



**OFFICIAL PLAN**  
**FOR THE**  
**UNITED COUNTIES OF STORMONT,**  
**DUNDAS AND GLENGARRY**

**Adopted by the Council of the United Counties of Stormont, Dundas and  
Glengarry July 18, 2005**

**Approved by the Ministry of Municipal Affairs and Housing August 18, 2006**

**July 2009 –The following text represents an unofficial consolidation  
of the MMAH Approved text updated to include the  
Ministry Modifications, Amendments and OMB Decisions.**

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## List of Amendments

OPA 1	Dec. 11, 2006	<p>Corrects and incorporates the errors and omissions in the text, schedules and modifications to the County Official Plan as approved by MMAH on August 14, 2006.</p>
OPA 2	OMB April 10, 2008	<p>Approved by MMAH on December 11, 2006 Identifies a Special Policy area in the Township of South Glengarry previously known as the Bainsville Bay/Pointe Mouillée Policy Area. Through OPA No. 4 to the former Township of Lancaster Official. OPA 2 to the County Plan was approved on May 1, 2007 by MMAH and modified by the Ontario Municipal Board on April 10, 2008.</p>
OPA 3	January 18, 2007	<p>Adds to Item 229 to Table 9.1 – Special Land use Districts. Approved by MMAH with modifications on January 18, 2007</p>
OMB Decision No. 2505	Sept. 12, 2007	<p>Four of the six appeals to the MMAH approval of the County Plan were resolved through this decision. The decision was in two parts, the September 12, 2007 document and the follow-up document issued November 10, 2007. The follow-up contained the details of the decision.</p>
OPA 4	June 18, 2008	<p>Re-designates an area on Land Use Schedule A3 Township of North Stormont from “Agricultural Resource Lands” to “Rural District.” This amendment will resolve the only outstanding appeal to MMAH approval of the OP.</p>
OPA 5	January 26, 2009	<p>Adds Item 351 to Table 9.1 – Special Land Use Districts Approved by MMAH January 26, 2009</p>

# United Counties of Stormont, Dundas and Glengarry

## OFFICIAL PLAN

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### SECTION 1 – INTRODUCTION

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#### 1.01 OVERVIEW

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The United Counties of Stormont, Dundas and Glengarry enjoys a strategic location in eastern Ontario. It lies within commuting distance of Ottawa, Gatineau, Montreal and Cornwall, with a combined market area of over 3 million people. The most significant rail, highway and water transportation corridors in Canada pass through its borders. A direct bridge link to the United States strongly favours export based businesses in the United Counties.

The County is rich in its multi-cultural character, its Loyalist heritage and in the diversity of its rural and small urban landscapes. The by-ways and water ways of the County provide attractive residential settings for residents, newcomers and retirees alike. The area's agricultural roots are evidenced by many prosperous farms that dot the county side. Juxtaposed with a resource base of agriculture, mineral aggregate extraction and forestry, is a thriving manufacturing and retail trade sector. High technology is an evolving sector as the County strives to further diversify its economic base.

The County is characterized by a mature settlement pattern, a full range of public service uses and a level of municipal services, commensurate with local needs. Municipal restructuring in 1998 has streamlined the delivery of these services.

The intent of this Plan is to establish a policy-driven framework for land use planning for the County and the six townships in the County. The new Plan provides the opportunity to accentuate the best attributes and amenities of the Counties; to foster a progressive approach to community and economic development within an environmentally friendly context; to provide for the wise utilization of renewable and non-renewable resources; and to streamline the planning approvals process.

#### 1.02 PROVINCIAL ROLE IN LAND USE PLANNING

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Ontario's planning system has changed in recent years. The thrust of the *Planning Act* is to eliminate provincial approval of local planning decisions, while maintaining a supportive rather than directive provincial presence in the land use planning process. This will be done through timely and consistent interpretation and advice, policy development, training, technical input, shared data and information, a reduced and streamlined review function, a provincial one-window appeal of planning documents and the delegation of provincial approval functions.

With the approval of the County Official Plan and the assumption of municipal plan review by the County, the provincial role will change. The province will focus on assisting the County to establish a responsible land use decision-making process, will transfer relevant data and will continue to provide training and technical support.

The province will continue to be responsible for the approval of any new County Plan and will be the approval authority for amendments to the County Plan, although they may exempt any or all amendments from the requirement for provincial approval. Under an exemption system, the County would coordinate the review and processing of amendments to the County Plan and any appeals. Upon an appeal, the province may be required to defend its own decision as the approval authority. The province may participate in a hearing to protect a provincial interest, or they may assist the County when the County's decision is appealed.

Responsibilities administered by the province have or will be devolved to the County. This includes approval of official plan amendments to local official plans or exemption for amendments to the County Plan, subdivision, condominium and part-lot control and validation of title.

### **1.03 COUNTY ROLE IN LAND USE PLANNING**

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The County Official Plan is an upper tier Plan that has been designed to provide a detailed set of policies that reflect provincial, county and local interests. It is recognized that interests may be articulated through Local Municipal Plans and Secondary Plans. Local Municipalities, for the most part, will rely on the County Plan as a single tier Plan. It is recognized that the Township of North Glengarry adopted a local Official Plan recently i.e. August 2000 and intend to maintain that Official Plan as a Local Official Plan under the County Official Plan. The Plan is also intended to give guidance to the formulation of more detailed policies for community development either by amendment to the County Plan or through the adoption of a lower tier Official Plan under Section 17 of the *Planning Act*. Where a local official plan is adopted, it will be required to comply with the County Plan.

With the approval of the County Official Plan, the County will assume responsibility for municipal plan review. This means that the County will act on behalf of the province in protecting provincial interests as well as ensuring that local interests are reflected in land use planning decisions. The County will continue to be the approval authority for consent applications and plans of subdivision and will assume the Provincial One Window Planning Approach, coordinating the comments of Ministries and Local Agencies. The County will approve amendments to local official plans, as long as local plans remain in effect, or to new plans which are adopted and to the processing of amendments to the County Plan. In this regard, it is the intent of the County to seek exemption status. While development control will be a Local Municipal responsibility, the County may use site plan control where County Roads are affected.



Under municipal plan review, the County will co-ordinate a provincial review for all provincial policy interests. These interests are, for the most part, set out in the Provincial Policy Statement and shall act as a clearing house for coordinating the Province's as well as other public agencies' comments on planning applications. The *Planning Act* requires that planning authorities (municipalities) to "shall be consistent with" to the Provincial Policy Statement in all land use planning decisions i.e. subdivisions, consents, zoning by-law amendments etc.

Local Municipalities as well as applicants will be encouraged to pre-consult with the County prior to submitting a development application e.g. for an official plan amendment, subdivision or consent. This will ensure that provincial, County and Local Municipal interests are adequately reflected in the preparation of planning documents and before decisions are made. This is also a way to avoid potential disputes or appeals later in the process. The County will ensure that planning applications conform to the County Plan and to any local official plan.

The County will seek information or technical assistance from provincial Ministries and other agencies, where appropriate, prior to making any decision. This may also include a peer review of technical studies e.g. hydrogeology, stormwater management, impact assessments submitted in support of an application. The County will issue a notice of decision where it acts as the approval authority.

The County will be responsible for the periodic review of the Plan and may be pro-active in undertaking/facilitating amendments in response to changing circumstances. (See also **Section 1.07**)

The County, in assuming a greater mantle of responsibility, will be in the position to implement features of the new Plan. Examples include: undertaking specialized studies (servicing, housing, *natural heritage features*); preparing secondary plans; developing groundwater management tools; facilitating economic development initiatives; facilitating decision-making through the use of a geographic information system (GIS) etc. The County will also build a data base over time that will enhance the land use decision-making at the County and Local Municipal level.

#### **1.04 MUNICIPAL ROLE IN LAND USE PLANNING**

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Local Municipalities will play a vital role in the implementation of the County Official Plan through the day-to-day decisions they make on planning applications, in issuing building permits, in the construction of infrastructure and in facilitating community economic development.

From the land use planning perspective, Local Municipalities will continue to be responsible for development control. This means that they will update and/or adopt zoning by-laws to conform with the County Plan and to an implementing local official plan. They will process amendments to those zoning by-laws in response to development

applications. Local Municipalities will also be responsible for site plan control, for granting minor variances, for granting permissions for non-conforming uses, for the administration of subdivision and development agreements and for property standards. They may adopt other by-laws that implement and conform with the County Official Plan. Public works will also be required to conform with the County Official Plan.

Municipalities will also be responsible for processing official plan amendments to local Official Plans. These may result from development applications or as an initiative of a Local Municipality e.g. secondary plan. These may also include amendments needed to bring local Official Plans into conformity with the upper tier Plan. Any amendments to local Plans are subject to approval by the County.

## **1.05 AGENCY ROLE IN LAND USE PLANNING**

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Mod #1

There are many stakeholders in the land use planning process. Examples include conservation authorities, a health unit, utility companies (hydro, gas, pipelines, cable), transportation services (rail, Seaway authority, Coast Guard, airport authorities), St. Lawrence Parks Commission, ~~Local Architectural Conservation Advisory Committees~~ *Municipal Heritage Committees (formerly Local Architectural Conservation Advisory Committees)*, local environmental groups, etc. These agencies have vested interests as well as responsibilities that affect land use decisions. Their role is primarily to provide comments on applications and to provide information or technical input. Some of these agencies may have been permitting power under various legislations e.g. Flood and Fill Permits from Conservation Authorities.

As part of the land use planning process, the County or Local Municipalities will pre-consult or circulate to affected agencies. Agencies will provide timely input based on their respective mandates. They may request that conditions be imposed as a condition of approval. Such conditions may involve the preparation of technical studies or providing information which, in turn, would be reviewed by an agency.

Conservation Authorities play a key role in the land use planning process in the Counties. The Raisin Region Conservation Authority and the South Nation Conservation are watershed based organizations that review development applications with respect to natural hazards and natural heritage features. Conservation authorities provide Local Municipalities with technical assistance and peer review services related to water resource management, flood control, forestry, fish habitat, drought response environmental impact assessment and groundwater management. Conservation authorities utilize a science based approach to water shed management through the collection of information, maintenance of data bases on water resources, monitoring and assessing the state of the natural environment.

## 1.06 TITLE, COMPONENTS AND FORMAT

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### 1. Title

Mod #2

This policy document shall be known as the “Official Plan for the United Counties of Stormont, Dundas and Glengarry” and shall be known or referenced as the County Official Plan, *the County Plan*, the Official Plan or the Plan.

### 2. Components

The Official Plan consists of a text and **Schedules** which make up the **Land Use Plan**.

The Plan contains explanatory notes, references to other documents, illustrations and appendices. These do not constitute a formal part of the Plan, unless specified, but are included to assist the public and administrators of the Plan to better understand the document.

### 3. Format

Each major policy section of the Plan has a similar format. This consists of an introduction, a description of the intent of the section, a goal, objectives, policies, implementation features and consultation. Since many policies of the Plan are inter-related, cross references are provided for the convenience of the reader.

For the convenience of the reader, all federal and provincial statutes and regulations referred to in this Plan, are shown in *italics*. Cross references are shown in **bold script**. Words shown in **bold italicised script** are words defined in the Provincial Policy Statement or are other definitions that are intended to clarify words or terms used in this Plan. ~~Provincial statutes are shown in italicised script.~~

Mod #3

As a policy document, this Plan does not set out an extensive list of quantities or figures i.e. separation distances, influence areas etc., unless the figure or quantity is crucial to the substance of the policy. Reference is made, rather to provincial and other guidelines and reference documents which are universally available as planning tools to municipalities in setting out the specific regulatory controls typically found in zoning by-laws, site plan control standards, licensing statutes and other municipal by-laws.

## 1.07 PLANNING PERIOD AND REVIEW

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The Planning Period for this Official Plan is intended to be approximately 20 years (2005-2025). The Plan will be subject to a review from time-to-time to ensure that the goals and objectives are being achieved and the policies are practical. ~~It is the intent of County Council that a special public meeting be held~~ *County Council shall hold a special*

Mod #4

*public meeting* not less frequently than once every five years pursuant to Section 26 of the *Planning Act* to determine the need for a review of the Plan. As part of the review County Council shall have regard to the Provincial Policy Statement in effect at that time. This will not limit the County from initiating an amendment to the Plan at any time in response to a development application or to introduce new policies or changes to the schedules to the **Land Use Plan**.

## 1.08 AMENDMENTS TO THE PLAN

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1. Applications for amendments to this Plan by the public, a public body or amendments initiated by County Council or a Local Municipality will be considered in accordance with the requirements of the *Planning Act*. Applications submitted by the public or a public body must be complete and where required by this Plan, shall include technical studies, reports or other information to enable the County to determine conformity with the policies of the Plan (see also **Section 8.14.1**).

Until such time as the County is granted the authority for exemption of approval of amendments to the County Plan, the Province will continue to approve all amendments as per the requirements of the *Planning Act*.

2. In the course of preparing or reviewing an amendment, County Council will pre-consult with the appropriate approval authority, where applicable, and will convene at least one public meeting, notice of which shall be given to the persons and public bodies as required by the *Planning Act*. County Council will provide or make available adequate information prior to a public meeting such as a copy of the amendment or a planning report. County Council may decline to have a meeting if they refuse to adopt an amendment requested by a person or public body or the application is not deemed to be complete.

County Council, or County staff in consultation with the Local Municipalities, may establish procedures for advertizing and for the location of public meetings on amendments to this Plan. Such procedures shall generally be based on the following criteria:

- A. Public meetings will normally be held by County Council or a Committee of County Council where a proposed amendment affects more than one municipality or has County-wide implications.
- B. Public meetings will normally be held by a Local Municipal Council or a Committee of a Local Council where a proposed amendment directly affects only one Local Municipality.
- C. Public meetings for a site specific or general amendment will be advertized in accordance with the requirements of the *Planning Act*.
- D. Information related to any amendment will be made available in advance of a public meeting in the municipal office of any Local Municipality

affected by the amendment as well as in the County Administrative building.

- E. One or more Local Municipalities may conduct a public meeting on behalf of and at the request of County Council or County staff.

Local Municipalities are encouraged to combine public meeting notices and public meetings where there are amendments e.g. local official plans, zoning by-law amendments, or other planning applications that are related to a proposed County Official Plan amendment.

Mod #5

Where there are changes to the proposed Official Plan amendment, as a result of a public meeting, Council may ~~wish to~~ hold another meeting to obtain further public input.

- 3. Amendments will be required for a change in a land use designation as shown on the **Land Use Plan Schedules** or for a change in the substance of the policy or text of the Plan. An amendment will not be required for typographic changes, numbering, metric conversions, formatting or clarification of the Plan, provided there is no substantive change to the policies. No amendment will be required where the colours or graphic patterns or symbols of a land use designation or constraints layer is changed provided that the names and the actual boundaries of the designation or constraints layer is not altered. Regard shall also be given to **Section 1.10 - Interpretation** in considering the need for an amendment. (See also **Section 3.06.8 - Secondary Plans**.)

## **1.09 AGENCY NAMES AND RESPONSIBILITIES**

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From time to time, the names of various government or other agencies may change. In addition, responsibilities may shift from agency to agency. The names of various government organizations or agencies responsible for the many programs, regulations and approvals given in this Plan are as of the adoption date of this Plan. It is not intended that the Plan be amended each time a name change or change in responsibility occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, and to their successors, as conditions or circumstances dictate.

## **1.10 INTERPRETATION**

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### **1. Boundaries**

It is intended that the boundaries of the land use designations shown on the **Land Use Plan Schedules** are to be considered as approximate. Boundaries are to be considered absolute only where clearly bounded by roads, railways, rivers or streams or other distinctive geographical barriers. Amendments to the Official Plan will not be required in order to make minor adjustments to the boundaries of land use designations or features or other symbols nor to the location of roads, provided that in

all cases, the general intent of the Plan is preserved. Such minor deviations may not be reflected on the **Land Use Plan Schedules**.

## **2. Figures and Quantities**

It is intended that all figures and numerical quantities, where they may appear in this Plan, shall be considered as approximate unless otherwise stated. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures or numerical quantities.

## **3. Land Use**

For the purposes of this Plan, it is interpreted that a legally existing use, or a legal non-conforming use as of the date of adoption of this Plan, refers to the land presently or actually in use and not necessarily the total land area or land holding of the property owner. (Example: *one hectare of a 40 ha parcel is used for a sawmill while the balance of land is vacant, hence the industrial use would be interpreted to apply only to the one hectare.*) This Plan is not intended to recognize or endorse the use of land for any illegal land use, existing or otherwise.

## **4. Accessory Uses, Buildings and Structures**

It is intended that buildings, structures, uses etc., that are normally incidental, accessory or essential to a permitted use will also be allowed even though they may not be specifically stated or identified in the land use policies of this Plan. (Examples: *a detached garage or swimming pool accessory to a residential dwelling; an administrative office accessory to a campground or retail business.*) Where the policies of this Plan specifically affect or control the development of accessory, uses, buildings or structures, **development** shall only occur in conformity with those policies. (Example: *construction of a dock or boat house may not be permitted without the appropriate environmental impact assessment, even though the primary use may have been approved.*)

## **5. Permitted Uses**

Where examples of permitted uses are provided for in the land use policies of this Plan, it is intended to indicate the possible range of uses considered appropriate and is not to be interpreted as all-encompassing or all of the possible uses unless otherwise stated as such. However, any proposed uses not listed shall only be permitted where they are determined to be in conformity with the general intent and policies of the land use designations of this Plan.

Local Municipalities may recognize existing uses in the zoning by-law, notwithstanding that the use may not be permitted under the applicable land use designation.

## **6. Legislation**

Where an *Act* or portion of an *Act* is referred to in this Plan, such references will be interpreted to include any subsequent legislation that may supersede the *Act* so named.

## **7. Interpretation Act**

The *Interpretation Act* may be used as a guideline in the interpretation or meaning of words or terms, the severability or validity of policies, implied provisions, and repeal.

## **8. County and Municipality**

Where the term ‘Municipality’ is used in this Plan it is intended to mean both the County and Townships. Where reference is made to Local Municipalities, it is intended to mean the ‘Townships’.

## **9. Provincial Policy Statement**

The “Definitions” set out in the Provincial Policy Statement (of March 1, 2005) shall apply to those same words and terms used in this Plan. (*Note: words and terms which are defined appear in italicized bold script in this Plan.*) Amendments may be made to the Provincial Policy Statement from time-to-time. It is the intent of this Plan that Planning applications ‘shall be consistent with’ the Provincial Policy Statement in effect at the time the application is made.

## **10. Reference to Original Documents**

Where reference is made in this Plan to an original document e.g. floodplain mapping, Estimated Aquifer Vulnerability mapping, etc., which provides more accurate information in the interpretation of this Plan, reference shall be made to the original document, where necessary, in implementing the policies of this Plan.

## **11. Use of Italics**

Text shown in ‘*italics*’ in brackets ‘( )’ describe examples and are provided for information purposes and do not form part of the Official Plan.

### **1.11 CONFORMITY OF OFFICIAL PLAN OR ZONING BY-LAW OF A LOCAL MUNICIPALITY**

---

1. Any official plan or amendment of an official plan adopted by the Council of a Local Municipality in the United Counties of Stormont, Dundas and Glengarry shall conform to the County Official Plan when the Plan comes into effect as the Official Plan of the County.



2. Official plan or zoning by-laws of a Local Municipality, or amendments thereto, shall be brought into conformity as soon as possible after the County Official Plan comes into effect where the local Official Plan or zoning by-law, or amendments thereto, do not conform with the County Official Plan.
3. In the event of a conflict between a local official plan and the County Official Plan, the County Official Plan shall prevail to the extent of such conflict. In all other respects, the local official plan shall remain in full force and effect. This policy shall not limit the authority of a Local Municipality to set out a higher standard (*example: require a larger minimum lot area for new development*).

Mod #6



## SECTION 2 – PURPOSE AND BASIS

### 2.01 PURPOSE

Mod #7

The purpose of the Official Plan is to set out goals and objectives for development in the County for the next 20 years (~~2004-2024~~) (2005-2025) while having regard for the effects on the social, economic and natural environment of the municipality.

### 2.02 BASIS

#### 1. General Interpretation

The projections in this section were taken from Issue Paper # 1 prepared by Strategic Projections Inc. in April 2000 as a background study to the Official Plan. The population growth and housing projections were based upon the studies used to prepare Issue Paper # 1. These projections were intended to be guidelines only and do not constitute policies or targets. Local Municipalities may rely on other sources for their projections such as Local Official Plans or Secondary Plans. It is also the intention of this Plan that the projections be updated on a periodic basis such as and including any five year review of this Official Plan.

"An Official Plan shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality" and "may contain a description of the measures and procedures proposed to attain the objectives of the Plan and procedures for informing and obtaining the views of the public in respect of a proposed amendment to the Official Plan or proposed revision of the Plan or in respect of a proposed zoning by-law". Also, "the Council of a municipality may elect to follow the prescribed processes and develop materials prescribed for the preparation of an Official Plan".  
(*Planning Act, Section 16*)

#### 2. Population

The population of the United Counties in 2000 was estimated to be 65,750 and grew by 15.7% between 1986 and 2000. This contrasted a provincial growth rate of 24.9%. The fastest growing areas were those bordering the St. Lawrence and those within the commuter shed of Ottawa and Montreal. With a projected employment decline in the manufacturing and agricultural economic sectors across Canada and in the County, population growth will be dependent on job growth in other economic sectors such as tourism, adult community development (retirement-based development) and high technology. Growth in these sectors is the basis of a 'diversification' model where projected growth in the United Counties over the period to 2001-2021 will increase from 66,902 to 78,920, or 12,017.

The distribution of growth will be dependent on land use planning considerations but is projected as:

- South Dundas 2,216
  - North Dundas 1,516
  - South Stormont 2,167
  - North Stormont 478
  - South Glengarry 2,551
  - North Glengarry 3,089
- 12,017

The 'diversification model' and population projections are explained in Issue Paper #1: Population and Employment, April 3, 2000.

### 3. Public Services and Infrastructure

Efficient and cost-effective development is dependent on the availability and capacity of services. Currently, 29.8% of the population is serviced by piped water supply systems and 31.2% by piped sewer systems. While most serviced areas have residual capacity, Morrisburg, Alexandria and Glen Walter have significant limitations. Storm water management facilities consist of a mix of piped services and overland drainage. Of 15 land fill sites seven have a life expectancy of less than 10 years and the balance from 16 to 30 years or more. The County is serviced by an extensive network of roads of which 976.7 km are maintained by the United Counties. Access controls apply to all roads. Other transportation and communication services include air and rail, snowmobile and recreational trails, an extensive hydro power grid and telephone, cable and fibre optics lines. The current installation of fibre optic lines is seen as fundamental to encouraging economic development. Public services also include a mature level of emergency services (police, fire and ambulance), hospitals, educational facilities and a County library service with 20 branch libraries.

A detailed inventory of the public services and *infrastructure* in the County is contained within Issue Paper # 2: February, 2001.

To accommodate projected growth over the 20 year planning period, the strategic investment in improvements or expanded capacity will be required for a number of the *public service* and *infrastructure* facilities. The basis for development will be to optimize the use of *public services* and *infrastructure* with sufficient residual or planned capacity and to recapture capacity through retrofitting or other improvements. The focus will be on redevelopment, intensification, revitalization and contiguous development that best utilize existing or planned *infrastructure*. Planned infrastructure may include the expansion of water and sewage treatment systems that are at capacity or close to capacity. This may also include the installation of *infrastructure* in communities experiencing public health concerns or to accommodate planned growth.

#### 4. Settlement Patterns

A detailed description of growth and settlement patterns is contained within Issue Paper # 3: September 2000.

Permanent settlement in the area dates to the late 1700's. As of the 1996 Census, 20.8 % of the population is concentrated in the eight largest urban communities (Alexandria, Morrisburg, Ingleside, Long Sault, Winchester, Chesterville, Iroquois, Lancaster, Maxville and Finch). The balance of the population is spread across numerous smaller hamlets, cross road settlements and the rural area. Of the total of 23,135 dwellings, 81% are owner-occupied, 87.2% are single detached, 9.3% are multiple units and 3.6% are semi-detached. Household occupancy is 2.72 persons per unit (1996). The residential vacant land inventory (July 2000) consisted of some 5,321 usable building lots (0.3 ha - 2 ha) of which 91.1% are rural and 8.9% are urban. Of these 1,313 lots are in draft approved plans of subdivision. The distribution of the supply and projected demand for the 20 year period is illustrated in the following Table. This supply for residential development represents the current usable supply but excludes larger blocks of vacant land in urban settlements.

<b>Table 2.1 - Housing Supply and Demand, 2001-2021</b>			
<b>Municipality</b>	<b>Vacant Lot Inventory (Supply)</b>	<b>Unit Demand</b>	<b>New Lots required</b>
South Dundas	927	897	-30
North Dundas	510	633	<b>123</b>
South Stormont	1268	882	-386
North Stormont	367	219	-148
South Glengarry	1620	1033	-587
North Glengarry	629	1266	<b>597</b>
<b>Totals</b>	<b>5321</b>	<b>4890</b>	<b>-431 (8.8%)</b>

While the total supply is adequate, a shortfall is projected for North Dundas and North Glengarry.

An assessment of the supply and demand for non-residential land for the 20 year planning period based on the distribution of growth indicates a shortfall of 250 ha (617.8 ac) for commercial purposes; and a combined shortfall of 95.4 ha (235.8 ac.) of industrial land for all Townships except South Dundas. The latter has a surplus of 71.6 ha (177 ac.). The following Table summarizes the land requirements for commercial and industrial needs.

**Table 2.2 - Non-Residential Land Requirements, 2001-2021**

Municipality	Commercial Land Requirements		Industrial Land Requirements	
	Supply (ha)	Additional Land Required (ha)	Supply (ha)	Additional Land Required (ha)
South Dundas	26.9	33	101	-71.6
North Dundas	8.78	32.2	1.01	19
South Stormont	5.86	52.7	18.4	10.2
North Stormont	3.52	9.42	0.2	6.11
South Glengarry	21.2	47.7	3.64	30.1
North Glengarry	8.66	74.8	10.8	29.9
<b>Totals</b>	<b>74.92</b>	<b>249.82</b>	<b>135.1</b>	<b>23.8</b>

The basis of the Plan is to optimize the use of the existing supply of residential land and to focus development in urban settlements as a first priority. Rural settlement will be permitted where it can take advantage of existing public services and *infrastructure* and where it does not conflict with the stewardship of renewable and non-renewable resources including water resources. Growth and settlement for residential and non-residential land uses would be distributed across the United Counties. The distribution of growth is illustrated in the above Tables and would be used as a guideline in allocating this growth and in planning for public services and *infrastructure* to support the development.

## 5. Resources

The County is endowed with renewable and non-renewable resources that are significant contributors to the economic base or are significant for their ecological value (*natural heritage features*). There are 2,113 (1996) farms in the County occupying 193,253 ha (477,522 ac.) of the land base, accounting for 5.8% of the employment base and farm gate sales exceeding \$214 million. A Land Evaluation and Area Review (LEAR) Committee established in 1999, has set out criteria for the identification of *prime agricultural lands*. These lands have been mapped and have been used as a tool in identifying lands which are to be protected for food land production. Nutrient management planning will be used to address the effects of agricultural practices on the environment, especially as they relate to land-applied materials containing nutrients.

The sand and gravel resources in the County that are classified as being of primary significance are estimated at 75.6 million tonnes (1995) and is spread over some 798.8 ha. The resource is considered to be limited. Secondary sand and gravel resources are also limited in size, quality and potential. Bedrock resources are estimated at 17,419 million tonnes occupying an area of 36,533 ha. Existing settlement patterns, other natural features and significant *wetlands* may be a constraint to accessing the resource. Four distinct physiographic regions (Edwardsburgh Sand Plain, Glengarry Till Plain, Winchester Clay Plain, Lancaster Flats) have been identified as the primary sources for *mineral aggregates*. These are areas which warrant foremost consideration for protection and are the basis for the mineral aggregate policies of this Plan. The Ontario Geological Survey Aggregate Resources Inventory coupled with an inventory of licensed pits and quarries was used to establish the land use designation for mineral aggregate resources.

Water is a precious resource and the basis for life. The Eastern Ontario Water Resources Management Study (2000-2001) is a regional study that has generated many valuable recommendations applicable to land use planning. These will be used as the basis for protecting and, where applicable, revitalizing the health of groundwater and surface water resources. Examples include: wellhead protection, water budgeting, surface wastewater discharge management, protection of vulnerable aquifers, nutrient management, water efficiency measures, well and septic tank maintenance.

