OUR SHORE

Development Permit System Study for Shoreline Management on Lake Simcoe
Report 1: Background and Jurisdictional Analysis

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AUTHOR: Town of Innisfil
## Contents

1.0 INTRODUCTION .......................................................................................................................... 2
  1.1 Study Purpose ............................................................................................................................. 3
  1.2 Current Regulatory Environment ............................................................................................... 4
  1.3 Lake Simcoe .................................................................................................................................. 5
    1.3.1 Water levels ............................................................................................................................. 6
    1.3.2 Buffers Riparian Area .............................................................................................................. 7
    1.3.3 Fish Habitat ............................................................................................................................. 7
    1.3.4 Climate Change ....................................................................................................................... 8

2.0 POLICY CONTEXT: EXISTING SHORELINE POLICIES ............................................................ 9
  2.1 Provincial Policy Statement 2014 ................................................................................................. 10
  2.2 Growth Plan for the Greater Golden Horseshoe 2006, Office Consolidation 2012 ............... 11
  2.3 Greenbelt Plan 2005 .................................................................................................................. 11
  2.4 Ministry of Natural Resources and Forestry – Ontario Regulation 239/13 Activities on Public Lands and Shore Lands – Work Permits and Exemptions ................................................. 11
  2.5 Lake Simcoe Protection Plan 2009 & Associated Regulations .................................................... 12
  2.6 County of Simcoe Official Plan ................................................................................................... 14
  2.7 Connection to Town of Innisfil Strategic Plan .......................................................................... 14
  2.8 Town of Innisfil Official Plan ...................................................................................................... 15
  2.9 Town of Innisfil Zoning By-law .................................................................................................. 16
  2.10 Interim Control By-law .............................................................................................................. 16
  2.11 Official Plan Amendment to Amend the Site Plan Control Provisions ....................................... 17

3.0 DEVELOPMENT PERMIT SYSTEM .......................................................................................... 18
  3.1 Features and Benefits ................................................................................................................ 18
  3.2 Comparison of Traditional Planning Methods and a Development Permit System ................. 21

4.0 JURISDICTIONAL ANALYSIS ..................................................................................................... 26
  4.1 Pilot Projects ............................................................................................................................. 26
  4.2 Beyond the Pilot Projects ......................................................................................................... 26

5.0 DEVELOPMENT PERMIT SYSTEM AND SHORELINE DEVELOPMENT ............................................................ 29

6.0 CONCLUSIONS AND NEXT STEPS .................................................................................... 30

APPENDIX A: EXISTING POLICIES ............................................................................................. 32

APPENDIX B: JURISDICTIONAL ANALYSIS FOR DPS ..................................................................... 49
1.0 INTRODUCTION

The Town of Innisfil is a growing lake-side community prized for its rural setting located in Simcoe County, north of the Greater Toronto Area. With over 53 km of shoreline, large woodlands and farm fields there is the charm of country living. The Town boasts a young and growing population, totalling 33,079 in 2011 with a 6.1% growth rate since 2006.

Lake Simcoe (hereinafter referred to as the “Lake”) is an important part of the Town of Innisfil (hereinafter referred to as the “Town”) that residents feel a strong connection to. Through Town initiatives such as OUR PLACE, OUR TRAILS and Active Innisfil, resident’s views and opinions about the Lake have been clear. When asked, residents consistently respond that improving public access to the Lake and protecting the character of the shoreline area are important.

The Town has experienced increased physical and environmental pressures on the Lake’s shoreline. As the Town aims to protect the health of the Lake under the Lake Simcoe Protection Plan, the overlaps and gaps in jurisdiction make it difficult for the shoreline to be comprehensively planned and adequately protected as private property owners seek development permissions. The shoreline is experiencing:

- Unpermitted development
- More intensive redevelopment
- In-shore and off-shore structures and activities
- Damage to the natural shoreline as shown in Photos 1 and 2
- Loss of vegetation

Photos 1 and 2: examples of damage to the shoreline
1.1 Study Purpose

The Lake Simcoe Shoreline Development Plan project, OUR SHORE, is a partnership between the Town, the Lake Simcoe Region Conservation Authority (LSRCA) and the Province of Ontario, specifically the Ministry of the Environment and Climate Change (MOECC). The project is to explore the development of a Shoreline Development Plan and an implementing development permit system to guide development along the Town’s shoreline. The research and project work is intended be a resource for other Lake Simcoe shoreline municipalities to reduce the duplication efforts in policy development.

Study Goal

To create a simple process that will allow for well planned and ecologically sound development along the shoreline that is responsive to the desires of residents and property owners, while respecting, protecting and enhancing the environmental significance of Lake Simcoe

Strategy to Reach the Study Goal

LEARN about the Lake, the existing policy framework and the ways to turn current challenges into opportunities

ENGAGE everyone to combine and document the vast knowledge about Lake Simcoe

APPLY Knowledge to best respond to current challenges and proactively respond to future ones

LEAD with thoughtful action

In 2013 the Town hosted a Lake Simcoe Shoreline Development Forum. A number of elected officials and staff from municipalities and Provincial ministries participated. There were key points from that forum such as:

a. Continued collaboration to protect Lake Simcoe

b. Emerging issue of floating boathouses

c. Collective approach needed for enforcement

d. One – window approval system and opportunities for delegated authority

These guiding messages continue to be true to this day and provide the basis for the OUR SHORE project.
As part of the project, a Technical Steering Committee has been established. The Committee will meet several times throughout the project and is intended to provide technical feedback on matters relating to the Shoreline Development Plan. Every municipality with Lake Simcoe shoreline was invited to participate as well Chippewas of Rama First Nation and Chippewas of Georgina Island First Nation and Federal and Provincial ministries and departments with expertise surrounding lakeshore development.

1.2 Current Regulatory Environment

As highlighted in the 2013 Forum, the existing regulatory environment surrounding approvals along the Lake Simcoe shoreline involves several parties. Using the example of boathouses and docks, the chart below shows the various approvals that would be required. Based on the size and location, some boathouses and docks could require up to three separate approvals.

<table>
<thead>
<tr>
<th>Topic</th>
<th>Approvals Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town of Innisfil</td>
<td>Always required, Proposals up to the centre line of Lake Simcoe, limits boathouses to 120m² / 1291ft²</td>
</tr>
<tr>
<td>Lake Simcoe Region Conservation Authority (LSRCA)</td>
<td>Everything above the high water mark of Lake Simcoe within regulated area, permit would be required for most DPS applications, minor fee $150, permit fee $500</td>
</tr>
<tr>
<td>Ministry of Natural Resources and Forestry (MNRF)</td>
<td>Below the high water mark of Lake Simcoe, boathouses and docks greater than 15m² / 161ft², no fee</td>
</tr>
<tr>
<td>Fisheries and Oceans Canada (DFO)</td>
<td>Anytime fish habitat can be impacted (based on a self-assessment), boathouses and docks greater than 20m² / 215ft², no fee but lengthy approval time</td>
</tr>
</tbody>
</table>

Boathouses and docks on the water (less than 15m² / 161ft²) require Town of Innisfil approvals only*.

Boathouses and docks on the water between 15m² / 161ft² and 20m² / 215ft² require Town of Innisfil and MNRF approvals*.

Larger docks and boathouses on the water larger than 20m² / 215ft² require MNRF, DFO and Town of Innisfil approvals.

Boathouses on the shoreline require approval by the Town of Innisfil and LSRCA, regardless of size.

* provided fish habitat is not compromised or impacts on fish habitat cannot be mitigated, then, regardless of size, DFO requires a permit.

The current structure involves separate application forms and fees. The ability for a development permit system to respond to the varying degrees of agency approvals is being
considered throughout this project. Delegated approvals for proposals that meet certain criteria will be discussed with the approval authorities. Where delegation of approvals cannot take place, coordinated approvals will be explored. For example, the Town could receive development permit applications and facilitate the approvals from other agencies. In subsequent OUR SHORE reports technical issues for all types of development will be explored in the same way as the example of boathouses and docks are explored in this example.

The OUR SHORE project seeks to create a unified approach to land use planning, development, protecting the natural environment, rehabilitating the shoreline, providing access to the shoreline and protecting its citizens from shoreline natural hazards. Standardized and consistent shoreline protection and development policies can achieve these goals.

1.3 Lake Simcoe

It is important to understand Lake Simcoe, the natural features it possesses and the challenging regulatory environment that currently exists for development approvals. The shoreline of Lake Simcoe is 303.4 km in total which includes several islands\(^1\). The shoreline spans three upper-tier planning jurisdictions and eight local municipalities and First Nations groups, with various shoreline frontages, as shown in the chart below\(^2\):

<table>
<thead>
<tr>
<th>Regional Municipalities</th>
<th>Local Municipalities</th>
<th>Length of Shoreline (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>County of Simcoe</td>
<td>City of Barrie</td>
<td>13,016</td>
</tr>
<tr>
<td></td>
<td>Town of Bradford West Gwillimbury</td>
<td>928</td>
</tr>
<tr>
<td></td>
<td>Town of Innisfil</td>
<td>53,271</td>
</tr>
<tr>
<td></td>
<td>City of Orillia</td>
<td>14,185</td>
</tr>
<tr>
<td></td>
<td>Township of Oro-Medonte</td>
<td>43,590</td>
</tr>
<tr>
<td></td>
<td>Township of Ramara</td>
<td>51,348</td>
</tr>
<tr>
<td>Regional Municipality of Durham</td>
<td>Township of Brock</td>
<td>28,606</td>
</tr>
<tr>
<td>Regional Municipality of York</td>
<td>Town of Georgina</td>
<td>72,456</td>
</tr>
<tr>
<td>First Nations</td>
<td></td>
<td>26,001</td>
</tr>
<tr>
<td>Total Shoreline</td>
<td></td>
<td>303,405</td>
</tr>
</tbody>
</table>
1.3.1 Water levels

The water levels of Lake Simcoe are continually monitored and impact the enjoyment and use of the Lake. Lake Simcoe has a total surface area of 725 km², a maximum depth of 41 m and a mean depth of 15 m. In most winter months Lake Simcoe freezes and winter enthusiasts enjoy skating, ice fishing and snowmobiling on the Lake. In the warmer months Lake Simcoe provides hours of enjoyment for swimming, fishing, boating and other water activities.

The levels have been regulated by Canada Parks through the Trent-Severn Waterway for over 150 years. In that time, the annual average high water mark stands at 219.15 m above sea level (m/ASL). The lake normally fluctuates 0.4 m annually. The public perception is that there is much greater fluctuation in the lake levels when in actual fact the variation is quite low.
1.3.2 Buffers Riparian Area

A buffer riparian area is a strip of vegetation parallel to a watercourse or a waterbody that is intended to buffer the waterbody from negative effects of adjacent land uses. Vegetated buffers provide benefits to the waterbody including, but not limited to providing: shading, food sources for fish and wildlife habitat, a safe corridor for the movement or migration of fish and wildlife, habitat for wildlife, natural erosion control, filtration of chemical contaminants, filtration of sediment, slowing and filtration of storm and spring melt waters and maintenance-free regeneration. Upon the removal of buffers or riparian vegetation, these benefits are impacted. Lake Simcoe is being managed as coldwater fish habitat; a customary 30 m naturally vegetated buffer is considered appropriate as the buffer or riparian area of Lake Simcoe.

Around the entire perimeter of Lake Simcoe, the following landuses are found within 30 m from the high water mark:

<table>
<thead>
<tr>
<th>Land use</th>
<th>% of area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>0.61</td>
</tr>
<tr>
<td>Cultural Vegetation Communities</td>
<td>3.43</td>
</tr>
<tr>
<td>Open Spaces</td>
<td>4.18</td>
</tr>
<tr>
<td>Urban / Institutional / Commercial</td>
<td>54.02</td>
</tr>
<tr>
<td>Natural Vegetation Communities</td>
<td>20.64</td>
</tr>
<tr>
<td>Rural and Estate residential</td>
<td>14.32</td>
</tr>
<tr>
<td>Transportation Corridors</td>
<td>2.8</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100</td>
</tr>
</tbody>
</table>

1.3.3 Fish Habitat

The value of the Lake Simcoe fish habitat cannot be understated. Lake Simcoe and her fishery generate millions of dollars a year into the local economy of shoreline municipalities and also hosts the largest winter fishery in North America. Fish habitat is not limited to shoals, wetlands and littoral (or near-shore) areas, as fish use Lake Simcoe in its entirety for some or all of their life processes.

It is recognized that the littoral areas of the lake do provide the most important habitat for spawning, rearing and feeding. The littoral is also the area that provides the most cover and food production (invertebrates) in the lake and is also the easiest area to conduct fisheries studies in the form of trap, hoop and seine netting, but also through the use of both boat and
backpack electrofishing. Deep water areas are certainly recognized as important for species such as lake trout (*Salvelinus namaycush*) and lake whitefish (*Coregonus clupeaformis*).

Therefore from the shoreline to the interior of Lake Simcoe considering for the value of fish habitat must be a consideration at all times.

**1.3.4 Climate Change**

Climate change refers to a shift in long-term weather conditions, most generally associated with temperatures rising and the concept of global warming. Global issues are experienced locally. In the Lake Simcoe watershed, there are changes in regional climate conditions. Water levels and temperatures in Lake Simcoe are monitored by the LSRCA. Water levels are tied closely to flooding and erosion risks and water temperatures impact fish habitat. The number of days of ice cover on Lake Simcoe is decreasing, some years more drastically than others, but the impact on winter activities and winter safety is significant.*

As a response to climate change one element the LSRCA is focussing on is the role development and built form plays on the environment. Promoting low impact development (LID) practices can help properties control stormwater run-off and reduce flooding risks.

Regulating the development on properties within the Lake Simcoe watershed is also a key focus and ties directly into the OUR SHORE project. Paving, filling, building, changing slopes and other work near shorelines impact how water travels on the subject property and on adjacent properties. While the consequences are unintentional, the results can be quite serious.*

The monitoring LSRCA has always done, continues to be important. Flood monitoring and forecasting are of particular importance, especially in the interest of public health*.* LSRCA staff have stated that they are often unable to access private property to easily to monitor the site conditions and work taking place on a site. The OUR SHORE project can support monitoring objectives as the development permit regulations state that any development permit approval can include a condition to allow for continued monitoring of the site. The regulations state that any monitoring measures must be in the interests of public safety and the integrity of any natural features and work along the Lake Simcoe shoreline would fall into those categories and therefore would be appropriate conditions to impose.
2.0 POLICY CONTEXT: EXISTING SHORELINE POLICIES

There are several pieces of legislation and planning documents that apply to development and conservation along the Lake Simcoe Shoreline. They include documents at the Provincial, County and local level as well as the Lake Simcoe Region Conservation Authority. A collective and collaborative planning approach is a key aspect in managing the long-term viability of the Lake Simcoe Shoreline. It is important to fully understand the policies and regulations that are currently in place. Excerpts from the relevant documents are included in Appendix A, for full details each document should be considered in its entirety.
Provincial Policies

Provincial documents are prepared to provide a guiding policy framework for lower tier jurisdictions to incorporate into their own planning documents and decisions. The Provincial documents that impact shoreline developments include: Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan. Each of these documents identifies and defines key natural heritage features, key hydrologic features and natural hazard lands.

