

APPENDIX B: IMPLEMENTATION AND PLANNING

1.0 BACKGROUND

A detailed review of the policy framework was examined in the *Village of Bond Head Heritage Conservation District Study* (ARA 2019). The policy framework that has guided this study is provided by provincial planning legislation and policies as well as regional and local municipal Official Plans and guidelines. These policies broadly protect cultural heritage resources. Provincial policies may also work to protect areas rich with cultural heritage resources. Given that the Town of Bradford West Gwillimbury adopted a new *Official Plan* in 2021, after the 2019 *Village of Bond Head Heritage Conservation District Study* was authored and is discussed here. Section 8 provides a provides recommendations for policies/provisions to conserve cultural heritage resources within Bond Head's HCD.

The Town of Bradford West Gwillimbury *Official Plan* (BWG OP) was adopted by Town Council on March 2, 2021. Once adopted, the *Official Plan* was sent to Council at the County of Simcoe for final agency of approval. Approval by the County Council is pending. The new OP includes numerous policies for the identification, conservation, and management of cultural heritage resources. The following section outlines the changes to the BWG OP that will enhance cultural heritage resource conservation as well as additional policy changes offering greater protection.

2.0 PLANNING AND IMPLEMENTATION OF THE DISTRICT PLAN

By designating Bond Head as a Heritage Conservation District within BWG, it will ensure that the distinct history and identity of the community is conserved and enhanced in the long term. To meet the community's heritage conservation objectives, the policies, guidelines, and recommendations included in this Plan provide direction for residents and Town staff with a clear basis for decision making processes.

The District Plan will be implemented using the existing land use planning and municipal approvals processes. Designating a particular community as a Heritage Conservation District can result in recommendations to modify or amend policies in the *Official Plan*, Zoning By-law, or other municipal tools regarding the built form. Such changes to the existing policy framework are required to ensure that the necessary processes and permitting systems are in place for the HCD Plan to function effectively. Specifically, the Ministry of Tourism, Sport and Culture's Heritage Conservation District Toolkit requires the identification of proposed changes to municipal by-laws and/or Official Plan policies as part of the process of establishing an HCD.

The following will identify any policies or by-laws in conflict with the proposed policies of this HCD Plan. As well, recommendations for amendments to these municipal planning tools will be included to ensure that the appropriate policies and by-laws are in place to support the objectives of this Plan.

It is important to note that in the event of a conflict with any other municipal bylaw, the provisions of the Bond Head HCD Plan should prevail, but only to the extent that the conflict exists.

2.1 Ontario Heritage Act and the Heritage Conservation District Plan

District designation involves many phases outlined by the *Ontario Heritage Act (OHA)*. However, two key steps include an HCD Study followed by an HCD Plan and Guidelines. The adoption of a district plan with policies and guidelines tailored to the area's conservation, protection and

enhancement allows a municipal council to manage and guide future change in the area. An HCD Plan and Guidelines is developed in consultation with the public and residents. An HCD Plan and Guidelines outlines the process that proposed changes to a district are subject to (a permit process under the *Ontario Heritage Act*) and provides guidelines to inform future changes. Typically, municipal staff review proposed changes to physical attributes which require “permits” in relation to the HCD Plan and Guidelines to ensure that alterations, demolitions, and new construction comply with the plan and support the character of the HCD as described in the HCD Plan and Guidelines.

An HCD Plan and Guidelines must be prepared that includes the following information as prescribed by section 41.1, Heritage conservation district plans of the *OHA*:

- (a) a statement of the objectives to be achieved in designating the area as a heritage conservation district (see Section 3)
- (b) a statement explaining the cultural heritage value or interest of the heritage conservation district (see Section 2.3);
- (c) a description of the heritage attributes of the heritage conservation district and of properties in the district (see Section 2.4);
- (d) policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district (see Section 7.0-9.0) and,
- (e) a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42. 2005, c. 6, s. 31 (2009). (See Section 11.0).

2.2 Town of Bradford West Gwillimbury Official Plan (2021)

To implement the Bond Head HCD Plan, the policies contained within the Town’s OP may require amendments to support the policies outlined in this HCD Plan. To note, the Town’s OP was adopted by BWG Council in March of 2021 and is presently awaiting final approval from the County of Simcoe.

2.2.1 Policies

The Town of BWG’s OP, including the *Bond Head Secondary Plan*, contains general policies in support of the conservation and enhancement of natural and cultural heritage resources (BWG OP, 2.2.4 & 3.8.1) in the municipality. To add further reinforcement in protecting heritage resources, Council is directed to use the relevant provisions of the *Ontario Heritage Act* to designate and preserve buildings, structures, or landscapes (BWG OP, 3.8.1.a). These policies align with the objectives and goals presented in the Bond Head HCD Plan.