*Natural heritage features* are in abundance and embody features which are provincially significant or important to local communities, to local environmental organizations or to land owners. These include *wetlands*, *wildlife habitat* and *fish habitat*, *woodlands*, *valleylands*, the habitat of *endangered species* and *threatened species* and *areas of natural and scientific research*. The stewardship of these resources entails inventorying, development impact assessments, mitigation or compensation, and integrated resource management i.e. reconciling conflicts between the exploitation of renewable/non-renewable resources and *natural heritage features*.

## 6. Public Health and Safety

*Development* is susceptible to naturally occurring hazards (flooding, erosion, unstable slopes, unstable soils) and to human-made hazards (contaminated sites, mineral extraction operations) and some areas of unstable slopes. Flood susceptible lands along several river systems have been mapped, as have organic soils and some areas of unstable slopes. This mapping inventory will be the basis for policies designed to avoid property damage, risks to public health and safety and detrimental impacts to local ecosystems. Protective policies will also apply to water bodies where flood susceptible lands and other naturally occurring hazards have not been mapped.

Human-made hazards include sites contaminated by past or current industrial, commercial or waste management activities and past producing mineral extraction

operations. Remediation will be the basis for restoring “Brownfield” and other sites for useful land uses while sites of mineral extraction will be rehabilitated to a safe condition prior to their subsequent use for other purposes.

## 7. Heritage

The conservation of buildings, landscapes, monuments and artifacts from our past history is important to our present and future cultural identity. Initiatives of the Lost Villages Historical Society and the Municipal Heritage Committee are examples indicative of the interest in conserving *built heritage resources* or *cultural heritage landscapes* in the County. Upper Canada Village and Chrysler’s Farm are nationally recognized heritage sites and heritage-tourism destinations. The strategy of the Plan is firstly, to recognize and conserve the inventory of known *built heritage resources* or *cultural heritage landscapes*. Secondly, the Plan sets out a screening and evaluation process to identify and conserve other heritage resources or *areas of archeological potential* which have not been identified, recognized or are currently unknown.

A detailed inventory of heritage resources in the County is contained within Issue Paper # 6: January, 2001.

## SECTION 3 – GROWTH AND SETTLEMENT

### 3.01 INTRODUCTION

The legacy of the settlement pattern in the County dates to the historical beginnings of Euro-American colonization in Ontario. Communities emerged along the shore of the St. Lawrence River, a waterway highway which remains a corridor of commerce to this day. The wave of Loyalists had the most singular impact on the settlement pattern of the County. Land grants led to the homesteading of lands across much of the County and the development of a prosperous rural based economy. Agriculture and forestry were and continue to be a mainstay of that economic base. The construction of railways and highways reinforced the strategic location of the County and its attraction to the industrialization of the late 1800's and early 1900's. The St. Lawrence Seaway foisted the relocation of a number of shoreline communities. The settlement pattern continues to evolve, influenced by the convenient commuter distance to Ottawa, Montreal or Cornwall new growth in the high tech industry and the influx of retirees. Today's settlement pattern is characterized by numerous small urban communities which act as employment and service centres to a large rural landscape of mixed land use activities e.g. agriculture, forestry, aggregate extraction and non-resource based rural uses.

### 3.02 STATEMENT OF INTENT

It is the intent of this Plan to reinforce the current pattern of settlement as it is expected that the United Counties will remain principally a rural area containing a number of small urban and rural settlements. Residential, commercial and industrial growth will be directed to designated urban and rural settlement areas and away from resource uses or activities. Priority will be given to development in locations which optimize the use of existing or planned **public services** and **infrastructure**. ~~Emphasis will be placed on infill, intensification and contiguous development in designated urban and rural settlement areas before consideration is given to the expansion of settlement area boundaries.~~

Mod #8

*Emphasis will be placed on intensification and redevelopment and designated urban and rural growth areas before consideration is given to the expansion of settlement area boundaries.* The land supply for development is based on a time horizon of 20 years. Provision will be made for an adequate supply of a full range of housing types and densities to meet future growth needs and for opportunities for employment uses and **institutional uses**. To meet leisure needs, provision is made for a system of parks, open space and special purpose trails. It is the intent of this Plan to provide for development that is generally compact, that is adequately serviced, that avoids or resolves land use conflicts and is sensitive to the features and characteristics of the natural environment. **Development** will be directed away from natural and human-made hazards. *It is also the intent of this Plan to promote efficient development and land use patterns which sustain the financial well being of the province and the municipalities over the long term.*

Mod #8

Within the **rural area**, land uses will be primarily resource or resource based. Opportunities will be provided for other rural uses e.g. low density residential uses, in



locations which do not conflict with resource uses or activities and which meet the applicable servicing standards. **Public Services** and **infrastructure** essential to servicing development or which is best located in the **rural area** will also be permitted

In making land use decisions, it is the intent to conserve or enhance **natural heritage features and areas** and other attributes of the natural landscape.

(Note: reference should also be made to **Section 5.02** with respect to Council's intent for the stewardship of resources lands for agriculture and mineral aggregates.)

### **3.03 GOAL**

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To achieve a compact and energy efficient land use pattern that optimizes the use of available or planned **infrastructure** (roads, water, sewage, waste disposal, utilities) and **public service facilities** (schools, health care, recreation and cultural facilities, fire, police and emergency services) and which uses densities and development standards which are cost effective and compatible with the prevailing and emerging character of settlement areas.

### **3.04 OBJECTIVES**

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To provide and maintain an adequate supply of land for residential, recreational, open space, **public service** and employment uses to meet projected growth and development demands for the planning period of 20 years.

To provide for a full range of housing types and densities to meet demographic and market requirements of current and future residents of the County while maintaining at all times at least a ten year supply of land designated and available for new residential development and residential intensification.

To designate land uses in urban and rural settlement areas and **rural areas** to accommodate development and redevelopment having regard for the health, safety, convenience and needs of the present and future population.

To maintain the well-being of downtowns and main streets in urban settlement areas.

To provide for a balanced opportunity for growth and settlement across the County.

To allow development where it can be adequately serviced within the existing capacity or planned expansion of **public service facilities** and **infrastructure**. (See also **Section 4**)

To protect **sensitive land uses** (dwellings, health care and educational facilities) from incompatible land uses and to avoid or resolve existing land use conflicts.



To conserve and protect *natural heritage features and areas* (see also **Section 5.06.5**) and the attributes of the natural landscape in the design, development and maintenance of land uses and land use activities.

To provide the land use planning framework to sustain existing employment and encourage and stimulate new economic development.

### **3.05 KEYNOTE POLICY**

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The County shall be developed in accordance with the settlement pattern illustrated on the **Land Use Schedules** and the associated policy statements for development and servicing set out in this section of the Plan for urban and rural settlement areas and the *rural area* of the County. The future growth allocation for planned development is 80 - 85% in the urban and rural settlement areas combined and 15 - 20% in the rural area. *Within the Rural Area of the County, lands have generally been designated as either Agricultural Resource Lands or Rural District. The Agricultural Resource Lands designations apply to lands which are predominated by prime agricultural lands and other large tracts of land characterized by viable farming activity. Rural residential development shall generally be discouraged within Agricultural Resource Lands except in accordance with the policies of this plan.*

Mod #9

*Rural District designations have, wherever possible, been consolidated in areas predominately by poor quality agricultural soils as opposed to being indiscriminately scattered throughout the prime agricultural area. Rural residential lot severances and rural estate subdivisions may be permitted in the Rural District provided all the appropriate policies, criteria and considerations of this Plan have been satisfied.*

*Rural District designations have also been concentrated in the area south of Highway 401, recognizing the emergence of this area as a development corridor within the County.*

### 3.06 IMPLEMENTATION

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The following policies are intended to implement the ‘keynote policy’.

#### 3.06.1 Urban Settlement Areas

##### 1. Designation of Urban Settlement Areas

The following communities, inclusive of all lands shown on the **Land Use Schedules** are designated as **Urban Settlement Areas**:

<u>Dundas County</u>	<u>Stormont County</u>	<u>Glengarry County</u>
<i>North Dundas</i> Chesterville Marionville Winchester	<i>North Stormont</i> Crysler Finch Moose Creek	<i>North Glengarry</i> Alexandria Maxville
<i>South Dundas</i> Iroquois Morrisburg Williamsburg	<i>South Stormont</i> Ingleside Long Sault Newington Rosedale Terrace/ Eamer’s Corners St. Andrew’s West	<i>South Glengarry</i> Glen Walter Green Valley Lancaster South Lancaster

##### 2. Characterization of Urban Settlement Areas

Urban Settlement Areas are characterized as urban communities with a well developed built-form, a diverse mix of land uses and which have *full municipal sewage and water services* or *partial services*. These communities are considered to be the primary settlement areas for future development. Land division will be primarily by plan of subdivision. **Rural Settlement Areas** which are proposed to be serviced with *full municipal sewage and water services* or *partial services* (see also **Section 4.06.3**) shall be reclassified as an **Urban Settlement Area** and the Plan shall be amended during periodic updates or when the five year review under the Planning Act is undertaken. Re-designation of **Rural Settlement Areas** to **Urban Settlement Areas** shall be based on appropriate justification studies.

##### 3. Resource Uses in Urban Settlement Areas

Resource uses such as farming operations and mineral aggregate extraction may be recognized as existing uses through appropriate zoning where the land is not required to accommodate new non-farm development permitted in an Urban Settlement Area. Local Municipalities may through municipal zoning by-laws

Mod #10

prohibit the establishment of intensive livestock operations within ~~or adjacent to~~ an **Urban Settlement Area**. Over the long term, such uses should be encouraged to relocate or to be phased out where they are incompatible with *sensitive land uses*. New residential development in proximity to such resource uses will be subject to separation distance or the influence area requirements of **Section 3.06.6 (5) - Separation Distances and Influence Areas**.

Existing farm operations may be permitted to expand provided such uses are:

- A. The requirements of the municipal zoning by-law as well as the **Minimum Distance Separation Formulae** requirements, the *Nutrient Management Act, 2002* and other applicable legislation;
- B. The primary role of the **Urban Settlement Area** to accommodate future development is not impeded, and;
- C. The expansion of the farming operation is considered to be compatible with the existing and planned uses in the **Urban Settlement Area**.

#### 4. Urban Service Limits

Development shall be directed first and foremost to lands within the designated **Urban Service Limits** as illustrated on the **Land Use Schedules for Urban Settlement Areas**. Development, other than infill on existing lots of record, may be permitted under limited and/or temporary circumstances beyond the **Urban Service Limits** in accordance with **Sections 4.06.5 and 4.06.6**.

#### 5. Boundary Adjustments to Urban Settlement Areas

*Boundary expansion and identification of new settlement areas may only happen following a comprehensive municipal review. The comprehensive review will provide a justification of the settlement area which shall be based upon population and growth projections, identification of intensification and redevelopment opportunities and infrastructure and public service facilities which are planned or available and are suitable for development over the long term.*

Mod #11

Adjustments to the boundaries of designated urban settlement area, other than minor changes will be subject to an official plan amendment ~~as appropriate or a secondary plan (see Section 3.06.8 – Secondary Plans).~~

Mod #11

### 3.06.2 Rural Settlement Areas

#### 1. Designation of Rural Settlement Areas

The following communities, inclusive of all lands shown on the **Land Use Schedules** are designated as **Rural Settlement Areas**:

##### Dundas County

###### *North Dundas*

Harmony  
Hallville  
Inkerman  
Morewood  
Mountain  
Ormond  
South Mountain  
Harmony

###### *South Dundas*

Brinston  
Dixons Corners  
Dunbar  
Dundela  
Glen Becker  
Glen Stewart  
Hainsville  
Hulbert  
Irena  
Stampville  
Winchester Springs

##### Stormont County

###### *North Stormont*

Avonmore  
Berwick  
Monkland

###### *South Stormont*

Beaver Glen  
Bonville  
Harrison's Corners  
Lunenburg  
Northfield  
Osnabruck Centre

##### Glengarry County

###### *North Glengarry*

Apple Hill  
Dominionville  
Dalkeith  
Dunvegan  
Greenfield  
Glen Robertson  
Glen Sandfield  
Lochiel

###### *South Glengarry*

Bainsville  
Brown House Corners  
Dalhousie Mills  
Glen Nevis  
Glen Norman  
Martintown  
North Lancaster  
St. Raphaels  
Summerstown  
Summerstown Station  
Williamstown

#### 2. Characterization of Rural Settlement Areas

**Rural Settlement Areas** are characterized as small communities within a largely rural setting that have a mix of land uses including *public service uses* and facilities. These communities exhibit the potential for growth and the installation of piped water and sewage services over the long term. All development must be adequately serviced with water and sewage systems in conformity with **Section 4.06** of this Plan. Land division will be primarily by plan of subdivision. **Rural Settlement Areas** which are serviced with piped sewer and/or water services in accordance with **Sections 3.06.1.2 and 4.06.3**) should be re-designated as **Urban Settlement Areas**.

### 3. Resource Uses in Rural Settlement Areas

Resource uses e.g. farming operations, mineral aggregate extraction may be recognized as existing uses through appropriate zoning. Over the long term, such uses should be encouraged to relocate or to be phased out where they are incompatible with *sensitive land uses*. New residential development in proximity to such resource uses will be subject to the separation distance or influence area requirements of **Section 3.06.6 (5) - Separation Distances and Influence Areas**. Local Municipalities may through the municipal zoning by-law, prohibit the establishment of intensive livestock operations within ~~to adjacent to a~~ **Rural Settlement Area**.

Mod #12

### 4. Boundary Adjustments to Rural Settlement Areas

*A comprehensive review of a rural settlement area will be undertaken prior to the expansion of a rural settlement area boundary. The comprehensive review should include an analysis of the long-term suitability of water and sewer services and other infrastructure and public service facilities which are planned or available and protect public health and safety.*

Mod #13

Adjustments to the boundaries of a designated rural settlement area, other than minor changes will be subject to an official plan ~~amendment as appropriate or may require a secondary plan (see Section 3.06.8—Secondary Plans)~~.

### 3.06.3 Rural Area

Lands which are not located within a designated urban or rural settlement area shall be considered to be part of the **Rural Area**. This area is characterized by its wide open spaces or country-side setting where the make-up of development consists of farms, cross road settlements, scattered residential uses, woodlands, pits and quarries and a variety of other rural-type uses. The **Rural Area** is classified in this Plan by several **Land Use Districts** and **Resource Lands**. Each of these districts and type of resource lands constitute a separate land use designation. July 5, 2004. *Development* is typically serviced by *individual on-site water supply and sewage disposal systems*. These systems must conform with the requirements of **Section 4.06**.

For the purposes of this Plan “**Rural Area**”, does not mean Rural Area as defined in the Provincial Policy Statement.

The focus of land use activities in the **Rural Area** will be resource or resource-related (i.e. **Agricultural Resource Lands, Extractive Resource Lands, Environmental Protection Lands** or lands occupied by *natural heritage features and areas*).

**Employment Districts** will be permitted in strategic locations such as major highway intersections where exposure to the traveling public or labour market area is essential to

the vitality of commercial or industrial enterprise. Limited opportunities will be provided for residential development in the **Rural District** land use designation. This will take the form of *residential infilling* within existing clusters of development, cross road settlements or shoreline areas (see also policies for Natural Hazards and Natural Heritage Features and Areas). Scattered development will be discouraged. Subdivisions shall not generally be permitted in the **Rural District** except for rural estate subdivisions (see **Section 3.06.5.4**) and areas along the shoreline of the St. Lawrence River/401 corridor, in association with a recreational commercial development e.g. golf course. Residential development on **Resource Lands** in the **Rural Area** will be restricted (see **Section 8.14.13 – Subdivisions, Consents**).

Lands shown on the **Land Use Schedules** as Crown Land are administered by the Ministry of Natural Resources. The use of Crown Land will be in accordance with the management policies, plans and programs of the Ministry of Natural Resources and shall have due regard for the policies and designations for lands located within the immediate vicinity of Crown Lands, when preparing management plans and policies. The Ministry of Natural Resources is encouraged to consult with the County and Local Municipalities prior to the implementation of plans and programs within the United Counties.

#### 3.06.4 Scope of Land Use

The scope of land uses permitted in the designated urban and rural settlement areas and the rural area is set out in **Table 3.1** (**Note: uses may be restricted in compliance with Sections 4.06.3.10 – Groundwater Protection and 4.06.3.11 – Wellhead Protection Areas of this Plan and 4.06.3.1 – Servicing Hierarchy**). **Table 3.1** provides an appropriate summary of the scope of permitted uses for in settlement areas and the rural area but must be read in conjunction with the associated policies of this Plan.

The intent of this Plan is to recognize site specific designations and/or development criteria as set out in the list in **Section 9** of this Plan. In many circumstances, these represent approvals or amendments that have been made by Local Municipalities and are considered to be valid and in general compliance with the policies of this Plan.

<b>TABLE 3.1 Permitted Land Uses in Designated Urban and Rural Settlement Areas and the Rural Area</b>			
<b>Land Use Category<sup>1</sup></b>	<b>Urban Settlement Area</b>	<b>Rural Settlement Area</b>	<b>Rural Area</b>
<b>Scope of Permitted Residential Uses in District</b> (see also Sections 3.06.5.1, 3.06.2, 3.06.7.2, 3.06.9)	<b>Residential District:</b> -full range of low, medium and high density housing types -specialized housing types: group homes, crisis care, social assisted	<b>Residential Uses:</b> -full range of low and medium density housing types -specialized housing types: group homes, crisis care, social assisted (excluding high density)	<b>Rural District:</b> -low density (single and two unit housing) -specialized housing types: group homes, crisis care, social assisted (excluding high density) -Rural Estate Subdivisions (see Section 3.06.5.4)
<b>Scope of Permitted Commercial Uses in District</b> (see also Sections 3.06.5.1, 3.06.7.3, 3.06.10)	<b>Commercial District:</b> -full range of retail, service commercial, automotive, recreational and resort commercial and personal service uses -residential uses (mixed or stand alone)	<b>Commercial Uses:</b> -retail, service commercial, automotive and personal service uses in keeping with the character and scale of a rural settlement area -residential uses (mixed or stand alone) -recreational and resort commercial uses serving the tourism and leisure industries	<b>Rural District:</b> -resource related and rural service commercial uses -recreational and resort commercial uses serving the tourism and leisure industries -highway commercial uses on major roads -residential uses
<b>Scope of Permitted Public Service Facilities</b> (see Section 3.06.6)	<b>All Land Use Districts:</b> -full range of <i>public service facilities</i> e.g. schools, health care, long term care facilities, social facilities, recreation, religious and cultural uses, protective services -cemeteries -institutional uses	- <i>public service facilities</i> e.g. schools, health care, long term care facilities, social facilities, recreation, religious and cultural uses, protective services which are generally appropriate to the character and scale of development of a rural settlement area -cemeteries -institutional uses	<b>All Land Use Districts:</b> -existing <i>public service facilities</i> -public service facilities which are more appropriately located in the Rural Area because of their type, size or the catchment area they serve -cemeteries -institutional uses

<b>TABLE 3.1 Permitted Land Uses in Designated Urban and Rural Settlement Areas and the Rural Area</b>			
<b>Land Use Category<sup>1</sup></b>	<b>Urban Settlement Area</b>	<b>Rural Settlement Area</b>	<b>Rural Area</b>
<b>Scope of Permitted Industrial Uses in District</b> (see also Sections 3.06.6.5, 3.06.7.4)	<b>Employment District:*</b> - Class I, II and III industrial uses (see reference documents i.e. Guideline D-6 for description of industrial classes) -commercial uses which compliment or are compatible with any permitted industrial use or commercial uses which are deemed suitable by a Local Municipality. *These provisions shall apply in the vicinity of Winchester and Chesterville	<b>Employment Uses:</b> -Class I and II industrial uses (see reference documents i.e. Guideline D-6 for description of industrial classes) -commercial uses which compliment or are compatible with any permitted industrial use	<b>Employment District:</b> -Class I, II and III industrial uses and resource related industrial uses -transportation and distribution industries <b>Salvage Yard District:</b> -salvage yards (see reference documents i.e. Guideline D-6 for description of industrial classes)
<b>Scope of Open Space</b> (see also Sections 3.06.5.1, 3.06.7.1, 3.06.7.2, 3.06.7.8)	<b>All Land Use Districts:</b> -full range of open space, park and special purpose trail uses, conservation uses	-full range of open space, park and special purpose trail uses, conservation uses	<b>All Land Use Districts:</b> -full range of open space, park and special purpose trail uses, conservation uses
<b>Scope of Permitted Uses in Major Open Space</b> (see also Sections 3.06.5.1, 3.06.7.8)	-large public or private parks, recreational facilities, cultural facilities, community facilities, golf courses, fairgrounds, waterfront areas and other open space uses -urban reserves for future development	see 'Scope of Open Space'	see 'Scope of Open Space'



<b>TABLE 3.1 Permitted Land Uses in Designated Urban and Rural Settlement Areas and the Rural Area</b>			
<b>Land Use Category<sup>1</sup></b>	<b>Urban Settlement Area</b>	<b>Rural Settlement Area</b>	<b>Rural Area</b>
<b>Infrastructure and Utilities</b> (see also Sections 3.06.7.5, 4)	<b>All Land Use Districts:</b> -full range of <i>infrastructure</i> uses and utilities excluding <i>waste management systems</i>	-full range of <i>infrastructure</i> uses and utilities excluding <i>waste management systems</i>	<b>All Land Use Districts:</b> -full range of <i>infrastructure</i> uses and utilities including <i>waste management systems</i>
<b>Other Uses</b> (see also Section 3.06.7)	-legally existing uses -accessory uses to any main use e.g. garden suites, bed & breakfast establishments, garages, storage and outbuildings, marine structures, administrative uses -home based businesses	-legally existing uses -accessory uses to any main use e.g. garden suites, bed & breakfast establishments, garages, storage and outbuildings, marine structures, administrative uses -home based businesses	-legally existing uses -accessory uses to any main use e.g. accessory dwellings, garden suites, bed & breakfast establishments, garages, storage and outbuildings, marine structures, administrative uses -home based businesses -resource uses (see Section 5) - <i>waste management systems</i> (see Section 4) -hobby farms -conservation uses -airports and private airfields ( <b>Airport District</b> ) -way side pits and quarries

Note: 1. Section 3.06.3 - Planning Principles applies to any and all development listed in Table 3.1.

### 3.06.5 Land Use Districts

The **Land Use Districts** set out in the **Land Use Schedules** are intended to distinguish the areas designated for major land use categories i.e. Residential, Commercial, Employment, Rural, Airport, Salvage Yard.

#### 1. Urban Settlement Areas

Mod #14

Within **Urban Settlement Areas**, the **Residential District, Commercial District and Employment District** indicate areas within which the major land uses permitted are residential, commercial and industrial, respectively. *The Urban Settlement*

Mod #14

*Schedules attached to the County Plan shall only apply where a Local Municipality uses the County Official Plan as its primary Official Plan. Where a Local Municipality has adopted a new Local Official Plan after January 1, 1998, the Urban Settlement Schedules of the Local Municipal Official Plan shall apply.* Other land uses may be permitted in these **Land use Districts** which are compatible, related or incidental to the major land use. In a Residential District, examples include neighbourhood serving uses such as open space, convenience commercial and **public service facilities** (including institutional uses). Commercial Districts may include mixed land uses such as commercial, residential and **public service facilities** (including institutional uses). Employment District uses may include a mix of industrial, commercial and public service facilities uses (including institutional uses). Open space, **infrastructure**, utilities and other uses are permitted in all land use districts (see **Table 3.1** for scope of such uses in each land use category). In addition, the Plan provides for a **Major Open Space** land use designation for community-wide parks and recreation facilities and to identify urban reserves for long-term development. Within **Urban Settlement Areas**, the Planning Principles of **Section 3.06.6** and the Community Structure and Design Criteria set out in **Section 3.06.7** shall be used in the design and development of the land use pattern for the permitted land uses listed in **Table 3.1**.

Local Municipalities may further distinguish land use categories and detailed development requirements by means of a secondary plan (see **Section 3.06.8**), a lower tier Official Plan and/or zoning by-law.

## 2. Rural Settlement Areas

Within **Rural Settlement Areas**, the Planning Principles of **Section 3.06.6** and the Community Structure and Design Criteria set out in **Section 3.06.7** shall be used in the design and development of the land use pattern for the permitted land uses listed in **Table 3.1**. Specific **Land Use Districts** may be established by Local Municipalities by means of a secondary plan, lower tier Official Plan and/or zoning by-law using the criteria set out in **Section 3.06.8**. The scope of permitted uses in the respective **Land Use Districts** is set out in **Section 3.06.5.1** above.

## 3. Rural Area

Within the **Rural Area**, **Land Use Districts** shall include the **Rural District**, **Employment District**, **Airport District**, **Salvage Yard District** as well as **Resource Lands**. Within the **Rural Area**, the Planning Principles of **Section 3.06.6** and the Community Structure and Design Criteria set out in **Section 3.06.7** shall be used in the design and development of the land use pattern for the permitted land uses listed in **Table 3.1**. (See also provisions for **Rural Estate Subdivisions - Section 3.06.7.2**.)

#### 4. Rural Estate Subdivisions

**Rural Estate Subdivisions** not generally exceeding 20 lots may be permitted on a limited basis in the **Rural District** where they do not conflict with the protection or use of renewable and non-renewable resources as per **Section 5** of this Plan, and where the natural setting e.g. topography, vegetation cover, is appropriate for the design and development of such subdivisions. Rural Estate Subdivisions will be encouraged to locate adjacent to a golf course, or where they can be designed with nature. Innovative subdivision design will be encouraged e.g. clustering where it serves to conserve natural features of the landscape such as wood lands, scenic vistas and natural heritage features. Rural Estate Subdivisions may be permitted in compliance with this Plan and subject to zoning by-law amendment where they meet the following criteria:

- preparation of a needs analysis report, if required by the Local Municipality or approval authority which clearly demonstrates the demand for such housing in the location proposed
- preparation of a report which demonstrates the suitability of water supply and sewage disposal (see **Section 4.06.3.6**)
- preparation of a cost-benefit analysis which addresses the cost of servicing, the long-term operational costs to the municipality for maintaining services and the corresponding benefits
- technical studies which meet the requirements of **Section 8.14.13.3 G** of this Plan

#### 3.06.6 Planning Principles

In the review of planning applications, the following planning principles shall apply to any or all development:

##### 1. Adequate Lot Size

The lot size shall be adequate for all existing and proposed or potential future land uses including the expansion of buildings and structures. The lot shall be adequate for all setbacks, parking and loading facilities, storage and display areas, signs, lighting, landscaping, buffering or screening, *infrastructure* and safe access and egress, where these requirements apply. Where appropriate, the approval authority shall require appropriate studies (e.g. servicing options report, geotechnical study or hydrogeological study and terrain analysis), to support the lot size proposed and to ensure that there will be no negative impacts on groundwater quality and quantity, neighbouring wells etc.

##### 2. Servicing Capacity

Servicing capacity shall be available and adequate to support existing and proposed uses as set out in **Section 4** of this Plan for both *public service uses* and *infrastructure*. (Example: a calculation on the uncommitted reserve capacity for

*water supply and sewage disposal would typically be undertaken as a pre-requisite to approving a multiple lot/unit development in an urban settlement area. Similar calculations or assessments should be done for school capacity and waste management services.)*

### **3. Frontage and Access**

All uses shall have frontage on and direct access to an open and maintained year round public road. Exceptions may be made for existing lots of record on private roads, condominium development, islands (water access), for *infrastructure* uses and utilities and for resource lands where deemed appropriate (see also **Section 3.06.13**).

Any new development which proposes access to or fronts on a public road (Provincial Highway, County or Local Road) must satisfy all requirements of the authority(ies) having jurisdiction. Further, the proposed access should not negatively impact upon the safety and efficiency of any type of public or private road. (See also **Section 4.06.6 - Transportation**.)

### **4. Measures for Landscaping, Buffering, Screening and Land Use Compatibility**

A primary planning principle is to promote land use compatibility and to encourage compatible land uses to locate adjacent to each other. Where this is not possible or where development involves the expansion of existing adjacent incompatible uses, the Plan promotes the use of landscaping, buffering and screening techniques to reduce land use conflicts.

As a measure to promote land use compatibility, landscaping, buffering, screening or other attenuation measures shall be used to mitigate adverse effects, noise, visual impacts and conflicts between land uses; and may also be used to improve aesthetics or to enhance the quality of development in urban or rural areas. Landscaping, buffering screening or attenuation measures may include setbacks, berms, fencing, vegetation, natural land forms or a combination of these measures.

Proper site planning will also be used to promote compatibility e.g. by placing parking, loading, open storage or noisier or other objectionable areas away from adjacent or nearby residential uses or locating access points so that traffic to commercial/industrial areas will be diverted from residential streets.

