to be applied to new development, but does not attempt to directly regulate the form of development. For example, while the Community Plan may appropriately establish policies to encourage a wide separation between houses to maintain a sense of spaciousness, it is the Zoning By-law which should establish specific numerical regulations with respect to minimum side yard setbacks.

To determine how the Community Plan and its policies apply to a particular property, Schedule *AA* should be consulted to determine the property’s land use designation. In turn, the policies applicable to that land use designation will be found in Section 3. Some properties may also be subject to Special Site Policies and, to that end, Schedule *AB* should be reviewed to determine if the property is affected by any such policies. Where they apply, the details of these special site policies may be found in Section 3.14.

Regard should also be had to the Development Policies contained in Section 4 of the Community Plan, which are applicable to all properties generally, regardless of their land use designation. These include Natural Environment policies, Urban Design policies, Infrastructure and Servicing policies, Transportation policies, and Heritage policies.

The final set of policies in Section 5 provides direction for the processing of future development applications and enables the Township to make use of all of the planning “tools” which are available under the Planning Act in order to implement the Community Plan.

Should uncertainty or conflict arise in the interpretation or implementation of the Plan, reference should be made to the Community Character policies in Section 2.

SECTION TWO

COMMUNITY CHARACTER POLICIES

The Community Character policies recognize that Nobleton has a distinctive "small town" character. While the introduction of full municipal services will provide opportunities for future growth and development, this Community Plan contains policies which are intended to ensure that such future growth and development will maintain the existing small town character.

The purpose of this section of the Plan is to establish the main principles which underlay the policies of the Plan and to outline the type of community envisaged.

2.1 Principles

- 2.1.1 Nobleton's distinctive small town character should be maintained and reinforced, while allowing for new growth and development.
- 2.1.2 The provision of full municipal services, in particular the provision of sanitary sewers, is necessary to support the future development of the Community as anticipated by this Plan.
- 2.1.3 Until full municipal services are available, this Plan anticipates only limited new development based on private sewage services only if deemed appropriate through the review and approval by the Township and relevant agency requirements.
- 2.1.4 The village core centred on the original "four corners" development at King Road and Highway 27 should be maintained and reinforced as a key component of maintaining Nobleton's small town character. New development and redevelopment within the village core should respect existing heritage buildings and should provide for an improved overall appearance.

- 2.1.5 The introduction of full municipal services will allow for a wider range of housing choices and opportunities than was possible with private sewage services. The introduction of a limited amount of well-designed, small-scale medium density housing such as townhouses will allow for households in varying stages of the life cycle (e.g. singles, young couples, and seniors) to remain in the Nobleton Community.
- 2.1.6 While providing for increased densities which reflect a serviced community, this Plan recognizes that new residential development must be compatible with existing development in the Community. Lot sizes and densities in new development should retain a feeling of spaciousness and separation between houses, thereby reinforcing the small town character.
- 2.1.7 A linked open space system will be established linking parks, schools, other institutional uses, and the village core with valleylands and other natural areas. Walking and bicycling trails within this open space system are encouraged, where they will not have any unacceptable impacts on the natural environment.
- 2.1.8 Existing natural features and areas will be maintained and enhanced. Existing trees should be retained, where feasible, and the planting of new trees will be encouraged. Natural features such as woodlots should be integrated into new development, where possible, to provide interest and character in newly developing areas.
- 2.1.9 As a further component of Nobleton's small town character, buildings of architectural or historical significance will be retained in order to enhance the heritage of the community.
- 2.1.10 The Community Plan provides for the improvement of the existing village core and the establishment of new commercial and business areas in order to improve the economy of the Community and enhance its self-sufficiency.
- 2.1.11 The maintenance of a strong agricultural base in the area surrounding the built-up portions of the Nobleton Community, with a clear delineation between the agricultural area and the built-

up urban area, also contributes to the small town character and should be maintained over the planning horizon.

- 2.1.12 In order to maintain a compact urban form and to minimize the premature loss of good agricultural land, new development will be encouraged to proceed in an orderly and sequential manner outward from existing built-up areas.

2.2 *Population and Housing Mix*

- 2.2.1 The Community Plan provides for an increase in the population of the Nobleton Study Area from approximately 3,150 in 1996 to approximately *(6,000 to 6,500 by the year 2016. This represents an average annual growth rate of approximately 3.5 percent over the 20-year timeframe. – under appeal)*
- 2.2.2 Recognizing the existing small town character and the desirability of providing for additional housing choices and opportunities with the introduction of full municipal services, the anticipated housing mix for new residential development will be approximately 90% low density units (detached and semi-detached dwellings) and 10% medium density units (townhouses, fourplexes, etc.).
- 2.2.3 The population and housing mix described above have been used as inputs into the Community Plan in determining the size of the new areas designated for residential development, and in determining the number and size of new medium density residential designations. The urban area designated by the Community Plan is sufficient to accommodate the projected growth to the year *(2016. – under appeal)*

2.3 Long-Term Concept

- 2.3.1 It is recognized that the Nobleton Community will continue to grow and evolve beyond the (2016 - *under appeal*) planning horizon provided for in this Plan. Such growth will be the subject of future Community Plans or Community Plan Amendments.
- 2.3.2 Although this Plan only has a (20-year – *under appeal*) time horizon, it attempts to provide sufficient flexibility by taking a long-term view such that future growth and development does not occur in an *ad hoc* or unplanned way.
- 2.3.3 As a result of the population projected for Nobleton over the planning horizon and the policies which have been proposed with respect to housing mix and density, only a portion of the Nobleton Community Plan Area has been designated for urban development in this Plan. While the lands outside the designated Urban Area boundary are intended to remain in agricultural and rural uses over the period of the Plan, their future development should not be precluded or made problematic by development and servicing decisions which are made within the Urban Area boundary designated by this Plan.
- 2.3.4 To this end, this Community Plan contains policies which require that services such as stormwater management facilities take into account the possible future development of upstream lands beyond the timeframe of this Plan. As well, it contains policies regarding the provision of road and full municipal service connections to possible future development areas in order that, over the long term, an integrated community with a continuous street pattern and efficient servicing scheme may evolve. Following from the foregoing, the Plan also contains policies which attempt to ensure that opportunities for a possible future north-south by-pass road to the west of the existing built-up area are not precluded.
- 2.3.5 The Urban Area Boundaries have been carefully chosen to contain all future growth of the community over the planning period and provide sufficient flexibility to accommodate a variety of land uses.

2.3.6 In accordance with the provisions of the Planning Act, the need for revisions to an Official Plan shall be reviewed not less frequently than every five years. The Community Plan shall be reviewed within 5 years from the date of the approval to review the principles and policies of the Plan to determine consistency with the current growth management and community building policies of the Regional Official Plan and the policies of the Township of King Official Plan. The 5 year review shall consider, but not necessarily be limited to, the following:

- Housing mix, type and form
- Density that provides for a range of housing mix, type and form
- Built form that prioritizes attractive design, and pedestrian access and safety
- Provision for sufficient employment land
- Servicing, both water and sewer capacity and a determination through monitoring if additional capacity is available to provide for a more intensive form of development on the remaining undeveloped lands within the “Urban Area” boundary of the Community Plan

SECTION THREE

LAND USE POLICIES

3.1 General Policies

The land use designations applying to the Nobleton Community are shown on Schedule AA@.

There are twelve designations provided for in the Community Plan, as follows:

- Residential
- Village Core
- Commercial
- Highway Service Commercial
- Business Area
- Institutional
- Parks
- Natural Heritage
- Wetland
- Rural Area
- Agricultural Area
- Deferred Residential

Policies for each of these designations are set out in Sections 3.2 to 3.13.

Certain properties or areas within the Nobleton Community are also subject to Special Site policies. These properties or areas are shown on Schedule AB@ and the specific policies for each property or area are set out in Section 3.14.

The following uses are permitted in all land use designations, except the Wetland and Natural Heritage designations:

- accessory buildings, structures, and facilities
- public utility and transportation uses (e.g. water tower, pumping stations)
- storm water management facilities
- interim uses (in accordance with Policy 5.12)

Public utility and transportation uses and storm water management facilities may be permitted in the Natural Heritage designation only if the provisions of Policies 3.9.5 and 3.9.6 are satisfied.

The urban area boundary shown on Schedule AA[®] comprises all lands within the Residential, Village Core, Commercial, Highway Service Commercial, Business Area, Institutional, Parks, and Deferred Residential designations, as well as associated lands designated Natural Heritage and Wetland.

3.2 *Residential Policies*

3.2.1 Definition

The Residential designation applies to existing and proposed areas which are predominantly residential in character, and includes land uses which are normally associated with residential areas such as schools and parks, and may also include small-scale commercial uses.

3.2.2 Permitted Uses

The main uses permitted in the Residential designation are:

- single and semi detached dwellings

- home occupations (in accordance with Policy 3.2.6)

Other uses which may be permitted within the Residential designation include:

- medium density residential uses (in accordance with Policy 3.2.5)
- small-scale commercial uses (in accordance with Policy 3.4.4)
- public and private schools (in accordance with Policy 3.7.3)
- churches and cemeteries (in accordance with Policy 3.7.4)
- libraries and other similar small-scale institutional uses (in accordance with Policy 3.7.6)
- parks and parkettes (in accordance with Section 3.8)
- open space (in accordance with Section 3.9)

These other uses will be subject to a rezoning and will be placed in a separate category in the Zoning By-law.

3.2.3 Existing Residential Areas

It is intended that existing residential areas within the Residential designation will retain their existing character and that no changes will be made to such areas which are not compatible with the existing character.

It is recognized that the existing residential neighbourhoods in Nobleton each have a distinctive character, resulting in part from the timing of their development, and reflected in their lot sizes, housing types and sizes, road design, and so on.

In order to retain the character of these areas, the Zoning By-law will establish minimum lot frontages and lot areas which recognize the predominant existing lot sizes in each of the areas. The predominant existing lot sizes are intended to serve as the basis for the Zoning By-law in this regard. It is recognized that, with the introduction of full municipal sewer and water services to Nobleton, it will become physically possible to divide existing lots into

smaller lots and/or to increase the size of existing houses on their lots. Such redevelopment will be permitted provided that the scale of new development is compatible with the character of the existing residential areas.

The creation of new lots in existing residential areas will be governed by the Zoning By-law provisions and the severance policies set out in Policy 5.4.1.

Additions to existing houses and the development of new houses on new or existing lots will be governed by the Zoning By-law. In this respect, it is intended that the Zoning By-law will include requirements regarding heights and setbacks in order to ensure that new development is compatible with the character of existing residential areas.

3.2.4 New Residential Areas

With the exception of subdivision plans which have been registered or draft approved at the time of adoption of this Community Plan, the development of new residential areas will require that the extension of full municipal sewer and water services is available or will be made available in order to service such development.

It is intended that new residential development occur in a manner which maintains the existing small town character of Nobleton and, at the same time, allows for an increased range of housing choices.

In accordance with the foregoing, the permitted gross residential density in new residential areas will generally be approximately 5 units per hectare (2 units per acre) except where noted below, where densities up to 12 units per hectare (5 units per acre) are permitted subject to the noted criteria.

Lower densities may be required in the case of new residential development proposed within existing wooded areas, in order to maximize the retention of trees within larger lots.

