

SECTION 5 POLICY AREAS**5.1 METHODIST ISLAND - POLICY AREA NO. 1**

5.1.1 A portion of Island No. 72 (known as Methodist Island), being generally those lands located along the western side of the island are designated as "Policy Area No. 1" and any development or redevelopment of these lands shall be subject to the policies of this Section. This portion of Methodist Island, due to topography, elevation and wave action will be subject to flooding during one in one hundred year lake level events and therefore possesses inherent constraints to proper development. As such, any proposal for development must satisfy the criteria listed below through the preparation of an overall comprehensive Site Evaluation Report for all the area designated as Policy Area No. 1. The comprehensive Site Evaluation Report will be subject to the review and approval of the Township and all relevant agencies and Ministries having jurisdiction. The subject lands shall be placed in an appropriate holding zone through the Township's General Zoning By-law, which may be removed upon approval by the Municipality of the Site Evaluation Report.

5.1.2 The overall comprehensive Site Evaluation Report shall address and contain the following:

- (a) A coastal review, utilizing acceptable engineering methods as determined by the Ministry of Natural Resources, which shall address flood proofing elevations (including 1:100 year still lake level, wind set-up and wave uprush), topping and spray, ice piling, and safe access. The report will make specific recommendations with respect to mitigative measure for shoreline protection works. (Breakwalls, revetments, etc.);
- (b) A review of fish habitat at or near the island will be conducted to determine possible impacts of shoreline works and any proposed docking. The review will be conducted to satisfaction of the Ministry of Natural Resources and the Federal Fisheries Act;
- (c) A soils and site servicing study, utilizing acceptable engineering methods as determined by the Simcoe County District Health Unit, shall address sewage design and sizing, lot size, lot grading, and minimum elevations and the cumulative development on individual septic systems;
- (d) A review utilizing landscape architectural standards to make recommendations as to the nature and type of planting required to maintain the visual and aesthetic quality of the island's shoreline; and

- (e) A planning review to make recommendations on permanent access for sewage systems maintenance and operation, form and content of development agreements, and content of site plan control agreements.

5.2 FOREST HARBOUR - POLICY AREA NO.2

5.2.1 Introduction

- 5.2.1.1 The Forest Harbour "Policy Area No. 2" is the result of the special studies and planning investigations conducted for the whole area and it establishes planning objectives, policies and more detailed land use designations and servicing standards. Tay Township Council approved these policies to guide development, environmental improvements, servicing and both public and private sector decision making with regard to the future of the Forest Harbour area.

5.2.2 Purpose

- 5.2.2.1 The purpose of these policies are to determine the capacity of the lands to sustain development, and to identify land use policies and development and servicing standards which are consistent with the type of existing development and the objective of improved environmental conditions. This Policy Area No. 2 also serves to identify implementation options and policies to guide municipal decision making regarding capital works and development proposals.

5.2.3 Relationship to the balance of the Official Plan

- 5.2.3.1 The Official Plan of the Township of Tay has as one of its goals to maintain and enhance the quality of the natural environment of the Township. This Section provides more detailed policies for the use of land within the Forest Harbour plan area and the standards of development and servicing which are intended to maximize the quality of environment. To that end, the background studies for this Section have extensively investigated the soils, ground water and hydrogeological conditions of the area. The technical results of these studies are the basis for the development and servicing policies and standards. It would be contrary to the overall goal to significantly vary from the amount of development and servicing standards identified by this Section.
- 5.2.3.2 The unique and difficult problems and situation of the Forest Harbour area warrant special planning and development policy resolution. The policies of this Section are intended to achieve the objectives stated and are not intended for application outside the planning area.

5.2.3.3 In the same sense, certain aspects of this Section may be seen to diverge from the objectives and guidelines for proposals of the Official Plan. In this area, what may be seen as permitting isolated residential development is warranted to solve existing problems and overcome economic and other hardships.

5.2.3.4 The existing pattern and standard of development of the major property within "Policy Area No. 2", known throughout this Section as the Forest Harbour Development is unacceptable to the Municipality. This land is owned by the Forest Harbour Ratepayers Incorporated. Further, the Municipality knows that the provincial and county agencies involved with planning, environmental and public health as well as the corporate owner of the Forest Harbour Development are all actively seeking resolution and environmental development improvements.

5.2.4 General Objectives

5.2.4.0.1 To establish a plan for the future of the Forest Harbour area which is environmentally sound, physically possible, publicly acceptable, and financially feasible from both the municipal and the major land owner's point of view.

5.2.4.0.2 To prescribe and encourage the reorganization and environmental improvement of the Forest Harbour Development, to the extent of the existing approximate amount of development.

5.2.4.0.3 To be consistent with municipal planning objectives and provincial interests and policies.

5.2.4.0.4 In establishing these objectives and the related development policies, it is the intention of the Municipality to recognize the existing amount of residential use of the Forest Harbour Development, prior to considering other lands, with respect to assigning available development capacity within the Secondary Plan area. This is done in order to promote the economic viability and feasibility of real and necessary environmental and development improvements within the Forest Harbour Development under a constrained financial situation.

5.2.4.1 Residential Objectives

5.2.4.1.1 To provide residential areas which are sufficient for properly sized lots for the existing amount of residential use in the Forest Harbour Development.

5.2.4.1.2 To improve the appearance of areas to be developed for residential houses and cottages.

5.2.4.1.3 To separate the seasonal trailer and camp site uses from areas intended for

permanent and seasonal residences and to prescribe an area more suited to provide for and manage a trailer and camp site.

- 5.2.4.1.4 The Official Plan intends that permanent residential development is directed to identified Settlement Areas which are capable of providing a range of municipal services at lower cost. The Forest Harbour area is not intended as a location for significant permanent residential development. Although lot size and private service treatment are established considering that lots are for permanent use, it is expected that predominant residential use in the Forest Harbour area will be of a seasonal nature. The approximately 39 permanent residential uses in the plan area at present may double in the future without significantly changing the social and seasonal use character of the plan area.
- 5.2.4.1.5 While the Municipality does not accept the conditions of the existing development in the Forest Harbour Development, it does recognize the desire by the present tenants and future owners for privacy, seclusion, and the low cost and primarily summer seasonal recreational retreat. This was an original attraction to the area and to the extent that it can be maintained without detriment to the environment or municipal or land owner finances, this Section encourages a rural and natural character of the development for the area.
- 5.2.4.1.6 The residential objectives are primarily for residential uses in the Forest Harbour Development. The lands designated for permanent or seasonal residences may ultimately have larger investments on them as separate legal lots, thus the property value and appearance of those areas should not be affected by low investment temporary uses such as recreational trailers or camping uses. Recreational trailers, non-permanent mobile homes and camping uses are best organized in a block or cluster with proper services established particularly for them. Intermixing of the trailers and camp sites in areas intended for permanent homes and cottages is not in the municipal or major land owner's interests, and will not be permitted.

5.2.4.2 Servicing Objectives

- 5.2.4.2.1 To achieve the upgrading of all existing private water and sewage systems to acceptable standards where these systems are to remain as service to separate residential uses on titled lots.
- 5.2.4.2.2 To ensure that all future development in the plan area is properly provided with acceptable water and sewage treatment services.
- 5.2.4.2.3 To clean up and close any existing sub-standard water or sewage treatment service which is not intended to provide service to a separate lot development.

- 5.2.4.2.4 To improve the management and collection of solid waste in the plan area.
- 5.2.4.2.5 To provide an adequate, low cost road system for public access to all residential areas.
- 5.2.4.2.6 The overall improvements to the existing private sewage treatment and water supply services and communal waste management are important to both the overall environmental objective of the Municipality in this Plan and to the successful resolution of the unsatisfactory development situation in the Forest Harbour Development. Many of the present tenants in the Forest Harbour Development want legal title and development permits in the near future. This can only be accomplished by land division plans which address the servicing objectives and related policies. This has the benefit to future lot owners of ensuring that the lot obtained can have proper water and waste servicing and suitable road access, and that the services on other individual properties throughout the area will not cause pollution and will be of an acceptable standard.

5.2.4.3 Environmental Objectives

- 5.2.4.3.1 To alleviate further pollution to the surface and subsurface environments.
- 5.2.4.3.2 To maintain and improve the quality of the surface and subsurface environment over the time of establishing the intended land use and development standards of this Section.
- 5.2.4.3.3 To protect in a natural undeveloped state all lands which are environmentally sensitive or which have significant physical limitations to development.
- 5.2.4.3.4 To maintain to the greatest degree possible the appearance and character of the vegetation and landscape as part of the natural attraction and value of the area.

5.2.4.4 Parks and Recreation Objectives

- 5.2.4.4.1 To expand one existing park as a municipal waterfront park serving the residents of the area.
- 5.2.4.4.2 To encourage provision of private recreational opportunities in residential areas and environmental protection areas.

5.2.5 Land Use Plan

5.2.5.1 Development Concept

- 5.2.5.1.1 The land use designations for the "Policy Area No. 2" area are shown on Schedule "A". This forms the overall development concept for the area and designates land for various Limited Service Residential categories, Residential, Environmental Protection or Rural land use according to the Section's objectives and the technical studies undertaken. Proposed land development will conform to the development concept shown on this Schedule and described in this Section.
- 5.2.5.1.2 The Limited Service Residential designation is used and further divided into classes based on lands which have varying environmental capacities and gross development area requirements and/or varying permitted land uses. There are four classes of residential designation applied to the lands in the Forest Harbour Development as well as the Limited Service Residential designation applied to the developed lands of the subdivision or shoreline.
- 5.2.5.1.3 The development concept for the Forest Harbour Development permits all of the existing uses which are presently scattered throughout it to be reorganized and upgraded to private lots or blocks of land suited to the particular use and the required water and sewage systems. The relocation of uses which do not conform to the policies is intended to be achieved by the development process and agreements during plan implementation.

