

Chapter

16

TOURISM NODES AND SPECIAL POLICY AREAS

MUNICIPALITY OF CLARINGTON OFFICIAL PLAN

16. TOURISM NODES AND SPECIAL POLICY AREAS

16.1 GENERAL POLICY

- 16.1.1 For those lands designated as Tourism Nodes or Special Policy Areas on Map A, the following policies shall apply in addition to other applicable policies of this Plan.

16.2 TOURISM NODES

- 16.2.1 Tourism Nodes shown on Map A are identified as areas of major tourism and recreational potential. Where a boundary is indicated on Map A, the Tourism Node is limited to the lands shown.
- 16.2.2 Notwithstanding Section 16.2.1, the uses permitted at Mosport Park shall be limited to those uses which existed on June 5, 1991. Any expansion to *existing* uses, the establishment of new buildings or facilities, shall be in accordance with the policies associated with the Environmental Protection Area and Natural Linkage Area designations and Chapter 4 of this Plan.
- 16.2.3 The uses permitted at Brimacombe, Tyrone Mill, Bowmanville Zoo, Exotic Cat World are *existing* uses, and the expansion of these uses. The introduction of new related uses may be permitted provided:
- a) such uses do not adversely impact natural features and functions, heritage structures or *significant* vistas, views or ridge-lines;
 - b) such uses are compatible with *adjacent* lands with respect to noise, traffic, and visual impact;
 - c) such uses do not include any form of new residential use;
 - d) such uses are adequately serviced in compliance with provincial and regional standards; and
 - e) all other requirements and policies of this Official Plan are complied with.
- 16.2.4 The uses permitted at the Port Darlington tourism node are defined in the Port Darlington Secondary Plan in Part VI.
- 16.2.5 The uses permitted at the Port of Newcastle tourism node include a marina, a hotel, a theatre and other cultural uses, restaurants, specialty commercial uses, recreational uses, public parkland, boardwalks and similar uses appropriate to a waterfront tourism destination. The marina area is to be fully integrated with the

designated Harbourfront Centre and shall be developed in accordance with the following:

- a) an integrated system of publicly accessible walkways will connect the Harbourfront Centre with the marina area, the District Park and the Waterfront Trail;
- b) the marina *development* will be fully integrated with the District Park with complementary recreation facilities and *amenity areas*, joint access arrangements and shared parking facilities;
- c) the marina clubhouse will have complementary architectural style and form, and shall incorporate common *streetscape* elements and landscape themes with the Harbourfront Centre *development*, and
- d) off-season boat storage shall be only permitted immediately *adjacent* to the marina.

16.3 SPECIAL POLICY AREA A PORT GRANBY WASTE MANAGEMENT FACILITY

16.3.1 Special Policy Area A is the *site* of the Port Granby Waste Management Facility which is licensed by the Atomic Energy Board of Canada for low level radioactive *waste*. It is the policy of Council to require the expeditious removal of all *waste* and contaminated soil from the *existing waste* management facility and that the *site* shall be rehabilitated and rendered safe for uses permitted within the Waterfront Greenway.

16.3.2 Notwithstanding any other provision of this Plan, any *development* in the vicinity of this Special Policy Area shall be subject to all applicable federal or provincial regulations. However, prior to the complete decommissioning of the *site*, no *development* shall be permitted within 100 metres of the limit of Special Policy Area A.

16.4 SPECIAL POLICY AREA B WILMOT CREEK RETIREMENT COMMUNITY

16.4.1 Special Policy Area B recognizes a distinct residential community catering to seniors and retired residents. A maximum of 960 residential units including a retirement and/or nursing home, are permitted. Unless otherwise specified, any *development* or *redevelopment* within this Special Policy Area shall be in accordance with all applicable policies of this Plan.

- 16.4.2 Special Policy Area B is a private leasehold community. As such, the Municipality will not provide any public services or facilities within this area nor will the Municipality assume any services or facilities within this Special Policy Area in the event of default by the owner.
- 16.4.3 The Municipality will co-operate with the residents and owner to facilitate the linking of the waterfront trail through Special Policy Area B.
- 16.4.4 Notwithstanding Section 14.5.2, the area designated Green Space within the Urban Boundary north of Wilmot Creek Retirement Community may be used for recreational purposes and other *accessory uses* to the residential community.