Gross residential density is to be calculated by dividing the total number of residential units by the total developable residential area i.e. including residential lots, local roads, parks, schools, and small-scale institutional and commercial uses. Lands to be developed for Medium Density Residential purposes in accordance with Policy 3.2.5 will also be excluded from this calculation of density. Density is intended to be calculated over a reasonably large development area, typically on a subdivision or block plan basis.

Notwithstanding the foregoing, the permitted gross residential density may be increased to a maximum of 12 units per hectare (5 units per acre), subject to the following considerations:

- The achievement of a reasonable transition in lot sizes adjacent to existing residential areas
- The provision of a mix of lot sizes and housing types
- The introduction of a high quality of urban design, having regard to park design, landscaping, and roadway features
- The implementation of an architectural control program in conjunction with the Township
- The provision of public benefits (including, but not limited to, frontend funding of servicing infrastructure, parks improvements, development of public trail systems with opportunities for public access to valleyland, open space, or arterial road streetscape improvements).

The design of new residential areas will be governed by the Urban Design policies set out in Policy 4.2.3.

3.2.5 Medium Density Residential

It is intended that a small number of sites dispersed throughout the Nobleton Community will be developed for well-designed medium density residential projects which will provide wider housing choices, particularly targeted toward young people or senior citizens.

The development of new medium density residential uses will require that the extension of full municipal sewer and water services is available or will be made available in order to service such development.

Three Medium Density Residential symbols have been indicated on Schedule AA@ identifying general locations for medium density residential development. The locations shown are all in proximity to Highway 27 or King Road, ie.

- on the east side of Highway 27, north of the Nobleton Senior Public School
- on the north side of King Road, in the vicinity of the existing Nobleton Truck Wreckers property
- northwest of the Village Core, in the vicinity of the existing seniors' residence.

These two latter sites are also subject to Special Site Policies Nos. 1 and 2, respectively.

Medium Density Residential symbols are intended to be conceptual. Precise locations and the total number and type of units at each location will be determined through the block plan, subdivision plan and/or rezoning processes.

The uses permitted pursuant to the Medium Density Residential symbol include various forms of low-rise development with a height not to exceed three storeys and a maximum density of approximately 30 units per hectare (approximately equivalent to 12 units per acre). Such forms would include townhouses, maisonettes, fourplexes, and low-rise apartments. In order to ensure that such developments will fit into the character of surrounding residential neighbourhoods, a high quality of building design will be encouraged and the size of individual developments will be limited to approximately 25-40 units at each location.

3.2.6 Home Occupations

Recognizing the opportunities offered by new communications technology and the benefits in terms of reduced commuting, home occupations will generally be encouraged within the Residential designation. Home occupations will be subject to appropriate restrictions in the Zoning By-law to ensure that they are clearly secondary to the residential use, that the residential appearance of the property is maintained, and that the home occupation use does not generate significant traffic volumes.

3.3 *Village Core Policies*

3.3.1 Definition

The Village Core designation applies to the historic four corners intersection of Highway 27 and King Road, as well as to existing areas of mixed commercial and residential uses extending outward in strips along both Highway 27 and King Road.

3.3.2 Permitted Uses

The uses permitted in the Village Core designation include a wide range and mix of commercial and residential uses as follows:

- small-scale retail stores
- personal service shops
- banks and financial institutions
- restaurants
- business, professional and medical offices
- private clubs and institutions
- small inns and bed & breakfast establishments
- custom workshops and studios
- commercial schools

- residential apartments above ground floor commercial uses
- single detached dwellings
- institutional uses
- parks and parkettes

It is intended that the Zoning By-law will recognize existing residential uses within the Village Core designation. The conversion of existing residences to commercial uses or the redevelopment of residential properties for commercial purposes will require a rezoning.

On individual properties, the Zoning By-law may allow some or all of the above-noted commercial uses, alone or in combination with residential uses. Restrictions on the range of commercial uses or on the maximum size of individual uses may be imposed where appropriate, for example, in order to reduce parking requirements or to ensure that the commercial use maintains the small town character of the Village Core.

While existing automotive uses such as gas stations may be recognized in the Zoning By-law, such uses should be encouraged to relocate out of the Village Core into the Commercial designations further north and south along Highway 27. New automotive uses and drive thru establishments within the Village Core will be discouraged.

3.3.3 Boundaries

The boundaries of the Village Core are intended to ensure that the area develops as a compact identifiable focus for the Nobleton Community, while allowing limited opportunities for commercial expansion and infilling. The resulting boundaries as shown on Schedule AA[@] extend to Wilsen Street on the north, Wellington Street on the west, Ellis Avenue on the south, and one lot east of Lynwood Crescent on the east (north side of King Road only).

Any proposal to expand the Village Core beyond these boundaries will require an amendment to this Community Plan and will be evaluated in relation to the objective of creating a compact core area, having regard to the particular nature of the use proposed and the existing nature of the uses within the Village Core designation at the time of the proposal.

3.3.4 Redevelopment and Re-use Policies

The redevelopment and re-use of existing residential properties for commercial purposes is encouraged, as is the upgrading and improvement of existing commercial properties.

With the introduction of full municipal sewer and water services to Nobleton, it will become possible to improve and/or redevelop existing small properties within the Village Core which otherwise would have limited development potential.

Any new development within the Village Core should seek to improve the overall physical appearance and pedestrian amenities within the area, in order to contribute to the small town character. In particular, as redevelopment and expansion occurs on the properties fronting on King

Road east of the four corners, the number of existing driveways and access points should be consolidated and reduced, parking areas should be consolidated and relocated where feasible to the side or rear of buildings, and the street edge should be defined with appropriate landscaping and pedestrian sidewalks. New buildings should be low-rise, with a maximum height of three storeys.

In accordance with the foregoing, urban design policies as set out in Policy 4.2.2 will apply to new development and redevelopment in the Village Core.

New development and re-use of existing buildings should have regard to the existing heritage features contained within the Village Core designation, in accordance with Section 4.5.

The existing park at the northeast corner of King Road and Highway 27 (Cherry Park) should be improved to take advantage of its strategic location at the four corners opposite Hambly House. Consideration will be given to including features within the park commemorating Nobleton=s heritage.

In order to support existing businesses and to slow the movement of traffic, the Township will support improvements to Highway 27 and King Road, such as the provision of on-street parking or the introduction of bicycle lanes. In consultation with senior levels of government, the Township will also support streetscape and pedestrian improvements within the road allowance, including the burying of overhead wiring, the improvement of lighting, and the provision of street furniture.

3.4 *Commercial Policies*

3.4.1 Definition

The Commercial designation applies to existing and future commercial areas outside of the Village Core, located on the Highway 27 frontage, both at the north and south ends of the community. Small-scale commercial uses may also be permitted within the Residential designation in accordance with Policy 3.4.4, subject to a rezoning.

3.4.2 Permitted Uses

The main uses permitted in the Commercial designation are a wide range of commercial uses, including:

- retail stores
- personal service shops
- banks and financial institutions

- restaurants
- business, professional and medical offices
- private clubs and institutions
- custom workshops and studios
- commercial schools
- automobile service stations and gas bars

Other uses which may be permitted within the Commercial designation include:

- residential apartments above ground floor commercial uses
- other forms of residential uses in mixed use commercial-residential developments
- institutional uses
- parks and parkettes

These other uses will be subject to a rezoning.

The Zoning By-law may allow some or all of the above-noted commercial uses on individual properties. Restrictions on the range of commercial uses may be imposed where appropriate.

3.4.3 Development and Redevelopment Policies

In the development of new commercial properties or the redevelopment of existing commercial properties, a high standard of urban design will be encouraged, in accordance with Policy 4.2.6.

A low-rise building form will be encouraged, with a maximum height of three storeys.

3.4.4 Commercial Uses in Other Designations

Small-scale commercial uses may be permitted, subject to a rezoning, in the Residential designation in accordance with the following policies.

The conversion of existing houses for business, professional or medical office purposes may be permitted on properties designated Residential fronting or flanking on Highway 27 or King Road, provided that the converted houses maintain their residential appearance and that adequate off-street parking is provided.

Small retail stores and personal service shops may be developed within new residential areas, provided that the location and size of such uses are identified through the block plan and/or subdivision plan processes and that appropriate restrictions on the range of permitted uses, the size of individual units and the overall size of any such commercial development are established in the Zoning By-law. In general, it is intended that the floor area contained in such developments will not exceed 500 square metres (approximately equivalent to 5,380 square feet).

3.5 *Highway Service Commercial Policies*

3.5.1 Definition

The Highway Service Commercial designation applies to a number of properties located along the south side of King Road at the easterly approach to the Nobleton Community.

3.5.2 Permitted Uses

The uses permitted in the Highway Service Commercial designation include a limited range of automobile-oriented and commercial uses as follows:

- automobile service stations and gas bars
- automobile sales and service establishments
- farm implement sales and supply establishments
- custom workshops and studios
- service shops
- business and professional offices

3.5.3 Development and Redevelopment Policies

It is intended that the physical appearance of properties within the Highway Service Commercial designation be improved as a condition of development and redevelopment, recognizing the prominent location at the easterly entrance to the Community. A high standard of urban design will be encouraged, in accordance with Policy 4.2.6.

3.6 *Business Area Policies*

3.6.1 Definition

The Business Area designation has been applied to currently undeveloped lands fronting on the east side of Highway 27 at the south limit of the existing Nobleton Community and is intended to accommodate anticipated demand for employment uses generated within the Community.

3.6.2 Permitted Uses

The main uses permitted in the Business Area designation are as follows:

- light manufacturing uses within enclosed buildings
- warehousing and storage uses
- custom workshops and studios
- service shops
- business and professional offices
- sales outlets associated with manufacturing or warehousing uses (in accordance with Policy 3.6.3)

Other uses which may be permitted within the Business Area designation include:

- automobile service stations and gas bars (in accordance with Policy 3.6.4).

These uses will be subject to a rezoning and will be placed in a separate category in the Zoning By-law.

3.6.3 Sales Outlets

It is intended that sales outlets will be clearly secondary to the main manufacturing or warehousing uses. Accordingly, the Zoning By-law will contain restrictions with respect to the amount of floor area which may be used for such purposes.

3.6.4 Automotive Uses

Automobile service stations and gas bars will be permitted only along the Highway 27 frontage and will be placed in a separate category in the Zoning By-law. Given the location on the southerly entrance to the Community, a high standard of building design and landscaping will be required for such uses.

3.7 Institutional Policies

3.7.1 Definition

The Institutional designation has been applied to existing institutional uses within the Nobleton Community which occupy large sites (e.g. schools, Nobleton Arena complex). Other institutional uses are not designated on Schedule AA[®] but are permitted within other land use designations (e.g. Residential, Village Core, Commercial).

3.7.2 Permitted Uses

The uses permitted in the Institutional designation are:

- public and private schools
- churches and cemeteries
- libraries
- recreation centres and arenas
- health and social service facilities
- emergency service facilities (e.g. fire hall, police station)
- daycare facilities
- parks and open space.

It is intended that institutional uses will be placed in a separate category in the Zoning By-law and the establishment of new institutional uses will require a rezoning. The Zoning By-law may permit one or more of the above-noted institutional uses on any individual site.

Notwithstanding the foregoing, future school sites or sites for other future institutional uses may be zoned to permit both the intended institutional use(s) as well as other uses permitted by the applicable land use designation.

3.7.3 Schools

The three existing school sites in the Nobleton Community are shown on Schedule AA@. The identification of existing school sites as junior elementary, senior elementary, and separate elementary is for information purposes only. If, in the future, reorganization of school grades or jurisdictions were to take place, no Official Plan Amendment would be required to reflect such changes.

