



Official Plan
of the
Township of Drummond/North Elmsley

Official Township Consolidation

Adopted by Council May 2011

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DELCAN CORPORATION
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SECTION 1 INTRODUCTION

1.1 APPLICATION

This Official Plan applies to the whole of the Township of Drummond/North Elmsley.

1.2 PLANNING ACT

1.2.1 Council is charged with the responsibility of preparing and adopting an Official Plan for the Township. To ensure the Official Plan is current with existing legislation and the Provincial Policy Statement, Council shall ensure that the Official Plan is updated in accordance with the requirements of the Ontario Planning Act

1.2.2 Where an Official Plan is in effect, no public work shall be undertaken and no by-law shall be passed for any purpose, except as provided by Section 24 of the Planning Act, that does not conform to the Official Plan.

1.2.3 In exercising its planning authority, including the preparation of this Official Plan, Council shall be consistent with the Provincial Policy Statement in addressing matters of Provincial interest.

1.3 OFFICIAL PLAN

1.3.1 Purpose

The purpose of this Plan is to guide future growth and development in a logical and orderly manner, and to protect existing development from the adverse effects which may arise from incompatible development. As well, it is intended to protect and preserve those significant environmental features and resources that give the Township its unique character.

This Plan will assist both private interests and public administrators by providing the basis for decision making. Private interests will be aware of Council's policies for future development and can plan their activities accordingly. Public administrators will be able to identify and program the delivery of needed services in the most cost-effective way.

1.3.2 Scope

The Official Plan is a legal document but does not, by itself, control or regulate development. The policies contained in this Plan are intended to guide Council in the preparation of municipal regulations such as Zoning By-laws, and in the review of development applications such as plans of subdivision, severances and site plans.

1.3.3 Planning Period

This Plan is intended to guide the future growth and development of the Township for a period of 20 years to the year 2028.

1.3.4 Population

At the end of the year 2028 planning period, the permanent population of the Township is expected to reach approximately 9,900 to 10,000 persons. This represents a population increase of 2,780 to 2,880 persons over the 2006 population

SECTION 1 INTRODUCTION

of 7,120 persons. The Township also has an additional seasonal population associated with the cottage development on the Township's two major waterways and other lakes. This population is not expected to increase during the planning period, and may even decline as more and more cottages are converted to year-round dwellings.

1.3.5 Contents of Plan

For ease of reference, this Plan has been organized in seven Sections and two map Schedules, as described below.

- Section 1 is this introduction to the Plan;
- Section 2 sets out the overall Basis and Objectives of the Plan;
- Section 3 describes the general planning policies which apply throughout the Township;
- Section 4 describes the various land use designations and related development policies which apply to specific areas of the Township;
- Section 5 sets out the transportation policies that apply throughout the Township;
- Section 6 describes the various mechanisms by which this Plan is to be implemented;
- Section 7 describes various administrative matters related to this Plan.
- Schedule A divides the Township into the various land use designations to which the policies of Section 4 apply; and,
- Schedule B identifies known constraints to development throughout the Township. Policies related to these constraints are generally contained in Section 3 of this Plan.
- Appendix A contains the definitions of the Provincial Policy Statement 2005 which are included as a reference when interpreting the policies of this Plan as they relate to the implementation of the Provincial Policy Statement 2005.

To determine whether a development proposal is permitted, all of the policies of this Plan need to be examined. It is particularly important not to rely solely on the land use designations on Schedule A and the corresponding land use and development policies of Section 4.

SECTION 2 BASIS AND OBJECTIVES

2.1 INTRODUCTION

The policies contained in this Plan were formulated on the basis of a study of existing conditions, past development patterns, present development trends and projections of future conditions. This study, entitled Background Planning Report, does not form part of this Plan but is available under separate cover for reference.

2.2 BASIS OF THE PLAN

The Township of Drummond/North Elmsley was formed on January 1, 1998 by the amalgamation of the former Townships of Drummond and North Elmsley. It is located in the south-central part of Lanark County, approximately 35 km west of Kanata and 55 km west of downtown Ottawa. The Town of Smiths Falls is located next to the southeast corner of the Township, the Town of Perth is located near the midway point on its western boundary, and the Town of Carleton Place is located less than 10 km to the northeast.

Highway 7 passes through the northern part of the Township in an east-west direction, providing access to the City of Ottawa and to southern Ontario. There are also convenient connections to Highway 15 for access to Kingston and Highway 401 to the south. The network of Provincial highways and County and Township roads also provides easy access to Perth, Smiths Falls and Carleton Place.

The Township is characterized by a diverse landscape. There are active farmlands, large wetlands and wetland complexes, cleared areas where full time farming has been abandoned because of marginal soil capability, and extensive woodlands. Two major waterways have had a significant impact on the development of the Township. The Mississippi River flows eastward through the northern part of the Township to the Ottawa River, and the Rideau Canal forms the southern boundary of the Township. It also flows eastward to the Ottawa River (at Ottawa) but is not far from its highest elevation where its flow is southward to Lake Ontario (at Kingston). The Canal is an important natural and cultural heritage feature of the Township, and is designated both "Canadian Heritage River and National historic Site" by the federal government and "World Heritage Site" by UNESCO.

The early development of the Township was based primarily on agriculture and forestry. While these continue to be important to the local economy, development for most of this century has focussed on the two major waterways and other lakes of the Township. Initially, these served as summer recreational areas for residents of Ottawa and the nearby towns. More recent development activity, however, has seen many seasonal dwellings converted to permanent occupancy and new permanent dwellings constructed not only on the waterways and lakes but throughout the Township. This change to permanent residential development is primarily due to improved transportation which has allowed people to live in the Township and commute to work in the nearby towns and as far away as Ottawa.

Development activity in the Township peaked in the late 1980's and early 1990's when the consent process created 70 to 95 non-farm residential lots per year, at an average rate of 80 lots per year. Subsequently, development activity decreased to a more moderate pace, with the consent process creating non-farm residential lots at an average of 40 lots per year in the late 1990' and early 2000's. Most recently, development activity has increased to a rate of 60 new residences a year over the

SECTION 2 BASIS AND OBJECTIVES

past five years. This is due, in part, to a modest increase in residential subdivision activity in the Township and this is expected to continue into the future. Thus, the future population projection for the Township is based on 60 new dwellings per year over the 20-year planning period of this Plan.

Within this overall context, the policies of this Plan are based on the following:

- 2.2.1 Development in the Township is expected to continue at the current moderate pace for the foreseeable future. Nonetheless, this Plan can accommodate additional development should there be an increase in the rate of growth.
- 2.2.2 Development is expected to continue to take place along the major waterways and other lakes of the Township, in the hamlets, and in the rural areas of the Township. As a consequence, the policies of this Plan must address a wide range of issues related to the impact of future development.
- 2.2.3 Development potential in the Township will be affected by the numerous natural heritage features and areas, renewable and non-renewable resources, and environmental constraints such as the Rideau Canal, the Mississippi River, lakes, floodplains and wetlands, all of which must be protected.
- 2.2.4 The numerous lakes and rivers in the Township provide considerable potential for recreation and tourist development. The Rideau and Tay Canals, and the rich historic background of the area add to the municipality's recreational and tourism potential. It is expected that tourism will continue to provide an important source of income for the Township with investment from both the public and private sectors.
- 2.2.5 The numerous recreational waterbodies in the Township have created a municipality which caters to both permanent and seasonal residents.
- 2.2.6 Many seasonal and permanent residential dwellings have been constructed along the lakes and rivers in the Township, with access by private roads. It is expected that some additional waterfront development on private roads and conversions from seasonal to permanent dwellings will continue, as residents continue to choose waterfront properties.
- 2.2.7 It is expected that future development in the Township will take place on private water supply and septic systems. As a result, development will take place at relatively low densities.

2.3 OBJECTIVES OF THE PLAN

Within the context of implementing the Provincial Policy Statement, the objectives of this Plan are:

- 2.3.1 To protect the quality of the environment, particularly in regard to the health, safety, convenience and welfare of the residents of the Township;
- 2.3.2 To protect the natural resources and natural heritage features of the Township, such as prime agricultural lands, wetlands, forestry resources, aggregate resources, sensitive waterfront areas, and other identified environmental features which have contributed to the natural character of the Township;

SECTION 2 BASIS AND OBJECTIVES

- 2.3.3 To protect existing land uses from the impacts of incompatible development;
- 2.3.4 To protect the rural character of the Township by requiring rural non-farm development to be appropriately located and designed;
- 2.3.5 To enhance the aesthetic quality of the built and natural environment;
- 2.3.6 To protect cultural heritage resources including buildings, structures, archaeological sites, cultural landscapes and areas of historical interest and value;
- 2.3.7 To promote environmentally sound development;
- 2.3.8 To ensure that an adequate supply and range of housing types are provided to satisfy the needs of all existing and future residents;
- 2.3.9 To establish policies which will guide the conversion of seasonal to permanent dwellings located on private roads, to ensure that such development meets current environmental standards and does not create hazards;
- 2.3.10 To provide for a range of land uses within the Township, strategically located and focussed in appropriate locations such as main transportation routes and rural areas with poor capability for agriculture;
- 2.3.11 To control the extension of strip development and the creation of new areas of strip development;
- 2.3.12 To encourage the development of commercial/industrial corridors in the designated Hamlets or along Provincial Highways and County Roads in order to control the scattering of such uses throughout the rural area.
- 2.3.13 To recognize the Rideau Canal, which also includes the Tay Canal, as a Canadian Heritage River and National Historic Site and a World Heritage Site, and as a significant historic, natural and recreational resource, and to support the management plan for the Canal and cooperate with Parks Canada, other agencies and the private sector in achieving the vision for the Canal Corridor;
- 2.3.14 To provide needed recreational and community facilities within the financial means of the Township;
- 2.3.15 To establish detailed land use policies as the basis for evaluating development proposals, particularly in those instances where such proposals may be in keeping with one or more of the foregoing objectives but which, at the same time, may conflict with others;
- 2.3.16 To cooperate with other area municipalities, Provincial Ministries, Parks Canada and the Conservation Authorities to achieve a coordinated approach to address issues which cross municipal boundaries such as ecosystem and watershed planning; and,
- 2.3.17 To conduct planning with an open process, producing policies which are fair in their distribution of benefits and influences.

SECTION 3 GENERAL PROVISIONS

This Section of the Plan sets out policies which apply generally throughout the Township and/or apply in certain specified situations, regardless of the land use designation on a specific property. The policies of this Section should be read in conjunction with the land use policies contained in Section 4 of the Plan when considering a development proposal.

3.1 ACCESSORY USES

3.1.1 General

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory or essential to that use shall also be permitted. Accessory dwellings for non-residential uses are only permitted where specifically identified as a permitted use under the various land use designations contained in Section 4 and only in accordance with the Zoning By-law.

Notwithstanding the generality of the foregoing, the following are specifically permitted as accessory uses to a residential use that is permitted as the principal use in the land use designation in which it is located, unless otherwise prohibited below.

3.1.2 Accessory Apartments

Up to one accessory apartment unit shall be permitted in a single detached, semi detached or row house dwelling, subject to Section 16(3) of the Planning Act and the following policies:

1. The physical character of the dwelling shall not be substantially altered. Pursuant to this policy, the implementing Zoning By-law shall contain regulations to define an accessory apartment unit and to restrict them so that a duplex or semi-detached dwelling cannot be constructed under this policy.
2. An accessory apartment unit shall only be permitted in a permanent single detached, semi detached and row house dwelling which is permitted as a principal use in the land use designation in which it is located. An accessory apartment unit shall not be permitted in a seasonal dwelling, an accessory dwelling for a non-residential use or a permanent dwelling in the Limited Services Residential zone.
3. Prior to the issuance of a building permit for an accessory apartment unit, the applicant shall obtain a Certificate of Approval from the Health Unit.

3.1.3 Bed and Breakfast

A bed and breakfast use shall be permitted in a single detached dwelling, subject to the following policies.

1. The physical character of the dwelling shall not be substantially altered. Pursuant to this policy, the implementing Zoning By-law shall contain regulations to define a bed and breakfast use and to restrict them so that a rooming or boarding house cannot be constructed under this policy.

SECTION 3 GENERAL PROVISIONS

2. A bed and breakfast use shall only be permitted in a permanent single detached dwelling which is permitted as a principal use in the land use designation in which it is located. A bed and breakfast use shall not be permitted in an accessory dwelling for a non-residential use.

3.1.4 Garden Suites

A garden suite is defined as a separate, self-contained dwelling unit located on the same lot as the principal dwelling with which it is associated, and is intended as a temporary residence to fulfil a specific need. A garden suite shall be permitted in association with a single detached dwelling, subject to the following policies.

1. A garden suite shall only be permitted under the Temporary Use provisions of Section 39 of the Planning Act. Prior to a rezoning to permit a Garden Suite, the applicant shall satisfy Council that there is a need for the Garden Suite and that the applicable zoning regulations of the zone in which the Garden Suite is to be located can be met, and that sewage and water services will be adequate.
2. A garden suite shall only be permitted in association with a permanent single detached dwelling which is permitted as a principal use in the land use designation in which it is located. A garden suite shall not be permitted in a seasonal dwelling, an accessory dwelling for a non-residential use or a permanent dwelling in the Limited Services Residential zone.
3. A mobile home may be used as a garden suite.
4. Prior to the issuance of a building permit for a garden suite, the applicant shall obtain a Certificate of Approval from the Health Unit.

3.1.5 Home Occupations

A home occupation shall be permitted as an accessory use in all dwellings and shall be appropriately regulated in the implementing Zoning By-law to ensure that it is compatible with surrounding uses. To this end, only those uses with which there is no unacceptable associated noise, odour, smoke, outdoor display or traffic impacts shall be permitted. Pursuant to this policy, a distinction shall be made between a home occupation which is conducted entirely within a dwelling and a rural home occupation which may be conducted outside the dwelling.

Where a proposed home occupation abuts a Provincial Highway or County Road, the relevant access and signage regulations referred to in Section 5.2.1 shall apply.

3.1.6 Private Home Daycare

A private home daycare is defined as a small-scale daycare facility which is operated in a dwelling where temporary care is provided for up to five children, not including any children permanently residing in the dwelling. A private home daycare shall be permitted in all dwellings in accordance with Provincial regulations.

SECTION 3 GENERAL PROVISIONS

3.2 ADAPTIVE RE-USE OF EXISTING BUILDING STOCK

The conversion of the former Balderson Cheese Factory to commercial/tourism uses is a prime example of the adaptive re-use of the Township's existing building stock. This Plan recognizes and encourages the conservation benefits associated with such adaptive re-use of existing buildings that may be obsolete and/or house uses that may be better located in elsewhere in the Township. As well, such adaptive re-use can serve to encourage the preservation of prominent, if not designated, cultural heritage features within the Township.

It is the intent of this Plan that Council will consider such measures as Zoning By-law Amendments, minor variances and special site planning considerations in order to encourage the adaptive re-use of existing buildings.

3.3 AESTHETICS

It shall be the policy of Council to encourage the preservation and enhancement of the natural amenities of the Township. To this end, efforts shall be made, through appropriate by-laws and agreements, to:

1. control the display of advertising signs;
2. preserve existing vegetation;
3. replace trees and other vegetation which may be destroyed or removed during the development process; and,
4. re-establish natural shorelines and shoreline vegetation.

As well, the Township shall require a high standard of subdivision and site planning.

3.4 AGRICULTURAL USES

3.4.1 All new farm and non-farm development shall comply with the Minimum Distance Separation (MDS) formulae, except that new residential development which is located in a designated Hamlet shall not be subject to the MDS I formula.

3.4.2 New residential development on an existing lot of record also shall not be subject to the MDS I formula, except where such lot is large enough that the new development can meet the requirements of the MDS I formula.

3.4.3 The Township encourages the preparation and practice of nutrient management planning and best management practices by all nutrient generators and users.

3.5 BUFFERING

1. It is the policy of this Plan that every effort shall be made to avoid conflicts between different land uses. Where deemed necessary, buffering will be provided for the purpose of reducing or eliminating the adverse effects of one land use upon another. A buffer may be open space, a berm, a wall, a fence, plantings, a land use different from the conflicting uses, but compatible with

SECTION 3 GENERAL PROVISIONS

both, or any combination of the aforementioned sufficient to accomplish the intended purpose. Buffering may also be achieved through the preservation of natural features on a property. In certain instances, minimum distance separations, as identified in this Plan, may be required as a buffer between incompatible land uses.

2. It is also the policy of this Plan that all waterfront areas shall be buffered from the potential adverse effects of development by maintaining existing natural shorelines and by restoring modified shorelines and native vegetation within the waterfront setback that is required under Section 6.9 of this Plan.

3.6 CULTURAL HERITAGE

3.6.1 Archaeological Resources

1. Council recognizes that there may be archaeological remains of pre-historic and historic habitation, or areas containing archaeological potential within the boundaries of the Township. These resources may include the remains of buildings, structures, activities, places or cultural features which, due to the passage of time, are on or below the surface of land or water, which may have been under water but are no longer submerged, or significant to the understanding of people or place. Some of these resources are of particular interest as they may provide an enhanced understanding of the history of First Nations peoples and the early settlement of the Township. Where there are known archaeological resources and/or areas exhibiting archaeological potential, Council shall require an archaeological assessment to be conducted by an archaeologist licensed to the satisfaction of the Township and Ministry of Culture (MCL) pursuant to the Ontario Heritage Act prior to approving a development proposal. Any significant archaeological resource that is identified may be preserved "in situ" to ensure that the integrity of the resource is maintained. Council recognizes that there may be instances where systematic removal through excavation by a licensed archaeologist is required.

Archaeological potential is determined when a property contains or is located within at least one of the following:

- a) 250 m of a known archaeological site;
- b) 300 m of a primary water source such as a lakeshore, river, large creek, etc.;
- c) 300 m of an ancient water source as indicated by a beach ridge, river bed, etc.;
- d) 200 m of a secondary water source such as a wetland, marsh, small creek, spring stream, etc.;
- e) elevated topography such as knolls, drumlins, eskers, plateaus, etc.;
- f) pockets of sandy soil in a clay or rocky area;
- g) unusual land formations such as mounds, caverns, waterfalls, etc.;
- h) an extractive area for food or other scarce resources;
- i) non-aboriginal settlement features such as monuments, cemeteries, etc.;
- j) historic transportation features such as roads, rail lines, portages, etc.;
- k) designated properties (consult Municipal Heritage Committee or Clerk's office);
- l) local knowledge which associates property with historic events, activities or occupations.

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2. Council may also maintain the integrity of archaeological resources by adopting Zoning By-law(s) to prohibit any land use activities or the erection of buildings or structures on land which is the site of a significant archaeological resource.
3. Council, with the advice of the Ministry of Culture, may undertake the preparation of an Archaeological Management Plan. The Management Plan will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the municipality having archaeological potential. The Management Plan may also outline policies, programs and strategies to protect significant archaeological sites.
4. Council shall consult with appropriate government agencies, including the Ministry of Culture (MCL) and the Ministry of Consumer and Business Services (MCBS) when an identified historic human cemetery and marked or unmarked human burial site is affected by a proposed development. In such circumstances, the provisions of the Heritage Act and the Cemeteries Act shall apply.
5. The Algonquins of Ontario shall be consulted and provided an opportunity to provide input on any Stage 2 Archaeological Report that identifies areas of historical interest or potential for aboriginal artefacts. In addition, the Algonquins of Ontario shall be notified by the proponent and / or the Township should any burial sites or human remains be discovered which are considered to be of potential aboriginal origin.