Heritage conservation policies within the OP direct the Municipal Heritage Committee to be responsible for monitoring properties on the Municipal Heritage Register and making recommendations for new additions to the register based on the criteria outlined in the *Ontario Heritage Act* (BWG OP, 3.8.3.b). Under section 7.1.6 of the OP, the Town is permitted to adopt a community planning permit by-law in place of a zoning by-law or a heritage conservation district to control land use and development (BWG OP 2021:207). At this time, the Town has not elected to adopt a community planning permit by-law. Therefore, the proposed Bond Head HCD and the policies in the associated Plan should be deemed to prevail.

In terms of urban design, the Town's OP includes a range of general policies that address various aspects of design elements for a range of built forms (BWG OP, 3.10.1). The policies uphold principles of good urban design that will positively contribute to the community. However, there is no inclusion of urban design principles that contemplate design for heritage districts or for conserving cultural heritage resources. Should the HCD Plan be adopted by Council, these policies should be reviewed, and the Town may consider including additional design policies that would defer to the design policies and guidelines in the District Plan in instances where a property is in the HCD Boundary.

A policy within the OP provides direction regarding future road widenings, stating that due to cultural heritage features, unequal, reduced, or altered widening requirements may be required without need for an amendment to the Plan (BWG OP, 7.2.3). The Town's OP grants additional protections to conserve heritage resources. To help conserve a property with cultural heritage value, the Town is permitted to pass by-laws for entering into easement or covenants with owners of a property having cultural heritage value or participate in the management of cultural heritage resources through acquisition, disposition, purchase, lease, donation, or other involvements to conserve those resources (BWG OP, 7.2.4).

Looking to the Bond Head Secondary Plan contained within the BWG OP, the Town is permitted, pursuant to the Ontario Heritage Act, to examine areas of Bond Head for designation as a HCD, as well as to designate portions of Bond Head as a HCD (BWG OP, 5.1.10). Policies in the *Bond Head Secondary Plan* encourage development to be conducted in a manner that is consistent with the existing character of the community (BWG OP, 5.1.10.b). To ensure that new or infill development respects and reflects the existing heritage resources, the Town may request supporting design studies to be conducted (BWG OP, 5.1.10.c). The *Bond Head Secondary Plan* contains policies relating to a phased development approach in Bond Head to ensure that the appropriate servicing is available (BWG OP, 5.2.13). These *Secondary Plan* policies will not be affected, or have an impact on, the Plan for the Bond Head HCD. As such, no modifications are recommended for these policies.

In deeming a development application under the *Planning Act* complete, the Town may require an archaeological assessment or a built heritage impact assessment when there is a cultural consideration as part of the development (BWG OP, 7.3.2.c.i.x). The OP details that the Town may undertake additional studies to assess potential amendments to the OP, including Heritage Planning Studies (BWG OP, 7.6.3.a.viii). As per the HCD Plan, any development proposals within or adjacent to the Bond Head HCD will be required to include a Heritage Impact Assessment, which will also include a Heritage Permit application, to ensure conservation of the district's character. As well, the HCD Plan states that a Heritage Impact Assessment may be required as part of a Heritage Permit application to demolish or relocate a cultural heritage resource on a property that forms part of the District or is adjacent to a designated property. Further, the HCD Plan indicates that planning staff should have delegated authority to approve minor heritage permits. To support these policies in the HCD Plan, modifications of the BWG OP are recommended to establish a Terms of Reference for Heritage Impact Assessments, which will also include a requirement for a Heritage Permit application. In addition, the appropriate procedure to establish delegated authority to planning staff to approve minor heritage permits should be undertaken by the municipality.

Putting in place policies that capture alternative forms of protection is an option when updating an OP. One alternative form of protection currently available via the OP is heritage conservation easements (BWG OP 2021:212). It may prove beneficial to also put in place alternative protection

mechanisms as they could provide greater conservation for all BWG cultural heritage resources, in addition to those within the Bond Head study area.

The Town may choose to include additional HCD policies to better accommodate Districts. The following suggestions are derived from the expanded heritage conservation district policies within the *OHA*, a high-level survey of OP policies in place in other municipalities with HCDs, and a review of the MCL (2006) guide, *Heritage Conservation Districts: A Guide to District Designation under the Ontario Heritage Act*:

- Provisions could be made for HCDs to contain natural heritage features or important views or vistas in addition to cultural heritage features (Town of Ajax 2012);
- Reference may be made to the evaluation of buildings based on their vernacular design or incorporating landscapes and open spaces (MCL 2006:21; 23);
- Policies can indicate that new development is to be compatible with as well as “complement the character of the Heritage Conservation Districts” and could incorporate recommendations from Watchorn Architect Inc.’s 2009 *Architectural Design Guidelines* prepared for the village of Bond Head (Town of Goderich 2017:12; Watchorn 2009); and
- Other policies may include requirements for conducting cultural heritage surveys when redevelopment is proposed nearby to cultural heritage resources; recommendations to pass a by-law for areas to be examined for a HCD could be inserted in the OP (Town of Caledon 2018:3-32; Township of Centre Wellington 2013:6).