5.2.5.2 Ultimate Housing Development

- 5.2.5.2.1 The development concept has prescribed the number of lots to be created in the Forest Harbour Development to that which has been identified as the capability of the land based on soils, hydrology, nitrate migration and existing development factors. The amount of development should not exceed 94 lots for single family residential use or a combination of a reduced number of lots and a small number of blocks for trailer and camping uses. The amount of trailer and camping use will have the equivalent environmental loading effect of the number of reduced lots.
- 5.2.5.2.2 Table 5 indicates the overall residential lot development projection for the "Policy Area No. 2" related to complete potential use of the development concept. The total amount of development of the Forest Harbour Development lands shall not exceed 94 lots for single family residential uses or a combination of a reduced number of lots and a small number of blocks for trailer and camping uses.

This may rise by up to 48 uses if all of the remaining shore line and subdivision

lots are developed, some at considerable remedial expense.

TABLE 5

Secondary Plan Area Residential Lot Development Projection						
	Current			Projected		
	Permanent	Seasonal	Total	Permanent	Seasonal	Total
Forest Harbour Development	22	72	94	44	50	94
Other Areas	17	95	112	24	136	160
Plan Area Total	39	167	206	68	186	254

5.2.5.2.3 This projection considers only residential uses involving structures and not seasonal camp site uses. Some or all of the remaining 48 lots in the subdivision and shoreline area may be developed in the future. These 48 lots have been projected on the basis of the current ratio of permanent versus seasonal use in the other areas.

5.2.5.3 Population

5.2.5.3.1 The estimate of current permanent population in the "Policy Area No. 2" is approximately 100 persons. The total seasonal population increases to an estimated 535 persons on summer weekends. The permanent population may rise by up to 2.5 persons for each of the projected 29 new permanent uses or by 72 persons. The seasonal total population may increase by up to 2.5 persons for each of the 19 remaining lots or by 48 persons. This would mean a summer weekend total population of an estimated 655 persons in the area.

5.2.6 Land Use Policies

5.2.6.0.1 The land use policies express the permitted uses and land division options available for each designation of the development concept. The development standards for each of the land use designations are based on results of the soils and hydrogeology study for the planning area. These development standards are expressed in this section in terms of gross area required for a permanent residential use. Development standards in the Servicing Policy section describe minimum net lot size.

5.2.6.1 Limited Service Residential 1

5.2.6.1.1 This designation is applied to lands with relatively good soil and hydrogeological characteristics which are located south of the intended public access road in the Forest Harbour Development and on both sides of an existing private road along the southeast property limit. The permitted uses are single family residences for either permanent or seasonal residential use. The gross area per lot requirement of 4500 m² establishes the environmental capacity of this area of as a maximum of 46 lots. The actual number of lots created will depend on the detailed soils conditions and the lot by lot minimum area requirement for either a partially or fully built-up leaching bed. The location of permanent buildings, tile beds, etc. may further constrain the opportunity to achieve full development potential.

5.2.6.1.2 Development of these lands will occur by either plan of subdivision or by a consent plan dealing with both or each of the two parts of this designation or any smaller portion which is a logical part of an overall orderly development concept for the Forest Harbour Development lands. Construction of the appropriate portion of the access road will be the responsibility of this development. Other roads developed by the development agreements for the division of this land may be either public access roads or private roads as described in Section 5.2.7.

5.2.6.2 Limited Service Residential 2

5.2.6.2.1 This designation is applied to lands which lie along the north side of the intended public access road and which have relatively good engineering development conditions. This is an area where the developer may choose to create either lots for permanent or seasonal residences or one or more blocks for a trailer or camp site use or a combination of lots and blocks. The gross environmental capacity of this area is up to eleven single family residential lots based on the requirements for 4,500 m² gross area for each residential use.

5.2.6.2.2 The household use of a permanent or seasonal residence has a certain quantitative effect on the sub-surface nitrate conditions of the area. A seasonal temporary use such as a trailer or camping use is considered to have only 25% of the overall annual quantitative effect on nitrate loading as does a permanent residence. Thus in areas where trailer and camping uses are permitted, each single family residential use may be replaced by four temporary uses. There is no division of land permitted for these individual temporary uses, and they are to be provided with water and sewage treatment services on a communal basis approved for the whole legal parcel involved. No permanent structures are permitted other than for servicing and site management facilities.

5.2.6.2.3 Land division may occur either by plan of subdivision or by the severance process of suitable parts of an overall development concept. Part of the access road through the Forest Harbour Development will be constructed at the time of development of this area. The developer may construct either public access roads or private roads or driveways to the interior lands of this area depending on the form of development chosen.

5.2.6.2.4 This designation also applies to lands abutting the south side of the public access road which are not Forest Harbour Development lands. The development of these lands for single family residential lots will contribute to the construction costs of the intended public road thus improving the economical viability of the development concept proposals.

5.2.6.3 Limited Service Residential 3

5.2.6.3.1 This designation is applied to an area of land with engineering conditions which require a gross area of 8,000 m² for each residential lot to be created. The environmental capacity of this area is up to 7 single family residential lots.

5.2.6.3.2 In addition to the permitted single family residential uses, this designation permits trailer or camping uses according to the same calculation and policies set out for the LSR-2 area. Instead of 7 residential lots, there could be 7 blocks created and developed to serve up to a maximum of 4 trailer or camping uses per block. Such uses shall be developed based on a contract with the block owner to share the well and septic system approved on the block by the Health Unit for such uses.

5.2.6.4 Limited Service Residential 4

5.2.6.4.1 This designation is applied to several parts of the Forest Harbour Development which require a gross area of 8,000 m² per residential lot to be created. The permitted uses of these lands are seasonal and permanent residential uses. The relocation of non permitted uses will be undertaken as part of the land division and development of these areas.

5.2.6.4.2 Development of the LSR-4 lands in the east part of the Forest Harbour Development will be responsible for the construction of part of the public access road through the area. Additional public or private roads may be constructed at the option of the developer. The development capacity of this east part of the LSR-4 designation is up to 16 lots.

5.2.6.4.3 The lands in the northwest part of the Forest Harbour Development front on an existing public or intended public access road. Although the environmental capacity of these lands requires a large gross area for each lot, it is recognized that there is an existing overuse of the shore lands in the planning area which includes the 14 residences within this part of the Limited Service Residential 4 designation. Up to 14 single family residential lots may be created provided that adequate areas can be provided for the provision of individual on-site or shared services.

5.2.6.4.4 The permitted land uses of the LSR-4 area as well as the LSR-1 area recognize that the Forest Harbour Development tenants have, in many instances, invested in permanent or seasonal residential structures on these lands. Further, it is these lands which have or will have the greatest frontage on public access roads which makes them more suitable for permanent residential use and therefore higher investment. It is not appropriate, therefore, to permit seasonal temporary uses such as trailers and campsites on adjacent lots.

5.2.6.5 Limited Service Residential

5.2.6.5.1 The Limited Service Residential designation is applied to the three existing plans of subdivision as designated by the Official Plan, plus it is applied to adjacent and other shorelands in the plan area which have been developed for existing cottage lots. There has been permanent residential development or conversion from cottages to permanent houses in this area. No further land division of this area is possible and development will occur on some or all of the remaining lots by infilling construction. Development permits will be issued for these lots when the private servicing system is designed, constructed or upgraded to MOE and Health Unit satisfaction. Many of these lots will require significant remedial engineering measures at the owner's expense prior to obtaining agency approvals for servicing. Where the private services require more suitable land than is available, the Municipality encourages the integration of lots to achieve suitable area.

5.2.6.6 Summary of Development Capacity

5.2.6.6.1 The summary of development capacity related to the development concept and to the results of the Background studies is shown on Table 6.

Table 6

Summary of Forest Harbour Development Capacity			
Designation	Gross Area Requirement per lot (M2)	Permitted Uses	Development Capacity – No. of Potential Lots
LSR1	4,500	Residential	46
LSR2	4,500	Residential, Trailer, Camping	11
LSR3	8,000	Residential, Trailer, Camping	7
LSR4 – East Part	8,000	Residential	16
LSR4 – West Part	N/A	Residential	14
Total			94

5.2.6.7 Environmental Protection

5.2.6.7.1 The Environmental Protection designation has been applied to all lands within the "Policy Area No. 2" area which have inherent environmental hazards and/or sensitive limitations related to seasonal flooding, poor drainage, high or emerging groundwater, poor soil conditions for development or severe slopes or a combination of these physical conditions.

5.2.6.7.2 There are lands designated Environmental Protection which have been subdivided in the past into lots or parts of lots. Development of single family dwellings and accessory uses on these lots or portions of lots is permitted only where the environmental limitations can be properly managed to the satisfaction of the development and servicing approval agencies and so as not to be to the detriment of adjoining lands or lots. No further land division is permitted.

5.2.6.7.3 No residential development is permitted on the Environmental Protection lands within the Forest Harbour Development. The permitted uses are open space, recreation, and conservation uses. The Forest Harbour Development may provide private or communal recreation facilities such as tennis courts or other areas on suitable parts of these lands.

5.2.6.7.4 The relocation of existing development and residential structures within Environmental Protection lands to proper lots within the residential areas is required by the Municipality. It is intended that the relocation of non-complying uses will be addressed in the development agreements related to land division of the adjacent residential areas.