### **5. Separation Distances and Influence Areas**

Municipalities shall have regard for the recommended separation distances and/or influence areas as set out by the Ministry of the Environment (guidelines) for Class I, II and III industries, waste management sites (**Section 4.06.5.5**), mineral aggregate reserves (**Section 5.06.4.2**), sewage treatment plants/waste stabilization ponds or land uses generating significant noise or vibration e.g. highways and railways, as they

apply between such land uses and any *sensitive land uses* or non-compatible land uses (reciprocally), or water body. Such Separation distances shall be incorporated into any implementing zoning by-law (*see list of reference documents at the end of Section 3*). Development may be permitted within any influence area where a Municipality is satisfied by a technical study or equivalent evidence that any adverse effect can be satisfactorily attenuated or mitigated or that there will be no adverse effects.

Mod #15

~~The Minimum Distance Separation Formulae I and II, as amended from time to time, of the Ministry of Agriculture~~ *As established by the Province the Minimum Distance Separation Formulae I and II, as amended from time to time* shall be applied to reduce incompatibility concerns about odour from livestock facilities and/or manure storage facilities (see also **Section 4.06.5.6 - Waste Materials**). The Minimum Distance Formula I will not apply inside the boundaries of a designated **Urban or Rural Settlement Area**. Municipalities have the option of applying MDS II in cases such as rebuilding such as after a fire. Local Municipalities are encouraged to incorporate Minimum Distance Separation Formulae I and II into the implementing zoning by-law.

*(Note: reference should also be made to Section 5.06.5 - Adjacent Lands for influence areas related to Natural Heritage Features and Areas.)*

## 6. Accessible Communities

In the design for a healthy and accessible community, Municipalities shall consider the needs of persons with disabilities as provided for under the *Ontarians with Disabilities Act* and corresponding amendments to the *Planning Act (2002)*. In this regard, Local Municipalities are encouraged to develop standards or overall designs that will facilitate the review of site plan, plans of subdivision or other planning applications in accommodating the needs of persons with disabilities.

## 7. Zoning

Provisions shall be made in any implementing zoning by-law to classify individual types of land use in one or more zones and to set out the zone requirements for development e.g. lot size, frontage, setbacks, density, height, building coverage, access, parking and loading etc. Provision may be made to govern outdoor storage and display areas and for landscaping, buffering or screening to avoid land use conflicts with adjacent land uses or to enhance the quality of development in general. (See also **Sections 8.14.6, 8.14.7, 8.14.8 and 8.14.9** with respect to the use of various types of zoning).

## 8. Site Plan Control

Local Municipalities may by by-law under Section 41 of the *Planning Act* designate specific areas or land uses within the Municipality as site plan control areas (see **Section 8.14.10 - Site Plan Control** of this Plan).

## 9. Environment Approvals

Environmental approvals shall be obtained where required from the public authority having jurisdiction. Municipalities shall consult with provincial ministries and other agencies on which approvals are required in establishing the principle of development e.g. shall be submitted as part of a complete planning application, and which approvals will be required as a condition of final approval. (*Example: Certificates of Approval/Impact Assessment to demonstrate the compatibility of a proposed Class III industrial use to an adjacent provincially significant wetland or sensitive land use would be required prior to an OPA or ZBLA, while a Certificate or Approval for a stormwater management facility would be a condition of final approval prior to construction.*)

This Plan promotes design and development which serves to protect or enhance the natural environment, the conservation of ecosystems and designing with nature or 'green' planning. Particular efforts should be made to retain significant woodlands and tree cover, wetlands, valleylands, scenic views, unique landforms, wildlife habitats in both urban and rural settings.

## 10. Community Improvement

Local Municipalities may undertake community improvement projects as authorized under Section 28 of the *Planning Act* (see **Section 8.14.5**).

*Note: provisions for Subdivisions and Consents are set out in **Section 8.14.13**.*

### 3.06.7 Community Structure and Design Criteria

The following section is intended to provide planning guidelines to be used by Local Municipalities in reviewing development applications and preparing a Local Official Plan or Secondary Plan.

The hierarchy of the settlement pattern in the United Counties consists of towns, villages, hamlets and cross-road settlements which have been classified, in this Plan, into urban and rural settlement areas. Since Loyalist times, some communities have grown and waned in importance while others have experienced slow but steady growth. In combination, however, the number and distribution of this hierarchy of settlements across the County will suffice to meet the future growth forecast. No additional settlements are planned or permitted by this Plan.



The community structure of settlement areas varies depending on the size of the community. Larger urban settlements have a distinctive commercial core (downtown) and exclusive residential neighbourhoods while smaller centres are characterized by a mixed land use pattern of commercial, residential and public service uses. Even in the smallest communities, however, there tends to be a commercial node or distinctive cluster of non-residential uses at a major intersection or along a major road.

The intent, and a key focus of this Plan, is to build on the character of the existing community structure of these settlement areas. This will be achieved through the careful application of design criteria in the review of planning applications; in making decisions on improvements or extensions to infrastructure; and, in the decisions communities or their leaders make in community programs and activities.

In the layout of settlement areas and land use districts, Local Municipalities shall have regard to the following design criteria in planning for urban and rural settlement areas and their relationship to the rural area.

### 1. Community Structure

Urban and rural settlement areas shall be developed with definable 'edges' that distinguish these edges or settlement area boundaries from the rural area. Local Municipalities should not approve *development* (i.e. consents or subdivisions) beyond the fringe of settlement areas which will lead to the premature extension of piped services or which will require a settlement area boundary adjustment.

Local Municipalities will encourage development which is compact by directing development onto vacant lands within existing settlement areas. Development which is contiguous to existing built-up areas within these settlement areas shall be given priority over fragmented, remote or unserviced development.

As communities grow and evolve, consideration shall be given to creating land use areas or districts (see **Section 3.06.5**) which are tailored to the character, function and servicing of specific land uses or mix of uses. This design should focus on making communities walkable and safe, particularly for children and seniors. Parks, open spaces or green areas should be planned to meet a variety of leisure and recreation needs and should be readily accessible to users e.g. tot-lots, neighbourhood parks, community parks, wilderness parks, recreational trail systems. Green areas should be linked or integrated with *natural heritage features and areas*, wherever possible. Transportation systems (per **Section 4.06.6**) shall be functional by linking land use areas or districts in an efficient and safe manner that also respects the needs of pedestrians and cyclists. Street patterns should be integrated between adjacent parcels or land holdings. Future growth shall be accommodated by designating corridors or rights-of-way widths for roads, reserving rights-of-way to interior lands and by avoiding linkages that disrupt established or planned residential neighbourhoods. Any

new proposed streets, entrances or intersections and the spacing thereof shall be designed to meet current geometric design standards for safe use and access.

The secondary plan process (see **Section 3.06.8**) should be used as a tool to create community structure by planning for the layout of streets and lotting pattern and piped services in order to make efficient use of the land base. Lot sizes and shapes which are approved by consent or by plan of subdivision should be adequate in size (see **Section 3.06.6.1**), and should be designed to avoid excessive surplus land to the needs of the development; should facilitate future servicing; and, should avoid land locking or inconvenient access to interior lands.

## 2. Residential Areas

Residential areas shall be designed to be safe and livable. In the design of residential areas or neighbourhoods, or in the review of related planning applications, the County and Local Municipalities shall consider the following design criteria:

- Residential developments of different heights and densities may be permitted where the scale and character is in keeping with existing or planned surrounding residential heights and densities.
- Group building projects shall be permitted where the zoning by-law is amended to accommodate such developments and where there are adequate water supply and sewage disposal systems.
- High density residential uses and facilities for seniors should be located close to public service facilities and with access onto a major street. Preference should be given to seniors' developments with close and safe access to convenience shopping facilities and health care facilities.
- All residential development should include a generous area devoted to open space to be utilized as privacy areas for occupants, snow storage areas and landscaping. Existing natural vegetation will be conserved wherever possible.
- Adequate parking shall be provided on-site or within a short walking distance. Parking areas should not impair views, block entrances and should be appropriately set back from habitable windows.
- Street lighting should be provided as a measure of public safety in settlement areas, and may be provided for in other areas where warranted.
- In the design and development or redevelopment of residential areas, land **3.06.7 cont'd** use compatibility shall be considered by establishing or respecting building setbacks, separation distances, influence areas from incompatible land uses such as sewage treatment facilities, waste management facilities, industrial uses, mineral extraction operations etc. Such uses should be located to avoid existing and future residential areas.\
- Service areas for delivery and waste disposal pick-up shall be provided for all medium and high density residential developments and shall be located to minimize or avoid any incompatible or health safety concern.



- Provision shall be made for proper vehicular access and circulation for fire fighting and other emergency vehicle. This may include dedicated or posted fire lanes.
- Siting of high density residential areas should be located in close proximity to commercial areas or downtowns and have ready access to a major street
- High density residential uses should only be permitted in fully serviced areas
- Residential design should emphasize the retention, conservation or enhancement of the natural environment.
- Residential areas should be designed to incorporate *public service facilities* notably the clustering of community facilities such as parks, schools, arenas, community centres with safe linkages, particularly pedestrian linkages to residential neighbourhoods.
- Residential buildings shall be designed to be accessible for the disabled where required under the *Ontarians with Disabilities Act*. Provision shall be made in medium and high density residential developments for handicapped parking.
- Condominium developments may be permitted where the proponent meets the development requirements of a Local Municipality.
- In the design of residential developments, Local Municipalities may regulate building elevations, location and spacing to protect views, vistas and solar access.
- Water supply and sewage disposal systems shall be installed in conformity with **Section 4.06.3** of this Plan.

### 3. Commercial Areas, Main Streets and Downtowns

Communities shall be designed to create distinctive downtowns or main streets or nodes characterized by mixed use development e.g. residential, commercial and *public service facilities*. These areas will be planned as the primary commercial area of the community. Mixed use commercial/residential buildings will be encouraged with development, in general, occurring at a higher density.

Intensification of existing buildings will be encouraged e.g. use of upper storeys for residential uses. Commercial design should be sensitive to adjacent properties which are zoned or are exclusively used for residential purposes or other *sensitive land uses* through the use of screening or buffering and by locating or limiting outside storage, display, wastes storage and access points for parking and loading away from *sensitive land uses*. Access points for commercial uses will be directed to major streets, wherever possible and shall be set back a safe distance from intersections.

Redevelopment and revitalization of downtowns and main streets shall be encouraged through measures such as facade improvements, beautification programs, conversions and commercial intensification and investments in public *infrastructure*.

Streetscape elements for downtowns and main streets should include special consideration to creating 'people places' and safe environments for pedestrians and

persons with disabilities. These elements should include safe crossing areas, sidewalks (which are useable by all including the disabled), street furniture (such as benches, waste receptacles, bicycle stands, signage, information kiosks, newspaper and mail boxes), lighting (height and style of lighting should reflect the character of the settlement area), street trees or decorative plantings, green spaces and focal or gathering points. Heritage buildings should be clearly identifiable and incorporated into the streetscape.

Highway oriented commercial uses in the settlement areas or rural area should be directed to strategic locations on major thoroughfares, through the use of service roads or at or in proximity to major intersections where such uses benefit from exposure to large volumes of traffic. Local Municipalities may establish specifically designated areas for highway commercial uses through zoning. Such areas should be designed to cluster highway commercial uses in one area of the community. Access should be controlled through such measures as definable and curbed access points, shared access or service roads for multiple commercial developments, prescribed spacing and number of access points to each other and to intersections. Areas for outdoor storage, parking, loading, and waste receptacles should be visually screened or appropriately located in such a way as to not detract the traveling public or negatively affect other nearby land uses, particularly *sensitive land uses*.

Tourist and recreational commercial uses should be strategically located to take advantage of and conserve natural features and land forms, shorelines, water bodies or other attributes that complement the characteristics of the business.

Neighbourhood serving commercial uses should be located where they have access onto through roads with higher traffic volumes and where there are compatible with surrounding land uses. Neighbourhood serving uses may be located in a mixed use building e.g. residential/commercial.

The incursion of commercial uses into established or planned residential neighbourhoods shall not be permitted except for neighbourhood serving uses.

Where the intensification, expansion or conversion to a commercial uses(s), or a non-residential use to a residential use occurs, the planning review shall ensure that the lot size is adequate for all requirements of the intended use including parking, water supply and sewage disposal systems, that access will be safe and that the change will be compatible with adjacent uses.

Water supply and sewage disposal systems shall be installed in conformity with **Section 4.06.3** of this Plan. Controls will be exercised to avoid excessive or distracting signage in or adjacent to commercial areas.

'Big box' retail or 'power centres' may be permitted by amendment to this Plan or by a zoning amendment where they are provided for in a secondary plan or where

justified by a marketing study that addresses the location and scale or size of development.

#### 4. Industrial Areas

Industries should be located to take advantage of existing or planned *infrastructure* or transportation services (air, rail, water, road); in proximity to natural resources where there is a dependency on such materials for processing or manufacturing; or where they can optimize the use of the labour market or can take advantage of new technologies. Locations shall be avoided which will create land use conflicts or where the type of industry has the potential to pollute groundwater or surface water resources e.g. sensitive aquifers, recharge areas or well head protection areas.

Mixed use business parks and employment areas are encouraged and should be designed through zoning and site plan control to facilitate the integration of complementary industrial and commercial land uses.

Local Municipalities may establish specifically designated areas for industrial uses through zoning. Such areas should be designed to cluster industrial uses in one area of the community i.e. **Employment District**. Access should be controlled through such measures as definable and curbed access points, shared access or service roads for multiple developments, prescribed spacing and number of access points to each other and to intersections. Access to industrial areas shall not be permitted through a residential area.

Areas for outdoor storage, parking, loading, and waste receptacles should be visually screened or appropriately located in such a way as to not detract the traveling public or negatively affect other nearby land uses, particularly *sensitive land uses*.

Water supply and sewage disposal systems shall be installed in conformity with **Section 4.06.3** of this Plan.

Controls will be exercised to avoid excessive or distractive signage in or adjacent to industrial areas.

Where the intensification, expansion or conversion of/to an industrial uses(s) occurs, the planning review shall ensure that the lot size is adequate for all requirements of the intended use including parking, water supply and sewage disposal systems, that access will be safe and that the change will be compatible with adjacent uses.

#### 5. Infrastructure

Planned *infrastructure* should be cost-efficient and designed to meet the growth and development projections or capacity requirements of settlement areas for a 10-20 year time period. Extensions or expansion to existing *infrastructure* should not be made

which are unnecessary or uneconomical. New subdivisions, for example, will not be permitted in close proximity to settlement areas where requests may be made to extend piped water and sewage services. *Infrastructure* should be designed to reflect the density of development including provision for infilling and intensification. *Infrastructure* improvements may be made to address public health or safety issues. (See also **Section 4.**) The urban service area limit shall include consideration for cross-border servicing needs between Local Municipalities or across a County boundary. Alternative development standards e.g. road and sidewalk design, utility installations, streetscaping etc. are encouraged to make more efficient use of land. Transportation systems should be functional and should, wherever feasible, emphasize non-motorized systems such as recreational trails rights-of way for cyclists and pedestrians (see also **Section 4.06.6**).

## 6. Infill and Intensification

Infilling will be encouraged on vacant lots of record or on 'brownfields' or on underutilized sites e.g. surplus municipal properties, railway properties, church sites, school or other institutional sites as a means to consolidate development and optimize the use of existing services. *Residential intensification* to create new residential units will be encouraged in built-up areas with sufficient existing or planned *infrastructure*. This may occur through the conversion of non-residential buildings or by increasing the number of units in existing residential buildings. Non-Residential intensification is encouraged by making better use of floor space in existing industrial, commercial or institutional buildings.

## 7. Energy Conservation and Green Energy

Energy conservation will be promoted through the orientation and massing of buildings for solar gain, building retrofit, use of vegetation for cooling or warmth, by considering alternative development standards and by considering alternative energy sources in the design and development of communities.

Communities are also encouraged to develop or encourage opportunities for 'green' energy e.g. small electrical generating facilities, co-generation facilities, solar panels etc., as part of the development of urban and rural landscapes.

A more comprehensive policy for wind turbine farms shall be prepared and incorporated into this Plan by a future amendment. In the interim, individual wind turbine farms shall be permitted only by amendment to this Plan.

## 8. Open Space, the Natural Environment and Natural Heritage Features

Municipalities shall have regard for the protection, conservation or enhancement of features or attributes of the natural environment and *natural heritage features and areas* through development e.g. retention or planting of native vegetation,

maintaining or adding to tree (canopy) coverage, natural land forms, *wetlands* and habitat areas. These features as well as planned open space should be integrated as a component of community design. Consideration should be given to conserving scenic vistas, special views and landmarks in making development decisions. (See also **Section 5.06.5 - Natural Heritage Features and Areas**).

Areas designated as Major Open Space shall apply to Urban Settlement Areas. The intent is to recognize large private or public recreational open space areas such as golf courses, fairgrounds, large public parks and recreational facilities as well as waterfront open space areas.

The uses permitted in the Major Open Space designation will include parks, recreational facilities, cultural facilities, community facilities and open space uses. Accessory uses, such as gift shops, eating establishments and camping related to events may also be permitted.

The Major Open space designation may also be used as a future urban reserve and holding designation for the urban settlement area. Such areas may only be developed for more intensive urban development when deemed suitable by the Local Municipality subject also to the provision of necessary municipal services and community facilities.

Any proposal to redevelop lands designated as Major Open Space to another land use designation will require an amendment to this plan. The Local Municipality may require a secondary plan as part of the official plan amendment.

## 9. Shoreline Development and Lake Development

The design and development or redevelopment of shoreline properties shall include provision for the establishment and/or retention of the natural features and shoreline (riparian) vegetation and shall be in addition to any provision imposed by a conservation agency as part of a shoreline management plan or flood or erosion control (see also **Section 6 - Public Health and Safety**). Development setbacks, *usually a minimum of 30 metres from the high water mark*, shall be implemented as a measure to conserve shoreline features, protect the ecological functions of the shorelines and water bodies and protect property from damage from natural hazards. *Loch Garry and Middle Lake are nutrient rich lakes that are highly susceptible to algal blooms. Loch Garry provides drinking water to the Town of Alexandria. New development shall be setback a minimum of 30 metres from the high water mark of these waterbodies. Vegetation within this setback should be disturbed as little as possible and the soil mantle should not be altered. Best management practices related to shoreline protection, stormwater management, siting and design of septic systems will minimize the impacts of development and site alteration.*

Mod #16

Development, except on existing lots of record (see also **Section 3.06.13 -Lots of Record**), on Loch Garry and Middle Lake may be permitted where an impact report indicates that such development will not result in a decline in the water quantity or quality of the lake or water body i.e. through increased phosphorus loading enrichment, a reduction in oxygen levels or water taking. This may be achieved through the preparation of a lake development plan which uses provincially acceptable modeling techniques for determining lake capacity.

Local Municipalities along the St. Lawrence River shall have regard to the guidelines of the St. Lawrence River Shoreline Management Plan. Local Municipalities are encouraged to prepare secondary plans for waterfront areas along the St. Lawrence River to be incorporated into this Plan.

Development will be permitted on existing lots of record provided that they conform with the requirements of **Section 3.06.13 - Lots of Record**.

### 3.06.8 Secondary Plans

Secondary plans are to be considered as a planning tool that Local Municipalities may use to plan and direct or flesh out the details of development for urban or rural settlement areas or special areas within the county e.g. waterfront of the St. Lawrence River/401 corridor; or where more detailed policies are required to direct or create opportunities for the future growth and/or development of communities within the County; or to resolve land use planning issues. *Where a Local Municipality has adopted a Local Official Plan after January 1, 1998, this Section shall not normally apply. Where a Local Municipality has a current Official Plan, the Local Municipality may prepare Secondary Plans as amendments to their Municipal Official Plans. Where a Local Municipality relies on the County Official Plan as their primary Official Plan, Secondary Plans would normally be incorporated into the County Official Plan as an amendment.* The content of a secondary plan should be tailored to the particular circumstances of the settlement area or special area to which it applies and shall have regard to the following matters where they may apply (list is not exhaustive):

Mod #17

1. Projections for population, employment and the associated demand and supply of land and mix of housing and/or non-residential uses as a means to develop an existing settlement area or to substantiate the expansion of an existing settlement area into the **Rural Area**.
2. Planning for the installation of new *infrastructure*, the phasing, or improvements or the extension to existing *infrastructure* or defining or adjusting the urban service limits.
3. Planning for the installation of *public services* or *public service facilities* or the expansion of existing services or facilities.



4. Planning for the location, types or mix of land uses and the density of development and integrating this with *infrastructure*.
5. Phasing of land development and the provision of necessary *infrastructure* and its relationship to existing built-up area(s) of the community.
6. Establishing street and lot patterns, open space areas, pedestrian linkages and public transit services.
7. Assessing transportation or traffic impacts in the vicinity of a Provincial Highway, County Road or major Township Roads (see also **Sections 4.06.6.1-3**). Studies affecting Provincial Highways must be submitted to the Ministry of Transportation for their review as part of a secondary plan process.
8. Planning the revitalization or redevelopment of neighbourhoods or 'brownfields' or other community improvement initiatives or for infilling and intensification in existing neighbourhoods or non-residential areas.
9. Planning for the well-being of downtowns and mainstreets e.g. encouraging a mix of land uses, facade improvements, streetscaping, *and infrastructure*.
10. Planning for the protection and conservation of *built heritage resources, cultural heritage landscapes* or *areas of archeological potential* or the designation of heritage conservation districts, or the design and development of heritage criteria that may guide the integration of new development into existing communities.
11. Identifying and integrating or conserving features of the natural environment, open space and *natural heritage features* into community design.
12. Planning for the integration of settlement patterns which cross municipal boundaries.
13. Determining the characteristics, limits, impacts and mitigation measures for natural and human-made hazards as they affect community development.
14. Integrating design and approvals for *infrastructure* under the *Planning Act* and the *Environmental Assessment Act*.
15. Providing justification for expansion of a settlement area into a *prime agricultural area*, where the lands are designated **Agricultural Resource Lands**. Such expansion will only be permitted where there is an insufficient supply of land to accommodate the growth projected for an urban or rural settlement area affected by a proposed expansion and where development cannot be reasonably directed to a settlement area in the vicinity. Where no alternative exists, every effort should be made to direct development to the lowest priority agricultural

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lands. *Expansion of a settlement area into a prime agricultural area may only be considered where it has been demonstrated that: the lands do not compromise specialty crop areas; there are no reasonable alternatives which avoid prime agricultural areas; and there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.*

*Impacts from expanding settlement areas on agricultural operations which are adjacent to or close to settlement areas shall be mitigated to the extent feasible.*

A **Secondary Plan** shall be developed as an amendment to this Plan or to a Local Official Plan. **Secondary Plans** passed after the County Plan comes into effect shall be in conformity with the general principles and policies of this Plan but may incorporate more detailed land use designations. Where there is a conflict between the land use designation of the County Plan and a **Secondary Plan**, the designation in the **Secondary Plan** shall normally prevail. A **Secondary Plan** will not generally be required for a single land use or property i.e. site specific development. However, this planning tool should be utilized where a major retail complex is proposed e.g. shopping centre, 'power centre' or 'big box' retail use, where the scale or type of development is expected to have an impact on the character, physical change, social, economic or natural environment of the settlement or other area in which the development is proposed (see also requirements of Section 3.06.7.3).

*Any Secondary Plan that is prepared in order to establish a new settlement area or to allow for expansion of an existing settlement area shall demonstrate, as part of its analysis, that:*

- a) *sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon*
- b) *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;*
- c) *in prime agricultural areas:*
  1. *The lands do not compromise specialty crop areas;*
  2. *There are no reasonable alternatives which avoid prime agricultural areas;*
  3. *There are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas, and*
- d) *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.*

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### 3.06.9 Housing

#### 1. Land Supply for Housing and Affordability

Local Municipalities shall maintain a ten year supply of land available for new residential development and at least a three year supply of residential units in serviced areas in draft approved or registered plan of subdivision. Local Municipalities shall make provision for a range of housing types and densities that are appropriate for meeting the housing needs of the small settlement areas and the rural area that characterize the United Counties. In the design and development of subdivisions and in planning larger scale housing projects, specific consideration shall be given for the development of affordable housing for moderate and lower income households. Local Municipalities are encouraged to provide housing to meet special needs including garden suites, crisis housing (temporary residence for persons requiring emergency shelter), Ontarians with disabilities and group homes. (See also **Community Design Criteria** for **Infill** and **Intensification** and **Section 3.06.9(5) - Group Homes**).

#### 2. Garden Suites

Garden suites may be permitted as a one-unit detached portable self-contained residential structure that is accessory to and separated from an existing permitted residential dwelling (on the same lot). Garden suites are intended primarily as a home for family members who are senior citizens but may also be used to accommodate persons with disabilities. Garden suites may be established in any **Land Use District** which permits a residential use as per **Table 3.1** by the enactment of a Temporary Use by-law under the *Planning Act*. A Local Municipality may require the property owner to enter into an agreement to govern the occupancy, sewage and water services, appearance, maintenance and removal of the unit and the conditions and penalties for failure to remove the unit. The installation of any garden suite shall have regard to the planning principles set out in **Section 3.06.6** and to the requirements for a temporary use by-law in **Section 8.14.9**).

#### 3. Apartments-in-Houses

Local Municipalities may make provision for apartments-in houses, as a secondary use to the principle dwelling, as a means of meeting particular shelter needs for residents e.g. new entrants to the housing market, as an alternative to a second dwelling on a lot, seniors ('granny-flat') or for persons with special needs. In providing for this type of housing, the policies of **Section 4.06.3 - Water Supply and Sewage Disposal Systems** shall apply as well as the provision of adequate parking and conformity with the requirements of the *Building Code*.

#### 4. **Mobile Home Development, Park Model Dwellings**

Local Municipalities may provide (or may prohibit) mobile homes or park model dwellings in a subdivision or in a park setting under single management. Such development shall have regard for **Sections 3.06.6, 3.06.7 and 4.06.3** of this Plan. Such development may include support services e.g. parks and recreational facilities, administrative facilities and neighbourhood serving commercial uses, where they are planned as an integral part of such development. Within a park setting, such development will be subject to site plan control (see **Section 8.14.10**).

#### 5. **Group Homes**

Group homes are generally defined a single housekeeping unit in which three to ten persons, excluding supervisory or operating staff, live together under responsible supervision and which is licensed and/or approved under provincial statutes and comply with municipal by-laws. It is also recognized that certain types of group homes should be restricted to certain locations because of their inherent characteristics. Provision shall be made by Local Municipalities to permit group homes in all residential districts. Provision may also be made to locate such facilities in mixed-use areas. Local Municipalities may establish a registry for group homes and may govern separation distances between group homes. Group homes may be subject to site plan control (see **Section 8.14.10**) and shall address such matters as ensuring that the site design is in keeping with the character of the area and that sufficient space is available to accommodate the needs of the residents as well as other matters addressed in **Section 8.14.10**.

Local Municipalities may in their zoning by-laws define different types of group homes and specify where the different types of group homes will be permitted. The zoning by-law may include provisions limiting the total number of group homes allowed and the types permitted.

### **3.06.10 Home Based Businesses and Bed and Breakfast Establishments**

A home based business is a legal business operated as an accessory use within a dwelling and/or accessory building. Home based businesses are encouraged as an important economic activity, as an incubator for the development of small businesses and as a means to provide for on-farm diversification. Local Municipalities are encouraged to make provisions in their zoning by-laws for governing home based businesses. Development standards for home based businesses in an urban or rural setting should include the classification of businesses, numbers of businesses and employees permitted in a dwelling, location, floor area coverage (dwelling and/or accessory building), parking, signage, access, outdoor storage, etc. Home based businesses should not be permitted where they will create a public nuisance for neighbouring properties i.e. noise, electrical interference, excessive traffic, odour etc.(see also **Section 5.06.3.3 - Secondary Uses and Agricultural-Related Uses**).

A bed and breakfast establishment shall be permitted within a single detached dwelling provided the exterior physical character of the dwelling is not altered. The single detached dwelling must clearly be the principal use of the land and the bed and breakfast clearly an accessory use to the dwelling. A bed and breakfast establishment shall be defined as a single detached dwelling in which guest bedrooms are provided for gain as temporary accommodation on a daily basis. Bed and breakfast establishments shall be limited in size or the number of units in order to fit in with the overall residential neighbourhood. The local health unit or delegate shall be consulted when a new bed and breakfast establishment is proposed and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating. Any implementing zoning by-law shall define a bed and breakfast use including the maximum number of guests or units, the appropriate residential zones where they may be permitted and the zone provisions that apply to this use. Bed and breakfast establishments may be subject to site plan control.