The York Region Board of Education has indicated that a new elementary school site will likely be required to serve new residential development contemplated by the Community Plan. No location is shown for this new school site as schools are a permitted use throughout the Residential designation.

The location for the new school site will be determined in consultation with the school board through the block plan and subdivision plan processes. It is intended that the site be located in proximity to parks and/or open space in order that it can form part of the open space system as described in Policy 3.9.4.

School sites should be located within residential neighbourhoods within convenient walking distance of existing and future residential areas. Preferably, the site will be located with frontage on a continuous through street. A site area of approximately 2 hectares (5 acres) will be required, although the precise size will be determined at the block plan or subdivision plan stage.

3.7.4 Churches

Churches may be permitted by rezoning in the Residential, Village Core, and Commercial designations. Generally, it is intended that new church sites be established on King Road or Highway 27, however, church sites may be permitted within the interior portions of new

residential areas, provided that they are of a scale which is appropriate to the surrounding residential development and that their locations are established through the block plan and subdivision plan processes.

3.7.5 Recreation Centres

Existing recreational facilities serving the Nobleton Community are located in the southeast quadrant. These facilities may be expanded or new facilities may be established in this location, in accordance with the requirements of the Zoning By-law.

In addition to this existing location, future recreational facilities may be located in the vicinity of the Nobleton Senior Public School and the adjacent valleylands and proposed parkland, in order to serve the north end of the Community.

3.7.6 Other Institutional Uses

Other institutional uses, such as libraries, fire halls and police stations, may be permitted by rezoning in the Residential, Village Core, and Commercial designations. Generally, it is intended that new sites for such institutional uses be established on King Road or Highway 27, however, such uses may be permitted within the interior portions of new residential developments, provided that they are compatible with the surrounding residential development and that their locations are established through the block plan and subdivision plan processes.

3.7.7 Use of Surplus Institutional Sites

If some or all of an existing institutional site becomes surplus in the future, the site (or a portion of the site) may be used for alternative purposes without the necessity of an Official Plan Amendment, provided that:

- in the case of institutional sites designated Residential, Village Core, and Commercial, the proposed use is permitted by the applicable land use designation; or
- in the case of sites designated Institutional, the proposed use is permitted either by the Institutional designation or by the adjacent land use designation.

3.8 *Parks Policies*

3.8.1 Definition

The Park designation has been applied to existing parks or lands which have been dedicated for parks purposes. Possible future park sites have been shown with symbols on Schedule AA@. Smaller parks (e.g. Cherry Park) are not shown on Schedule AA@, but are permitted within other land use designations (e.g. Residential, Village Core, Commercial).

3.8.2 Permitted Uses

The main uses permitted in the Park designation are:

- active and passive open space
- walking and biking trails
- conservation uses.

Other uses which may be permitted within the Park designation include:

- recreation centres and arenas
- health and social services facilities
- emergency service facilities (e.g. fire hall, police station)
- daycare facilities.

These other uses will be subject to a rezoning.

3.8.3 Development Policies

It is intended that sufficient park and open space opportunities be provided within the Nobleton Community in convenient locations to meet the needs of the residents. Park locations will form part of a continuous open space network, as described in Section 3.9.4.

Conceptual locations for new park sites are shown on Schedule AA[®] in all new residential development areas. It is intended that specific locations and sizes will be determined through the block plan and subdivision plan processes. As parks are permitted throughout the Residential designation, no Official Plan Amendment is required to relocate, add or delete new park sites.

The establishment of individual parks and parkettes may be for specific purposes (e.g. recreational, aesthetic, environmental) or for a combination of purposes, as determined through the block plan and subdivision plan processes. Tableland woodlots which are to be preserved through public ownership, or will be acquired through measures such as density transfers. Public-owned woodlots are intended to remain in a natural state for passive recreational use.

3.8.4 Trails

An Open Space Master Plan shall be developed through the Block Plan process and implemented through draft plans of subdivision or site plans, which recommends a continuous open space network of parkland open spaces and recreational linkages to serve the community, provide for continuous movement beyond the block plan area, and have regard to the protection and integration with significant natural features and proposed facilities.

Wherever environmentally feasible, trails will be encouraged in locations which link and provide access within or adjacent to natural features, where it can be demonstrated that public access will not have a negative impact on the natural features and their functions.

Trails shall be used for passive recreation, including walking, and shall not be designed or intended for use by motorized vehicles. Cycling, cross country skiing and similar more intense recreational activities may be permitted and encouraged in certain trail locations but restricted from other more sensitive areas where there is concern for the impact on the environment due to vegetative damage, erosion, or habitat disturbance.

Trails shall be located, designed, and maintained in a manner which retains topographic features, minimizes risk of erosion or other ecological damage, and utilizes natural materials rather than impervious materials (except where road surface or sidewalks form trail components).

Wherever possible, trails shall be brought into public ownership and designated as public open space. In some areas, trails may utilize public road allowances, utility rights of way, or easements over private land, including areas designated private open space. Nothing in this Plan shall imply that any trail shown on private land is open to public use until it is acquired, or alternative legal arrangement is made for public access.

Where appropriate, arterial and collector roads shall incorporate opportunities for bicycle lanes.

3.9 *Natural Heritage Policies*

(Site specific appeal, west part of Lot 10, Concession 8, OMB Decision/Order 0067, January 13, 2005)

3.9.1 Definition

The Natural Heritage designation has been applied to all valleylands, Environmentally Significant

Areas, and wooded areas, whether in public or private ownership, Wetlands have been placed in a separate Wetland designation.

3.9.2 Permitted Uses

The main uses permitted in the Natural Heritage designation are:

- passive open space
- walking and biking trails
- conservation uses
- flood and drainage control facilities.

Other uses which may be permitted within the Natural Heritage designation include:

- existing agricultural uses
- existing detached dwellings
- existing home occupations
- existing buildings, structures and facilities
- public utility and transportation uses e.g. water tower, pumping stations (subject to Policy 3.9.5)
- storm water management facilities (subject to Policy 3.9.6)
- outdoor recreation uses (subject to Policy 3.9.7).

Existing uses will be recognized in the Zoning By-law, where appropriate. The establishment of new outdoor recreation uses will require a rezoning.

3.9.3 Boundaries

The boundaries of the Natural Heritage designation shown on Schedule AA^o have been based on existing and proposed fill line mapping prepared by the Metropolitan Toronto and Region Conservation Authority. These boundaries shall be regarded as approximate and may be adjusted without the necessity of an Official Plan Amendment.

The precise boundaries of the Natural Heritage designation will be determined in accordance with Policy 4.1.1.1, generally as part of the block plan and subdivision plan processes.

3.9.4 Development Policies

Lands designated Natural Heritage contain a variety of environmental features, including valleylands, Environmentally Significant Areas (ESA=s) and wooded areas. Accordingly, the use of lands within the Natural Heritage designation will be subject to the Natural Environment policies contained in Section 4.1.

In new development areas, it is intended that lands designated Natural Heritage will be acquired by the Township or another public agency at no or minimal cost, as development occurs on adjacent lands. Alternative arrangements, such as public access easements, may also be considered where appropriate, in order to allow for the establishment of a continuous trail system. Lands within valleylands which are not developable will not be considered as part of the required parkland dedication.

Where lands designated Natural Heritage remain in private ownership, it is not intended that they will necessarily be acquired by a public agency. The Natural Heritage designation does not imply that such lands are open and accessible to the public.

As detailed in Section 3.8.4, the establishment of a continuous open space network through the community is strongly encouraged, with pedestrian and bicycle trails linking existing and proposed parks with natural features, and major destinations such as schools, churches and the village core.

3.9.5 Public Utility and Transportation Uses

Public utility and transportation uses may be permitted within the Natural Heritage designation provided:

- transportation corridors and above-ground utility corridors may cross valleylands, however, they should not be routed within valleylands
- underground utility corridors will be encouraged to locate outside of valleylands wherever possible, however, they may cross valleylands or be located within valleylands
- they are carefully sited and designed to prevent risk associated with flooding, erosion or slope instability, to protect and rehabilitate existing landforms, features, and functions, and to provide for aquatic, terrestrial, and human access.

3.9.6 Storm Water Management Facilities

Storm water management facilities may be permitted within the Natural Heritage designation provided:

- a comprehensive analysis has demonstrated that alternative servicing techniques have been incorporated to the extent possible
- water quality improvement will offset negative impacts related to public safety and other ecological and environmental quality concerns
- the location results in the greatest net public benefit, considering public safety, social,
- economic, recreational and other ecological and environmental quality concerns
- wherever feasible, they will not be located within the meander belt, the 100 year erosion limit, or the 100 year flood plain.

3.9.7 Outdoor Recreation Uses

Outdoor recreation uses, such as golf courses, shall only be permitted within the Natural Heritage designation through a rezoning, where such uses are determined to be compatible with adjacent uses and with the natural landform, features, and functions, and provided that:

- a) it has been demonstrated that there is a need and demand for the use in the location
- b) the ability to provide an adequate water supply for consumption and irrigation purposes
- c) existing topography is retained
- d) existing features and functions are protected or improved
- e) maintenance of ground and surface water resources
- f) unacceptable risks to loss of life or property damage do not occur as a result of flooding, erosion, or slope instability
- g) the need for mitigative or remedial measures and management strategies is minimized or avoided.

In order to address the development objectives set out in Policy 3.9.7.b, the Township will, in consultation with relevant public agencies, require the preparation of supporting technical reports as set out in Section 5.2 in accordance with the Block Plan process requirements and demonstrate that there will be no negative impact on the natural heritage system or on adjacent land uses.

Golf courses shall constitute a development[®] and be subject to site plan control. The Township will require proponents to include the entire golf course proposal in any application for site plan approval for the clubhouse and associated facilities. The purpose of the site plan application is to enable the necessary plans and agreements to be approved with respect to tree preservation, buffering, well monitoring, and other matters.

3.10 Wetland Policies

(Site specific appeal for west part of Lot 10, Concession 8, OMB Order 0067, January 13, 2005).

3.10.1 Definition

The Wetland designation applies to four identified wetland areas within the Community Plan area.

3.10.2 Permitted Uses

Within the Wetland designation, no development or land disturbance will be permitted.

Development shall only be permitted within 120 metres of the identified Wetland only if it does not result in any of the following:

- loss of wetland function
- create subsequent demand for future development that will negatively affect existing wetland functions
- conflict with existing site specific wetland management practices, or loss of contiguous wetland area

3.10.3 Boundaries

The boundaries of the Wetland designations shown on Schedule AA[®] shall be regarded as approximate and may be adjusted without the necessity of an Official Plan Amendment. Adjustments to the boundaries of the Wetland designation will be determined through an environmental analysis in consultation with the Township and relevant public agencies.

3.11 Rural Area Policies

3.11.1 Definition

The Rural Area designation applies to lands outside of the urban area boundary where the soils are not considered to be of prime importance for agriculture and the use of land has traditionally been agriculture, hobby farms, residential uses on large lots, recreation, conservation and resource related uses. Generally, development shall be limited in the Rural Policy Area in order to retain its rural character.