5.2.6.8 Parks and Recreation

- 5.2.6.8.1 The Municipality owns five parcels of land which are zoned for public open space in the area. Only two of these sites are used for public access and recreation on the waterfront. There is an opportunity to expand the Bayview Park site during the implementation of this Section. The expansion of this site is desired so that the Municipality may consider an effective municipal park development on this property.
- 5.2.6.8.2 During the land division process of the Forest Harbour Development, the Municipality would normally be seeking dedication of lands of up to 5% of the involved properties which are suitable for parks and recreation. In this case, the dedication of undeveloped lands adjacent to the existing Bayview Park will be considered as adequate dedication from the land division of all Forest Harbour Development lands. No further public dedication or cash in lieu will be sought from this owner.
- 5.2.6.8.3 The Municipality will consider the merits of land dedication versus cash in lieu for the land division of other properties in the future, but generally cash in lieu is preferred given the location of existing park sites in the area.
- 5.2.6.8.4 The Municipality encourages a limited use of environmental protection lands for open space recreation within the Forest Harbour Development.

5.2.6.9 Rural

- 5.2.6.9.1 The Rural designation is applied to lands which are largely vacant to recognize and to preserve as much as possible the natural landscape and rural characteristics of the area. The uses permitted in this designation are the three existing residences, home occupations, agricultural and farm related uses, forestry and public uses.
- 5.2.6.9.2 The rural lands on the east side of Concession XI, XII, Duck Bay Road are either an existing lot or an appropriately sized part of a larger parcel for a Rural lot if and when lands to the east are developed for Limited Service Residential uses. Rural lands on the west side of the road contain one lot and the balance is unused. Given the constraints of soil and groundwater conditions of the area and concern for nitrate migration, no further development or land division is expected.
- 5.2.6.9.3 An approximately 100 acre rural parcel lies in the southeast corner of the "Policy Area No. 2". The Background Studies to this Section identified a limited capacity for supporting sewage treatment systems on this land, however, due to its existing nature and desire for possible interim use by the owner, no development potential is designated.

5.2.6.9.4 There has been some extraction of sand and gravel from portions of this property in the past. The former pit areas create limitations to further development until rehabilitation has occurred. Lands to the south of this parcel outside the planning area are designated Extractive Industrial. The remaining extent and location of aggregate resource in the planning area rural lands is unknown. Prior to redesignation of this area for Extractive Industrial uses or other uses subsequent to rehabilitation, the following work is required:

- (a) Analysis of the extent and quality of aggregate available.
- (b) Site plans required by the Aggregate Resources Act and studies to address existing conditions, pit development and operation, potential impacts and separation, buffers and screening to adjacent residential areas, access, storm and groundwater management, effect on natural environment and waste disposal.
- (c) Comprehensive rehabilitation plans for the desired redevelopment and integration of the property into the uses or the intended uses of the planning area.

5.2.6.9.5 Any change in the designation of this area will recognize the municipal concern for the correction of existing development problems on lands to the north and west by development of the stable and viable residential area. This will require significant attention to minimizing the potential for undesirable influences of an extractive industrial designation upon these Rural lands.

5.2.7 Servicing Policies

5.2.7.1 General

5.2.7.1.1 Protection of the natural environment and clean up of the existing sources of pollution and the provision of adequate and approved water supply and sewage treatment services are the objectives of the servicing policies. The servicing policies reflect the results of the technical Background Studies and other requirements of the overall development concept.

5.2.7.2 Servicing Standards

5.2.7.2.1 Residential development of the Forest Harbour Development lands will, for the most part, be provided with private water supply and sewage treatment systems. The minimum lot area standards shown in Table 7 are the site development criteria established regarding the soils capability for the provision of a leaching bed and the need for an adequate separation from the water supply. Lots which are less than 2,500 m² in area should be considered for a Class 6 sewage system.

5.2.7.2.2 Other minimum lot areas of development proposals will relate to soils capability for lots ranging from 2,500 m² to 4,000 m². Development permits for the remaining lots along the shoreline, in the registered plans and in the western parts of the LSR-4 designated areas of the Forest Harbour Development will be considered using these standards as a guideline. Specific Ministry of the Environment and Energy and Simcoe County District Health Unit approval of the service for these lots is required. Lots of less than 2,500 m² may be permitted within the Forest Harbour Development where the location of the existing residential buildings and leaching beds constrain land division options.

Table 7

Lot Size Standards related to Sanitary Sewage Systems*			
Designation	Sewage System		Minimum Lot Area (m2)
	Class	Bed	
LSR1			
LSR2	4	Fully trenched	2,500
	4	Partially built up	3,000
	4	Fully built up	4,000
LSR3	4	Minimum partially built up	3,000
	4	Minimum partially trenched	3,500
	4	Fully built up	4,000
	4 or 6	Fully built up, or filter be	2,500**

* This Table does not apply to lots of record.

** Some lots of less than 2,500 square metres may be more suited for a Class 6 system depending on site conditions

5.2.7.2.3 All existing sewage systems considered to be substandard and those which have not been issued a use permit will be inspected and upgraded or entirely reconstructed to comply with the Simcoe County District Health Unit requirements and/or Ministry of the Environment and Energy regulations. The time frame for undertaking the initial inspections will be dealt with in the Implementation Section. Detailed individual site plans may be required on some lots. This will depend on the site constraints of the individual lot. Imported fill required for leaching beds and mantles will be all in accordance with the Simcoe County District Health Unit requirements and/or the Ministry of the Environment and Energy regulations.

5.2.7.2.4 The development of a block or blocks of land for a maximum of 4 trailer and/or camping uses per block will require the approval of adequate sewage treatment and water supply systems by the appropriate Agency.

5.2.7.2.5 Schemes for the provision of joint or communal water supply and/or sewage treatment for two to five private lots will be designed and constructed to the satisfaction of the Health Unit and Ministry of the Environment and Energy. Required easements for these services will be suitably registered. The provision of joint or communal water supply and/or sewage treatment shall only be considered for existing permanent, and/or seasonal dwellings and for trailer and camping uses and only when the need is justified in terms of the objectives of this Plan.

5.2.7.3 Water Supply

5.2.7.3.1 Existing water supply systems will be inspected in terms of water quality and quantity prior to the issuance of development permits for that property. If the supply is found to be contaminated or production is insufficient for domestic use, the system should be treated or abandoned.

5.2.7.4 Roads Plan

5.2.7.4.1 The roads plan for "Policy Area No. 2" is indicated on Schedule "B". This plan intends that the development of the Forest Harbour Development will proceed by constructing all or portions of the access road through this area.

5.2.7.4.2 An access road is a publicly owned and maintained road which provides access to lots or blocks in low density areas. These roads must be constructed of a good gravel base within a 20 metre R.O.W. and treated for dust control with emulsified liquid asphalt. Only roads which have been constructed to this standard will be accepted by the Municipality as public access roads. All other roads will remain private responsibilities until such time as they are brought up to the access road standard.

5.2.7.4.3 The upgrading and improvement of a section of Forest Harbour Parkway to access road standard is indicated on Schedule "B". It is intended that this will be a municipal project with the co-operation and financial contribution of the abutting landowners. The Municipality wishes to complete this upgrading in the near future so as to create a public road through the Plan area for the purposes of snowplowing, road maintenance and solid waste collection.

5.2.7.4.4 The development concept and the land division policies permits the creation of lots on either public access or private roads. Land division of the Forest Harbour Development on roads of an access standard is encouraged for the benefit of the ultimate lot owners. Lots on private roads will not receive any municipal and public services even though their assessment and therefore tax will be relatively similar to those lots on public roads. The Municipality

encourages development of lots along private roads only for summer seasonal use as winter access will be the responsibility of the abutting owners.

5.2.7.4.5 Where the division of land and the development of lots takes place on private roads, the road construction standard and ongoing maintenance are the responsibility of the developer or association of abutting owners. Municipal assumption of these roads will not be considered by the Municipality until such time as the roads are constructed to the access road standard by the developer or abutting property owners.

5.2.7.4.6 The policy to permit new separate lots along private roads is an exception to the Official Plan policy and recognizes the unique problems and constrained financial ability for development improvements in the Forest Harbour "Policy Area No. 2". Each private road is to have a registered R.O.W. easement which connects directly to the public access road. Development along the private road, should for the most part, be seasonal uses which do not require significant road maintenance and winter snowplowing.

5.2.7.5 Municipal and Public Services

5.2.7.5.1 Existing permanent and seasonal residences of the planning area have been provided with limited municipal services of snowplowing, minimum road maintenance and refuse collection along the public roads. The residences of the Forest Harbour Development have received only refuse pickup at one communal waste bin located at the public road, and fire fighting services as necessary.

5.2.7.5.2 The Municipality will continue to collect domestic refuse only from residences located on public access roads and from communal waste bins which serve private road development. The owners of these latter facilities will be required to maintain the bins and site in an orderly manner at a location on an access road. Municipal refuse collection, snowplowing and road maintenance will be extended into the Forest Harbour Development when the roads associated with the development and land division are constructed to access road standards and are dedicated to the Municipality. Municipal fire protection service is limited by the conditions and extent of public roads. The construction of the public access road through the Forest Harbour Development will improve fire protection capability.

5.2.7.5.3 Similarly, the Municipality will request the school boards to provide school bus service within the Forest Harbour Development only when a public access road is completed through the property and demand warrants the extension of service beyond the present pickup points on the internal roads.