<table>
<thead>
<tr>
<th>Key natural heritage features</th>
<th>Significant habitat of endangered and threatened species</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Wetlands</td>
</tr>
<tr>
<td></td>
<td>Significant woodlands</td>
</tr>
<tr>
<td></td>
<td>Significant valleylands</td>
</tr>
<tr>
<td></td>
<td>Significant wildlife habitat</td>
</tr>
<tr>
<td></td>
<td>Significant areas of natural and scientific interest</td>
</tr>
<tr>
<td></td>
<td>Sand barrens, savannahs and tall grass prairies</td>
</tr>
<tr>
<td></td>
<td>Alvars</td>
</tr>
<tr>
<td></td>
<td>Fish habitat *</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Key hydrologic Features</th>
<th>Permanent or intermittent streams</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Lakes and their littoral zones *</td>
</tr>
<tr>
<td></td>
<td>Seepage areas and springs</td>
</tr>
<tr>
<td></td>
<td>Wetlands</td>
</tr>
</tbody>
</table>

| Natural hazards                                      | Flood prone areas *                                    |
|                                                      | Erosion prone areas *                                  |
|                                                      | Dynamic beaches *                                      |

*In the context of the Provincial documents, OUR SHORE must, at minimum, include provisions to meet these policies as they either specifically or generally reference Lake Simcoe. Nothing prevents OUR SHORE policies from being more restrictive than Provincial documents.

2.1 Provincial Policy Statement 2014

The Provincial Policy Statement (PPS) from 2014 provides direction on matters of Provincial interest and the document is designed to support the Provincial goal to enhance the quality of life for all Ontarians. Several overarching policies are reflective of the need for coordinated and integrated approaches to planning surrounding shoreline and watershed areas (1.2.1 e). The PPS continues to support measures that include public access to shorelines (1.5.1 c), long term protection of natural heritage features (2.1.1) and regard for planning around natural hazards due to climate change (3.1). The PPS states that development and site alterations should be kept to a minimum and impacts mitigated as much as possible (2.2).

The framework for the OUR SHORE project ties into the Province’s view of a comprehensive approach to planning regulations as the technical steering committee involves a cross section of
individuals. The information gathered throughout the project will be available to all Lake Simcoe jurisdictions, First Nations groups and Federal and Provincial ministries.

2.2 Growth Plan for the Greater Golden Horseshoe 2006, Office Consolidation 2012

Provincial interests continue to be defined in the Growth Plan and several policies speak to coordination of efforts amongst municipalities and Conservation Authorities for establishing what features are valuable to us as a population. Increased public access to shorelines and the promotion of good land stewardship activities on private and public lands are required (4.2.1).

2.3 Greenbelt Plan 2005

The Greenbelt Plan is scoped in area and as such has a section dedicated to shoreline area policies for Lake Simcoe. The southern and eastern shores of Lake Simcoe are within the Greenbelt Plan area. Within the Town the applicable area is the most south-easterly portion of the Town. These policies establish a 30 m minimum protection zone along a shoreline (4.1.3.2.d.i). This 30 m distance is present in several other planning documents including the Lake Simcoe Protection Plan and is considered a minimum setback distance in shoreline development scenarios. In addition, there are policies that state that structures are permitted subject to local policies (4.1.3.3).

2.4 Ministry of Natural Resources and Forestry – Ontario Regulation 239/13 Activities on Public Lands and Shore Lands – Work Permits and Exemptions

In cases where a property owner wishes do develop below the High Water Mark of Lake Simcoe that area falls within the jurisdiction of the Ministry of Natural Resources and Forestry (MNRF). Sections 5 through 10 outline what can take place without a permit such as: fish huts on the ice, removing a dock or boathouse or any new structure if it fronts onto your property and is less than 15m² and is one storey (Section 2 (1) 6). Any other activities involve a work permit from the MNRF. Filling and dredging along the shoreline as well as the movement of rocks and aquatic vegetation are actions that are potentially subject to permits as well.

As it relates to the Development Permit Study there is the ability to reflect permissions for uses and structures that do not require an MNRF work permit but to include provisions for consistency when the proposed development dictate that a permit is required. The possibility of consolidated approvals in these cases will be explored with the MNRF as part of the OUR SHORE project.
2.5 Lake Simcoe Protection Plan 2009 & Associated Regulations

The Lake Simcoe Protection Plan (LSPP) fits within the legislative framework the Province establishes within Provincial documents. It is the premier document dedicated entirely to the health of Lake Simcoe while at the same time recognizing the residential and tourism uses associated with the Lake require some elements of built form. This document also identifies the existing conditions of the shoreline and provides buffers and setback requirements to be consistent with the conditions of the shoreline.

Minimum vegetation protection zones are identified in the LSPP and are divided into two categories with distinct requirements for each:

<table>
<thead>
<tr>
<th>Area</th>
<th>Minimum vegetative protection zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shoreline built up area</td>
<td>30 m</td>
</tr>
<tr>
<td>Remaining shoreline of Lake Simcoe (outside of existing settlement</td>
<td>100 m</td>
</tr>
<tr>
<td>areas and outside of shoreline built up areas)</td>
<td></td>
</tr>
</tbody>
</table>

The Lake Simcoe Protection Plan requires natural heritage evaluations within 120 m of the Lake Simcoe Shoreline to identify features that require protection or mitigation from proposed development.

The LSPP specifically references the promotion of a consistent approach to protection, enhancement and the restoration of the shoreline throughout the entire watershed. The sharing of information gathered for the OUR SHORE project will establish a baseline for this desired consistent approach.

The LSPP targets for the natural shorelines of Lake Simcoe include:

- No further loss of natural shorelines on Lake Simcoe
- Achieve a greater proportion of natural vegetative cover
- Achieve a minimum 40 % high quality natural vegetative cover in the watershed
- Achieve naturalized riparian areas on Lake Simcoe

These targets can be realized with specific elements being included in the Development Permit System as each development permit is being reviewed.

The LSPP has several targets contained within to provide additional guidance and direction to municipalities about how to best protect Lake Simcoe. Of particular note is Section 6.12-SA that, within three years of the approval of the LSPP, requires municipalities to develop a shoreline...
management strategy that identifies the ecological values, best management practices, standards and guidelines and priority areas for restoration. The OUR SHORE project will satisfy this requirement with a particular emphasis on standards and guidelines. Other targets to be explored, with direction from the LSRCA, MNRF and MOECC include: site alteration and tree cutting, priority riparian areas, climate change adaptation strategy and environmentally sensitive recreation plans. While the OUR SHORE project may not specifically address all of these targets if there are areas of applicability they can be included in the project review or noted for future studies.

In addition to the LSPP and the Conservation Authorities Act, the LSRCA has developed guidelines to implement Ontario Regulation 179/06 for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (2015). The intention is to maintain the health of the watershed so it can continue to meet the needs of a growing surrounding population. Section 4.0.1 may allow for development, subject to criteria such as: where it can be demonstrated that the development will have no negative impacts on erosion (a), new hazards are not created (c), no adverse impacts on the natural coastal processes of the shoreline of Lake Simcoe (f) and that the proposal conforms to the LSPP (h). The vegetation protection zones are referenced in the Regulations that are consistent with the other policy documents which is 30m from the high water mark.

Chapter 6 of the regulations covers the Lake Simcoe Shoreline with the goal to restore, enhance or re-establish natural shorelines where ever opportunities to do so exist. Every development permit application under a Development Permit System offers an opportunity to improve the condition of the Lake Simcoe shoreline. Of particular interest is Section 6.1.8 that outlines what must be achieved to permit development within the vegetation protection zone including the protection of fish habitat (a), ecological functions (b), erosion control (c), appropriate planning and construction practices (d) and the replacement of any vegetation removal with self-sustaining vegetation (f). These components can be included in the provisions of a Development Permit System.

Section 6.1.9 specifically addresses boathouses and docks along the shoreline including minimizing the area of the structure (b), pervious material selection where possible (d) and the potential for additional studies to address potential impacts on the ecological functioning of the shoreline (f and g). Section 6.3 further describes policies to permit boathouses and Section 6.4 references dock development. Limits on habitable space within boathouses is referenced here
(d) and that is consistent with the Town of Innsifil zoning by-law’s definition that also restricts human habitation in boathouses. Docks and boathouses are key elements that will be included in the OUR SHORE project with these policies being reflected within.

Section 6.6 provides ways in which the shoreline can be protected and enhanced, including the vegetation protection zone as a way to stabilize the shoreline. This section is key as consideration is given to allowing development to take place on the shoreline and how to maximize the benefit to the natural shoreline at the same time.

2.6 County of Simcoe Official Plan

Simcoe County has its own upper-tier Official Plan. This document is required to conform to Provincial policies but can include more restrictive policies, if desired. Every municipality is also required to have their own Official Plan to conform to the County’s Official Plan. As the approval authority for the Town Official Plan and Official Plan amendments, the County’s Official Plan is a document that integrates Provincial policies for lower-tier municipalities to use as a baseline. The policies in each municipality vary in level of detail and scope.

The County Official Plan has an objective to protect, improve and restore elements that contribute to the ecological health of Lake Simcoe. The specific policies related to Lake Simcoe consolidate the main themes of the Growth Plan, the Greenbelt Plan and the Lake Simcoe Protection Plan for municipalities in Simcoe County to incorporate into individual Official Plans.

2.7 Connection to Town of Innisfil Strategic Plan

The OUR SHORE project ties into Innisfil’s Community Strategic Plan: Inspiring Innisfil 2020. One goal is to “Promote and protect Lake Simcoe and Nottawasaga River watersheds for their critical ecological, heritage and tourism benefits”. OUR SHORE will explore the best way to allow property owners the use and enjoyment of their properties while protecting and enhancing the shoreline. This balance of recognizing and allowing for appropriate forms of development along the shoreline; will help preserve our heritage, while still allowing property owners to enjoy and use their properties. It will also help enhance the tourism benefits that Lake Simcoe offers the Town and its residents.

Inspiring Innisfil 2020 is being updated in the first and second quarters of 2016. While still in draft format the three main components of the strategy are: Grow, Connect and Sustain. There are specific goals and objectives that tie into the importance of Lake Simcoe to the fabric of the Town. Developing strategies to enhance the shoreline and improve access and recreational
opportunities while ensuring sustainability of the shoreline is part of the strategy, as well as exploring alternative ways to enhance the parks and recreation spaces within the Town including water and ice taxis and hut operators. In addition to these themes, sustainability and protecting and sustaining water resources as well as investigating options to ensure environmental protection of the lake and the shoreline. One such option is exploring the use of a DPS for shoreline development.

2.8 Town of Innisfil Official Plan

The existing Town of Innisfil Official Plan was adopted in 2006 and is currently being reviewed and updated through the Our Place project with an anticipated completion date by the end of 2016. Lake Simcoe and its shoreline are identified as significant features for residents. The Official Plan recognizes the presence of seasonal and permanent residents along the shoreline of Lake Simcoe and to balance the property rights and desires of residents and businesses. The private ownership desires must be balanced with the need to protect and enhance Lake Simcoe, its shoreline and its ecological health.

There are several policies established in the Provincial documents or in the Lake Simcoe Protection Plan that limit development immediately abutting the shoreline of Lake Simcoe. Development permissions within the stipulated vegetation protection zones are quite limited, but there are provisions to improve existing uses and to permit new low impact development.

The goals of the Town’s existing Official Plan seek to maintain the Lake Simcoe shoreline as a residential and recreational area and to provide adequate vegetative buffering and development setbacks along the shoreline. The impact of development along the shoreline is not only visible on land but also from the water. Buffers and setbacks for development along the shoreline help to maintain a naturalized look along the shore but also allowing for development on private land to occur.

The Official Plan stipulates the settlement areas within the Town. This is significant as the settlement areas are subject to different setback requirements from Lake Simcoe than areas outside of settlement areas. In the current Official Plan the shoreline settlement areas include: Gilford, Lefroy and Belle-Ewart, Alcona and Sandy Cove. There are no proposed changes to the shoreline settlement areas in the Town’s Our Place documents.
2.9 Town of Innisfil Zoning By-law

Development provisions for the shoreline are incorporated into the Town’s zoning by-law 080-13. The current zoning along the Lake Simcoe shoreline is a mix of Residential 1, Open Space, Environmental Protection and Commercial Tourist. In addition, there is a waterfront designation on the shoreline properties that specify specific setbacks that tie into the distances stipulated in the LSPP. Open Space and Environmental Protection zones permit limited uses along the shoreline, such as: existing agricultural uses, outdoor recreation use, conservation use, passive recreation, public uses and accessory buildings and structures. The permitted uses along the shoreline will be explored as part of the OUR SHORE project.

2.10 Interim Control By-law

In addition to all of the relevant planning documents, to respond to development pressures along the shoreline the Town attempted to address these pressures until such time as a Shoreline Development Plan is completed. On June 3, 2015 Town of Innisfil Council approved By-law 078-15 as an Interim Control By-law to restrict development on the large, vacant, waterfront lots within the Town. The lands subject to this by-law were selected based on specific criteria, in particular the ability for these properties to impact the Lake Simcoe shoreline. Approximately thirty-three properties are included in the Interim Control By-law. The lands subject to the Interim Control By-law are shown in Key Map No. 1 and Key Map No. 2. The by-law is currently under appeal to the Ontario Municipal Board.
2.11 Official Plan Amendment to Amend the Site Plan Control Provisions

On September 2, 2015 Town of Innisfil Council adopted Official Plan Amendment No. 16 through By-law 099-15 and a subsequent by-law 100-15 to amend the Site Plan Control By-law to include select large, vacant, waterfront lots already subject to the Interim Control By-law. The Official Plan Amendment was approved by the County of Simcoe on January 9, 2016. When these by-laws become final, the intention is to repeal the Interim Control By-law. The By-law to adopt Official Plan Amendment No. 16 is currently under appeal to the Ontario Municipal Board.
3.0 DEVELOPMENT PERMIT SYSTEM

The OUR SHORE project is designed to manage shoreline development and specifically the use of a Development Permit System (DPS) to do so. Ontario Regulation 608/06 provides the legislative framework for Development Permits. The Province of Ontario is enabling municipalities to explore the use of a DPS to reform the planning process in Ontario. A DPS has been available to Ontario municipalities since January 1, 2007 and is still considered to be a new planning tool almost nine years later. In comparison to tradition planning methods such as: zoning being established in 1937, Committee of Adjustment being established in 1952 and Site Plan Approval being established in 1973, a DPS is a relatively new planning tool. A DPS provides an alternative to traditional zoning methods for a municipality and can replace a zoning by-law for an area or the entire municipality. A DPS differs from a zoning by-law by the ability to permit discretionary land uses in addition to permitted land uses, conditional approvals, variations to standards and an expanded definition of development.

A DPS is implemented by enacting Official Plan policies and an accompanying Development Permit By-law which replaces the Zoning By-law for the area covered by the DPS. A DPS can combine traditional planning methods such as zoning by-law amendment, site plan approval and minor variance applications and in some cases site alteration and tree cutting permits.

3.1 Features and Benefits

FLEXIBILITY

Zoning by-law regulations are rigid and can only be changed with an amendment to the zoning by-law approved by Town Council or a minor variance approved by the Committee of Adjustment. A DPS is flexible. Although the provisions of a DPS can be similar to those in a zoning by-law, a DPS can establish minimum and maximum development requirements. Any requirement in a DPS can be varied by a specified amount or rate in appropriate situations. This flexibility can be extended to any aspect of the DPS: setbacks, parking requirements, building height, coverage, density, etc.

The DPS can also remove the ability to vary certain aspects of the DPS as well. In addition to setbacks and density provisions a DPS will also specify permitted and discretionary uses. Permitted uses are allowed in any circumstance whereas a discretionary use may be permitted subject to certain criteria or conditions being met.
STREAMLINED APPROVALS (45 DAYS)

The approval of a DPS simultaneously considers zoning, minor variance and site plan matters. The approval of one development permit will combine all approvals and the applicant will be ready to submit for a building permit. Decisions on development permits must be made within 45 days from the date of a completed application, a much shorter timeline than traditional planning approvals.