16.5 SPECIAL POLICY AREA C ST. MARYS CEMENT

- 16.5.1 This area primarily recognizes the licensed extraction area and the cement manufacturing facility of St. Marys Cement and the Westside Marsh. The permitted uses are as follows:
- a)ⁱ on the lands designated General Industrial, the commercial dock facility *existing* on October 1, 1997 and a cement manufacturing facility;
 - b) on the lands designated *Aggregate* Extraction Area and subject to the provisions of Section 16.5.2., *aggregate* extraction activities and ancillary uses such as a professional office building, a concrete batching plant, a truck terminal, and *aggregate* processing including the stockpiling of raw and processed materials;
 - c) on the lands designated Environmental Protection Area, no *development* except for protection, *conservation* and enhancement of ecological systems, *passive recreation*, and uses related to erosion control and stormwater management; and
 - d) on the lands designated Waterfront Greenway, the uses identified in Section 14.7.
- 16.5.2 *Aggregate* extraction activities and ancillary uses are subject to the following:

ⁱ *Deferred for further consideration (Deferral #10)*

- a) an *aggregate* processing plant, concrete batching plant, and truck terminal shall:
 - i. not be located within 700 metres of any residential property located south of Highway 401; and
 - ii. not be located within 150 metres of the water's edge of Lake Ontario.
- b) within 700 metres of any residential property, *aggregate* processing is permitted provided that any crusher is located 10.7 metres below natural grade; and
- c) for the purposes of Section 16.5.2, natural grade means the grades depicted by the contours shown on a drawing entitled "Existing Features" prepared by MacNaughton Hermsen Britton Clarkson Planning Limited for the Bowmanville Quarry (Job No. "8816'B' St. Mary's Bowm Durh") dated for submission in accordance with the Aggregate Resources Act on Nov. 9, 1990 provided that in no case shall natural grade include stockpiled material, excavated areas or be deemed to exceed 86 metres above sea level or be deemed to be less than 75.4 metres above sea level.

16.5.3 A portion of Special Policy Area C includes lands which will accommodate the planned diversion of Westside Creek, the retention of a *significant* portion of the Westside Marsh *existing* on October 1, 1997, and a *habitat* linkage area between the Westside Marsh and the Bowmanville Marsh *wetlands*. These lands shall be managed by an appropriate public authority in conjunction with other public lands so as to conserve and enhance *wildlife habitat* on-site or nearby with the objective of achieving no net loss in biodiversity and function.

16.5.4 Any proposed expansion of the docking facility shall be contingent on the necessary approvals of all relevant Federal and Provincial agencies. The use of any land created through an expansion to the docking facility shall be determined by amendment to this Plan. In addition, the following policies apply to the dock:

- a) the *existing* dock and any approved expansion shall have a *site* specific zoning which clearly identifies the range and scale of uses;
- b) the eastern perimeter of the dock shall be appropriately screened;
- c) the height restriction of Section 11.7.3 is not applicable;
- d) the dock expansion shall be subject to *site* plan approval and an agreement between the Municipality and St. Marys Cement Corporation; and

- e) a multi-stakeholder monitoring program shall be implemented to monitor shoreline processes as they impact properties on either side of the *existing* or, if approved, the expanded dock.

16.5.5 The Municipality encourages St. Marys Cement to provide opportunities for public access to the waterfront.

16.5.6 Any rehabilitation plan or amendment to a rehabilitation plan for the *aggregate* extraction area shall address, among other matters, the following:

- a) the relationship of the lands to be rehabilitated to the Westside Marsh and related lands referred to in Section 16.5.3;
- b) the land uses permitted within Special Policy Area C;
- c) the provisions of this Plan dealing with Bowmanville's urban waterfront; and
- d) the provision of attractive, connected and accessible public spaces appropriately located.

Before submission of a rehabilitation plan or an amended rehabilitation plan to the Province for approval, the owner shall meet with the Municipality and Conservation Authority to obtain their input and comments on the matters referred to in this section. The owner shall objectively consider but not necessarily follow such comments in finalizing a rehabilitation plan or amended rehabilitation plan.

16.6 SPECIAL POLICY AREA D DOM'S AUTO PARTS LTD.

16.6.1 Dom's Auto Parts Ltd. is situated within the South Courtice Employment Area. It is the long term goal of the Municipality to encourage the relocation of the *existing* use to allow the eventual *redevelopment* of this property for industrial purposes. However, the *redevelopment* of the *site* may not take place until such time as sewer and water services are available. In the interim, the *existing* uses may continue.

16.6.2 Prior to the *redevelopment* of the *site* and as a condition of approval of any *development* application, the proponent shall ensure that the soil conditions and ground and surface water conditions on the *site* are suitable for the proposed use. *Development* proposals on the *site* shall be subject to the provisions of Section 4.6.15 of this Plan.

16.7 SPECIAL POLICY AREA E REDEVELOPMENT DISTRICTS

- 16.7.1 Special Policy Areas E are lands currently occupied by long-established industries or commercial uses. The Municipality recognizes the potential for land use conflicts with surrounding residential areas and will encourage and assist such *existing* businesses in the eventual relocation to designated Employment Areas or Highway Commercial Districts within the Municipality.
- 16.7.2 The land use designations shown on Map A for these Special Policy Areas are intended to provide a future land use alternative for the *redevelopment* of these Areas. If and when the use of the land for industrial or commercial purpose ceases, the land shall be used in accordance with the land use designation and the policies of this Plan. Where residential uses are indicated, any *redevelopment* shall be undertaken in accordance with the *intensification* policies of Section 6 of this Plan.
- 16.7.3 Notwithstanding Section 16.7.1, the Municipality also recognizes the economic benefits provided by these businesses and supports the continued operation, expansion, modernization and diversification of operations.
- 16.7.4 Prior to any *redevelopment* of older industrial areas, the proponent shall ensure that the soil conditions and ground and surface water conditions on the *site* are suitable for the proposed use. *Development* proposals on the *site* shall be subject to the provisions of Section 4.6.15 of this Plan.