5.2.7.5.4 The provision and extension of Ontario Hydro and telephone services can occur in conjunction with the land division and lot development as the numbers warrant. It is understood that Ontario Hydro will consider taking over the ownership of any private power facilities now in the area upon land division approval and individual development.

5.2.8 Implementation

5.2.8.0.1 In order to achieve the objectives of a workable financially feasible resolution to the planning and development problems of the Forest Harbour Development, a responsive and flexible implementation program is necessary. All parties to the development future of the planning area should continue to work co-operatively and with flexibility from the normal course of planning and development approvals. This section describes the tools and mechanism available and the overall intended approach to plan implementation.

5.2.8.1 Development Concept

5.2.8.1.1 This Section has provided an overall development concept for the planning area with more detailed land use designations and development standards and options for the Forest Harbour Development. The first step in implementing this land use plan is the preparation of an overall development concept for the Forest Harbour Development by the corporate owners. This will provide a reference for the individual plans of land division and demonstrate which of the land use options and what extent of development within the options of this Section the landowner to pursue. It will demonstrate the intended compliance with the servicing policies of this plan. It will also show the present tenants essentially where the proposed lots will be subject to detailed on-site inspection. The detailed work for land division applications would establish boundaries around existing buildings, tile beds, wells, etc. The development concept will establish the approach for proposed and orderly development of the area prior to land division applications by consent or by plan of subdivision and the development concept shall be circulated to the Ministry of the Environment and Energy and the Simcoe County Health Unit for comment prior to any Council decision.

5.2.8.1.2 The development concept can be drawn on the available contour mapping for the area. It should show the public access roads of this Section, plus any proposed roads and whether they are intended for access road standard for more permanent development or for private road seasonal uses. The development concept will also indicate if the landowner wishes to make use of the potential environmental capacity for development in all single family lots or by a combination of lots and blocks for seasonal trailer and camping uses in the designated areas.

- 5.2.8.1.3 The Ministry of the Environment and Energy and the Health Unit should be able to make use of the overall development concept by seeking the more immediate improvement of sanitary sewage systems which are causing pollution at present where these systems are intended to provide for permanent lots in the future. Other polluting sources can and should be cleaned up and shut down immediately.
- 5.2.8.1.4 The application for land division of one part of the Forest Harbour Development can proceed prior to an overall development concept because of its location and frontage on public or intended public roads. The Limited Service Residential 4 west area which has frontage on external roads may be divided, according to the policies of this plan, prior to the preparation of the development concept. However, under no circumstances shall the subdivision of these lands exceed 14 single family residential lots and shall only be permitted if adequate areas can be provided for the provision of individual on-site or shared services.

5.2.8.2 Private Initiative

- 5.2.8.2.1 The developer of the Forest Harbour Development may proceed with private development initiatives by way of draft plan of subdivision, draft plan of co-operative or by plan for consent to sever a series of lots. The consent to sever a series of lots must be for an area logically suited to an independent division of land for a small number of lots (i.e. 6 - 12) or a larger number of lots, depending on the area in question.
- 5.2.8.2.2 The application for land division must be in substantial compliance with the development concept so as to ensure the proper and orderly development of the area. Applications for land division by consent will be reviewed with respect to the policies of this Section and the relevant parts of the Official Plan, as well as to good planning and engineering practice.
- 5.2.8.2.3 The applications for land division will address:
- a) Relocation of unsuited uses.
 - b) Provision of on-site private or shared services.
 - c) Construction of the required public access road and the construction of other roads.
 - d) Intended lot boundaries. The division of land by plan of subdivision or plan of condominium should be a logical part of the overall development concept.

5.2.8.2.4 These applications, in addition to normal requirements, will address whether the roads are to be public access roads or held by the developer and subsequent owners as private roads. The development agreements related to the land division will be required to establish implementation of all approval and municipal concerns.

5.2.8.3 Zoning

5.2.8.3.1 The Holding zone of Forest Harbour Development may be amended at either the time of municipal and agency approval of the overall development concept, or when each land division by either draft plan or a series of severances is approved. The zoning applied to various developments will provide for and regulate the intended uses. A minimum lot area will be set to reflect the servicing requirements at the time of more detailed known site conditions.

5.2.8.3.2 Minimum lot frontages may have to vary substantially to provide for some very limited possibilities for lot width for some future lots on public access or private roads. In all cases, the development plans will demonstrate property frontage for each lot on a road which is sufficient for proper physical driveway access to the lot.

5.2.8.4 Municipal Action

5.2.8.4.1 In order to improve the financial feasibility of those aspects of the "Policy Area No. 2" implementation which will be the responsibility of the Forest Harbour Development landowner, the Municipality will require that the development agreement for each plan of subdivision or severance application contribute the amount of 20 percent of the current lot levy to the Municipality. Eighty percent of the levy shall be deposited in a special fund to be retained, managed and expended by the developer for the purpose of providing roads, streetlighting or other services normally required by the land division agreement. In this way, the developer will have a source of funds from which to improve the financial feasibility of undertaking the development.

5.2.8.5 Timing

5.2.8.5.1 It is understood that the Forest Harbour Development tenants seek free hold title and development permits as soon as possible. The Ministry of the Environment and Energy, the Simcoe County District Health Unit and the Municipality are also concerned for environmental cleanup and improvement of some of the worst situations in the immediate future.

5.2.8.5.2 The Municipality requires that Forest Harbour Development landowner neither lease nor renew nor extend existing leases, nor allow the continued use of sites

for any use which does not comply with the policies and standards of this Section.

5.2.8.6 Municipal Action - Building Permit

5.2.8.6.1 The Municipality has not been issuing development or building permits for sites in the Forest Harbour Development in recent years as the land has been zoned in a Holding classification. The Municipality confirms that no development or building permit will be issued on the Forest Harbour Development land until such time as there is an acceptable overall development concept as described by this Section, the subject lots have been legally registered, the zoning by-law suitably amended and site servicing requirements and environmental improvements have been designed and/or fulfilled to the satisfaction of the Municipality, the Ministry of the Environment, and the Simcoe County District Health Unit.

5.3 PORT MCNICOLL - POLICY AREA NO. 3

5.3.1 General

5.3.1.1 The policies and designations of the "Policy Area" shall take precedence where a conflict exists between the "Policy Area" and any other sections of the Official Plan.

5.3.1.2 The policies of the "Policy Area" apply to the area as shown on Schedule "C" to the Official Plan.

5.3.2 Planning Objectives

5.3.2.1 The "Policy Area" lies immediately to the east and south of the existing built up area of Port McNicoll with the easterly boundary along Georgian Bay and the Hogg Bay and Port McNicoll Marsh. Historically these lands have been utilized as a rail terminus connected with the Port McNicoll harbour. Thus, owing to the area's location and historical use, the redevelopment of these lands pose unique and complex planning and development issues. The main objectives to be addressed relate:

- (a) To the provision of policies which will provide protection to the natural environment of the area in keeping with recommendations of the *Comprehensive Environmental Impact Study, Skelton Brumwell and Associates 1997*, while allowing for the redevelopment of the area;
- (b) To the integration of the redevelopment with the existing community and the development of linkages with the harbour and waterfront areas;
- (c) To the provision of the appropriate infrastructure to adequately service

- the development and the existing community;
- (d) To ensure that the development proceeds in a orderly and phased approach while allowing sufficient flexibility to adapt to changing market conditions.

5.3.3 Land Use

5.3.3.1 Village Residential

5.3.3.1.0.1 The lands designated "Village Residential" are intended to provide a diverse range of housing.

5.3.3.1.1 Goal

5.3.3.1.1.1 To provide for a range and mix of housing.

5.3.3.1.2 Objectives

5.3.3.1.2.1 To encourage diverse residential communities which provide a broad range of housing sizes, densities, design and tenure to meet the needs of the community.

5.3.3.1.2.2 To provide intensified use of serviced residential areas without detracting from the environmental character of the area.

5.3.3.1.2.3 To protect privacy and the amenities of the area while avoiding monotony and excessive contrasts in height and scale.

5.3.3.1.2.4 To encourage innovative residential development which incorporates design standards such as neo-traditional urban design and alternative development standards and the environmental goals of the "Policy Area".

5.3.3.1.2.5 To recognize the unique locational and environmental features of the area.

5.3.3.1.2.6 To ensure effective and efficient processing of development applications.

5.3.3.1.2.7 To reflect the historic development pattern and to preserve elements of the historic use where feasible.

5.3.3.1.3 Permitted Uses

5.3.3.1.3.1 The permitted uses of the "Village Residential" designation shall include single residential dwellings, semi detached dwellings, duplexes, triplexes, fourplexes, town housing, linked, cluster and low rise walk up or garden apartments. Tenure of the residential development in addition to sole proprietorship can include rental and condominium developments. Additionally parks and recreation facilities are permitted.

5.3.3.1.4 Policies**5.3.3.1.4.1 Number of Units**

The maximum number of residential units, exclusive of those associated with the "commercial" designation, is 650.

5.3.3.1.4.2 Municipal Servicing

Prior to development occurring it must be established that an adequate supply of municipal water and sanitary sewage capacity is available to service the development.

5.3.3.1.4.3 Staging of development

It is intended that the development of these lands will be staged and the staging is based on the adequacy of municipal sewers and will be a function of the market place.