3.6.2 Built Resources

Council recognizes the importance of encouraging the preservation of buildings and properties of cultural heritage value or interest. To this end, the approval of Official Plan Amendments, plans of subdivision, severances, Zoning By-laws, site plans and building alterations or renovations shall be guided by the following policies:

1. Council will examine buildings and sites in the Township with regard to the desirability and suitability for restoration, conservation and preservation purposes.
2. A historic building which is deemed suitable by Council for restoration may be restored to a standard not entirely consistent with modern building design, but nonetheless in accordance with the Building Code Act, subject to Council entering into an agreement with the owner with respect to future uses, timing and extent of restoration, external landscaping and maintenance.
3. The Ontario Heritage Act will be implemented to conserve, protect and enhance the heritage of the Township, including its rural character, pursuant to the policies of Section 3.16, through the designation of individual properties and/or areas of architectural and historical significance. Where a heritage conservation district has been designated under the Act, plans for the area or areas will be prepared in accordance with the Guidelines established by the Ministry of Culture.
4. Council may establish and maintain a Municipal Heritage Committee (MHC) in accordance with the provisions of the Ontario Heritage Act.

SECTION 3 GENERAL PROVISIONS

5. Council, in consultation with the owner and the MHC, may designate properties by by-law passed under the Ontario Heritage Act for the conservation of properties of cultural heritage value or interest such as buildings, heritage conservation districts, cultural heritage landscapes and archaeological sites. Thereafter, the provisions of the Act with regard to the alteration of the designated properties or the demolition of buildings or structures situated on the properties shall apply.
6. Council shall maintain a register of all properties which are designated pursuant to the above policy. Where development or site alteration is proposed within 30 m of a designated property, Council may require the applicant to undertake Heritage Impact Assessment, in accordance with the Ontario Heritage Act, prior to approval of any such development or site alteration. In addition, where a property is located within 30 m of the Rideau Canal or to abutting land which is owned by Parks Canada, a Heritage Impact Assessment may be required, prior to the approval of any development or site alteration.
7. A Heritage Building or Property shall be conserved in the following manner:
 - a) Council shall consult with its MHC before giving notice of its intention to designate a property to be of cultural heritage value or interest.
 - b) The significance of the property in illustrating or interpreting the heritage of the Township should be judged by the criteria described in Ontario Regulation 9/06, *Criteria for Determining Cultural Heritage Value or Interest*. In general, the property should illustrate effectively the broad architectural, cultural, social, political or economic patterns of the Township's history or should be associated or identified with events or persons that have shaped that history in a significant way.
 - c) After considering the report of the MHC, Council may pass a By-law designating the property and cause a copy of the By-law, together with the reasons for the designation, to be registered against the property in the proper land registry office.
 - d) Alterations to a designated building or property shall be made in accordance with the following policies:
 - i No owner of property designated shall alter the property or permit the alteration of the property where the alteration is likely to affect the heritage attributes, unless Council consents in writing to such alteration.
 - ii An application made under Section 3.6.2.6.d) shall be accompanied by a detailed plan and shall set out such information as Council may require.
 - iii Council, after consultation with its MHC, shall consider an application under Section 3.6.2.6.d) and shall consent to the application, upon certain terms and conditions, or refuse the application, and shall cause notice of its decision to be given to the owner.
 - e) Owners wishing to demolish or remove a designated building must apply to

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Council for consent to demolish or remove such building.

- f) No owner of property designated shall demolish or remove any building or structure on such property or permit the demolition or removal of any building or structure on such property unless written permission is given by Council.
- g) Council may pass By-laws providing for the acquisition, by purchase, lease or otherwise of any designated property or part thereof, including any interest therein, and for disposing of such property, or any interest therein, by sale, lease or otherwise, when no longer so required, upon such terms and conditions as Council considers necessary.
- h) Council may pass By-laws providing for the making of a grant or loan to the owner of the property designated under this Section for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the Council may prescribe.
- i) The Conservation Review Board will hold such hearings and issue such reports as required under the Ontario Heritage Act.

3.6.3 Heritage Conservation District(s)

Council may designate Heritage Conservation District(s) under the Ontario Heritage Act in areas containing significant cultural heritage characteristics.

3.6.4 Public Works

Council shall have regard to all cultural heritage resources in undertaking municipal public works. When necessary, Council will require satisfactory measures and/or impact assessments to mitigate any negative effects on such resources in accordance with the policies of this Section of the Plan.

3.7 ENERGY

- 3.7.1 It is the intent of this Plan to promote energy-efficient development through such means as subdivision design, building orientation, and energy-efficient building design and materials.
- 3.7.2 It is also the intent of this Plan to promote alternative energy systems and renewable energy systems including solar, wind and bio-mass generation. Such systems are regulated by the *Green Energy and Green Economy Act, 2009*, and are not subject to the policies of this Plan. However, Council will work with proponents to ensure that they are located and /or designed to minimize potential impacts on existing uses and the natural heritage features of the Township.
- 3.7.3 Where commercial generating facilities that are not subject to regulation under the *Green Energy and Green Economy Act, 2009* (i.e., more than 1 MW of power per year for sale to Hydro One) are proposed, Council may require the applicant to prepare and submit any or all of the following studies and material prior to making a decision on such application:

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1. A visual impact study to determine the impact on adjacent sensitive land uses and the recommended mitigation measures required to reduce impacts to an acceptable level;
2. A visual impact study on the rural landscape as viewed from the Rideau Canal, municipal roads and other public lands, and the recommended mitigation measures required to reduce impacts to an acceptable level;
3. Where natural heritage features or functions are identified in the Official Plan, an impact study to describe the feature and determine potential impacts from the energy generating system and the recommended mitigation measures required to reduce impacts to an acceptable level;
4. When airstrips or telecommunication systems exist in proximity to a proposed wind energy generating system, a study to ensure the siting and operation of the turbines will not negatively affect the operation or safety of the uses.

The Township may retain a qualified consultant to undertake an independent peer review of the report at the expense of the applicant.

3.8 FRONTAGE AND ACCESS

- 3.8.1 No existing lot shall be developed and no new lot shall be created unless the lot has frontage on and direct access to an open public road which is maintained year round.
- 3.8.2 Notwithstanding the foregoing, the following uses may be exempted:
1. Limited Services Residential uses subject to the policies of Section 4.3.5 and the access provisions of Section 5;
 2. Certain Tourist Commercial uses such as campgrounds and marinas, provided the use is located on a waterfront lot subject to the policies of Section 4.3.7 and the access provisions of Section 5; and,
 3. Certain rural uses such as agriculture, forestry, hunting and fishing camps, except that a dwelling is not permitted.
- 3.8.3 Access to other uses from a private road, right-of-way or unopened road allowance may be permitted, provided the lot on which the use is to be located is an existing lot and that it fronts on an open public road which is maintained year round, but to which direct access cannot safely be provided because of limited sight lines. The policies of Section 5.5 shall apply.

3.9 GROUP HOMES

A group home is defined as a single housekeeping unit in a residential dwelling in which three to ten residents (excluding staff or receiving family) live together under responsible supervision consistent with the requirements of its residents, who by reason of their emotional, mental, social or physical condition require a group living arrangement. The home is licensed or approved under Provincial Statute and in compliance with Municipal by-laws. This definition does not include residences for

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young offenders, adult offenders, boarding houses or lodging houses.

The establishment of a group home shall be subject to the following policies.

1. A group home shall be permitted in all zones in the comprehensive Zoning By-law in which a single detached dwelling is permitted as a principal use, except the Limited Services Residential zone.
2. The Zoning By-law may establish other appropriate requirements such as a minimum distance separation between group homes and parking standards, in addition to the zone regulations in which the group home is located.
3. Group homes shall be restricted to single detached dwellings, except that a group home may be located in a semi-detached dwelling unit and a duplex dwelling unit, provided that both units are occupied by one group home operation and that the total number of residents (excluding staff or receiving family) in both units does not exceed 10 residents.

3.10 HAZARD LANDS

3.10.1 Contaminated Sites

1. Where a development application is made where a known, suspected or potentially contaminated site exists, or on a property adjacent to such a site, the proposed development shall not be approved until:
 - a) a Record of Site Condition, signed by a certified engineer and acknowledged by the Ministry of the Environment, is received. Mandatory filing of a Record of Site Condition in the Registry by a qualified person, as defined by Ontario Regulation 153/04, is required for a change in use of property from industrial or commercial to residential or parkland, and acknowledged by the Ministry of the Environment; and,
 - b) if necessary, a site clean-up plan is designed and the site is cleaned-up in accordance with Ontario regulation 153/04 and with the MOE Guideline *Records of Site Condition – A Guide on Site Assessments, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition*, dated October, 2004, or associated guidelines.
2. The Township will require developers to identify current or past uses that may have or are known to have, contributed to the presence of contaminants as part of their applications for development approval.

3.10.2 Natural Hazards

1. There are areas within the Township which may be subject to such environmental or physical constraints as flooding, organic soils and unstable slopes. For these hazardous lands, the following policies shall apply:
 - a) Where such constraints are identified, no development or site alteration shall be permitted unless in accordance with the regulations and permitting of the

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local Conservation Authority, as provided for in Section 3.1 of the Provincial Policy Statement.

- b) For development and site alteration proposed in an area where there is a potential for the existence of a hazard as determined by the municipality or applicable approval authority or agency, a study shall be submitted, prepared by a qualified professional, which identifies the extent of the hazard and its impacts on development. In accordance with Section 3.1 of the Provincial Policy Statement, all development and site alteration shall be directed to areas outside the identified hazard.
2. Where new development is proposed on a site, part of which has physical or environmental constraints, then such lands shall not necessarily be acceptable as part of the five percent parkland dedication under the Planning Act. All lands dedicated to the Township shall be conveyed in a physical condition satisfactory to the Township. Where an open watercourse is involved, adequate space shall be provided for maintenance and operation.
3. Where development or re-development is proposed on lands traversed by or adjacent to an open watercourse, creek or ditch, appropriate setbacks will be determined in consultation with the Conservation Authority. The development setbacks will be implemented through zoning, subdivision and/or site plan approval.

3.11 INFLUENCE AREAS

- 3.11.1 Schedule B shows areas of the Township where development may be restricted or prohibited, including Areas of Natural and Scientific Interest (see Section 3.13.1), Land Adjacent to a Wetland (see Section 4.6) and areas which are potentially Significant Woodlands (see Section 3.13.5).

While not designated on Schedule B, there are other Influence Areas which are referred to in various policies of this Plan. These include, but are not necessarily limited to, all land within 50 m of an ANSI – Earth Science (see Section 3.13.1) and all land within 120 m of ANSI – Life Science (see Section 3.13.1), Fish Habitat (see Section 3.13.2), Habitat of Endangered and Threatened Species (see Section 3.13.3), Significant Wildlife Habitat (see Section 3.13.4), potentially Significant Woodlands (see Section 3.13.5), and potentially Significant Valleylands (see Section 3.13.6). Other Influence Areas include all land which is adjacent to a site or area which exhibits archaeological potential (see Section 3.6.1), all land within 30 m of the Rideau Canal or of abutting land which is owned by Parks Canada (see Section 6.10), and all land within 30 m of a shoreline of a waterbody (see Section 6.9).

Development within these Influence Areas may be permitted in accordance with the land use designation shown on Schedule A, subject to any policy requirements of this Plan for supporting studies. In determining whether such studies are required to support a development application, Council shall consult with the appropriate public authority.

- 3.11.2 Schedule B also shows Influence Areas adjacent to certain designated land uses where development, particularly residential development, may also be restricted or prohibited because of the potential incompatibility with the adjacent designated land

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uses. These Influence Areas are:

1. in the case of the licensed fill area of an open or closed waste disposal site, the area shown on Schedule B; (also see Section 4.10);
2. 500 m from an open quarry and from the boundary of land designated Aggregate Reserve-Quarry (also see Section 4.8);
3. 300 m from an open pit and from the boundary of land designated Aggregate Reserve-Pit (also see Section 4.8);
4. 400 m from the Town of Perth sewage lagoons;
5. 300 m from a designated Salvage Yard; and,
6. 1,000 m from a designated Mineral Resource area (also see Section 4.9).

Development may be permitted within the Influence Areas in accordance with the policies of the land use designation shown on Schedule A, subject to regulation under the Ministry of the Environments D-Series Guidelines or any other applicable legislation, regulation or guideline and subject to the following additional policies.

1. The permitted uses shall be restricted to those uses which are permitted in the underlying land use designation and which are considered to be compatible with the adjacent designated land uses. This policy generally prohibits residential uses within the influence areas; however, residential uses may be permitted in consultation with the public agency having an interest in the influence area.
2. Prior to approving any development within the influence areas, Council shall require the applicant to undertake a study in order to identify the impact of the proposed development on the adjacent designated land use, and vice versa. The study shall also identify what measures can be undertaken to mitigate the impact. Any such study shall be undertaken in accordance with the requirements of the Province and Township.
3. Where the designated land use ceases operation, either by the closing of a waste disposal site or the surrendering of a license to operate a pit or quarry, the policies of this Section will continue to apply to the extent that the study referred to above shall be required, with necessary modifications, prior to the approval of any development.

- 3.11.3 It is also recognized that there are many areas of the Township where there are sensitive environmental features such as locally significant wetlands, or where there are environmental constraints such as unmapped flood plains, steep slopes or unstable soils, including adjacent properties, which have not been identified on the Official Plan Schedules. Where such land is identified through the development approval process, Council may require that it be placed in a separate Environmental Protection Zone, as a condition of development approval, to prohibit or restrict development in a manner which is consistent with the policies of this Plan for such similar features and constraints that have been identified on the Official Plan Schedules.

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- 3.11.4 Other separation distances between residential uses and potentially incompatible uses may be established in the implementing Zoning By-law.

3.12 LAND USES NOT CONSIDERED IN THIS PLAN

It shall be a policy of this Plan that any proposed new development or redevelopment which would introduce a land use which is different from those uses described in this Plan in terms of scale, purpose or nature, and neither envisioned nor contemplated heretofore by Council, shall be subject to detailed land use, marketing and/or impact studies, and any other studies deemed necessary by Council prior to Council considering any such development proposal. The intent of this policy is that the onus will be on the developer to ensure that the introduction of a use into the community would not be to the detriment of the municipality's economic, social, cultural, natural and environmental conditions and financial base, would not adversely impact on existing development and on municipal services, and would not require additional municipal or community services.

In addition, Council would encourage the developer of such a use to consult with the public and any affected government agency prior to submission of a development application to ensure that the public is made familiar with the purpose and effect of the proposed development.

New land use developments, as described herein, shall only be approved by an amendment to this Plan. Council may consider placing the development lands in a holding zone pending a development agreement with the municipality.

3.13 NATURAL HERITAGE

3.13.1 Areas of Natural and Scientific Interest (ANSI)

Areas of Natural and Scientific Interest (ANSI) are areas of land and water which include natural landscapes or features which have been identified as having values related to protection, natural heritage appreciation, scientific study and/or education. ANSI's have been identified by the Ministry of Natural Resources and are shown on Schedule B as an overlay designation. Development and site alteration may be permitted in an ANSI and on lands adjacent to an ANSI in accordance with the policies of the underlying designation, if it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the natural features or functions for which the area is identified, subject to the following additional policies.

- 3.13.1.1 Prior to filing an application for development or site alteration within any ANSI or within 50 metres of an Earth Science ANSI or 120 metres of a Life Science ANSI, the applicant shall undertake an Environmental Impact Study in accordance with the provisions of Section 6.8 of this Official Plan to ensure the proposed development has no negative impact on the natural heritage feature or its ecological function.
- 3.13.1.2 Where an ANSI overlay designation applies to a Provincially Significant Wetland, the policies of Section 4.6 shall also apply.
- 3.13.1.3 Where a new lot is to be created it should include sufficient area outside the ANSI to accommodate the proposed development, and where an existing lot is proposed to

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be developed, the development should, wherever possible, be located outside the ANSI.

- 3.13.1.4 In certain locations, lands which are designated as an ANSI are also designated as a Flood Plain overlay designation on Schedule A. In such circumstances, the policies of both this Section and of Section 4.7 apply, in addition to the policies of the underlying designation on Schedule A.
- 3.13.1.5 Nothing in the foregoing policies is intended to prevent the continuation of existing agricultural uses.

3.13.2 Fish Habitat

All waterbodies in the Township have the potential to be fish habitat. The spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes constitute fish habitat. Council will only permit development that has no negative impacts on fish habitat. Among the valued fisheries in the Township, Big Rideau Lake has excellent water quality conditions for lake trout.

The Ministry of Natural Resources has identified significant fisheries in the Township. Council will encourage and support the responsible authorities in their efforts to maintain, or where required, improve the quality of fish habitat in the Township, in accordance with The Fish and Wildlife Conservation Act, and The Fisheries Act. Council will also encourage and support the responsible authorities in their efforts to achieve Provincial Water Quality Objectives.

- 3.13.2.1 In reviewing applications for development and site alteration, including the creation of new lots, on lands adjacent to fish habitat (within 120m), Council shall consult the local Conservation Authority, and / or other agencies as required, to determine if there is potential for adverse impact on fish habitat. If a potential is identified, development and site alteration shall only be permitted if the developer undertakes an Environmental Impact Study in accordance with the provisions of Section 6.8 of this Plan that demonstrates that there will be no negative impacts on the ecological function of the fish habitat.
- 3.13.2.2 In addition, Council will request comments from the Conservation Authority and, in the case of development on the Rideau and Tay Canals, Parks Canada, with respect to development adjacent to waterbodies.

3.13.3 Habitat of Endangered and Threatened Species

The municipality is richly endowed with natural features. The habitat of endangered and threatened species forms part of an overall natural heritage system consisting of both provincially and locally significant assets. Together, these features form an inter-dependent natural heritage system. Council will work with the Ministry of Natural Resources to develop a mutually acceptable protocol for sharing information regarding such natural heritage features. Council will work with the Ministry of Natural Resources, the Conservation Authority and the County to identify possible sources of funding for studies to conserve these natural heritage resources. In this regard, reference shall be made to the protocol and available natural heritage feature information when conducting an Environmental Impact Study pursuant to

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Section 6.8 of this Plan.

3.13.3.1 The Species at Risk in Ontario List (SARO) identifies the following species which are endangered, threatened or of special concern within the Township:

1. American Eel (endangered)
2. Butternut (endangered)
3. Loggerhead Shrike (endangered)
4. Least Bittern (threatened)
5. Eastern Ratsnake (threatened)
6. Blanding's Turtle (threatened)
7. Stinkpot (threatened)
8. Common Gray Fox (threatened)
9. Milksnake (special concern)
10. Black Tern (special concern)

3.13.3.2 Where development is proposed within areas which are potential habitat of endangered or threatened species, or within 120 m of such areas, the following policies shall apply.