3.11.2 Permitted Uses

The main uses permitted in the Rural Area designation are:

- farming, including general, mixed, specialty, cash crop, and silviculture or agricultural uses
- detached dwellings for the owner or manager plus additional detached dwellings for full-time farm help (subject to Policy 3.11.3)
- detached dwellings on existing lots
- home occupations and home industries
- forestry, wildlife and fisheries management uses
- watershed management and flood and erosion control projects
- public parks
- wayside pits

Other uses which may be permitted within the Rural Area designation include:

- detached dwellings on new lots created in accordance with Policy 5.4.2
- small-scale commercial, industrial, and institutional uses (in accordance with Policy 3.11.4)
- outdoor recreation uses, such as campgrounds, country clubs, and trail uses (subject to

Policy 3.11.5)

These other uses will be subject to a rezoning.

3.11.3 Accessory Farm Dwellings

Additional dwelling units may be permitted on a farm where the nature of the farm operation requires farm families or employees to be accommodated on the farm, subject to the following:

- the number of additional units permitted on a property will reflect the size and intensity of the farm use
- additional dwellings will be located in proximity to the existing farm buildings, utilizing the same road access as the principal residence
- mobile homes may be permitted as a temporary use in accordance with Policy 5.6.

3.11.4 Small-Scale Commercial, Industrial and Institutional Uses

“Small scale commercial, industrial, and institutional uses shall generally be directed to urban areas. Limited commercial, industrial, and institutional uses shall only be permitted in the Rural Area subject to a rezoning and satisfying the following:

- there is a need and demand for the proposed use at the proposed location
- why the location of the proposed use is required and appropriate
- the proposed use does not negatively impact on the agricultural land base and farming activities

- the proposed use can be accommodated with minimal modifications to the natural landscape and does not negatively impact on natural heritage features, function, attributes and linkages, and hydrologic or hydrogeologic functions
- the proposed use cannot be accommodated in the serviced area
- the proposed use is compatible with surrounding uses
- the ability to provide an adequate potable water supply and sewage disposal system

Small-scale commercial, industrial, and institutional uses will be designed to maintain the historical rural character of the Township. Building design, landscaping, lighting, parking areas, and signs are to be integrated into the rural environment.

Small-scale uses will be defined as uses which generate less than 4,500 litres of sewage effluent daily. Uses which generate larger volumes of sewage, or which generate non-domestic effluent, will not be permitted. New developments should not result in traffic, noise, odour or dust which would change the rural character.

Temporary uses within existing agricultural buildings may be permitted in accordance with Policy 5.6.

3.11.5 Outdoor Recreational Uses

Outdoor recreation uses may be permitted within the Rural Area designation through a rezoning, subject to the requirements as set out in Section 3.9.7 and the following:

- there is a need and demand for the proposed use at the proposed location
- why the location of the proposed use is required and appropriate
- the proposed use does not negatively impact on the agricultural land base and farming activities
- the proposed use can be accommodated with minimal modifications to the natural

landscape and does not negatively impact on natural heritage features, functions, attributes and linkages, and hydrologic or hydrogeologic functions

- the proposed use cannot be accommodated in the serviced area
- the proposed use is compatible with surrounding uses
- the ability to provide an adequate potable water supply and sewage disposal system which does not negatively impact on the neighbouring properties and wells
- significant modifications to the natural landscape will be minimized
- existing trees and wooded areas will be preserved where feasible
- the impacts of water-taking for irrigation and potable water supply will be studied and determined to be acceptable by the Township, in consultation with relevant agencies
- where such uses are located adjacent to valley or stream corridors, appropriate setbacks, buffering and storm water management measures may be required.

3.11.6 Minimum Distance Separation Formulae

The establishment of all development within the Rural designation will comply with the Minimum Distance Separation Formulae as amended from time to time.

3.12 Agricultural Area Policies

3.12.1 Definition

The Agricultural Area designation applies to lands outside of the urban area boundary where Class 1 to 4 soils generally predominate and where the size of individual parcels is generally 10 hectares (25 acres) or larger, and to additional areas where farms exhibit characteristics of ongoing agricultural operations.

3.12.2 Permitted Uses

The main uses permitted in the Agricultural Area designation are:

- farming, including general, mixed, specialty, cash crop, and livestock facilities
- a single detached dwelling for the owner or manager plus additional detached dwelling(s) for full-time farm help (subject to Policy 3.12.3)
- a single detached dwelling on existing lots
- home occupations and small-scale home industries accessory to agriculture and other rural land uses
- forestry, wildlife and fisheries management uses
- watershed management and flood and erosion control projects
- wayside pits, subject to the Aggregate Resources Act

Other uses which may be permitted within the Agricultural Area designation include:

- detached dwellings on new lots created in accordance with Policy 5.4.2
- small-scale commercial and industrial uses (in accordance with Policy 3.12.4).

These other uses will be subject to a rezoning.

3.12.3 Accessory Farm Dwellings

The provisions of Policy 3.11.3 will apply to accessory farm dwellings.

3.12.4 Small-Scale Commercial and Industrial Uses

Farm-related uses servicing agriculture and the rural community that are required in close proximity to the farming operation, may be permitted within the Agricultural Area designation where they are deemed essential to the agriculture economy and cannot be located elsewhere in the Rural Policy Area or within the Urban Area boundary. Such uses

will be subject to a rezoning and shall satisfy the requirements set out in Section 3.11.4. Farm produce stands will be permitted in conjunction with on-going agricultural operations, provided that they do not adversely impact on traffic and the nature of the operation reflects the size and the products of the associated agricultural operation. Kennels will require additional setbacks from existing and planned residential uses, which will be implemented through site-specific zoning based on the intensity of the use.

A development proposal for a non-farm land use in the Agriculture Policy Area will require a rezoning and will be evaluated in accordance with the following criteria:

- whether the proposal will reduce or impede surrounding farm operations
- the necessity for the proposed land use
- the suitability of the site chosen, the reasons for its choice, and the amount of land needed
- whether suitable alternative locations on lower-capability agricultural land or in hamlets, towns, villages, or urban areas have been considered

That infilling of non-farm development in the Agricultural Policy Area will not be permitted.

Temporary uses within existing agricultural buildings may be permitted in accordance with Policy 5.6.

3.12.5 Minimum Distance Separation Formulae

The establishment of all development within the Agricultural designation will comply with the Minimum Distance Separation Formulae as amended from time to time.

3.13 Deferred Residential

3.13.1 Definition

(The Deferred Residential designation applies to lands which have been determined to be suitable for residential uses and for inclusion within the urban boundary from a land use perspective. However, based on the 20-year timeframe of this Plan and the expected 2016 population of 6,000 - 6,500, there is not sufficient need identified to justify a Residential designation for these lands at this time.

Based on an expected 2021 population of approximately 7,100, there would be sufficient need to justify a Residential designation in a future updated version of this Plan using a horizon year of 2021 or later. – under appeal)

3.13.2 Policies

Lands designated Deferred Residential may be redesignated to Residential by an amendment to this Community Plan provided that the Township, in consultation with the Region, determines that there is sufficient need to justify a Residential designation of the lands based on the selected timeframe.

Until the lands are redesignated to Residential, the uses permitted in the Deferred Residential designation are as set out in Section 3.12.2 (Agricultural Area).

3.14 Special Site Policies

3.14.1 Nobleton Truck Wreckers Site

Lands shown as Special Site Policy Area 1 on Schedule AB[®] are designated Residential, with a Medium Density Residential symbol in the vicinity of the lands. These lands are currently being used as a salvage operation.

The relocation of this use to an alternative location is strongly encouraged in order to permit the integration of the site into the surrounding residential neighbourhood.

The redevelopment of the site for residential purposes must address the requirements of the Ministry of Environment and Energy with respect to the re-use of potentially contaminated sites. In particular, prior to the approval of any residential development, an analysis should be undertaken by the applicant to determine the extent of any soil contamination on the lands and, if necessary, to recommend measures to restore the site as necessary to permit the proposed development to proceed.

Approval of residential development, through approval of a plan of subdivision and/or a rezoning, will only be given once it has been determined that the site can feasibly be restored to an acceptable state in order to permit residential development to safely proceed. Holding by-laws may be used in accordance with Policy 5.5, which would permit the lifting of the Holding symbol once the restoration of the site to an acceptable state has been verified.

Until the existing salvage operation has terminated, residential development on lands adjacent to the Nobleton Truck Wreckers property may only be permitted if it can be demonstrated that there will be no unacceptable adverse effects from the salvage operation on the proposed residential uses.

3.14.2 Wilsen Street

Lands shown as Special Site Policy Area 2 on Schedule AB[®] are designated Residential, with a Medium Density Residential symbol. The lands are shown in a conceptual manner in the vicinity of the existing seniors= residence, and could potentially include unused lands associated with both the seniors= residence and the Nobleton Community Cemetery as well as large lots on the south side of Wilsen Street.

The Medium Density Residential symbol in the vicinity of the existing seniors= residence is intended to permit approximately 25-40 additional medium density residential units in the area, notwithstanding that the total number of units including the existing seniors= residence will exceed the 25-40 unit range specified in Policy 3.2.5. Owing to its proximity to the Village Core, this area is ideally suited for medium density housing forms intended for seniors.

3.14.3 Nobleton Plaza and Adjacent Lands

Lands shown as Special Site Policy Area 3 on Schedule AB[®] are designated Commercial. These lands comprise the existing Nobleton Plaza and a vacant site immediately to the north.

On the vacant site, the Township may restrict the range of permitted commercial uses in the Zoning By-law in order to minimize any potential incompatibility with the adjacent Nobleton Senior Public School, for example, by restricting places of amusement, auto service and repair stations, and convenience stores. The Township may also require specific site design measures through Site Plan Approval in order to address any such concerns.

In the development of the vacant site or the redevelopment of the existing Nobleton Plaza site, access to Highway 27 should be coordinated in order to minimize the number of driveways, and traffic circulation within the existing site should be improved. A high standard of landscaping and signage along the Highway 27 frontage will be encouraged.

3.14.4 Lands on South Side of King Road

Lands shown as Special Site Policy Area 4 on Schedule AB[®] are designated Residential. These lands comprise approximately 15-20 lots, most having substantial lot depths having potential for back-lotting. The rear portion of these lands could potentially be developed for lots compatible in size with those existing to the east, possibly served by a westerly extension of Ellis Avenue.

In the event of future applications for such back-lotting development, the Township will require the preparation of a comprehensive development plan for the area as a condition of development approval, which will address the appropriate provision of road access and integration of the affected residential properties.

3.14.5 Lands in Lot 4, Concession 8

Lands shown as Special Site Policy 5 on Schedule AB² are designated Business Area. They comprise the northerly and easterly portions of the Business Area designation.

In recognition of the Residential designation to the north and the Deferred Residential designation to the east, it is intended that the Zoning by-law and site plan approvals will include measures to ensure that development along the northerly and easterly portions of the Business Area designation will be compatible with the future residential uses.

Such measures may include limitations on the range of permitted uses, restrictions on the location of loading areas and rooftop mechanical structures, buffering through landscaping and fencing, and separation of the residential and Business Area street systems. The width of the area subject to these special policies will be determined at the subdivision of block plan stage, having regard to the intent of this Special Site Policy.

3.14.6 Diana Drive Subdivision

Lands shown as Special Site Policy Area 6 on Schedule AB² are designated Agricultural Area. Notwithstanding the Agricultural Area designation, the Zoning By-law may recognize the existing estate residential uses on the lands.

The creation of new lots within the area will be strongly discouraged. The existing estate residential uses will continue to be serviced by private sewer and water systems.

3.14.7 Ron Wilson Construction Ltd. (South Side of King Road)

Lands shown as Special Site Policy Area 7 on Schedule "A" are designated Agricultural Area. Notwithstanding the Agricultural Area designation, municipal water services may be provided to up to three residential lots.