The incorporation of the additional policies for HCDs in the OP is particularly relevant if BWG chooses to proceed with the designation of a HCD in Bond Head. Many of the policies contained within the BWG OP and the *Bond Head Secondary Plan* support heritage conservation and the objectives of this Plan. To support some policies within the HCD Plan, some specific modifications have been recommended at this time, as outlined above. In general, it is recommended that during future Official Plan review processes, the OP policies relating to heritage preservation be reviewed in the context of the Bond Head HCD Plan.

In the BWG OP 2021 Section 3.8 Built and Cultural Heritage specifically addresses cultural heritage resource conservation. This section contains updated cultural heritage policies and language (i.e., a section on the heritage committee and incorporating information from the PPS 2020). Section 3.8.1 of the BWG OP 2021 (previously section 3.3.1 of the 2018 draft BWG OP) contains policies that specify the conservation of cultural heritage resources and how the Town of BWG is to establish an inventory of these resources. The policies in Section 3.8.1 of the BWG OP 2021 are largely drawn from the policies in Section 6.1.11 Protecting Cultural Heritage Resources, which were added to the BWG OP 2002 via Bond Head OPA No.16. A key difference in the BWG OP 2021 is that the new policies in Section 3.8.1 were expanded to apply to the entirety of the municipal Town boundary. Section 5.1 of the BWG OP 2021, covering the *Bond Head Secondary Plan*, has also incorporated Bond Head OPA No.16 from the BWG OP 2002, which provides cultural heritage resource protection for the Bond Head Settlement Area. The Architectural Design Guidelines found in the *Bond Head Secondary Plan* under Section 5.1.2 (BWG OP 2021) have also been brought forward from Bond Head OPA No.16 of the BWG OP 2002. However, it should be noted that although architectural guidelines provide guidance on new development and some types of changes to existing buildings, they do not provide for the physical protection of existing resources or provide a mechanism to manage change.

2.2.2 Land Use Designations

As per Schedule B-3 Land Use in the Town of BWG OP, the Bond Head HCD is primarily comprised of the Heritage Residential land use designation. The Village Core Area, Community Facility, Neighbourhood Parks, and Low-Density Residential designations are also present within the District. Generally, the land use policies associated with these designations are supportive of many of the objectives of this *Heritage Conservation District Plan*.

The Heritage Residential policies support the objectives of conservation and enhancement for the Bond Head HCD. The permitted uses of the Heritage Residential designation include single detached dwellings, converted dwellings and bed and breakfast establishments (BWG OP, 5.1.4). These permitted uses are built forms that generally maintain a low profile of one to three stories, as intended through the Bond Head HCD Plan. Further to the permitted uses of this land use designation, office commercial uses in converted dwellings along the County Road 27 and 88 frontages may be considered if they follow district policies for any alterations or additions (BWG OP, 5.1.4). As per the Bond Head Secondary Plan within the BWG OP, within the Heritage Residential designation, limited infill may be permitted on vacant lots and severances of larger lots may be permitted if full municipal services are available. However, if proposed, the lot size of any infill property and severance must reflect the character of the surrounding area. In instances where lots are exceedingly deep and back onto new residential areas, a severance may be permitted that entails the rear portion of a property being severed off and incorporated into the abutting Low Density Residential designation without an amendment to the OP provided the resulting lot depths meet the Zoning By-law requirements and reflect the character of the heritage residential designation (BWG OP, 5.1.4).

The Low-Density Residential designation includes policies that permit single detached, semi-detached, and duplex dwellings with a density not exceeding 24 units per net development hectare (BWG OP, 5.1.4). No modifications are recommended for the Heritage Residential or Low-Density Residential land use designations as, in combination with the policies of the HCD Plan, these land use designation policies uphold the objectives for the Bond Head HCD.

The Village Core Area is a mixed-use area that is focused primarily on the intersection at County Road 88/Line 7 and County Road 27 as well as a parcel of land on the north side of County Road 88 to the west of the intersection. The function of this area is to provide day-to-day and weekly shopping and entertainment needs of the residents while also maintain a strong pedestrian orientated retail area (BWG OP, 5.1.5). The Village Core Area permits the use of a range of service and retail commercial, entertainment and office use that provide service to the local community and are at a scale that is appropriate to Bond Head (BWG OP, 5.1.5). As well, residential units are permitted on upper floors of commercial buildings, or as free-standing structures; however, for the portions of new buildings facing directly onto County Roads 27 and 88, at grade commercial uses are encouraged (BWG OP, 5.1.5). In the Village Core Area designation, existing heritage buildings and houses are to be retained, and where appropriate may be converted into shops and boutiques or converted buildings. Where they are converted to commercial use, redeveloped or a portion of the lot is infilled, minimizing impact on adjacent residential dwellings through fencing, landscaping, setbacks, and directional lighting along with other potential mitigation measures is encouraged (BWG OP, 5.1.5). Given that these land use policies speak to the need for compatibility and conservation of heritage features, no modifications are recommended as they support the objectives for the Bond Head HCD Plan.