1. An Ecological Site Assessment shall be undertaken in consultation with the Ministry of Natural Resources pursuant to the policies of Section 6.8 to determine whether the habitat of endangered and threatened species is present.
2. Development and site alteration shall not be permitted in significant habitat of endangered or threatened species.
3. Development and site alteration may be permitted within 120 m of significant habitat of endangered or threatened species if it has been demonstrated through the Ecological Site Assessment, pursuant to Section 6.8, that there will be no negative impacts on the natural features or ecological functions for which the area is identified.
4. A site inventory for Butternut will be required prior to the disturbance or removal of trees. Where harm to (removal of branches, disturbance to roots, etc.) or removal of butternut is proposed, prior assessment of the health of the tree(s) shall be undertaken by a qualified Butternut Health Assessor. If the butternut is determined to be "not retainable", a certificate will be issued by the Assessor and the tree(s) can then be removed or harmed. However, if the butternut is "retainable", a permit from the Ministry of Natural Resources shall be required pursuant to the Endangered Species Act, 2007.
5. Should additional species be added to the SARO List, the policies of this section

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of the Plan shall apply as may be required.

3.13.4 Significant Wildlife Habitat

- 3.13.4.1 Significant wildlife habitat means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations, and include seasonal concentration areas, rare vegetation communities or specialized habitats for wildlife, habitats of species of concern (excluding habitats of endangered and threatened species as described in Section 3.13.3), and animal movement corridors.
- 3.13.4.2 Significant Wildlife Habitat has not been identified or classified within the Township. However, the Official Plan Schedules show various designations, including associated Influence Areas, which indicate the presence, or the potential presence, of Significant Wildlife Habitat. These include the Wetland designation, as shown on Schedule A, and the Areas of Natural and Scientific Interest and potentially Significant Woodlands, as shown on Schedule B. In addition to the foregoing, other areas of the Township may be identified as Significant Wildlife Habitat during the development approval process.
- 3.13.4.3 Development and site alteration is not permitted in the Wetland designation as shown on Schedule A. However, development and site alteration in the areas designated on Schedule B, including the associated Influence Areas, may be permitted in accordance with the underlying land use designations, as shown on Schedule A, if it has been demonstrated through an Environmental Impact Study and/or Ecological Site Assessment, in accordance with the policies of Section 6.8 of this Plan, that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.

3.13.5 Significant Woodlands

There are also significant forest resources throughout the Township. This Plan recognizes the importance of these resources for their economic, social, and environmental benefits through the following policies.

- 3.13.5.1 Public and private landowners shall be encouraged to reforest idle lands and to maintain the forested appearance of the landscape. Forests should be managed to protect provincially, regionally, or locally significant wildlife habitat, as identified from time to time.
- 3.13.5.2 Landowners of properties identified as having a high forestry potential should be encouraged to enter into management programs with the appropriate authorities.
- 3.13.5.3 Reforestation shall be undertaken as soon as possible following logging. Appropriate regeneration shall be required and prescribed by a Registered Professional Forester or other qualified person.
- 3.13.5.4 Council shall not approve any development on lands that are subject to an agreement under the Forestry Act, unless the proposed development is acceptable to the County of Lanark as the appropriate authority for Agreement Forests.
- 3.13.5.5 In considering all development proposals, Council shall have regard to the County's

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Tree Cutting By-law.

3.13.5.6 The Significant Woodlands shown on Schedule B have been identified on the basis of a number of characteristics that indicate potentially significant forested areas. These include the following:

1. woodland size based on overall forest cover in the Township (greater than 50 ha), including the largest woodlot (if less than 50 ha);
2. woodland interior with a core habitat that is 100 m from woodland edge (interior habitats greater than 8 ha);
3. proximity to other significant habitats (woodlands greater than 20 ha and within 30 m of a PSW, ANSI, other significant woodland, or fish habitat);
4. woodlands that are linkages (woodlands greater than 20 ha that act as linkages between two significant features or areas within 120 m);
5. woodlands greater than 0.5 ha which exhibit uncommon characteristics such as (1) vegetation communities which are extremely rare, very rare or rare to uncommon, (2) the habitat of rare/uncommon woodland species, (3) unique composition or site if represented by less than 5% of the woodland area in the Township, (4) habitat of species at risk, (5) rare forest types, and (6) woodlands with species of restricted distribution or existing on only a limited number of sites; and,
6. woodland age (old growth regardless of size).

3.13.5.7 All forested areas of the Township are shown on Schedule B as Woodlands, any of which may meet the criteria for being considered significant. Where a forested area is identified as being significant, development and site alteration may be permitted on lands within 120 m of the Woodland in accordance with the policies of the land use designation shown on Schedule A, if it is demonstrated through an Environmental Impact Study, in accordance with the policies of Section 6.8, that there will be no negative impacts on the natural features for which the forested area is considered significant.

3.13.6 Significant Valleylands

There are two major watersheds in the Township; the Mississippi River watershed in the north; and the watershed of the Rideau Canal system in the south. There are also two sub-watersheds on the Rideau Canal system: Otty Lake and the Tay River. The associated valley lands, however, are not distinctly defined as indicated by the overall topographic characteristics of the Township, including extensive, relatively flat wetlands, watershed boundaries which are located in these wetlands and, in the case of the Rideau Canal system, the fact that it is at its peak elevation within the Township.

Nonetheless, Council recognizes the importance of protecting the natural heritage characteristics of these valleylands. In this regard, it is anticipated that the natural heritage policies of this Section will serve to protect many of the features which are considered significant in terms of valleyland planning. Additionally, Council intends

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to adopt newly emerging initiatives in valleyland planning and, if necessary, amend this Plan accordingly.

3.14 NOISE ATTENUATION

Prior to permitting development that may cause noise or be affected by noise from an existing source (e.g., highway, railway, airport, quarry, etc.), Council may require a developer to undertake studies to determine the impact of noise on existing or proposed residential development and other sensitive land uses in accordance with the following policies.

- 3.14.1 Council may request that a noise study be prepared for development proposals within 500 m of a main railway, 250 m from a Provincial highway and 100 m from other roads.
- 3.14.2 Feasibility and noise studies are required where a proposed development is within the influence area of a stationary noise source (eg., industrial uses, aggregate extraction operations, etc.) or, conversely, where existing sensitive land uses are located within the influence area of a proposed development that is a potential stationary noise source. The extent of the influence area(s) is case-specific and is dependent upon such factors as the type and scale of the stationary noise source, intervening topography and intervening land uses. As a minimum, Council will require noise and/or vibration studies to assess the impact on existing or proposed sensitive land uses within minimum distances identified in the Ministry of the Environment's guidelines, including Publication LU-131 Noise Assessment Criteria in Land Use Planning.
- 3.14.3 Where feasibility and/or noise studies are required, they shall be undertaken by qualified experts in accordance with the relevant guidelines of the relevant Ministries.

3.15 PUBLIC AND INSTITUTIONAL USES

- 3.15.1 Except as otherwise provided elsewhere in this Plan, public utilities and other public, community, institutional or quasi-institutional uses which provide services to the general public shall be permitted as follows:
1. Public utilities shall be permitted in all land use designations on Schedule A subject to the criteria listed herein, but are not permitted in the Agriculture designation.
 2. Other public, community, institutional or quasi-institutional uses may also be permitted in all land use designations on Schedule A, except the Agricultural, Wetland, Aggregate Resource, Salvage Yard and Mineral Resource designations, subject to the criteria listed herein. In areas of good agricultural land (Class 1 to 3) in the Rural designation, such uses should be located, wherever possible, on lands of lower agricultural capability and should only be permitted in accordance with the lot creation policies of Section 6.3 of this Plan. Certain of these uses shall be permitted in all Zones in the implementing Zoning By-law while others will require site-specific zoning.
 3. The following criteria apply to all uses permitted under this Section of the Plan:

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- a) the use is necessary in the area, that it can be made compatible as far as practical with its surroundings, and that adequate measures are taken to ensure this compatibility;
- b) adequate off-street parking and loading facilities are provided;
- c) the construction of permanent buildings shall be limited and generally discouraged in any areas which may be environmentally sensitive; and
- d) the general intent of the policies of this Plan, including the policies related to servicing, (Section 3.18), Influence Areas (Section 3.11) and Environmental Impact Studies/Ecological Site Assessments (Section 6.7), and of the site plan control requirements contained in Section 6.6 of this Plan shall be satisfied.

3.15.2 Notwithstanding the foregoing, certain public utilities and other public, community, institutional or quasi-institutional uses are not permitted in the Flood Plain overlay designation, pursuant to the policies of Section 4.7.

3.15.3 Notwithstanding the power of Provincial agencies or local Boards, as defined in the Planning Act, to undertake public works by authority granted under other statutes, Council shall ensure that such development will follow the general intent of this Plan and will be compatible with the type, quality and character of development in the area in which it is proposed as far as practical.

3.16 RURAL CHARACTER

The Township is comprised primarily of rural land on which traditional rural land uses are located, notably agricultural uses, but also including forestry uses, pit and quarry operations, etc. This Plan is intended to recognize these traditional uses as being an integral part of the rural character of the Township. In this regard, future developers and residents of the Township should be aware that there are certain activities associated with these uses which result in noise, odour, traffic, hours or seasons of operations, etc., which may be viewed as being incompatible with other uses, particularly rural non-farm residential uses. It must be recognized, however, that these associated activities also form part of the rural character of the Township and must of necessity continue, so that those who may seek to develop or reside in the Township can expect to continue to encounter such activities.

3.17 WASTE MANAGEMENT

3.17.1 Solid Waste Disposal

Existing and proposed solid waste disposal sites shall be established, located and operated in accordance with the policies of Section 4.10 of this Plan and with the requirements and regulations of the Ministry of the Environment.

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3.17.2 Sanitary Waste Disposal

- 3.17.2.1 There are several different types of sanitary waste, categorized according to the type of storage and treatment, with unique regulations under the Environmental Protection Act regarding disposal. Septage (partially digested waste from septic tanks) and sewage sludge (residue from a sewage treatment plant) are of particular concern to the Township because permission may be obtained to haul these wastes to, or within, rural areas and to dispose of them there.
- 3.17.2.2 Septage disposal has additional problems because no facilities for storage or disposal are available, and access to land is limited by factors that include weather, season, roads and crops. Septage disposal is also a concern because residential development in the Township takes place on septic tank systems and the volume of septage to be hauled increases correspondingly. Council recognizes the need for regional coordination to provide facilities for septage disposal.
- 3.17.2.3 The Township shall maintain a list of licensed septage haulers operating in the Township and shall consult with them from time to time in order to ensure that there is adequate licensed capacity to service the septic systems of existing and proposed development. As well, the Township shall monitor future initiatives of the Ministry of the Environment with respect to septage disposal/treatment methods and with respect to new technologies for individual sewage treatment systems in order to determine if any such initiatives are applicable to the Township.
- 3.17.2.4 Sanitary waste disposal shall only occur in accordance with the policies of this subsection:
1. Hauled septage can only be treated or disposed of at sites approved under the Environmental Protection Act or the Ontario Water Resources Act, and shall not be spread on land untreated.
 2. A septage disposal facility may be considered but shall generally locate only in areas of poor agricultural capability. Such facility shall be established and operated in accordance with the appropriate legislation.
 3. The spreading of sewage sludge shall not require an amendment to the Zoning By-law for each site but the By-law shall contain provisions regarding the appropriate zones, associated uses and minimum separation distances. The approval of the Ministry of the Environment shall be required for each site.
 4. Every new septage disposal site and facility shall require an amendment to the Zoning By-law and such amendment shall be considered for a site approved by the Ministry of the Environment. The Zoning By-law Amendment will be specific for the site and will establish minimum separation distances from key features such as residences, residential zones within or outside the Township, wells, roads, pasture, surface and groundwater. The minimum separation distance shall be determined in consultation with the concerned agencies:
 - a) Every application for a Zoning By-law amendment shall be circulated to the

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Health Unit and the Ministry of the Environment.

- b) Where a proposal may affect resource lands, the Ministry of Natural Resources and/or the Ministry of Agriculture, Food and Rural Affairs shall be circulated the application for a Zoning By-law Amendment.
- 5. The disposal of septage shall not pollute any water course or groundwater. An applicant may be required to provide the information necessary to satisfy Council, the Ministry of the Environment and the Health Unit that a site is suitable in this regard.
- 6. Buffering of an appropriate form shall be required on all sides and such buffering shall apply to all open storage areas and disposal site operations in accordance with the policies in Section 3.5 of this Plan.
- 7. The operation, maintenance and closing of a septage disposal site or facility shall be in accordance with the requirements of the Ministry of the Environment.
- 8. Minimum separation distance shall apply to new residential development when it is locating in the vicinity of a legally existing septage disposal site or facility.

3.18 WATER AND WASTEWATER SERVICES

- 3.18.1 To date, all development within the Township has taken place on private individual water supply and sewage disposal systems. Notwithstanding this, Council may consider full municipal services where future development is an extension to the existing fully serviced development in Perth and Smiths Falls or in existing developed areas where private water supply and/or sewage disposal systems have failed. Generally, however, all development shall continue to be serviced with private water supply and sewage disposal systems and shall make provision for adequate stormwater quality and quantity management.
- 3.18.2 Individual on-site sewage and water services shall be used for a new development of five or less lots or private residences where municipal or communal services are not provided and where site conditions are suitable for the long term provision of such services.
- 3.18.3 Notwithstanding the policies of Section 3.18.2, communal water and/or sanitary sewage services may be permitted subject to the approval of the authorities having jurisdiction, provided Council is satisfied that it has the financial and technical resources to operate and maintain them.
- 3.18.4 Private servicing systems shall be subject to the regulations of the Ontario Building Code and Safe Drinking Water Act.
- 3.18.5 A private septic system or any use which will handle more than 10,000 litres/day requires Ontario Water Resources Act (OWRA) approval for sewage works. A report will be required providing justification that the undertaking meets the criteria of the Ministry of the Environment policy on the reasonable use of groundwater. This report should demonstrate soil suitability, sufficient area for effluent treatment and site suitability, and shall be reviewed and approved by the Ministry of the Environment.

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- 3.18.6 All applications for approval of plans of subdivision and site plans which are intended to be developed on individual private services shall be supported by a servicing options report, a preliminary stormwater quality and quantity management plan and, where individual wells and septic systems are proposed, by a hydrogeological and terrain analysis study.
- 3.18.7 Where a lot size is established on the basis of a hydrogeology and terrain analysis study, it shall not be further subdivided, regardless of the zone provisions of the Zone in which it is located.
- 3.18.8 Stormwater site management plans will be prepared in accordance with the guidance set out in a watershed or sub-watershed plan. Notwithstanding the absence of any such plans, stormwater site management plans will generally reference Provincial guideline documents for their terms of reference and shall include details on specific best management practices for stormwater, erosion and sediment control, and details for enhancement and rehabilitation of natural features. Where no sub-watershed plan or environmental management plan exists, the Township will review stormwater site management plans in conjunction with the Conservation Authority and the County in order to ensure that:
1. watercourse flows are not altered in a way that would increase the risk of downstream flooding or channel erosion;
 2. base flow in the watercourse is not reduced;
 3. the quality of water that supports aquatic life and fish habitat is not adversely affected;
 4. the quality of water that supports water-based recreational uses is not adversely affected;
 5. natural habitat linkages that are located in or transverse the site are maintained or enhanced;
 6. groundwater is not adversely affected;
 7. any other impacts on existing infrastructure or natural environment are addressed in a manner consistent with established standards and procedures; and,
 8. objectives related to the optimization of wet weather infrastructure (high flow) management are realized.
- 3.18.9 Once a watershed or sub-watershed plan is approved by Council, the recommendations of the plan will be implemented where the Township has the ability and authority to do so through existing programs, the development approval process, environmental assessments and evaluations, as well as other mechanisms such as education and stewardship, and will encourage other parties to do the same.
- 3.18.10 Council will encourage generally recognized practices for stormwater runoff from agricultural uses and the maintenance and preservation of buffers adjacent to

SECTION 3 GENERAL PROVISIONS

surface water resources.

3.19 WAYSIDE PITS AND QUARRIES AND PORTABLE ASPHALT PLANTS

3.19.1 Wayside Pits and Quarries

Wayside permits are considered for the supply of aggregates from a temporary pit or quarry, by a public authority or any person who has a contract with a public authority, for the purpose of a road construction or road maintenance project, where the pit or quarry is located outside the limits of the right-of-way of the road and is not under license or permit.

Wayside pits and quarries shall be permitted in accordance with the following provisions.

1. Wayside pits and quarries used on public authority contracts will be permitted, without the need for an Official Plan Amendment, rezoning, or development permit under the Planning Act, in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.
2. Arrangements shall be made for the rehabilitation of the subject lands after use or in stages during use. In Agricultural designated areas and on prime agricultural land (Class 1 to 3 agricultural soils), extraction of mineral aggregates are permitted as an interim use provided that rehabilitation of the site will be carried out whereby substantially the same areas and same average soil quality for agriculture are restored.

On these prime agricultural lands, complete agricultural rehabilitation is not required if:

- a) there is a substantial quantity of mineral aggregates below the water table warranting extraction or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and
 - b) other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Classes 1, 2 and 3; and
 - c) agricultural rehabilitation in remaining areas will be maximized.
3. There is an agreement with the operator that the operation of the wayside pit or quarry will be conducted in accordance with the Aggregate Resources of Ontario Provincial Standards.
 4. No polluted water from washing or screening operations shall be discharged into any creek or watercourse.

SECTION 3 GENERAL PROVISIONS

5. Where dewatering is proposed, the operator shall contact the Ministry of the Environment to determine if any approvals are required, and shall undertake an impact assessment, in consultation with the Conservation Authority, on the receiving watercourse.
6. Such uses are not located so as to adversely affect existing development.
7. Where pits or quarries are proposed in an area of archaeological potential, as described in Section 3.6.1 of this Plan, an archaeological assessment shall be required.

3.19.2 Portable Asphalt and Concrete Plants

A portable asphalt plant is a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material and includes stockpiling and storage of bulk materials used in the process, and which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

A portable concrete plant is a building or structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete and includes stockpiling and storage of bulk materials used in the process, and which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

The following policies apply to the establishment of portable asphalt and concrete plants.

1. Portable asphalt and concrete plants used on public authority contracts shall be permitted without the need for an Official Plan Amendment, rezoning, or development permit under the Planning Act, in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.
2. Portable asphalt and concrete plants must comply with the separation distance criteria and must obtain a certificate of approval from the Ministry of the Environment.
3. In areas designated Agricultural and on prime agricultural land (Class 1 to 3) elsewhere in the Township, sites used for portable asphalt and concrete plants are permitted as an use provided that rehabilitation of the site will be carried out so that substantially the same areas and same average soil quality for agriculture are restored.

SECTION 4 LAND USE POLICIES

4.1 INTRODUCTION

4.1.1 The Township shall be developed in accordance with the land use pattern shown on the Land Use and Roads Plans, attached as Schedule A to this Plan. The Land Use and Roads Plan establishes the pattern of development in general terms by dividing the Township into ten land use designations as follows:

- Hamlet
- Rural
- Agricultural
- Mobile Home Development
- Wetland
- Flood Plain
- Aggregate Reserve
- Mineral Resource
- Waste Disposal Site
- Salvage Yard

The policies governing the use of the lands within these designations are contained in this Section of the Plan. In addition, certain Public and Institutional uses are permitted in all land use designations, in accordance with the policies of Section 3.17 of this Plan.

4.1.2 In addition to the land use designations shown on Schedule A, a number of specific constraint areas have been identified and shown as overlay designations on Schedules B. Other potential constraints to development are referred to in the policies of this Plan, primarily in Section 3. When considering a development proposal, the policies for these constraint areas must be considered in conjunction with the land use policies contained in this Section of the Plan. The constraint areas include:

- Natural Heritage features (see Section 3.13)
- Influence Areas (see Section 3.11)

While not designated on Schedule B, all shorelines are also considered to be influence areas. Development next to a shoreline is subject to the policies of Waterfront areas (see Sections 6.9 and 6.10).