ABILITY TO ADDRESS LOCAL PLANNING NUANCES

If there are localized planning challenges associated with a particular neighbourhood, the policies within a DPS can be tailored to address those issues. Any criteria or conditions will be outlined in the DPS. This system allows desired landuses to proceed in an efficient manner and requires additional consideration for those uses that warrant it.

The DPS policies can be written to specifically address neighbourhood issues. If a neighbourhood is experiencing traffic or parking concerns related to developments the DPS policies can ensure those issues are examined up front. If preserving the historic environment or urban design elements are important to the neighbourhood, then those issues can be examined up front.

PROTECTING THE ENVIRONMENT

The definition of development in O. Reg. 608/06 is expanded from the definition of “development” in the Planning Act. This expanded definition of development includes site alteration and the removal of vegetation. This is particularly relevant in shoreline areas where the addition or removal of soil, site grading and vegetation removal all impact the shoreline both aesthetically and ecologically.

SCOPED ONTARIO MUNICIPAL BOARD APPEALS

While the parent Official Plan and DPS by-laws can be appealed to the Ontario Municipal Board, the decisions of individual development permits are only appealable by the applicant. No third party appeals are permitted to a development permit. The parent documents establish a level of development that is satisfactory to the community and therefore, any development permit that is within those parameters can be approved with confidence. The scoped ability to appeal also contributes to the streamlined timing that allows property owners to obtain efficient approvals and move towards achieving the established vision.
COMMUNITY VISION AND ENGAGEMENT

The scoped Ontario Municipal Board appeals is explained by the large amount of upfront community involvement to establish the goals and objectives of the DPS. This will ensure that the development permit applications support the implementation of those goals and objectives.

A DPS can also stipulate community benefits in exchange for built form and density considerations for the applicant. During the vision and engagement exercises, community benefits can be defined and then included in the DPS documents. As development permits are considered, the opportunity to obtain these community benefits can be explored.

PUBLIC NOTICE REQUIREMENTS

While there are statutory notice requirements to adopt and approve the parent Official Plan and DPS by-laws, there are no statutory notice requirements for development permit applications. The DPS can still stipulate notice requirements, such as: how and when to notify neighbours, albeit often with a shorter timeline than traditional planning methods. These notice periods also work towards the streamlined approval process. The intention is not to remove the public involvement in planning matters but rather to focus the input received and the Town will continue to consider public input in all applications as stipulated in the DPS documents.

DELEGATED AUTHORITY

Traditional planning methods require approval by Council. A DPS can delegate all or some of the approval authority to staff who are able to provide a decision in a shorter period of time.
### 3.2 Comparison of Traditional Planning Methods and a Development Permit System

<table>
<thead>
<tr>
<th></th>
<th>Official Plan / Zoning By-law / Site Plan System</th>
<th>Development Permit System</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Summary</strong></td>
<td>This system has been well established for many years. These documents work in tandem to guide built form in a municipality. Any variations from these documents require amendments that are reviewed on a case by case basis with reactive responses from members of the public and reactive decisions from the approval authority.</td>
<td>This system is visionary in nature and describes what the municipality and area residents and property owners want to see in their community. It combines zoning, minor variance and site plan applications and can also include tree removal and site alteration provisions. This system allows applications that meet the vision to be approved quickly, therefore reaching the goals and vision of the area quickly.</td>
</tr>
<tr>
<td><strong>Parameters</strong></td>
<td>Zoning restricts landuses, building placement, density, height, site coverage.</td>
<td>DPS can stipulate the same provisions as zoning by-laws but can also allow for discretionary uses, variances to the provisions, development definition can include site alteration, vegetation removal, and conditions of approval.</td>
</tr>
<tr>
<td><strong>Conditions of Approval</strong></td>
<td>Conditions are limited to the nine items in Section 41 of the Planning Act: road widenings, access to public roads, off-street parking, walkways and pedestrian access, access for the disabled, lighting, landscaping, garbage enclosures, easements, stormwater.</td>
<td>DPS can impose any reasonable condition provided it is outlined in the Official Plan and DPS by-law. This provides certainty to applicants that the concept is approved in advance of commissioning expensive reports. Conditions beyond the scope of Section 41 can include: exterior building design, the requirement to enter into agreements, ongoing monitoring, etc.</td>
</tr>
</tbody>
</table>
**Process**  Zoning, minor variance and site plan applications must take place consecutively as site plan applications cannot be approved if zoning provisions are not met, even if the applications are processed concurrently. Plus the time it takes for staff reports and to reach council agendas for decision can add time to the overall process.

DPS combines zoning compliance and site plan approval into one process and one application. If an application cannot be supported by the DPS or within the variations permitted within the DPS an amendment can be processed. A development permit can be approved through delegated authority and, with or without notice requirements as stipulated in the DPS. There may be several process streams available to an applicant depending on the proposal.

**Timing**

<table>
<thead>
<tr>
<th>Zoning</th>
<th>120 days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Plan</td>
<td>30 days</td>
</tr>
<tr>
<td>Minor Variance</td>
<td>30 days</td>
</tr>
</tbody>
</table>

Site plan approval is in addition to the zoning or minor variance applications (not done concurrently).

<table>
<thead>
<tr>
<th>Development Permit</th>
<th>45 days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendment to the development permit by-law</td>
<td>120 days</td>
</tr>
</tbody>
</table>

**Fees**

Fees vary by municipality but Town of Innisfil rates are:

- OPA: $2,700
- ZBA: $2,160
- Site Plan: $725
- Minor Variance: $1,020
- Plus hourly staff time: ranging from $80 - $180 / hour

Fees vary by municipality but range between:

- $75-500 for staff approval
- $350 – 3,500 for Committee / Council approval
- $450 - $3,500 to amend the development permit by-law

**OMB Appeals**

Decisions or non-decisions can be appealed by the applicant or a third party.

Decisions or non-decisions can be appealed by the applicant. The parent Official Plan and DPS by-law can be appealed by anyone to the OMB. A development permit amendment application can be appealed by the applicant or a third party.
The Planning Act provides several regulatory requirements to establish, create and implement a DPS in Ontario.

The foundation of a DPS begins with Official Plan policies. An Official Plan amendment must be adopted to identify the area subject to the DPS. The Official Plan document is required to have several components to explain what the DPS will consist of in accordance with O. Reg. 608/06. These required elements include:

- Identification of the development permit area
- Statement of goals and objectives for the DPS
- Types of criteria for approvals that may be included in the DPS by-law
- Types of conditions that may be included in the DPS by-law
- Set out the parameters for delegated authority for decisions

The Official Plan may provide additional details such as:

- Complete application requirements
- Types of development exemptions from the DPS
- Community benefits policy that specify height or density provisions in exchange for established public benefits
The DPS by-law requirements are outlined in O. Reg. 608/06 and include:

- All of the elements required in the Official Plan (area, goals, objectives) and further clarity on criteria, conditions and delegations
- Permitted uses
- Discretionary uses
- Minimum and maximum development standards
- Internal review procedures for decisions on development permit applications
- Method of providing notice to the applicant in terms of a complete application and notice of decision and timing of these notices
- Public notice procedures
- How to amend a development permit by-law if the application is not supported by the DPS
- Conditions of approval, including entering into development agreements and the ability to monitor the approved development in cases where public health and safety or the natural environment can be verified through ongoing site visits and monitoring
- Scope of delegated authority for decisions
- Exemption for portable school classrooms on a school site in existence on January 1, 2007

The DPS by-law may provide additional details such as:

- Establishing ranges of possible variations from the standards and criteria to approve variations
- Establishing classes of development and these classes may vary the delegation of approval, ranges of variations from standards and public notice requirements
- List activities and built form exempt from the DPS
- Transitional clauses can also be stipulated for applications currently under review

**CONSULTATION TO ESTABLISH A DPS**

The regulations are very specific about the public outreach required to establish a DPS. In addition to the mandatory public meeting for the Official Plan amendment and DPS by-law there is also the requirement for a public open house. The public open house must allow individuals to ask questions about a DPS. It is expected that the open house will provide information about the Official Plan and development permit by-law documents and individuals are then able to articulate their comments in advance of the statutory public meeting. An open house must be
held no later than seven days before the statutory public meeting for the consideration of an Official Plan amendment or the Development Permit by-law. The notice requirement for the public meeting and the open house is a minimum of twenty days in advance. Appeal rights to the OMB are established through attendance and participation at the statutory public hearing.
4.0 JURISDICTIONAL ANALYSIS

4.1 Pilot Projects

When the Province initiated the DPS pilot projects in 2006 five municipalities participated, each with a particular focus. A summary of the pilot municipalities and the interest of each is below:

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>DPS focus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Region of Waterloo</td>
<td>Permit development that would limit groundwater contamination</td>
</tr>
<tr>
<td>Township of Lake of Bays</td>
<td>Shoreline area protection</td>
</tr>
<tr>
<td>City of Hamilton</td>
<td>Permit sensitive development in an historic downtown area</td>
</tr>
<tr>
<td>City of Toronto</td>
<td>To promote development of brownfield areas near the waterfront and portlands</td>
</tr>
<tr>
<td>Town of Oakville</td>
<td>To promote development of brownfield areas and to promote bus and train infrastructure</td>
</tr>
</tbody>
</table>

At the conclusion of the pilot project only the Lake of Bays kept the DPS. The Province indicated that the pilot municipalities did not continue with the DPS at that time had to do with outside factors of timing and resources, rather than the actual use of a DPS. The Lake of Bays maintained the use of the DPS since 2006 and has subsequently expanded the Official Plan to allow the use of a DPS township-wide.

4.2 Beyond the Pilot Projects

In recent years several Ontario municipalities have been using a DPS. Outside of Ontario, several planning jurisdictions use a DPS. The jurisdictions studied for the purposes of this report include:

- Township of Lake of Bays
  - Waterfront DPS since 2006 and town-wide DPS permissions in the Official Plan since 2015, although the subsequent DPS bylaw has not been presented to Council or the public as yet
  - Cottage country location makes shoreline development a focus of the DPS

- City of Brampton
  - Main Street North area approved in 2015
  - Low application numbers, but several pre-consultations have taken place
  - 5 separate districts within the DPS area with unique characteristics and identified goals
• Town of Carleton Place
  ✓ A town-wide DPS approved in 2015
  ✓ District approach within the DPS addresses specific area criteria and design elements

• Town of Gananoque
  ✓ A town-wide DPS approved in 2010
  ✓ Special policies for waterfront and town gateway properties
  ✓ Policies to preserve viewscapes to the water

• City of Toronto
  ✓ Implementing Official Plan Amendment approved in 2014
  ✓ DPS areas to be established by local community planning areas
  ✓ Currently appealed to the Ontario Municipal Board

• Government of Bermuda
  ✓ Operates like a DPS although not specifically called a DPS
  ✓ Island location makes coastal development a focus, including erosion, flooding and storm inundation levels
  ✓ Includes provisions for boathouses, docks and seawalls

• Woodlands County, Alberta
  ✓ A county-wide DPS
  ✓ Limits development on agricultural land based on quality of the agricultural land

• Salt Spring Island, British Columbia
  ✓ The Islands Trust in British Columbia is a single point for several of the small islands
  ✓ Island location with tourist and residents alike
  ✓ Seasonal cottage and dock requirements stipulated
  ✓ Environmental Development Permit Area is used in their shoreline area

In addition to the municipalities studied, Niagara on the Lake and the Town of Ajax are also exploring the use of a DPS. Niagara on the Lake has draft policies in place as part of an Official Plan review. The Town of Ajax is beginning to seek support from Council to explore the use of a DPS.

There have been limited Ontario Municipal Board hearings relating to DPS. The City of Toronto DPS is before the Ontario Municipal Board, although attempting mediation, with a hearing date set for August 2016. The Township of Lake of Bays had one appeal due to the non-issuance of
a development permit. The Town of Gananoque received a joint appeal from fast food restaurants due to wording in the development permit by-law related to drive through restaurants. This appeal was resolved before a hearing with minor wording changes. In comparison to widespread appeals that several other Official Plan and Zoning By-law amendments receive the number of appeals associated with development permits is negligible.

The jurisdictional analysis has shown that since the pilot projects in 2006 the use and concept of a DPS is becoming increasingly popular in Ontario, however more often tied to the augmentation of a Community Improvement Plan (CIP) as opposed to shoreline or environmental considerations. The quick approval time and the limited scope of Ontario Municipal Board appeals is attractive to every party involved in land use planning. There remains a lot of work to do in terms of presenting the concept of a DPS to the community and building trust between all parties in the hopes of creating better community planning solutions.

The full details of the jurisdictional analysis are in Appendix 2.
5.0 DEVELOPMENT PERMIT SYSTEM AND SHORELINE DEVELOPMENT

While there has been some discussion about a DPS in general, there are several reasons why a DPS can specifically be beneficial in a shoreline environment such as Lake Simcoe.

- **The expanded definition of development** to include site alteration and vegetation removal is key. As discussed previously, the definition of development in the Ontario Regulation 608/06 that guide development permits is expanded beyond that definition in the Planning Act. This expanded definition really addresses a key element of shoreline impacts and erosion.

- **The ability to scale application review and approval procedures** makes the DPS seem like a reasonable response to the Town’s concern over development along the shoreline. A DPS is not a long drawn out process that will inhibit projects rather it will provide the opportunity for applications to receive a timely review and approvals.

- The scaling of development permit applications can also **reduce permit duplication and increase permit clarity**. Currently a shoreline project may require approvals from the Town of Innisfil, the LSRCA, the Ministry of Natural Resources and Forestry and the Department of Fisheries, as examples. Based on the location and scope of the proposal the approval protocol will vary. A DPS can provide clarity to the applicant and approval authorities on the types of applications and how they are approved.

- **The ability to monitor development permit applications** on site throughout and after construction. The ability to monitor under Ontario Regulation 608/06 is tied to being concerned about public health and safety, or the natural environment. Both conditions could apply in a shoreline environment.

- **The ability to allow for exchanges** for the provision of specified facilities, services and matters in exchange for height or density of development has the opportunity to improve the shoreline as part of development approvals.
6.0 CONCLUSIONS AND NEXT STEPS

The traditional planning methods of Official Plan and Zoning By-law documents and site specific amendments to those documents to support individual applications results in development applications being assessed on a site by site basis. This results in decisions being made without a large amount of thought or consideration being given to the overall impacts of developing in this manner. From the perspective of Lake Simcoe and the Town’s shoreline it is essential that development be looked at with a broader lens. A DPS is a good way in which to combine the existing regulatory environment with the views of the existing community into a new regulatory framework that establishes a vision and allows development that fits within that vision to be realized. Proposals that may require additional consideration can also be accommodated within the DPS framework. Lake Simcoe is not only a private asset for residents nor is it only a public access for the Town of Innisfil; it is a Provincially significant feature that requires protection and enhancement in the most comprehensive way possible. A DPS allows residents and Council to review planning documents in the context of Lake Simcoe in a proactive manner.

The OUR SHORE project timeline and milestones are shown in the figure below.
The project will continue as follows:

1. Consultation with Town of Innisfil Council to highlight the benefits of using a DPS in the shoreline and to confirm Council's support to pursue a DPS as a tool to manage the development of Innisfil's shoreline.

2. A Technical Discussion report that will explore the detailed issues and the need for development along the shoreline.

3. A detailed public consultation plan will be prepared and finalized with significant outreach to existing property owners along the shoreline as well as technical bodies and groups with interest in the shoreline.

4. All of this research, data and feedback will be the building blocks for the Official Plan amendment to support a DPS in the Town and the supporting development permit by-law before the end of the first quarter of 2017.

5. Throughout the process the ultimate implementation of a DPS in the Town is being considered, including the coordination of land use approvals across legislative bodies through a single DPS application.