The Community Facility land use designation is intended to provide for the culture, education, health, and welfare of the existing and future residents of the community. Permitted uses include

childcare centres, private and public schools, treatment centres and clinics, community centres, libraries, cemeteries, and places of worship (BWG OP, 5.1.8). The Neighbourhood Parks designation is intended for active recreation purposes (BWG OP, 5.1.3). Generally, Neighbourhood Parks are to have an area between 0.5 and 1.0 hectares (BWG OP, 5.1.3). The location, configuration and boundaries of these lands shall be confirmed at the time of subdivision approval. Community and Neighbourhood Parks are generally to have a street frontage along a minimum of 50% of the perimeter of the park (BWG OP, 4.4.2).

Lands designated as Environmental Protection consist of the flood prone lands and wooded areas adjacent to the stream corridor (BWG OP, 5.1.7). The lands are intended to be preserved for their primary environmental function. Along with providing flood protection and environmental protection, the designation will contribute to the open space character of the area and provide for passive recreation uses (BWG OP, 5.1.7).

No modifications to the existing *Official Plan* land use designation policies are recommended as the existing policies support the policies and guidelines provided in this HCD Plan and are adequate to meet the conservation objectives.

2.3 Archaeological Protocol

If ground disturbances are proposed, the County of Simcoe Archaeological Management Plan and/or the *MCM Criteria for Evaluating Archaeological Potential: A Checklist for the Non-Specialist* should be reviewed to determine the potential for subsurface archaeological remains. If any such potential is identified, an archaeological assessment should be completed. The requirement for checking archaeological potential applies to contributing and non-contributing properties as well as to all public spaces (i.e., parks and roads).

Ground disturbing activities include (but are not limited to):

- Demolition of existing buildings or construction of new buildings;
- Installation of deck footings or pools;
- Site grading or major landscaping; and,
- Infrastructure improvements (changes to road alignments, utility lines, etc.).

For cemeteries within the District boundary, any proposed building or major construction must be at least 4.57 metres (i.e., 15 feet) away from any in-ground grave. Any ground disturbance occurring within the vicinity of the cemetery limits would require an archaeological assessment to determine if there are any remains present outside of the currently-identified cemetery limits. The Bond Head Heritage Conservation District contains one (1) known cemetery, the Bond Head Cemetery. Work being completed within the assumed limits of the cemetery, or adjacent to the cemetery must follow the regulations outlined in the *Funeral, Burial and Cremations Services Act*, which state that any proposed building or major construction must be at least 4.57 metres or 15 feet away from any in-ground grave (O. Reg. 30/11, s. 155). The presence or absence of in-ground graves can only be determined by a Stage 3 cemetery investigation. The Bereavement Authority of Ontario must be contacted prior to any intrusive assessment in the vicinity of a cemetery to determine whether an Investigation Authorization is required.

All archaeological assessments should be undertaken by a licenced professional archaeologist and be conducted in accordance with the *Standards and Guidelines for Consultant Archaeologists* (2011).

2.4 Zoning By-law

Of the properties located within the heritage conservation district, majority are zoned Rural Settlement Residential and Future Development. Also found within the district are properties zoned Institutional, Open Space, Environmental Protection, Rural Settlement Commercial, with some site-specific Rural Settlement Residential, Residential One, and Rural Settlement Commercial properties.

2.4.1 R4 - Rural Settlement Residential

The Rural Settlement Residential (R4) Zone permits a range of uses, including:

- Bed and Breakfast;
- Boarding or Rooming House;
- Crisis Care Facility;
- Day Nursery (subject to Section 4.6 of this By-law);
- Dwelling, Accessory (subject to Section 4.3 of this By-law);
- Dwelling, Detached;
- Group Home Type 1; and
- Private Home Daycare.

Accessory uses including a Custom Workshop and a Home Occupation are permitted only within a detached dwelling, linked dwelling, and semi-detached dwelling subject to Section 4.12 of this By-law.

In the R4 Zone, the maximum permitted lot coverage is 30% and the maximum building height is 11 metres. The maximum building height permits a one to two storey dwelling including the roof, which is consistent with what the HCD Plan policies contemplate for the Bond Head HCD. In addition, the minimum front yard setback of 7 metres will permit new development in the HCD Plan area to be setback in accordance with the existing development pattern, as per the policies contained in this Plan.