SECTION 4 LAND USE POLICIES

4.2 HAMLET

Eight settlement areas of the Township have been designated Hamlet on Schedule A. These are:

- Ferguson's Falls
- Innisville
- Balderson
- Drummond Centre
- Wayside
- Scott Subdivision
- Port Elmsley
- Rideau Ferry

These eight Hamlets are long-established rural communities in the Township, with the exception of the Scott Subdivision. The following policies apply to development in the Hamlet designation.

4.2.1 Intent of the Designation

The Hamlet designation is placed on the established settlement areas of the Township, and includes adjacent undeveloped land on which the Hamlets can be expanded. Existing development is characterized by a mixture of residential uses, commercial uses which serve both residents and tourists, and institutional uses such as schools and churches. The intent of the designation is to recognize the mixed-use nature of these areas and to permit them to expand, while ensuring that land use conflicts are minimized.

In addition to the uses permitted under the following policies for Residential Development, and for Commercial and Industrial Development, the policies of Section 3.15 which permit Public and Institutional Uses also apply to the Hamlet designation.

4.2.2 Residential Development

4.2.2.1 Permitted Uses

The permitted residential uses will be primarily single detached dwellings; however, all types of multiple residential development shall also be permitted.

4.2.2.2 Policies

1. Development shall be encouraged to take place by plan of subdivision; however, severances may be permitted, in accordance with the policies of Section 6.3 of this Plan.
2. Notwithstanding the generality of Section 4.2.2.2.1, severances shall not be granted where they would prohibit or restrict access to interior lands which are designated Hamlet.

SECTION 4 LAND USE POLICIES

3. Multiple residential uses shall be located:
 - a) where they have direct access to a Provincial Highway or County Road, subject to the access regulations referred to in Section 5.2.3; or,
 - b) where they have direct access to a Township road which is a principal access route into the Hamlet from adjacent rural areas, except if the lot on which the multiple residential use is to be located has been identified for that purpose in a plan of subdivision.
4. Multiple residential uses shall be subject to Site Plan Control (see Section 6.6) and shall be zoned in a separate zoning category in the implementing Zoning By-law except as permitted in a mixed-use building.
5. The implementing Zoning By-law shall contain provisions to regulate parking, landscaping, buffering, setbacks, etc., in order to minimize potential land use conflicts between single detached dwellings and multiple residential dwellings.
6. Where Residential Development is proposed next to a waterbody, the applicant shall be required to submit a plot plan in accordance with the policies of Section 6.9 prior to the issuance of a building permit.

4.2.3 Commercial and Industrial Development

4.2.3.1 Permitted Uses

The permitted uses include the full range of general and tourist commercial uses which serve residents of the Township and tourists. Rural commercial and industrial uses may also be permitted if located in a subdivision designed for that purpose or if located on a Provincial Highway or County Road, subject to the access regulations referred to in Section 5.2.3, or on a Township road which is a principal access route into the Hamlet from adjacent rural areas.

4.2.3.2 Policies

1. Tourist commercial uses, general commercial uses, and rural commercial and industrial uses shall be zoned in separate categories in the implementing Zoning By-law.
2. The implementing Zoning By-law shall contain provisions to regulate access points, parking, loading, landscaping, buffering setbacks, etc. in order to minimize potential land use conflicts with adjacent uses and to ensure a high standard of development.
3. Where Commercial or Industrial Development is proposed next to a waterbody, the applicant shall be required to submit a plot plan in accordance with the policies of Section 6.9 prior to the issuance of a building permit.
4. Commercial and Industrial Development shall be subject to Site Plan Control (see Section 6.6).

SECTION 4 LAND USE POLICIES

4.2.4 Expansions to Settlement Area Boundary

The Township may identify a new settlement area or allow for the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

1. Sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
2. The infrastructure and public service facilities which are planned or available are suitable for development over the long term and protect public health and safety;
3. In prime agricultural areas:
 - a. the lands do not compromise specialty crop areas;
 - b. there are no reasonable alternatives which avoid prime agricultural areas;
 - c. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas
4. Impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

In determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a new settlement area, the Township shall consider and apply the policies related to natural heritage features, natural resource protection, cultural heritage protection and protection of human health and safety.

4.2.5 Special Policy Areas

SECTION 4 LAND USE POLICIES

4.3 RURAL

4.3.1 Intent of Designation

The Rural designation is placed on all areas of the Township which have not otherwise been designated for a particular purpose under another land use designation. The Rural designation is intended to protect traditional rural activities such as agriculture and forestry, and to permit a broad range of other uses which are appropriate in a rural setting. It is recognized that the majority of the Township's existing, as well as future, residential development will be located in the Rural designation. Other permitted uses will be carefully controlled in order to protect existing uses and the rural character of the Township, and to ensure that the Township's financial resources keep pace with development activity.

The permitted uses shall be in accordance with the following policies.

4.3.2 Agriculture

4.3.2.1 Agricultural uses are permitted in the Rural designation and, where such uses exist, any future development which takes place within the vicinity of an existing agricultural use shall comply with the Minimum Distance Separation formula in accordance with the policies of Section 3.4. As well, any new agricultural use or expansion of an existing agricultural use within the vicinity of existing non-agricultural uses shall also comply with the Minimum Distance Separation formula and shall be subject to the nutrient management policies of Section 3.4.

4.3.2.2 Where development is proposed on lands which are designated Rural and which are located in a predominantly agricultural area, Council should consider, and may apply, the policies of the Agriculture designation as set out in Section 4.4.

4.3.3 Hobby Farms

A hobby farm is defined as the keeping, breeding, raising and grazing of livestock and/or poultry, other than domestic pets, for the personal use of the household operating the hobby farm. A hobby farm shall be permitted as an accessory to a residential use in the Rural designation, subject to the following policies.

1. A hobby farm shall only be permitted on a lot with a minimum area of 4 ha.
2. A hobby farm shall be subject to the Minimum Distance Separation (MDS) formula.

4.3.4 Residential Development

Residential Development is defined as having frontage on and direct access to an opened public road which is maintained year-round. Residential Development may be permitted in accordance with the following policies.

4.3.4.1 New Residential Development in the Rural designation is intended to take place on a limited basis within the context of the regional housing market, which is defined as

SECTION 4 LAND USE POLICIES

the County of Lanark and the Town of Smiths Falls. To this end, Council will monitor lot creation in the regional housing market on an annual basis and may defer approval of new lot creation should there be a trend towards increased rural residential development in comparison with fully-serviced urban residential development, bearing in mind that a three year supply of building lots needs to be maintained.

- 4.3.4.2 Lot creation shall take place in accordance with the lot creation policies of Section 6.3. In order to maximize the efficiency of servicing new Residential Development, Council shall encourage Residential Development to locate in close proximity to existing built-up areas within the Township. Notwithstanding the foregoing, however, Council shall not permit the creation or extension of strip development pursuant to the policies of Sections 6.3.2.3 and 6.3.2.4.
- 4.3.4.3 Residential Development on flat, open land will be discouraged by Council. Such development shall be encouraged to locate in areas having natural tree cover, scenic views and/or rolling terrain. In designing residential subdivisions, attention should be given to the natural features, such as mature forests, to ensure that the existing vegetation and terrain is disturbed as little as possible. In addition, the housing should be screened from view.
- 4.3.4.4 Where Residential Development is to be located next to a waterbody, the policies of Section 6.9 shall apply.
- 4.3.4.5 Generally, the permitted uses will be restricted to single-detached dwellings and accessory uses, and only one dwelling per lot shall be permitted.
- 4.3.4.6 Development by plan of subdivision shall not land-lock adjacent land and, where the adjacent land meets the Residential Development criteria of this Plan, provision should be made for the future extension of the subdivision onto the adjacent land.

4.3.5 Limited Services Residential Development

Limited Services Residential Development is defined as abutting a navigable waterway and not having frontage on and direct access to an opened public road which is maintained year-round. Back lot development is not permitted as a form of Limited Services Residential Development. Access to Limited Services Residential Development may be provided via an existing unopened road allowance, private right-of-way or private road, and by water. The residential uses include both seasonal dwellings and permanent dwellings.

Limited Services Residential Development may be permitted in the Rural designation in accordance with the following policies.

- 4.3.5.1 Limited Services Residential Development shall generally be permitted by consent pursuant to the policies of Section 6.3, or on existing lots of record. Notwithstanding the foregoing, larger-scale Limited Services Residential development shall also be permitted on private roads, undertaken by common element plans of condominium, where the condominium has frontage on a public road.
- 4.3.5.2 Limited Services Residential Development shall only be permitted on lots which abut a navigable waterway.

SECTION 4 LAND USE POLICIES

- 4.3.5.3 Limited Services Residential Development shall not be provided with such municipal services as road maintenance and snow removal. In addition, no new Limited Services Residential Development shall be permitted unless other public services such as fire protection, police protection, school bussing, etc. can be provided to the satisfaction of the responsible agencies.
- 4.3.5.4 Prior to the issuance of a building permit, the proposed water and septic systems must be approved by the Health Unit.
- 4.3.5.5 Where it is proposed to convert a seasonal dwelling to permanent occupancy, a building permit shall not be issued unless:
- a. Access is available via an existing road;
 - b. Confirmation is received from emergency access providers that adequate services can be provided to the dwelling; and
 - c. The proposed water and septic systems are approved by the Health Unit.
- 4.3.5.6 Prior to the issuance of a building permit for Limited Services Residential Development, the applicant shall be required to submit a plot plan in accordance with the policies of Section 6.9.

4.3.6 Commercial Development

A wide range of commercial uses are permitted in the Rural designation including retail stores, service uses, offices, restaurants, places of entertainment, hotels and motels, automotive uses, agricultural-related uses, and similar uses. In addition, an accessory dwelling or dwelling unit is also permitted for most commercial uses.

Commercial uses may be permitted in the Rural designation in accordance with the following policies.

1. Most commercial development should be located in the designated Hamlets; however, it is recognized that not all commercial uses are appropriate in the Hamlets because of land use incompatibility with residential uses, large site requirements, locational requirements, etc. Prior to approving commercial development, Council shall be satisfied that its location is appropriate.
2. Commercial uses shall be encouraged to locate on a Provincial Highway or County Road in commercial and/or industrial parks, plazas or campus style developments, and shall generally be restricted from developing with individual access points. Individual access points to Provincial Highways and County Roads will only be permitted in accordance with the access regulations referred to in Section 5.2.3. The purpose of this policy is to permit commercial and industrial development without significant adverse impacts on traffic flows.
3. Access points shall be limited to defined driveways at suitable locations and shall be limited in number.
4. Advertising signs, lighting fixtures and other site features shall be carefully located in keeping with good site design and traffic safety practices.
5. Adequate off-street parking and loading facilities shall be provided.

SECTION 4 LAND USE POLICIES

6. Where commercial uses abut residential uses, increased setbacks and an adequate buffer shall be provided to protect the amenities of the residential uses in accordance with the policies of Section 3.5. The buffering requirements shall be set out in the implementing Zoning By-law.
7. New commercial uses shall only be permitted by an Amendment to the Zoning By-law.
8. Commercial uses shall be subject to Site Plan Control (see Section 6.6) and be zoned in a separate category and/or in combination with industrial uses in the implementing Zoning By-law.
9. Prior to the issuance of a building permit, the applicant shall be required to submit a site plan in accordance with the policies of Section 6.9 where the commercial development is located next to a waterbody.

4.3.7 Tourist Commercial

Tourist Commercial uses include the full range of commercial facilities that principally serve the tourist trade including: hotels, motels, resorts, recreation facilities such as golf courses, ski centres, facilities related to boating such as marinas, tent and trailer parks, campgrounds, summer camps, hunting and fishing camps, restaurants and similar uses that directly serve tourists. Institutional uses such as museums and an accessory dwelling or dwelling unit are also permitted.

Tourist Commercial uses may be permitted in the Rural designation in accordance with the following policies.

1. Council shall endeavour to concentrate Tourist Commercial uses into coherent groupings to provide a variety of services at key locations in the Township.
2. Tourist Commercial uses shall be located so that they are readily accessible to tourist traffic, either by water or by road, and, wherever possible, without passing through residential areas in order to avoid disruption of the residents of the Township.
3. Except where access is solely by water, Tourist Commercial uses should have frontage on and direct access to an open public road maintained year round.
4. Access points shall be limited to defined driveways at suitable locations and shall be limited in number.
5. Advertising signs, lighting fixtures and other site features shall be carefully located in keeping with good site design and traffic safety practices.
6. Adequate off-street parking and loading facilities shall be provided.
7. Where Tourist Commercial uses abut residential uses, increased setbacks and an adequate buffer shall be provided to protect the amenities of the residential uses in accordance with the policies of Section 3.5. The buffering requirements shall be set out in the implementing Zoning By-law.

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8. Tourist camps may be permitted subject to the following policies:
 - a) Tourist camps shall include seasonally operated parks for the temporary occupancy of persons in tents, cabins, recreational vehicles, and/or trailers together with accessory facilities, and shall not include mobile home parks.
 - b) Tourist camps should be located adjacent to, or in the immediate vicinity of, a notable feature of the Township which shall serve as the focus or theme of the development, and such a camp shall not be permitted to locate in areas where it would have an adverse impact on the existing or ultimate use of adjacent lands.
 - c) The implementing Zoning By-law shall contain regulations to control such matters as density, parking and setbacks.
 - d) The overall design of a tourist camp shall include pedestrian walkways, an internal road system designed for the efficient movement of vehicular traffic, adequate parking spaces, and shall retain the rural landscape, including trees, so as to create an aesthetically appealing commercial recreation area.
 - e) Where a tourist camp is located on a waterbody, a communal waterfront area only shall be provided.
9. New Tourist Commercial uses shall only be permitted by a specific amendment to the Zoning By-law.
10. Tourist Commercial uses shall be subject to Site Plan Control (see Section 6.6) and shall be zoned in a separate category in the implementing Zoning By-law.
11. Prior to the issuance of a building permit, the applicant shall be required to submit a plot plan in accordance with the policies of Section 6.9 where the Tourist Commercial development is located next to a waterbody.

4.3.8 Industrial

The permitted Industrial uses include agricultural, forestry and other rural related industries as well as light industries that can operate on private services without danger of pollution or a serious drawdown of groundwater supplies and which are not deemed to be an obnoxious use, pursuant to the Health Protection and Promotion Act, the Ontario Water Resources Act and the Environmental Protection Act.

Industrial development may be permitted in Rural designation in accordance with the following policies.

1. Most industrial development should be located in the designated Hamlets; however, it is recognized that not all industrial uses are appropriate in the Hamlets because of land use incompatibility with residential uses, large site requirements, locational requirements, etc. Prior to approving industrial development, Council shall be satisfied that its location is appropriate.
2. Industrial uses shall be encouraged to locate on a Provincial Highway or County

SECTION 4 LAND USE POLICIES

Road in commercial and/or industrial parks, plazas or campus style developments, and shall generally be restricted from developing with individual access points. Individual access points to Provincial Highways and County Roads will only be permitted in accordance with the access regulations referred to in Section 5.2.3. The purpose of this policy is to permit industrial development without significant adverse impacts on traffic flows.

3. Access points shall be limited to defined driveways at suitable locations and shall be limited in number.
4. Advertising signs, lighting fixtures and other site features shall be carefully located in keeping with good site design and traffic safety practices.
5. Adequate off-street parking and loading facilities shall be provided.
6. Where industrial uses abut residential uses, increased setbacks and an adequate buffer shall be provided to protect the amenities of the residential uses in accordance with the policies of Section 3.5. The buffering requirements shall be set out in the implementing Zoning By-law.
7. To minimize the exposure of sensitive land uses to potential adverse effects associated with incompatible industrial uses, Council may refer to the appropriate Ministry of the Environment Guidelines.
8. New Industrial uses shall only be permitted by an Amendment to the Zoning By-law.
9. Industrial uses shall be subject to Site Plan Control (see Section 6.6) and may be zoned in a separate category and/or in combination with commercial uses in the implementing Zoning By-law.
10. Prior to the issuance of a building permit, the applicant shall be required to submit a plot plan in accordance with the policies of Section 6.9 where the industrial development is located next to a waterbody.

4.3.9 Special Policy Areas

4.3.9.1 RU-1 Special Policy Area

On the land designated RU-1 in Lot 1, Concession III (Drummond Ward), the following special policies apply.

1. Two apartment buildings containing a combined maximum of 8 dwelling units is permitted.
2. Development on private services is permitted, subject to the approval of the Ministry of Environment and/or Health Unit.
3. The apartment buildings shall be set back a minimum of 70 m from the boundary of the Wetland designation.

4.3.9.2 RU-2 Special Policy Area

SECTION 4 LAND USE POLICIES

On the land designated RU-2 in Lot 26, Concession IX (North Elmsley Ward) on the east side of Rideau Ferry Road, a duplex dwelling is permitted on each of the two lots so designated.

4.3.9.3 RU-3 Special Policy Area

On the land designated RU-3 in Lot 26, Concession IX (North Elmsley Ward) on the west side of Rideau Ferry Road, a duplex dwelling is permitted.

4.3.9.4 RU-4 Special Policy Area

On the land designated RU-4 in Lot 26, Concession X (North Elmsley Ward) on the east side of Rideau Ferry Road, a 4-unit townhouse is permitted.

SECTION 4 LAND USE POLICIES

4.4 AGRICULTURAL

4.4.1 Intent of Designation

The Agricultural designation has been placed on those lands which are predominantly characterized by soils of prime agricultural capability and which are classified as Classes 1 to 3 in the Canada Land Inventory for Agricultural Capability. In addition, associated lands of Class 4-7 and areas which exhibit characteristics of ongoing agricultural activities are also considered to form the Agricultural designation. It is intended that these lands are to be protected and preserved for agricultural uses. The lands so designated form part of a larger agricultural resource area which extends into the Tay Valley Township. It is intended that these lands are to be protected and preserved for agricultural uses.

4.4.2 Permitted Uses

Agricultural lands are intended to be used primarily for agricultural and agricultural-related uses. Proposed secondary uses and agricultural-related uses shall be compatible with, and shall not hinder, surrounding agricultural operations and shall be limited in scale. Permitted uses include the growing of crops; raising of livestock; raising of other animals for food, fur or fibre; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agricultural-related commercial and industrial uses that are small scale, directly related to the farm operation and required in close proximity to the farm operation are permitted. Secondary uses shall include home occupations, home industries and uses that produce value-added agricultural products from the farm operation on the property.

Other agri-business uses such as abattoirs, livestock or sales yards, seed cleaning plants, agricultural produce warehouses or similar uses are permitted, provided alternative locations within areas designated other than Agricultural are not available. Wherever possible these uses shall be located on land of lower capability for agriculture.

Finally, limited farm-related residential uses, as per the policies of Section 6.3.2.1 of this Plan, and new dwellings on vacant lots of record, as per the policies of this Plan and the implementing Zoning By-law, are also permitted.

4.4.3 Policies

4.4.3.1 This Plan intends to promote the use of prime agricultural lands for agricultural uses. Nonetheless, as specified in Section 4.4.2, certain non-agricultural uses are permitted. In order to minimize the potential for conflicts, all new farm and non-farm development shall comply with the Minimum Distance Separation policies of Section 3.4.