3.14.8 Montessori School Site (6185 15th Sideroad)

The majority of the lands shown as Special Site Policy Area 8 on Schedule "B" are designated Rural Area and Natural Heritage. Notwithstanding these designations, a Zoning By-law may be considered to allow for the proposed expansion of the existing school facility to 2,800 square metres of floor area on two storeys, in accordance with studies to support this proposal to the satisfaction of the Township and other relevant agencies.

SECTION FOUR

DEVELOPMENT POLICIES

4.1 Natural Environment Policies

4.1.1 General Policies

The policies of this Section, together with the designations on Schedule "C", Natural Environmental Plan, identify the Core Natural Areas as the basis for the establishment of a natural heritage system for the Nobleton Community. Enhancement and restoration of the

existing features as well as the establishment of connecting ecological linkages shall be explored through development and redevelopment opportunities.

Environmental Features which present a constraint to development which must be protected and maintained for the long term, have been identified on Schedule AC@ - Natural Environment Plan. The Environmental Features classifications include: Wooded Areas, Environmentally Significant Areas, Valleylands, Provincially Significant Wetlands and Locally Significant Wetlands (which also include wetland complexes). These features have been recognized as forming part of the Regional Greenland System. The Oak Ridges Moraine Planning Area, as identified in the York Region Official Plan, is also indicated on Schedule AC@.

The boundaries of the features and areas identified on Schedule AC@ shall be regarded as approximate and may be adjusted without the necessity of an Official Plan Amendment. The precise boundaries of these features and areas will be determined through an Environmental Analysis in consultation with the Township and relevant public agencies. Generally, this will occur as part of the block plan and detailed through the subdivision and site plan processes.

If additional environmental features are identified through future fieldwork following the approval of the Community Plan, it is intended that these areas will be added to Schedules AA@ and/or AC@, as applicable, through an amendment to the Plan as part of the normal process of review and updating.

Natural heritage features, where possible, are intended to be placed in public ownership with the Township or other public agency.

The Environmental Features indicated on Schedule AC@ should be considered as an overlay to the Land Use Schedule. Where lands contain Environmental Features, the development of the uses permitted by the relevant land use designation on Schedule AA@ may be subject to

conditions required in order to ensure that the Natural Environment policies included in Section 4.1 have been satisfactorily addressed.

Through redevelopment proposals in the existing community, Environmental Features should be restored/enhanced and appropriately zoned openspace/hazard land. Where environmental features are incorporated into developments, their significance will be recognized through sensitive design and construction.

4.1.1.1 Environmental Analysis (Environmental Impact Statement)

Through the Block Plan process, an Environmental Analysis is required to identify natural features, their boundaries and functions, and provide an assessment for their protection from development without adverse negative impact.

The Environmental Analysis will include:

- Determination of the boundaries of the Natural Features and any lands required for ecological buffering
- An assessment of the possible impacts of development adjacent to the features, including grading, drainage, stormwater management, and structures
- A description of the manner in which negative impacts will be avoided or mitigated and any appropriate enhancement and/or restoration measures identified.

4.1.2 Wooded Areas

Large wooded areas are identified on Schedule AC@. It is intended that these Wooded Areas be retained to protect their integrity and functions to the greatest extent possible.

The Township will pursue a variety of mechanisms to achieve the retention of Wooded Areas, such as parkland dedication, gratuitous dedication, municipal purchase, and enforcement of the York Region Trees By-law. To that end, conceptual park locations indicated on Schedule AA@ have considered the potential for retaining Wooded Areas within future parks. Through the block plan and subdivision plan processes, additional wooded areas may be identified and incorporated into final park locations.

Where the retention of all or part of a Wooded Area is not possible or desirable, prior to the approval of any development proposal which proposes the removal of all or part of a Wooded Area, the significance of the Wooded Area will be assessed. If appropriate, a tree preservation and management plan will be prepared and submitted to the relevant agencies for review.

4.1.3 Environmentally Significant Areas

(Site specific appeal, west part of Lot 10, Concession 8, OMB Order/Decision No. 0067, January 13, 2005)

There are two Environmentally Significant Areas (ESA=s) shown on Schedule AC@ - Natural

Environment Plan: the King Creek Forest ESA located at the southeast corner of the Community Plan Area and the Spiraea ESA located in the north-central portion of the Community Plan Area.

Both ESA=s contain Wetlands which are designated on Schedule AA@ and are identified separately on Schedule AC@.

Environmentally Significant Areas are those lands and/or water bodies containing natural features or ecological functions of such significance as to warrant their protection or preservation. The areas were identified and designated as ESA=s by the Metropolitan Toronto and Region Conservation Authority.

Development applications affecting an ESA or on adjacent lands to an ESA will require an environmental analysis, which may recommend measures to minimize negative impacts on the features and functions of the ESA. For the purposes of this policy, the width of adjacent lands will be 120 metres, or a lesser width as may be determined through an environmental analysis.

4.1.4 Valleylands

(Site specific appeal, west part of Lot 10, Concession 8, OMB Decision/Order No. 0067, January 13, 2005)

Valleylands identified on Schedule AC - Natural Environment Plan consist of the East Humber River valley, two main tributaries and one smaller tributary. The Valleylands classification is intended to identify lands which exhibit certain physical hazards and constraints to development such as steep slopes, erosion or flood susceptibility.

Valleylands are defined by the Community Plan to include both Valley Corridors and Stream Corridors. A Valley Corridor can be visually identified from its surrounding landscape because its physical landform is well-defined. The boundaries of a valley corridor are determined based on the top-of-bank, together with an allowance for slope stability where applicable. A Stream Corridor is ill-defined and cannot be visually determined from its surrounding landscape. The boundaries of a stream corridor are determined based on the regulatory floodplain or the predicted meander belt, expanded as required to convey major storm flows and to maintain riparian stream functions. In either case, the valleyland limits will be expanded to include any Environmentally Significant Areas which are contiguous to valley and stream corridors.

In the case of Valley Corridors, the limits of Valleylands will be determined through the establishment of a top-of-bank line in consultation with relevant public agencies,

supplemented by a geotechnical study where slopes may be unstable. In the case of Stream Corridors, a flood study may be required to establish the limits of the floodplain.

The limits of the Valleylands shown on Schedule AC² are approximate and reflect existing and proposed fill line mapping prepared by the Metropolitan Toronto and Region Conservation Authority (MTRCA). Development or regrading of land within these areas is subject to the applicable regulations under the Conservation Authorities Act, with respect to the erection of buildings and structures, placement or removal of fill, and alteration to watercourses. Where the regulations require, a permit from the Conservation Authority will be necessary to undertake these activities. In the case of alteration to a watercourse, the approval of the Ministry of Natural Resources pursuant to the Lakes and Rivers Improvement Act may also be required.

In existing development areas, some of the area identified as Valleylands is included within existing residential lots. In these areas, existing watercourses and their associated riparian corridors shall be maintained in a natural state and enhanced to the greatest extent possible. Activities which would increase erosion, or upstream or downstream flooding shall be restricted. It is not intended that such lands will be acquired by a public agency or that they be open and accessible to the public.

Redevelopment, infill, and expansions within the existing development areas shall not be permitted within valleylands. Fragmentation of valleyland ownership through such means as land severance shall be discouraged.

In new development areas, buffers will be required between development lands and Valleylands in order to preserve the valley and watercourse features as well as to preserve wooded areas along the slopes of the valley. The extent and nature of buffers will be determined in consultation with relevant public agencies but in no instance shall the buffer be less than 10 metres.

Buffers are encouraged to be included as forming part of the natural feature and come into public ownership.

In the area outside of the designated Urban Area boundary on Schedule AA@- Land Use Plan, the area identified as Valleylands is largely in private ownership within active farms or non-farm residential lots. In these areas, existing watercourses and the associated corridor, shall be maintained in a natural state to the greatest extent possible and activities which would increase erosion or upstream or downstream flooding, shall be restricted, consistent with good agricultural practices. It is not intended that such lands will be acquired by a public agency or that they be open and accessible to the public.

The planting of trees within valleylands and the establishment of natural vegetation along the edges of watercourses will be encouraged and supported on both publicly-owned and private lands. Enhancement and restoration opportunities shall be analyzed through the block plan process and implemented through new development proposals.

4.1.5 Provincially and Locally Significant Wetlands and Wetland Complexes

(Site specific appeal, west part of Lot 10, Concession 8, OMB Decision/Order No. 0067, January 13, 2005)

Three Provincially Significant Wetlands are identified on Schedule AC@ - Natural Environment Plan: the Nobleton Wetland Complex, a Class 3 wetland which extends into the northwest quadrant; the Black Duck Wetland Complex, which extends into the northeast quadrant; and King Creek Marsh, a Class 3 wetland in the southeast quadrant. One Locally Significant Wetland is also identified on Schedule AC@ - Natural Environment Plan: the Spiraea Wetland, a Class 7 wetland located in the north-central portion of the Community Plan area. These features are all designated Wetland on Schedule AA@ - Land Use Plan. In accordance with the policies set out in Section 3.10, development and land disturbance in these wetlands and wetland complexes is not permitted.

Development and land disturbance proposed on adjacent lands to wetlands and wetland complexes, as conceptually illustrated on Schedule AC², may only be permitted if an environmental analysis demonstrates to the satisfaction of the Township, in consultation with relevant agencies, that there will not be any unacceptable adverse impacts on the wetland features and functions. For the purposes of this policy, the width of adjacent lands² will be 120 metres.

4.1.6 Oak Ridges Moraine Planning Area (Section 4.1.6 deferred pending the completion of the ORM Conservation Plan Conformity Exercise – refer to O.P.A. #570)

The limits of the Oak Ridges Moraine Planning Area, as identified in the York Region Official Plan, are shown on Schedule AC². They encompass a small area in the north and northeast parts of the Community Plan Area. For the most part, this area is outside of the designated Urban Area boundary, however, a small portion of the residential area in the northeast quadrant lies within the Oak Ridges Moraine Planning Area.

The Oak Ridges Moraine Planning Area boundary does not coincide with a particular natural feature; rather, it is a planning boundary which is intended to encompass a broad area containing the topographical feature known as the Oak Ridges Moraine and a wide variety of associated natural features.

4.1.6.1 Where lands are within the Oak Ridges Moraine Planning Area, the proposed development shall only be considered where the studies contemplated by the Oak Ridges Moraine Implementation Guidelines have been completed or the application meets the intent of these Guidelines to the satisfaction of the Township, Region, and other relevant agencies.

The proponents of a development will be required to demonstrate its effect on the natural environment and include mitigation measures to address impacts. This evaluation will address:

- The environmental features and systems as identified on Schedule AC[®] or through an Environmental Analysis
- The hydrogeological environment of the proposal
- The effect of the proposal on significant landforms and landscapes
- The need for the use in this location in keeping with the other policies of this Plan.

4.1.6.2 The Township supports the Regional Plan which promotes the establishment of a regional trail system across the Oak Ridges Moraine. Policies of this plan encourage the establishment of such a trail system which provides an opportunity to enjoy the Oak Ridges Moraine in its natural setting, minimizes reliance on access along roads and can be incorporated into the Community open space (trail) network and beyond as identified in the Parks (Open Space) Policies in Section 3.8. Future use of a regional trail system shall not be restricted through the Community Plan. Proponents of new development shall work with the Township, Region, and Conservation Authority to investigate the feasibility of accommodating a Regional trail link through the Oak Ridges Planning Area in order that public access can be accommodated.