6. Additional documentation of the project will be provided to the Ministry of the Environment and Climate Change as indicated in the cost-sharing agreement, including an interim report due before fourth quarter of 2016 and a final report due before the end of the first quarter of 2017.
APPENDIX A: EXISTING POLICIES

Provincial Policy Statement

Applicable Policy

1.2.1 Coordination
A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and / or upper-tier municipality’s boundaries, and with other orders of government, agencies and boards including:
b) economic development strategies;
c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources 
e) ecosystem, shoreline, watershed, and Great Lakes related issues;
f) natural and human-made hazards.

1.5.1 Public Spaces, Recreation, Parks, Trails and Open Space
Healthy, active communities should be promoted by:
b) planning and providing for a full range and equitable distribution of publically-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
c) providing opportunities for public access to shorelines

1.7.1 Long-term Economic Prosperity
Long-term economic prosperity should be supported by:
g) providing opportunities for sustainable tourism development;
j) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature

2.1.1 Natural Heritage
Natural features and areas shall be protected for the long term.

2.2 Water
2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:
a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts on development;
b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;
c) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;
d) maintaining linkages and related functions among ground water features, hydrological functions, natural heritage features and areas, and surface water features including shoreline areas;
e) implementing necessary restrictions on development and site alteration to:
   1. protect all municipal drinking water supplies and designated vulnerable areas; and
   2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;
f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;
g) ensuring consideration of environmental lake capacity, where applicable, and;
h) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extend of vegetative and pervious surfaces.
2.2.2 Development and site alterations shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored. Mitigative measures and / or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.

3.1 Natural Hazards
3.1.3 Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.

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**Growth Plan for the Greater Golden Horseshoe 2006, Office Consolidation 2012**

**Applicable Policy**

**4.2 Policies for Protecting What is Valuable**

**4.2.1 Natural Systems**

4. Municipalities, conservation authorities, non-governmental organizations, and other interested parties are encouraged to develop a system of publically accessible parkland, open space and trails, including shoreline areas, within the GGH that –

a) clearly demarcates where public access is and is not permitted

b) is based on a co-ordinated approach to trail planning and development

c) is based on good land stewardship practices for public and private lands

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**Greenbelt Plan 2005**

**Applicable Policy**

**3.2.4 Natural Heritage Features and Key Hydrologic Features Policies**

**Key hydrologic features include: lakes and their littoral zones**

Development or site alteration is not permitted in key hydrologic features and key natural heritage features within the Natural Heritage System with the exception of:

a) Forest, fish and wildlife management

b) Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered; or

c) Infrastructure, aggregate, recreational, shoreline and existing uses and subject to the general policies of section 4 of this Plan.

**3.2.5 External Connections**

The Natural Heritage System is connected to local, regional and provincial scale natural heritage, water resource and agricultural systems beyond the boundaries of the Greenbelt. To support the connections between the Greenbelt’s Natural System and the local, regional and broader scale natural heritage systems of southern Ontario, such as the Lake Ontario shoreline, including its remaining coastal wetlands, the Great Lakes Coast, Lake Simcoe, the Kawartha Highlands, the Carolinian Zone and the Algonquin to Adirondack Corridor, the federal government, municipalities, conservation authorities, other agencies and stakeholders should:

1. Consider how activities and land use change both within and abutting the Greenbelt relate to the areas of external connections identified in this Plan;

2. Promote and undertake appropriate planning and design to ensure that external
connections are maintained and / or enhanced; and

3. Undertake watershed based planning, which integrates supporting ecological systems with those systems contained in this Plan.

### 4.1.3 Shoreline Area Policies

The shorelines of Lake Ontario, Lake Simcoe, and Lake Scugog and other inland lakes contain substantial amounts of both season and permanent residential development. The shoreline areas of lakes (including the littoral zones) are particularly important and sensitive given the key natural heritage features and functions and because of the connectivity that shorelines provide for flora and fauna. In addition, the shorelines support a wide range of recreational venues and opportunities, including trail systems such as the Lake Ontario Waterfront Trail.

For shoreline areas falling within the Protected Countryside the following policies shall apply:

1. For the purpose of this Plan, shoreline areas are those areas where concentrations of existing or approved shoreline development are currently zoned and / or designated in municipal official plans, as of the date this Plan came into effect.

2. Subject to any municipal and agency planning requirements, minor rounding out, infill development, redevelopment and resort development is permitted in shoreline areas along Lake Ontario, Lake Simcoe, Lake Scugog and other inland lakes, subject to the following criteria:
   a) Municipalities and conservation authorities shall ensure that the development is integrated with existing or proposed parks and trails and / or does not constrain ongoing or planned stewardship and remediation efforts;
   b) The Natural System policies of section 3.2 of this Plan are applied;
   c) To the extent possible, such development enhances the ecological features and functions in shoreline areas;
   d) Proposals for land use conversions, redevelopments and / or resort development shall:
      i) Establish or increase the extent and width of a vegetation protection zone along a shoreline to a minimum of 30 metres;
      ii) Increase or expand the extent of fish habitat in the littoral zone;
      iii) Minimize erosion, sedimentation and the introduction of nutrient or other pollutants and promote planning, design and construction practices that maintain or improve water quality;
      iv) Improve the efficiency of sewage disposal facilities in order to reduce nutrient inputs to groundwater and the lake; and
      v) Integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the shoreline as both wildlife habitat and a movement corridor; and
   e) The capacity of the receiving water body shall be determined considering inputs from both existing and approved development and available capacity shall be demonstrated. Such proposals shall comply with any relevant watershed or subwatershed study and in the case of Lake Simcoe, any such analysis must be considered in the context of the Lake Simcoe Environmental Management Strategy.

3. Notwithstanding the policies of section 4.1.3.2 (d) structures may be permitted in the vegetation protection zone and littoral zone subject to any municipal, agency or other requirements or restrictions, and provided the area occupied by such structures is minimized.
Ontario Regulation 239/13 Activities on Public Lands and Shore Lands – Work Permits and Exemptions (MNRF)

Applicable Policy

2. (1) No person shall carry out any of the following activities except under the authority of and in accordance with the terms and conditions of a work permit that authorizes the activity:
   1. Construct or place a building on public land.
   2. Construct a trail, water crossing or road on public land.
   3. Dredge shore lands.
   4. Fill shore lands.
   5. Remove invasive aquatic vegetation or native aquatic vegetation by mechanical means or by hand from shore lands.
   6. Construct or place a structure or combination of structures that occupies more than 15 square metres on shore lands. O. Reg. 239/13, s. 2 (1).

5. (1) A person is not required under paragraph 1 of subsection 2 (1) to obtain a work permit to construct or place one or more buildings within the boundaries of an unpatented mining claim for the purpose of mineral exploration and development, if the person complies with the requirements set out in subsection (2). O. Reg. 239/13, s. 5 (1).

6. (1) A person is not required under paragraph 3 of subsection 2 (1) to obtain a work permit to dredge shore lands that were initially dredged under the authority of a work permit, if the person complies with the requirements set out in subsection (2). O. Reg. 239/13, s. 6 (1).

7. (1) A person is not required under paragraph 3 of subsection 2 (1) to obtain a work permit to relocate rocks on shore lands, if the person complies with the requirements set out in subsection (2). O. Reg. 239/13, s. 7 (1).

8. (1) A person is not required under paragraph 4 of subsection 2 (1) to obtain a work permit to maintain, repair or replace an erosion control structure on shore lands, if the person complies with the requirements set out in subsection (3). O. Reg. 239/13, s. 8 (1).

9. (1) A person is not required under paragraph 5 of subsection 2 (1) to obtain a work permit to remove, by mechanical means or by hand, invasive aquatic vegetation from shore lands located in the area set out in Schedule 1 or 2, if the person complies with the requirements set out in subsection (2). O. Reg. 239/13, s. 9 (1).

10. (1) A person is not required under paragraph 5 of subsection 2 (1) to obtain a work permit to remove, by mechanical means or by hand, native aquatic vegetation from shore lands located in the area set out in Schedule 2, if the person complies with the requirements set out in subsection (2). O. Reg. 239/13, s. 10 (1).

Lake Simcoe Protection Plan 2009

Applicable Policy

Chapter 6 Shorelines and Natural Heritage

6.2-DP The minimum vegetative protection zone in a shoreline built up area is 30 meters from the Lake Simcoe shoreline, or larger if determined appropriate by an evaluation required by policy 6.3. The vegetative protection zone for the remaining Lake Simcoe shoreline, outside of existing settlement areas and outside of shoreline built-up areas, is 100 metres from the Lake
Within shoreline built-up areas, an application for development or site alteration within 120 metres of the Lake Simcoe Shoreline shall be accompanied by a natural heritage evaluation that satisfies the requirements of policy 6.26, unless the development or site alteration is for a purpose specified by policy 6.1.

Subject to the other policies in this Plan, structures shall only be permitted in a vegetation protection zone along the Lake Simcoe shoreline if:

a) there is no alternative but to place the structure in this area and the area occupied by such structures is minimized;
b) the ecological function of the vegetation protection zone is maintained; and
c) pervious materials and designs are used to the extent feasible.

Outside of existing settlement areas, a proposal for development or site alteration within 240 metres of the Lake Simcoe shoreline must demonstrate that the development or site alteration will maintain and, to the extent feasible, enhance or restore functional wildlife movement corridors between any key natural heritage feature or key hydrologic features identified in policies 6.21 and 6.22 that is located along the Lake Simcoe shoreline and from the Lake Simcoe shoreline to another key natural heritage feature or key hydrologic feature within 240 metres of the Lake Simcoe shoreline.

Subject to the other policies in this Plan, a shoreline built-up area may only be expanded to provide for minor rounding out of the area and only in accordance with provincial plans and the PPS.

Significant alteration of the shore of Lake Simcoe or the shore of a fresh water estuary of a stream connected to Lake Simcoe is not permitted unless the significant alteration is for the purpose of stabilizing, protecting, restoring or rehabilitating the shore or the alteration will be undertaken by a public body and the project is consistent with the objectives of this Plan. A significant alteration of the shoreline includes any alteration that has an adverse effect on the ecological functions of the shoreline.

No structures, including boathouses, shall be permitted in Lake Simcoe, other lakes or in a permanent or interment stream if the structure impedes the natural flow of water along the shoreline or in the stream, if the structure is intended to be used as a dwelling, or if the structure or its construction harmfully alters fish habitat. This policy does not prohibit drainage works such as those permitted under the Drainage Act, those required for infrastructure or those structures required for the purposes of stewardship, conservation, restoration or remediation undertakings.

The alteration of the shore of Lake Simcoe, other lakes or permanent or intermittent stream for the purpose of establishing or altering drainage works such as those works under the Drainage Act, infrastructure or for stabilization, erosion control or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (e.g. planting of natural vegetation, bioengineering) that maintain the natural contour of the shoreline will be used where practical, and a vegetative riparian area will be established to the extent feasible. In relation of such works, lands used for agricultural purposes do not require the establishment of a vegetative riparian area if the land is, and will continue to be used for agricultural purposes.

Where, in accordance with the policies of this Plan, a proposal for development or site alteration is permitted within 120 metres of the Lake Simcoe shoreline, other lakes in the Lake Simcoe watershed, or any permanent or intermittent stream or a wetland, the development or
site alteration should be integrated with and should not constrain ongoing or planned stewardship and remediation efforts.

6.11-DP Where, in accordance with the policies of this Plan, a proposal for development or site alteration is permitted within 30 metres of the Lake Simcoe shoreline, other lakes in the Lake Simcoe watershed, or any permanent or intermittent stream or a wetland outside of settlement areas and the Greenbelt area and Oak Ridges Moraine area, the proposal for development or site alteration shall comply with the following where applicable:

a. maintain, where possible, increase or improve fish habitat in the Lake, stream or wetland, and any adjacent riparian areas;

b. to the extent possible, enhance the ecological features and functions

c. minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design and construction practices that maintain and improve water quality; and

d. integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the area as both wildlife habitat and a movement corridor.

6.12-DP Within three years of the date the Plan comes into effect, the MNR, MOE and the LSRCA, in collaboration with the First Nations and Metis communities, other ministries and municipalities will develop a shoreline management strategy that, for various reaches of the shoreline, identifies ecological values, best management practices, standards, guidelines, and priority areas for restoration, securement and acquisition.

6.13-DP Upon completion of the shoreline management strategy, municipal official plans shall be amended to ensure they are consistent with the recommendations of the strategy.

6.14-SA Public bodies are encouraged to actively re-naturalize public areas adjacent to shorelines and streams to a minimum of 30 metres where practical and feasible.

6.15-SA Through the implementation of the stewardship, education and outreach policies owners of existing cottages and residences will be encouraged to re-naturalize shorelines and areas adjacent to streams up to 30 metres where practical and feasible.

Proposed Shoreline Regulation

Under the Lake Simcoe Protection Act, 2008 the government may make regulations to regulate or prohibit activities that may adversely affect the ecological health of the Lake Simcoe watershed. The following policies provide direction for proposed regulations.

6.17-SA The area to which the shoreline regulation would apply includes the littoral zone, the riparian area, on-land areas beyond riparian areas and wetland where an activity may affect ecological functions. This regulated area must be described in any Plan prepared.

6.18-SA The proposed regulation may address the following:

a. the use of fertilizer for non-agricultural lands such that water quality of lakes and streams is not affected;

b. activities that contribute to the spread of invasive species;

c. peat extraction in all wetlands in the watershed;

d. the filling or draining of existing wetlands except as related to mineral aggregate operations or existing settlement areas where the regulation would only apply to those wetlands of provincial significance, and in relation to existing agricultural operations (e.g. The Holland Marsh)

e. removal of vegetation and coarse woody debris would not be permitted within shoreline areas, with some exceptions, to protect existing natural areas adjacent to shorelines and to retain vegetated buffers consistent with those required by development and site alteration policies (e.g. 30 meter minimum vegetation protection zone on either side of a permanent or intermittent stream); and

f. other issues identified through research and consultations.
6.27-DP A proposal for new development or site alteration within 120 metres of the Lake Simcoe shoreline, a key natural heritage feature or a key hydrologic feature shall provide for the establishment and maintenance of natural self-sustaining vegetation to the extent and width of the associated vegetation protection zone required by the policies in this chapter, except in relation to uses and structures in the vegetation protection zone that are permitted by the policies of this Chapter.

6.46-SA Within two years of the date the Plan comes into effect, the MNR and MOE, in consultation with other ministries, municipalities and the LSRCA will lead the development of a template for municipal site alteration and tree cutting bylaws within the watershed as related to natural heritage features including wetlands, woodlands, and following development will encourage implementation of such a by-law.

6.47-SA Within two years of the date the Plan comes into effect, the MNR and the LSRCA in collaboration with MOE other Ministries, the First Nations and Metis communities and municipalities, will delineate priority areas for riparian area restoration and other areas to focus natural heritage protection, improvement, restoration, securement and enhancement efforts including the definition or delineation of important corridors and linkages. The delineation will build on existing natural heritage systems identified by the Province and the LSRCA and municipalities within the Lake Simcoe watershed and identified anchor sites (high quality connected natural features) to support the development of a comprehensive stewardship strategy throughout the watershed.

Chapter 7: Other Threats and Activities

7.13-HR When approving a development along the Lake Simcoe shoreline, municipalities shall ensure that public access to the Lake is maintained.