4.4.3.2 In order to assist the farming community, this Plan recognizes the need to

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accommodate farm help on the farm. A farmer may be permitted to provide living accommodation on his farm for workers who are employed thereon, provided that the parcel of land upon which such accommodation is located is not severed from the farm.

- 4.4.3.3 Notwithstanding the permitted use provisions contained in Section 4.4.2, Agricultural lands may be redesignated to Aggregate Reserve or Mineral Resource to permit pit, quarry or mining uses, or may be used for a wayside pit or quarry, provided that, if the land is of high capability for agriculture, it shall be subject to a rehabilitation plan showing how it will be rehabilitated for productive agricultural use, pursuant to the policies of Section 3.19. Should extraction be permitted below water, rehabilitation will compliment or be compatible with an agricultural after-use.
- 4.4.3.4 Where it is intended to sever land, both the parcel to be severed and the parcel to be retained shall be of an appropriate size for the type of primary agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of the agricultural operation. Generally, the Township shall require a minimum lot area of 40 hectares in the "Agricultural" designation. Lot size requirements for agricultural uses will be implemented in the Zoning By-law.
- 4.4.3.5. Notwithstanding the foregoing policies of Section 4.4.3.4., severances may be permitted for permitted agricultural-related commercial and industrial uses, and for permitted agri-business uses. Severances for residential lots shall only be permitted in accordance with the policies of Section 6.3.2.1.
- 4.4.3.6. In evaluating a proposed amendment to the Official Plan to change the designation from Agricultural to another land use designation, the following policies shall apply.
1. Where the amendment is for the purpose of creating a new settlement area or to expand an existing settlement area (i.e., re-designation to Hamlet), a comprehensive review has been undertaken in accordance with the Provincial Policy Statement;
 2. Where the amendment is to re-designate the land to the Aggregate Resource or Mineral Resource designation, the land is to be rehabilitated to agricultural use upon depletion of the resource;
 3. Where the amendment is for either of the foregoing purposes, or for some other purpose, the following criteria shall be met:
 - a) there is a demonstrated need within the planning period of this Plan for the proposed use for which the amendment is sought;
 - b) the proposed use cannot be reasonably located on land outside the Agricultural designation or on lands within the Agricultural designation with a lower agricultural capability;
 - c) the proposed use does not compromise specialty crop areas; and,
 - d) the potential impacts on surrounding agricultural uses from the new or expanding non-agricultural use are mitigated to the extent feasible.

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4.4.4 Special Policy Areas

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4.5 MOBILE HOME DEVELOPMENT

4.5.1 Intent of the Designation

Because of the distinctive physical characteristics of mobile homes, the density at which development generally takes place, and the site planning issues associated with such development, special policies are needed to guide Mobile Home Development. The intent of this designation is to provide such guidance, so that Mobile Home Development can be integrated into the rural character of the Township.

4.5.2 General Policies

Individual mobile homes are not permitted on existing or on newly created lots, except as follows:

1. A mobile home may be permitted as a temporary dwelling where a permanent dwelling is being built, renovated or reconstructed, providing a building permit has been issued for the construction work and providing the applicant enters into an agreement with the Township which requires the mobile home to be removed once the construction is completed.
2. A mobile home may be permitted as an additional dwelling on a farm, providing it is occupied by a person or persons whose principal occupation is in the conduct of the agricultural operation on such lands. Such a dwelling shall be subject to the Rural policies of this Plan, but in no case shall the mobile home site be severed from the original farm unit.
3. A mobile home may be permitted as a garden suite pursuant to the policies of Section 3.1.4 of this Plan.

Where an individual mobile home is permitted in accordance with the foregoing policies, it shall meet the requirements of the Building Code Act.

4.5.3 Mobile Home Development Policies

4.5.3.1 Mobile Home Development will be permitted only as a mobile home park or a mobile home subdivision as defined below.

1. A mobile home park is under single or condominium ownership and is managed by a park operator or condominium corporation. Ownership and responsibility for the maintenance of internal roads, services, communal areas and buildings, together with general park management, including snow clearance, garbage collection, etc. rests with the park owner or condominium corporation.
2. A mobile home subdivision is registered as a plan of subdivision where the mobile homes are located on individually owned lots which front on public roads. The subdivision may contain communal areas and buildings which are owned by the residents of the subdivision.

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- 4.5.3.2 In addition to the mobile homes, the permitted uses include the sale of mobile homes, accessory buildings and uses including storage buildings, and local commercial and open space uses for the residents of the Mobile Home Development.
- 4.5.3.3 The location of the Mobile Home Development shall respect the desire of adjacent residents to maintain the character of established residential areas.
- 4.5.3.4 New Mobile Home Developments must conform to the following criteria.
1. The site must have frontage on, and access to, an open public road which is maintained year round.
 2. All mobile homes within the development must have frontage on an internal road which shall be constructed to Township standards.
 3. A minimum of 5% of the total area of the Mobile Home Development shall be reserved for open space/recreation uses.
 4. Suitable landscaping shall be provided throughout the development including a landscaped buffer around the site. This required landscaped area shall not be considered as part of the 5% required for recreation uses.
 5. Adequate owner and visitor parking shall be provided.
 6. A subdivision, condominium or site plan agreement between the developer and the Township shall be required for all Mobile Home Developments.
 7. The implementing Zoning By-law shall contain regulations to control such matters as density, parking and setbacks.
 8. Prior to approving a Mobile Home Development which is located next to a waterbody, the applicant shall be required to submit a plot plan in accordance with the policies of Section 6.9.
 9. New Mobile Home Development shall take place by amendment to this Plan.
 10. Mobile Home Development shall be subject to Site Plan Control (see Section 6.6) and shall be zoned in a separate category in the implementing Zoning By-law.
 11. Where communal services are proposed for a new Mobile Home Development, such services are to be constructed and maintained by the owner(s). In such cases, the owner(s) shall be required to enter into a responsibility agreement with the Township which provides for the repair and Township assumption of the communal services, at no cost to the Township, in the event that the communal services fail.
 12. If a servicing options assessment results in a mobile home park being developed on individual wells and septic systems, a hydrogeology and terrain analysis study and an impact assessment of septic system effluent on the groundwater shall be undertaken to determine whether the land is, or can be made suitable for private sewage disposal systems and whether there is an adequate quantity and quality of water available.

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4.5.4 **Special Policy Areas**

4.5.4.1 MHP-1 Special Policy Areas

On the two sites designated MHP-1 in Lot 21, Concession VI (Drummond Ward), Mobile Home Developments, to a maximum of 9 units per site, may be permitted subject to confirmation from the Health Unit and/or the Ministry of the Environment that approval of the proposed servicing systems do not require the studies referred to in Sections 3.18. Otherwise, all other applicable policies of this Plan shall apply, and any proposed increase in the number of permitted units at either site shall require an amendment to this Plan which shall be supported by all of the studies required for a Mobile Home Development.

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4.6 WETLAND

4.6.1 Intent of the Designation

The Wetland designation has been placed on Provincially Significant Wetlands as classified by the Ministry of Natural Resources. The intent of the designation is to preserve and protect these wetlands pursuant to the Provincial Policy Statement.

4.6.2 Permitted Uses

The permitted uses shall be restricted to existing agricultural uses, forestry, conservation, wildlife management, outdoor recreation and educational activities that do not require landscape alterations and that do not adversely affect the wetland features, functions and area.

4.6.3 Policies

- 4.6.3.1 No development or site alteration is permitted within the Wetland designation except open space and passive recreational uses which do not involve extensive site alterations and do not adversely affect the natural features or ecological functions of the wetland or require approval under the Planning Act. Prior to approval of any such uses, the applicant shall be required to undertake an Environmental Impact Study in accordance with the policies of Section 6.8 to the satisfaction of the Township and Conservation Authority and, where the development is adjacent to the Rideau Canal or Tay Canal, of Parks Canada. Further, all development is subject to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulation* of the Conservation Authorities.
- 4.6.3.2 In reviewing applications for development and site alteration, including the creation of new lots, on lands adjacent to wetlands (within 120 metres), the developer shall be required to undertake an Environmental Impact Study in accordance with the provisions of Section 6.8 of this Plan to ensure there will be no adverse impacts on the wetland or its ecological function as a result of the proposed development.
- 4.6.3.3 Development on locally significant wetlands, which are connected, or adjacent, to a major waterbody, shall also be subject to the policies of Section 4.6.3.1.
- 4.6.3.4 The boundaries of the Wetland designation, as shown on Schedule A, will be used as a guide for the preparation of Zoning By-law regulations which will implement the policies of this Section. Any proposed change to the boundary of a wetland shall be reviewed and approved by the Ministry of Natural Resources.
- 4.6.3.5 Where wetlands are under private ownership, it is not intended that such areas are free and open to the general public or will be purchased by the Township or other public agency.
- 4.6.3.6 Where development is proposed to be located on a site, part of which is wetlands, then such wetlands shall not necessarily be acceptable as part of the 5% parkland dedication under the Planning Act. All lands dedicated to the Township shall be conveyed in a physical condition satisfactory to the Township.

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4.6.3.7 Wetlands shall be zoned in a separate category in the implementing Zoning By-law.

4.6.4 Special Policy Areas

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4.7 FLOOD PLAIN

4.7.1 Intent of the Designation

The Flood Plain designation shown on Schedule A is an overlay designation that identifies those flood plains which have been mapped by the Mississippi Valley Conservation (MVC) and the Rideau Valley Conservation Authority (RVCA). The boundary of the two watersheds are also shown on Schedule A. The flood plain on Mississippi Lake is based on the "Two Zone" concept and all of the other flood plains are based on the "One Zone" concept, with the result that there are different policies and regulations governing the use of land on Mississippi Lake than in the other flood plains, as described below.

4.7.2 Permitted Uses

The permitted uses in the Flood Plain designation are as permitted in the underlying land use designation as shown on Schedule, subject to the following policies.

4.7.3 Policies

4.7.3.1 Under the Two Zone concept that applies to Mississippi Lake, the following policies apply.

1. Under the Two Zone concept the flood plain is divided into two zones: the floodway and the flood fringe. The use of the Two Zone concept may allow for new development within the flood fringe areas that can be safely developed with no adverse impacts.
2. Under the Two Zone concept on Mississippi Lake, the floodway and the flood fringe are defined as follows:
 - a) Floodway: the hazardous portion of the flood plain where water-flows during flood conditions are expected to be greatest and would cause a danger to public health and safety, or property damage. For Mississippi Lake, the floodway is shown on Schedule A as all lands around the lake that fall below the elevation of 135.0 m G.S.C.D. (Geodetic Survey of Canada Datum).
 - b) Flood fringe: the outer portion of the flood plain between the floodway and the 1:100 year regulatory flood line. Water depths and velocities are generally less severe in this area than in the floodway. For Mississippi Lake, the flood fringe is shown on Schedule A as those lands around the lake that fall between the floodway elevation and the 1:100 year flood line which is defined as 135.6 m G.S.C.D.
3. Development within the floodway is subject to the One Zone policies below.
4. Development and site alteration may be permitted within the flood fringe in accordance with the underlying land use designation, subject to the permit requirements of the MVC in order to address flood proofing requirements including safe access and subject to policies 2, 3, 4 and 5 below for the One Zone

SECTION 4 LAND USE POLICIES

concept.

4.7.3.2 Under the One Zone concept which applies to all flood plains as shown on Schedule A, except the flood plain around Mississippi Lake, the following policies apply.

1. Under the One Zone concept, the permitted uses in the flood plain are restricted to the following:
 - a) uses which by their nature must locate within the flood plain including flood or erosion control structures;
 - b) ancillary facilities which are passive, non-structural and do not adversely affect the ability of the flood plain to carry flood waters, such as open space recreational uses; and,
 - c) minor additions to existing uses.
2. The following uses are not permitted in the flood plain:
 - a) any institutional uses associated with hospitals, nursing homes, pre-school, school nurseries, day cares and schools;
 - b) essential emergency services such as provided by fire, police and ambulance stations, and electrical sub-stations; and,
 - c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
3. Existing buildings, structures or private sewage disposal systems which are damaged or destroyed by flooding may only be repaired or reconstructed if approved flood proofing techniques are used to the satisfaction of the public body having jurisdiction, or Council. Council will encourage proponents to relocate such buildings or structures outside the flood plain where there is sufficient land available for such relocation.
4. Minor extensions or enlargements of existing habitable or other buildings located in the flood plain, other than those listed in policy 2 above, may be permitted where it is clearly demonstrated to Council and the relevant Conservation Authority, through engineering or other studies, that the flood hazard can be overcome. Such measures may include flood proofing of a building, ensuring that any openings are located above the flood elevation, and ensuring safe access in the event of a flood.
5. In areas within the Conservation Authorities Regulation Limit where *Development, Interference with Wetlands and Alterations to Shoreline and Watercourse Regulations* have been established under the Conservation Authorities Act, a permit shall be required for:
 - a) the construction, reconstruction, erection or placing of a building or structure of any kind;
 - b) any change of use to a building or structure that would have the effect of

SECTION 4 LAND USE POLICIES

altering the use or potential use of a building or structure, increasing the size of the building or structure, or increasing the number of dwelling units in the building;

- c) site grading; and,
- d) the temporary or permanent placing or dumping of any material originating from elsewhere, or the removal of any material from the site.

Written permission from the Conservation Authority is also required for the straightening, changing, or diverting or interfering with an existing channel of a river, creek, stream or watercourse.

4.7.4 Special Policy Areas

SECTION 4 LAND USE POLICIES

4.8 AGGREGATE RESOURCE

4.8.1 Intent of Designation

The Aggregate Resource designation recognizes existing pits and quarries which are licensed by the Ministry of Natural Resources, and also recognizes areas where aggregate reserves have been identified for future extraction. The lands so designated are further classified on Schedule A for pit or quarry extraction. The designated lands are intended to be conserved and protected from incompatible development so that they may be used for mineral extraction purposes.

4.8.2 Permitted Uses

The permitted uses include aggregate extraction by means of pits and quarries as defined in the Aggregate Resources Act, as well as associated uses such as aggregate storage, stone crushing plants, concrete batching plants, asphalt batching plants and accessory uses. Forestry, open air recreation and agriculture are also permitted uses.

4.8.3 Policies

- 4.8.3.1 Licensed Pits and Quarries shall be permitted in the Aggregate Resource designation. When considering an amendment to the Zoning By-law, Council shall have regard to the following policies.
- 4.8.3.2 All pits and quarries shall be licensed by the Ministry of Natural Resources. Council may request that certain conditions be placed on the license through the licensing process.
- 4.8.3.3 Existing licensed pits and quarries shall be zoned for such use in the implementing Zoning By-law. However, where lands are reserved for future pit or quarry use, they shall be placed in a separate zone category in the implementing Zoning By-law. No new pit or quarry, except a wayside pit or quarry, shall be permitted except by an amendment to the Zoning By-law. Where a proposed amendment to the Zoning By-law is required, Council may require supporting studies such as those listed in Section 4.8.3.6 below.
- 4.8.3.4 In areas designated Aggregate Resource - Quarry, any future application to rezone the land to permit the establishment of a quarry shall not extend the quarry operation beyond the limit of the Aggregate Resource - Quarry designation. In the case of lands designated Aggregate Resource - Pit, however, any future application to rezone the land to permit the establishment of a pit may extend the pit operation beyond the limit of the Aggregate Resource - Pit designation, provided the general intent of this Plan is maintained.
- 4.8.3.5 This Plan will protect aggregate operations from activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety or environmental impact. As provided in the Influence Areas policies of Section 3.11, lands adjacent to existing pits and quarries and areas reserved for future extraction are limited to uses which are compatible with

SECTION 4 LAND USE POLICIES

aggregate extraction activities. Development which would preclude or hinder the establishment of new operations or access to resources in the Influence Area requires an Official Plan Amendment and will only be permitted if the following criteria are addressed:

1. the resource use would not be feasible;
 2. the proposed land use or development serves a greater long term public interest; and
 3. issues of public health, public safety and environmental impact are addressed.
- 4.8.3.6 In considering a proposed amendment to the Official Plan for the purpose of establishing a new pit or quarry, Council shall ensure that existing sensitive uses such as residences and schools are protected by requiring appropriate supporting studies which demonstrate that there no conflicts between the proposed pit or quarry and existing sensitive uses. Such studies may include noise, dust and vibration study, groundwater impact study and traffic impact study.
- 4.8.3.7 No pit or quarry shall be extracted so that its edge is at a point less than 15 m from the limit of any road right-of-way or from any adjoining property line, and 30 m from any Provincial Highway.
- 4.8.3.8 All pit and quarry uses must satisfy the requirements and, where necessary, obtain the approval of the Ministry of the Environment with respect to water supply, pumping, dewatering, all solid and liquid waste disposal, and emissions to the environment including noise, vibrations, odours and noxious gases. Where dewatering is proposed, the operator shall undertake an impact assessment, in consultation with the Conservation Authority, on the groundwater and on the receiving watercourse.
- 4.8.3.9 Aggregate Reserve lands shall be placed in a separate zoning categories in the implementing Zoning By-law to distinguish between lands designated for future extraction and lands which are used as active, licensed pits and quarries.
- 4.8.3.10 Progressive rehabilitation of pits and quarries to accommodate subsequent land uses shall be required in accordance with the license provisions. In areas designated Agricultural, progressive rehabilitation shall be subject to the policies of Section 3.19 of this Plan.

4.8.4 Special Policy Areas

SECTION 4 LAND USE POLICIES

4.9 MINERAL RESOURCE

4.9.1 Intent of Designation

The Mineral Resource designation is intended to recognize existing open pit and underground mining operations, and to protect known mineral deposits and areas of mineral potential from incompatible uses.

4.9.2 Permitted Uses

The permitted uses include mineral extraction, excluding aggregate extraction as defined in the Aggregate Resources Act, as well as associated uses such as processing, transportation, waste and tailing storage and directly related activities. Forestry, open air recreation and agriculture are also permitted uses.

4.9.3 Policies

4.9.3.1 It is the intention of Council to work with the Ministry of Northern Development and Mines to obtain information regarding mineral resources, and to identify areas of mineral potential and abandoned mine sites. At present there are no areas designated Mineral Resource in the Township.

4.9.3.2 Mining and related activities will only be permitted outside identified settlement areas. The compatibility of mining activities with surrounding land uses and land use designations will determine the specific nature of any mining and mining related activities that may be permitted.

4.9.3.3 The establishment of new mining and mining related activities shall be subject to the approval of the Ministry of Northern Development and Mines under the Mining Act and the Environmental Protection Act, and shall require amendments to both this Plan and the Zoning By-law.

4.9.3.4 An Influence Area shall be used as a means of protecting existing land uses in the vicinity of proposed mining operations from a land use conflict and, reciprocally, to protect designated Mineral Resource areas from the encroachment of incompatible land uses. Development may be permitted in the Influence Area in accordance with the relevant land use designation only where the impacts of mining operation can be properly mitigated. The Influence Area shall be 1,000 m. The establishment or modification of an Influence Area should be carried out in consultation with the Ministry of Northern development and Mines and the Ministry of the Environment, and shall be shown on Schedule B of this Plan at the time that a Mineral Resource area is designated on Schedule A.

4.9.3.5 Known abandoned mine sites are shown on Schedule B. Proposals for development within 1,000 m of these sites shall not be approved until the nature and extent of any potential hazards have been mitigated based on a technical report prepared by a qualified professional in this field and with the approval of the Ministry of Northern Development and Mines (MNDM).