5.3.3.1.4.4 Urban Design

Prior to any phase of development occurring, in addition to the Urban Design Guidelines set out in Section 5.3.4, detailed urban design guidelines such as neo-traditional urban design and alternative development standards shall be established to the satisfaction of the Township which take into consideration the policies of this "Policy Area"

5.3.3.1.4.5 Recreational Open Space Facility

A major premise in the redevelopment of the Canadian Pacific Railway Lands is the provision of recreational facilities and public access to the Harbour Area. In this regard:

(a) Recreational Facilities

Recreational facilities such as tennis courts, passive parkland areas, etc. shall be incorporated into each stage of the development.

(b) Harbour Area

Public access be provided to the sea wall on the northerly spit through the use of the trail system, boardwalk and/or passive parkland areas. Prior to the approval of any residential development within this area, the approval of the Gateway and Harbour Master Plans is required which will address the open space and recreational components of the development of these areas.

5.3.3.1.4.6 Mixed Development

In order to reduce visual monotony, provide for diverse residential communities and to provide for innovation in design the various residential unit types are permitted to be inter-spread within each staged area.

5.3.3.1.4.7 Building Height

The height of any building within a residential area shall be compatible with adjacent buildings with respect to separation, distances and design.

5.3.3.1.4.8 Landscaping/Buffering

Detailed landscaping and buffering plans shall be provided for each stage of development which address adjacent uses, grade alteration and the retention or planting of vegetation.

5.3.3.1.4.9 Stormwater/Erosion Control

It shall be the policy of the "Policy Area" to utilize the natural drainage system wherever possible and to employ natural drainage controls such as grassed swales.

Where necessary, stormwater retention facilities shall be constructed to ensure that the "Environmental Protection" areas are not negatively impacted through erosion or sedimentation. During the construction phase of development, temporary sediment and erosion controls shall be instituted as well as the protection for proposed retained vegetation.

5.3.3.1.4.10 Marina/Boating Facilities

In conjunction with the residential development of the northerly spit, marina, docking and boating facilities are permitted within this designation and the adjacent waters of the harbour area in accordance with Section 5.3.3.3. These facilities would serve to accommodate the residents of the Village Residential developments, those utilizing the Trent Severn Waterway and provide opportunities for passage cruise ships and tourist attractions.

5.3.3.1.4.11 Cargill Elevator Lands

The development of the Cargill Elevator Lands is dependent on the site decommissioning as set out in Section 5.3.6. In conjunction with the site decommissioning, it may be necessary to transport materials from this site to locations outside of the Canadian Pacific Railway lands. The transportation of materials should be via the existing rail bed to the Fourth Line. Where lands have been designated for development, outside the Cargill Elevator Policy Area, which will be impacted by the haulage of materials, no development shall proceed until such time as the Cargill Elevator Lands have been decommissioned.

5.3.3.1.4.12 Traffic Impact Analysis

The redevelopment of the Canadian Pacific Railway Lands will have an impact on the local transportation network and the need for the connecting link between Talbot Street and Triple Bay Road. As such, prior to development occurring on-site, a Traffic Impact Analysis will be required which will assess the impacts of development on the existing road system and intersections. Recommendations from this study will indicate any necessary road or intersection improvements and the timing of the road or intersection improvements.

The construction of the connecting link between Talbot Street and Triple Bay Road will occur when:

- (a) Residential development proceeds in the lands to the south of Talbot Street and/or;
- (b) When the proposed tourist/commercial development exceeds the capacity of the existing road system. In order to determine this, the Traffic Impact Analysis will also address the amount of tourist and commercial development in conjunction with the proposed residential development utilizing Talbot Street and First Avenue which could occur within the

existing road network.

The Traffic Impact Analysis will also establish the appropriate triggers which will signal when this connecting link will be constructed.

5.3.3.1.4.13 Zoning By-law

The Zoning By-law will establish the regulations for the development of the residential areas.

5.3.3.1.4.14 Separation Distance from Port McNicoll Sewage Treatment Plant

Village Residential development shall not be permitted within 150 metres of the expanded and upgraded Port McNicoll Sewage Treatment Plant.

5.3.3.1.4.15 Setback from Shoreline

For those lands which front onto the shoreline of Hogg Bay west of the Cargill Elevator Lands, development shall be setback 15 metres or the top of the present railway embankment from the shoreline in order to protect fish and wildlife habitat.

5.3.3.2 Commercial

5.3.3.2.0.1 The "Commercial" designation of lands within this "Policy Area" form a focal link between the existing community and the harbour area.

5.3.3.2.1 Goal

5.3.3.2.1.1 To provide for a range of commercial uses to serve the existing and future residents of the community while providing commercial services to the travelling or boating public.

5.3.3.2.2 Objectives

5.3.3.2.2.1 To establish an appropriate design for the development of the commercial area.

5.3.3.2.2.2 To provide for a commercial area which is accessible, diverse, unique and provides a sense of vitality to the community.

5.3.3.2.2.3 To provide for accessory residential usage.

5.3.3.2.3 Permitted Uses

5.3.3.2.3.1 The area designated as "Commercial" shall provide a range of retail, and service establishment uses, public uses and office uses. Dwelling units associated with an existing commercial use may also be permitted.

5.3.3.2.4 Policies

5.3.3.2.4.1 Concept Plan

Prior to development occurring within the "Commercial" designation, a conceptual design, and site plan which sets out the location of buildings, massing, vehicular and pedestrian access, parking areas, landscaping and building orientation is required. Linkages to the trail system shall also be set out.

5.3.3.2.4.2 Landscaping/Buffering

The buffering or screening of unsightly site elements such as loading areas, parking, refuse storage areas, transformers, etc. shall be accomplished through the use of grass strips, trees, shrubs or decorative screens, walls or fences comprised of natural materials.

5.3.3.2.4.3 Pedestrian Access

Continuous and convenient pedestrian access through the commercial area shall be provided, which not only links the commercial uses, but provides linkages to the existing community and Harbour Area. The use of shelters, canopies, etc. at the entrance and along store fronts shall be provided for protection for climatic elements.

5.3.3.2.4.4 Co-ordinated Design

The development of the commercial area shall be co-ordinated in terms of:

- a) setback from streets;
- b) facades;
- c) signage;
- d) street function;
- e) building heights;
- f) lighting;
- g) landscaping;
- h) off street parking and loading facilities; and,
- i) pedestrian and vehicular access.

5.3.3.2.4.5 Building Heights

In determining the maximum height of commercial buildings, regard shall be given to the height of adjoining buildings to determine the physical separation from the adjacent building in relationship to height.

5.3.3.2.4.6 Building Orientation

In considering the location of the commercial buildings, the orientation to both the Harbour Area and existing community shall be taken into account.

5.3.3.2.4.7 Office Use

Office uses such as a professional office shall not be located on the ground floor of any building.

5.3.3.2.4.8 Residential Uses

Residential uses located above the ground floor are permitted, however, the total floor area shall not exceed that of the commercial component of a specific building.

5.3.3.2.4.9 Storage of Soil

The engineered storage of non-hazardous soils from within this Policy Area can be stored underneath a permitted Commercial designation subject to a Site Specific Risk Assessment. This Site Specific Risk Assessment shall address the:

- a) source and nature of the compounds to be stored on-site
- b) effectiveness of the control measures proposed to eliminate or reduce impacts
- c) extent of monitoring and maintaining required including appropriate performance schedule
- d) contingency measures incorporated in the design of the control measures
- e) persons responsible for and financial arrangements for ongoing monitoring and maintenance of the site.

5.3.3.3 Marine Commercial

5.3.3.3.0.1 This designation is intended to recognize the existing marina and permit marina and docking facilities in the harbour area located between the north and south spit.

5.3.3.3.1 Goal

5.3.3.3.1.1 To accommodate the boating public.

5.3.3.3.2 Objectives

5.3.3.3.2.1 To permit the continued use of the existing marina.

5.3.3.3.2.2 To restrict the docking of boats to the centrally located Harbour Area.

5.3.3.3.2.3 To attract boaters using the Trent Severn Waterway to the community of Port McNicoll.

5.3.3.3.2.4 To provide opportunities to establish commercial passenger boating.

5.3.3.3.3 Permitted Uses

The predominant use of areas designated as "Marine Commercial" shall be for Marina and docking facilities. Ancillary uses to the above may include the sale of gas, oil and marine products, fishery equipment and bait, convenience food and beverages for the boating public and an accessory residence. Overnight boating accommodation is also permitted.

5.3.3.3.4 Policies**5.3.3.3.4.1 Existing Marina**

It is the intention of this designation to allow the continued use of the existing marina which presently provides marine services for the recreational fishery and boaters within the area.

5.3.3.3.4.2 Harbour Development Plan

All docks, docking facilities and marinas outside of those facilities provided at the existing marina shall be restricted to the Harbour Area. Within the Harbour Area prior to any development occurring a harbour development plan, subject to the approval of Council, shall be prepared showing the location of all marinas, docks and associated facilities. This plan shall also

take into consideration opportunities for swimming and recreation within the Harbour Area.

5.3.3.3.4.3 Commercial Cruise Opportunity

It is the intent of this plan to provide opportunities for a pleasure boat cruise operation to originate from the Harbour Area, and as such consideration for this use may be given in the Harbour Development Plan. A commercial ticket office, and shelter area is permitted as part of this operation.

5.3.3.3.4.4 Overnight Accommodation

Where overnight boat accommodation or a commercial boat operation is provided, facilities for garbage disposal and sewage pump-out station shall be provided in accordance with the regulations established by the appropriate approval authority for these facilities.