“Lake Simcoe shoreline” means the mark made by the action of water under natural conditions on the shore or bank of Lake Simcoe which action is so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

LSRCA Guidelines for Ontario Regulation 179/06

4.0.1 Development, interference with a wetland or alteration to a watercourse or shoreline within a regulated area may be permitted where it can be demonstrated to the satisfaction of the LSRCA through the submission of the appropriate technical reports, studies, assessments, drawings and other documents as required by the LSRCA that:

(a) that the development proposal has demonstrated, to the satisfaction of LSRCA staff, that there will be no negative impacts to the control of flooding, erosion, pollution, dynamic beaches or the conservation of land;

(b) that the risk to public health and safety is not increased;

(c) that existing hazards are not aggravated and new hazards are not created;

(d) there is no other location for the activity outside of the natural hazard;

(e) there are no adverse hydraulic or hydrologic impacts on rivers, creeks, streams, or watercourse;

(f) there are no adverse impacts on the natural coastal processes of the shoreline of Lake Simcoe;

(g) negative or adverse hydrologic impacts on wetlands shall be avoided;
(h) that the proposal conforms with the applicable policies of the Lake Simcoe Protection Plan (LSPP);
(i) access for emergency works and maintenance of flood and erosion control works will be provided;
(j) pollution, sedimentation and erosion during construction and post-construction shall be minimized using best management practices which are appropriate for the scale and scope of the project;
(k) works are designed, constructed, repaired and maintained in accordance with accepted engineering principles and approved engineering standards or to the satisfaction of the LSRCA, whichever is applicable based upon the scale and scope of the project; and
(l) fragmentation of hazard land and wetland features shall be avoided.

6.1.7 In general, no new development will be permitted within the minimum vegetation protection zone of Lake Simcoe as defined in the relevant policies of the Lake Simcoe Protection Plan (LSPP) except as permitted under 6.1-DP of the LSPP.

6.1.8 Where development or site alteration is permitted within the vegetation protection zone, the proposal must demonstrate that the following has been achieved:
(a) fish habitat is maintained and where possible the adjacent riparian areas will be increased or improved; and
(b) that ecological functions be enhanced and improved to the extent possible; and
(c) erosion, sedimentation and introduction of excess nutrients or pollutants be minimized; and
(d) planning and construction practices be utilized to maintain and improve water quality; and
(e) any removal of vegetation will be compensated for to the satisfaction of the LSRCA; and
(f) any buffer or vegetated area where required, will be composed of and maintained as natural self-sustaining vegetation.

6.1.9 Notwithstanding 6.1.7, structures which by their nature must be located along the shoreline (e.g. boathouses and docks) may be permitted provided that:
(a) that all other applicable guidelines of this document be met to the satisfaction of the LSRCA; and
(b) the area occupied by the structure is minimized; and
(c) the ecological function of the vegetation protection zone will be maintained; and
(d) pervious materials and designs will be used to the extent feasible; and
(e) the structure will not impede the natural flow of water; and
(f) any alteration to the shoreline will be accompanied by a natural heritage evaluation to the satisfaction of the LSRCA, outlining how the proposed alteration will not impact the ecological function of the shoreline; and
(g) any additional studies (e.g. geotechnical report, coastal engineering) will be prepared to the satisfaction of the LSRCA.

6.3 Boathouses
The LSRCA recognizes that the proximity to water is a key consideration in the use and enjoyment of recreational facilities such as boathouses.

6.3.1 Notwithstanding Guidelines 6.1.1, the LSRCA may permit the construction of boathouses along the shoreline or within Lake Simcoe in provided that:
(a) the construction of the boathouse would not have an impact on the control of flooding, erosion, pollution, dynamic beaches or the conservation of land; and
(b) the structure is firmly anchored in place to ensure that it is not affected by changing water levels; and
(c) the structure shall be wet flood-proofed to the fullest extent possible; and
(d) the structure does not include any habitable space (e.g. living accommodations, potable water,
septic facilities); and
(e) guidelines 6.1.2 and 6.1.3 have been addressed to the satisfaction of the LSRCA; and
(f) when deemed appropriate, the applicant/landowner registers a Restrictive Covenant under the Conservation Land Act acknowledging that the structure could be damaged by flooding and/or ice and floating debris and agrees to hold the LSRCA safe and harmless and to remove or repair the structure should it be significantly damaged or destroyed.

6.4 Docks
6.4.1 The LSRCA may permit the construction of docks in Lake Simcoe, provided that:
(a) the proposed dock does not impede the flow of water; and
(b) The proposed dock is designed to minimize damages that could occur as a result of coastal processes; and
(c) the proposed dock is anchored appropriately to the shoreline to minimize erosion.

6.6 Shoreline Protection
6.6.1 Natural, self-sustaining shorelines are encouraged on Lake Simcoe. The LSRCA promotes maintaining existing natural shorelines. In existing use scenarios where shoreline protection is necessary, the following will be required:
(a) natural shoreline measures will be used; and
(b) a vegetation protection zone will be established or maintained; and
(c) satisfactory engineering studies will be required for shoreline alterations (e.g. coastal engineering, geotechnical) where necessary;
(d) net enhancements/improvements will be encouraged on disturbed shorelines (e.g. hardened shorelines).

County of Simcoe Official Plan

Applicable Policy

Objectives:
To protect, improve or restore the elements that contribute to the ecological health of the Lake Simcoe watershed, including, water quality, hydrology, key natural heritage features and their functions, and key hydrologic features and their functions.

3.13.5 Lake Simcoe Shoreline
Subject to the other policies in Section 3.13, development and site alteration outside of existing settlement areas is not permitted in Lake Simcoe and within a related vegetation protection zone referred to in Section 3.13.6, except in relation to the following:

a) Forest, fish, and wildlife management
b) Stewardship, conservation, restoration and remediation undertakings;
c) Existing uses as set out in Section 3.13.35
d) Flood or erosion control projects but only if they have been demonstrated to be necessary in the public interest after all alternatives have been considered;
e) Retrofits of existing stormwater management works;
f) Infrastructure, but only if the need for the project has been demonstrated through an Environmental Assessment;
g) Low-intensity recreational uses including access to the Lake that require very little terrain or vegetation modification and few, if any, buildings or structures;

3.13.6 The minimum vegetation protection zone in a shoreline built up area is 30m from the Lake Simcoe Shoreline, or larger. The vegetation protection zone for the remaining Lake Simcoe
Shoreline, outside of existing settlement areas and outside of shoreline built up areas, is 100 metres from the Lake Simcoe Shoreline.

3.13.7 Within shoreline built-up areas, an application for development or site alteration within 120 meters of the Lake Simcoe Shoreline shall be accompanied by a natural heritage evaluation.

3.13.8 Subject to the other policies in Section 3.13, structures shall only be permitted in a vegetation protection zone along the Lake Simcoe shoreline if:
   a. there is no alternative but to place the structure in this area and the area occupied by such structures is minimized;
   b. the ecological function of the vegetation protection zone is maintained; and
   c. pervious materials and designs are used to the extent feasible.

3.13.9 Outside of the existing settlement areas, a proposal for development or site alteration within 240 metres of the Lake Simcoe shoreline must demonstrate that the development or site alteration will maintain, enhance or restore functional wildlife movement corridors between any key natural heritage feature or key hydrologic features identified in Sections 3.13.18 and 3.13.19 that is located along the Lake Simcoe shoreline and from the lake Simcoe shoreline to another key natural heritage feature or key hydrologic feature within 240 metres of the Lake Simcoe shoreline.

3.13.10 Subject to the other policies in Section 3.13, a shoreline built-up area may only be expanded to provide for minor rounding out of the area, and only in accordance with provincial plans and the PPS.

3.13.11 Significant alteration of the shore of Lake Simcoe or the shore of a fresh water estuary of a stream connected to Lake Simcoe is not permitted unless the significant alteration is for the purpose of stabilizing, protecting, restoring or rehabilitating the shore or the alteration will be undertaken by a public body and the project is consistent with the objectives of the LSPP. A significant alteration of the shoreline includes any alteration that has an adverse effect on the ecological functions of the shoreline.

3.13.12 Lake Simcoe and Streams

No structures, including boathouses, shall be permitted in Lake Simcoe, other lakes or in a permanent or intermittent stream, if the structure impedes the natural flow of water along the shoreline or in the stream, if the structure is intended to be used as a dwelling or if the structure or its construction harmfully alters fish habitat. This policy does not prohibit drainage works such as those permitted under the Drainage Act, those required for infrastructure or those structures required for the purpose of stewardship, conservation, restoration or remediation undertakings.

3.13.13 The alteration of the shore of Lake Simcoe, other lakes or any permanent or intermittent stream for the purpose of establishing or altering drainage works such as those works under the Drainage Act, infrastructure, or for stabilization, erosion control, or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (e.g. planning of natural vegetation, bioengineering) that maintain the natural contour of the shoreline will be used where practical and a vegetative riparian area will be established to the extent feasible. In relation to such works, lands used for agricultural purposes do not require the establishment of a vegetative riparian area if the land is, and will continue to be, used for agricultural purposes.

3.13.14 Where in accordance with the policies of Section 3.13, development or site alteration is permitted within 120 metres of the Lake Simcoe shoreline, other lakes in the Lake Simcoe watershed, or any permanent or intermittent stream or a wetland, the development or site alteration should be integrated with and should not constrain ongoing or planned stewardship and remediation efforts.

3.13.15 Where, in accordance with the policies of Section 3.13, a proposal is for development or site alteration is permitted within 30 m of the Lake Simcoe shoreline, other lakes in the Lake Simcoe watershed, or a permanent or intermittent stream or wetland outside of settlement areas and the Greenbelt area and Oak Ridges Moraine area, the proposal for development or site
alteration shall comply with the following where applicable:

a. maintain, where possible, increase or improve fish habitat in the Lake, stream or wetland, and any adjacent riparian areas;
b. to the extent possible, enhance the ecological features and functions associated with the Lake, stream or wetland;
c. minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design, and construction practices that maintain and improve water quality; and
d. integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the area as both wildlife habitat and a movement corridor.

3.13.16 Upon completion of the shoreline management strategy required by policy 6.12-SA of the LSPP, the County and local municipalities shall amend their official plans to ensure they are consistent with the recommendations of the strategy.

3.13.17 Key Natural Heritage Features and Key Hydrologic Features

Sections 3.13.16 -3.13.26 apply to those areas outside of existing settlement areas and outside of the Greenbelt area and the Oak Ridges Moraine area.

3.13.18 Key natural heritage features are wetlands, significant woodlands, significant valleylands, and the natural areas abutting Lake Simcoe.

3.13.19 Key hydrologic features are wetlands, permanent and intermittent streams, and lakes other than Lake Simcoe.

3.13.20 Development or site alteration is not permitted within a key natural heritage feature, a key hydrologic feature and within a related vegetation protection zone referred to in Section 3.13.21, except as in relation to the following:

a. Forest, fish and wildlife management;
b. Stewardship, conservation, restoration and remediation undertakings;
c. Existing uses, as specified in Section 3.13.34;
d. Flood or erosion control projects but only if the projects have been demonstrated to be necessary in the public interest after all alternatives have been considered;
e. Retrofits of existing stormwater management works (i.e. improving the provision of stormwater services to existing development in the watershed where no feasible alternative exists) but not new stormwater management works’
f. new mineral aggregate operations and wayside pits and quarries pursuant to Sections 3.13.30 – 3.13.33;
g. Infrastructure but only if the need for the project has been demonstrated through an Environmental Assessment of other similar environmental approval and there is no reasonable alternative; and
h. Low-intensity recreational uses that require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following:
   i. non-motorized trail use;
   ii. natural heritage appreciation;
   iii. unserviced camping on public and institutional land; and
   iv. accessory uses to existing buildings or structures.

3.13.21 The minimum vegetation protection zone for all key natural heritage features and key hydrologic features is the area within 30 meters of the key natural heritage feature and key natural hydrologic feature, or larger if determined appropriate by an evaluation required by Section 3.13.22.

3.13.22 An application for development or site alteration within 120 m of all key natural heritage feature and key hydrologic feature shall be accompanied by a natural heritage evaluation meeting
the requirements of Section 3.13.23, unless the development or site alteration is for a purpose specified by Section 3.13.20.

3.13.23 A natural heritage evaluation referred to in Sections 3.13.7 and 3.13.22 shall be carried out in accordance with the guidelines developed by the MNR and shall:

a. demonstrate that the development or site alteration applied for will have no adverse effects on the all key natural heritage feature, key hydrologic feature, Lake Simcoe and its associated vegetation protection zone, or on the related ecological functions;

b. identify planning, design and construction practices that will maintain and, where feasible, improve or restore the health, diversity and size of the key natural heritage feature or key hydrologic feature and its connectivity with other key natural heritage features as well as connectivity and linkages to natural heritage systems identified in Provincial Plans or by municipalities, the LSCRA or MNR;

c. demonstrate how connectivity within and between key natural heritage features and key natural hydrologic features will be maintained, and, where possible, improved or restored before, during and after construction to allow for the effective dispersal and movement of plants and animals;

d. determine if the minimum vegetation protection zone is sufficient to protect the ecological functions of the feature and the area being evaluated, in particular where this feature or area is adjacent to a coldwater stream, headwaters, fresh water estuaries, steep slope or is acting as or has been identified as a wildlife corridor to ensure that the area will continue to effectively act and function as a wildlife corridor;

e. determine if the minimum vegetation protection zone is sufficient to protect areas adjacent to existing features that would be appropriate for restoration or renaturalization to enhance the ecological functioning of that feature, such as lands that provide for rounding out or filling of gaps in significant woodlands; and,

f. if the minimum vegetative protection zone is not sufficient to protect the function of the feature or protect opportunities for feature enhancement, specify the dimensions of the required vegetation protection zone.

3.13.24 A proposal for a new development or site alteration within 120 metres of the Lake Simcoe shoreline, a key natural heritage feature or a key hydrologic feature shall provide for the establishment and maintenance of natural self-sustaining vegetation to the extent and width of the associated vegetation protection zone required by the policies in Section 3.13, except in relation to uses and structures in the vegetation protection zone that are permitted by the policies of Section 3.13.

3.13.25 Where, through an application for development or site alteration, a buffer or vegetation protection zone is required to be established as a result of the application of the policies in this Plan, the buffer or vegetation protection zone shall be composed of and maintained as natural self-sustaining vegetation.

3.13.26 If the natural self-sustaining vegetation is removed along the Lake Simcoe shoreline, from a key natural heritage feature, a key hydrologic feature or from any related vegetation protection zone, as a result of any development or site alteration permitted under Sections 3.13.5, 3.13.20, 3.13.33 and 3.13.35, the natural self-sustaining vegetation shall be re-established to the extent feasible following completion of that activity.

3.13.27 Settlement Areas
Policies 3.13.27-3.13.30 apply to existing settlement areas and areas of Lake Simcoe adjacent to these lands, including the littoral zone, and these areas are not subject to policies 3.13.5-3.13.7, 3.13.9, 3.13.15 and policies 3.13.17-3.13.26.

3.13.28 An application for development or site alteration shall, where applicable:

a. increase or improve fish habitat in streams, lakes and wetlands, and any adjacent riparian areas;

b. include landscaping and habitat restoration that increase the ability of native plants and animals
to use valleylands or riparian areas as wildlife habitat and movement corridors;
c. seek to avoid, minimize and / or mitigate impacts associated with the quality and quantity of
urban run-off into receiving streams, lakes and wetlands;
d. establish or increase the extent and width of a vegetation protection zone adjacent to Lake
Simcoe to a minimum of 30 metres where feasible.

3.13.29 Where, through an application for development or site alteration, a buffer is required to be
established as a result of the application of the PPS, the buffer shall be composed of and
maintained as natural self-sustaining vegetation.

3.13.30 For greater certainty, where lands have been incorporated into a settlement area after the
effective date of this Plan, an application for development or site alteration within those lands are
subject to the policies in Section 3.13 other than Sections 3.13.27 to 3.13.29.