As noted, one property within the HCD is zoned Rural Settlement Residential with site specific zone regulations. The property is zoned R4*3 and is located at 2864 County Road 27, within the southernmost portion of the HCD. For this site-specific zone, the provisions permit only a dwelling unit and a business office with a maximum gross floor area of 160 square metres. Further, the uses are only permitted within the existing residential building located on the subject property. No modifications to this site-specific zone are recommended as these regulations do not have a direct implication on the objectives of the HCD Plan.

No modifications are proposed to the regulations in the R4 Zone, as these provisions are consistent with the land uses and built form proposed through the objectives, policies, and guidelines contained in this HCD Plan.

2.4.2 FD - Future Development

The development of new buildings or structures on properties zoned as Future Development (FD) is not permitted. As per the Zoning By-law, only uses that legally existed on the effective date of the Zoning By-law are permitted by the FD Zone. Although new development is broadly prohibited, additions on buildings and structures that legally existed on or before the effective date of the Zoning By-law, as well as accessory buildings and structures erected after the effective date of

the Zoning By-law is permitted. Any above noted additions are permitted subject to the standards of the Rural (RU) Zone.

In the instance of an addition to a building or structure in the FD, the standards of the RU zone would include a minimum front yard setback of 15 metres with maximum lot coverage of 10%. Notwithstanding the provisions for the RU Zone, the maximum height of an accessory building or structure in the FD Zone is 5m. Similar to the other zones, the maximum building height is keeping with the low profile of one to three stories that is detailed in the policies of the HCD Plan.

For any new development, it is anticipated that a Zoning By-law Amendment would be necessary, and the proposed zoning would be selected based on provisions that would most closely align with the policies of the HCD Plan and be keeping with the character of the area. No modifications are proposed to this zone as it precludes development and significantly limits site alteration or additions, allowing for the policies of the HCD to be applied to ensure consistency with the objectives, policies, and guidelines of the Plan.

2.4.3 R1 - Residential One

The Residential One (R1) Zone is organized further into four separate zone categories, as follows: R1-1, R1-2, R1-3, and R1-4. Each with different uses and zone provisions. In the Bond Head HCD, there are three properties with the R1 zoning, specifically R1-1 and R1-2. The R1-1 and R1-2 zones permit:

- Bed and Breakfast;
- Day Nursery (subject to Section 4.6 of this By-law);
- Dwelling, Accessory (subject to Section 4.3 of this By-law);
- Dwelling, Detached;
- Group Home Type 1; and,
- Private Home Daycare.

Accessory uses including a Custom Workshop and a Home Occupation are permitted only within a detached dwelling, linked dwelling, and semi-detached dwelling subject to Section 4.12 of this By-law.

In the R1-1 and R1-2 zones, the maximum permitted building height is 11 metres and the minimum front yard setback is 3 metres for all portions of the dwelling, with a minimum front yard setback of 6m required for the front face of a private garage. The maximum building height permits a one to two storey dwelling including the roof, which is consistent with what the HCD Plan policies contemplate for the Bond Head HCD. In addition, the minimum front yard setback will permit development in the HCD Plan area to be setback in accordance with the existing development pattern, as per the policies contained in this Plan.

There are three properties within the Bond Head HCD that are zoned Residential One with site specific provisions, as follows:

Address	Zone	Overview of Site-Specific Regulations
N/A - Heam Street	R1-1*5(H1)	N/A
N/A- Heam Street	R1-1*6	N/A
N/A- Heam Street	R1-2*12	N/A

No modifications are proposed to the site-specific regulations in the R1 Zone at this time. It is noted that the site-specific zoning provisions are not currently included in the Zoning By-law, therefore further assessment of the provisions is required, when available, to ensure they are consistent with the land uses and built form proposed through the objectives, policies, and guidelines contained in this HCD Plan.

2.4.4 C5 - Rural Settlement Commercial

The Rural Settlement Commercial (C5) Zone permits a large range of uses, including

- Retail;
- Office;
- Personal services;
- Institutional; and,
- Recreational.

Buildings are permitted to a maximum height of 11m and are to have a minimum front yard setback of 12.5m from the property line. The height restrictions are in keeping with the low profile contemplated by the policies in the HCD Plan.

Rural Settlement Commercial zoned properties are predominantly located at the intersection of Line 7/County Road 88 and County Road 27. Properties with the C5 zoning include a restaurant (2940 County Road 27), two offices (2930 County Road 27 and 2914 County Road 27), a motor vehicle gas bar (2922 County Road 27), and a personal services establishment (4334 County Road 88).

One property within the HCD is zoned Rural Settlement Commercial with site specific zone regulations. The property is zoned C5*3 and is located at 4240 County Road 88, within the easternmost portion of the HCD. For this site-specific zone, the provisions are not currently included within the Zoning By-law. The property is presently used for a restaurant.

No modifications to the Rural Settlement Commercial Zone are recommended.