5.3.3.3.4.5 Marine Commercial Development

Where new marine commercial development or redevelopment is permitted, the development shall be subject to:

- (a) Site Plan control.
- (b) The preparation and approval of necessary drainage, plans and bank stabilization design.
- (c) Engineering reports acceptable to the Township establishing that the soil and drainage conditions are suitable for the location and design of any buildings or structures proposed.
- (d) The development being adequately serviced with water and a sanitary sewage system.
- (e) Adequate off street parking shall be provided to accommodate the number of boats and commercial boating passengers.

5.3.3.3.4.6 Buffering

Adequate buffer including fencing and/or planting shall be provided between the Marine Commercial area and any adjacent Residential areas. Buffer planting may include provisions for grass strips and appropriate planting of trees and shrubs.

5.3.3.4 Institutional

5.3.3.4.0.1 The "Institutional" designation is intended to accommodate those facilities necessary for the development of this "Policy Area".

5.3.3.4.1 Goal

5.3.3.4.1.1 To provide for public facilities.

5.3.3.4.2 Objectives

5.3.3.4.2.1 To provide a centrally located area to accommodate required public facilities.

5.3.3.4.2 Permitted Uses

5.3.3.4.2.1 The permitted uses in the "Institutional" designation shall be for public uses such as a sanitary sewage treatment plant, hydro substation, sports field, recreational trail, etc. The engineered storage of non-hazardous soils in conjunction with a permitted use is permitted.

5.3.3.4.3 Policies**5.3.3.4.3.1 Landscape Buffering Requirements**

A public facility use shall be naturally landscaped and buffered from any adjacent residential designation.

5.3.3.4.4.2 Architectural Design

All public facility buildings or structures shall be architecturally designed so as to blend in with the surrounding residential use.

5.3.3.4.4.3 Setbacks

All public facility buildings and structures shall be setback an appropriate distance from any lot line so as to permit appropriate landscaping and buffering.

5.3.3.4.4.4 Parking Facilities

Adequate off-street parking shall be provided for all public facility uses which shall include appropriate parking for sports field and point of entry for the recreational trail system.

5.3.3.4.4.5 Storage of Soil

The engineered storage of non-hazardous soils from within this Policy Area can be stored underneath a permitted public facility or within an engineered berm subject to a Site Specific Risk Assessment. This Site Specific Risk Assessment shall address the:

- a) source and nature of the compounds to be stored on-site
- b) effectiveness of the control measures proposed to eliminate or reduce impacts
- c) extent of monitoring and maintenance required including appropriate performance schedule
- d) contingency measures incorporated in the design of the control measures
- e) persons responsible for and financial arrangements for ongoing monitoring and maintenance of the site.

5.3.3.4.4.6 Ownership

Generally the ownership of any land on which an institutional use is located shall be vested with the municipality and appropriate financial and maintenance agreements acceptable to the municipality shall be developed with the development proponents where any land is used for the storage of impacted soils. The development proponents shall indemnify the municipality with respect to the maintenance, monitoring and financial costs respecting the storage of impacted soils. Alternative ownership options may be considered providing the municipality is satisfied and all necessary agreements are entered into with the municipality.

5.3.3.5 Environmental Protection

5.3.3.5.0.1 The "Environmental Protection" designation is comprised of:

- (a) The wetland areas and associated natural watercourses draining into the Hogg Bay Marsh and Port McNicoll Marsh which fall within the "Policy Area".
- (b) A setback area from the wetland which will provide protection to the wetland areas, wildlife habitats and flooding from wave action.
- (c) An area comprising a significant woodlot contains several significant bird habitats.

5.3.3.5.1 Goal

5.3.3.5.1.1 To maintain, enhance and protect this area to provide for a healthy ecosystem which will continue to sustain all life forms.

5.3.3.5.2 Objectives

5.3.3.5.2.1 To maintain the area in its natural state.

5.3.3.5.2.2 To provide protection to significant habitats.

5.3.3.5.2.3 To provide appropriate buffer areas which will provide protection to the wetlands, wildlife habitat and vegetation communities.

5.3.3.5.2.4 To provide for flood control, erosion control and aquifer protection.

5.3.3.5.3 Policies**5.3.3.5.3.1 Natural State**

It is the intention of the Plan that lands within this designation remain in its natural state, and that no buildings or structures be permitted unless considered necessary for:

- a) servicing;
- b) conservation;
- c) limited public access to the wetland areas; and
- d) recreational trails.

Structures related to public access shall be limited to boardwalks, trails, viewing decks and shelters and shall be located so as not to impact on significant habitat or spawning areas.

Those areas considered appropriate for viewing areas are designated within the wetlands with the letters "PA" on Schedule "C".

5.3.3.5.3.2 Recreational Trails

The development of the recreational trail system shall be in accordance with Section 5.3.5.

5.3.3.5.3.3 Flood Prone Areas

Where buildings or structures are permitted in accordance with this section, the placing of such buildings or structures shall be cognizant of the flood prone hazard limit of 178.5 metre elevation C.G.D.

5.3.3.5.3.4 Ownership

Generally the ownership of these lands shall be vested with the municipality to ensure that the level of environmental protection is maintained. This, however, does not preclude alternative ownership options being considered such as a public land trust or agency, condominium ownership, lease agreements, etc. providing the level of protection is ensured and the municipality is satisfied with the ownership option.

5.3.3.5.3.5 Encroachment Into Environmental Protection Designation

A Scoped EIS in accordance with the policy of Section 5.3.9 (d) shall be prepared to the satisfaction of the Township where:

- a) wetland restoration or rehabilitation is proposed in an Environmental Protection designation
- b) public access is proposed which is not identified on Schedule "C"
- c) an extension of development into the Environmental Protection designation is proposed except for limited extension of the most northerly residential cluster located to the north of Arpin Street.

Where the above encroachments are supported by a Scoped EIS, no amendment to this Official Plan is required. No development may occur within the wetland area itself.

Further, any decommissioning work that may be required in the central wetland pond area as a result of the recommendations of the *Frontline Environmental Decommissioning Workplan (June 1997)*, shall be conducted in accordance with the recommendations of the *Comprehensive Environmental Impact Study, Skelton Brumwell and Associates 1997*.

5.3.3.6 Open Space - Impacted Soil Area

- 5.3.3.6.0.1 The "Open Space - Impacted Soil Area" designation applies to site specific areas which were defined by the Decommissioning Study as exhibiting non-hazardous soils, but which are not conducive to development.

5.3.3.6.1 Goal

5.3.3.6.1.1 To preserve these areas in their natural state.

5.3.3.6.2 Objectives

5.3.3.6.2.1 To restrict usage of these sites so that the soils and vegetation are left undisturbed.

5.3.3.6.2.2 To add a limited soil cap where appropriate in these areas.

5.3.3.6.2.3 To provide appropriate setback from the boundary of these areas.

5.3.3.6.2.4 To provide additional landscaping of indigenous trees, shrubs, etc.

5.3.3.6.3 Permitted Use

5.3.3.6.3.1 The permitted uses within this designation shall be limited to:

- a) open space uses; and,
- b) recreational trails.

5.3.3.6.4 Policies**5.3.3.6.4.1 Natural State**

It is the intention of Council that in those areas designated as "Open Space - Impacted Soil Area" the removal of vegetation and disturbance of the soils is prohibited.

5.3.3.6.4.2 Residential Setback

The minimum setback from any residential building adjacent to an "Open Space - Impacted Soil Area" designation shall not be less than 15 metres. Larger setbacks may be necessary depending on the results of the required Site Specific Risk Assessment to be undertaken.

5.3.3.6.4.3 Trails

The development of the pedestrian trail system within or on the boundary of these lands shall be constructed in accordance with the trail policy described in Section 5.3.5.

5.3.3.6.4.4 Storage of Soil Cap

The engineered storage of non-hazardous soils within a Soil Cap is subject to a Site Specific Risk Assessment. This Site Specific Risk Assessment shall address the:

- a) source and nature of the compounds to be stored on-site
- b) effectiveness of the control measures proposed to eliminate or reduce impacts
- c) extent of monitoring and maintenance required including appropriate performance schedule
- d) contingency measures incorporated in the design of the control measures
- e) persons responsible for and financial arrangements for ongoing monitoring and maintenance of the site.

5.3.3.6.4.5 Ownership

Generally the ownership of these lands shall be vested with the municipality and appropriate financial and maintenance agreements acceptable to the municipality shall be developed with the development proponents. The development proponents shall indemnify the municipality with respect to the maintenance, monitoring and financial costs respecting these lands. Alternative ownership options may be considered providing the municipality is satisfied and all necessary agreements are entered into with the municipality.

5.3.3.7 Open Space**5.3.3.7.0.1 The lands designated Open Space are intended to:**

- a) Provide public access to the waterfront areas.
- b) Provide a "Gateway" as a focal point to the development by providing a visual impression for the existing community.

5.3.3.7.1 Goal

5.3.3.7.1.1 To provide public access to the waterfront area and to establish this area as a focal point of the Policy Area.

5.3.3.7.2 Objectives

5.3.3.7.2.1 To ensure that the development of open space lands will not adversely impact on sensitive wetland areas and wildlife habitat.

5.3.3.7.2.2 To provide a linkage to the waterfront area for the residents of the Township of Tay.

5.3.3.7.2.3 To provide a visual and symbolic entrance to the community.

5.3.3.7.3 Permitted Uses

5.3.3.7.3.1 In those areas designated as "Open Space" the predominant use of the land shall be for passive outdoor recreation and open space use which may include areas for walking, swimming and picnicking.

5.3.3.7.4 Policies**5.3.3.7.4.1** Access and Signage

All Open Space areas shall be integrated into the development in such a manner that ease of access and appropriate signage is provided for the general public.