Home based businesses and bed and breakfast establishments are subject to the controls and requirements of the Ministry of Transportation (safety and geometric requirements and permits) where they are located adjacent to a Provincial Highway. Access, where granted, will be limited to a residential entrance. Conversion to a commercial zoning shall not be permitted for a home based businesses or bed and breakfast establishment with access to a provincial highway (see also **Section 4.06.6.1**)

### 3.06.11 Airport District

Lands designated as **Airport District** on the **Land Use Schedules** may be used for a licensed airport and all associated support activities or services e.g. passenger terminal, aircraft storage, sales and repair, training facilities, fuel storage and dispensing, emergency services etc. This shall also include an industrial air park subject to the *infrastructure* requirements of **Section 4** and the requirements for separation distances and influence areas of **Section 3.06.6.5**. (See also **Section 4.06.6 (7) - Air Transport**). Where noise exposure forecasts or noise exposure projection mapping have been undertaken, Local Municipalities may restrict land uses and the heights of buildings in the vicinity of the airport.

### 3.06.12 Airport District

#### 1. Scope of Permitted Uses

Lands designated as **Salvage Yard District** on the **Land Use Schedules** may be used for the storage, crushing, dismantling, recycling, sorting or transfer of vehicles, building materials, non-hazardous wastes, junk and other materials and shall include the incidental retail, shipping and receiving of such materials.

Accessory uses may include storage buildings, crushing or processing equipment, waste storage facilities, weigh scales and administration facilities.

## 2. Amendment

New scrap, junk, salvage or wrecking yards shall only be located on lands designated for these purposes by an amendment to this Plan. Existing sites may also be recognized which are considered to comply with the following planning principles.

## 3. Planning Principles

In considering applications for amendments to this Plan to designate an area for scrap, junk, salvage or wrecking operations or an extension to an existing area, consideration shall be given to the following development criteria:

- A. The general need and desirability of the type of operation proposed.
- B. The compatibility of this type of land use to surrounding land uses. The requirements of **Section 3.06.6.5 -Separation Distances and Influence Areas** shall apply. Salvage yards should be directed away from settlement areas and tourism areas.
- C. The potential to contaminate both surface and groundwater resources.
- D. The potential for other environmental impacts i.e. noise, litter, visual impacts or impacts on *natural heritage features and areas*.
- E. The adequacy of existing or proposed roads to provide access to the site and their capacity to support truck traffic.

## 4. Development Requirements

- A. Scrap, junk, salvage and wrecking operations will generally be restricted to areas not exposed to public view.
- B. Adequate provision shall be made for fencing, screening, buffering or berming the operation from adjacent properties and roads.
- C. Site Plan Control shall apply. (See **Section 8.14.10 - Site Plan Control**.)
- D. Provisions shall be made in any implementing zoning by-law to regulate Salvage Yards.

### 3.06.13 Lots of Record

1. Lots of record are legally created parcels or tracts of land that can legally be conveyed and, for the purposes of this Plan, are deemed to include lots in a registered plan of subdivision, parcels created by consent, in accordance with the *Planning Act* and/or any other distinct and separate holding, the deed to which is registered in the Land Registry Office.

2. Lots of record, which are vacant and which existed on the date of adoption of this Plan, may be used for building purposes provided that prior to a building permit being issued the Local Municipality is satisfied that:
- A. The lot complies with the policies of this Plan for access to lots i.e. frontage on a public or private road, which is open and maintained year round.
  - B. A water supply and sewage disposal system, unless exempted, can be provided on the lot to the satisfaction of the public body having jurisdiction (see **Section 4.06.3 - Water Supply and Sewage Disposal Systems**).
  - C. The use complies with the relevant provisions of the Growth and Settlement policies of **Section 3** this Plan.
  - D. The lot meets the relevant planning principles of this Plan for specific land use designations and the zoning standards of the implementing zoning by-law.
  - E. Development will not create or exacerbate an environmental or public health and safety concern.
  - F. Development will meet the requirements for an Impact Assessment under **Section 5.06.5.7**, where applicable.
  - G. Local Municipalities may provide for exceptions in the zoning by-law for lots of record affected by the Minimum Distance Formulae I.
  - H. Development may be permitted on existing lots of record on private roads.
  - I. Development may be subject to an archeological assessment on lots with known or potential archeological resources (see **Section 7.06.1**).
  - J. Development may be restricted on lots which are characterized as having natural or human-made hazards (see **Section 6** of this Plan).

Development will not be permitted on lots of record which do not meet the required development standards of this Plan.

*Note: see Section 8 - Tools of Implementation for policies and procedures governing Subdivision, Consents, Zoning, Site Plan Control and other matters.*

### **3.06.14 Comprehensive Settlement Area Boundary Study**

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*In many cases the boundaries of the Urban and Rural Settlement Areas reflect existing development areas. It is the intention of the Official Plan that a comprehensive study be undertaken of Urban and Rural Settlement Areas to identify areas of expansion or to confirm or modify existing boundaries based on accepted planning criteria and analysis. The study may also identify additional areas that should be designated as Rural Settlement Areas including smaller historic development clusters.*

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*The study and subsequent Official Plan amendment may be undertaken as part of the five year review of the County Plan or at an earlier date.*

*In undertaking the Comprehensive Settlement Boundary Study the following areas shall be considered in addition to the other areas:*

- a) *The area immediately west of the Rural Settlement Area of Inkerman in part of the E ½ of Lot 17 Concession 3, former Township of Mountain.*
- b) *Part of Lots 25 and 26, Concession 2, and part of Lots 25 and 26, Concession 3 of the former Township of Williamsburg.*

### **3.07 CONSULTATION AND REFERENCES**

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The following agencies shall be consulted where appropriate:

1. Ministry of the Environment - for separation distances and influence areas as they relate to Class I, II and III industrial uses, waste management sites, sewage treatment plants/waste stabilization ponds, noise and vibration and provincial modeling approaches to determining lake capacity for inland lakes.
2. Ministry of Agriculture - in the application of the *Minimum Distance Separation Formulae* I and II.
3. Ministry of Transportation - for Provincial Highway access approvals and permits for development adjacent to a Provincial Highway.
4. Ministry of Natural Resources for potential conflicts between extractive aggregate operations/mineral aggregate reserves and *sensitive land uses*.
5. Ministry of Culture for archeological assessments.
6. The appropriate conservation authority for shoreline management, natural hazards and natural heritage features and regulations of fill, construction and alteration to waterways.

**Reference Documents Include:**

- Guideline for Calculating and Reporting on uncommitted Reserve Capacity at Sewage and Water Treatment Plants, MOE, 1992
- Guideline D-4, Land Use On or Near Landfills and Dumps, MOE, 1994
- Guideline D-1, Land Use Compatibility, MOE
- Guideline D-6, Compatibility between Industrial Facilities and *sensitive land uses*, MOE
- Noise Assessment Criteria in Land Use Planning Publication LU-131, MOE, 1995
- Non-Renewable Resources Training Manual, MNR, re: influence areas for pits and quarries
- Guideline NPC-205, Sound Limits for Stationary Sources in Class 1 & 2 Areas (Urban), MOE re: pits and quarries
- Guideline NPC-232, Sound Limits for Stationary Sources in Class 3 Areas (Rural), MOE re: pits and quarries
- Minimum Distance Separation Formulae I & II, OMAFRA, 1995
- Provincial Policy Statement, 1997 re: definitions
- Planning For Barrier-Free Municipalities, A Handbook & Self-Assessment Tool
- Shoreline Management Plan for the St. Lawrence River



## SECTION 4 – PUBLIC SERVICES AND INFRASTRUCTURE

### 4.01 INTRODUCTION

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*Public service facilities* and *infrastructure* are vital to the well-being of people and to the economic health of communities in Stormont, Dundas and Glengarry. Available, accessible and affordable services are essential to the proper and orderly growth and development of all communities. *Public services* include emergency services (fire, police, ambulance), recreation and leisure services, health care and social services, educational and cultural services. *Infrastructure* includes physical services such as sewage and water, roads, waste disposal, utilities and communications facilities. *Public services* may be delivered by public agencies, through public-private partnerships, community groups or by individuals. Within the County the type and level of service delivery varies based on the needs of people, the settlement pattern and the financial resources available. Careful planning for *public service facilities* and *infrastructure* is an investment in the future of communities and a key ingredient to deciding on where, why and how development should take place.

### 4.02 STATEMENT OF INTENT

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It is the intent of this Plan to provide the County and Local Municipalities with the mechanisms to plan for the cost-effective and efficient delivery of *public services* and *infrastructure*, to control the location and phasing of development based on the availability and capacity of services and to minimize or avoid land use conflicts arising from decisions on the location of facilities and *infrastructure*. The intent of the Plan is to also provide for the planned investment in services as a measure to stimulate economic development and to provide for the long term prosperity of the County and its communities.

### 4.03 GOAL

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To achieve a level of **public services** and **infrastructure** that is accessible, available, cost-effective and efficient in meeting the needs of existing and new development.

### 4.04 OBJECTIVES

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To improve and enhance the quality of existing *public service facilities* and *infrastructure*.

To ensure that the installation of *infrastructure* meets current environmental standards and does not create adverse effects for humans or the natural environment.



To provide a level and quality of *public service facilities* and *infrastructure* commensurate with the planned growth and development of settlement areas and the rural area of the County.

To optimize the use of existing *public service facilities* and *infrastructure* before the extension or provision of new services.

To utilize servicing as a measure to stimulate and support economic growth and development.

## **4.05 KEYNOTE POLICIES**

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### **4.05.1 Public Use Facility**

It is a policy to provide for access to, or the availability of, an appropriate range of *public service facilities* that meets the needs of both the existing population and future growth and development within the County.

### **4.05.2 Infrastructure**

It is a policy to require the delivery of accessible, cost-efficient and effective *infrastructure* commensurate with the planned growth and development of communities in the County. *Infrastructure* shall be constructed and maintained in compliance with the appropriate and applicable environmental standards/approvals and shall minimize, manage or avoid *adverse effects* to humans or the natural environment. No public work shall be undertaken and no by-law shall be passed which does not conform with this Plan except where an amendment to the Plan has been adopted, but is not in effect, and the by-law will conform with that amendment. Studies and investigations, or other reasonable preliminary steps may be initiated for public works that do not conform with this Plan prior to an amendment to this Plan to permit such public works.

## **4.06 IMPLEMENTATION**

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### **4.06.1 Description**

Public services include programs and facilities (land, buildings, structures) for emergency services (fire, police, ambulance), recreation and leisure services, health care and social services and educational and cultural services.

*Infrastructure* includes physical structures and facilities for sewage and water systems, stormwater facilities, transportation, *waste management systems*, utilities and communications services.

## 4.06.2 Public Services

### 1. Capacity

For educational and cultural, health care and social services, the approval authority for a planning application shall be satisfied that the residual capacity, existing or planned, where applicable, is sufficient or the service is available by consulting with, or circulating applications for comment to agencies which deliver these services (e.g. school board, hospital board).

### 2. Locational and Design Criteria

*Public service facilities* should be located in settlement areas or centrally within their service catchment area; on or in close proximity to major transportation routes; and, in a location which is preferably serviced with **full municipal sewage and water services**. *Public service facilities* should be located adjacent to or in combination with other **public service facilities**, where feasible (e.g. schools and parks). Facilities should be designed to be compatible with adjacent land uses (e.g. creating safe school zones, hospital zones, buffering service entrances and parking areas). New **public service facilities** should be encouraged to locate in existing or recycled/retrofitted buildings, where feasible.

Local Municipalities may locate some **public service facilities** to better serve the **Rural Area** or smaller settlements, notwithstanding that they may not meet the above criteria, where it is deemed that an urban location is not more suitable.

*Public Service facilities may be permitted upon Agricultural Resource Lands subject to demonstrating there is a need within the planning horizon for additional land to be designated to accommodate the proposed use; there are no reasonable alternative locations which avoid prime agricultural areas; and there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.*

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### 3. Emergency Services

New **development** shall be planned to ensure physical and cost-effective accessibility by emergency services. Emergency measures planning shall consider access standards for safe access and egress for:

- emergency circumstances
- disasters
- chemical or hazardous materials spills
- fire suppression and evacuation of multi-storey residential buildings and special occupancies.
- Flooding

#### 4. Barrier Free Access

Design concepts in building, planning and other approvals shall include provision for access by disabled persons and the elderly (see also **Sections 3.06.6.6, 3.06.7.2**).

#### 5. Recreation and Leisure Services

Local Municipalities shall provide parks and open space facilities for the recreational and leisure benefits of residents in accordance with the park land dedication provisions of the *Planning Act*, or may accept cash-in-lieu.

Special purpose trails e.g. Five County Trails, Trans Canada Trail, snowmobile trails etc, should be protected and incorporated into design and development decisions. Trails should be designed as a continuous system with linkages, notably to park and open space facilities and community services. (See also **Sections 3.06.7.1, 3.06.7.2, 3.06.7.8**).

### 4.06.3 Water Supply and Sewage Disposal Systems

#### 1. Servicing Hierarchy

The preferred form of servicing for urban settlement areas shall be *development on full water and sewage disposal services*. *Communal services* as a form of servicing shall be strongly discouraged for any development. *Individual on-site water supply and sewage disposal systems* may be permitted where warranted by on-site conditions and the density of development and where full services are not feasible. *Partial services* such as piped water or piped sewer are recognized where they currently exist in the County. ~~Development on partial services shall generally be permitted as infill or where there are physical constraints that limit other servicing options or where existing services have failed or where justified by a servicing options report.~~ *Development on partial services shall only be permitted in the following circumstances:*

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- (a) *where they are necessary to address failed individual on-site sewage or water services in existing development, or*
- (b) *to allow for infilling or rounding out of existing development on partial services in settlement areas provided that:*
  - 1. *The development is within the reserve sewage capacity or reserve system capacity; and*
  - 2. *Site conditions are suitable for the long-term provision of such services.*

## 2. Planning for Water Supply and Sewage Disposal Systems

It is the intent of this Plan to recognize existing water supply and sewage disposal works, including water supply and waste water treatment facilities, which are in compliance with applicable legislation or approvals. New works or the expansion of existing works shall be permitted to address health related concerns or to accommodate new development. Where new or expanded works are constructed they shall be deemed to conform to this Plan provided they comply with the growth and settlement and servicing policies of the Plan. (*For example, where piped services are proposed, an amendment is required to re-designate a rural settlement area as an urban settlement area.*) (See also **Sections 3.06.1.2, 3.06.1.4 and 3.06.2.2.**)

## 3. South Nation Watershed Water Management Strategy

The Ministry of the Environment has identified the South Nation River Watershed as an area of degraded water quality due to excessive phosphorus levels. Further phosphorus loadings will be minimized through appropriate measures.

See also **Section 4.07 - Consultation and References**

## 4. Servicing Capacity and Servicing Allocation

- A. In **Urban Settlement Areas**, within the **Urban Service Limits**, development will be permitted only where there is sufficient reserve capacity. Conservation programs or efficiency measures should be used to extend or recapture existing (design) capacity before expansion of a water or sewer system is undertaken. A Local Municipality may limit the allocation of capacity for any development. Capacity which has been allocated to development may be reallocated where measures are instituted under the *Planning Act* to de-designate development (*examples include an official plan amendment, deeming of subdivisions, rezoning*).
- B. All proposed development within the **Urban Service Limits** shall be connected to full or partial services where such services are available and where there is sufficient capacity in the existing system to accommodate the proposed development. Where there is insufficient servicing capacity, the Local Municipality shall determine whether the proposed development is premature and should be postponed until servicing capacity is increased, but development outside the **Urban Service Limits** shall only be permitted in compliance with **Section 4.06.3.6**. Such development shall be connected to municipal services when made available, provided capacity is available to service the development.
- C. Servicing capacity shall normally be allowed as part of a subdivision agreement or other appropriate instrument.

- D. A Holding (h) symbol may be used pursuant to Section 36 of the *Planning Act* as a tool to designate areas/development which do/does not have sufficient servicing capacity. Such Holding (h) symbol zones may be removed once servicing capacity is available and any other necessary planning conditions are satisfied.

## 5. Connection to Services

In **Urban Settlement Areas**, Local Municipalities may establish service limits for existing water and sewer services (see **Section 3.06.1.4 - Urban Service Limits**) where connection to *full* (municipal) *sewage and water services* or *partial services* shall be compulsory. The **Urban Service Limits** shown on the **Urban Settlement Area** schedules are approximate only. Local Municipalities may make use of a more precise or updated sources of information to determine the **Urban Service Limits** including an analysis conducted by a Professional Engineer submitted for individual development proposals. Local Municipalities may extend **Urban Service Limits** without the need for an amendment to this Plan provided:

- A. Development occurs in a sequential, compact and phased manner and sufficient capacity exists in the sewage and water services;
- B. Extension of services can occur without placing a financial burden on the Municipality; and
- C. The development is in compliance with the growth and settlement policies of this Plan (see **Section 3.06.1.4**).

~~Outside the urban service limits, but within the boundaries of designated Urban Settlement Areas, some development may be permitted on individual on-site water supply and sewage disposal systems where the Municipality is satisfied that such servicing is appropriate and feasible.~~ *Outside the urban service limits but within the boundaries of designated Urban Settlement Areas, some development may be permitted on individual on-site water and sewage systems in situations where pockets of private services exist and where additional development on private services is proposed for infilling and rounding out purposes only.*

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## 6. Servicing Options and Approvals

All new or retrofitted water and sewage disposal systems shall be designed, constructed, operated and maintained in compliance with the requirements or standards of the *Ontario Water Resources Act*, the *Safe Drinking Water Act*, the *Building Code Act* or the *Environmental Assessment Act* whichever applies. A servicing options report shall generally be required for any subdivision, multiple lot/unit development (6 or more lots/units) or major development as a condition of approval.

For smaller scale development outside of a defined **Urban Service Limit** but

within a designated **Urban Settlement Area**, a hydrogeological report prepared by a qualified professional in support of an application for a consent or plan of subdivision shall be required as an option to a servicing options report. This report shall provide a recommendation on a minimum lot size based on sustainable groundwater quality and quantity, soil conditions and their ability to accommodate the effluent load from a sewage disposal system.

Local Municipalities shall ensure that a change of land use which increases the intensity of the use of a lot i.e. conversion of a seasonal to a permanent residential use shall not be approved unless the lot can be adequately serviced with an appropriate water supply and sewage disposal system.

Where industrial or commercial uses are proposed, *individual on-site water supply and sewage disposal systems* may be used where appropriate to the development and provided that the approval of the Eastern Ontario Health Unit has been obtained.

#### **7. Communal Services**

*Communal services* shall be strongly discouraged as a form of servicing for development.

#### **8. Water Budget**

The County and Local Municipalities shall monitor provincial programs with respect to water source protection and shall participate where appropriate and feasible water or groundwater available for various land uses. Reference should also be made to the Eastern Ontario Water Resources Management Study with respect to water budgets and management.

#### **9. Drinking Water Protection Regulation**

Public works required to comply with the *Ontario Drinking Water Regulations* shall be deemed to comply with this Plan.

#### **10. Groundwater Protection**

The Eastern Ontario Water Resources Management Study identified areas within the County where aquifers are potentially vulnerable to contamination from land use activities. The following policies are intended to be used as a planning tool intended to minimize the impact of land use activities from polluting groundwater resources.

The Estimated Aquifer Vulnerability schedule shall be used as a general guideline in protecting areas of high aquifer vulnerability but more specific control shall be determined through implementing by-laws.

## 11. Wellhead Protection Areas

*Wellhead protection areas* (WHPA) may be established around municipal wells as a measure to protect the capture area which supplies groundwater for these wells. Zoning, site plan control and site alteration by-laws may be used to protect wellhead protection areas (WHPA). The Municipal Groundwater Study - United Counties of Stormont, Dundas & Glengarry, United Counties of Prescott and Russell, City of Ottawa shall be used as a reference guide with respect to this matter.

## 12. Municipal Regulatory Controls

Local Municipalities shall be encouraged to implement amendments to zoning by-laws which prohibit the use of land for new development or a change of use, or expansion of an existing use, unless appropriate water and/or sewage systems are available or adequate to service the subject lands. Site plan agreements shall similarly reflect the requirements for servicing. Local Municipalities shall establish separation distances in zoning by-laws between development, primarily *sensitive land uses*, and waste stabilization ponds and septage facilities (see also **Section 3.06.6.5**)

Water treatment plants, waste stabilization ponds and septage facilities and individual on-site sewage disposal systems shall be prohibited on shoreline lands below the natural hazard limit (see **Section 6 - Public Health and Safety**). Local Municipalities shall establish a minimum setback distance from the limit of the natural hazard in zoning by-laws for individual on-site sewage disposal systems.

Local Municipalities shall be encouraged to implement appropriate controls for the protection of vulnerable aquifers and *wellhead protection areas*.

## 13. Water Resources Protection Strategy

The development of a water resources protection strategy involves several components:

- Review of development decisions.
- Building a data base.
- Developing a protection strategy.
- Monitoring development impacts.
- Developing contingency plans for spills or disaster events.
- Developing public education/awareness programs.

The County will play an invaluable role as the proponent for the development of a detailed strategy, as an approval authority for development applications and as a coordinator for data collection. The County, or a designated agency i.e. Conservation Authority, will coordinate the gathering and records keeping of



water resources information as a measure to building a data base for land use planning and *infrastructure* decisions. The data base should include information on surface and groundwater quality and quantity, surface water elevations, velocities, flood events, storage volumes, ground water samples, hydrogeological and hydrology studies, abandoned well capping etc.

The County shall assist the Conservation Authorities to develop a comprehensive Water Resources Protection Strategy which shall, as one component, include water source protection policies. The Conservation Authorities, the Eastern Ontario Health Unit, Local Municipalities and the County will work with the farm industry and private property owners to institute programs for capping abandoned wells, for the ongoing maintenance of wells and septic tanks (i.e. septic tank re-inspection program), for water conservation and for aquifer protection.

#### 4.06.4 Stormwater Management

Development in both urban and rural areas can change existing conditions such that the quantity and quality of stormwater run-off is altered. Stormwater management considers both water quantity and quality aspects of stormwater run-off where artificial drainage improvements or practices become necessary. The protection and rehabilitation of stream corridors and erosion control along water courses are best approached through an integrated strategy and best management practices.

1. Stormwater management shall be integrated as a component of the development approval process, particularly for subdivisions, multiple lot/unit residential development, commercial, industrial and institutional and in the design and implementation of stormwater *infrastructure* for urban and rural settlement areas.
2. Stormwater management shall incorporate an ecosystem approach through the design, construction and post-construction phases. *Ecological functions*, particularly *fish habitat*, will be conserved or enhanced on a local and sub-*watershed* basis.
3. Stormwater management plans shall be considered as an opportunity to rectify existing nutrient, contaminant, erosion or hydraulic flow issues. Stormwater management planning should include water quality targets.
4. In the design and construction of stormwater management *infrastructure* best management practices shall be used to ensure:
  - A. That post-development flows, particularly in receiving streams, are maintained at pre-development levels and that the cumulative impacts of development (within the sub-*watershed*) are considered as part of stormwater *infrastructure* design.
  - B. The natural characteristics and quality of water of the receiving streams are maintained or enhanced including sediment control, riparian vegetation and thermal conditions.



- C. That there will not be any new or increased downstream flooding or erosion.
  - D. That natural habitat areas are protected or enhanced or restored.
  - E. That a construction mitigation plan is instituted to prevent stream borne sediments, changes in flow or other adverse characteristics from affecting the *ecological functions* or other impacts on receiving waters during construction.
  - F. That the post construction phase shall include rehabilitation, continued maintenance or *infrastructure* and preferably, a monitoring program.
  - G. Stormwater management *infrastructure* may be incorporated into parks and open space or green space within and between communities or may be integrated with a wetland complex.
5. Stormwater management shall incorporate consideration for groundwater recharge and discharge and ensure that groundwater is not negatively impacted.
  6. The Local Municipalities, in co-ordination with conservation authorities should develop a strategy for stormwater management that incorporates a consistent series of best management practices, river/stream corridor improvement, point and non-point source contaminant controls and *infrastructure* improvements on a water-shed and sub-*watershed* basis.

#### 4.06.5 Waste Management Systems

##### 1. Scope

Waste management includes landfill and recycling facilities and sites, septage haulage and disposal sites, *waste materials* haulage and disposal sites and nutrient management.

##### 2. Existing and New Landfill and Septage Sites and Transfer Stations

Existing active or new sites (public or private) may only be operated, expanded or closed in accordance with current provincial environmental standards and approvals. New sites shall be located only where they are compatible with adjacent land uses (existing and designated). Site development shall make provision for the progressive rehabilitation and reuse of the site.

*Waste management systems* may include facilities for recycling, composting, hazardous waste control, transfer sites and ancillary activities operated in accordance with a valid Certificate of Approval. New sites, sites for septage disposal and transfer stations will require an amendment to this Plan and will require approval under the *Environmental Protection Act* before an amendment is considered. Provincial and municipal approvals will be required for the hauling and disposal of *waste materials* and sewage and septage. Prohibited wastes shall include nuclear wastes, hazardous or pathological wastes. Sites may include transfer sites used for the temporary storage of waste materials. Local

Municipalities should monitor the impact of sites to ensure that there are no off-site adverse impacts (see also **Section 3.06.6.5**).

The (MOE) guideline “*Land Use On or Near Landfills and Dumps*” shall be used as a guide when assessing land use on or near any open or closed landfill site which contains municipal solid waste, industrial solid waste and/or sewage sludges ~~or septage~~. Separation distances will apply on a reciprocal basis for existing *sensitive land uses*.

Mod #24

The County may assume responsibility for waste management on behalf of one or more Local Municipalities.

### 3. Closed or Inactive Sites

Closed or inactive sites, whether public or private, may be used for other purposes subject to meeting requirements of the *Environmental Protection Act (Section 46 Order)*. In general, no buildings or other use may be made of land used as a waste management facility within a period of 25 years from the year in which the site was closed without the prior approval of the Minister of the Environment. Closure plans should provide for the progressive rehabilitation of the site.

### 4. Design Capacity

Local Municipalities shall ensure that there is sufficient capacity to accommodate waste disposal for all new development.

### 5. Influence Area and Separation Distances

Local Municipalities in assessing the impact of a landfill site will use a 500 m (1,640 ft.) radius (or such other distance recommended by the Ministry of the Environment) as a guideline for conducting the required impact studies and Local Municipalities may establish provisions in their zoning by-laws or use site plan control to establish an appropriate separation distance from a landfill site. Within an influence area, which may be considered as a study area, factors to be considered in assessing whether development proposals for *sensitive land uses* should be approved include, but are not limited to, landfill generated gases, ground and surface water contamination by leachate, odour, litter, vehicular traffic, dust, noise, vectors and vermin and visual impact (see also **Section 3.06.6.5**).

### 6. Waste Materials

*Waste materials* may be applied to farmland subject to meeting the requirements of *Ontario Regulation 347 of the Environmental Protection Act* (including provincial approval), subject to the operating procedures outlined in “*Guidelines for the Utilization of Bio-solids and Other Wastes on Agricultural Land*”. Local Municipalities may establish environmental protocols. In particular, Local

Municipalities should maintain an up-to-date list of all Certificates of Approval that have been issued for the application of waste materials or septage on land within the Local Municipality.

Applicators may only use *waste materials* that have been approved by the Ministry of the Environment on land that has been approved to receive it.

Local Municipalities may establish designated haulage routes taking into consideration land uses along the proposed route(s) and/or enter into agreements for the transport of waste materials.

## 7. Nutrient Management

### Scope

Mod #25

Nutrient management plans ~~shall be required and~~ *are* administered in compliance with the *Nutrient Management Act*, 2002. Municipalities may continue to administer nutrient management by-laws *as enabled by the Municipal act* where they have jurisdiction.

## 8. Lot Creation

Mod #26

*It is expected that the Ministry of the Environment will release guidelines in 2006 with regard to sufficient treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services. Once these guidelines are released it shall be the intent of the County to consider amendments to the Official Plan to be consistent with the Sewage and Water policies of the Provincial policy Statement.*

## 4.06.6 Transportation

Transportation *infrastructure* is made up of provincial highways, County roads, local (township) roads, private roads, transit, rail, air, special purpose trails and water transportation services.

### 1. Provincial Highways

Provincial highways are classified according to their function by the Ministry of Transportation. All provincial highways, as shown on the **Land Use Plan Schedules**, are under the jurisdiction of the Province and as such, the requirements of the Ministry of Transportation will apply. This includes the protection of corridors (i.e. along Highway 138) which are intended for a future by-pass.