2.4.5 I - Institutional

The Institutional (I) Zone permits a range of uses, including:

- Cemeteries;
- Community centre;
- Conservation uses;
- Day nursery (subject to Section 4.6 of the Zoning By-law);
- Accessory dwelling (subject to Section 4.3.1 of the Zoning By-law and only as an accessory use to a place of worship);
- Emergency service facility;
- School;
- Places of worship;
- Personal services;
- Entertainment and recreational uses;
- Library;
- Hospital;
- Supportive housing facilities; and

- Parks.

The minimum required front yard setback is 6 metres, allowing for any new development to be setback similar to existing buildings in the HCD. There are no provisions that regulate building height.

Given the policies for low profile development in the Bond Head HCD, it may be a consideration of the Town to amend the Zoning By-law to add site-specific provisions limiting height and mass of buildings or structures on the Institutional zoned properties in the HCD. However, at present, both properties zoned Institutional are already developed, one being the Bond Head Community Memorial Hall (2892 County Road 27) and the Bond Head Newton Robinson United Church (4221 County Road 88).

2.4.6 OS - Open Space

The Open Space (OS) Zone permits a limited number of uses, which include a community centre, conservation uses, and a park. The maximum building or structure height permitted is 11m and setbacks from all lot lines ensuring that any proposed development is setback similarly to existing buildings or structures. Within the HCD, Bud Brown Park is the only property zoned as OS.

No modifications to the OS Zone provisions are recommended as the existing provisions, combined with the policies and guidelines provided in the HCD Plan address the objectives for cultural, landscape, and built heritage.

2.4.7 EP - Environmental Protection

Uses permitted within the Environmental Protection (EP) Zone are the most limited in the Zoning By-law. The permitted uses include agricultural uses (only those that existed on the effective date of the Zoning By-law), conservation uses (no buildings or structures permitted, unless for flood or erosion control), and a park (no buildings or structures permitted, unless for flood or erosion control). No specific zone provisions are provided for the EP Zone via the Zoning By-law.

No modifications to the EP Zone are recommended as the existing permitted uses, combined with the policies and guidelines provided in the HCD Plan address the objectives for cultural, landscape, and built heritage.

2.5 Site Plan Control

The Site Plan Control policies in the BWG Official Plan can be used as a tool for ensuring that the objectives, policies, and guidelines of the HCD Plan are met for alterations to existing buildings and for new developments proposed within the Bond Head HCD. Under Section 41 of the Ontario *Planning Act*, a municipality can designate the whole, or any part of, an area as a site plan control area through the Official Plan.

As expressed in Section 7.1.4 of the Town's Official Plan, the entire Town is designated a Site Plan Control Area. Site Plan Control is a process that requires the preparation of detailed site-specific development plans and enables the review of such matters as building location, and massing, access, outdoor storage, amenity space, walkways, landscaping, loading and parking facilities, accessibility, lighting, grading and external non-design features (BWG OP, 8.0). Policies in the OP support the Town in passing a by-law for site plan control that will allow for the establishment of design or development guidelines to assist in preparing site plans, designing

buildings, and evaluating applications (BWG OP, 7.1.4). At present, the Town has not enacted a site plan control by-law containing additional policies relating to development.

The existing site plan control requirements in the Town's OP are broad in their application and are sufficient to help enforce the objectives, policies and guidelines of the Bond Head HCD Plan. This will be further enhanced by the concurrent Heritage Alteration Permit process mandated by the HCD Plan.

2.6 Committee of Adjustment Applications

In evaluating an application for severance or minor variances, the Committee of Adjustment addresses matters described in the Planning Act, and consults with appropriate Town departments and agencies to determine if a proposal is suitable by considering such matters as compatibility with adjacent use, traffic, access, and the effects of future development.

It is recommended that Town staff, in reviewing applications for severances and minor variances in the Bond Head HCD, should give due consideration to the Bond Head HCD Plan. The Town should only support applications that demonstrate compatibility with the Objectives, Policies and Design Guidelines of the Bond Head HCD Plan. In particular, as noted in 7.1 of this Plan, severances which would create new lots are strongly discouraged, unless the resulting lot sizes are of size and depth to existing adjacent lots.

2.7 Demolition Control

In accordance with the *Planning Act*, the Town may pass a by-law establishing areas of demolition control (BWG OP, 7.1.8). In instances where an application to demolish a designated heritage resource is submitted, it must be considered in accordance with the provisions of the *OHA* and the Town's OP (BWG OP, 7.1.8). Through the *OHA* Section 42 allows municipalities to prevent the demolition or removal of buildings within heritage conservation districts prior to obtaining a permit. As a result, once a HCD is established, additional regulations from the *OHA* apply that seek to protect against the loss of heritage resources. Further, the *OHA* holds that if a municipal heritage committee has been established, the committee must be consulted on all applications for demolition permits in the HCD.