5.3.3.7.4.2 Trail Network

The trail network throughout the development shall be designed so as to link with the designated Open Space lands.

5.3.3.7.4.3 Roadways

Where access to an area designated as "Open Space" follows a public road or a road or trail system through a condominium development, appropriate provision both physically and/or through agreement, must be provided to accommodate public access.

5.3.3.7.4.4 Development Plan - Gateway

Within the "Gateway" area located to the east of First Avenue, detailed development plans shall be prepared to establish the open space uses which are complementary to the natural environment.

This area shall be subject to site plan control and shall be developed in conjunction with Phase 1 of the development. Additionally, a Site Specific Risk Assessment is to be undertaken which will address the:

- a) Type and nature of materials which exist on the site.
- b) Measures proposed to eliminate or reduce any impacts.
- c) Extent of any monitoring, maintenance necessary and appropriate performance schedules.
- d) Contingencies to be incorporated with respect to the control measures.
- e) Person responsible for and financial arrangements for the ongoing monitoring and maintenance of the site.

5.3.3.7.4.5 Marina/Docking Facilities

Within the area located adjacent to the "Open Space" lands within the Harbour Area, the development of docking, docking facilities, marina, etc. is permitted in accordance with the policies of Section 5.3.3.3.

5.3.3.7.4.6 Ownership

The ownership of these lands designated "Open Space" shall be vested with the Township. The Township's objective in accordance with The Planning Act will be to assume ownership of 5% of the overall developable lands which are outside of lands which fall under the Environmental Protection, Open Space - Impacted Soils Area, and Institutional designation and are useable Open Space lands. Where marina or docking facilities are proposed in accordance with the Harbour Development Plan, agreements may be reached for the use of certain portions of these lands. Additional public open space lands above the 5% land dedication will be acquired to meet the objectives of this Policy Area through agreements, etc. with the proponents.

5.3.4 Urban Design

- 5.3.4.0.1 It is intended that all development within this "Policy Area" shall be subject to Urban Design standards to create/establish a visual impression of the

communities, built and natural environment. This impression or visual impact occurs through the:

- a) scale of development;
- b) massing and layout of buildings;
- c) architectural style - mixed use;
- d) building material;
- e) landscaping;
- f) lighting; and,
- g) colours.

5.3.4.0.2 The integration of the above in conjunction with the existing community and natural environment will provide a visual identity for the development.

5.3.4.1 Goal

5.3.4.1.1 To provide a visual community identity combining the built and natural environment.

5.3.4.2 Objectives

5.3.4.2.1 To adopt urban design guidelines or policies for the development of these lands which provide for a diverse, compatible, aesthetically pleasing community.

5.3.4.2.2 To encourage the development of attractive public places such as streetscapes, vistas and open space areas.

5.3.4.2.3 To enhance the visual assets of the natural environment.

5.3.4.3 Design Guidelines

5.3.4.3.1 Through the conceptual design of all buildings, siting, massing, access and open space areas, development shall be compatible with and complement the natural environment.

5.3.4.3.2 The orientation of the buildings shall take into consideration:

- a) privacy for the residential user; and,
- b) the provision of vistas through building orientation or through the use of balconies, window orientation, etc.

5.3.4.3.3 The development shall be so designed as to take into account the flow of sunlight into open areas such as parks, courtyards, etc.

- 5.3.4.3.4 Care should be taken to provide shelters and avoid the creation of wind tunnels which may have an adverse effect on the environment.
- 5.3.4.3.5 All street or open space furniture and signage shall be designed in form, texture and colour with the natural environment.
- 5.3.4.3.6 The texture and colour of all buildings shall be complementary to the natural environment.
- 5.3.4.3.7 The height and scale of buildings, while being diverse, shall through the use of colour setback, etc. be so designed as to not overpower the visual impression of the built environment.
- 5.3.4.3.8 All landscaping and buffering shall be complimentary to the natural environment and trees or vegetative planting shall be done with indigenous species.
- 5.3.4.3.9 Commercial store frontages shall provide protective measures from inclement weather for the public such as canopies, arcades, etc.
- 5.3.4.3.10 Parking areas shall be designed and located in order that:
- a) they can be appropriately screened and buffered;
 - b) they allow for the visibility of store fronts;
 - c) minimize conflicts with pedestrian access; and,
 - d) they are coordinated with adjacent commercial use.
- 5.3.4.3.11 Loading areas, refuse storage areas, transformers and other unsightly elements shall be appropriately screened from adjacent residential uses.
- 5.3.4.3.12 Consideration in the development of these lands shall be given to the redirection in yard requirements and setbacks between buildings.
- 5.3.4.3.13 Where development is to occur in forested areas, the development shall be located and designed so as to minimize the effect in the existing vegetation. Whenever possible, the existing vegetation shall be maintained.
- 5.3.4.3.14 Individual sites shall be developed in a manner which preserves the natural drainage pattern in order to minimize erosion, sedimentation and the need for large scale storm drainage system.

5.3.4.4 Development Phases

5.3.4.4.1 As the development of this area proceeds through the various phases, detailed design guidelines, in conjunction with the above, addressing the specific characteristics of the sites shall be designed and approved by the municipality prior to the approval of any phases of the project. The use of neo-traditional guidelines and alternative development standards is to be considered.

5.3.4.4.2 The development of each phase is intended to provide a range and mix of housing styles and types. While it is possible to develop a phase with single detailed dwellings or townhouses, it is not the intent of this Policy Area to provide for an entire phase of the development in higher density housing types. Care should thus be taken at each stage to ensure this objective is not negatively impacted.

5.3.5 Recreational Trail System

5.3.5.0.1 It is the intention of this "Policy Area" to establish a "Recreational Trail System" which will link the major components of the development and will permit access for the existing residents of the Township of Tay. The approximate location of the trail system is shown on Schedule "H", however, this does not preclude the development of additional trails beyond that shown.

5.3.5.0.2 The following policies shall apply to the development of the "Trail System":

5.3.5.1 Natural State

5.3.5.1.1 Except where the trail system follows a road or man-made feature, the trail system shall remain in or as close to a natural state.

5.3.5.2 Trail Width

5.3.5.2.1 The maximum width of the trail shall not exceed 3 metres in width and shall be accessible to the handicapped. Where the trail passes through a natural area, the trail width shall be reduced in width to protect existing vegetation and reduce the degree to which vegetation is removed. A trail which parallels and is adjacent to a roadway shall be separated from vehicular traffic.

5.3.5.3 Existing Trails

5.3.5.3.1 The actual trail shall incorporate the existing trail system and be designed so as to avoid the unwarranted removal of vegetation.

5.3.5.4 Indigenous Species

5.3.5.4.1 Where vegetation is to be planted to enhance the trail system or provide for additional buffering only indigenous species similar to those in the immediate area shall be planted.

5.3.5.5 Trail Bed

5.3.5.5.1 The material forming the base of the trail bed shall be of a permeable nature such as crushed gravel and shall not be of a material which will increase erosion or upon decomposition adversely impact on the sensitive nature of the environment.

5.3.5.6 Structures

5.3.5.6.1 Where fence, boardwalk viewing platform, etc. are required, these shall be made of natural materials and shall be constructed in harmony with the natural environment.

5.3.5.7 Signage

5.3.5.7.1 Appropriate signage shall be placed at the access point to the trail system which will provide the direction of the trail system, layout of the trail and appropriate cautionary statements to advise the public of the sensitive nature of the environment through which the trail passes.

5.3.5.8 Trail Development Plans

5.3.5.8.1 Appropriate trail development plans shall be prepared and approved by Council outlining:

- a) the location of the trail system;
- b) the trail width;
- c) the nature of the trail be that existing or new;
- d) vegetation to be planted;
- e) significant habitats that require extra protection;
- f) trail bed material;
- g) structures to be built;
- h) timing respecting the establishment of the trails; and

- i) construction, maintenance and ownership of the trails.

5.3.5.8.2 Trail development plans shall be prepared in conjunction with the appropriate phase of development and shall be comprehensive in nature to ensure that the trail linkages function as a complete trail.

5.3.5.8.3 These plans shall also reflect the recommendations of the *Comprehensive Environmental Impact Study, Skelton Brumwell and Associates 1997*.

5.3.5.9 Ownership

5.3.5.9.1 Generally, the ownership of the trail system shall be vested with the municipality to ensure they are maintained and open to the public. This, however, does not preclude alternative ownership options being considered providing that the trail system is properly maintained and open to the public and the municipality is satisfied with the ownership option.

5.3.6 Cargill Elevator Policy Area

5.3.6.0.1 The "Cargill Elevator Policy Area" applies to the former Cargill Lands at the eastern extremity of the southerly harbour spit. These lands formerly under the ownership of Cargill have been re-acquired by Canadian Pacific, but do not form part of the development agreement respecting the adjacent CPR lands.

5.3.6.1 Goal

5.3.6.1.1 To ensure that the future development of these lands is compatible with the adjacent lands and the natural environment.

5.3.6.2 Objectives

5.3.6.2.1 To provide for a compatible interim use of the subject lands.

5.3.6.2.2 To establish the long term use of these lands.

5.3.6.2.3 To establish the parameters and policy framework for the development of these lands.

5.3.6.3 Interim Use

5.3.6.3.1 The interim use of these lands shall be restricted to uses which do not require a human occupation of the land and do not unduly disturb the soil.

An example of such a use could be boat storage, marine commercial, parking, conservation, open space, outdoor recreation.