The intent of this Plan is to maintain the function of provincial highways and/or interchange areas through land use decisions which support the controls exercised

by the Ministry of Transportation with respect to access, adjacent land uses and structures. These controls include highway safety and geometrics (e.g. right-of-way widths, number of lanes etc.) and also extend to stormwater (drainage) **infrastructure** and the buffering or screening outdoor storage and parking areas related to development adjacent to provincial highways and intersecting local roads. Outdoor storage and loading areas shall be visually screened or appropriately located in such a way as to not detract the traveling public.

Access to provincial highways is restricted and development shall only be permitted where the applicable approvals/permits have been obtained. This may include a traffic study. Development will be encouraged to use local roads and service roads wherever possible. Any new roads proposed to be connected to a provincial highway are subject to provincial approval including spacing requirements between intersections. Noise and vibration studies may be required prior to considering whether development should be approved adjacent to a provincial highway.

## 2. County Roads

County roads may be classified for their transportation function. The intent of this Plan is to maintain the function of County Roads by recognizing the authority of the County to control access, driveway and intersection spacing, signs and setbacks in making land use decisions.

The intent of this Plan is to discourage residential ribbon development and commercial strip development along County roads by controlling direct access points (driveways and entrances). New residential lot creation (see **Section 8.14.13.2**), with direct access, will not be permitted on County roads having a speed limit of 80 km/h or higher and an annual average daily traffic (AADT) volume of 4,000 vehicles or greater. New residential lot creation shall be severely discouraged on County roads with a speed zoning of 60 or 70 km/h only where the County Engineer is satisfied that driveway spacing, entrance location and sight distances are adequate to ensure the function and safe use of the highway. On County roads of lesser speeds or volumes, or within the boundaries of urban or rural settlement areas, new lot creation and/or access may be permitted subject to County entrance standards (safety and geometric standards).

If not otherwise prohibited, access to a County Road may be permitted subject to the following:

- A. Direct access will be permitted to existing lots of record on the day this Plan comes into force.
- B. Public road entrances will be permitted and shall require engineered design.

- C. New access or alteration of existing access points for commercial, institutional or industrial uses which conform to this Plan and to Local Municipal zoning requirements will be permitted and shall required engineered design.
- D. New infilling entrance ways will be required within the boundaries of designated settlement areas.
- E. Access for new residential lots may be permitted where there is at least 350 m (1,148 ft.) of continuous road frontage free of year round residential/commercial/industrial/institutional entrance ways (or the requirement for same) on the same side of the road for which an application has been made. For County Roads with less than 1,000 AADT, the frontage may be reduced to 200 m (656 ft.).
- F. Condominium access points shall be engineered and will be considered as one access point.
- G. Despite the above, two entrance ways adjacent to one another without the prescribed spacing, may be permitted, provided that the overall density of residential/commercial/industrial/institutional access requirements on any one side of a road is no more frequent than 3 per kilometer or 5 per kilometer for County Roads with less than 1,000 AADT. The kilometer shall be that segment containing the subject land and the greatest number of lots requiring residential access.
- H. Shared access and the use of service roads or local roads may be required as measures to minimize direct access.

Traffic studies may be required by the County as a pre-requisite to the approval of any new access or a change to an existing access or intersection or intersection spacing with a County road. A traffic study does not guarantee an approval. Where approvals are granted, design and development standards governed by the County shall apply. Where an existing access approval has been granted for a specific use, it will not necessarily be altered to support a proposed change of use on the property.

The County may require the conveyance of land for a road widening, day lighting triangle or intersection improvement as a condition of site plan approval or land division where a road allowance or intersection is deficient in width or enlargement is a requirement. The County may require the dedication of an access reserve to the County along the frontage of any property abutting a County Road and may require drainage controls as a condition of development (see **Section 8.14.10 - Site Plan Control**).

Wherever feasible, the safety and efficiency of the County road system will be improved through such measures as reconstruction, realignment, consolidating and closing multiple entrances, increasing day lighting triangles, load limits, truck and fire routes, parking, bike lanes, paved shoulders, lighting, transit or commuter lanes, speed zoning and signalization. Road maintenance and improvements to the

County road system and the construction of new roads shall be deemed to conform to Section 24 of the *Planning Act*.

Noise and vibration studies may be required prior to considering whether development should be approved adjacent to a County road.

### 3. Township Roads

The primary function of Township roads is to provide direct access to abutting properties. Local Municipalities may further classify local roads and establish standards for safe use, geometrics, construction and pavement standards, intersections, access, frontage requirements, intersection spacing, signs, truck routes, fire routes, parking lanes, bike lanes, lighting, speed zoning, setbacks, maintenance and winter control, culverts and drainage for all development or to improve the function and safety of any local road. Road maintenance and improvements to the local road system and the construction of new roads shall be deemed to conform to Section 24 of the *Planning Act*.

Local Municipalities may provide for the layout and construction of roads and may enter into agreements for road construction as provided for under the *Planning Act*.

Traffic studies may be required by a Local Municipality as a pre-requisite to the approval of any new access or a change to an existing access or intersection, or intersection spacing with a local road. A traffic study does not guarantee an approval. Where approvals are granted, design and development standards governed by the Local Municipality shall apply. Where an existing access approval has been granted for a specific use, it will not necessarily be altered to support a proposed change of use on the property.

Local Municipalities may permit the use of an unopened road allowance by agreement and may open or close a road allowance in compliance with the requirements of the *Municipal Act*. Local Municipalities may enter into encroachment agreements for unused or unassumed road allowances (see also **Section 3.06.6.3**).

A Local Municipality may require the conveyance of land for a road widening, day lighting triangle or intersection improvement as a condition of site plan approval or land division where a road allowance or intersection is deficient in width or enlargement is a requirement. Generally, the conveyance shall be equal to one-half the deficiency in the width of the road allowance (see **Section 8.14.10 - Site Plan Control**). A Local Municipality may require the dedication of an access reserve to the County/Local Municipality along the frontage of any property abutting a County or local road as a condition of development. A Local Municipality, as a condition of approval of any development, may require the dedication of a 20 m

(65.6 ft.) road reserve (or alternative ROW if required) to provide an access for the future development of land.

Noise and vibration studies may be required prior to considering whether development should be approved adjacent to a local road.

In addition to the policies on Township roads in this Plan, Local Municipalities may also make reference to their Local Official Plans. Should there be a conflict between the policies of this Plan and a current Local Official Plan regarding policies on Township roads, the Local Official Plan shall prevail.

#### **4. Private Roads**

Private roads are roads under private ownership which serve multiple properties. Except as part of a condominium or in a park, campground, mobile home park or on the lands of a public authority, new private road construction will be limited to minor extensions to existing private roads where public road frontage cannot otherwise be provided. Local Municipalities are not obliged to assume a private road but may do so without an amendment to this Plan, where the road is constructed or improved to municipal standards. Roads constructed as part of a condominium shall be constructed to municipal standards. No new lot creation will be permitted on a private road other than for a condominium development or mobile home park. Local Municipalities or school boards are not obliged to provide services (e.g. emergency services, garbage collection, school bussing) on private roads which are impassable or sub-standard (see also **Sections 3.06.6.3** and **8.14.13**).

#### **5. Transit**

The intent of this Plan is to recognize and encourage the continued provision of public transit services by the City of Cornwall serving St. Andrews West and Rosedale Terrace/Eamer's Corners. Public transit services may be provided in other locations where warranted. The feasibility of public transit service in the Rural areas shall be investigated.

#### **6. Rail**

Rail corridors are recognized as important economic and transportation linkages through and serving the County. Potential upgrading of the corridor for high speed or rapid passenger service as well as the need to protect the corridor for its current usage requires land use controls in the vicinity of the corridor. Rail-related noise and vibration attenuation and/or the construction of crash barriers/berms (for public safety against derailments) shall be considered in land use decisions for development proposed adjacent to or in the vicinity of the corridor.



Mod #27

*Detailed noise studies may be required for development proposals within 500 metres from a principal main railway line, 250 metres from a secondary main railway line and 100 metres from other railway lines.*

## 7. Air Transport

Airports are defined as federally licensed establishments for the landing of aircraft and can include land or water based facilities.

Aerodromes are defined as private unlicensed establishments for the landing of aircraft and do not include a commercial component.

The intent of the Plan is to recognize the Cornwall Regional Airport as a facility serving the area and providing an economic benefit to the County. Although NEF (Noise Exposure Forecast) contour mapping has not been developed for this facility by Transport Canada, such mapping shall be illustrated on the schedules of the implementing municipal zoning by-laws. The amendment shall also include corresponding policies in the text of the Plan as required to implement the Provincial Policy Statement. Zoning by-laws shall be amended to implement appropriate land use and height controls. *The noise impact from aircraft is assessed using the NEF/NEP contour maps. The NEF/NEP contour values are approved by Transport Canada for various airports in Canada. A detailed noise study is required for proposals that are located at or above NEF/NEP 25.* In the absence of NEF mapping, development within the vicinity of the airport will be restricted and subject to review by the public authority having jurisdiction. The intent of the Plan is to also recognize the Alexandria airport.

Mod #28

Local Municipalities may implement zoning controls in the vicinity of airports to govern the height and use of land including communication towers.

## 7. Water Transport

The St. Lawrence Seaway is a water transportation artery of national and international significance as well as a recreational waterway. Although there are no major port facilities within the County, there are many marinas which are host to recreational boating. The intent of the Plan is to safeguard the waterway for its dual function. Appropriate development standards and approvals will be required for marine facilities (wharfs, docks, boathouses) to ensure navigational safety.

## 8. Special Purpose Trails and Pedestrian Pathways

The intent of this Plan is to recognize the economic, health and recreational benefits of numerous trails and corridors of various use(s) across the County (e.g. snowmobile, ATV, cross-country, walking, hiking, cycling, equestrian, canoeing) and to encourage cooperation and coordination amongst public authorities and

agencies in maintaining, upgrading and extending trails and corridors as an integral component of land use decision making. These improvements will not require an amendment to the Plan. Trails should be designed to be continuous and where feasible to provide an alternative transportation system to the road network. Local Municipalities are encouraged to develop a Trails Master Plan.

The County shall make available the use of County Forest Land for recreational trails and shall coordinate efforts to develop a continuous trail system within the United Counties.

Local Municipalities are encouraged to incorporate sidewalks and walkways in the design and development of residential neighbourhoods and to provide pedestrian linkages to parks, open spaces, downtowns, public services facilities and shopping areas.

Special purpose trails which are intended to cross a provincial highway are subject to provincial approval.

#### **4.06.7 Communications and Utilities**

##### **1. General**

The provisions of this section apply to all significant works or facilities above or below grade for the provision, generation, transmission, distribution and storage of energy such as gas, oil and electric power and the provision of communication facilities such as broadcast, telecast, fibre-optic, optical wireless or other transmission apparatus of such utility.

##### **2. Development Control**

Any new major corridors, or any significant station, storage facility or tower should be located to minimize any potential adverse social, environmental or aesthetic impacts and avoid any hazard to aeronautical or water transportation. Transformer stations should be aesthetically integrated in the design of residential areas.

New or existing corridors (gas, oil, electric transmission) shall be protected from development by requiring setbacks and construction standards which are consistent with the safe operation, proposed expansion and/or respective regulations of the agencies governing those corridors (e.g. TransCanada Pipelines, Hydro One Networks, Bell Canada Fibre Optics) (see also **Section 4.06.6.7**).

Utilities which directly serve new subdivisions or other development and are compatible and in scale with such developments shall be permitted without amendment to this Plan provided they comply with the construction or other

relevant standards of the County or Local Municipality having jurisdiction. Where feasible, preference should be given to underground servicing in urban areas.

Utility companies will be encouraged to coordinate their efforts in the installation of utilities and in long term facility planning.

Future transmission lines shall be located in areas to minimize their environmental impact and fragmentation of farmland.

In the design and development of communication or utility towers, consideration should be given to the visual impacts on adjacent land uses and public safety in the event of the collapse of a tower. Communication towers should be directed to non-prominent areas and to areas which do not fragment agricultural lands.

Facilities such as former transformer stations and related sites shall be designed to blend in with the residential areas they serve.

### 3. Existing Facilities

This Plan recognizes all existing communications and utility corridors and facilities as conforming uses. New communications towers, storage and administration facilities shall be subject to site plan control. Expansion of the electrical power transmission shall be subject to the *Environmental Assessment Act*.

### 4. Wireless Optical and Internet Services

Communications *infrastructure* (e.g. internet access, cell phones) designed to enhance communications and economic development shall be encouraged.

## 4.07 CONSULTATION AND REFERENCES

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The following agencies shall be consulted where appropriate:

1. School Boards - for capacity of schools.
2. Raisin Region Conservation Authority or South Nation Conservation - for stormwater management planning and approvals.
3. Ministry of the Environment - for Certificates of Approval, Drinking Water Protection Regulation, Section 46 Environmental Protection Order for closed waste disposal site, *waste materials* approval.
4. South Nation Conservation's Clean Water Committee on any application to expand or establish a sewage system which discharges into the South Nation River or its tributaries.

5. Ministry of Agriculture and Food - for nutrient management plan controls.
6. Ministry of Transportation - for provincial highway access approvals, and development applications adjacent to a provincial highway or new roads intersecting with provincial highways.
7. Transport Canada - for *Aeronautical Act* approvals.
8. Canadian Coast Guard - for approval of marine structures affecting navigable waters.
9. TransCanada Pipelines, Trans Northern, Enbridge - for construction near pipeline corridor.
10. Hydro One Networks for construction near electric power transmission corridors.

**Reference documents include:**

- Guideline for TCPL 1247 E, 1996
- Noise Assessment Criteria in Land Use Planning Publication LU-131, MOE, 1995
- Excavation and Construction Near Pipelines, National Energy Board, 1998
- Urban Development Adjacent to Pipeline Facilities, Calculating and Reporting on uncommitted Reserve Capacity at Sewage and Water Treatment Plants, MOE, 1992
- Guideline D-4, Land Use On or Near Landfills and Dumps, MOE, 1994
- Guideline D-5-2, Application of Municipal responsibility, Communal Water/Sewage, 1995
- Stormwater Management Practices & Design Manual, MOE
- Guidelines for Erosion and Sediment Control for Urban Construction Sites, MOE
- Guidelines for the Utilization of Bio-solids and Other Wastes on Agricultural Land, MOE
- Eastern Ontario Water Resources Management Study, Final Report, CH2MHill, March 2001 and Figures
- Roadside Drainage, United Counties of Stormont, Dundas and Glengarry, 1976
- Piping/filling in of Roadside Ditches, United Counties of Stormont, Dundas and Glengarry, 1996
- Minimum Design Standards for Design of County Roads, United Counties of Stormont, Dundas and Glengarry, 1991
- Land Use in the Vicinity of Airports, Transport Canada, TransCanada Pipelines, 1995
- Provincial Policy Statement, 1997 re: definitions

## SECTION 5 - RESOURCE MANAGEMENT

### 5.01 INTRODUCTION

The United Counties are endowed with renewable and non-renewable resources that are significant contributors to the economic base or are significant for their ecological value (*natural heritage features and areas*). From the standpoint of agriculture, there are 2,113 (1996) farms in the County occupying 193,253 ha (477,522 ac.) of the land base, accounting for 5.8% of the employment base and farm gate sales exceeding \$214 million. The sand and gravel resources in the County that are classified as being of primary significance are estimated at 75.6 million tonnes (1995) and are spread over some 798.8 ha while bedrock resources are estimated at 17,419 million tonnes occupying an area of 36,533 ha. An estimated 33% of the land base or 107,488 ha is covered by forests and is the basis for an active commercial forest industry. Peat extraction is a resource activity distributing products to a national market. *Natural heritage features and areas* are in abundance across the Counties and embody features which are provincially significant or important for their ecological value to local communities, to local environmental organizations or to land owners. Water is a precious resource. The Eastern Ontario Water Resources Management Study (2000-2001) identified the value and characteristics of this resource and its significance to land use planning.

### 5.02 STATEMENT OF INTENT

It is the intent of this Plan to provide for the short and long-term stewardship of all renewable and non-renewable resources through measures which protect, conserve, or facilitate the utilization of such resources for their economic or resource value, or in fact, enhance the quality or character of the resource. Land uses will not be permitted on or in proximity to resource uses or activities which are incompatible or interfere with normal resource utilization practices or which threaten the degradation of the quality of those resources e.g. natural heritage features and areas, water, soil. The Plan provides for the orderly transition of resource lands to other uses where the resource has been depleted e.g. mineral aggregates.

### 5.03 GOAL

To manage the community's renewable and non-renewable resources in a responsible manner through the development of policies, tools and practices designed to identify, protect, conserve, enhance or utilize these resources over the short and long-term and which provide for the transition to other land uses where a non-renewable resource has been depleted.

## 5.04 OBJECTIVES

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To designate as much of the renewable and non-renewable resource lands as is realistically possible for resource use.

To minimize land use conflicts between resource uses and between resource uses and surrounding land uses.

To provide for the sequential use of resource lands for other purposes.

To conserve, protect and where possible enhance the value of the natural environment including *natural heritage features and areas*.

To establish protocols for the review and processing of development applications affecting various resource activities.

## 5.05 KEYNOTE POLICY

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It is a policy to protect as much of the renewable and non-renewable natural resource base as is realistically possible for resource and resource-related land use activities for short or long term economic utilization. The policies of this Plan recognize the importance of managing lands with the potential for one or more resource uses, the need to minimize land use conflicts, the need to restore land for subsequent land uses and the need for stewardship of natural heritage features and areas and the natural environment. The policies of this Plan provide for the use or conservation of resources which are important to the community or area in which they are located or are recognized for their significance at a provincial or national level.

## 5.06 IMPLEMENTATION

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### 5.06.1 Land Use Designations and Constraint Overlays

For the purposes of this Plan, the **Agricultural Resource Lands** and the **Extractive Resource Lands** (except bedrock resources) as shown on the **Land Use Schedules** shall be considered to be land use designations. Changes to the boundaries of these designations shall require an amendment to this Plan. Lands shown as Environmental Protection Lands shall be considered as a *constraint overlay* and are subject to the policies of **Section 6** of this Plan. Lands illustrated as Provincially Significant *Wetlands* as shown on the **Land Use Schedules** shall be considered to be a land use designation. Changes to this designation shall require an amendment to this Plan. Lands which are identified as the habitat of an *endangered species* or a *threatened species*, are not identified on the schedules. Other *natural heritage features and areas* including *woodlands* which are shown on the **Constraints Schedules** shall be considered as a *constraint overlay* and are subject to the policies of **Section 5** of this Plan.

## 5.06.2 Scope of Uses and Application

**Table 5.1** shall be used in determining the scope of uses permitted or prohibited for each of the **Resource Lands** categories. **Table 5.1** shall be read in conjunction with the relevant policies of this Section of the Plan.

<b>TABLE 5.1 - Resource Lands – Scope of Uses</b>		
<u>Resource Use</u>	<u>Permitted Uses</u>	<u>Prohibited Uses</u>
<b>Agricultural Resource Lands</b>	<ul style="list-style-type: none"> <li>-<i>Agricultural uses*</i></li> <li>-<i>Secondary uses*</i></li> <li>-<i>Agricultural-related uses*</i></li> <li>-Conservation use</li> <li>-Existing dwellings and dwellings on lots created by consent under <b>Section 8.14.13</b></li> <li>-Forestry use or <i>woodlands*</i></li> <li>-<i>Mineral aggregate operation*</i> as an interim use (see <b>Section 5.06.3.2</b>)</li> <li>-Passive outdoor recreation use excluding buildings and golf courses</li> <li>-<i>Natural heritage features and areas*</i></li> <li>-<i>Wayside Pits or Quarries*</i></li> <li>-Legally existing uses, buildings or structures</li> </ul>	-Uses which conflict with normal agricultural operations
<b>Extractive Resource Lands</b>	<ul style="list-style-type: none"> <li>-<i>Mineral aggregate operation*</i></li> <li>-asphalt and concrete plants, mineral aggregate processing facilities and administration buildings or structures</li> <li>-<i>Wayside Pits or Quarries*</i></li> <li>-<i>Agricultural uses*</i></li> <li>-Forestry use or <i>woodlands*</i></li> <li>-Conservation use</li> <li>-<i>Natural heritage features and areas*</i></li> <li>-Outdoor recreation use excluding buildings</li> <li>-Peat extraction and associated accessory uses and value-added peat resource-related industries</li> <li>-Existing dwellings</li> <li>-Legally existing uses, buildings or structures</li> </ul>	-Uses which conflict with normal <i>mineral aggregate operations</i>
<b>Environmental Protection Lands</b>	As set out in <b>Section 6</b>	As set out in <b>Section 6</b>



<b>TABLE 5.1 RESOURCE LANDS – SCOPE OF USES</b>		
<u>Resource Use</u>	<u>Permitted Uses</u>	<u>Prohibited Uses</u>
<i>Natural heritage features and areas:</i>		
<b>1) Provincially Significant Wetland</b>	<ul style="list-style-type: none"> <li>-<b>Wetlands*</b></li> <li>-Conservation use excluding buildings or structures unless required for educational purposes i.e. boardwalk, interpretive kiosk, subject to <b>Sections 5.06.5.6</b> and <b>5.06.5.7</b></li> <li>-Any other <i>natural heritage features and areas*</i></li> <li>-Legally existing uses, buildings or structures</li> </ul>	<ul style="list-style-type: none"> <li>-Any <i>development*</i> or <i>site alteration*</i> of the <i>wetland*</i> or expansion of an existing use, building or structure</li> <li>-Wayside pit or quarry</li> </ul>
<b>2) Locally Significant Wetland</b>	<ul style="list-style-type: none"> <li>-<b>Wetlands*</b></li> <li>-Conservation use excluding buildings or structures unless required for educational purposes i.e. boardwalk, interpretive kiosk, subject to <b>Sections 5.06.5.6</b> and <b>5.06.5.7</b></li> <li>-Any other <i>natural heritage features and areas*</i></li> <li>-Any use in the underlying land use designation subject to satisfying <b>Section 5.06.5.7</b></li> <li>-Legally existing uses, buildings or structures</li> </ul>	<ul style="list-style-type: none"> <li>- Any <i>development*</i> or <i>site alteration*</i> which is determined to have a <i>negative impact*</i> on the natural features or <i>ecological functions</i> for which the <i>wetland*</i> has been identified (see <b>Section 5.06.5.7</b>)</li> <li>-Wayside pit or quarry</li> </ul>
<b>3) Endangered and Threatened Species</b>	<ul style="list-style-type: none"> <li>-Habitat of an <i>endangered species</i> or a <i>threatened species*</i></li> <li>-Conservation use excluding buildings or structures unless required for educational purposes i.e. boardwalk, interpretive kiosk, subject to <b>Sections 5.06.5.5</b> and <b>5.06.5.7</b></li> <li>-Any other <i>natural heritage features and areas*</i></li> <li>-Legally existing uses, buildings or structures</li> </ul>	<ul style="list-style-type: none"> <li>-Any <i>development*</i> or <i>site alteration*</i> in the habitat of an <i>endangered species</i> or a <i>threatened species</i> or the expansion of an existing use, building or structure</li> <li>-Wayside pit or quarry</li> </ul>
<b>4) Fish Habitat</b>	<ul style="list-style-type: none"> <li>-<b>Fish habitat*</b></li> <li>-Any use in the underlying land use designation subject to <b>Sections 5.06.5.3</b> and <b>5.06.5.7</b></li> <li>-Conservation Use excluding buildings or structures unless required for educational purposes i.e. boardwalk, interpretive kiosk, subject to <b>Sections 5.06.5.3</b> and <b>5.06.5.7</b></li> <li>-Any other <i>natural heritage features and areas*</i></li> <li>-Legally existing uses, buildings or structures</li> </ul>	<ul style="list-style-type: none"> <li>- Any <i>development*</i> or <i>site alteration*</i> which is determined to have a <i>negative impact*</i> on the natural features or <i>ecological functions</i> for which the <i>fish habitat*</i> has been identified (see <b>Section 5.06.5.7</b>)</li> <li>-Wayside pit or quarry</li> </ul>

<b>TABLE 5.1 RESOURCE LANDS – SCOPE OF USES</b>		
<u>Resource Use</u>	<u>Permitted Uses</u>	<u>Prohibited Uses</u>
<b>5) Wildlife Habitat</b>	<p><i>-Wildlife habitat*</i></p> <p>-Any use in the underlying land use designation subject to <b>Sections 5.06.5.5 and 5.06.5.7</b></p> <p>-Conservation Use excluding buildings or structures unless required for educational purposes i.e. boardwalk, interpretive kiosk, subject to <b>Sections 5.06.5.5 and 5.06.5.7</b></p> <p>-Any other <i>natural heritage features and areas*</i></p> <p>-Legally existing uses, buildings or structures</p>	<p>- Any <i>development*</i> or <i>site alteration*</i> which is determined to have a <i>negative impact*</i> on the natural features or <i>ecological functions</i> for which the <i>wildlife habitat*</i> has been identified (see <b>Section 5.06.5.7</b>)</p> <p>-Wayside pit or quarry</p>
<b>6) Areas of Natural and Scientific Interest (ANSI)</b>	<p><i>-Areas of natural and scientific interest*</i></p> <p>-Any use in the underlying land use designation subject to <b>Sections 5.06.5.5 and 5.06.5.7</b></p> <p>-Conservation Use</p> <p>-Any other <i>natural heritage features and areas*</i></p> <p>-Legally existing uses, buildings or structures</p>	<p>- Any <i>development*</i> or <i>site alteration*</i> which is determined to have a <i>negative impact*</i> on the natural features or <i>ecological functions</i> for which the <i>ANSI*</i> has been identified (see <b>Section 5.06.5.7</b>)</p> <p>-Wayside pit or quarry</p>
<b>7) Woodlands</b>	<p><i>-Woodlands*</i></p> <p>-Any use in the underlying land use designation subject to <b>Section 5.06.5.4</b></p> <p>-Conservation Use</p> <p>-Any other <i>natural heritage features and areas*</i></p> <p>-Legally existing uses, buildings or structures</p>	<p>- Any <i>development*</i> or <i>site alteration*</i> which has a <i>negative impact*</i> on the natural features or <i>ecological functions</i> for which the <i>woodland*</i> has been identified subject to <b>Section 5.06.5.4</b></p>
<b>8) Valleylands</b>	<p><i>-Valleylands*</i></p> <p>-Any use in the underlying land use designation subject to <b>Sections 5.06.5.5 and 5.06.5.7</b></p> <p>-Conservation Use</p> <p>-Any other <i>natural heritage features and areas*</i></p> <p>-Legally existing uses, buildings or structures</p>	<p>-Any <i>development*</i> or <i>site alteration*</i> which has a <i>negative impact*</i> on the natural features or <i>ecological functions</i> for which the <i>valleyland*</i> has been identified (see <b>Section 5.06.5.7</b>)</p> <p>-Wayside pit or quarry</p>

\* Indicates words or phrases defined in the Provincial Policy Statement (February 1, 1997) (March 25, 2005) version.

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### 5.06.3 Agricultural Resource Lands

#### 1. Determination of *Prime agricultural area*

For the purposes of the Provincial Policy Statement and this Plan, the **Agricultural Resource Lands** as shown on the **Land Use Schedules** were identified for designation as the *prime agricultural area* by the Land Evaluation and Area Review Committee. (Note: This includes lands which are Class 1-3, Canada Land Inventory for agricultural capability, *specialty crop land* and lands which are used for or related to agricultural productivity. This may also include lands of lesser agricultural capability, *woodlands*, lands which are identified as *natural heritage features and areas* or other lands, which, by virtue of their location are considered important to the foodland production.)

#### 2. Scope of Permitted Uses

The scope of permitted uses on lands designated **Agricultural Resource Lands** on the **Land Use Schedules** are set out in **Table 5.1**.

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*Agricultural uses include 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 the accommodation for full-time labour when the size or nature of the operation requires additional employment.*

A *mineral aggregate operation* is permitted as an interim use in the *prime agricultural area* provide that any site or lands actually used are rehabilitated to substantially the same area and same average soil quality for agriculture prior to the extraction of mineral aggregates. Complete agricultural restoration is not required if a substantial portion of the property is extracted below the water table, the depth of the planned extraction in a quarry makes restoration unfeasible, other alternatives have been considered by the applicant and agriculture in the remaining areas will be maximized. This policy shall only apply to *mineral aggregate operations* which have licensed under the *Aggregate Resources Act* for extraction below the water table.

Existing lots of record on *prime agricultural lands* may be used for non-agricultural uses listed in **Table 5.1 - Agricultural Resource Lands - Permitted Uses** provided there are no reasonable alternative locations which avoid the use of *prime agricultural areas*. Existing non-agricultural uses, buildings or structures may be expanded provided they will be compatible with farm operations.