The Bond Head HCD Plan includes policies relating to the demolition of heritage resources, generally discouraging this practice, and setting standards for when a demolition permit would be approved. At present, the Town has not enacted a demolition control by-law to establish requirements relating to demolition. The HCD Plan states that a Heritage Impact Assessment be required as part of a permit application to demolish or relocate a cultural heritage resource on a property that forms part of the HCD or is adjacent to a designated property. As such, it is recommended that OP policies be amended, or a demolition by-law be enacted, to establish this requirement in support of the policies within the Bond Head HCD Plan.

2.8 Municipal By-laws

A range of By-laws have been passed by the Town to regulate items such as standards for property maintenance, construction, fencing, signs, and trees.

2.8.1 Building By-law 2020-40

The Town By-law 2020-04 relates to respecting the building, construction, demolition and change of use under the *Building Code Act*, 1992. The By-law establishes the need for permits to be applied for, and obtained, prior to construction of a building or structure. As this By-law provides details on the process and fees required for obtaining building permits from the Town, no modifications are recommended for this By-law as it does not include regulations for the design or materials required. The policies and guidelines, which includes direction on the type of buildings or structures that are compatible with the area, in combination with the proposed development requirements for a HIA and Heritage Permit application in the HCD Plan, are sufficient to protect heritage assets within the Bond Head HCD.

2.8.2 *Clean Yards By-law 2021-025*

The Town By-law 2021-025 sets the standards for the maintenance of land in a clean and clear condition. The By-law addresses standards for outdoor property maintenance, composting, derelict motor vehicles, along with general policies for a By-law Officer to issue an order requiring the work be done to correct the contravention. There are no requirements in the By-law relating to heritage features; however, amendments to this By-law are not recommended. The policies and guidelines of this HCD Plan, in combination with the existing Clean Yards By-law is sufficient to protect heritage assets within the Bond Head HCD.

2.8.3 *Division Fence By-law 2013-06*

The Town By-law 2013-06 regulates the process for property owners to construct a division fence. A division fence is a fence marking the boundary between adjoining parcels of land and located on the actual property line. The By-law includes provisions to guide adjacent property owners in constructing a division fence. It is noted that the fence must be in compliance with other Town by-laws related to fences, such as the Zoning By-law, the Fence By-law, and the Swimming Pool Fence By-law.

As this By-law provides details on the process between property owners, and with the Town, to construct a division fence, no modifications are recommended for this By-law as it does not include regulations for the design or materials required. Rather, this By-law outlines a construction process and would not, itself, have a negative impact on the district character.

2.8.4 *Entrance and Driveway Width By-law 2017-78*

The Town By-law 2017-78 regulates the installation of entrances to properties from highways under the jurisdiction of the Town. Under this By-law, a highway is defined as the mechanism used by the general public for the passage of vehicles, including a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle. An entrance is defined as a public or private roadway, driveway, sidewalk, footpath or easement, gate structure or any facility constructed or used as a means of ingress and egress to and from any highway. Overall, this By-law includes the standards that an entrance and driveway width must meet, along with providing the details on how to obtain a permit to construct an entrance.

No modifications are recommended for this By-law as the policies and guidelines of the HCD Plan, in combination with the existing Entrance and Driveway Width By-law are sufficient to protect heritage assets within the Bond Head HCD.

2.8.5 Fence By-law 2020-105

The Town By-law 2020-105 prescribes the height and description of fences and privacy screens located in the Town. This By-law applies to all residential properties. Under general provisions, a range of materials, which would be incompatible with the existing character in the Bond Head HCD, are prohibited. These general policies further prohibit, or limit, other configurations of fencing that would be unsafe or incompatible with the existing character of the HCD in Bond Head. In terms of height, the By-law stipulates a maximum height of 2.1 metres (7 feet) for fences along rear, interior and exterior with a maximum height of 0.9 metres (3 feet) for front yards. There are no requirements in the By-law relating to heritage characteristics for fencing; however, amendments to this By-law are not recommended. The Policies and guidelines of the HCD Plan, which directs the installation of fencing to not negatively impact the district character, in combination with the existing Fence By-law are sufficient to protect heritage assets within the Bond Head HCD.

2.8.6 Fill and Site Alteration By-law 2017-33

The Town By-law 2017-33 relates the prohibition and regulation of the placement or dumping of fill, the removal of topsoil, and the alteration of the grade of land. The By-law establishes the need for permits to be applied for, and obtained, prior to the placement or dumping of fill, removal of topsoil, or alteration of the grade of land. As this By-law provides details on the process and fees required for obtaining permits from the Town, no modifications are recommended for this By-law as it does not include regulations in contravention of heritage matters. The policies and guidelines, which includes direction on the landscaping appropriate for the area, in combination with the By-law, are sufficient to protect heritage assets within the Bond Head HCD.