5.3.6.4 Long Term Use

The long term use of these lands may include:

- a) a residential use;
- b) private recreational uses;
- c) public park;
- d) a restaurant or eating establishment;
- e) marine facilities.

5.3.6.5 Policies

5.3.6.5.1 Residential

5.3.6.5.1.1 Residential development of these lands shall require the development of a detailed site plan and shall be compatible with both the form and characteristics of the residential development located to the south and on the north side of the harbour.

5.3.6.5.2 Open Space

5.3.6.5.2.1 At the northerly end of the spit, an area shall be reserved as a public park. In conjunction with the public park, an eating establishment and docking facility may be developed.

5.3.6.5.3 Environmental Impact Study

5.3.6.5.3.1 Prior to any development occurring on-site for a long term use, a scoped Environmental Impact Study will be required, which addresses:

- a) the nature and limit of any wetland;
- b) the impacts or protection required for flora and fauna; and,
- c) the appropriate setbacks.

5.3.6.5.4 Site Specific Decommissioning Study

5.3.6.5.4.1 Prior to any development occurring on-site for a long term use, a site specific decommissioning study and pre-demolition audit will be required which will address among other things;

- a) the rail bed materials;

- b) groundwater quality;
- c) impacted soils; and,
- d) the removal and/or disposal of contaminated soils, or materials as well as the demolition and disposal of structures on-site. The haulage of such materials or soils shall only occur via a connection with the access road leading to the Cargill lands and the road linkage to the Fourth Line.

5.3.6.5.5 Site Plan Control

- 5.3.6.5.5.1 The development of these lands for any Interim Use shall be subject to site plan control.

5.3.7 Archaeological Sites and Cultural Heritage Features

- 5.3.7.1 It is not the intent of this "Policy Area" to require that a detailed archaeological study of the area be undertaken. Archaeological assessments are required only in situations or areas where disturbances to the soil is proposed. Areas not slated for development which are being left in their natural state are not subject to an archaeological assessment.

- 5.3.7.2 A comprehensive heritage study shall be undertaken for a specific catchment area prior to development proceeding within the specific catchment area. These catchment areas include:

- a) Hogg Bay
- b) The Harbour
- c) The Central Wetland Pond and Cove
- d) The northerly lands.

- 5.3.7.3 These comprehensive studies shall apply to the specific locations where development is proposed and shall be undertaken by a qualified heritage consultant.

- 5.3.7.4 The Study should identify and document all significant heritage features and intended recommended measures such that scheduling of any necessary mitigation activities be coordinated with the schedule for development. Each study shall be subject to the acceptance of the Township and the Ministry of Citizenship, Culture and Recreation.

5.3.8 Infrastructure

5.3.8.0.1 The following policies respecting servicing shall apply to the redevelopment of this "Policy Area".

5.3.8.1 Municipal Water and Sewage Services

5.3.8.1.1 Development within this "Policy Area" is premised on the provision of municipal water and sewage services.

5.3.8.1.2 The existing Sewage Treatment Plant for Port McNicoll is presently at capacity. Any development in the "Policy Area" requires an expansion and upgrading of the Sewage Treatment Plant to a tertiary facility. No development shall occur in the "Policy Area" until such time as capacity is made available at the Port McNicoll Sewage Treatment Plant. If capacity is made available at the existing Sewage Treatment Plant, it shall be allocated to the lands subject to this amendment.

5.3.8.2 Stormwater Management

5.3.8.2.1 In order to provide protection to the natural environment, it is intended that a stormwater management program suitable to the Township be employed. It is intended that erosion and sedimentation control, stormwater quality, and reduction in stormwater volume and velocity be controlled through natural processes, artificial wetlands, temporary retention ponds, retention of vegetation and compact development forms which reduce the amount of impermeable area and runoff. The *Comprehensive Environmental Impact Study, Skelton Brumwell and Associates 1997*, should be used as a guide for the development of appropriate stormwater quality and quantity measures.

5.3.8.2.2 Specific stormwater management plans addressing stormwater quality and erosion control management will be necessary to support the development of the anticipated phases of the overall development and shall reflect the four main catchment areas of the site being; Hogg Bay, the Harbour, the central wetland pond and cove, and the northerly lands. These stormwater management plans, subject to the approval of the Township and approval agencies, are required prior to any development occurring in the lands of the corresponding catchment area.

5.3.8.3 Transportation Network

5.3.8.3.1 Schedule "B" attached hereto sets out the major road network for the redevelopment of this "Policy Area". It is the intent of the "Policy Area" that the connection of the Fourth Line with Talbot Street is significant to the redevelopment of these lands and the existing development of Port McNicoll. In this regard the construction of this road should be considered within the initial stage of development once sewage capacity is available. The timing of the development of these lands leading into the Cargill Elevator lands and the development of the Cargill lands are dependent on the completion of this connecting link. With the exception of this connecting road which will have a right-of-way width of 20 metres consideration of reduced right-of-way widths, pavement widths and standards may be considered to reduce the impact on the environment subject to approval of the Township.

5.3.9 Implementation

5.3.9.0.1 This section is intended to provide a synopsis which outlines in general terms specific requirements to be undertaken prior to any development proceeding. The implementation policies are as follows:

5.3.9.1 Municipal Services

5.3.9.1.1 No residential or commercial development nor any development requiring sewage and/or water facilities may proceed unless such development is serviced with municipal water and municipal sewage facilities.

5.3.9.2 Commercial

5.3.9.2.1 The development of those lands designated as "Commercial" shall be subject to:

5.3.9.2.1 The development of a detailed concept plan which addresses:

- a) The location and orientation of all buildings and structures.
- b) Pedestrian and vehicular access.
- c) Buffering and landscaping.
- d) The trail system.
- e) Parking and loading facilities.
- f) Drainage and stormwater management.

5.3.9.2.2 The development of detailed urban design guidelines.

5.3.9.2.3 A site specific risk assessment for the storage of soils.

5.3.9.3 Institutional

5.3.9.3.1 The development of those lands designated "Institutional" shall be subject to a Site Specific Risk Assessment for the storage of soils.

5.3.9.4 Environmental Protection

5.3.9.4.1 The recommendations of the *Comprehensive Environmental Impact Study, Skelton Brumwell and Associates 1997*, regarding the need to establish wetland boundaries and the setbacks as permanent indicators, should be incorporated and shown in any development plans and delineated in the field. These boundaries of the Environmental Protection designation and the setbacks shall not be altered unless through an approved Scoped EIS.

5.3.9.4.2 At a minimum, any Scoped EIS that is required should ensure that any proposed encroachment or alteration to the boundaries not result in a loss of wetland area, features or functions and should include the following matters:

- a) outline the proposal
- b) determine specific habitat requirements
- c) determine habitat
- d) water quality
- e) flow pattern and other environmental impacts and mitigative measures
- f) determine net impacts
- g) evaluate and determine mitigative measures to ensure no negative impacts on features or functions
- h) determine specific wetland functions which may be impacted.

5.3.9.5 Cargill Elevator Policy Area

5.3.9.5.1 With the exemption of the interim uses which require the preparation of a site plan, no development shall occur on the Cargill Lands until:

- a) an environmental impact study and
- b) a decommissioning study

are completed and implemented.

5.3.9.6 Marine Commercial

5.3.9.6.1 Prior to any new development occurring within the Marine Commercial designation, the applicant shall be required to undertake:

- a) a site plan
- b) engineering reports addressing drainage, soil conditions, bank stabilization
- c) off street parking.

5.3.9.6.2 Development of Marine Commercial facilities within the Harbour Area are subject to a Harbour Master Plan which addresses:

- a) the location of all marinas and tourist facilities
- b) open space areas
- c) ticket booths, shelters
- d) garbage disposal and sewage facilities
- e) parking facilities.

5.3.9.7 Village Residential

5.3.9.7.0.1 This section, owing to the diversity of the redevelopment area, has been divided as follows:

- a) Policy applying to all Village Residential areas.
- b) Policy specifically applying to the northerly spit.
- c) Policy specifically applying to the areas south of Talbot Street.

5.3.9.7.1 The implementation policy for each stage of development is as follows:

5.3.9.7.1.1 All development is to be staged or phased.

5.3.9.7.1.2 All development is to be serviced with municipal water and sewer facilities.

5.3.9.7.1.3 Conceptual development plans are to be prepared setting out open space areas and building types, massing and orientation.

5.3.9.7.1.4 Detailed urban design guidelines are to be prepared for each stage of development.

5.3.9.7.1.5 Trail development plans dividing staged residential areas are to be prepared.

5.3.9.7.1.6 Archaeological assessments are to be undertaken.

- 5.3.9.7.1.7 Maximum total units set not to exceed 650.
- 5.3.9.7.1.8 Landscaping and buffering plans are to be prepared.
- 5.3.9.7.1.9 Stormwater and erosion control plans are to be prepared.
- 5.3.9.7.1.10 Traffic Impact Analysis is to be undertaken in accordance with the policy of Section 5.3.3.1.
- 5.3.9.7.1.11 Scoped Environmental Impact Studies are to be done in areas where encroachment into the Environmental designation are proposed.
- 5.3.9.7.2 Northerly Spit
- 5.3.9.7.2.1 In addition to the above, the approval of a Gateway Development Plan and Harbour Master Plan are a pre-requisite to development proceeding in this area.
- 5.3.9.7.3 South of Talbot Street
- 5.3.9.7.3.1 Development within this area is also subject to:
 - a) Additional setbacks from Open Space Impacted Soil Area designation.
 - b) The decommissioning of the Cargill Lands.
 - c) The development of the connecting link for Talbot Street to the Fourth Line.