4.2 *Urban Design Policies*

4.2.1 **General**

Urban design policies deal with the physical character and appearance of the Nobleton Community. The existing small town character results in part from this physical appearance. Policies in this section respecting the village core, residential neighbourhoods, churches and schools, parks, commercial and business areas, trees and landscaping, streets, and views and vistas, are all intended to ensure that the physical character of new development and redevelopment will complement and enhance the existing character of the Community.

The Township will work with concerned parties and relevant agencies to strengthen the Community Design policies and further develop and define Urban Design Guidelines, particularly as it relates to the Village Core.

In the interim, the policies in this section will be applied by the Township in evaluating development proposals, particularly through the Site Plan Approval and subdivision and block plan approval processes.

4.2.2 The Village Core

New development and redevelopment in the village core should improve the visual attractiveness of the area. Given its prominent location within the Community, a high standard of building design and landscaping will be encouraged.

New development and redevelopment should complement and reinforce the heritage character.

Buildings should be located close to the street. In this regard, the Township will encourage the Ministry of Transportation to apply reduced setback requirements along Highway 27 in the village core.

New development and redevelopment should improve pedestrian comfort. Large parking areas are discouraged and parking should be located to the sides or the rear of buildings. Measures to slow the movement of traffic and to separate pedestrian sidewalks from the through traffic lanes, including on-street parking or bicycle lanes, will be encouraged where feasible. As part of future improvements to King Road and Highway 27, the Township will encourage the relevant authorities to investigate matters such as special paving treatments for pedestrian crossings and special lighting treatments.

Where parking areas are to be located to the rear of commercial buildings, special consideration will be given to ensuring that adjoining residential properties are properly buffered by fencing, planting and other measures.

The Core Area Concept (Appendix 1) shows potential improvements to the Village Core. It is intended to provide general guidance for the preparation of more detailed plans for private redevelopment and streetscape improvements. Deviations from the Concept will not require an amendment to the Community Plan.

4.2.3 Residential Neighbourhoods

New residential development should be compatible with the character of existing residential development in the Community. A sense of spaciousness and a wide separation between houses should be encouraged through measures such as side yard setback regulations and the use of wide-shallow lots in subdivision designs. The size of houses should be in keeping with the size of the lots; to that end, appropriate maximum building coverages may be specified in the Zoning By-law.

Garages projecting beyond the main front walls of houses will generally be discouraged. Alternative approaches include placing the garage to the side of the house or to the rear, with access from either the street or rear laneways. Where required, Zoning By-law standards may be adjusted to allow for these alternative garage placements. The Township may also consider imposing requirements through the Zoning By-law such as minimum garage projections or minimum front yard setbacks which require a greater setback to the garage than to the main wall.

A variety of housing designs should be encouraged within individual developments.

Medium density residential developments should have a high quality of building design. The use of a variety of building materials and elevations is encouraged in order to reduce the apparent mass of buildings which contain a number of units.

4.2.4 Churches and Schools

Churches and schools should be focal points within the community. Through the block plan and subdivision plan processes, they should be sited in prominent locations, for example, at the ends of vistas or adjacent to public parklands.

The design of church and school buildings should reflect this prominent role, for example by locating special building elements at the ends of vistas. Churches, in particular, allow for the introduction of distinctive architecture within newly developing residential areas. To this end, the Zoning By-law should allow for building elements such as church steeples to exceed the normal height limit.

4.2.5 Parks

Parks and parkettes should be focal points within the community. To that end, they should generally have a high level of visibility from surrounding streets, with extensive frontage on at least one, and ideally two, streets.

Parks and parkettes should be sited in prominent locations, for example, at the ends of vistas. Landscaping within parks and parkettes should be used to define the street edge and to terminate vistas.

4.2.6 Commercial and Business Areas

Commercial buildings should be designed to contribute to a desirable community character in terms of design and massing. Large exposed blank walls should be avoided. Where blank exposed walls are necessary, screening through landscaping may be required, or wall murals may be used.

Commercial developments should have a high quality of building design and landscaping. Buildings which reflect the heritage character of Nobleton will be encouraged.

Within Commercial and Business areas, parking areas should generally be located at the side or rear of buildings. Where this is not feasible, parking areas located in the front should be screened through landscaping, berming, and/or low walls.

Interfaces between Commercial and Business Area uses and other uses should be well designed and should incorporate landscaping to screen parking areas.

Signage should be appropriate in scale and placement and in keeping with the character of the adjacent area.

4.2.7 Trees and Landscaping

In newly developing areas, preservation of existing trees, including trees in hedgerows and along boundary roads, is strongly encouraged, where feasible. The planting of new trees within street boulevards, within parks and open space areas, and on residential lots is also strongly encouraged.

4.2.8 Streets

The design of streets should take into account their contribution to the physical character of the community as well as their traffic-carrying role.

Street patterns should reflect existing contours, where possible, and should provide for the creation of view corridors and vistas.

Consistent with engineering requirements, the design of streets should provide for the planting of a continuous row of trees along the boulevards, close to the street edge, in order to define the street edge and, over time, to provide a tree canopy over the street.

Reduced pavement widths, turning radii, and daylighting triangles may be considered as components of alternative development standards, in accordance with Policy 4.4.4.

Consideration should be given to soft treatments at the pavement edge, including rolled curbs or ditches, where appropriate.

4.2.9 Views and Vistas

The design of streets and the siting of parks, schools, churches, and other community focal points should provide for the creation of view corridors, where feasible.

Adjacent to valleylands and other natural features, the street pattern and the siting of parks should ensure that views to these features are maintained and enhanced.

4.3 *Infrastructure and Servicing Policies*

4.3.1 General

For the most part, the built-up urban area of the Nobleton Community is currently serviced by municipal water and private sewage systems. The increase in population and the

expansion of the urban area as provided for in this Community Plan is dependent on the introduction of full municipal services, including sanitary sewers, municipal water supply, and stormwater management facilities. Extension of municipal services beyond the urban area boundary will require an amendment to this Community Plan.

Existing and new development in the Rural Area and Agricultural Area designations will continue to be serviced by private wells and private sewage systems. Where new development is proposed to

be serviced by private wells and septic systems, studies will be required to demonstrate that sufficient water supply will be available for the proposed development and that the proposed private sewage and well systems will not have an unacceptable negative impact on the quality of groundwater or surface water or on hydrologic or hydrogeologic functions.

4.3.2 Sanitary Sewers

Future development within the urban area boundary will be dependent on the availability of a municipal sanitary sewer collection and treatment system.

Until sanitary sewers are available, the following types of development may be permitted on private sewage systems, subject to the approval of the Township and other relevant agencies:

- redevelopment and infill development in the existing built-up area; and
- development of vacant lots in registered and draft approved subdivision plans (once registered).

Approval of major new development, such as plans of subdivision in new development areas and major rezonings, will only be given once the provision of sanitary sewers to the Community has been committed. Holding by-laws may be used in accordance with Policy

5.5, which would permit the lifting of the Holding symbol once sanitary sewers are or will be made physically available.

In order to make cost-effective use of the sanitary sewer infrastructure, it is intended that the sanitary sewer collection system will be sized and designed to provide for future expansion of the urban area beyond the planning horizon of this Community Plan. Provision will be made for cost-sharing of this oversizing in accordance with Policy 5.14.

A Master Sanitary Sewer Servicing Plan will be required at the block plan stage, to identify the area to be served, detailed design requirements, staging of construction, and cost-sharing.

Existing development within the built-up urban area which is currently served by private sewage systems will be strongly encouraged to be connected to the new sanitary sewer system once it becomes available, except where it is determined that a connection is not necessary or desirable.

4.3.3 Water Supply

Future development within the urban area boundary will be serviced by a municipal water distribution system. Existing development on private wells may continue to be serviced in this manner, or may be serviced by a future extension of the municipal water distribution system.

An expansion of the existing municipal water supply system may be required at a population level of approximately 4,700. The Township will allocate and monitor the remaining water supply as development proceeds, and will take steps to ensure that sufficient additional water supply is available well in advance of the 4,700 population level being attained.

Approval of new development which would have the effect of increasing the population served by municipal water beyond a level of approximately 4,700 will only be given once the

provision of additional water supply has been committed. Holding by-laws may be used in accordance with Policy 5.5, which would permit the lifting of the Holding symbol once the required water supply is or will be made physically available.

A Master Water Servicing Plan will be required at the block plan stage, to confirm the availability of additional water supply and to make recommendations regarding detailed design requirements, staging of construction, and cost-sharing.

4.3.4 Stormwater Management

The Township will encourage measures such as water retention, detention and siltation ponds, in order to minimize negative impacts on downstream quality and quantity and to maintain the receiving watercourses in a natural and healthy condition. When possible, these stormwater management facilities should be integrated into the valleylands and adjacent tableland open space network, rather than in separate single-purpose blocks.

The design and development of stormwater management quality/quantity facilities should minimize impacts on the natural characteristics of the valleylands and the completed facility should be naturalized to complement the area.

To the extent practicable, naturalized methods to mitigate the effects of stormwater run-off within valley systems will be preferred over hard engineering solutions.

The overall number of stormwater management ponds required to serve development areas should be kept to a minimum in order to reduce long-term maintenance costs. Following from the foregoing, it is intended that these facilities will be sized and designed to provide for future expansion of the urban area beyond the planning horizon of this Community Plan. Provision will be made for cost-sharing of this oversizing in accordance with Policy 5.14.

A Master Stormwater Management Plan will be required at the block plan stage, to identify the area to be served, detailed design requirements, staging of construction, and cost-sharing.

Within the existing built-up area, the Township will identify specific sections of the storm drainage system which require upgrading and will review options for improvements and implement solutions where feasible.

4.4 *Transportation Policies*

4.4.1 Components of the Road Network

The general road pattern and road classifications are shown on Schedule AD@ - Transportation Plan. The road network in the Nobleton Community consists of two Regional Roads (King Road and Highway No. 27), Township Roads, and local roads.

Highway 27 is classified as a Regional Arterial Road. It bisects the Community and provides the primary north/south route. Direct access to Highway 27 is restricted and is subject to the approval of the Region of York Transportation and Works Department. In general, direct access will only be considered where no alternative access exists. New road intersections should maintain a minimum spacing of approximately 350 metres (approximately equivalent to 1,200 feet) between intersections.

King Road (Regional Road 11) is classified as a Regional Arterial Road. It bisects the Community and provides the primary east/west route. The planned right-of-way width for King Road is 36 metres, with the exception of the section between Lynwood Crescent and approximately 135 metres west of Kinsley Street, for which the planned right-of-way width is 30 metres. Direct access to King Road is generally discouraged where options for access to the local road system exist. Where direct access to King Road is necessary, the approval of the Region of York Transportation and Works Department will be required.

The 8th Concession Road, 10th Concession Road and 15th Sideroad are classified as Township Roads, for which the planned right-of-way width is 26 metres.

The remainder of the roads within the Community are classified as Local Roads and are intended to provide for local traffic circulation. Rights-of-way widths for Local Roads will generally be 20 metres, although lesser widths may be permitted where appropriate, for example, for dead-end streets, short crescents, single-loaded streets, and one-way streets, and in accordance with Policy 4.4.4 regarding alternative development standards. Right-of-way widths of greater than 20 metres may be required at intersections to accommodate additional turning lanes.