Where there is a conflict between a proposed (new) agricultural use and a *natural heritage feature and area*, the agricultural use will be subject to the relevant

requirements of **Section 5.06.5**, including the requirement for an Impact Assessment. While existing agricultural uses shall be permitted to continue, agricultural operators shall be encouraged to protect or conserve *natural heritage features and areas* wherever possible.

The removal of top soil on *prime agricultural lands* shall be discouraged.

### 3. Secondary Uses and Agricultural-Related Uses

*Secondary uses ~~and agricultural-related uses~~ on prime agricultural lands* are encouraged as a means to strengthen and diversify the agricultural industry and to supplement farm income. *For the purposes of this section, secondary uses shall be defined as uses that are 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 such as custom meat shops, pick-your-own operations, produce market, and packing operations; and agriculture-related commercial and agriculture-related industrial uses that are small in scale and directly related to the farm operation and required to be in close proximity to the farm operation such as a grain drying handling and storage facility.* Local Municipalities shall ensure that such uses are compatible with agricultural uses and shall not hinder surrounding agricultural operations. Criteria used to evaluate compatibility include: the type and scale of use; that the use, where it is located on a farm, is clearly secondary to the main farm operation; that on-site farm-related secondary uses are not likely to generate a future land severance; that the use does not interfere with normal farm practices; and that the use can be satisfactorily serviced with individual on-site water and sewage disposal systems. Impacts on agricultural operations from any *secondary uses* or ~~agricultural-related uses~~ *uses that are secondary to the principal use of the property* shall be mitigated (**Section 3.06.6** shall apply for these purposes).(See also **Section 3.06.10 - Home Based Businesses and Bed and Breakfast Establishments.**)

Mod #31

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A large scale *secondary use* or *agricultural-related use* should be directed to an **Employment District** where it will reinforce local municipal investment or policies for a commercial or industrial area, or if not feasible, to lands having lesser soil capability for agriculture.

*Abattoirs, livestock marketing or sales yards, a seed cleaning plant, an agricultural produce warehouse or similar agri-business are permitted provided there are no reasonable alternative locations which avoid prime agricultural areas; and there are no reasonable locations in prime agricultural areas with lower priority agricultural lands*

Mod #33

#### 4. Lot sizes

The lot size shall be adequate for all existing and proposed or future agricultural uses including all buildings and structures. Lots which include a *secondary use* or are developed for an *agricultural-related use* shall be designed to minimize the use of land within the *prime agricultural area*. Where applicable, the lot shall be adequate for all setbacks, parking and loading facilities, storage and display areas, signs, lighting, landscaping, buffering or screening, *infrastructure* and safe access and egress, *individual on-site systems* and shall comply with **Section 3.06.6** of this Plan.

#### 5. New Lot Creation

New lot creation on **Agricultural Resource Lands** shall be governed by **Section 8.14.13** of this Plan.

#### 6. Expansion of Settlement Areas

Expansion of settlement areas within the **Agricultural Resource Lands** shall be governed by **Section 3.06.8 – Secondary Plans**, or **Section 3.06.2.4** of this Plan.

#### 7. Minimum Distance Separation Formulae I and II

The Minimum Distance Separation (MDS) Formulae I and II, as amended from time-to-time, of the Ministry of Agriculture and Food shall be applied to reduce incompatibility concerns about odour from livestock facilities and/or manure storage facilities and any non-farm uses. The MDS Formulae II will not apply to the rebuilding of a building destroyed by natural causes (e.g. fire, flood), provided that the rebuilding does not further diminish the applicable distance separation (see also **Section 3.06.6.5**).

#### 8. Normal Farm Practices

Normal farm practices will be promoted and protected in *prime agricultural areas*.

*Note: see also the provisions for Nutrient Management - Section 4.06.5.7 and Water and Sewage Disposal Works - Section 4.06.3 for requirements that apply to ~~intensive farm operations~~ and the servicing of development on Agricultural Resource Lands.*

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## 5.06.4 Extractive Resource Lands

### 1. Scope of Permitted Uses and Land Use Designation

The scope of permitted uses on lands designated **Extractive Resource Lands** on the **Land Use Schedules** are set out in **Table 5.1**. Lands designated as **Extractive Resource Lands** on the **Land Use Schedules** include licensed pits and quarries, and aggregate reserves (sand and gravel). These lands shall be protected for their mineral resource value. Bedrock resources, which are identified on a separate **Land Use Schedule** are identified as a *constraint overlay*. It is the intent of this Plan that they be protected wherever feasible by directing permanent development (e.g. buildings) away from these areas. In evaluating bedrock resources, regard shall be given to delineation of bedrock resources and the rating as illustrated by the Ontario Geological Survey, Aggregate Resources Paper, 1997 i.e. Three levels of significance. Where these bedrock resource areas are proposed to be licensed for extraction, however, an amendment to this Plan shall be required. Such lands will then be considered as a land use designation and the relevant policies of this section of the Plan shall apply. The boundaries shown as bedrock resources are a general indication of where bedrock exists. Additional bedrock resources identified or confirmed by the Ministry of Natural Resources may also be referenced when an application is made for a licensed extraction operation. The Constraints Schedules shall normally be amended during comprehensive reviews or periodic updates of the Official Plan.

For more accurate delineation of licensed pits and quarries reference shall be made to the information or mapping for the Ministry of Natural Resources. Where there is a discrepancy between the licensed areas shown on the Land Use Schedules and the official information or mapping of the Ministry of Natural Resources, the latter shall apply.

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*Notwithstanding the policies and permitted uses of the designation in which it is located, if a required access leads to a licensed pit or quarry, the access would also be permitted*

### 2. Licensing, Operations, Separation Distances and Influence Areas

**Mineral aggregate operations** shall be subject to the requirements and approvals provided for under the *Aggregate Resources Act*. This shall include any separation distance that may be imposed under a license issued under the *Act* or a separation distance imposed from a mineral aggregate reserve. Local Municipalities may institute additional controls, where appropriate (e.g. designating haul routes, controlling entrance and exit locations, noise abatement, and hours of operation) and where they are authorized under provincial statutes.



It is a policy to establish influence areas as a means to avoid incompatible land uses. The influence area is an area where impacts may occur or be experienced from *mineral aggregate operations*. Consequently, the intent of the policy is to determine the impacts and to assess whether they can be mitigated to an appropriate level when measured against provincial standards. The influence area applies between a *sensitive land use* and an extractive operation or vice versa. Specific buffer distances or setbacks may be established after impacts are assessed within the influence area.

For the purposes of this Plan, the following influence areas shall apply as a guideline between the specified land use and any *sensitive land use*:

<u>Land Use</u>	<u>Influence Area</u>
Pit and sand and gravel reserve	150 m (492.1 ft.) - above the water table
	300 m (984.2 ft.) - below the water table
Quarry and bedrock reserve	500 m (1,640 ft.)

Measurement of the separation distances shall be from the boundary of the Extractive Resource Lands designation shown on the **Land Use Schedules**.

When reviewing applications for non-mineral development, within an influence area, for a pit, quarry or mineral aggregate reserve, the proponent must provide supporting information and/or technical studies to demonstrate:

- A. that the proposed development will not preclude or hinder existing *mineral aggregate operations* or the establishment of new operations, and
- B. that the design of the proposed development demonstrates that impacts such as noise, dust, vibration can be mitigated. Where residential and other sensitive land uses are proposed adjacent to a *pit* or *quarry*, the applicant shall demonstrate that the quality and quantity of groundwater is suitable and has not been compromised by it or the quarry.
- C. Where a residential or other sensitive land use is proposed within an influence area adjacent to an existing *pit* or *quarry*, the proponent or applicant shall be responsible for all mitigating measures such as berms, fencing, setbacks etc. which shall be accommodated within the proponent's property.

**Development** will not be permitted on or adjacent to **Extractive Resource Lands** which would preclude or hinder access to the resource, the expansion or continued use of the resource or which is incompatible for reasons of public health or safety or environmental impact. New **development** may be permitted on or adjacent to lands designated as **Extractive Resource Lands** where a Local Municipality is satisfied that the extraction of the resource is not feasible (e.g. commercially viable), the proposed use serves a greater long term public interest



and matters of public health or safety and environmental impacts can be addressed.

### 3. **New or Expanding Pit or Quarry**

When considering the establishment of a new pit or quarry or the expansion of an existing licensed pit or quarry, or an amendment to the **Land Use Plan** to re-designate lands for a pit or quarry, the following criteria shall apply:

- A. a zoning by-law amendment will be required for the extraction area. The applicant shall demonstrate that the amount of land proposed for the rezoning or re-designation, while meeting the needs of the industry, shall not be excessive in size.
- B. a Local Municipality shall be satisfied that off-site impacts such as noise, truck volumes, traffic safety and noise issues are effectively addressed and that measures for mitigation can be appropriately implemented.
- C. a Local Municipality shall be satisfied that off-site water quality and quantity shall not be compromised and that the cumulative impacts of adjacent extractive operations have been considered such as the impact on groundwater and surface water resources, natural heritage features and municipal and County road systems.
- D. Measures shall be provided for rehabilitation ~~and/or closure~~ plans as required under the *Aggregate Resources Act*. The proponent shall design the rehabilitation ~~and/or closure~~ plan with the objective of enhancing the natural environment, where applicable. Plans shall show provisions for landscaping, drainage, final elevations, buildings and final slope gradients. Long term monitoring plans shall be provided, where required.

### 4. **Zoning**

Pits and quarries, licensed/authorized under the *Aggregate Resources Act*, shall be zoned for extraction and associated accessory uses in the zoning by-law, generally, to the extent of the *Aggregate Resources Act* license boundary.

The lands within the **Extractive Resource Lands** designation which are not zoned for a *pit* or *quarry* shall be placed in an appropriate zone category by a Local Municipality to protect the lands from sterilization by new development. When determining the boundary of a **Extractive Resource Land** area in the zoning by-law a Local Municipality shall have regard to the policies relating to mineral resources in the Provincial Policy Statement. Sufficient lands shall be designated to accommodate active extraction as well as other lands that may be necessary to accommodate uses normally associated with *mineral extraction operations* such as crushing, screening, stockpiling, etc. Due regard will also be given to compatibility with adjacent land uses, particularly, existing *sensitive land*

*uses*, ensuring that access to the resource, both existing and future, is not hindered and that mitigation can be provided.

The zoning by-law of a Local Municipality shall prohibit residential development within a prescribed minimum separation distance from a licensed *pit* or *quarry* or from a mineral aggregate reserve, except on existing lots of record (subject to **Section 3.06.13**) and as an accessory use to a permitted agricultural use.

An amendment to the zoning will be required prior to the establishment of a new *pit* or *quarry* and the expansion of an existing licensed boundary under the *Aggregate Resources Act*.

Local Municipalities may enact a temporary use by-law (see **Section 8.14.9**) to permit the erection of buildings for any of the non-mineral resource uses permitted in **Table 5.1**.

## 5. Measures for Landscaping, Buffering and Screening

Landscaping, buffering, screening or other attenuation measures shall be used to mitigate adverse effects, noise, visual impacts, improve aesthetics or to address land use conflicts between extractive resource operations and other land uses. This may include setbacks, berms, fencing, vegetation, natural land forms or a combination of these measures.

## 6. Wayside pits and quarries, Portable Asphalt and Concrete Plants

*Wayside pits or quarries, portable asphalt and concrete plants* used on public authority contracts shall be permitted throughout the County, subject to obtaining provincial approvals, without the need for an official plan or zoning amendment or a *development* permit under the *Planning Act* in all areas, except in a designated urban or rural settlement area, on lands designated **Environmental Protection Lands** or in a **Natural Heritage Features and Areas** (see **Table 5.1** for details on locations). Wayside pits and quarries in the *prime agricultural lands* ~~should~~ *shall* comply with the rehabilitation requirements of **Section 5.06.3.2**.

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## 7. Resource Identification or Depletion

Resource lands not currently identified may be designated by amendment to this Plan. Despite this, reserves which are identified in the Ontario Geological Survey, Aggregate Resources Inventory (ARIM), Bedrock Resources (Maps 167, 1A-1C and 2A-2C), shall be used as a *constraint overlay* (see **Land Use Plan Schedules**) in the review of planning applications in meeting the policies of **Section 5.06.4** of this Plan. Lands which have been depleted of the mineral aggregate resource may be re-designated for other land uses where a Local Municipality is satisfied that

the lands have been appropriately rehabilitated and rendered safe for the intended use (complete or progressive rehabilitation) and that the land use is compatible with adjacent resource uses, where applicable.

Where the resource has not been depleted, *development* in or adjacent to deposits of mineral aggregates will only be permitted if the applicant can clearly demonstrate that resource use would not be feasible; or the proposed land uses or *development* serves a greater long term public interest; and issues of public health, public safety and environmental impact are addressed.

## 8. Peat Extraction

Peat extraction is encouraged as an economic activity. Peat extraction activities, however, shall not lead to or cause negative impacts to the conservation or protection of any adjacent *wetlands* or other *natural heritage feature or area*.

A Local Municipality may regulate peat extraction activities within the authority granted by the *Planning Act*, the *Drainage Act* or the *Municipal Act* e.g. zoning, site plan control, haul routes, removal of topsoil, dust control, drainage, site alteration, phasing, rehabilitation. Lands used for peat extraction shall be satisfactorily rehabilitated for any proposed sequential resource use or other land use.

## 9. Resource Conflict

Where there is a conflict between an extractive resource use and a *natural heritage feature and area* such as a provincially significant wetland and/or the significant portions of the habitat of an *endangered species* or *threatened species*, the conservation or protection of these specified *natural heritage features and areas* shall take precedence. For other types of *natural heritage features and areas*, an Impact Assessment shall be required as set out in **Section 5.06.5.7** in determining whether and under what measures, the extractive resource use may occur.

### 5.06.5 Natural Heritage Features and Areas

#### 1. Resource Identification and Conservation

*Natural heritage features and areas* are those areas which are important for their environmental and social values as a legacy of the natural landscapes of the area. Collectively, the individual *natural heritage features and areas* within the County form a natural heritage system. While efforts have been made to identify significant *natural heritage features and areas* in the County, those features identified on the **Land Use Schedules**, e.g. winter deer habitat, nesting sites, fish spawning areas etc., do not represent all features or areas present or changes to

ecosystems that may occur over time and which may be added to the inventory. Additional features or areas may be added to the inventory from sources such as a naturalist club, a conservation authority or other similar agency, or by a Local Municipality where the basis of the information is adequate to determine the nature and importance of the feature (e.g. assessment of the significance of an unclassified wetland using the provincial Wetland Evaluation Manual, Version 3.) Such information may be incorporated as part of a regular update of this Plan or by a specific amendment to the Plan. Where a known *natural heritage feature and area* is not identified on the **Land Use Schedules** to this Plan, this shall not preclude the requirement for an **Impact Assessment** in the review of a Planning application.

For the purposes of this Plan, all water bodies (e.g. lakes, rivers, streams and *wetlands*) should be considered as potential areas for *fish habitat*. The **Land Use Schedules** are intended to identify spawning sites and fish habitat classification where a higher level of protection will generally be required (see **Section 5.06.5.3** for details).

For the purposes of this Plan, significant *woodlands* have been determined through the application of several provincial and federal criteria relating to the ecological value of *woodlands*. These approaches have been undertaken by the County to determine significant *woodlands*. These approaches are further described in **Section 5.06.5.4**.

DuPont Provincial Park in the Township of South Dundas, although not classified as a natural heritage feature or area, does however, have natural heritage values which will be regulated as a nature reserve under the *Provincial Parks Act*. As a measure, to further protect the park's special features, development and/or *site alteration* within the adjacent lands to the park (e.g. 120 m/393.7 ft.) shall be subject to the provisions for adjacent lands in **Section 5.06.5.2** below.

Planning decisions by Municipalities shall have regard for the objectives and programs of the St. Lawrence Remedial Action Plan, including, but not limited to the provision for a buffer strip along the St. Lawrence River, to be conserved, wherever feasible, in its naturalized state e.g. conserving existing vegetation cover or planting of native species, re-establishing riverine characteristics etc.

The intent of this Plan is to encourage and protect, wherever possible, natural connections, linkages or corridors including rivers and streams and valleylands that facilitate the movement of wildlife and fish, hydrological and nutrient recycling, genetic transfer and energy flows through food webs between *natural heritage features and areas*. Local Municipalities may identify significant valleylands for protection in consultation with the appropriate Conservation Authority and/or The Ontario Ministry of Natural Resources. The intent of this Plan is to incorporate studies and other information that will serve to better

identify the characteristics and knowledge of natural heritage features and areas and which may lead to amendments to the Plan. A Natural Heritage Strategy is being prepared by the Raisin Region Conservation Authority and when adopted shall be used in evaluating development applications. Appropriate amendments may be made at a later date to this Plan more closely reflecting the policies and recommendations of the Natural Heritage Strategy.

## 2. **Adjacent lands**

*Development* and/or *site alteration* may be permitted on *adjacent lands* to a *natural heritage feature or area* where a Local Municipality is satisfied that there will be no *negative impacts* on the natural features or the *ecological functions* for which the area is identified. Local Municipalities are encouraged to identify *adjacent lands* in any implementing zoning by-law by means of the zone schedule or a description in the text or a combination thereof. For the purposes of this Plan, the following constitute the adjacent lands for the respective feature or area:

- 120 m (393.7 ft.) from the boundary of a provincially significant wetland or a locally significant wetland
- 50 m (164 ft.) from the significant portions of the habitat of an *endangered species* or *threatened species*
- 15 m (49.2 ft.) from the seasonal high water mark for *fish habitat*
- 50 m (164 ft.) from the boundary or limit of a significant *woodland*
- 50 m (164 ft.) from the boundary or top of slope of a significant *valleyland*
- 50 m (164 ft.) from significant *wildlife habitat*
- 50 m (164 ft.) from the boundary or limit of *areas of natural and scientific interest*

Modifications may be made to the boundaries of adjacent lands indicated above where reflected in the Provincial Policy Statement or a Natural Heritage Strategy adopted by a local Conservation Authority and in such cases, no amendment shall be required to this Plan.

The determination of *negative impacts*, if any, shall be determined through an **Impact Assessment**. An **Impact Assessment** shall apply to any *development* and/or *site alteration* [see Section 5.06.5.7] on *adjacent lands*. The **Impact Assessment** (study) shall include a professional opinion on whether *negative impacts* on the natural features and *ecological functions* will occur, the significance of such impacts, and whether ongoing monitoring is required. Planning tools e.g. zoning, site plan control, site alteration by-laws, and/or environmental approvals etc. may be used to implement measures for mitigating *negative impacts*, where appropriate.

### 3. Fish Habitat

It is a policy to protect identified *fish habitat* areas (see description in **Section 5.06.5.1**) for their *fish habitat* values in compliance with the *Fisheries Act*.

All water bodies are considered as areas for fish habitat. Wherever possible, Municipalities should work towards a net gain of productive capacity of the fishery. More specifically, *development* and/or *site alteration* in and adjacent to *fish habitat* shall not result in:

- net loss of *fish habitat*
- the harmful alteration, disruption, degradation or destruction of *fish habitat*
- restriction of fish passage

*Development* and/or *site alteration* may be permitted in and on *adjacent lands* to *fish habitat* only if it has been demonstrated in an **Impact Assessment** prepared in accordance with **Section 5.06.5.7** that there will be no *negative impacts* on the *fish habitat*. For areas identified as a spawning area or Type 1 or 2 habitats, a full site assessment shall be required under the **Impact Assessment** provisions of this Plan (see **Section 5.06.5.7**).

Compensation or reconstruction of *fish habitat*, where permitted/required, shall be subject to the approval of the federal Department of Fisheries and Oceans.

The provisions of **Section 3.06.7.9** shall apply to development or redevelopment along shorelines as a measure to preserve or enhance the function of shorelines in protecting *fish habitat*.

Local Municipalities are encouraged to require the retention of natural vegetation or the re-vegetation of shorelines as a condition of the approval of development.

### 4. Woodlands

A. *Woodlands* shown on the **Land Use Schedules** as a *constraint overlay* represent the wooded areas deemed significant in three separate studies undertaken within the County:

- I. In the Township of South Dundas, North Stormont, South Stormont, North Glengarry and South Glengarry, significant *woodlands* have been identified through the Woodland Valuation System V 2.0 developed by the Eastern Ontario Model Forest. The Woodland Valuation System is a collaborative effort among government ministries, environmental organizations and the public to place a relative value on woodland features based on 'woodland area', 'forest interior', 'proximity to woodlands', 'slope', 'islands' and 'proximity to water' criteria.



- II. Within the jurisdiction of the Raisin region Conservation Authority, old growth forest and forest blocks of 1,000 ha in size have been identified through aerial photographic interpretation or the 1991 FRI (Forest Resource Inventory) and the year 2000 aerial photos provided by the Ministry of Natural Resources.

The results have been mapped to address criteria established in the Remedial Action Plan for the St. Lawrence River Area of Concern. These areas are recognized as important woodland areas for habitat in the County, therefore they have been added to the significant *woodlands* coverage produced through the Woodland Evaluation System.

The Township of North Dundas has identified significant *woodlands* through an examination of provincial criteria outlined in the Natural Heritage Reference Manual. This exercise was undertaken in conjunction with the South Nation Conservation.

- B. It is the intent of Local Municipalities in conjunction with conservation authorities, using provincial and federal guidelines, to further assess and identify significant *woodlands* within the County and to amend the Plan to reflect the results of those studies and, if necessary to establish additional protection measures.

The intent of this Plan is to conserve *woodlands*, wherever possible through the use of an *overlay constraint* approach whereby the land uses permitted in the underlying land use designation may be permitted subject to the following development criteria:

- I. Commercial timber operations including timber harvesting and silviculture activities by commercial timber operators or the management of forests by private property owners and public bodies will be permitted with an emphasis on renewable and sustainable forestry stewardship.
- II. Agricultural uses will be permitted on *woodlands* in **Agricultural Resource Lands** or in the **Rural Area**. While this may include cutting for fuel wood or clearing for the expansion of farming operations, best management practices will be encouraged e.g. selective cutting and reforestation, preventing livestock grazing, encouraging the identification, maintenance and enhancement of higher value woodlands.
- III. Rural uses such as commercial or industrial uses, waste management facilities, salvage yards or other non-residential uses



will generally be directed away from *woodlands* except for uses which demonstrate a dependency on the resource for their business e.g. golf course, campground, outdoor commercial recreational use or similar uses. Where it is necessary for a non-residential use to be located in or on adjacent lands to *woodlands* (within 50 m/164 ft.), such uses shall be required to undertake an **Impact Assessment** which includes consideration for the significance of the vegetative communities, age, height and species composition, tree health, potential for water table changes, the value to *wildlife habitat*, the protection of wildlife corridors, maintaining uniqueness of the woodland stand and sets out measures, where applicable, for sustaining the woodland ecosystem.[see **Section 5.06.5.7**]. As a condition of development, this assessment may include the preparation and implementation of a tree conservation plan. The tree conservation plan and other forest conservation measures may be implemented through the use of site plan control and a site alteration by-law.

- IV. Rural residential uses where permitted by this plan will be permitted in *woodlands*. As a condition of development, a scoped impact assessment may be required as a means to inventory the resource. Site plan control and a site alteration by-law may be used in circumstances where it is important to protect a higher value *woodlands* where residential development is permitted. In general, rural residents will be encouraged to retain natural tree cover on their properties.
- V. In **Urban and Rural Settlement Areas**, Local Municipalities will endeavour to retain *woodlands* through such measures as land acquisition, parkland or other density transfers, assistance through a trust fund, conservation easements and/or other means considered appropriate for resource conservation e.g. part of a stormwater management facility. A tree conservation plan should be required as a condition of development for a subdivision or a non-residential use.
- VI. A municipality may enact a tree cutting by-law under the *Municipal Act* to control the cutting of trees in *woodlands* or other areas of significant local interest.
- VII. Private environmental stewardship programs and public education programs on woodland areas shall be implemented.

## 5. Wildlife habitat, Areas of Natural and Scientific Interest, Valleylands, Endangered and Threatened Species

It is a policy to conserve or protect *wildlife habitat*, (e.g. winter deer habitat, nesting sites), *areas of natural and scientific interest*, *valleylands*, as shown on the **Land Use Schedules**, for their respective *ecological functions* or natural features. (Note: significant portions of the habitat of *endangered and threatened species* are not illustrated on the **Land Use Schedules**.) *Development* and/or *site alteration* will not be permitted in the significant portions of the habitat of *endangered or threatened species* as identified on mapping provided by the Ministry of Natural Resources for use by municipalities in the review of planning applications. Where the Ministry of Natural resources identifies significant portions of the habitat of *endangered or threatened species* in the future, Municipalities shall not permit *development* and/or *site alteration* in such areas. *Development* and/or *site alteration* on the adjacent lands to the habitat of an *endangered species* or *threatened species*, or on the feature, or on the adjacent lands to *wildlife habitat*, *areas of natural and scientific interest* and *valleylands* shall be subject to an **Impact Assessment** [see **Section 5.06.5.7**]. Municipalities may permit *development* and/or *site alteration* if the **Impact Assessment** shows that there will be no *negative impacts* on the natural features or on the *ecological functions* for which the area is identified.

## 6. Wetlands

Where wetlands are indicated on any **Schedule** to this Plan, reference shall be made to the most current official mapping available from the Ministry of Natural Resources. ~~Where a site designated as a wetland area in the Rural Area is no longer considered a wetland by the Ministry of Natural Resources, the policies of the Agricultural Resource land use designation shall normally apply. Where such a site consists predominantly of Classes 4 through 7 as indicated in the Canada Land Inventory (CLI) for Agricultural capability or has a poor rating for agriculture under the Agricultural Land Evaluation and Area Review (LEAR) classification system, the policies of the Rural District designation will apply.~~

It is a policy to conserve and protect *wetlands*, for their respective *ecological functions* or natural features. *Development* and/or *site alteration* will not be permitted in a provincially significant *wetland*. The focus of this Plan is to protect Provincially significant wetlands and such protection shall be reflected in the implementing zoning by-laws.

Locally significant wetlands shall be considered as a constraints overlay and are indicated on the “B” Schedules. While the underlying Land Use Designation shall apply. The intent is that areas indicated as Locally Significant Wetlands shall be considered when development applications (i.e. official plan and zoning by-law

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amendments, consents and subdivision applications). Notwithstanding this policy Locally Significant Wetlands may be designated on the Land Use Schedules as Land use Designations in any Local Official Plan. Locally Significant Wetlands may be protected by local Municipalities in their implementing zoning by-laws.

**Development** and/or **site alteration** on the adjacent lands to a provincially significant wetland or on or on the adjacent lands to locally significant wetland shall be subject to an **Impact Assessment** [see **Section 5.06.5.7**]. Municipalities may permit **development** and/or **site alteration** if the **Impact Assessment** shows that there will be no **negative impacts** on the natural features or on the **ecological functions** for which the area is identified. Lands adjacent to a locally significant wetland may be subject to an impact assessment study if required by the Local Municipality.

Unclassified **wetlands** where evaluated, shall be protected based on the type of wetland determined by the evaluation manual (e.g. provincially or locally significant). The Official Plan and implementing zoning by-law, in the case of a provincially significant wetland, shall be amended to reflect the resulting classification.

Wetlands that have been classified as locally significant, may be protected by the Local Municipality. However, it is recognized that within settlement areas, Local Municipalities should have the flexibility to give priority to the development of other land uses that strengthen and support the economic prosperity and efficient use of land within these settlement areas.

Where feasible, municipalities shall encourage measures designed to increase the type and diversity of wetlands in the County. The County shall take measures to protect the wetland areas within County Forests including the use of partnership programs with agencies such as Ducks Unlimited.

Nothing in the policies for wetlands shall restrict the continuation or expansion of Agricultural Uses including the erection of or additions to farm related structures. Other legally existing uses shall be permitted to continue.

*The Bainsville Bay/Pointe Mouillée Wetland is a provincially significant wetland located to the south of Highway 401 in the former Township of Lancaster now in the Township of South Glengarry. Section 9.03 Special Policy Areas, Township of South Glengarry, Bainsville Bay/Pointe Mouillée Policy Area, of this Plan contains specific policies for a portion of the Bainsville Bay/ Point Mouillée Wetland (Part of Lots 10 to 18, Concession 1) to guide the appropriate form and location of proposed development in the area.”*

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## 7. Impact Assessment

An Impact Assessment (IA) shall be prepared in support of a planning application (e.g. should generally be submitted along with the application) for an Official Plan amendment, zoning by-law amendment, plan of subdivision, a consent etc. Where the impact of the *development* and/or *site alteration* cannot be mitigated, it will not be permitted.