4.9.4 Special Policy Areas

SECTION 4 LAND USE POLICIES

4.10 WASTE DISPOSAL SITE

4.10.1 Intent of Designation

The Waste Disposal Site designation has been placed on those lands which are, or have been used, for solid waste disposal. The intent of the designation is to recognize former and existing sites in order to protect adjacent land from potential adverse impacts and to establish policies for the development of new sites.

4.10.2 Permitted Uses

The Waste Disposal Site lands are intended to be used solely for disposal sites and related uses that are owned and operated by the Township.

4.10.3 Policies

4.10.3.1 New waste disposal sites shall require an amendment to this Plan.

4.10.3.2 A new Waste Disposal Site shall be located an adequate distance from any existing or proposed uses, other than Aggregate Reserve, Mineral Resource and Salvage Yard uses, so that the amenity of these areas is preserved. The Ministry of the Environment considers the influence area for a waste disposal site to be 500 m.

4.10.3.3 The Influence Areas for active and former Waste Disposal Sites is shown on Schedule B of this Plan. Development within the Influence Areas may be permitted in accordance with the land use designation shown on Schedule A and the policies of Section 3.11.

4.10.3.4 In the case of a former disposal site, development may be permitted within the Influence Area in accordance with the land use designation shown on Schedule A, including residential development. Prior to the approval of any development proposal, however, the applicant shall be required to undertake such studies, as required by the Township in consultation with the Ministry of the Environment pursuant to the policies of Section 3.10, to demonstrate that the proposed development will not be adversely impacted by the former waste disposal use.

4.10.3.5 All waste disposal sites shall be set back a reasonable distance from a road so that all functions related to the operation of the site can be carried on within the site and so that there is no unsightly appearance from the road. The site shall be located so that ingress and egress points do not create a traffic hazard.

4.10.3.6 All waste disposal sites no longer in use shall be rehabilitated to the standards required by the Ministry of the Environment before they can be put to another use.

4.10.3.7 The establishment, operation and final closure of all waste disposal sites shall be in accordance with the regulations of the Ministry of the Environment.

4.10.3.8 Waste Disposal Sites shall be subject to Site Plan Control (see Section 6.6) and shall be zoned in a separate category in the implementing Zoning By-law.

SECTION 4 LAND USE POLICIES

4.10.4 Special Policy Areas

SECTION 4 LAND USE POLICIES

4.11 SALVAGE YARD

4.11.1 Intent of Designation

The Salvage Yard designation has been placed on those lands which have been developed as salvage yards. Salvage yards are facilities where derelict, discarded, abandoned or inoperative motor vehicles and/or other goods, wares merchandise or articles are stored wholly or partly in the open.

4.11.2 Permitted Uses

The Salvage Yard lands are intended to be used only for the purposes of salvage yards and related uses such as processing, separating, dismantling and recycling. However, agriculture may also be permitted on lands designated Salvage Yard.

4.11.3 Policies

- 4.11.3.1 A salvage yard shall be located an adequate distance from any existing or proposed uses, other than Aggregate Reserve, Mineral Resource and Waste Disposal Site uses, so that amenity of these areas is preserved. The minimum distance separation between an existing or a proposed new salvage yard and any existing conflicting use shall be 300 metres in accordance with the Influence Area policies in Section 3.11 of this Plan.
- 4.11.3.2 The salvage yard shall be adequately screened on all sides either by natural or artificial means, in order that no portion of the operation including the storage area can be seen from a public road.
- 4.11.3.3 The establishment of a new salvage yard shall require an Amendment to this Plan.
- 4.11.3.4 Salvage yards shall be subject to Site Plan Control (see Section 6.6) and shall be zoned in a separate category in the implementing Zoning By-law. The site plan for a new salvage yard shall show, among other site planning matters, the method by which waste material such as automobile oil, gasoline, lubricants, etc. and other chemicals are to be handled and disposed of so as to avoid groundwater contamination

4.11.4 Special Policy Areas

SECTION 5 TRANSPORTATION

5.1 GENERAL

- 5.1.1 The road network is shown on Schedule A. Provincial Highways and County Roads are labelled as such and are considered to form the arterial and collector road network within the Township. All Township roads are considered to be Local Roads. Minimum rights-of-way and standards are established for each class of road, as described below.
- 5.1.2 The reclassification of roads may be necessary from time to time in order to reflect changes in jurisdiction. Any such reclassification should be shown on Schedule A; however, it is not necessary to amend this Plan prior to reclassifying any road.
- 5.1.3 Roads improvements, such as widening, reconstruction, realignment, adding turning lanes, intersection improvements, and other traffic control measures should be made according to a schedule of priorities established by the various public agencies having jurisdiction over the roads. In general, priorities should be based on the nature and extent of any safety hazard and on traffic volumes. The schedules of road works to be undertaken by the Province, County and Township should also be consistent with one another.
- 5.1.4 Roadside tree plantings and vegetation cover shall be preserved, established and/or replaced as part of any road construction or reconstruction, for erosion control and aesthetic purposes.
- 5.1.5 Cycling and walking are recognized as modes of transportation which can play a positive role in improving mobility and quality of life as part of a transportation system.

5.2 PROVINCIAL HIGHWAYS AND COUNTY ROADS

- 5.2.1 The Township is served by Provincial Highway No. 7, and by County Road Nos. 1, 10, 15, 18, 21, 43 and 511. All of these roads have specific road classifications, with accompanying access and signage regulations, enforced by the Ministry of Transportation and the County of Lanark, respectively. Council shall cooperate with the appropriate level of government in establishing and maintaining the standards for these roads.
- 5.2.2 In reviewing development proposals on any lands fronting on the roads listed in Section 5.2.1, Council will request comments from the appropriate authority prior to making any decision.
- 5.2.3 Direct access to a Provincial Highway or County Road shall be restricted and shall be subject to the access control regulations of the Ministry of Transportation and the County, respectively. Applicants proposing to develop lands located along these roads shall be required to obtain the necessary entrance, building and land use permits in compliance with the respective regulations of the Ministry of Transportation and County prior to development or site alteration occurring.
- 5.2.4 All plans of subdivision, severances or site plans which are approved along a Provincial Highway or County Road shall be subject to a road widening dedication. The land dedication shall be as determined by the appropriate level of government.

SECTION 5 TRANSPORTATION

The owner will be required to pay all of the costs associated with the land dedication, in addition to providing the land.

5.2.5 The minimum right-of-way for a County Road is 26 m.

5.3 LOCAL ROADS

The primary function of a Local Road is to provide direct access to abutting properties. Generally, the volume of traffic will be low and the traffic will have its origin or destination on the road. Through-traffic should be discouraged. Local roads are under the jurisdiction of the Township.

5.3.1 All plans of subdivision, severances and site plans which are approved along a Township road, shall be subject to a road widening dedication sufficient to achieve the minimum right-of-way width established by this Plan.

5.3.2 The minimum right-of-way for Township roads shall be 20 m.

5.4 PROPOSED ROAD WIDENINGS

All Township roads shall be considered Designated Roads, pursuant to the site plan control policies of this Plan, and shall have a minimum width of 20 m. As a condition of site plan approval, road widenings may be required to bring Township roads up to the minimum required width, and may be taken in equal amounts from both sides of the road, except that when a road widening has been taken from one side of a Designated Road, then the required road widening shall be taken only from the other side of the road.

5.5 PRIVATE ROADS

5.5.1 The Township shall not be responsible for providing municipal services to those residents whose lots front on a private road, except garbage collection where the private roads are accessible. Those considering development along such private roads for waterfront lots, should consider such development in terms of the policies of Sections 3.5, 6.9 and 4.3.5.

5.5.2 Only Limited Services Residential development shall be permitted on existing private roads or unopened road allowances. Where the Limited Services Residential development is located on a private road, the minimum right-of-way width shall be 9 m. Where an existing private road does not meet the required minimum width, Council may require a widening to increase the right-of-way to 9 m, as a condition of development approval.

5.5.3 New private roads shall not be permitted, unless created by way of a common elements plan of condominium as per Section 4.3.5.1 of this Plan. The approval of a common elements condominium shall include the condition that all internal roads shall be constructed and maintained to a standard acceptable to the Township and its emergency services providers. Extensions to existing private roads shall not be permitted.

5.5.4 The Township will not assume any private roads which do not meet the standards of the Ministry of Transportation and the Township.

SECTION 6 IMPLEMENTATION AND ADMINISTRATION

6.1 GENERAL

This Official Plan shall be implemented by means of the powers conferred upon the Council by the Planning Act, The Municipal Act, and such other statutes as may be applicable. In particular, this Plan shall be implemented through Zoning By-laws, legislation pursuant to the Municipal Act, and the construction of public works.

6.2 ZONING BY-LAWS

6.2.1 General

It is intended that comprehensive Zoning By-laws shall be brought into effect in accordance with the provisions of the Planning Act within three years of the adoption, or comprehensive review, of this Plan, to implement the policies of this Plan. Such by-laws shall contain land use zones and will establish regulations to control the use of land and the character, location, and use of buildings and structures.

6.2.2 Holding Zones

6.2.2.1 It is the intention of Council to place certain lands within a holding category in the Zoning By-law when the principle of development has been established, in order to:

1. reserve their use until the necessary municipal services such as fire protection, road maintenance, library facilities and drainage facilities become available;
2. affect the phasing and/or proper design of large scale residential, commercial, or industrial development; and
3. ensure proper agreements are in place and that any required permits with respect to servicing or other matters have been obtained, pursuant to the policies of the Plan.

6.2.2.2 Land which is subject to holding provisions shall be identified in the Zoning By-law by an "h" symbol, in conjunction with the appropriate zone symbol denoting the eventual use of the land and shall be subject to the following policies:

1. Lands which are shown to be in a holding category shall generally be restricted to existing uses.
2. New development proposed on land zoned in a holding category shall not be permitted unless Council deems it appropriate to remove the "h" symbol through an amending By-law, in accordance with Section 6.2.2.3.

6.2.2.3 An application for removal of the "h" symbol shall be reviewed by Council in accordance with the following policies:

1. The proposed use shall conform to the requirements of the Zoning By-law;
2. The required municipal services are available or will soon be available;

SECTION 6 IMPLEMENTATION AND ADMINISTRATION

3. The necessary tests and reports have been prepared to prove to the satisfaction of the regulating agencies that the proposed development is feasible;
4. The financial requirements of the municipality have been fulfilled;
5. The phasing and design of the proposed development is to Council's satisfaction; and/or,
6. Any development constraints which have been identified can be overcome to the satisfaction of Council.

6.2.3 Interim Control By-law

Council may pass Interim Control By-laws to control the use of land, buildings or structures within designated areas of the Township, in accordance with the provisions of Section 38 of the Planning Act in order to prevent or limit development until detailed planning studies for the subject lands are completed and approved by Council. Any Interim Control by-law adopted by Council shall initially be in effect for a period of up to one year from the date of passing of the by-law but may extend for a maximum of one additional year.

6.2.4 Temporary Use By-law

- 6.2.4.1 Council may pass Temporary Use By-laws to permit temporary uses, in accordance with the provisions of Section 39 of the Planning Act. A temporary use may be permitted for a period of up to three years from the date of the passing of the by-law, except where the by-law is for the purpose of permitting a garden suite, in which case the temporary use may be permitted for a period of up to ~~ten~~ **twenty** years. Permission to extend a temporary use beyond the time period specified in the by-law may be granted by passing a further by-law, provided that no such by-law shall extend the permission beyond the maximum permitted time periods referred to above.
- 6.2.4.2 When considering a Temporary Use By-law, Council shall be guided by the following:
 1. The temporary use should not jeopardise the long term development of the land or surrounding area as intended by the policies of this Plan;
 2. The temporary use should be compatible with surrounding uses, or be made compatible through the provision of appropriate buffering; and,
 3. The by-law should contain adequate provisions to ensure that the use is terminated at the appropriate time.
- 6.2.4.3 Notwithstanding the generality of the foregoing, Council may permit the temporary use of a mobile home as a dwelling while a permanent residence is under construction.

6.3 DIVISION OF LAND

Lot creation generally takes place in two ways: by consent (severance) and by plan

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of subdivision. Development by plan of subdivision and plan of condominium generally provides for a more thorough and comprehensive review of development. However, under certain circumstances where a plan of subdivision or condominium is not necessary for proper and orderly development, a consent to a land conveyance may be granted.

The following policies apply to the creation of lots, in addition to any other specific policies contained elsewhere in this Plan.

6.3.1 General

The following policies apply to the creation of all lots, whether by plan of subdivision or by consent, in all land use designations:

1. The Hamlets as shown on Schedule A shall be the primary focus of growth. Outside of the Hamlets, lot creation shall occur on a limited basis. Prior to the approval of any new lot outside of a designated Hamlet, Council shall take into consideration the number of existing lots of record in the Township. Any proposed expansion to the boundary of a Hamlet or the establishment of a new Hamlet shall be considered in accordance with Section 1.1.3.9 of the Provincial Policy Statement and the policies of Section 4.2.4 of this Plan.
2. Lots should be created only in areas where the undue extension of any major service would not be required.
3. Lots should be created only when the land fronts on an existing public road which is of a reasonable standard of construction, except as permitted for Limited Services Residential, Tourist Commercial development and for certain rural uses as specified in this Plan.
4. The size of any lot that is created should be appropriate for the proposed use and no lot should be created which does not conform to the provisions of the Zoning By-law. Notwithstanding the foregoing, where the lot to be created is a waterfront lot, the lot size and waterfront setback may be increased beyond the minimum requirements of the Zoning By-law, as a condition of approval of the new lot, in accordance with the recommendations of the *Rideau Lakes Basin Carrying Capacities and Proposed Shoreland Development Policies* report, the findings of an Environmental Impact Study (where such a study is required by the policies of this Plan), and/or to satisfy Council that the plot plan for the proposed development is acceptable.
5. Where the size of an existing lot has been established on the basis of a hydrogeology and terrain analysis study, it shall not be further subdivided, regardless of the zone provisions of the zone in which it is located.
6. Direct access from Provincial Highways and County Roads shall be restricted in accordance with the regulations of the Ministry of Transportation and of the County, respectively. Residential lots, in particular, should have access only from Township roads.
7. Where a potential hazard exists due to unstable soils, steep slopes, flooding or similar characteristics, lots should not be created unless the lots and any

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- retained parcels contain sufficient area to accommodate the proposed use outside the limits of the potential hazard.
8. Lots should not be created where access would create a traffic hazard because of limited sight lines on curves or grades.
 9. The various minimum distance separations specified in this Plan shall be met.
 10. No lot shall be created which results in landlocking any parcel of land.
 11. Road widenings may be requested as a condition of any lot creation.
 12. Where a municipal or ward drain exists, a sufficient area shall be included in any new lot to allow access to the drain for operation and maintenance purposes.
 13. No lot shall be created unless there is confirmation, in accordance with applicable Ministry of the Environment Guidelines, that there is treatment capacity for hauled sewage from individual on-site or private communal sewage systems, as the case may be.
 14. Council recognizes that the Town of Perth has concerns regarding the principle of subdivision development based on private services on lands in proximity to areas intended for full municipal services within the Town. In the interest of facilitating the efficient use of resources, proponents of development on lands within 1 km of lands within the Town that are serviced or designated for fully serviced development are encouraged to communicate with the Town when either filing development applications or when undertaking consultation processes prior to the preparation of development applications.

6.3.2 Additional Policies for Consents

In addition to the policies of Section 6.3.1, the following policies apply to consents which are intended to create new lots for development. Where the consent is for technical purposes such as a lot addition, or is to create a right-of-way or easement for such purposes as a utility corridor, access, conservation use, etc., the applicable policies of this section apply. Otherwise, such consents shall be evaluated on the basis of policies of the land use designation(s) in which the land is located as well as the intent of the General Provisions policies contained throughout Section 3 of this Plan.

- 6.3.2.1 Except where otherwise specifically permitted elsewhere in this Plan, consents on lands which are designated Agricultural or on lands which are designated Rural but which are located on good agricultural land (Class 1 to 3 in the Canada Land Inventory for Agricultural Capability) in a predominantly agricultural area may only be granted for the following purposes:
 1. The creation of a new farm, provided the size of the new and residual farm parcel shall be appropriate for farming operations in the area and farming practices in the long term. In determining the appropriateness, parcel size should be sufficiently large to maintain flexibility for future changes to the type or size of agricultural operations.

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2. A farmer who enlarges his farm holding by acquiring an additional farm may sever a parcel of land upon which an existing farmhouse is made surplus. Such a parcel may include the barn and/or other outbuildings where their inclusion in the severed parcel results in a more logically or effectively shaped parcel. Where such severances are granted, a new dwelling shall not be permitted on the remnant parcel, and the remnant parcel shall be re-zoned as a condition of the severance to prohibit a new dwelling.
 3. A farmer may be permitted a severance to make minor boundary adjustments between farms provided that the net effect is the retention of two viable farm parcels and no new lots are created. Subsection 1 above should be consulted to determine appropriate farm parcel sizes.
- 6.3.2.2 Wherever possible, new lots created in accordance with the consent policies of this Plan shall be located on lands of lesser agricultural capability and in a location that will not adversely affect existing farming operations. In addition, these lots shall comply with the Minimum Distance Separation formula pursuant to the policies of Section 3.4.
- 6.3.2.3 Outside the designated Hamlets, consents are to be granted on a limited basis in accordance with the policies of Section 4.3.4.1 and 6.3.2.6. Further, consents should have the effect of infilling in existing developed areas and not of extending an urban area or existing strip development. In determining whether a consent will result in the creation or extension of strip development, the visual impact of the proposed development shall be assessed. Specifically, consents should not be granted on flat, open land, but rather in areas having natural tree cover, scenic views and/or rolling terrain where natural landscape features prevent extensive views of development, especially along straight stretches of road. Further, the existing vegetation and terrain should be disturbed as little as possible.
- 6.3.2.4 Consents for infill development may be permitted between two non-farm residences which existed on the date of adoption of this Plan which are separated by potential new lots of similar size, which are located on the same side of the road or right-of-way, and which are separated by not more than 120 m. Generally, a maximum of 2 infill lots may be created between two existing, developed properties.
- 6.3.2.5 In areas of extensive existing development, Council may require that a hydrogeological and terrain analysis study be carried out to determine the cumulative impact of the existing development prior to recommending any further consents.
- 6.3.2.6 Generally, the division of land by consent is intended for the creation of a limited number of lots. Where more than three lots (excluding the retained lot) have been created or are proposed to be created from an original parcel of land as it existed on January 1, 1979, development shall occur by plan of subdivision, pursuant to the policies of this Plan.

Notwithstanding the foregoing and subject to all other relevant policies of this Plan, more than three lots may be created by consent in circumstances where a plan of subdivision is not considered necessary such as, but not limited to:

1. blocks on a plan of subdivision which are planned from the outset to be further

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subdivided;

2. land which is designated Hamlet;
3. lots which had been previously severed and had subsequently merged in title may be re-severed provided that they meet the minimum requirements of the implementing Zoning By-law;
4. land which is to be developed for Limited Services Residential Development, pursuant to the policies of Sections 4.3.5 and 5.5;
5. large properties which front on two or more roads, such as through lots, where development along each road frontage can be considered on its own merits because of the distance separating the respective areas to be developed.

Where it has been deemed acceptable to create more than three lots by way of consent, Council may require some or all of the studies normally required to support applications for plans of subdivision. The studies required to support consent applications of more than three lots (excluding the retained lot) will be determined through consultation with the appropriate agencies (Conservation Authorities, Ministry of Natural Resources, etc.).