3.13.35 Existing Uses
Where development or site alteration is permitted in relation to existing uses, the following policies
apply;
a. All existing uses lawfully used for such purposes on the day before the LSPP comes into force
are permitted;
b. the construction of a building on an existing lot of record is permitted, provided it was zoned for
such as of the date the LSPP comes into effect, or where an application for an amendment to a
zoning by-law is required as a condition of a severance granted prior to the date this Plan comes
into effect;
c. the development permitted in b., expansions to existing buildings or structures, accessory
structures and uses, and conversions of legally existing uses which bring the use more in
conformity with the LSPP are permitted subject to a demonstration that the use does not expand
into a key natural heritage feature, a key hydrologic feature and any minimum vegetative protection
zone associated with a feature or the Lake Simcoe Shoreline, unless there is no alternative in
which case any expansion shall be limited in scope and kept within close geographical proximity to
the existing structure;
d. the expansion to existing agricultural buildings and structures, residential dwellings and
accessory uses to both, may be considered within a key natural heritage feature, a key hydrologic
feature, and any minimum vegetation protection zone associated with these features or the Lake
Simcoe shoreline, if it is demonstrated that:
i) there is no alternative to the expansion or alteration and the expansion or alteration is directed
away from the feature and vegetation protection zone to the maximum extent possible, and,
ii) the impact of the expansion or alteration on the feature and its functions is minimized to the
maximum extent possible; and
e. expansion, maintenance, or replacement of existing infrastructure is permitted.

3.13.36 Recreational Activities
Where in accordance with Section 3.13, development and site alteration is permitted within 120
metres of the Lake Simcoe shoreline or a permanent or intermittent stream or a wetland, the
development or site alteration will be integrated with existing or proposed parks and trails to the
extent feasible.

3.13.37 When approving a development along the Lake Simcoe shoreline, the County and local
municipalities shall ensure that public access to the Lake is maintained.

3.13.50 Recreation Water Use Plan
An application to establish or expand a major recreational use shall be accompanied by a
recreation water use plan that demonstrates:
a. water use for maintenance or snow making or both are kept to a minimum;
b. grassed, watered and manicured areas are limited to sports fields surfaces, golf fairways, tees
and greens, and landscaped areas around buildings and structures; grass mixtures that require
minimal watering and upkeep will be used for sports fields and golf fairways where applicable;  
c. crossings of intermittent and permanent streams are kept to a minimum;  
d. water-conserving technologies (such as low-flow toilets ad shower heads) are used in  
clubhouses and restaurants where applicable;  
e. water-conserving technologies (such as timed irrigation systems designed to reduce evaporation  
losses, and recycling of water from under greens) are used in the irrigation and watering of sports  
field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and  
structures, where applicable;  
f. other water conservation technologies (such as rainwater harvesting or reuse of stormwater) will  
be used to reduce water use; and  
g. stormwater treatment facilities are used to capture and treat runoff from areas with impervious  
surfaces.

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**Town of Innsifil Official Plan**

### Applicable Policy

#### 2.7 Lake Simcoe Shoreline

**Goals:**
To maintain the majority of the Lake Simcoe Shoreline as a residential and recreational area.  
To provide adequate vegetative buffering and development setbacks along the shoreline of Lake Simcoe  
Objectives:

1. To provide for both permanent residential and seasonal residential uses.  
2. To ensure that any development, redevelopment or site alteration in shoreline hazards  
related to flooding, erosion and dynamic beach will be designed in accordance with  
accepted standards and procedures.  
3. To encourage public land acquisition and improve public access to Lake Simcoe.  
4. To improve the water quality of Lake Simcoe through proper land management and, where  
feasible, municipal services along the Shoreline Area.  
5. To increase the natural cover along the Shoreline Area and encourage shoreline  
naturalization.  
6. To link the natural heritage system to Lake Simcoe.

#### 2.7.1 The Lake Simcoe Shoreline is schematically delineated on Schedule A.

#### 2.7.2 Outside of the Urban and Village Settlements, existing developed portions of the Lake  
Simcoe Shoreline are primarily comprised of existing dwellings and uses and lake-based  
recreational activities such as, marinas, tourist and resort oriented commercial uses, recreational  
uses and limited convenience oriented commercial uses. As well, it is the intention of this Plan that  
existing developed portions of the Lake Simcoe Shoreline shall maintain their residential and  
recreational character.

#### 2.7.3 Development shall occur in accordance with the applicable land use policies set out in  
Section 3 and the detailed mapping of land uses delineated on Schedules B, B1, B3, B5, B10, B11,  
B12, B13 and B14.

#### 2.7.4 In keeping with the municipal strategy to direct growth to fully serviced Urban Settlements,  
growth in the Lake Simcoe Shoreline shall be directed to settlements and outside of settlements  
shall be limited in scale to infill, minor expansions and rounding out of existing developed shoreline  
areas, delineated on Schedules B10, B11, B12, B13 and B14. Such minor expansions and
rounding out shall not exceed 3 new lots, except where zoning, existing at the time of approval of this Plan, permits a greater number of lots based on minimum lot size.

2.7.5 Infill development and minor expansions within the existing developed portions of the Lake Simcoe Shoreline outside of settlements will only be permitted once a Master Drainage Plan is completed that addresses flooding, storm water management, and high water table constraints. The study should identify means through new development to preserve and enhance drainage outlets to Lake Simcoe and reduce flooding.

2.7.6 Larger scale commercial facilities and community services, other than marinas and resort recreational uses, shall be directed to and provided in the Urban Settlements. Commercial and community services, beyond those currently in existence outside of the settlements, shall generally not be permitted unless it is related to shoreline activities, cannot be located in an Urban or Village Settlement, and a demand for the use is proven to the satisfaction of the Town.

2.7.7 It is the long term intention of the Town to provide a central water supply and sewage collection and disposal system along the Lake Simcoe Shoreline from Concession I to XII including Big Bay Point subject to an approved EA. Conversion of existing individual septic systems to municipal sanitary servicing will have a significant benefit to Lake Simcoe. Further infilling and new lot creations may not be permitted on an individual or more comprehensive basis until these municipal servicing systems are in place because of the negative impact of private services on the environment.

2.7.8 Where municipal sewer services are not available, new lots should not be approved unless accompanied by a hydrogeological study to the satisfaction of the Town indicating that the MOE reasonable use guidelines for septic systems can be met and provided no more than 3 new lots are created except where zoning existing at the time of approval of this plan permits a greater number of lots based on minimum lot size.

2.7.9 The area of Old Lake Algonquin Shoreline along Kempenfelt Bay shall be maintained in its natural state to provide protection to the shoreline from sedimentation and erosion. In this regard, these areas shall be included within the Natural Environmental Area designation and no buildings or structures shall be permitted except that a properly constructed access to the lake shall be considered in consultation with the Lake Simcoe Region Conservation Authority. Consideration shall also be given to the designation and protection of significant woodlands along the Lake Simcoe Shoreline. Where development is proposed in these areas, the top of bank shall be established by a registered Ontario Land Surveyor and the limits of development within these areas shall be established through and Environmental Impact Study in consultation with the County and the Lake Simcoe Region Conservation Authority.

2.7.10 Existing development along the Lake Simcoe Shoreline shall be encouraged and new development shall be required to maintain a naturalized vegetative strip adjacent to the water’s edge and to maintain a naturalized shoreline in order to improve water quality and fish habitat.

2.7.11 Where feasible, as part of any development or re-development along the Lake Simcoe Shoreline, the Town shall encourage the replacement, in consultation with the Lake Simcoe Region Conservation Authority and the Ministry of Natural Resources, of hard shoreline structures (such as armour stone, concreted, riprap, iron sheeting, etc.) with a naturalized shoreline including native vegetation.

2.7.12 The Town will endeavour to increase the amount of publically accessible open space along the Lake Simcoe shoreline in accordance with policies 3.10.5 and 3.10.11.

2.7.13 The creation of new lots shall generally be directed to areas outside of hazardous lands adjacent to Lake Simcoe which are impacted by flooding, erosion and dynamic beach hazards.

2.7.14 The LSRCA may require the establishment of conservation easements under the Conservation Land Act through the planning and development process in order to protect environmental areas along Lake Simcoe.
Applicable Policy

3.10 Boathouses, docks and other shoreline structures

The following provisions shall apply to boathouses, docks and other similar shoreline recreational structures:

a) No portion of a boathouse shall be used for human habitation, including a sleeping, cooking or living area.

b) The maximum height of a boathouse shall be 5.0 metres.

c) Notwithstanding any other requirement of this By-law, the minimum waterfront yard setback of a boathouse, or portable boatlift structure, shall be 0.0 meters.

d) Notwithstanding any other requirements of this By-law, the minimum interior side yard setback of a boathouse shall be the greater of 1.0 metre or equal to the length of the portion of the boathouse which projects beyond the shoreline into the water. Notwithstanding the foregoing, where an existing boathouse is located on the adjacent property, and the existing boathouse is located within the minimum side yard setback of the shared common interior lot line, the minimum interior side yard setback of the boathouse shall be 1.0 metre, and the boathouse may not project beyond the shoreline greater than that of the boathouse on the adjacent property.

e) Notwithstanding subsection d), where a side lot line abuts a shoreline, a boathouse shall be permitted within the side yard, provided the rear yard setback of the boathouse is the greater of 1.0 metre or equal to the length of the portion of the boathouse which projects beyond the shoreline into the water. A boathouse shall not be permitted within the required front yard setback for accessory buildings or structures. Notwithstanding the foregoing, where an existing boathouse is located on the adjacent property, and the existing boathouse is located within the minimum side yard setback of the shared common rear lot line and interior lot line, the minimum rear yard setback of the boathouse shall be 1.0 metre, and the boathouse may not project beyond the shoreline greater than that of the boathouse on the adjacent property.

f) The total width of a boathouse shall be a maximum of 25% of the water frontage or 12.0 metres, whichever is less.

g) No boathouse shall exceed a total length of 10.0 metres, and where permitted, no boathouse shall project beyond the shoreline and into the water more than 10.0 metres.

h) Gazebos, pergolas, hot tubs and other similar structures shall not be permitted on or within a dock or boathouse.

Definition 2.23: boathouse means an accessory structure used for the storage of boats, and which does not include sleeping accommodations, kitchen or washroom facilities, and any potable water or sanitary servicing.

3.51 Waterfront Lots (“W” Suffix)

Where a “W” suffix is associated with a zone symbol, as shown on the Zoning Maps, the following additional provisions shall apply:

a) Notwithstanding any other provision of this By-law, the minimum front yard setback shall be 4.5 metres.

b) Notwithstanding any other provision of this By-law, the maximum front yard setback shall be 7.0 metres.

c) Notwithstanding any other provision of this By-law, the principal building or structure on
the lot shall not have a length greater than 19.0 metres.

d) The minimum waterfront yard setback shall be 15.0 meters or the existing waterfront yard setback, whichever is greater.

e) Where the lot depth exceeds 60.0 metres, clauses a) to d) above shall not apply, and the minimum waterfront yard setback from Lake Simcoe shall be 30.0 metres.

f) A minimum of 50% of the waterfront yard shall be maintained as a naturalized vegetation area.

g) Notwithstanding any other provisions of this By-law, no accessory building shall be located in the waterfront yard, except for one accessory building directly related to shoreline recreational use, such as a boathouse, sleeping cabin, or a storage shed.
APPENDIX B: JURISDICTIONAL ANALYSIS FOR DPS

| IMPORTANT DATES | Development Permit By-law 2004-180 (November 18, 2010 consolidation) Official Plan December 14, 1999 (March 2014 consolidation)* Official Plan permits uses through traditional planning methods (Zoning amendments and Site Plans) or through DPs. |
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webhook/1337529698856/5641277115893/2464556066123/2062498399002/1438482451297/4994951912772/9393727902432/1257558863475/1559818461344/9827568380745/3151600322542/1237661274432/9699408635352/1292260817265/9008952563392/1210030801232/9826132445072/1229980806228/9826432655056/1249850811220/9827252535232/1259840816216/9829412595472/1269890821208/9840572735456/1289840826200/9842732995440/1289840821200/9842732995440|**GOALS & OBJECTIVES OF THE DP BY-LAW** | **Vision:** The residents of the Township of the Lake of Bays will nurture and sustain clean water, fresh air, natural shorelines, healthy forests and wetlands that will be the pride of the Province. We will offer an outstanding combination of economic opportunity, peaceful living and recreation. This is our dream and legacy for our grandchildren's children. **We Value:** A healthy environment, The allure of our surroundings, A sound economy, Responsible leadership, Quality of life, Our heritage The responsibility of all residents is to be guardians of these values and ensure that the Township of Lake of Bays grows and develops in accordance with Our Vision. |
| AREA SUBJECT TO DPS | Waterfront |
| INTERESTING TO NOTE | **Sleeping cabin:** means an accessory residential building not attached to a principal dwelling for the accommodation of persons, which does not contain a kitchen. A sleeping cabin cannot be located above a boathouse. Only one sleeping cabin per lot. **Ordinary Water’s Edge:** Stipulate actual levels i.e.) 315.22 m for Lake of Bays One dwelling unit per lot. **Waterfront Landing:** use of land as a docking or parking facility, which serves as a mainland access point for a commercial property for 4 or more residential properties that are accessible by water, but does not include vessel or vehicle sales, rentals, service or the sale of fuel. **Home based – businesses** are a Category 1 (staff approval) permit. DPs for vegetation removal and site alteration have various criteria for submission requirements (depending on location, site evaluation, etc.). |
| PERMITTED & DISCRETIONARY USES (EXAMPLES) | Waterfront Residential Development Permit Area **Permitted:** one single detached dwelling, one sleeping cabin, home based-business **Discretionary:** group home, secondary suite, garden suite, similar
uses

Accessory uses include: boathouse, boat ports, docks, gazebos / shed, hot tubs, elevators, docks and garden suites (for 10 years)

Waterfront Resort Commercial Development Permit Area
Permitted: Bed and breakfast, commercial, tourist establishment, motel, resort
Discretionary: accessory golf course, accessory driving range

Waterfront Service Commercial Development Permit Area
Permitted: marina, waterfront landing, boat storage, recreational vehicle establishment
Discretionary: similar uses

Waterfront Environmental Protection Development Permit Areas
Permitted: an existing detached dwelling unit, conservation, an existing dock, an expansion to an existing dock associated with an abutting Waterfront Residential Development Permit Area provided it is not wider than the average width of the existing structure
Discretionary: Interpretive centre, new dock or boathouse associated with a new or existing dwelling unit

Each standard is set up as follows:
Minimum shoreline yard setback

<table>
<thead>
<tr>
<th>Situation</th>
<th>Standard</th>
<th>Staff Variation</th>
<th>Council Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>The lot abuts a WEP1 Development Permit Area</td>
<td>30 metres (98.4 ft.)</td>
<td>33% upon submission of a fisheries assessment</td>
<td>Over 33%</td>
</tr>
</tbody>
</table>

VARIANCES
Staff can vary the standards ranging between 5-33%
Council can vary the standards up to 100%
Tests to allow the variance are similar to a minor variance:
Is the proposal appropriate?
Are there any off site impacts?
Are the intentions of the Official Plan and Zoning by-law maintained?

CLASSES OF PERMITS, NOTICE & DELEGATION OF POWERS
Staff can approve:
Permitted uses, staff variances, discretionary uses in residential areas, vegetation removal, extension of a development permit, amendment to an existing development permit
No notice required
Council* can approve:
Permitted uses requiring Council variances, discretionary uses in all areas except residential areas, temporary uses (including renewal details)
*Council approves the DP but staff issues the DP.