An IA is intended to provide for an assessment of the potential impact of a proposed *development* and/or *site alteration* on a particular *natural heritage feature or area* and shall be used to determine whether the proposed *development*, redevelopment or *site alteration* should or should not be permitted, in whole or in part. The IA will be undertaken by the proponent of *development* and/or *site alteration*.

The components of the IA shall be tailored to the scale of *development* and may range from a simplified assessment (scoped assessment), undertaken by the property owner, to a full site assessment. It is expected that a qualified professional will undertake a full site assessment. For example, a single detached dwelling may only require a scoped assessment while a subdivision, multiple unit residential complex, major commercial or industrial *development*, golf course etc. will require a full site assessment. The following is intended to provide a guideline on the potential scope of an IA:

- A. scoping the specific needs of the impact assessment e.g. identifying/mapping key features and functions, ecological linkages, processes, study area boundaries, information needs;
- B. description of the development proposal e.g. land use, building type/size/location, excavation, site grading, landscaping, drainage/stormwater works, roadway/utility construction, water and sewage systems, in relation to the various environmental considerations;
- C. assessment of the predicted effects and negative and positive impacts of the proposed development on the natural features and *ecological functions* on and adjacent to the site (e.g. wildlife, fish, vegetation, soil, surface and groundwater resources, air) and which takes into consideration the effects during and after *development* and/or *site alteration*;
- D. identification of mitigation requirements and monitoring requirements;
- E. quantification of residual impacts (those that cannot be mitigated) if any; and;
- F. conclude with a professional opinion and recommendation on whether *negative impacts* on the natural features and *ecological functions* will occur, the significance of such impacts and whether ongoing monitoring is required.

Planning tools e.g. zoning, site plan control, site alteration by-laws, and/or environmental approvals etc. may be used to implement measures for mitigating *negative impacts*, where appropriate.

An IA may be prepared by a conservation authority or reviewed (peer review) by the conservation authority, where requested. A qualified professional means an individual or company with professional accreditation or specialized training in the specific discipline required (*For example: a terrestrial biologist would undertake an assessment of wildlife habitat but not fish habitat; a forester may evaluate a woodland but not wildlife habitat.*) A Local Municipality may require a peer review (third party review) of an IA and may request technical assistance from a provincial Ministry (e.g. Ministry of Natural Resources, Ministry of the Environment) in commissioning such a review or resolving disputes over a submission.

## 5.06.6 Water

### 1. Significance of the Resource and Policy Intent

Water is a precious resource and is vital to all life. Wise management of the quality and quantity of our water resources is required to ensure a sustainable resource for human and livestock consumption; for sustaining terrestrial and aquatic resources; and for industrial, agricultural, domestic and recreational uses. Water is also a finite resource. Within a given *watershed* the movement of water occurs within a hydrologic cycle, but the quantity within this cycle is relatively constant. The components of the cycle include surface and ground water, evapotranspiration and precipitation. Managing the resource requires that consideration be given to this cycle.

The intent of Municipalities is to ensure that the land use policies of this Plan provide for the protection and enhancement of the quality and quantity of ground water and surface water. Municipalities also recognize that the stewardship of water resources is dependent on a cooperative approach. This includes water users, a variety of other agencies whose mandates vary. The policies of this Plan are intended to reflect the recommendations arising from the Eastern Ontario Water Resources Management Study as they apply to land use planning and development within the County.

### 2. Measures for Water Resources Conservation

Water quality and quantity will be managed through such measures as:

- A. Maintaining and updating a *data base* on water resources and all properties that have received waste materials. This will include information on both groundwater and surface water. Significant components of the data base are

- developed using a Geographic Information System (GIS). The intent is to use GIS as an analytical tool to assist the County and Local Municipalities in making land use decisions.
- B. Establishing setbacks, protecting streambanks and buffering surface water from various land use activities is intended to prevent erosion and minimize the discharge of contaminants (i.e. phosphorus, herbicides, sediments) into these water courses.
  - C. Ensuring that planning decisions take into account the impact of upstream activities on downstream communities. This will include phosphorus management and ensuring that the quantity of receiving waters is adequate for projected sewage lagoon discharges. Planned *infrastructure* will correlate growth with the capacity of water quality and quantity resources to sustain such development. See also **Section 4.06.2 (7) - Water Budget** for policies relating to water supply.
  - D. Protecting identified aquifers, groundwater recharge and discharge areas, and natural springs from development and other activities which may contaminate these resources.
  - E. Developing a groundwater protection strategy.
  - F. Developing an inventory of contaminated sites and providing for site clean-up as a condition of redevelopment.
  - G. Controlling discharges to surface and ground water through the application of Best Management Practices for stormwater runoff and land drainage. In general, drainage outfalls into lakes will not be permitted. This is expected to occur through the review of Planning applications and the requirements for site plan control.
  - H. Promoting conservation practices in the use of water (e.g. water efficient plumbing fixtures, upgrading *infrastructure*, recycling etc).
  - I. Lake development planning including the setting of development capacities to protect inland lakes (Loch Garry, Middle Lake).
  - J. Maintenance and retrofitting sewage disposal systems and encouraging or requiring residents to pump-out septic tanks on a regular basis.
  - K. Supporting the use of the latest technologies in sewage disposal systems for minimizing phosphorus discharge.
  - L. Requiring conformity with Ontario Regulation 903 with respect to the construction of wells.
  - M. Compliance with the *Safe Drinking Water Act*.
  - N. Monitoring municipal waste management facilities for leachate migration, bacterial and viral components.
  - O. Providing for the safe storage of fuels, chemicals and other toxic contaminants as a condition of site plan control.



## 5.07 CONSULTATION AND REFERENCE

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The following agencies shall be consulted where appropriate:

1. The Raisin Region Conservation Authority or the South Nation Conservation - for **Impact Assessments** related to *natural heritage features and areas*, notably, *valleylands*, *woodlands* and *fish habitat*.
2. Ministry of Natural Resources - for applications for licenses for *mineral aggregate operations*, for evaluation or screening of aggregate reserves (quality and quantity), for procedures related to **Impact Assessments** for natural heritage procedures or evaluation of unclassified *natural heritage features and areas*.
3. Ministry of the Environment - for requirements related to the approval of *wayside pits and quarries* and *portable asphalt and concrete plants*.
4. Department of Fisheries and Oceans - for procedures and approvals under the *Fisheries Act*.
5. Ontario Ministry of Agriculture and Food - for application of Minimum Distance Separation Formulae and the application of the *Farming and Food Production Protection Act* (FFPPA) to normal farming practices and the requirements of the *Nutrient Management Act, 2002*.
6. The Ontario ~~Aggregate Resources Corporation~~ *Stone, Sand and Gravel Association* for the Management of Abandoned Aggregate Properties (MAAP) Program.

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### Reference documents include:

- Minimum Distance Separation Formulae I and II, OMAFRA, March 1995
- Aggregate Resources of Ontario, Provincial Standards, Version 1.0, Queen's Printer for Ontario, 1997
- Non-Renewable Resources Training Manual, Version 1.0, MNR, February 1997
- Aggregate Resources Inventory of the United Counties of Stormont, Dundas and Glengarry, Ontario Geological Survey, Aggregate Resources Paper, 1997
- Natural Heritage Reference Manual, MNR, June 1999
- Significant Wildlife Habitat Technical Guide, October 2000
- Decision Framework for the determination and Authorization of Harmful Alteration, Disruption or Destruction of Fish habitat, Department of Fisheries and Oceans, 1998
- Canada's Fish Habitat Law, Fisheries and Oceans, 1991
- Ontario Wetland Evaluation System, Southern Manual, Version Three, MNR, 1993
- Eastern Ontario Water Resources Management Study, Final Report, CH2M Hill, March 2001
- St. Lawrence Remedial Action Plan, 1997
- Provincial Policy Statement, 1997 re: definitions



## **SECTION 6 – PUBLIC HEALTH AND SAFETY**

### **6.01 INTRODUCTION**

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This section of the Plan addresses natural and human-made hazards. Natural, physical and environmental processes can produce unexpected events that may result in damage to property, injury or loss of life and changes to the natural environment. These natural hazards take the form of flooding, erosion and slope failure. Human-made hazards result from human activities that modify or disturb the landscape in a way that can threaten the health or safety of humans or the environment. Such activities include industrial or commercial land uses which can contaminate or pollute the ground or water. Planning and development strategies that are geared toward the effective management of natural and human-made hazards will increase opportunities for the development while still maintaining and enhancing the integrity of the ecosystem, protecting human life and minimizing property loss and social disruption.

The landscape of the County encompasses waterways, physical features and land use activities that can create or is a hazard to development. Preventative or remedial actions have been taken in the past to address both natural and human-made hazards. The emphasis for the future is on prevention, protection and risk management as tools to ensure public health and safety in the development or redevelopment of land.

### **6.02 STATEMENT OF INTENT**

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It is the intent of the Plan to safeguard the health and safety of the population of the County from natural hazards such as flooding, erosion, dynamic beaches and unstable soils by directing development away from these hazards or by ensuring that the hazards are addressed in a physically and environmentally sound manner. It is the intent of the Plan to safeguard development including redevelopment from the adverse effects of contamination by requiring an assessment and, where required, the clean-up and restoration of sites or properties with polluted soil or water conditions.

### **6.03 GOAL**

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To safeguard the public and the natural environment from natural and human-made hazards through the development of policies, tools and processes to identify, evaluate, prevent or protect against such hazards.

## 6.04 OBJECTIVES

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To build a data base of information on the location and characteristics of natural hazards and known or potentially contaminated sites.

To increase the public awareness of the potential impacts of natural and human-made hazards and the measures needed to protect or prevent property destruction, social disruption and environmental damage.

To institute measures for the evaluation of known or potentially contaminated sites and their restoration to a condition suitable for reuse, development or redevelopment.

To institute measures for the identification of hazardous lands and sites and the development of techniques, strategies and methods to prevent or protect properties and the natural environment from damage and humans from injury or fatalities.

To recognize major studies that have identified the principle of development in flood susceptible areas of the County.

## 6.05 KEYNOTE POLICIES

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### 1. Natural Hazards

It is a policy to direct *development* away from lands or areas which are hazardous or susceptible to hazards including flooding, erosion, slope failure or unstable soils. In exceptional circumstances certain types of development may be permitted on hazardous lands or sites where measures are undertaken to safeguard such development and the environment from the impacts of such hazards and from the creation of new hazards. Hazardous lands will be considered for their environmental resource value including habitat areas and areas that add to the green space within communities.

### 2. Human-made Hazards

It is a policy to permit *development* on a known or potentially contaminated site where a site evaluation has been conducted and where there is verification that the site is suitable for the use proposed without restoration, or where the site can be made suitable through restoration or other measures.

## 6.06 IMPLEMENTATION

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### 6.06.1 Natural Hazards

#### 1. Introduction

For the purposes of this Plan, the 100 year flood is the regulatory flood standard applicable to all water bodies. This standard is the design standard for existing flood plain mapping and shall also be used as the criterion to determine the flooding hazard limit in areas where engineered flood plain mapping has not been prepared.

6.06.1 cont'd

The one-zone concept shall apply. The one-zone defines the *flooding hazard* limit or *floodway*. Within the boundaries of the *floodway, development or site alteration* will not be permitted except as set out in **Table 6.1**.

This Plan is not, however, intended to limit the use of a two-zone concept (where a *floodway* and *flood fringe* are defined) provided that this is established through technical studies and by an amendment to this Plan, or where the concept is in current use i.e. St. Lawrence River and Grays Creek. The amendment shall set out the criteria and conditions under which *development or site alteration* may be permitted in the *flood fringe*.

Established flood elevations or engineered flood plain mapping for the St. Lawrence River, Raisin River including North and South Branch, South Nation River including South Branch and portions of the North Branch, Loch Garry, Middle Lake, Delisle River, Beaudette River, Black Creek, Hoople Creek, Castor River, Garry River, Mill Pond (Alexandria Lake) and Grays Creek, Payne Creek systems shall be used as the flooding hazard limit in reviewing planning applications. Aerial photo interpretation may be used to identify flood susceptible lands adjacent to the Rigaud River. The natural hazard limit as set out in **Table 6.1** shall apply to all river systems including those where flood plain mapping or flood elevations have not been established. The boundaries of regulatory *floodplains* are approximate and reference shall be made to the official floodplain mapping from the applicable Conservation Authority. Updated information or new mapping to show natural hazard limits (flooding, erosion, dynamic beaches) may be utilized without amendment to this Plan provided the intent of the Plan is maintained and the applicable implementing zoning by-law is amended. Nothing contained herein shall exempt any person from complying with the applicable Conservation Authority regulation with respect to “Fill, Construction and Alteration to Waterways regulations.”

For the purposes of this Plan, no dynamic beach hazards have been identified along the St. Lawrence River from Ault Island to the Ontario-Quebec border. (See Reference documents at the end of this section.)

The *Natural Hazards Training Manual* shall be used as the source for the evaluation of site suitability, application of the flood proofing and access standards, evaluation of protection works and mitigation options for ***development on hazardous lands***. In general, ***development on hazardous lands*** will only be permitted in exceptional circumstances (per **Table 6.1**) and only where adequate study has been undertaken and provisions are made to meet the applicable requirements of **Sections 6.06.1, 3-6, 8 and 10**. Specifically, development proposals located in or adjacent to an environmental constraint should be accompanied by a site plan, which in addition to the requirements of **Section 8.14.10** should include: the location of any fill imported onto the site; the existing and final contours at 0.5 m (1.64 ft.) intervals; erosion and siltation control procedures; and, the exact location of the engineered flood line and flood line elevations.

## 2. Scope of Uses

**Table 6.1** shall be used in determining the scope of permitted or prohibited uses on hazardous lands adjacent to or which are part of the waterways listed. Generally, no development will be permitted within the Natural Hazard Limit except for flood or erosion control structures, shoreline stabilization, water intake facilities and marine structures such as docks and boathouses. Legally existing buildings or structures will be encouraged to relocate outside of the flood plain or away from other hazardous lands wherever feasible e.g. land redevelopment or when destroyed or damaged by natural causes. ***Development and site alteration***, where permitted, shall meet the applicable requirements below for flood proofing, the installation of protection works and compliance with the access standard, having been approved by the relevant conservation authority. Such development shall not include large scale commercial, institutional or essential emergency services or the disposal, manufacture, treatment, or storage of hazardous material. In reviewing such requests, it is essential that new hazards are not created and existing hazards are not aggravated and that no adverse environmental impacts result.

## 3. Fill, Construction and Alteration to Waterways

Regulations under the *Conservation Authorities Act* shall be used to govern the placing or dumping of fill, the straightening, changing, altering, diverting or interfering with an existing channel, stream or waterway or the construction of any buildings or structures within the areas defined by those regulations for the Raisin Region Conservation Authority and the South Nation Conservation Authority. A permit shall be obtained from the respective authority prior to the issuance of a building permit.

The County shall encourage the Conservation Authorities to adopt Fill, Construction and Alteration to Waterways regulations for their entire watershed jurisdictions to ensure the protection of life, property and the environment.

#### **4. Flood Proofing Standard**

Buildings or structures, where permitted in a flood hazard area, shall be designed and constructed in accordance with established standards and procedures to withstand anticipated vertical and horizontal hydrostatic pressures acting on the building or structure and shall incorporate flood proofing measures that will preserve the integrity of exits and means of egress during times of flooding. This may include minimum elevations for basements and building openings. Any proposed flood proofing measures should be reviewed and approved by the appropriate conservation authority, or outside of the authorities' jurisdiction, by the Ministry of Natural Resources.

#### **5. Protection Works**

Where actions intended to address natural hazards involve the installation of protection works, structural or non-structural solutions may be used provided they comply with good engineering and sound environmental management practices. This shall require an assessment of both on-site and off-site physical impacts and the conservation or protection of ecosystems.

#### **6. Access Standard**

In the design and *development* of any hazardous lands provision shall be made to ensure that people and vehicles can access and exit or be safely evacuated in times of an emergency (flooding, erosion, wave action, subsidence).

#### **7. Hazardous Lands as Open Space**

While hazardous lands may be utilized for open space, to improve public access to waterways or for passive recreation or leisure purposes, there is no obligation for any Local Municipality to accept such lands as part of parkland dedication under the *Planning Act*, nor is there any obligation by a public authority to purchase such lands, nor is it intended that such lands are necessarily open to and accessible by the general public.

#### **8. Unidentified Hazard**

In some circumstances the scope or extent of a hazard may not be known. Where a proposal includes areas where a hazard is suspected to exist or the extent of a known hazard has not been confirmed, the approval authority and the Local Municipality should ensure that they are satisfied that the development will not be

affected by a hazard and that the proposal is designed in such a way as to avoid the hazard or engineered to withstand the hazard where permitted. Municipalities may require the submission of supporting technical studies prepared by a qualified individual.

## 9. Restoration

Municipalities, agencies and the public may restore or enhance hazardous lands and sites through the repair, replacement or retrofitting of protection works (retaining walls, dams, revetments, berms etc.) or other flood or erosion control structures provided such restoration complies with good engineering and sound environmental management practices.

## 10. Organic Soils

Organic soils are described as those soils normally formed in a water saturated environment (e.g. wetland) where the soil is not exposed to the air for a sufficient enough time to permit the breakdown of vegetative material. As a result, these soils may not contain sufficient strength to support a building or structure and shall be considered as hazardous lands. *Development* shall be directed away from lands identified on the **Land Use Schedules** as organic soils. The approval authority may refuse development applications on organic soils or may require further studies to determine their suitability for development. *Development* may be permitted in exceptional circumstances only where the hazard can be overcome using acceptable engineering techniques and where the access standard can be met (see **Section 6.06.1.6**) and no other environmental hazards will be created. This policy shall not apply to the extraction of peat (see **Section 5.06.4.8 - Peat Extraction**).

## 11. Unstable Slopes

Shoreline erosion and soil type play a significant role in the incidence of slope failure along waterways. Lands labeled as unstable slopes on the **Constraints Schedules** have been identified as being at increased risk to subsidence or slope failure. This includes leda clay or sensitive marine clays. Prior to any *development* or *site alteration*, on land containing an unstable slope a geotechnical inspection by a qualified engineer shall be required to assess the potential impact of the proposed development and to determine the required setbacks for development and other stabilization measures, if any, (e.g. slope re-grading or the construction of stabilization structures such as berms). It should be noted that the results of a geotechnical investigation may determine that mitigation measures are required on lands adjacent to the development proposal to offset the impact of development. The geotechnical investigation may also determine that development on the site is not appropriate, in which case the proposal shall be refused by the Local Municipality or the Approval Authority.

**12. Erosion Hazards**

Erosion hazard setbacks will be implemented, where applicable, in accordance with the Natural Hazards Training Manual (see Reference documents). Any reduction in an erosion setback will require a geotechnical study.

**13. Land Use Plan and Reference Documents**

The **Land Use Plan Schedules** illustrate hazardous lands. Reference may be made to original documents in interpreting the precise geographic location of hazardous lands.

**14. Zoning and Site Plan Control**

Local Municipalities may use zoning and site plan control to restrict or govern *development* on *hazardous lands* or lands adjacent to *hazardous lands* in compliance with the policies of this Plan. This includes special hazard zones as well as building setbacks in the zoning by-law that will relate to the extent and severity of existing or potential hazards.



**TABLE 6.1 Natural Hazards and Development Standards**

Waterway	Natural Hazard	Natural Hazard Limit	Uses Permitted	Uses Prohibited
<b>Lawrence River</b>				
Township of South Dundas frontage to	Flood, erosion, dynamic beach	The greater of the landward limit of the regulatory flood line, erosion hazard or dynamic beach hazard	-Legally existing uses, buildings and structures -Minor extensions to existing buildings or structures where they are engineered or designed to withstand the hazardous condition (i.e. must meet floodproofing and access standard (see <b>Section 6.06.1-4 &amp; 6</b> ) and do not aggravate an existing or create a new hazard. No extension shall be permitted to a habitable structure if the hazard cannot be overcome. -Uses not requiring the construction of buildings or structures (e.g. agriculture, forestry, outdoor recreation, golf course, open space, conservation, parking area) -flood and erosion control structures or protection works -utilities or essential <b>infrastructure</b> components which by their nature must be located on hazardous lands -Farm buildings or structures (except manure, waste materials, fuel or fertilizer storage) may be permitted in shallow, low flow areas where adequately floodproofed and where there is no alternative location outside of the flood plain -Low impact non-habitable accessory marine structures (e.g. dock, boat house and which excludes fuel or fertilizer storage)	-New buildings or structures (except those permitted under Permitted Uses) -Disposal, manufacture, treatment or storage of hazardous substances (e.g. ignitable, corrosive, reactive, radioactive or pathological materials) -Institutional uses -Essential emergency uses (e.g. fire, police, ambulance buildings) - <b>Site alteration</b> such as fill, grading or excavation that causes a significant change to the natural land form or native vegetation of a site or native vegetation of a site or impacts on the flood storage capacity of the adjacent watercourse
Ault Island (South Stormont west boundary) to City of Cornwall west boundary	Flood, erosion	Limit of the regulatory flood (74.62 m GSC/244.8 ft.)		
Former Charlottenburgh township frontage (South Glengarry)	Flood, erosion	30 m/98.4 ft. setback from a stable slope allowance or the regulatory flood elevation (47.7 m - 47.3 m/156.4-155.1 ft. GSC) which ever is the greater. <sup>1</sup>		
Former Lancaster township frontage (South Glengarry)	Flood, erosion	Limit of the regulatory flood (47.3 m - 47.2 m/155.1-154.8 ft. GSC)		
<b>Raisin River including North and South Branch, South Nation River including South Branch and the North Branch, Loch Garry, Middle Lake, Delisle River, Beaudette River, Black Creek, Hoople Creek, Castor River, Garry River, Mill Pond and Grays Creek, Payne Creek</b>				
All reaches of the waterway where flood plain mapping has been prepared <sup>2</sup>	Flood, erosion	The greater of the regulatory flood line or erosion hazard		
All reaches of the waterway where slope stability mapping has been prepared	Unstable slopes <sup>3</sup>	Setbacks to be determined based on the slope stability classification factor of safety and an associated geotechnical investigation		
<b>All other river and stream systems</b>				
All reaches	Flood, erosion	15 m/49.2 ft. from top of cliff/bluff/bank or 30 m/98.4 ft. from the normal highwater mark where there is no cliff/bluff/bank except as otherwise determined by a technical study.		
<ol style="list-style-type: none"> <li>1. Stable slope allowance is a horizontal allowance measured landward from the tow of the shoreline cliff, bluff or bank that is three times the height of the cliff, bluff or bank. See <b>Land Use Plan Schedules</b> for applicable flood elevations along reaches of the St. Lawrence River.</li> <li>2. Reference should be made to engineered flood plain mapping (original documents) to determine the exact location of the flood plain. In St. Andrews West no openings shall be permitted below the 69.7 m/228.6 ft. elevation.</li> <li>3. Unstable slopes on the South Nation River exceed flood plain such that a greater setback is required.</li> </ol>				

## 6.06.2 Human-Made Hazards

### 1. Description

Known or potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, utility, waste disposal, snow disposal sites or similar uses. Sources of contamination can include disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Examples include such uses as gasoline stations, automotive repair garages, wrecking yards, bulk fuel depots, dry cleaning uses, asphalt plants, log storage.

Human-made hazards may also include abandoned pits and quarries.

### 2. Inventory

Local Municipalities may identify and classify contaminated sites. The County, in conjunction with the municipality shall undertake a more comprehensive inventory of sites with the potential for contamination including but not limited to more precise locations of former waste disposal facilities, industrial and commercial uses.

### 3. Evaluation and Restoration

Known or potentially contaminated sites shall be evaluated as a condition of their reuse or redevelopment in accordance with the Ministry of the Environment's guidelines such as the ~~"Guideline for Use at Contaminated Sites in Ontario"~~ *"Record of Site Condition (O.Reg 153/04)"* -unless otherwise directed by the Ministry of the Environment. A Phase I Environmental Site Assessment (ESA) shall be carried out on a site which may be contaminated. A Phase 2 ESA shall be completed where contaminants are identified in Phase I and further investigation is warranted to determine the extent and scope of contamination. Local Municipalities shall request the submission by the proponent of a 'record of site condition' which verifies that the site has been cleaned or restored in accordance with the Ministry of the Environment's Guideline and is acknowledged by the Ministry prior to the approval of the planning application. In limited circumstances, a site which exhibits *adverse effects*, may be used where an effective and approved risk management program is instituted and approved by the Ministry of the Environment.

Local Municipalities may require the rehabilitation or restoration to a safe condition of abandoned pits or quarries as a condition of redevelopment.

Mod #39

#### 4. Zoning Controls

Local Municipalities may use Section 34 or 36 of the *Planning Act* to regulate known or potentially contaminated sites. Where the holding provisions of Section 36 are used, a Local Municipality shall be satisfied that the site is not contaminated or that site has been appropriately restored for the intended land use, prior to removing the holding symbol by amendment to the by-law.

#### 5. Brownfields

Brownfields are typically former industrial and commercial sites that are underused, derelict or abandoned and may or may not have soil or water contamination because of chemicals or other pollutants. Local Municipalities are encouraged and may provide for the reuse or redevelopment of Brownfield's sites by using any of a variety of tools including:

- A. the preparation of community improvement plans (Section 28 of the *Planning Act*) of which a component may be a program to issue grants or loans for rehabilitation;
- B. heritage conservation through the making of loans or grants for the restoration, renovation or repair of designated properties under Section 39 of the *Ontario Heritage Act* on terms and conditions established by a municipal council;
- C. the use of financial incentives or grants where authorized by the *Municipal Act*;
- D. exemptions from development charges under the *Development Charges Act* as an incentive to the development of new commercial, industrial or other land uses.
- E. incentives and provisions of the *Brownfields Statute Law Amendment Act*.

### 6.07 CONSULTATION AND REFERENCE

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The following agencies shall be consulted where appropriate:

1. The Raisin Region Conservation Authority or the South Nation Conservation - for filling, dredging, construction, erosion control and alterations to waterways in areas of their respective jurisdictions affected by Ontario Regulations issued under the *Conservation Authorities Act* (Raisin Region: O.R. 140/90; South Nation O.R. 724/94) and also, slope stability inspection and setback requirements. The **Land Use Schedules** show the geographic area administered by each of these agencies.
2. Ministry of Natural Resources - ~~for abandoned pits and quarries; also~~ for shoreline alterations on the St. Lawrence River along the Dundas County frontage and the north-east corner of the County of Glengarry.

Mod #40

3. Ministry of the Environment - for requirements related to the restoration of contaminated sites and the preparation of a Record of Site Condition.

Mod #40

- 4 *Ontario Stone, Sand and Gravel Association for management of Abandoned Aggregates Properties (MAAP) Program.*

**Reference documents include:**

- Technical guide for Great Lakes – St. Lawrence River Shoreline, Flooding, Erosion and Dynamic Beaches, Ministry of Natural Resources
- Technical Guide: River and Stream Systems Flooding Hazard Limit, Ministry of Natural Resources
- Technical Guide: River and Stream Systems Erosion Hazard Limit, Ministry of Natural Resources
- Technical Guide for Hazardous Sites, Ministry of Natural Resources
- Natural Hazards Training Manual, Version 1.0, MNR, January 1997
- Guideline for Use at Contaminated Sites in Ontario, Ministry of the Environment, 1997
- Understanding Natural Hazards, Queen’s Printer, 2001
- Guidance on Sampling and Analytical Methods for Use at Contaminated Sites in Ontario, MOE, 1996
- Guidance on Site Specific Risk Assessment for Use at Contaminated Sites in Ontario, MOE, 1996
- Rationale for the Development and Application of Generic Soil, Groundwater and Sediment Criteria for use at Contaminated Sites, MOE, 1996
- Shoreline Management Plan, Raisin Region Conservation Authority, 1992
- Slope Stability Study of the South Nation River and Portions of the Ottawa River, Ontario Geological Survey, Map 2487

## SECTION 7 - HERITAGE

### 7.01 INTRODUCTION

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Heritage within the County represents a rich legacy of cultural events, history, architecture, settlement patterns and archaeological resources. United Empire Loyalists, the War of 1812, the construction of the St. Lawrence Seaway, the Maxville Highland Games, Upper Canada Village, Crysler Park are signature elements of heritage within the County in as much as they are touchstones of Canadiana. The conservation of heritage resources will serve to enhance the attributes and amenities that help to define the character and identity of the people and landscapes of Stormont, Dundas and Glengarry. They also create recreational and tourism opportunities and therefore, provide an economic benefit to the area.