6.3.3 Additional Policies for Subdivisions and Condominiums

In addition to the policies of Section 6.3.1, the following policies apply to plans of subdivision and (common element) plans of condominium.

- 6.3.3.1 It shall be the policy of Council to recommend for approval only those plans:
 1. which comply with the technical requirements of the Planning and Condominium Acts and the policies of this Plan;
 2. which can be supplied with adequate services such as schools, fire protection, stormwater quality and quantity management, water supply and sewage disposal services, and road access and maintenance to the satisfaction of Council; and,
 3. which would not adversely affect the economy or the financial capabilities of the Township.
- 6.3.3.2 All plan of subdivision and condominium applications must be accompanied by a servicing options report, including preliminary stormwater management plans. Where development is proposed to take place on private services, a hydrogeology and terrain analysis study shall be undertaken to determine whether the land is, or can be made, suitable for private sewage disposal systems and whether there is an adequate supply of potable water.
- 6.3.3.3 Generally, all lots within a plan of subdivision or condominium shall front on an internal road network (public or private, as applicable). Where necessary for design reasons, Council may consider direct access to a Township road.
- 6.3.3.4 All roads within a subdivision or condominium shall be constructed in accordance with the standards of the Township.

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6.3.3.5 The maximum size for residential subdivisions shall generally be 30 lots. Where an applicant owns additional abutting land which is intended for future development, a concept plan for the overall development shall be submitted in order to properly assess the subdivision application and, in the case of a subdivision in the Rural designation, assist in determining whether the overall development is consistent with the intent of this Plan to limit residential development in the Rural area. Prior to proceeding to a new phase of development, at least 50% of the lots in the preceding phase must have been developed and the existing wells examined to the satisfaction of the Health Unit and Conservation Authority.

6.3.3.6 All developers shall be required to enter into a subdivision agreement with the Township in accordance with the Planning Act before final approval of the subdivision is recommended by Council. All applicants will be required, at a minimum, to post a performance bond, file a letter of credit, or provide other financial considerations to the municipality to ensure the conditions of the subdivision agreement are fulfilled.

6.4 EXISTING LAND USES

Any land use existing at the date of approval of this Plan that does not conform with the land use designations as shown on the Schedules to this Plan, as a general rule, should cease to exist in the long term. In special instances, however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that extensions and enlargements should be handled through Sections 34(10) or 44 of the Planning Act.

6.4.1 Zoning of Existing Non-conforming Land Uses

It is the intention of this Plan that any application, in accordance with Section 34(10) of the Planning Act, for the extension or enlargement of a use, which does not conform to the implementing Zoning By-law (hereinafter called a non-conforming use) and which existed at the time of passing of such By-law shall be dealt with in the following manner.

6.4.1.1 Council shall determine the feasibility of acquiring the property concerned at the time of application or possibly at some future date and of holding, selling, leasing or redeveloping the property in accordance with the provisions of the Planning Act. Special attention will be given to the feasibility of re-establishing the use under consideration in a different location where it would be able to perform and produce under improved conditions in accordance with the policies of this Plan.

6.4.1.2 If acquisition does not appear to be feasible, and if the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the non-conforming use, Council may consider the passing of a Zoning By-law pursuant to Section 34(10) of the Planning Act, and such By-law may then be passed without the necessity of amending this Plan providing it complies with the policies of Section 6.4.1.3.

6.4.1.3 Council, before passing such a By-law, shall be satisfied that those of the following requirements which are relevant to the specific application for the extension or enlargement of the non-conforming use are, or will be, fulfilled in order to safeguard

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the wider interests of the general public:

1. The proposed extension or enlargement of the non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of this Plan, and the requirements of the Zoning By-law applying to the area.
2. The proposed extension or enlargement shall be in an appropriate proportion to the size of the non-conforming use as established prior to the passing of the implementing Zoning By-law.
3. An application which would affect the boundary areas of different land use designations on the Schedules to this Plan will only be processed under these policies if it can be considered as a "minor adjustment" permitted under the flexibility clause of Section 7.1 of this Plan. A major variance will require an amendment to this Plan.
4. The characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generating capacity. No amendment to the Zoning By-law shall be made if one or more of such nuisance factors will be created or increased so as to add to the incompatibility of the use with the surrounding area.
5. The neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement and, wherever feasible, shall also be extended to the established use in order to improve its compatibility with the surrounding area.
6. Traffic and parking conditions in the vicinity will not be adversely affected and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and by improvement of sight conditions especially in proximity to intersections.
7. Adequate provisions have been, or will be, made for off-street parking and loading facilities.
8. Municipal services such as storm drainage, and roads, etc., are adequate or can be made adequate.

6.4.2 Minor Variances

The relevant policies of Section 6.5 shall apply to minor variances to existing land uses which do not conform with the land use designations as shown on the Schedules to this Plan.

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6.5 MINOR VARIANCE AND PERMISSION

Section 45 of the Planning Act concerns applications to the Committee of Adjustment. The Committee may authorize minor variances from the provisions of the Zoning By-law, provided the minor variance(s) is desirable for the appropriate development or use of the land building or structure, and provided the general intent and purpose of the Official Plan and Zoning By-law are maintained.

In considering a minor variance to an existing land use that does not conform with the land use designations as shown on the Schedules to this Plan, the Committee shall have regard to the policies of Section 6.4 of this Plan.

Where a minor variance is sought on a lot which is a waterfront lot, the following policies shall apply.

1. Minor variances for the enlargement or replacement of an existing building or structure shall not further reduce a deficient waterfront setback. Further, the addition or replacement should be located the greatest distance possible from the shoreline where there is sufficient room on the lot.
2. New development on existing lots of record may be granted a minor variance where it has been demonstrated that the greatest possible waterfront setback has been achieved.
3. Finally, the Committee may require, as a condition of granting the minor variance, that natural shorelines and native vegetation within the waterfront setback be re-established along those portions of the shoreline which are not used for marine facilities or access to the water.

6.6 SITE PLAN CONTROL AREA

6.6.1 Council may control the details and design of development projects through the use of a Site Plan Control Area By-law. The entire Township shall be considered a Proposed Site Plan Control Area except that the following uses shall be exempt from site plan control:

1. single-detached, semi-detached and duplex dwellings and buildings or structures accessory thereto in zones which permit residential uses as a principle use;
2. agricultural uses and buildings or structures accessory thereto; and
3. additions or alterations to any of the foregoing uses and to any buildings or structures accessory thereto.

6.6.2 Notwithstanding the specific exclusions set forth above, the following uses shall be subject to site plan control:

1. All non-residential development, multiple residential development and Mobile Home Development as specifically required under the policies of Section 4 of this Plan and not specifically excluded under Section 6.6.1.

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2. new intensive agricultural uses, such as a feed lot, mushroom farm, greenhouse, piggery, abattoir, commercial kennel and other similar uses;
3. accessory uses as permitted under Section 3.1 of this Plan;
4. all uses abutting a Township road which does not meet the minimum right-of-way width of 20 m;
5. all uses and proposed uses in a natural heritage feature or area and within 120 m of land designated Wetland;
6. all development within the floodplain or adjacent to a waterbody where the proposed development may have an impact on the ecological function of the waterbody;
7. all development adjacent to the Rideau or Tay Canals;
8. public utility installations.

6.6.3 It is the intention of Council to use site plan control as a planning tool complementary to the Zoning By-law to ensure that:

1. proposed buildings and structures are well sited vis-a-vis adjacent land uses;
2. design details, such as lighting, walkways, landscaping materials, stormwater management, etc., are adequate for the uses proposed;
3. the proposed development is built and maintained as approved by Council;
4. road allowances of adequate width are provided; and
5. the proposed development has a minimal visual impact on the major waterbodies in the Township and is developed in such a way so as to minimize adverse environmental impacts. In this regard, Council will seek to have all buildings and structures, including septic systems, set well back from the shoreline, and shall ask that in developing the site, the developer bear in mind the overall aesthetic appeal and environmental significance of the existing natural landscape and vegetation along the waterfront.

6.6.4 In imposing site plan control, Council will seek to regulate the general site design of the property and, where appropriate, the conceptual design of all buildings and structures on the property. Site plan drawings will be requested in all cases. Floor plan, elevation and cross-section drawings are not required for a proposed building which is to be used for residential purposes containing less than 25 dwelling units.

6.7 COMMUNITY IMPROVEMENT

6.7.1 It is the goal of Council to maintain, redevelop and rehabilitate the existing physical environment, as appropriate, in order to ensure the continued social and economic

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viability of the existing settlement areas of the Township, including residential, commercial, industrial and institutional areas and uses, and to support the Township's tourism and recreation uses and areas.

6.7.2 It is the intention of Council to develop a policy which will foster a program of continuous community improvements (as defined by the Planning Act) and which, when implemented, will fulfill the following objectives. Council shall endeavour to:

6.7.2.1. Foster improvements in residential areas by:

1. striving for an equitable distribution of social amenities in facilities which are well maintained, well located, and easily accessible by the Township's residents;
2. establishing and maintaining the physical infrastructure necessary and appropriate to the various residential communities. This may include the provision of sidewalks, street lighting, storm sewers, road widenings, etc.; and,
3. encouraging maintenance of the existing housing stock and encouraging the rehabilitation, renovation, and repair of older dwellings, and, where appropriate, supporting the conversion of older, large dwellings into multiple dwelling units to enable the creation of more rental housing.

6.7.2.2. Foster improvements in commercial areas by:

1. maintaining vibrant, attractive commercial areas by providing the necessary physical conditions to create pleasing shopping environments;
2. providing and maintaining incentives to support commercial areas, to foster a healthy local economy for area businesses; and,
3. providing and maintaining streets, sidewalks, lighting, benches, parking areas, etc. to ensure that commercial areas are accessible to both motorists and pedestrians.

6.7.2.3. Foster improvements in industrial areas by:

1. developing and maintaining industrial areas which facilitate the successful operation of the industries which they serve;
2. ensuring that proposed additions and alterations to existing industries generally enhance the area and are compatible with adjacent land uses; and,
3. ensuring that sewer and water services are of adequate size and capacity to serve the industrial uses.

6.7.2.4. Foster improvements, generally, in all designated areas throughout the Township so as to:

1. encourage the participation of the private sector in community improvement initiatives involving local merchants, businessmen, residents, and civic leaders;
2. ensure that the undertaking of specific community improvement projects does

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not unduly burden the financial capability of the Township. To this end, Council shall take advantage of the opportunities provided by Provincial and Federal governments for loans and grants; and,

3. encourage the rehabilitation of brownfield sites which are, or may be, contaminated, as well as the adaptive re-use of obsolete and under-utilized buildings.

6.7.3 In the selection of Community Improvement Project Areas, Council had regard to the criteria described below.

6.7.3.1. Consideration shall be had generally to deficiencies in the availability and/or condition of:

1. roads, with regard to their designated function as Provincial Highways, County Roads and Local Roads;
2. sidewalks and curbs;
3. street lighting;
4. buildings and structures, with regard to the purpose for which they were designed and the functions they presently serve;
5. services (sanitary sewage, stormwater management, water supply);
6. parking facilities (availability, accessibility);
7. waterfront access (where appropriate);
8. signs, (directional, traffic, advertising, etc.); and,
9. street furniture, including benches, garbage containers, etc.

6.7.3.2. Consideration of existing land uses in a potential Community Improvement Project Area shall include an analysis of the compatibility of land uses with regard to social, environmental and aesthetic concerns.

6.7.3.3. In residential areas, criteria in addition to those outlined in 6.7.3.1 and 6.7.3.2 above shall include:

1. an assessment of the age, condition, and size of existing houses by type and tenure;
2. a review of the range of existing services and social amenities, and the availability and accessibility of parks, playgrounds, walking and cycling areas, day care centres, community centres and other recreation facilities; and,
3. where applicable, regard for the proximity of potentially incompatible uses and the possible need for buffering.

6.7.3.4. In commercial areas, criteria in addition to those outlined in 6.7.3.1 and 6.7.3.2

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above shall include the following:

1. evaluation of the amount of vacant land and the number of vacant buildings;
2. evaluation of economic viability and review of recent retail activity;
3. review of the types of commercial establishments with regard to their needs for physical space for loading areas, parking, outdoor storage, etc.;
4. review of the mix of land uses to determine the extent and desirability of residential uses in commercial areas;
5. evaluation of the physical appearance of area, with particular regard to building exteriors, size and positioning of signs and billboards, condition of sidewalks, etc.; and,
6. review of the accessibility of buildings and structures for senior citizens and handicapped persons.

6.7.3.5. In industrial areas, criteria in addition to those outlined in 6.7.3.1 and 6.7.3.2 above shall include the following:

1. review of parking facilities, with specific regard for employee parking;
2. regard for the nature of the industrial establishment with specific concern for any environmental concerns (waste discharge, by-products, etc.); and,
3. suitability of a site for the type of use in terms of lot size, neighbouring uses, servicing, etc.

6.7.3.6. A Community Improvement Project Area shall be selected on the basis of the deficiencies manifested by an assessment of the criteria described herein.

6.7.4 The existing Hamlets, as designated on Schedule A, are designated as the Community Improvement Policy Areas of the Township. The identification of these policy areas was based upon the criteria established by Section 6.7.3 herein.

Council will undertake comprehensive and complementary improvements programs within the policy areas as financial resources permit.

6.7.5 Council shall establish Community Improvement Projects Areas, as local municipal resources may allow and as government funding becomes available. The following shall be considered as high priority areas for Community Improvement, due to their historic and economic significance to the Township.

1. Priority will be given to areas where deficiencies in the provision of such services as identified in Section 6.7.3 herein are the most critical.
2. Any of the designated Areas which are deemed to be rich in cultural or natural heritage features, such as established under Sections 3.6 and 3.13 herein, shall be considered a high priority area for community improvement, if the other criteria for selection are satisfied.

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- 6.7.6 In order to achieve the objectives for Community Improvement, Council intends to use a variety of implementation methods, and to choose the appropriate method(s) for each objective. Such methods may include, but are not limited to, the following:
1. designation of Community Improvement Project Areas by by-law;
 2. preparation and adoption of Community Improvement Plans;
 3. municipal acquisition of land within a Community Improvement Project Area;
 4. clearing, grading or preparing the land for community improvement;
 5. application to the appropriate government agency for funds to support the Township's program;
 6. enforcing by-laws dealing with property standards and enforcing the Township's policies for property maintenance and safe occupancy as described in Section 6.18 hereto;
 7. using incentive zoning techniques for infill development;
 8. enlisting the support of area businesses;
 9. encouraging rehabilitation at the private level by providing residents with information on government subsidies and programs in this regard;
 10. providing the framework for more flexible land use decisions by establishing mixed use zones in the implementing Zoning By-law, as deemed appropriate;
 11. encouraging re-development and infill development which is consistent with the natural and cultural heritage features of the designated areas; and,
 12. instituting the various financial incentives that municipalities are empowered to use to encourage private sector improvements.

6.8 ENVIRONMENTAL IMPACT STUDY AND ECOLOGICAL SITE ASSESSMENT

Where the policies of this Plan require an Environmental Impact Study (EIS) or Ecological Site Assessment (EcoSA) in support of an application for development or site alteration, Council and any applicable review agency or approval authority shall be provided with a study, prepared by a qualified expert, so that they can determine whether the proposed development or site alteration should or should not be permitted. In addition, the Algonquins of Ontario should be consulted on any EIS or EcoSA where areas of Algonquin interest or potential for aboriginal artefacts to be encountered have been identified.

6.8.1 Environmental Impact Study

The Township envisions the use of two types of Environmental Impact Studies when considering an application for development or site alteration: scoped and full, as follows.

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As a minimum, a Scoped Environmental Impact Study must be prepared for a proposed development project located within any of the Influence Areas referred to in Section 3.11 of this Plan. A Scoped Environmental Impact Study may also be required when a site inspection reveals that there may be a significant natural feature which could be adversely affected by the proposed development project. If, during the course of this analysis, it is determined that there may be potential negative effects or that there is a need for additional information to determine potential negative effects, a Full Environmental Impact Study shall be required.

The applicant will complete a Full Environmental Impact Study where it has been determined that one is required. Where a Full Environmental Impact Study is required in support of an application for development or site alteration, the applicant shall be responsible for the study, to be undertaken by a qualified expert at no cost to the Township. The applicant shall also be fully responsible for implementing the recommendations of the study as a condition of approval. The study, at a minimum shall:

1. research, identify and map the natural feature(s), values and functions that are potentially affected and describe the existing site conditions;
2. describe and map the proposed development activities, including building location, excavation, site grading, landscaping, drainage works, roadway construction, paving, and sewer and water services (if any) in relation to the natural feature(s);
3. predict the effects of the proposed development on the various components of the environment on the site such as wildlife, fish, vegetation, soil, surface water, groundwater, air and any other relevant factors, taking into consideration effects during and after site alteration;
4. evaluate the significance of all predicted negative and positive effects on the various environmental considerations;
5. itemize and recommend all measures that can be taken to reduce or mitigate the predicted negative effects, including a timetable for implementation;
6. evaluate the cumulative effect that the project (and any other known projects or activities) may have following implementation of any mitigation measures on the natural resource values and functions which make the natural feature(s) significant; and,
7. conclude with a professional opinion on whether negative effects will occur, the significance of such effects, and whether ongoing monitoring is required.

The Township may retain a qualified consultant to undertake an independent peer review of the report at the expense of the applicant. Council may consult with the relevant public agencies including Provincial Ministries, Conservation Authorities and Parks Canada prior to accepting the Environmental Impact Study.

6.8.2 Ecological Site Assessment

Endangered and threatened species are those species listed as such in the Species at Risk in Ontario list under the Endangered Species Act, 2007. The significant habitat

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of these species is protected under the Act and the policies of this Plan.

Potential habitat of endangered and threatened species have been identified by the Ministry of Natural Resources. An Ecological Site Assessment is required where development or site alteration is proposed within these areas or the adjacent Influence Area pursuant to the policies of Section 3.13.3 of this Plan.

6.9 WATERFRONT DEVELOPMENT

6.9.1 It shall be Council's policy to require an appropriate setback for all buildings, structures and septic systems and for site alteration or soil disturbance from the normal high water mark of a waterbody, and that buffering be provided within the setback, pursuant to Sections 6.9.2 and 3.5.2. Council shall require a minimum setback of 30 metres from the high water mark of a waterbody for all development, including the creation of new lot. For an existing lot of record where the 30 metres setback cannot be achieved, all development and site alteration, including septic tanks, must achieve the greatest possible setback and, in accordance with Policy 3.13.2.1, be supported by an Environmental Impact Study to demonstrate there will be no negative impact on the fish habitat or any other natural heritage feature or ecological function for which the area is identified. In the case of redevelopment of existing structures within the 30 metre setback, no further reduction in the deficient setback shall be permitted.

Alternatively, Council may require an increased setback in accordance with the findings of an Environmental Impact Study, where required by the policies of this Plan, the approval of the plot plan which is required under Section 6.9.2, and/or the recommendations of the *Rideau Lakes Basin Carrying Capacities and Proposed Shoreland Development Policies* report.