TIMING
Provisional approval of a DP allows for an approval with conditions with a time period of 2 years to complete the conditions of approval.
| Fees | $75 to $250 for a staff approval  
       $350 for a Council approval  
       $450 for an amendment to the DPS by-law |
|------|----------------------------------------------------------------------------------------------------------------------------------|
| Conditions | Possible conditions include:  
Road widenings may be required (based on OP policies)  
Lighting facilities to minimize the impact on lake views, night skies  
Walls, fences, trees, or other items may be required for the protection of adjoining lands,  
Garbage storage facilities for commercial developments  
Easements as required  
Parkland dedication  
Site evaluation if located near a significant wetland or natural feature  
Fish assessment if near Type 1 fish habitat |
| Sample Criteria for Variations from Standards (for Staff or Council Variations) | Natural shorelines will be retained or restored  
Disturbance on lots will be limited  
Vegetation will be substantially maintained  
Native species will be used |
| Sample Criteria for Discretionary Uses | General similar to criteria for variations, but as discretionary uses are specific, the discretionary criteria are stipulated based on each discretionary use: i.e.) secondary and garden suites, golf courses, driving ranges.  
**Docks** – need a fisheries assessment and clearance from the Department of Fisheries and Oceans  
**Waterfront Landing** – sufficient docking and parking is provided, property is suitable for the use, not in an area with a development constraint, shoreline buffer will be maintained or restored |
| Tips | Use a DPS for tree removal but not for dead or dying trees  
Always look for net gains, especially along the shoreline  
Ensure all municipal agreements reference the possibility of further developing a site through a DPS (and not just through a zoning or site plan agreement) or you have to amend those agreements or use the processes identified |
<table>
<thead>
<tr>
<th>IMPORTANT DATES</th>
<th>By-law passed October 5, 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>GOALS &amp; OBJECTIVES OF THE DP BY-LAW</td>
<td>The Council of the Town of Gananoque decided to move forward with the intent to implement policies of the Official Plan, streamline development and provide for timely reviews of development proposals. Vision: To preserve and enhance the Town’s unique “small town” heritage, preserve our historic and environmental character, and provide a high quality of life through a sustainable development pattern.</td>
</tr>
<tr>
<td>AREA SUBJECT TO DPS</td>
<td>Entire town but with specific waterfront and entrance overlays</td>
</tr>
<tr>
<td>INTERESTING TO NOTE</td>
<td>5 processes into 1: Minor variance, zoning, site plan, site alteration, tree removal Design criteria specified such as: driveway locations, building entrance locations, window shape Waterfront ‘viewscapes’ and maintaining them is a key policy that they have often “hung their hat on” to finesse an application Adverse impacts – means one or more of the following: impairment of the quality of the natural environment for any use that can be made of it, injury or damage to property or plant and animal life, harm or material discomfort to any person, an adverse effect on the health of any person, impairment of safety of any person, rendering any property or plant or animal life unfit for use by humans, loss of enjoyment of normal use of property and interference with normal conduct of business. Alter – in reference to a lot: means ii) to change the grade and drainage pattern of such lot or iii) to change the use of such lot or the number of uses located thereon. Alter – in reference to a shoreline: means to change, straighten, divert or interfere in any way with the channel of any watercourse. Boathouse – means an accessory building used for the purpose of berthing or sheltering and storing boats and related equipment that is enclosed by more than one wall and is built, founded or anchored near or at the ordinary water’s edge of a navigable waterway either over water or on the land. Places of assembly (areas for arts and craft shows, trade fairs, public meetings, banquets, conferences) / entertainment (for purposes of commercial gain, amusement facilities, arcade, video games) / recreation (arenas, health clubs, skating rinks, tennis, bowling,</td>
</tr>
</tbody>
</table>
| PERMITTED & DISCRETIONARY USES (EXAMPLES)   | Class 1: residential uses
Class 2: Class 1 bump ups, discretionary use or temporary use
Class 3: Class 2 bump ups, technical studies required, off site works involve extension of municipal services, roads, SWM.
Stipulates location for a boathouse in any yard with a 3.0 m setback plus any jurisdictional approval required
30 m setback from a watercourse, unless the shoreline is hardened (by a breakwall) and can be varied to 15 m
Some structures are allowed in the 30 m setback: a boathouse (less than 8 m in length and 4.25 m in height), a boatport (less than 8 m in length and 4.25 m in height), dock (less than 8 m in length), shed no greater than 10 m², stairs and landings. All structures within 30 m require a Class 2 permit and all boathouses require a Class 3 permit. Removal of vegetation within 30 m of a watercourse, is limited to 25 % of the total water frontage
Waterfront Overlay
Permitted uses: existing, conservation use, forestry uses
Discretionary uses: outdoor recreational facility, concert hall, place of assembly, place of recreation
Design Criteria
Any development shall be configured to facilitate and accommodate waterfront uses and to preserve and enhance the natural viewscapes from land and from the water. A high degree of visibility and accessibility is required.
Buildings are to be located to one side in order to maintain as much of the viewscapes as possible.
VARIANCES
Tests to allow variances are similar to a minor variance:
There is no impact to adjacent properties (or minor impacts).
The proposal is appropriate.
The proposal is in conformity with the Official Plan and PPS.
The proposal will not negatively impact the area’s character.

| CLASSES OF PERMITS, NOTICE & DELEGATION OF POWERS | Class 1, staff approval, just approve it, no notice
Class 2, Committee approval, report written, notice given is a sign on the property and circulation in 120m (giving 15 days notice to the meeting)
Class 3, Council approval, report written, notice given is a sign on the property and circulation in 120m (giving 15 days notice to the meeting)
Even though appeal rights for DP are not permitted, residents are still involved and there have great design outcomes

| TIMING | 45 timeline is not difficult to maintain, starts when there is a "complete application", if an engineering peer review is required that must be completed before an application is deemed complete
Bump up requests (between classes) are determined within 10 days of having a complete application

- gymnasium, band shell, not a casino or bingo hall)
Put sunset timing on the approval of the Development Permit approval (one year) Within 10 days of application receipt, Department will notify the applicant to indicate the application is deemed complete. Provisional approvals allows for an approval with conditions that must be met within 1 year. An additional 1 year extension is possible subject to the Manager of Community Development’s approval.

<table>
<thead>
<tr>
<th>FEES</th>
<th>Class 1 - $500</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Class 2 - $1,500</td>
</tr>
<tr>
<td></td>
<td>Class 3 - $1,700</td>
</tr>
<tr>
<td></td>
<td>Consider adding redline revision fee, DP amendment fees, extension to approval fees, retroactive fees</td>
</tr>
</tbody>
</table>

| CONDITIONS                    | Buffering of adjacent properties through hard or soft landscaping materials |
|                               | Required site works, servicing, road access, grading, drainage, fire routes, lighting, parking, elevations and landscape details |
|                               | Performance securities up to 100% of the value of on site and off site works |
|                               | Road widenings as stipulated in OP documents |
|                               | Construction or re-construction of access or egress onto major roads |
|                               | Easements for servicing or access as required |
|                               | Provision of children’s play areas for multi-residential units or apartment dwellings |
|                               | Cash-in-lieu of parking |

| SAMPLE CRITERIA FOR DISCRETIONARY USES | Servicing report, hydrogeological study, drainage / swm report, EIA, archaeological assessment, influence area study if near a waste management facility or industrial use, traffic study, mine hazard rehabilitation assessment, Phase 1 Environmental Study (and further if identified), noise/vibration study, source water protection study, minimum distance separation distance calculation, sewage system and water system capacity, vegetation inventory, tree preservation plan, heritage resource assessment. |

| TIPS                          | Be sure the Mayor and Clerk can enter into agreements, rather than having to go back to Council each time |
|-------------------------------| Be sure to add sunset clauses on timing and ask for securities |
|                               | Target your education, consider issuing invitations, explain the term “discretionary use” as many consider it as a permitted use (unfamiliar with the term) |
### IMPORTANT DATES

| Development Permit By-law 15-2015 approved March 2015 |

### AREA SUBJECT TO DPS

| Entire municipal boundary, with districts. Each district has Permitted Uses, Discretionary Uses and Standards, plus strategic properties with very few standards. |

### INTERESTING TO NOTE

| Development definition includes the standard development definition from the Ontario Regulation 608/06 plus: the removal of trees within 30 m of the Mississippi River and the removal of trees larger than 200 mm caliper for the purpose of new development. Parking requirements also stipulate bike parking spaces, with appropriate design standards. Great updates on their website about each DP application details with notice, maps, site plan, elevations, plus an online link to comment on line. |

### PERMITTED & DISCRETIONARY USES (EXAMPLES)

| 30 m setback required from a natural watercourse, unless it has been hardened by a break wall and then it can be varied to 15 m or where it can be demonstrated through an EIS that a reduced setback will not impact the watercourse. Some structures are allowed in the 30 m setback: a boathouse (less than 8 m in length and 4.25 m in height), a boatport (less than 8 m in length and 4.25 m in height), dock (less than 8 m in length), shed no greater than 10 m², stairs and landings. A boathouse or boatport cannot be used for sleeping quarters, kitchens or human habitation. Approval for vegetation removal within 30 m of the Mississippi River is required unless an EIS can demonstrate their removal will not impact the watercourse. **In Natural Environment District:** **Permitted Uses** include: existing uses, conservation uses, forestry uses, passive recreational uses and recreational trails. **Discretionary Uses** include: docking facilities, structures to help passive recreational uses such as boardwalks. **Parks and Open Space:** **Permitted Uses** include: cemetery, conservation, forestry, marina, public park, recreational facility, and recreational pathways. **Discretionary Uses** include: golf course, outdoor recreational facility. **Environmental Constraints:** **Permitted Uses** include: existing uses, structures for flood / erosion control or slope stabilization, conservation uses, forestry uses. **Discretionary Uses** include: recreational pathways. Existing habitable |
buildings can be reconstructed or enlarged provided it is dry-flood proofed, the 30 m setback from a watercourse is maintained and any other ministry / agency approvals are secured.

**VARIANCES**

Generally tests similar to a minor variance:
- No impact on adjacent properties.
- The proposal is appropriate for the use of the land and permitted within the residential designation.
- The proposal is in conformity with the Official Plan and PPS.
- The development's proposal variation is from residential standards is minor.  
  Council can vary standards 100%.

**CLASSES OF PERMITS, NOTICE & DELEGATION OF POWERS**

<table>
<thead>
<tr>
<th>Class</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class 1</td>
<td>Residential development, Staff approval, no notice required.</td>
</tr>
<tr>
<td>Class 1A</td>
<td>Non-residential development, Staff approval, no notice required.</td>
</tr>
<tr>
<td>Class 2</td>
<td>Meets the standards (generally) but requires relief, plus municipal works, plus discretion and temporary uses, Committee approval, sign posted on subject property, circulation to notices within 120 m of the property.</td>
</tr>
<tr>
<td>Class 3</td>
<td>“Bump up” from a Class 2 permit, does not meet requirements but could be mitigated through on-site works, reports are required, extension of municipal services required and any cost sharing agreements may be required, Committee approval, sign posted on subject property, circulation to notices within 120 m of the property.</td>
</tr>
<tr>
<td>Class 4</td>
<td>Scoped Development Permits can be “bump up” from other permit classes, may provide a level of comfort to the applicant before coming in for full permits on a particular issue (i.e., density, cladding colour in the Mississippi District, parking relief), Committee approval, sign posted on subject property and on the Town’s website. Any other use requires an amendment to the DP by-law, notice issued in the paper with a minimum of 7 days notice in advance of a public open house / public meeting. This amendment can be subject to appeal. All DPs are issued by the Director of Planning, where approval is required the DP is issued by the Director after approval has been granted.</td>
</tr>
</tbody>
</table>

**TIMING**

Applicants are advised within 10 days of a complete application if the DP will be “bumped up” for approval. Applicants are advised within 10 days if an application is complete. Where notice is posted a minimum of 15 days will be provided for people to comment. Provisional approvals can be given subject to conditions and applicants have 1 year to complete the conditions with a possibility for an additional 1 year extension. Amendments to existing approvals will be accepted and reviewed in accordance to the entire by-law.

**FEES**

<table>
<thead>
<tr>
<th>Fee Type</th>
<th>Fee Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>DP amendment</td>
<td>$3,500</td>
</tr>
<tr>
<td>Class 1</td>
<td>$250</td>
</tr>
<tr>
<td>Class 1A</td>
<td>$500</td>
</tr>
<tr>
<td>Class 2</td>
<td>$2,500</td>
</tr>
<tr>
<td>Class 3</td>
<td>$3,500</td>
</tr>
<tr>
<td>Class 4</td>
<td>$3,500</td>
</tr>
<tr>
<td>CONDITIONS</td>
<td>Land acquisitions for: road widenings, public transit, off street loading and parking facilities, walkways and ramps, easements for the municipality, grading or alterations. Maintain access ways free from snow and ice. Enter into agreements for the facilities proposed and their maintenance, cash in lieu of parking, cash in lieu of parkland. Timing for construction to begin and lapsing of approval.</td>
</tr>
<tr>
<td>SAMPLE CRITERIA FOR VARIATIONS FROM STANDARDS (FOR STAFF OR COUNCIL VARIATIONS)</td>
<td>Servicing reports, Building material samples, Shadow impact assessment study, Coloured perspective drawings, Concept plan, Construction Traffic Management Plan, Cost Estimate for Management Plan, Functional Servicing report, Hydrogeological Study, Drainage or SWM report, EIA, Archaeological Assessment, Heritage impact assessment, Natural Heritage Evaluation, Parking and loading study, Pavement marking and loading study, Photographs, Sight-line study, An influence area study for development in proximity to a waste management facility or industrial use, Phase 1 ESA, plus more investigation as required, Source water protection study, Noise and / or vibration study, Minimum separation distance for an industrial use or waste management facility, MDS I or II calculation, confirmation on sewage and water capacity, vegetation inventory, tree preservation plan, urban design brief, utilities plan and others (as required by the Town).</td>
</tr>
<tr>
<td><strong>IMPORTANT DATES</strong></td>
<td>Approved December 2015</td>
</tr>
<tr>
<td>---------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td><strong>GOALS &amp; OBJECTIVES OF THE DP BY-LAW</strong></td>
<td>To protect and enhance the character of Main Street, sensitive intensification, character and stability of the area is maintained and enhanced, high quality design, foster a sense of civic identity, retention of built heritage resources, make improvements to the public realm and character, to encourage reinvestment and revitalization.</td>
</tr>
<tr>
<td><strong>AREA SUBJECT TO DPS</strong></td>
<td>Main Street North but 5 separate zones (character sub-areas) Development permit is required: For 'development' To remove one or more trees with a caliper of more than 0.15 meters at a height of 1.37 meters from the base of the tree Change a building material on any wall facing a street Modify the architectural style of an existing building Add a patio for a commercial use Changes of use (office to retail, residential to non-residential, to a restaurant)</td>
</tr>
<tr>
<td><strong>INTERESTING TO NOTE</strong></td>
<td>Classification of a Green Street. Pedestrian scaled, tree-canopied &quot;catering to people’s daily interactions and activities&quot;</td>
</tr>
<tr>
<td><strong>PERMITTED &amp; DISCRETIONARY USES (EXAMPLES)</strong></td>
<td>Parking standards are lower than normal standards and caps on parking to encourage urban transit options Wider permitted uses than currently in zoning by-law (seen as a plus to property owners) Specify permitted encroachments and height regulations Visibility triangle (6x6) on corner lots (keep trees lower less than 0.8 m) Only one of the following can be allowed on one lot in a residential district: boat, snowmobile, trailer, boat on a trailer (no more than 7.0 m in length), one or two snowmobiles on a trailer (no more than 7.0 m in length) Single storey commercial plazas will not be permitted (minimum height requirement to be established to promote mixed use development) In townhouse developments garages are not permitted to face a public street Design, landscape, engineering guidelines are included in the DP by-law and any exemptions For tall buildings there is a minimum separation distance to limit the tower effect and microclimate effects Sign provisions with size and location details</td>
</tr>
</tbody>
</table>
### Variances

Variances are only permitted in some districts

### Classes of Permits, Notice & Delegation of Powers

- Public notice is not dictated but can be done.
- Approval in principle is possible for particular issues or areas
- Offer a transitional approval if partially approved by a Committee of Adjustment and now the DPS is in place
- Have a great spreadsheet that outlines the submissions, contributions, process and fees for each type of development in each district
- Standard Process – internal review, external review
- Limited review – scoped review, external review as required
- Façade review – urban design review team, no external review
- Open space review – open space review team, no external review, tree removal

### Timing

Provisional approval with conditions may be granted. Timing to complete the conditions shall be stipulated in the DP. Notice of the DP decision will be issued within 15 days of the decision

### Fees

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base fee</td>
<td>$1,755.50 + variations of fees</td>
</tr>
<tr>
<td>Residential</td>
<td>+$293 / unit</td>
</tr>
<tr>
<td>Use change</td>
<td>+$563.00</td>
</tr>
<tr>
<td>Variance</td>
<td>+$563.00</td>
</tr>
</tbody>
</table>

### Conditions

Types of conditions include: entering into a development agreement, post securities, dedicate property, restore vegetation, protect and enhance vegetation, monitoring the use of the lands (to protect public safety and the natural environment), provide sustainable design elements to the City at no charge (trees, waste receptacles, lighting, street furniture), carry out landscaping in accordance with landscape plans, carry out drainage improvements, cash-in-lieu of parkland, use building materials and colours suitable with the area, grading and site alteration works, accessible development, easements for shared parking, provide specific facilities in exchange for height and density increases, any other conditions.