2.8.7 Simcoe County Forest Conservation By-law No.6894

The County of Simcoe By-law No. 6894 promotes Sustainable Forest Management Practices and provides regulations relating to the harvest, injuring or destruction of trees in woodlands in the County of Simcoe. Woodlands are defined as having at least:

- 1000 trees per hectare (400 trees per acre) of any diameter at DBH;
- 750 trees per hectare (300 per acre) measuring over 5 centimetres (2 inches) in diameter at DBH;
- 500 trees per hectare (200 per acre) measuring over 12 centimetres (5 inches) in diameter at DBH; or,
- 250 trees per hectare (100 per acre) measuring over 20 centimetres (8 inches) in diameter at DBH.

The By-law applies to all woodlands in the County that are located within one property having an area of one hectare (2.47 acres) or more. This By-law does not extend protection to stand-alone trees on smaller residential properties that may be found within the HCD. To address the protection and replacement of mature street trees, the Town may consider adopting a public tree protection by-law that will establish regulations for removal and adequate replacement of public street trees. This, along with general policies relating to tree conservation, is supported through Section 3.12.2 of the BWG OP. As such, no modifications are recommended for this By-law. The HCD Plan policies and guidelines, in combination with the Forest Conservation By-law and the existing OP policies, are sufficient to protect trees within the Bond Head HCD.

2.8.8 Fortification of Land By-law 2008-014

The Town By-law 2008-014 regulates and prohibits the excessive fortification of land and prohibits the application of excessive protecting elements to land. In the context of this By-law, excessive fortification refers to the construction of devices, barriers, or materials in a manner to obstruct or prohibit access to or from land, such as protective shields, steel plates, or bullet proof shutters either around a property's boundary or as part of the building itself. Generally, the By-law prohibits the excessive fortification of any land, buildings, or structures for the purpose of hindering access to or from the land, buildings, or structures. Within the By-law, there are some exemptions detailed in Section 3.1. There are no specific regulations in the By-law pertaining to heritage resources; however, amendments to this By-law are not recommended. The Policies and guidelines of the HCD Plan, in combination with the existing Fortification of Land By-law are sufficient to protect heritage assets within the Bond Head HCD.

2.8.9 Property Standards By-law 98-065

The Town By-law 98-065 established and enforces minimum standards for the maintenance and occupancy of all property within the Town. All buildings, dwellings, dwelling units, and land are subject to this By-law to protect the safety, health, and welfare of occupants. The By-law prohibits the occupancy or use of properties that do not conform to the standards and requires that properties not in conformance with the standards be repaired and maintained to ensure conformity. The by-law outlines requirements for exterior property areas, including yards, fencing, compost heaps, and garbage disposal as well as standards for buildings and structures. There are no requirements in the by-law relating to the exterior of heritage buildings; however, amendments to the by-law are not recommended. Policies and guidelines of this Plan, in combination with the existing Property Standards By-law are sufficient to protect heritage assets within the Bond Head HCD.

2.8.10 Sign By-law 2011-023

The Town By-law 2011-023 provides regulations for advertising devices, including signs within the Town. Section 4.9 of the By-law states that an application to alter or erect a sign on a heritage property is subject also to review by the Town Heritage Committee. This regulation will help uphold the policies of the HCD Plan for those properties that are already included on the Municipal Heritage Register. Generally, beyond designated heritage buildings or structures, the Bond Head HCD includes properties that do not have features listed on the Municipal Heritage Register, but still are identified as having heritage value.

Specifically, the Bond Head HCD Plan includes policies relating to commercial signage being compatible in terms of size and scale to the surrounding area as well as discouraging signs that obscure architectural details with heritage value. Given the heritage conservation district includes both designated heritage features and non-designated features, modifications may be required to this By-law to expand Section 4.9 to include all properties within a heritage conservation district. Therefore, enforcing that the Towns Heritage Committee review all Sign By-law applications in the Bond Head HCD to ensure policies of the HCD Plan are upheld.

2.8.11 Swimming Pool Fence By-law 2016-65

The Town By-law 2016-65 regulates the construction and maintenance of fences around all privately-owned outdoor swimming pools. This By-law stipulates the requirements for a fence that is used to enclose an outdoor swimming pool. In instances where the swimming pool fence is also

used to divide along separate property boundaries, the regulations in section 5 of the Swimming Pool Fence By-law 2016-65 prevail. The Bond Head HCD Plan includes guidelines for fencing, notably that any new fencing should use materials that are complimentary to the building and the larger village setting. Further, policies in the HCD Plan direct any installation of fencing to ensure that the District character is not negatively impacted.

Given the specifications for fencing required around all privately-owned outdoor swimming pools for safety purposes, modifications may be required to this By-law to reinforce the need for any fencing in the HCD to be complimentary while also meeting the regulations of the By-law.