6.9.2 Prior to the issuance of a building permit, the applicant shall be required to submit a plot plan which illustrates the location of all buildings and structures on the lot, the proposed access to the shoreline, the extent to which the shoreline and shoreline vegetation within the waterbody setback is to be left undisturbed, and the mitigation measures to be implemented where the shoreline and shoreline vegetation within the watercourse setback have been previously altered or are disturbed as a result of a proposed development. This policy shall be reflected in the implementing Zoning By-law under the authority of Section 34 (1) 3.2 of the Planning Act. Applicants are encouraged to consult the appropriate Conservation Authority, Parks Canada in the case of land along the Rideau and Tay Canals, or other recognized professional in this regard. Prior to accepting a plot plan, Council may also consult these public agencies.

6.9.3 Large development proposals (i.e., greater than 5 lots, resort/condominium development, etc.) shall be supported by a site evaluation report that is prepared in consultation with the Ministry of the Environment to determine the impact of the proposed development on the water quality of the water body. Some factors that should be considered in the evaluation include the nature of the development, servicing, location of septic systems, stormwater management, topography, and the maintenance of trees and vegetation.

6.9.4 All shoreline and in-water works along the Rideau and Tay Canals require permits from Parks Canada, in addition to all other permits and approvals which are required

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under the policies of this Plan.

- 6.9.5 Written permission from the Conservation Authorities shall also be required for the straightening, changing or diverting, interfering with an existing channel of a river, creek, stream or watercourse.

6.10 RIDEAU CANAL MANAGEMENT PLAN AND WORLD HERITAGE SITE MANAGEMENT PLAN

The Canal is designated as both "Canadian Heritage River and National Historic Site" by the Canadian Government and "World Heritage Site" by UNESCO. Pursuant to these designations, Parks Canada has prepared the Rideau Canal Management Plan and the World Heritage Site Management Plan. When considering development proposals on and adjacent to the Canal, Council shall consider the recommendations and policies contained in these Plans and, without limiting the generality of the foregoing, shall be guided by the following policies.

- 6.10.1 The policies of Section 6.9 shall apply to all development proposals on or adjacent to the Canal.
- 6.10.2 Council may require an applicant to prepare a Heritage Impact Assessment prior to the approval of any development or site alteration within 30 m of the Rideau Canal or to abutting land owned by Parks Canada, in accordance with Section 3.6.2.6.
- 6.10.3 The confined nature of shallow channels and approaches to lockstations can result in safety and compatibility issues for boaters and landowners. A narrow channel is defined as a waterbody where the distance from shore to shore is 150 metres or less. Given the importance of ensuring public safety, the development of structures such as marine facilities will not be permitted in a narrow channel or an entrance to a lockstation where a hazard to navigation would result, as identified by the approval authority or Parks Canada, as applicable.
- 6.10.4 While the Rideau Canal does not experience boat capacity issues at this time, there are localized areas such as narrow channels, near existing marinas and in the vicinity of lockstations, where there is potential for boater conflicts. Proponents of large-scale water-oriented development projects shall consult with the approval authority and Parks Canada during the preparation of a concept to assess the effect of development on safe and enjoyable navigation of the Rideau Canal.
- 6.10.5 Where development is proposed in the vicinity of a lockstation, conditions may be imposed on the proposed development, including design guidelines, to ensure that the proposed development is compatible with the natural and cultural heritage features of the Canal.
- 6.10.6 All shoreline and in-water works require permits from Parks Canada, in addition to all other permits and approvals which are required under the policies of this Plan.

6.11 WATERSHED AND SUB-WATERSHED PLANS

6.11.1 Tay River Watershed Plan

The Rideau Valley Conservation Authority has prepared the Tay River Watershed

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Plan. When considering development proposals within this watershed, Council shall consider the recommendations and policies contained in the Watershed Plan.

6.11.2 Other Sub-Watershed Plans

1. The Otty Lake Association has prepared the Otty Lake Management Plan, in cooperation with the Townships of Drummond/North Elmsley and Tay Valley, with RVCA, MNR and MOE, and with other community partners. When considering development proposals within this watershed, Council shall consider the planning recommendations and policies contained in the Management Plan which are consistent with the policies of this Plan.
2. Should other similar watershed studies be prepared by qualified professionals and/or under the supervision of the appropriate public agencies, Council shall also be guided by the planning recommendations and policies contained therein which are consistent with the policies of this Plan when considering development proposals.

6.12 SOURCE WATER PROTECTION PLANS

The municipal water supply for both the Towns of Smiths Falls and Perth are located in close proximity to the Township boundary. Both Towns are currently preparing source water protection plans for their municipal water supply. Once completed, these plans will serve as the basis for restricting and/or prohibiting future development that may jeopardize the safe supply of water to these municipalities. If necessary, this Plan will be amended to implement the respective source water protection plans.

6.13 OFFICIAL PLAN AMENDMENTS

From time to time, changing conditions may require that this Plan be amended. Such Amendments shall be prepared and adopted by Council in accordance with the requirements of the Planning Act and its Regulations. When such an Amendment is adopted by Council, a corresponding Zoning By-law Amendment shall also be adopted, as required, so that the Zoning By-law remains in conformity with the Official Plan.

6.14 PUBLIC PARTICIPATION AND PUBLIC NOTICE PROCEDURES

- 6.14.1 Council intends to provide a public participation process which allows individuals and organizations affected by an Official Plan, a Community Improvement Plan, a Zoning By-law, and amendments and repeals thereto, to be made aware of planning proposals and to be provided an opportunity to express their views to Council. The requirements of the Planning Act and its related Regulations will apply to the public notification process unless the alternative procedures outlined in this Section are complied with.
- 6.14.2 Council shall make available to the public, planning documents specified in the Planning Act such as the Official Plan, Community Improvement Plans and Zoning By-laws to foster a greater awareness and knowledge of planning matters.

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- 6.14.3 In order to facilitate public participation, Council will employ appropriate methods at varying stages of the decision-making process which may include, but is not limited to, delegations to Committees of Council, formal and informal public meetings, open houses, workshops, displays, municipal-wide advertising, working committees, task forces, consultation with neighbourhood/ratepayers associations, and posting of affected properties.
- 6.14.4 A record shall be made of the public involvement and it shall be appended to the appropriate Plan, By-law, or Amendment.
- 6.14.5 Council may forego public notification and public meeting(s) in connection with Official Plan, Community Improvement Plan, and Zoning By-law changes which do not require formal amendments under the Planning Act. Changes to these documents which do not constitute bona-fide amendments are those which will not affect the policies and intent of these documents in any way whatsoever, and will be generally limited to the following:
1. altering the number and arrangement of any provision;
 2. altering punctuation or language to obtain a uniform mode of expression;
 3. correcting clerical, grammatical or typographical errors;
 4. inserting historical footnotes or similar annotations to indicate the origin and approval of each provision;
 5. transferring data or designations to new base maps; and,
 6. adding information to base maps.
- 6.14.6 In determining whether or not to forego public notification Council shall consider whether or not the change will affect the policies and intent of the Official Plan or Community Improvement Plan, or the provisions of the Zoning By-law in any material way, and shall make its decision by Council resolution.

6.15 PARKLAND

Additional parkland shall only be required where community development is taking place and, in this regard, Council shall take advantage of the parkland dedication (or cash-in-lieu payments) as provided in the Planning Act under Sections 42 and 51 when considering plans of subdivision and severances. Where development is large enough that the 5% parkland dedication would constitute an appropriate park size and where there is insufficient parkland available within a reasonable distance, Council shall require that land be dedicated for park purposes. However, where the lands to be conveyed are too small or there is already sufficient parkland in the vicinity, the cash-in-lieu payment should be required. This money shall be used for purchasing and developing park sites. Where sufficient parkland cannot be obtained through the parkland dedication provisions of the Planning Act, Council should set aside funds to acquire and develop the recommended parklands.

6.16 HOUSING POLICY

Since the Township does not have municipal water supply and sanitary sewer services, Council is constrained in the options that it has to ensure an adequate supply of affordable housing, pursuant to the Provincial Policy Statement.

Generally, the housing market in this region (Smiths Falls, Perth, Almonte and

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Carleton Place area) is currently considered to be affordable in terms of the Ministry of Municipal Affairs and Housing guidelines used to define affordability. Nonetheless, Council intends to monitor housing costs (ownership and rental) through the development approval process in order to promote an adequate supply of affordable housing during the period of this Plan and contribute toward ensuring that 25% of housing provided in the regional market area are affordable for low and moderate income households. Since interest rates are a significant contributing factor to the affordability of both ownership and rental housing, Council will closely monitor interest rates. Likewise, the Township also intends to monitor the impact of the new Harmonized Sales Tax on housing costs. In the event that there is a significant change in housing costs in relation to household income, Council will determine whether to intervene, and to what degree, in the design of proposed development projects.

6.16.1 Policies have been established in this Plan to address the issue of affordable housing as follows:

1. Multiple residential and mixed commercial/residential development are permitted in the designated Hamlets;
2. Accessory accommodation is permitted in all permanent single-detached dwellings in all areas except on lands designated Limited Services Residential;
3. Mobile Home Development is permitted in designated areas, in order to provide a lower cost option to the traditional single-detached dwelling; and
4. Residential subdivisions are permitted in the Rural area.

6.16.2 Council will adopt a Zoning By-law which implements the policies referred to in Section 6.16.1.

6.16.3 Council may consider preparing a Municipal Housing Statement in order to more precisely plan for the Township's housing needs.

6.17 LEGISLATION PURSUANT TO THE MUNICIPAL ACT

It is intended that Council shall review existing legislation, pursuant to The Municipal Act, governing site alteration and such uses as automobile wrecking yards, waste disposal sites, trailers and signs and, where necessary, amend existing by-laws or pass new by-laws as may be required to ensure such activities and uses are properly regulated and controlled.

6.18 PROPERTY STANDARDS BY-LAW

The Township does not currently have a property standards by-law under the Building Code Act. Council may consider adoption of such a by-law in future should it determine that there is a need and that the Township has the financial and staff resources to enforce such a by-law.

In the interim, Council will encourage land owners to maintain their properties in good repair. As well, Council will undertake to keep all municipally-owned properties

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and structures in a fit and well-maintained condition, and will provide or maintain such municipal services as public roads, sidewalks, parkland, community facilities, etc. in good repair

6.19 FINANCIAL CONSIDERATIONS

When considering development proposals, Council shall have regard to the financial position of the Township and shall attempt to secure and maintain a satisfactory ratio between residential assessment and industrial-commercial assessment. In this regard, the timing, nature and location of new development shall be such that the demand for municipal services is not excessive in relation to the taxable assessment.

The provision of services to all new development will, wherever possible, be the responsibility of the developer through an agreement with the Township.

From time to time, in consultation with the appropriate agencies, Council shall review any increase in municipal costs for the provision of services which is attributed to severance activity. The results of these reviews shall serve, in part, as the basis for Council's recommendations on severance applications and shall be made available to the Land Division Committee for use in evaluating severance applications.

6.20 PUBLIC WORKS AND CAPITAL WORKS PROGRAM

The implementation of the policies of this Plan which require the provision of municipal facilities and services will involve the Township directly in the financing of such projects. It is intended that Council, on the basis of the policies of this Plan, will establish a priority list for the implementation of these projects with cost estimates (land acquisition, construction and maintenance costs wherever possible). A five-year capital works program will then be developed which Council should carry out systematically. It is intended that the program will be reviewed annually as part of the capital budget procedure.

SECTION 7 INTERPRETATION

7 INTERPRETATION

- 7.1 It is intended that the boundaries of the land use classifications shown on Schedule A be considered as approximate and only where such boundaries are defined by roads, railways, rivers or other similar geographical features shall they be considered absolute. It is also intended that the location of roads as indicated on Schedule A be considered as approximate and not absolute. Therefore, amendments to this Plan will not be required in order to make minor adjustments to the approximate land use boundaries or to the location of roads, provided the general intent of the Plan is preserved. Such minor deviations will not be reflected on Schedule A.
- 7.2 It is also intended that all figures and quantities contained herein shall be considered as approximate only and not absolute. Amendments to this Plan will not be required for any reasonable variance from any of these figures and quantities, provided the general intent of the Plan is preserved.
- 7.3 Notwithstanding the generality of Section 7.2, no reduction is permitted to any of the Influence Areas which are referred to in this Plan.
- 7.4 Where any Act or portion of an Act is referred to in this Plan, such references shall be interpreted to include any subsequent legislation that may replace or revise the specified Act.

Appendix A

Provincial Policy Statement 2005

Definitions

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of flooding hazards, erosion hazards and/or other water-related hazards.

Adjacent lands: means

- a) for the purposes of policy 2.1, those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives; and
- b) for the purposes of policy 2.6.3, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

Adverse effects: as defined in the Environmental Protection Act, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

- a) in the case of ownership housing, the least expensive of:
 - 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
 - 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- b) in the case of rental housing, the least expensive of:
 - 1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - 2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Agricultural uses: means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Alternative energy systems: means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Areas of archaeological potential: means areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Areas of mineral potential: means areas favourable to the discovery of mineral deposits due to geology, the presence of known mineral deposits or other technical evidence.

Areas of natural and scientific interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Areas of petroleum potential: means areas favourable to the discovery of petroleum resources due to geology, the presence of known petroleum resources or other technical evidence.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resources: means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

Coastal wetland: means

- a. any wetland that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b. any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres

upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Comprehensive review: means

- a) for the purposes of policies 1.1.3.9 and 1.3.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
 - 1. is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
 - 2. utilizes opportunities to accommodate projected growth through intensification and redevelopment;
 - 3. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2;
 - 4. is integrated with planning for infrastructure and public service facilities; and
 - 5. considers cross-jurisdictional issues.
- b) for the purposes of policy 1.1.5, means a review undertaken by a planning authority or comparable body which:
 - 1. addresses long-term population projections, infrastructure requirements and related matters;
 - 2. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2; and
 - 3. considers cross-jurisdictional issues.

Conserved: means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

Cultural heritage landscape: means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

Defined portions of the one hundred year flood level along connecting channels: means those areas which are critical to the conveyance of the flows associated with the one hundred year flood level along the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where development or site alteration will create flooding hazards, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified mineral aggregate resources, as delineated in Aggregate Resource Inventory Papers or

comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: for the purposes of policy 1.4.1(a), means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g., secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated for the purposes of this definition.

Designated growth areas: means lands within settlement areas designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet been fully developed. Designated growth areas include lands which are designated and available for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source that may be impacted by activities or events.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include:

- a. activities that create or maintain infrastructure authorized under an environmental assessment process;
- b. works subject to the Drainage Act; or
- c. for the purposes of policy 2.1.3(b), underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to policy 2.1.4(a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Endangered species: means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Fish: means fish, which as defined in S.2 of the Fisheries Act, c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the Fisheries Act, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood fringe: for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

Flood plain: for river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a. Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b. Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 2. the one hundred year flood; and
 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the

shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, and flooding hazards along river, stream and small inland lake systems.

Floodway: for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Ground water feature: refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

Hazardous sites: means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property.

Hydrologic function: means the functions of the hydrological cycle that include the

occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Individual on-site sewage services: means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, under the Building Code Act, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a. redevelopment, including the reuse of brownfield sites;
- b. the development of vacant and/or underutilized lots within previously developed areas;
- c. infill development; and
- d. the expansion or conversion of existing buildings.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: for the purposes of policy 2.3.4.2, means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means

- a. in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or
- b. in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

Mine hazard: means any feature of a mine as defined under the Mining Act, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include mineral aggregate resources or petroleum resources.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

- a. lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act, or successors thereto;
- b. for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c. associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

Mineral deposits: means areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae: means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multi-modal transportation system: means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

Municipal sewage services: means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002.

Natural heritage features and areas: means features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant habitat of endangered species and threatened species,

significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of natural heritage features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

Negative impacts: means

- a. in regard to policy 2.2, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;
- b. in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; and
- c. in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

Normal farm practices: means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the Oil, Gas and Salt Resources Act, or any related disturbance of the ground that has not been rehabilitated.

One hundred year flood: for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a. for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b. in the connecting channels (St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c. for large inland lakes, lake levels and wind setups that have a 1% chance of being

equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than flooding hazards and wave uprush which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a. municipal sewage services or private communal sewage services and individual on-site water services; or
- b. municipal water services or private communal water services and individual on-site sewage services.

Petroleum resource operations: means oil, gas and brine wells, and associated facilities, oil field brine disposal wells and associated facilities, and facilities for the underground storage of natural gas and other hydrocarbons.

Petroleum resources: means oil, gas, and brine resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Planned corridors: means corridors identified through provincial plans or preferred alignment(s) determined through the Environmental Assessment Act process which are required to meet projected needs.

Portable asphalt plant: means a facility

- a. with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b. which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

- a. with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b. which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where prime agricultural lands predominate. This includes: areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land: means land that includes specialty crop areas and/or Canada Land Inventory Classes 1, 2, and 3 soils, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002 that serves six or more lots or private residences.

Protected heritage property: means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, erosion hazards and other water-related hazards, and to allow access for their maintenance and repair.

Provincial and federal requirements: means

- a. in regard to policy 1.8.3, legislation and policies administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy facilities and ensuring that the necessary approvals are obtained; and
- b. in regard to policy 2.1.5, legislation and policies administered by the federal or provincial governments for the purpose of the protection of fish and fish habitat, and related, scientifically established standards such as water quality criteria for protecting lake trout populations.

Provincial plan: means a plan approved by the Lieutenant Governor in Council or the Minister of Municipal Affairs and Housing, but does not include municipal official plans.

Public service facilities: means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include infrastructure.

Quality and quantity of water: is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Recreation: means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development,

personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

Regional market area: refers to an area, generally broader than a lower-tier municipality, that has a high degree of social and economic interaction. In southern Ontario, the upper or single-tier municipality will normally serve as the regional market area. Where a regional market area extends significantly beyond upper or single-tier boundaries, it may include a combination of upper, single and/or lower-tier municipalities.

Renewable energy systems: means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.4.1(e), reserve capacity for private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated or disposed of at sites approved under the Environmental Protection Act or the Ontario Water Resources Act, but not by land-applying untreated, hauled sewage.

Reserve water system capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

Residence surplus to a farming operation: means an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a. redevelopment, including the redevelopment of brownfield sites;
- b. the development of vacant or underutilized lots within previously developed areas;
- c. infill development;
- d. the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e. the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means lands in the rural area which are located outside settlement areas

and which are outside prime agricultural areas.

Secondary uses: means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

Sensitive: in regard to surface water features and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a. built up areas where development is concentrated and which have a mix of land uses; and
- b. lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.

Sewage and water services: includes municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services, and partial services.

Significant: means

- a. in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b. in regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- c. in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history;
- d. in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and

- diversity of an identifiable geographic area or natural heritage system;
- e. in regard to mineral potential, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index;
 - f. in regard to potential for petroleum resources, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time; and
 - g. in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(g) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site. For the purposes of policy 2.1.3(b), site alteration does not include underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as in the Mining Act. Instead, those matters shall be subject to policy 2.1.4(a).

Special needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly.

Special policy area: means an area within a community that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development. The criteria and procedures for approval are established by the Province.

A Special Policy Area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plain.

Specialty crop area: means areas designated using evaluation procedures established by the province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

- a. soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
- b. a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

Surface water feature: refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species: means a species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

Transportation systems: means a system consisting of corridors and rights-of way for the movement of people and goods, and associated transportation facilities including transit stops and stations, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, intermodal terminals, harbours, and associated facilities such as storage and maintenance.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

Watershed: means an area that is drained by a river and its tributaries.

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer

exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.