Height and density in exchange for the provision of facilities, services and other matters in accordance with the secondary plan (provision of public parking, provision of transit, public art or a contribution to a city art program, parkland dedication, heritage donation / resources, community improvements – streetscape, parks, open space, other elements of the public realm).

### Sample Criteria for Variations from Standards (for Staff or Council Variations)

Variances will be considered subject to the following criteria:
- The approval criteria are achieved
- The general purpose and intent of the Official Plan will be maintained
- The general purpose and intent of the DP will be maintained
- The variance is desirable and appropriate for the development of the land
- The variance is minor in nature
| **SAMPLE CRITERIA FOR DISCRETIONARY & ALL OTHER USES** | The development supports further intensification and its transformation into a mixed use area  
Character and stability of an existing, well-established residential neighbourhood  
Compatibility with surrounding buildings and neighbourhoods  
Proposal is a more efficient use of urban land and the establishment of human scale pedestrian environment  
Existing trees will be retained as much as possible |
### Important Dates

OPA #258 was approved July 11, 2014. The City approved the OPA to establish a development permit system but did not have a Development Permit by-law approved at the same time.

### Goals & Objectives of the DP By-law

**Goals** of the DPS are to:
- Implement the vision, principles and policies of the Official Plan;
- Engage the community in the creation of the planned vision subject areas;
- Establish a comprehensive planning framework that facilitates and shapes development appropriate for subject areas; and
- Secure predictable outcomes by ensuring that all approved development is consistent with the planned vision and the comprehensive planning framework for subject areas.

**Objective** of the DPS is to provide for an alternative land use regulatory framework that implements the Official Plan and achieves the goals of the Official Plan.

### Area Subject to DPS

Entire City of Toronto to be implemented by a development permit by-law in selected areas of the City.

### Permitted & Discretionary Uses (Examples)

General policies to guide a development permit by-law: including permitted uses, development standards and specified minimum or maximum limits. Criteria such as:
- The built environment, street patterns, mix of land uses, public realm, built form, heritage resources
- The human environment, housing, community, recreation services and facilities, parks and open spaces

### Variances

To be outlined in the relevant Development Permit by-law

### Classes of Permits, Notice & Delegation of Powers

To be outlined in the relevant Development Permit by-law

### Timing

To be determined

### Fees

To be determined
| CONDITIONS | Agreements to be registered on title  
Financial security  
Community benefits in exchange for height or density such as: heritage resources, non-profit child care facilities, public art, non-profit art and community facilities, parkland or park improvements, public access to open space, streetscape improvements, rental housing / affordable housing, local improvements to transit facilities.  
Other conditions: sustainable design features, building materials and colour, site alteration / tree removal, conveyance of land for road allowances, |
| OMB | OPA 258 was appealed by 13 parties. Mediation is scheduled for March 2016 with a hearing scheduled for August 2016. Appeal issues identified include: the ability to amend a DPS, the uncertainty of adopting the OPA without a DPS, there appears to be a lack of trust between City Planning staff and residents and what a DPS by-law will look like, not enough thought has gone into this, too premature. |
## Jurisdictions Outside of Ontario

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Bermuda</th>
</tr>
</thead>
<tbody>
<tr>
<td>The planning regime in Bermuda operates as a DPS, although it is not called that. There is the process of preparing a Conservation Management Plan to enhance or repair environmentally sensitive areas in Bermuda, including coastal, woodland or agricultural areas.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Important Dates</th>
<th>Bermuda Plan approved in June 2008</th>
</tr>
</thead>
</table>

| Goals & Objectives of the DP By-Law | To protect habitat, ecology and aesthetics of the Island  
To conserve open space and protect the Island’s natural environment  
To ensure development has minimal impact on the natural environment  
To ensure proper maintenance of important flora and fauna and natural habitats  
To protect and conserve the natural scenic qualities of the coastline and minimize the physical and visual impact of development on the coastline  
To protect the coastline from coastal erosion through appropriate coastline development and shoreline protection measures |

<table>
<thead>
<tr>
<th>Area Subject to DPS</th>
<th>The entire Island is subject to planning regulations.</th>
</tr>
</thead>
</table>

| Conservation Zoning | There are several conservation zones: Woodland Reserve, Agricultural Reserve, Coastal Reserve, Open Space Reserve, Recreation, Nature Reserve and Park |

| Classes of Permits, Notice & Delegation of Powers | Some forms of development can be approved under the General Development Order (GDO) (and as such, just need a building permit)  
- Accessory buildings less than 250 ft²  
- Expansions to existing buildings 500-1000 ft²  
- Solar panels, swimming pools, hard surfacing, repairs, fill less than 4ft, temporary buildings, gates, walls and fences  
Notice for all permits (other than GDO permits) is a notice in the paper although there is a pilot project for a notification sign to be placed on the property  
No delegations of power with the exception of General Development Orders, otherwise all permits go to the Planning Committee |

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**CONDITIONS**

Surveys and studies as required. Traffic, noise, building elevations, Conservation Management Plan, EIS, Fish habitat study, natural light / shadow study.

A Conservation Management Plan (CMP) responds to development in or near a conservation area and includes ways in which to improve the quality of the conservation area in order to support the proposed development / built form.

A CMP is applicable for Woodland, Agricultural and Coastal areas at a minimum.

A CMP includes the provision of a detailed explanation of existing site conditions, and how to improve the conservation value on the property through additional planting, or other site works.

**PERMITTED & DISCRETIONARY USES (EXAMPLES)**

In conservation areas, very few uses are permitted:

- Minor site works
- Agricultural uses
- Pedestrian trails (kept to a practical minimum width)
- Park uses
- Development in Coastal Reserve areas only if development can’t be located elsewhere on the property and public access to the waterfront is maintained

**VARIANCES**

For variances / discretion to be used the following items must be addressed: natural light and ventilation, amenity space, site lines, buffers between buildings and land uses, topography, impacts on conservation areas, preservation of significant natural features / trees, shape of the lot, conservation area setbacks (15’)

**COASTLINE DEVELOPMENT PROVISIONS**

No land uses are permitted in coastal areas, everything is at the discretion of the Planning Committee

Scale, massing, siting is examined

Recreational Cottage:
- Can be the only building on a lot
- Intended for part-time use
- Single storey in height
- Is limited to 600 ft²

Docks:
- 200 ft.² maximum size (although width and length are limited to 16’)
- Can be longer to access a minimum of 3’ of water in low tide (but would have to be narrower to keep within maximum size)
- Boards are to be spaced for light penetration for fish habitat
- Design, scale and material shall blend in with natural appearance of the foreshore
- People will be asked to share a dock, and justify why a shared dock can’t take place
- If a dock is shared, a larger dock may be permitted

Seawalls:
- Must have materials and construction approved by an Engineer
- Adequate consideration has been given to the foundation and construction activities to mitigate impacts on the environment, marine environment, recreational activities, waterfront access
and neighbouring properties

**INTERESTING TO NOTE**

Recommended planting regime: 40-30-20-10 % rule: endemic, native, ornamental and variance

Maintenance of woodland areas is permitted (pruning, trimming, invasive species removals)

Changes of use require a permit even if no built form is proposed

If the proposal may impact a neighbouring property the application isn’t circulated unless the neighbour has been notified of the application (a letter saying they are aware an application will be submitted)

**TIMING**

An average permit takes 8 – 12 weeks. General Development Order permits generally take 1 week.

**FEES**

Range from $105 for a General Development Order

$540 for a residential permit

$1,575 for a non-residential permit

$2,625 for an EIS review

$215 for a renewal (after 2 years)

$900 in addition for any retroactive approval requests
### JURISDICTION
Municipal District of Woodlands No. 44, Alberta

### IMPORTANT DATES
Approved in 2013 #407/13-2013 Area wide, but with districts

### GOALS & OBJECTIVES OF THE DP BY-LAW
To encourage development in such a manner that the impact of development on natural features is reduced
To protect and direct land uses and development away from environmentally sensitive lands such as: steep valleys, areas prone to flooding and soil erosion

### INTERESTING TO NOTE
They require the applicant to sign a right of entry form for site visits
If an application has been refused, a new application on the same lot for a similar use cannot be submitted for six months
Permits can be cancelled if the conditions are not being followed

### PERMITTED & DISCRETIONARY USES (EXAMPLES)
DP is not required for the following uses:
- Maintenance or repair
- Gates, walls, fences (1.0 - 2.0 m in height)
- Temporary buildings
- Accessory buildings (less than 100 ft² if residential)
- Accessory buildings (less than 500 ft² if non-residential)
- Landscaping

All other uses require a permit including any change of use or starting a business or home occupation.
Several uses are classified as Major or Minor with different permissions based on the scale of the use
Some agricultural land is designed as “Better Agricultural Land” with limited non-agricultural permissions

Standard setbacks:
- 40 m from a major road
- 30 m from the top of any bank with a grade greater than 30 degrees
- 30 m from any watercourse

### CLASSES OF PERMITS, NOTICE & DELEGATION OF POWERS
Notice is not always required, but when it is, it is given with 7 days of the meeting date

### TIMING
Decisions are to be made within 40 days from the receipt of applications
14 days of an appeal period
After an appeal, the hearing must be held within 30 days and the
<table>
<thead>
<tr>
<th><strong>决策</strong></th>
<th>决定在听证会结束后15天内作出。&lt;br&gt;许可证有效12个月</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>费用</strong></td>
<td>$50用于许可使用&lt;br&gt;$200用于酌情使用或任何变通&lt;br&gt;$1000用于资源开采&lt;br&gt;双倍于正常费用用于按图纸批准</td>
</tr>
<tr>
<td><strong>条件</strong></td>
<td>财产或协议进入&lt;br&gt;环境影响评估&lt;br&gt;环境储备可能被要求捐赠（类似于公园用地），并且这可能包括环境敏感的土地，任何财产，也可以包括从海岸线30米退后土地</td>
</tr>
<tr>
<td><strong>样本标准的变通标准</strong> (供职员或议会变通)</td>
<td>开发不会过度干扰社区设施，干扰财产的享受，实现市政发展计划的意图和目标，并确保土地的有序开发。</td>
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<tr>
<td>JURISDICTION</td>
<td>Salt Spring Island, BC</td>
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<td>--------------</td>
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<tr>
<td>GOALS &amp; OBJECTIVES OF THE DP BY-LAW</td>
<td>The rate and scale of growth and development in the Trust area must be carefully managed. To protect our marine and fresh water shorelines To protect coastal and marine ecosystems To avoid conflicts between shoreline uses and uses on adjacent land To avoid shoreline uses that impede public access to and along the shoreline To sustain island character, aesthetic qualities, cultural and natural heritage To protect the Island’s most environmentally sensitive shoreline areas not suitable for intensive development (tidal flats, fish, wildlife, habitat and wetlands) To protect tidal waters To protect fish and wildlife habitat To prevent erosion To protect development from hazardous conditions To protect the natural beauty of the island’s shoreline areas where commercial and industrial development are allowed To ensure development is unobtrusive and contributes to the natural, public character of the crown foreshore Development “rights” can be transferred to another site to protect environmentally sensitive land</td>
</tr>
<tr>
<td>INTERESTING TO NOTE</td>
<td>Seasonal cottages cannot be used for short term rentals Density cannot be varied Development proposals for marinas need to have a program to manage boat sewage Shoreline should not be filled in to reclaim additional land area Any shoreline stabilization work can only take place if an engineer certifies that it needs to be done and the engineer has to certify the works Native vegetation and trees to be retained or replaced for erosion control Shoreline work cannot be made of debris! Lighting kept to a minimum</td>
</tr>
<tr>
<td>Specific Development Permit Area for Riparian Areas all to protect fish habitat from development</td>
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<tr>
<td>Securities to be provided in the amount of 150% of the estimate of work</td>
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<tr>
<td>Community Amenity provisions for increased density or height can include:</td>
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<tr>
<td>Conservation land dedication</td>
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<td>Affordable / special needs housing</td>
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<tr>
<td>Land to build a fire hall</td>
<td></td>
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<tr>
<td>Land for bike lanes, sidewalks</td>
<td></td>
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<tr>
<td>Dedication of a heritage property</td>
<td></td>
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<tr>
<td>Land for cultural or recreational purposes</td>
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</tbody>
</table>

### Policy Examples

- Only 1 seasonal cottage per 2 ha of land and no larger than 90m²
- Public recreation zone requires access be maintained for swimming and beach access
- Dock policies:
  - To accommodate the *desire* to construct private docks along the shoreline
  - Docks must be a maximum of 35m²
  - Docks should not be in areas where the foreshore is unstable, are known to be used by the public for recreation, high value in fish habitat, next to islands and inlets, known to have heavy marine traffic
  - Docks should not extend into the shoreline any further than necessary to accommodate a small pleasure craft boat with draft no greater than 2.2 m
- **Everything** is exempt from the need for a Development Permit except:
  - The construction of buildings
  - Docks
  - Moorings (more than 1)
  - Breakwaters
  - Sea walls
  - Shoreline stabilization work
  - Boat launches
  - Fill placement

### Notice, Fees & Timing

- Notice given to adjacent landowners
- $715 for residential land uses
- $935 non-residential land uses
- $990 board variance
- Approvals take approximately 2 months and are valid for 2 years
Endnotes

ii Lake Simcoe Shoreline Management Plan, p. 2.
iii Lake Simcoe Shoreline Management Plan, p. 2.
v Lake Simcoe Water Levels, August 2013, LSRCA, p. 2.
vi Lake Simcoe Water Levels, p. 2.
ix Lake Simcoe Shoreline Management Plan, p. 4.
xiLake Simcoe Shoreline Management Plan, p. 4.
ix Lake Simcoe Science – A local perspective on Climate Change, Volume 5, 2013, P.3.
x Lake Simcoe Science, p. 4.
xii Lake Simcoe Science, p. 4.