Access points to new residential areas from the existing local road network are indicated on Schedule AD. The specific locations for the continuation of existing streets and the alignments of these new streets will be determined through the block plan process. The block plan will provide for a co-ordinated local street pattern among all ownerships within each quadrant.

The design of the local road pattern shall provide a continuous grid. Within each quadrant, provision should be made for at least one continuous local road providing for east/west traffic flow, and at least one continuous local road providing for north/south traffic flow, linking to surrounding Township Roads, to King Road and to Highway 27 to the extent possible. All continuous local roads shall be considered as potential transit routes and shall be designed to accommodate bus-based transit service.

4.4.2 Future Road Connections

The design of the local road pattern in new development areas may provide connections to adjoining lands outside of the designated urban area boundary.

In the northeast quadrant, the design of local road system should protect for a future crossing of the East Humber River Valley to connect with the 8th Concession Road. The

preferred location for this valley crossing should be identified through the block plan process. Any proposed crossing should be carefully sited and designed in order to address the matters set out in Policy 3.9.5. (Deferred pending completion of the ORM Conformity Exercise)

To the west of the existing built-up area, provision should be made through the block plan process to protect for a potential future north-south by-pass road, which is intended to reduce north/south through traffic through the centre of the Community. A Potential Future By-pass Corridor is indicated on Schedule AD^o in a conceptual manner. It is intended that the precise location, timing and design of this by-pass road would be determined through a future Community Plan or Community Plan Amendment beyond the 20 year planning horizon of this Plan. As well, an Environmental Assessment would be required to address the need, location and routing of such a by-pass road.

4.4.3 Impact of New Development on Existing Arterial Roads

Prior to the approval of major development in new development areas, a transportation analysis will be required which will identify the need and traffic impact of the proposed development along with any pavement widenings or other roadway improvements required to accommodate the development. This transportation analysis will be undertaken as a component of the block plan process.

The implementation of any required improvements will be secured through the execution of agreements at the subdivision plan stage (i.e. conditions of draft plan approval) involving the development proponent, the Township and the Region. Provision may be made for cost-sharing of required improvements in accordance with Policy 5.14.

4.4.4 Street Design

The design of streets should facilitate the use of public areas for community activity, where appropriate. Features such as boulevards, treed medians, sidewalks, tree planting, street furniture, lighting, and designated bicycle lanes may be used to promote this objective.

Alternative road development standards, such as reduced right-of-way and pavement widths, smaller intersection radii and sight triangles, on-street parking, and sidewalks located closer to the street are encouraged where such reduced standards complement the policies of this Plan and are acceptable to the Township, or to the Region where applicable.

Design and construction of roads will be undertaken with careful consideration of the protection of environmental areas, including valleylands and woodlots.

Within the Village Core, the Township will encourage the Region to consider measures such as permitting on-street parking on Highway 27, reducing the normal setback requirements in order to allow new development to be sited close to the street line, and introducing bicycle lanes. In any improvements undertaken to Highway 27, the Township will co-operate with the Region to introduce low level lighting, signage, crossing treatments, and landscaping which complement the intended character of the Village Core. Traffic-calming measures, such as the introduction of medians, should also be considered.

The Township will encourage the Region, in undertaking improvements and pavement widenings along King Road, to introduce low level lighting, signage, crossing treatments and landscaping which complement the intended character of the Village Core.

4.4.5 Parking

Wherever feasible, development should provide for joint parking and street access between adjoining properties to facilitate the movement of vehicles and improve the supply of parking. The visual impact of parking areas should be softened through the use of berming, vegetation and landscaped islands.

Reduced parking standards and/or on-street parking will be considered subject to evaluation by the Township of the appropriateness of such standards.

4.4.6 Pedestrian and Bicycle Networks

As part of the continuous open space network provided for in Policies 3.8.4 and 3.9.4, a system of pedestrian and bicycle trails is encouraged, linking major pedestrian destinations such as schools, parks, churches and the village core with natural features such as valleylands and open space areas. Attention should be given to potential pedestrian links between elements of the open space network which may be provided within road allowances. These links should be identified as part of the block plan process.

The pedestrian and bicycle path network will be designed and developed to provide for safe, and wherever possible, unobstructed pedestrian walkways and bicycle paths. These facilities will be designed in a manner which minimizes the potential for conflict with motorized modes of transportation.

4.5 *Heritage Policies*

The retention of heritage buildings is strongly encouraged for its contribution in maintaining Nobleton=s small-town character.

The Township will prepare and maintain an inventory of heritage resources in the Nobleton Community with the advice and assistance of the Local Architectural Conservation Advisory Committee (LACAC). Heritage resources include properties which are designated under the Ontario Heritage Act and those which are listed as having significant heritage values.

Where heritage resources are affected, the Local Architectural Conservation Advisory Committee will be consulted as part of the development review process to advise on the potential for the integration, protection or enhancement of heritage resources.

The Hambly House, located at the northwest corner of King Road and Highway 27 (6012 King Road), is currently the only property in the Nobleton Community designated under the Ontario Heritage Act. Where a structure or property is designated under the Ontario Heritage Act, alterations may be permitted provided that such alterations do not affect the reason for the designation and are in keeping with the building form and character.

Development or redevelopment in proximity to designated heritage properties should be designed to minimize any negative impacts on the physical quality or structural stability of the heritage properties. Such development should be of a similar scale, orientation and massing as the heritage buildings and structures, in order to establish a sense of visual continuity.

Where structures or properties are listed by the Local Architectural Conservation Advisory Committee as having merit as a heritage resource, their conservation and integration into new development or redevelopment will be encouraged where feasible. A current inventory of listed properties within the Community Plan Area is found in Appendix 2. This inventory is provided for information purposes only and may be revised and updated without an amendment to the Community Plan.

In consultation with the relevant agencies, the need for a study of archaeological resources will be determined during the review of development proposals. Where the potential for archaeological resources exists, archaeological resources should be documented and appropriate mitigation measures should be identified prior to development. Mitigation measures may include removal and documentation or preservation on site through avoidance.

4.6 Phasing

In order to ensure that growth occurs in an orderly, well-planned manner, the rate and timing of new development within the Urban Area Boundary as designated on Schedule A, shall be managed in accordance with the policies of this Section.

In determining the priority for development of the lands within the Urban Area Boundary, the following criteria shall be considered:

- Development which contributes to the protection, enhancement and securement of environmental areas and systems
- Development which represents the completion of existing residential areas and roads and other infrastructure
- Development which provides park sites, school sites and portions of community wide trail system
- Development which contributes to intensification in the Core Area
- Development which can be accommodated within the financial capabilities of the Township.

The Block Plan, as detailed in Section 5.2 of this Plan, will include a phasing plan to be developed prior to approval of draft plans of subdivisions. The phasing plan will deal with the lands to be developed within the Block Plan area and shall be prepared to the satisfaction of the Township and relevant agencies. It will describe the intended sequence of development within the Block Plan area both geographically and chronologically including the provision of necessary supporting infrastructure, community facilities and the treatment of the significant natural features.

Any additional development that may be permitted as a result of additional sanitary sewage treatment capacity becoming available through the results of a servicing monitoring exercise, shall be located within the “Urban Area” boundary as shown on Schedule A to the Plan.

SECTION FIVE

IMPLEMENTATION

5.1 Zoning By-law

The Township's Zoning By-law is the primary planning tool which will be used to implement the policies of the Community Plan. In accordance with Section 24 of the Planning Act, Zoning By-laws must conform with the Official Plan in effect.

5.2 Block Plans

The approval of Block Plans will generally be required prior to the approval of any major new development, including subdivision plans, within new development areas designated by this Community Plan. Block Plans will be prepared for individual quadrants, encompassing all of the new development area designated by this Plan. Where there is only one ownership within the new development area in a particular quadrant, the studies contemplated through the Block Plans must be addressed to the satisfaction of the Township of King and other relevant agencies.

New development proposed outside the urban boundary, but included within the Community Plan area, shall conform to the policies of this plan and will be required to provide supporting studies as contemplated for Block Plans, to the satisfaction of the Township and other relevant agencies.

The purpose of the Block Plan is to co-ordinate matters such as the local street pattern, the open space network, the location of parks and schools, the proposed servicing strategy, the manner in which natural heritage features and their functions will be protected, and the location and sizing of stormwater management facilities among the various ownerships in a Block Plan area.

The preparation of Block Plans will include, at a minimum, the following supporting studies:

- Master Sanitary Sewer Servicing Plan (in accordance with Policy 4.3.2)
- Master Water Supply Plan (in accordance with Policy 4.3.3)
- Master Stormwater Management Plan (in accordance with Policy 4.3.4)
- Transportation Analysis (in accordance with Policy 4.4.3)
- Environmental Analysis (to address the policies contained in Section 4.1)
- Phasing Plan (to address the policies contained in Section 4.6)
- Master Open Space Plan (to address the policies contained in Section 3.8 and 3.9.4)

In addition to the studies noted above, the following additional studies may be undertaken either as part of the block plan process or as part of the subdivision plan process:

- an urban design and landscaping plan (to address the policies contained in Section 4.2)
- an archaeological assessment (to address the policies contained in Section 4.5)
- a noise impact study
- a tree preservation and management plan
- an evaluation of significant agricultural lands
- studies contemplated by the Implementation Guidelines of the Oak Ridges Moraine.
(*Deferred pending the completion of the ORM Conformity Exercise*)

5.3 Plans of Subdivision

Development within new development areas designated by this Community Plan should generally take place by plan of subdivision.

Draft plans of subdivision shall only receive approval where municipal servicing is available or by way of a holding (H) designation subject to municipal servicing, see Section 5.5, and the requirements as set out in the Block Plan have been adhered to the satisfaction of the relevant approval agencies. Where the Block Plan process has been undertaken, draft plans of subdivision shall be consistent with the recommendations. Refinement of the recommendations can be implemented as conditions of draft approval.

In the case of large subdivision plans, the Township may encourage registration in phases so as to maintain a compact urban form and to minimize the premature loss of good agricultural land.

5.4 Consents (Severances)

5.4.1 Within Urban Area Boundary

Within the new development areas designated by this Community Plan, major new development will take place by plan of subdivision. Prior to the approval of plans of subdivision in these areas, consents will be permitted only for technical or legal purposes, or where the Township is satisfied that the severance will not prejudice the ultimate subdivision of the land.

Within the existing built-up urban area, severances to create new lots may be permitted in conformity with the policies contained in this Community Plan, provided that the resulting lots meet all of the following criteria:

- the number of new lots being created shall be small (generally 3 or fewer)
- no new public roads shall be required
- the resulting lot size(s) shall be in keeping with the character of the area
- the resulting lot(s) shall recognize and enhance the scale and character of the existing neighbourhood to be consistent with the natural vegetation, lot frontages and areas, building height, mass and setbacks, and amenity areas
- the resulting lots shall not be of a disproportionate depth and width from that of the existing neighbourhood
- a traffic hazard will not be created or further an existing traffic hazard as a result of sight lines, curves, or grades
- will not have a detrimental impact on the Township's financial status
- there is available facilities and servicing capacity to address the lots

5.4.2 Outside Urban Area Boundary

Consent applications for development purposes shall generally be discouraged outside the urban area boundary and within the Natural Environment areas.