16.8 SPECIAL POLICY AREA F KING STREET CORRIDOR

- 16.8.1 The lands identified as Special Policy Area F on Map A are predominantly *existing* residential dwellings situated on larger *lots*. The Municipality recognizes the *redevelopment* potential of these lands and the desirability of creating a transit supportive *environment* along the Regional Transit Spine identified on Map B.
- 16.8.2 Special Policy Area F is designated to provide for the *intensification* of land uses along the King Street corridor. The uses permitted in this designation include medium and high density residential housing, recreation, community facilities and *institutional uses*. In addition, limited office *development* is permitted. It is the policy of this Plan

not to permit strip retail areas along King Street outside of Town and Village Centres.

- 16.8.3 Medium and high density residential uses shall be developed in accordance with the provisions of Section 9.4 of this Plan.
- 16.8.4 The applicable urban design principles of Section 10.3.2 and the *site development* criteria of Section 10.3.7 apply to Special Policy Area F.

16.9 SPECIAL POLICY AREA G NORTH NEWCASTLE VILLAGE

- 16.9.1 Special Policy Area G represents an area potentially affected by a nearby hog operation in Lot 27, Concession 3, former Township of Clarke.
- 16.9.2 The area of influence as defined in the Minimum Distance Separation Formula is designated Future Urban Residential Area. Until such time as the hog farm operation or similar agricultural operation ceases, the area of influence shall remain designated Future Urban Residential Area.
- 16.9.3 Additional lands which may be affected by the hog farm operation are predominantly designated Urban Residential Area. School sites and a neighbourhood park are also identified. As a condition of *development*, the developer shall include a warning clause in all purchase and sale agreements indicating potential impacts from agricultural operations including noise and odour.

16.10 SPECIAL POLICY AREA H DELETED BY AMENDMENT 43

16.11 SPECIAL POLICY AREA I COVE RESIDENTIAL AREA

- 16.11.1 Special Policy Area I recognizes the historic residential community known as the Cove. *Existing* residential dwellings and limited infilling is permitted on private sewer or water services.
- 16.11.2 The creation of new *lots* shall meet the requirements of Sections 12.3.5 and 23.7 of this Plan.

16.12 SPECIAL POLICY AREA J

- 16.12.1 Special Policy Area J may only be used for a single prestige

employment use, appropriate to and benefiting from a rural location, including a fur garment manufacturing facility, provided that:

- a) the use is located within an earth-integrated building displaying a high standard of architectural design and landscaping;
- b) the building is located greater than 50 metres from any watercourse;
- c) the use is dry in nature;
- d) there is no outside storage of goods or waste material; and
- e) an environmental construction management plan is prepared in accordance with Section 16.12.3.

16.12.2 The implementing Zoning By-law shall allow as permitted uses, reforestation, *conservation* and a single 2500 square metre fur garment manufacturing facility, in a single building, to be used for the design, production and sale of fur garments. Accessory buildings and structures shall be permitted in accordance with the Comprehensive Zoning By-law, provided that no single accessory building or structure shall be larger than 100 square metres in size.

- a) A change in use from fur garment manufacturing to another single prestige employment use may be permitted, but shall require an amendment to this Official Plan and an amendment to the Comprehensive Zoning By-law, and may require at the request of the relevant authorities, the submission of one or more of the following to the authorities for approval:
 - an analysis of the hydrogeological impacts
 - an assessment of the impact on surface drainage
 - a traffic impact analysis
 - an environmental impact study; as set out in Section 4.4.35 of this Plan
 - a stormwater management plan
 - a servicing study
 - studies with respect to impacts of noise, dust or odour
 - other information as may be deemed necessary by the Municipality of Clarington and/or the Regional Municipality of Durham

16.12.3 Prior to passing a by-law to remove the Holding (H) symbol from the implementing Zoning By-law, the applicant shall:

- a) enter into a *site plan* agreement with the Municipality which addresses all the requirements of the Municipality, financial or otherwise;

- b) obtain the necessary approvals and/or enter into the necessary agreements with the Regional Municipality of Durham to address matters such as but not limited to any required improvements to Taunton Road, the private *waste* disposal system and the private *waste* supply system; and
- c) prepare, to the satisfaction of the Director of Planning Services, the Director of Engineering Services and the Ganaraska Region Conservation Authority, an environmental construction management plan detailing:
 - the rehabilitation of the former gravel pit
 - the reforestation of lands to provide a *wildlife habitat* corridor linking tableland woodlots with the Wilmot Creek *valleylands*
 - the improvements to the pond and the tributary of the Wilmot Creek, and
 - the measures to be taken to protect, mitigate and/or rehabilitate the subject lands from any impacts caused by construction activity