Within the Rural Area and Agricultural Area designations, farm-related severances may be permitted for a retiring farmer who has farmed the land for a substantial number of years, provided the severance meets the following criteria:

- the size of the lot is kept to a minimum required to site a dwelling, well, sewage disposal system, and accessory uses
- the new lot complies with the Minimum Distance Separation Formulae developed by the Province
- the new lot is directed to areas of lower agricultural capability
- such new lots will be considered only on the basis of one per farm holding, defined as the original farm lot of approximately 40 hectares (100 acres), and where no retirement lot has previously been created since 1977.

In addition to farm-related severances, consents may be permitted within the Rural Area designation for the following purposes:

- an easement or right-of-way
- a lot addition, deed correction, or boundary adjustment which does not create an additional lot
- to sever a dwelling that is surplus to a farm operation, where adjacent properties have been placed into a single ownership prior to the adoption of this Community Plan and are actively farmed
- to sever a commercial or industrial use that existed as of the date of adoption of this Community Plan from larger agricultural parcels that are unrelated to the commercial or industrial use, provided that the size of the severed parcel reflects only the lands necessary for the continued operation of the non-agricultural use
- to divide large parcels where the severed and retained lots are of a sufficient size to continue to support agricultural operations, generally at least 10 hectares (25 acres), and provided the lot sizes will reflect the physical characteristics of the land and the lot pattern in the immediate vicinity

- to permit infilling in residential areas where the following conditions exist:
 - the land to be divided abuts existing non-farm lots on the same side of the road that have less than 100 metres (330 feet) frontage
 - the land to be divided does not have more than 200 metres (660 feet) frontage
 - the proposed retained and severed lots will each have at least 65 metres (210 feet) frontage

In addition to farm-related severances, consents may be permitted within the Agricultural Area designation only for the following purposes:

- an easement or right-of-way
- a lot addition, deed correction, or boundary adjustment which does not create an additional lot or result in a significant reduction of a farm parcel size
- to sever a dwelling that is surplus to a farm operation, where adjacent properties have been placed into a single ownership prior to the adoption of this Community Plan and are actively farmed
- to sever a commercial or industrial use that existed as of the date of adoption of this Community Plan from larger agricultural parcels that are unrelated to the commercial or industrial use, provided that the size of the severed parcel reflects only the lands necessary for the continued operation of the non-agricultural use.

New lots created in accordance with Policy 5.4.2 should not adversely affect existing agricultural uses. In assessing applications for the creation of new lots, priority will be given to nearby agricultural operations on lands designated Agricultural Area pursuant to this Community Plan and on lands designated Agricultural pursuant to the Township Official Plan, especially those having or considering a Certificate of Compliance to expand or continue their food production activities.

5.5 *Holding By-laws*

Holding by-laws allow the Township to identify in a zoning by-law the uses that are intended for a site, but to delay their actual development until a later time when specified conditions are met.

The Township may pass by-laws under Section 34 of the Planning Act, employing a (H) Holding symbol in conjunction with any use category to specify the use to which lands, buildings, or structures may be put when the holding symbol has been removed.

The (H) Holding symbol may be removed by the Township by a by-law passed under Section 36 of the Planning Act, when the Township has determined that the conditions applying to the use of the Holding symbol have been satisfied. The by-law removing the Holding symbol may remove the Holding provision in whole or in part, as appropriate.

Circumstances in which the Holding symbol may be used include, but are not limited to, the following:

- where the provision of sanitary sewers has been committed, but is not yet available
- where a required expansion of the water supply system has been committed, but is not yet available
- where there is a requirement for the provision of specific transportation improvements
- where the restoration of a site subject to soil contamination is required prior to development proceeding

Prior to the removal of the Holding symbol, the uses permitted on the lands subject to the Holding symbol will generally be limited to existing uses or uses permitted in the original zoning category.

5.6 Temporary Use By-laws

Temporary use by-laws allow lands to be used for a specific purpose that is appropriate in the short term, but which is not intended to continue over the long term.

The Township may enact temporary use by-laws under Section 39 of the Planning Act which may permit the use of lands, buildings or structures on a temporary basis for up to ten years in the case of a garden site use, and up to three years for all other uses, or in accordance with Planning Act requirements as they may be amended from time to time.

Uses permitted by a temporary use by-law may include uses which are not permitted by the applicable land use designation, provided that the proposed temporary use:

- is compatible with adjacent existing and planned uses;
- does not have any unacceptable negative impacts;
- does not involve substantial buildings or substantial regrading of the lands;
- can be readily terminated or relocated at the end of the temporary period; and
- does not jeopardize the long term implementation of this Plan.

Specifically, in the Rural Area and Agricultural Area designations, the Township may permit existing agricultural buildings to be used for non-agricultural purposes as a temporary use where:

- the proposed use does not adversely affect the continuation of agricultural uses on the surrounding lands
- the exterior of the building is not significantly changed to indicate that a non-agricultural use is occurring within the building
- the use does not adversely impact the rural character of the surrounding lands in terms of noise, odour, dust, or traffic

Mobile homes to accommodate farm families or employees may also be permitted as a temporary use.

5.7 *Interim Control By-laws*

Interim control by-laws allow the Township to prohibit the development of zoned lands for a specified time period if issues are identified regarding the appropriateness of the intended use(s). The specified time period is intended to allow the Township the time to undertake a review of its planning policies and regulations.

The Township may enact interim control by-laws under Section 38 of the Planning Act, which may prohibit the use of lands, buildings or structures on a site or in a defined area for a time period as specified in the by-law, but not exceeding a total timeframe of two years, until the required investigations have been completed.

When an interim control by-law is in effect, only those uses specified by the interim control by-law will be permitted on the lands affected.

5.8 *Site Plan Control*

The intent of site plan control is to ensure a high quality of building and site design. Site plan control will be used to implement the urban design policies in Section 4.2, and may be used as well to address specific issues such as the retention of existing trees where development is permitted within Wooded Areas as identified on Schedule AC@.

The Township has enacted a by-law under Section 41 of the Planning Act designating the entire Township, including the Nobleton Community, as an area of site plan control.

It is intended that the following types of development will be generally excluded from site plan control:

- single new detached dwellings and accessory buildings and structures, except:
 - those designated under the Ontario Heritage Act
 - those identified as possessing some historical significance according to the municipal inventory entitled “Township of King – LACAC Designations”
 - those proposed within Wooded Areas as identified on Schedule “C”
 - additional dwelling units used by full-time farm help or a caretaker
- any building or structure used in an agricultural operation, but excluding ancillary commercial and industrial uses, nurseries, commercial greenhouses, mushroom growing houses, and commercial riding facilities
- any buildings or structures associated with a cemetery
- any building or structure use for any public service provided by a public agency

5.9 Conservation Easements

In cases where a tree preservation and management plan recommends that mature trees or other significant vegetation be maintained within private yards, the Township may require that a conservation easement be registered against the title of the lands in order to regulate the cutting of trees. The intent of the easement is to ensure that the lands subject to the easement are maintained in their natural state and that no construction of any buildings or structures or any land disturbance is permitted on the lands.

5.10 Parkland Dedication

Parkland dedication may be required by the Township as a condition of approval of plans of subdivision and consents at a rate of up to 5 percent of the total land area for residential uses and up to 2 percent of the total land area for commercial and industrial uses. In the alternative, for medium density residential uses, the Township may require parkland dedication at a rate of up to one hectare per 300 units (approximately equivalent to one acre per 120 units).

In all cases, the Township may elect to receive cash-in-lieu of parkland dedication for some or all of the parkland required in accordance with the foregoing rates.

The Township may enact a by-law under Section 42 of the Planning Act enabling it to obtain parkland dedication or cash-in-lieu at the rates set forth in the preceding paragraph as a condition of development or redevelopment.

5.11 Non-Conforming Uses

Except as has been specifically provided in this Community Plan, it is intended that existing uses which do not conform with the designations shown on Schedule AA[®] will be zoned in accordance with this Plan and will ultimately cease to exist, allowing the property to revert to a use in keeping with the policies of this Plan.

Notwithstanding the foregoing, nothing in this Plan will affect the continuance of non-conforming uses legally established on or before the date that the applicable Zoning By-law provisions were enacted.

The Township may pass a By-law to permit the extension or enlargement of legally non-conforming uses pursuant to Section 34(10) of the Planning Act provided that:

- the expansion does not exacerbate or result in any public nuisance or health hazards such as noise, dust, fumes, odour, or lighting;
- the size of the expansion is appropriate in relation to the existing legal non-conforming use;
- the expansion does not adversely affect traffic, access, or parking conditions in the vicinity; and
- the neighbouring conforming uses are protected, where necessary, through the provision of landscaping, buffering, screening or other measures

It is intended that the Committee of Adjustment will give consideration to the foregoing policies in considering applications for expansions of legal non-conforming uses or changes in use pursuant to Section 45 of the Planning Act.

5.12 Interim Uses

In new development areas, primarily designated as Residential on Schedule AA®, the continuance of existing agricultural uses will be encouraged until sanitary sewers are available and subdivision approvals have been obtained for uses in accordance with the designations in this Plan. The Zoning By-law may continue to permit agricultural uses, as well as forestry and conservation uses, until such time as urban development is approved.

5.13 Community Improvement

The Township may pass a by-law to designate the lands designated as Village Core on Schedule AA® as a Community Improvement Project Area pursuant to Section 28 of the Planning Act. In addition, adjoining lands designated Residential, Institutional, and Highway Service Commercial in Lots 5 and 6 in the west half of Concession 8 and the east half of Concession 9 may also be included in the Community Improvement Project Area.

5.14 Cost Sharing

In new development areas designated by the Community Plan, it is intended that the costs of providing services will be shared on an equitable basis by the landowners within the new development areas who will benefit from the provision of such services.

Prior to draft approval of any plan of subdivision, a cost sharing agreement may be required establishing the means by which each landowner will contribute on an equitable basis to the cost of the installation of services and infrastructure, including but not limited to:

- sanitary sewers;
- water supply;
- stormwater management facilities;
- road infrastructure and widenings; and
- open space trail network

Such cost sharing agreements may make use of front-ending provisions permitted under the Development Charges Act, where appropriate.

It is intended that the cost sharing agreement ensure that all benefiting landowners equitably share in the costs of the provision of services which are required in order for development to proceed.

Prior to the approval of major new development within the Urban Area, a Pre-paid Development Charge Agreement shall be executed between the Region, and the landowner/developer(s), and, if determined by Township Council, the Township shall also be a party to such agreement. The Agreement will address all costs for sewer, water and road infrastructure improvements.

5.15 Interpretation

5.15.1 The policies of the Nobleton Community Plan as expressed herein are statements of intent. Individual policies are intended to be interpreted and applied in a manner which furthers the overall intent of the Plan, having regard to all relevant policies and, in particular, the Principles set out in Section 2.1.

5.15.2 Development within the Nobleton Community shall be subject to the policies outlined in the Nobleton Community Plan and other applicable policies of the Township of King Official Plan. However, in the event of any apparent conflict or inconsistency between the provisions

of this Community Plan and the provisions of the Official Plan, the provisions of the Community Plan shall prevail.

- 5.15.3 The designations and classifications shown on the schedules are intended to be general limits. These boundaries are flexible and may be altered without amendment to the Plan provided that the general intent of the Plan is maintained, except where such boundaries are coincident with fixed features such as existing roads. Notwithstanding the above, the extension of the Urban Area Boundary will not be considered during the life of the Community Plan.
- 5.15.4 Where lists or examples of permitted uses are provided, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses not listed, but which are similar to the uses listed and which conform with the general intent of the applicable land use designation, may be recognized as a permitted use in the implementing Zoning By-law.