### 7.02 STATEMENT OF INTENT

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It is the intent of this Plan to provide the County and Local Municipalities with the appropriate mechanisms to conserve or protect heritage resources for the benefit of the community and posterity, by identifying, recognizing, documenting, protecting, improving and managing those resources. Heritage resources include built heritage resources (buildings, structures, monuments, bridges, canals, cemeteries); cultural heritage landscapes (streetscapes, historically designed districts or parks, scenic lookout points, sacred landscapes such as burial grounds and battlefields); and areas of archaeological potential (artefacts, sites of past settlement and burial sites).

### 7.03 GOAL

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To manage the community's heritage resources in a responsible manner through the development of policies, tools and processes to identify, recognize, document, protect, rescue and conserve these resources.

### 7.04 OBJECTIVES

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To provide the County and Local Municipalities with the tools and processes to identify, recognize, document, protect, rescue and conserve heritage resources.

To adopt a pro-active approach towards heritage resources conservation.

To integrate the conservation of heritage resources within *development* and *infrastructure* decisions which may affect those resources.

To incorporate heritage conservation as a sustaining element of economic development.

## 7.05 KEYNOTE POLICIES

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It is a policy to manage heritage resources through the pro-active identification, recognition, documentation, protection, conservation and rescue of these resources and to conserve heritage resources when making development and infrastructure decisions which may affect those resources. Heritage resources shall include built heritage resources, cultural heritage landscapes and archaeological resources which are important to the community or area in which they are located or are recognized for their significance at a provincial or national level.

## 7.06 IMPLEMENTATION

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Implementation procedures to be used include:

### 1. *Development Applications and Infrastructure Works (Public Works)*

Mod #41

In reviewing an application for a zoning amendment, a consent for a *residential*, commercial, industrial or institutional use or a multi-unit residential building; or subdivision; or in the undertaking of new *infrastructure* works (e.g. new road, road widening, communal water or sewer system, landfill site), consideration shall be given to the possible effects and impacts of such works on a known heritage resource or on an *area of archeological potential* (lands where there is a likelihood for the presence of archeological resources based on physiographic or historical features). Along the St. Lawrence River underwater archeological resources (artifacts, known sites of past settlement and burial sites) shall be considered where affected by a development proposal.

Mod #41

~~A 'known' heritage resource is one which has been designated under the Ontario Heritage Act by a municipality; is a site or building which has been identified or registered by the Ministry of Culture; or is a site or building identified or registered by Parks Canada. A heritage impact assessment report shall generally be required for development adjacent to a known heritage resource (local, provincial or federal), or is an area of archeological potential e.g. site which is in close proximity to a lakeshore, water body [300 m (984 ft.)](current or ancient shorelines) or the confluence of major water courses, or within 200 m (656 ft. from a secondary waterbody). These distances may be altered subject to the advice or guidelines of the Ministry of Culture. The report shall identify the characteristics and significance of the heritage resource(s), the development impacts and the measures or options for the conservation, mitigation or removal/rescue of the resource.~~

A 'known' heritage resource is one which has been designated under the Ontario Heritage Act by a municipality; is an archaeological site or building which has been identified or registered by the Ministry of Culture; or is an archaeological site or building identified or registered by Parks Canada. A heritage impact assessment

report shall be required for development adjacent to a known heritage resource (local, provincial or federal). For development on properties that contain archaeological sites or areas of archaeological potential an archaeological assessment must be carried out to the satisfaction of the municipality and the Ministry of Culture. Archaeological potential is confirmed when a property contains or is located within at least one of the following:

Mod #41

- a. 250 metres of a known archaeological site
- b. 300 metres of a primary water source such as a lake shore, river large creek etc.
- c. 300 metres of an ancient water source indicated by a beach ridge, river bead etc.
- d. 200 metres of a secondary water source such as a wetland, marsh, small creek, spring stream etc.
- e. Elevated topography (Knolls, drumlins, eskers, plateaus, etc.)
- f. Pockets of sandy soil in a clay or rocky area
- g. Unusual land formations (mounds, caverns, waterfalls, etc.)
- h. An extractive area (for food or scarce resources)
- i. Non aboriginal settlement features (monuments, cemeteries, etc.)
- j. Historic transportation features (road, rail, portage etc.)
- k. Designated property ( refer to MHC or Clerk's Office)
- l. Local knowledge associating property with historic events, activities or occupations

OPA 1  
Item 2

*For consent applications where impacts will be restricted to an area equal to or less than one building envelope, archaeological assessments may not be required if the property does not contain a designated heritage resource, a cemetery or burial ground, or an unknown archaeological site.*

Where, through development, a site is identified to contain an unmarked burial site or new archeological features, a municipality shall contact the Ministry of Culture.

The Ministry of Consumer and Business Relations shall also be contacted with respect to the discovery of burial sites and unmarked cemeteries and matters related to the *Cemeteries Act*.

Municipalities recognize there may be a need for archeological preservation on site or rescue evacuation of significant archeological resources, when such resources are identified through the development process. Council may consider archeological resource preservation on site, to ensure that the integrity of the resource is maintained.



**A. Inventories**

Local Municipalities are encouraged to establish and maintain an inventory of all known heritage resources to reflect identified resources and provide for their protection through the review of planning applications. This is expected to include the identification and mapping of *areas of archeological potential*. The identification and mapping of *areas of archeological potential* may occur incrementally (application-by-application basis) or through a comprehensive evaluation e.g. as part of the preparation of a heritage master plan. The County and Local Municipalities may undertake a study that identifies all known burial sites within the region. The inventory should be integrated into the County geographic information system.

**B. Heritage Master Plan**

A Local Municipality may prepare a heritage master plan as a means to comprehensively identify, assess and protect or conserve heritage resources (~~buildings, landscapes, areas of archeological potential~~) e.g. *buildings, landscapes, archaeological sites areas of archaeological potential* in a Local Municipality. ~~The heritage master plan may include criteria for determining local and regional heritage significance, a strategy for designating buildings or sites or heritage conservation districts under the Ontario Heritage Act and approaches to protecting cultural heritage landscapes.~~ *The heritage master plan may include criteria for determining local and regional heritage significance, mapping, a strategy for designating buildings, sites or heritage conservation districts under the Ontario Heritage Act, a comprehensive heritage resource inventory of buildings, landscapes and areas of archaeological potential and approaches to protecting cultural heritage landscapes.*

Mod #42

**C. Heritage Resources Designation**

A Local Municipality may by by-law, designate properties (includes a building or structure) of historical or architectural value under *Part IV* of the *Ontario Heritage Act* or may designate a heritage conservation district under *Part V* of the *Ontario Heritage Act*. This authority may be delegated to the County by a Local Municipality. (*See list in Issue Paper # 6 - Heritage, of properties that are designated as well as properties that exhibit heritage potential.*)

**D. Zoning and Regulatory Controls**

A Local Municipality may protect significant archeological resources and conserve cultural heritage resources on site through the passing of an archeological zoning by-law (see **Section 8.14.6**) and by undertaking other measures under the *Planning Act, the Municipal Act, the Environmental Assessment Act, The Public Lands Act* and the *Aggregate Resources Act*.

**E. Economic Benefit**

A Local Municipality may develop strategies or measures to recognize, promote or enhance the economic benefit of the heritage resource for the community or the

County including enhancement for tourism. This may require an evaluation of the economic impact of development proposals on or adjacent to cultural heritage resources.

**F. Heritage Committees**

A Local Municipality may establish a Municipal Heritage Committee for the purposes of identifying and recommending the designation of property(ies) under *Part IV* or *Part V* of the *Ontario Heritage Act* and acting as a resource to the Local Municipality on heritage matters.

**G. Heritage Conservation Incentives**

Where feasible and desirable, incentives may be provided to land developers in exchange for the preservation of significant cultural heritage resources. This can be accomplished by permitting increased densities, density transfers, tax incentives, assistance through a trust fund, heritage conservation easements and/or other means considered appropriate for heritage resource conservation.

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**7.07 CONSULTATION AND REFERENCE**

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The following agencies shall be consulted where appropriate:

1. Municipal Heritage Committee - for the designation of a property or the designation of a heritage district..
2. Ministry of Culture in the discovery of new archeological features, unmarked burial sites, requirement for, review or implementation of a heritage impact assessment report or the designation of a Heritage Conservation District.
3. Ministry of Consumer and Business Relations - unmarked burial sites or cemeteries and matters related to the *Cemeteries Act*.
4. First Nation Communities - identification of areas of archeological potential, review or implementation of a heritage impact assessment report.
5. St. Lawrence Parks Commission - review or implementation of a heritage impact assessment report adjacent to Commission lands.

**Reference documents include:**

-*Archeological Assessment Technical Guidelines, Ministry of Citizenship, Culture and Recreation, 1993; Heritage, Issue Paper # 6, United Counties of Stormont, Dundas and Glengarry, 2001.*  
-*Archeology, Land Use Planning & Development In Ontario: An Educational Primer and Comprehensive Guide for Non-Specialists - Ministry of Culture, 1997*  
-*Checklist for Determining Archeological Potential (included in the Primer - Ministry of Culture, 1997*  
- Provincial Policy Statement, 1997 re: definitions

## SECTION 8 – TOOLS OF IMPLEMENTATION

### 8.01 INTRODUCTION

There are many ‘tools’ at the disposal of a planning authority in implementing an Official Plan. This Section of the Plan lists those tools which may assist in the implementation of this Plan. Reference is made to a number of different provincial statutes and/or Ontario Regulations. The list does not include all of the enabling authority of all legislation, particularly, those Acts and Regulations which are administered by the federal or provincial government but the list is intended to be reasonably comprehensive.

Over time, amendments are made to legislation which may change the numbering of sections of various Acts or Regulations. These changes should not affect the integrity of the following list nor limit the authority of a Municipality to exercise certain controls, unless the legislation is repealed. The Acts etc. are listed alphabetically for convenience.

### 8.02 BUILDING CODE ACT

#### 8.02.1 General

The *Building Code Act* provides the enabling authority for Councils to issue building permits through the appointment of a chief building official and the adoption of a building by-law. The *Act* also provides for the administration of property standards (transferred from the *Planning Act*). A building permit cannot be issued unless the proposed structure complies with ‘applicable law’ such as a zoning by-law. The associated *Ontario Building Code* sets out the standards for design and construction of buildings.

#### 8.02.2 Property Standards

A Local Municipality may adopt a Property Standards By-law or administer an existing by-law for all or part of the Local Municipality as provided for under the *Building Code Act* (see *Section 15.1 - 15.8*) with the objective of maintaining buildings, structures and properties in the Local Municipality in a good state of repair.

The by-law may be reviewed from time-to-time with respect to the standards for maintenance of buildings and without limiting the foregoing, shall include consideration for:

- the maintenance of yards and accessory buildings
- the maintenance of residential and non-residential buildings and structures
- occupancy standards
- notices and orders
- administration and enforcement measures

## **8.03 CONDOMINIUM ACT**

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### **8.03.1 General**

Condominiums are a form of property ownership in which title to a unit, such as an individual apartment in an apartment building or a single detached dwelling in a private subdivision, is held by an individual together with a share of the rest of the property, which is common to all owners.

Condominiums can involve a brand new development, or an existing rental project which is converted to condominium ownership. They can apply to any type of residential building as well as commercial and industrial areas and vacant land.

### **8.03.2 Applications**

Applications shall be made to the County utilizing the form prescribed and shall set out a description suitable for registration on title unless otherwise exempted by Council. A Local Municipality may enter into an agreement with the applicant for the provision of services or such other matters as are governed by *Section 51 of the Planning Act*.

(See also **Section 8.14.15 - Subdivisions**)

## **8.04 CONSERVATION AUTHORITIES ACT**

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The Conservation Authorities Act (1946), provides for the creation of conservation authorities in Ontario, their administration and funding, and more importantly, for the conservation, restoration and responsible management of Ontario's water, land and natural habitats through programs that balance human, environmental and economic needs. The Act provides the enabling authority to conservation authorities to establish and enforce Fill, Construction and Alteration to Waterways regulations within their respective jurisdictions. Permits and associated fees may be required for development approvals. The authority for flood forecasting and control, erosion control, ice management, water and watershed management and the management of wildlife and fish habitat.

## **8.05 DEVELOPMENT CHARGES ACT, 1997**

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### **8.05.1 Statement of Intent**

This Official Plan is to be considered as a statement of intent of Council to carry out or authorize to be carried out, various public works as described specifically or in general terms in this Plan and which may be the subject of a development charge. This includes the Council of a Municipality.

## **8.06 ENVIRONMENTAL ASSESSMENT ACT**

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Prior to the construction of public works or undertakings, such as roads, sewage works, waste disposal facilities, water filtration plants, a Municipality shall follow procedures under the *Environmental Assessment Act*. Some types of undertakings may fall into a class environmental assessment which is a more streamlined process in reviewing the environmental impacts of the proposed work. Generally, the intent of this Plan is to ensure that the following procedures (generalized description) are followed prior to the construction of a project (undertaking):

1. Consult with affected parties:
  - A. involve affected parties early in the process and continuously throughout;
  - B. encourage the identification and resolution of issues before an EA is formally submitted;
  - C. promote mutually acceptable, environmentally sound solutions through consultation.
2. Consider reasonable alternatives: planning must consider alternatives to the undertaking which fulfill the purpose of the undertaking in functionally different ways and alternative methods of implementing a particular type of alternative. The ‘do-nothing’ alternative must also be considered.
3. Consider all aspects of the environment: the planning process must consider the effects on the natural or biophysical environment as well as effects on the social, economic and cultural conditions that influence the lives of humans of a community.
4. Systematically evaluate net environmental effects: evaluate alternatives in light of their advantages and disadvantages and the effects remaining after mitigation or enhancement measures have been addressed.
5. Provide clear, complete documentation: the EA should strive to represent accurately the process that was followed in a clear and understandable way and to communicate the results of that process.

## **8.07 ENVIRONMENTAL PROTECTION ACT**

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The *Environmental Protection Act* provides control mechanisms for the protection of the environment that has application to the general public as well as to the Council of a Municipality. It is the intent of this Plan that a Municipality in reviewing a planning application or in undertaking a public works affected by the *EPA*, shall ensure that the appropriate approvals are in place prior to the commencement of the undertaking.

## **8.08 FISHERIES ACT**

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*The Fisheries Act*, administered by the federal Department of Fisheries and Oceans, provides for the protection of fish habitat. No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat. Proposals on or adjacent to fish habitat are subject to a review in accordance with the *Act*, and development may not be authorized if the impacts cannot be mitigated or suitable compensation provided for.

## **8.09 GASOLINE HANDLING ACT**

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This legislation prescribes the requirements for the handling of gasoline and associated products and amongst other matters sets out in the associated *Gasoline Handling Code*, the prescribed setbacks of gasoline storage facilities and pump islands from streets and adjacent properties. The intent of this Plan is to ensure that any amending zoning by-law reflects these standards, where applicable, as a measure of public safety and compatibility with adjacent land uses.

## **8.10 LOCAL IMPROVEMENT ACT**

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The intent of this Plan is to allow for such works in accordance with the procedures set out under the *Local Improvement Act*.

## **8.11 MUNICIPAL ACT**

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The *Municipal Act* provides the enabling authority for a variety of types of by-laws which serve to implement features of this Plan or to authorize other actions of a Municipal follows:

1. Section 31 - Establishing a highway
2. Section 34 - Closing a highway
3. Sections 37/38 - Closing a private road
4. Sections 47/48 - Naming a road
5. Sections 58/59 - Zoning and sign restrictions on a County road
6. Section 92 - Controlling discharges into a sewer (sewer use by-law)
7. Section 99 - Regulating signs
8. Section 123 - Regulating dangerous places e.g. cliffs, deep water
9. Section 124 - Regulating pits and quarries
10. Section 127 - Regulating refuse and debris (clean yards)
11. Section 129 - Regulating noise, odour, dust, vibration, outdoor illumination
12. Section 131 - Regulating wrecking yards
13. Section 135 - Regulating tree cutting or injury to trees
14. Section 142 - Site alteration control (e.g. dumping, filling, topsoil removal, grade alteration)
15. Section 151 - Licensing adult entertainment establishments

16. Section 166 - Designation and registration of group homes
17. Section 168/169 - Licensing trailers and trailer camps
18. Section 170 - Licensing motor vehicle racing
19. Section 204 - Establishing a Business Improvement District

## **8.12 NUTRIENT MANAGEMENT ACT, 2001**

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The Nutrient Management Act, 2002, which received Royal Assent June 27, 2002, deals with the management of materials containing nutrients which include materials such as manure that are applied for the purpose of improving the growing of agricultural crops or for the purpose specified by regulation. The Act does not affect the application of the Environmental Protection Act, the Ontario Water Resources Act, or the Pesticides Act. The regulations associated with the Nutrient Management Act will govern the preparation of nutrient management plans, protection of waterways and farming practices related to livestock operations.

## **8.13 ONTARIO HERITAGE ACT**

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The Ontario Heritage Act is intended to assist municipalities with the designation and conservation of buildings, structures, districts, landscapes, ruins that may be considered to be cultural heritage or archaeological resources. A Local Municipality may use Part IV of the Act to designate by by-law, individual buildings, structures or sites/landscapes or use Part V to designate a Heritage Conservation District.

### **8.13.1 Requirement for Archeological Assessment**

To implement the requirements of **Section 7.0 - Cultural Heritage and Archeological Resources** of this Plan, the review of a planning application (see **Section 7.06.1**) may require a review of the archeological potential of a site. Where a Municipality determines the need for an archeological assessment, it is a policy that the following condition shall apply:

“The proponent shall carry out an archeological assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archeological resources found. No grading or other soil disturbances shall take place on the property prior to the approval authority and the Ministry Culture confirming that all archeological resources have met licensing and resource conservation requirements. The assessment shall be carried out by a archeologist licensed under the *Ontario Heritage Act*.”



## 8.14 PLANNING ACT

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The procedures for applications and other matters are dealt with in sequence as they appear in the *Planning Act*.

### 8.14.1 Amendments to the Official Plan – Sections 17 and 22

It is the policy of the County that amendments to the Plan shall be required for a change in a land use designation as shown on the **Land Use Plan Schedules** or for a change in the substance of the policy or text of the Plan (see also **Section 1.08.3**). In determining whether or not an amendment to the Plan is required, special regard shall be had to the Growth and Settlement policies of Section 3. While it is not the intent of County to limit the rights of any person under the *Planning Act* to apply for an amendment, any proponent of **development** is encouraged to discuss the need for an amendment with the County and the Local Municipality prior to making an application. The County encourages a spirit of pre-consultation in making this determination as well as in the review of any application for an amendment filed with the County prior to a public meeting or decision.

### 8.14.2 Public Works – Section 24

The Council of a Municipality shall not undertake any public work and no by-law shall be passed that does not conform with the Official Plan. Council may pass a by-law which does not conform with the Official Plan where they have adopted an amendment to this Plan and where the public work will comply with the amendment, once the amendment is approved.

### 8.14.3 Acquisition of Land – Section 25

A Municipality may acquire land for any purpose set out in this Plan and may lease or otherwise dispose of such lands where no longer required.

### 8.14.4 Meeting to Consider Revisions to the Plan – Section 26

A major review of this Plan shall be undertaken not less frequently than every five years. Nothing shall prevent more frequent reviews and updates where warranted.

### 8.14.5 Community Improvement – Section 28

1. A Local Municipality may, subject to the provisions of the *Planning Act*, carry out physical improvements within the community. In establishing a **Community Improvement Area**, consideration shall be given to the following matters:
  - A. The extent or deficiencies in **public services, public service facilities or infrastructure**.

- B. Building stock, including municipal buildings, which do not meet a Local Municipality's *Property Standards By-law*.
- C. The presence of vacant buildings/lands that could be developed, redeveloped or converted to another use.
- D. The opportunity to expand the supply of housing.
- E. The need to improve the streetscape or aesthetics of an area.
- F. The presence of incompatible land uses.
- G. The presence of older industrial lands ('Brownfield') that exhibit deficiencies but provide opportunities for redevelopment.

For the purposes of this Plan and in association with the above criteria, all **Urban Settlement Areas** and all **Rural Settlement Areas** including areas immediately adjacent thereto shall be considered as Community Improvement Areas. Outside of **Urban Settlement Areas** and **Rural Settlement Areas**, all existing industrial, commercial, institutional sites, extractive resource operations, salvage yards, public service facilities, waste disposal sites and County Road frontages shall be considered as Community Improvement Areas. Additional Community Improvement Areas may be designated on the Land Use Schedules by amendment to this Plan. All Community Improvement Areas shall be eligible for the establishment of one or more Community Improvement Project Areas.

2. A Local Municipality may implement measures for community improvement including, but not limited to:
  - A. The designation of Community Improvement Project Areas by by-law and the preparation of Community Improvement Plans for one or more project areas.
  - B. Scheduling community improvement projects in accordance with municipal budgets.
  - C. Enforcement of the Property Standards By-Law.
  - D. Utilizing senior government funding programs and/or partnering or soliciting financial support or contributions in kind from the public or private sector.
  - E. Supporting, through the development of land use and design criteria, proposals for conversion, infill, redevelopment or intensification of land or buildings.
  - F. Pursuant to Section 28 (3) of the *Planning Act*, a Local Municipality may acquire and clear land for the purposes of implementing a program of community improvement.
  - G. Preparing appropriate policies and guidelines to direct streetscape improvements in residential, commercial and industrial areas.
  - H. Providing and encouraging buffering techniques to reduce the impact of incompatible land uses using mechanisms such as site plan control and development permits.

- I. Considering the use of property tax or other financial or other incentives for the redevelopment of 'Brownfield' or older industrial or commercial areas or other areas considered suitable for redevelopment.
- J. Supporting Municipal Heritage Committee and heritage conservation initiatives as set out in the heritage policies of this Plan.
- K. Providing grants or loans to the registered owners or assessed owners of lands and buildings within a community improvement project area to pay for the whole or any part of the cost of rehabilitating such lands, or in undertaking other measures which conform with the community improvement plan.
- L. To reduce flooding in hazard or flood prone lands by encouraging the conservation authorities to develop and identify a two zone concept for flood plain management in areas of historical development.

#### 8.14.6 Zoning By-laws – Section 34

A zoning by-law shall reflect the principles, policies and land use descriptions in this Plan. The by-law shall zone land and establish regulations to control the use of land and the character, location and use of buildings and structures (e.g. retaining walls, fences, signs, communication towers, sewage disposal systems, recreation vehicles, swimming pools, docks, wharves, manure storage facilities etc.) and recognize existing legal non-conforming uses in accordance with this Plan.

A Local Municipality may use the powers provided by Section 34 to prohibit land uses and *development* in sites containing a variety of *natural heritage features*, as well as sites containing an identified archeological feature.

A Local Municipality may establish any number of zones to classify and control land uses that may be required to implement this Plan.

#### 8.14.7 Holding Zone – Section 36

In order to show a future zoning designation while retaining control of the timing of development, a "holding" designation may be used, in the form of a symbol "H" as a suffix to the zone designation. As long as the "H" is retained, the use of the land shall be limited to the existing uses.

##### 1. Rationale for the Use of Holding By-Laws

Holding by-laws may be used where the principle of development has been established under the *Planning Act*. A Holding By-Law may be used under the following circumstances:

- A. To hold land from *development* until water and sewage services, stormwater management facilities, roads or transportation services are

- provided, or, studies have been undertaken to prove that servicing is possible on the site and the servicing has been included in the Municipal budget or provided for through a Subdivision Agreement or other acceptable means with a developer;
- B. To hold land that is designated in the Official Plan, but, as yet is undeveloped until a proposal is submitted to develop or redevelop the land for the use/uses intended in the Official Plan;
  - C. To hold land from *development* until other environmental or physical improvements to the site are made. For example, road improvements or infill on a site may be required prior to development of the site;
  - D. To prevent or limit the use of land in order to achieve orderly phased development;
  - E. To ensure that all conditions of development including financial requirements and agreements in accordance with the provisions of this Plan and/or the *Planning Act*, have been complied with;
  - F. Contaminated sites may be placed in a Holding Zone in the Local Municipality's zoning by-law. Where a holding zone is used, the "H" symbol may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the Local Municipality and in accordance with a site remediation plan and subject further, to the submission of an acceptable Record of Site Condition to the Ministry of the Environment.

## 2. **Conditions to be Met for Removal of the Holding Symbol**

The Holding "h" may be removed by by-law when the above circumstances have been satisfied and the following conditions, where applicable, are met:

- A. Approval of servicing the site /area is given or servicing of adequate standards is provided on the site;
- B. A proposal is submitted for a site that conforms to the policies of the Official Plan;
- C. A phasing plan is submitted;
- D. Architectural or design drawings and studies, where applicable, are submitted showing the required features;
- E. Financial securities have been submitted (e.g. bond or letter of credit);
- F. With respect to contaminated sites, the "H" may be removed upon the receipt of a report approved by Council that the appropriate level of remediation, demonstrated by a Ministry of Environment acknowledged Record of Site Condition has been achieved.
- G. When the Local Municipality is satisfied that the above circumstances and conditions have been met in full, Council will consider an application to remove the "H" symbol. Notice will be given of Council's intention to remove the holding symbol in accordance with the requirements of the *Planning Act*.

#### **8.14.8 Interim Control By-laws – Section 38**

In utilizing this authority, an interim control by-law shall be preceded by a By-law or resolution, directing that a study be undertaken of planning policies in the affected area and setting out the terms of reference for the study.

When an Interim Control By-Law expires, the prior zoning shall automatically apply, unless a new zoning by-law is passed.

#### **8.14.9 Temporary Use By-laws – Section 39**

In certain circumstances, it may be desirable to pass a Temporary Use By-Law to implement the policies of this Plan or to implement measures for economic growth and prosperity (e.g. it may be desirable to locate certain uses in vacant commercial or institutional buildings or on lands zoned for institutional uses on a temporary basis.). It may also be beneficial to temporarily zone lands for industrial or commercial uses as an incubator or temporary location for a use which does not conform with the Plan. A temporary use may be permitted only if it is compatible with adjacent uses.

A Temporary Use By-Law may also be passed to permit a *garden suite*.

A Local Municipality may, therefore, in a by-law passed under Section 39 of the *Planning Act*, authorize a temporary use of existing structures for any purpose set out therein. The period of time for a temporary use may be for a period of up to ten years for a garden suite and up to three years in all other cases, both of which are renewable. Notice of a Temporary Use By-Law shall be given in the same manner as that of a zoning by-law under Section 34 of the *Planning Act*.

As a condition of the passing of a Temporary Use By-Law for a garden suite, a Local Municipality may require the owner of the suite or any other persons to enter into an agreement with the Local Municipality under the *Planning Act*.

Any use introduced under such a Temporary Use By-Law does not acquire the status of a legal non-conforming use at the expiration of the by-law(s) and at that time must therefore cease.

It is not the intent of the Official Plan that Temporary Use By-laws be used to permit a new use while an amendment to the Official Plan and/or zoning by-law is being processed to permit the use on a permanent basis. However, once a temporary use is established and it becomes apparent to a Local Municipality that the use should be permitted on a permanent basis, the use may continue under a Temporary Use By-Law while any required amendments are passed.

## 8.14.10 Site Plan Control – Section 41

### 1. Policies

Mod #43

Under the authority of Section 41 of the *Planning Act*, a Local Municipality may by by-law designate specific areas or land uses within the Local Municipality which ~~shall~~ *may* be known as site plan control areas. For the purposes of this Plan, the following land use designations and land uses shall be subject to Site Plan Control:

Mod #44

- A. Any industrial, commercial or institutional use.
- B. Any multiple residential use, home *occupation* or bed and breakfast establishment.
- C. Any lands abutting a water body, natural or human-made hazard or natural heritage feature.
- D. All conversions and redevelopment within any of the above categories.
- E. A communications tower or public utility installation.
- F. A Group home
- G. A Home Based Business
- H. A wellhead protection area or high aquifer vulnerability area
- I. Any other land use or area included in a Local Municipal site plan control by-law.

A Local Municipality may by by-law designate one or more areas as Site Plan Control Areas. A Local Municipality may require the submission of plans and drawings for all development proposals within the Site Plan Control area.

A Local Municipality may, as a condition of site plan approval, require the dedication of land for the widening of any street, road or intersection. The conveyance to the Local Municipality shall not exceed more than one-half of the deficiency of the width or 5 m (16.4 ft.) whichever is the lesser on any given side of the road. For a Local Municipality the prescribed right-of-way width shall be 20 m (65.6 ft.) for any street or road or a greater width where the Local Municipality establishes a greater right-of-way width for a collector or arterial road. The conveyance shall apply to the full frontage of the property wherever the deficiency exists.

### 2. Authority of a Local Municipality

A Local Municipality, within the authority prescribed by Section 41 of the *Planning Act*, may require each applicant submitting a development proposal to enter into an agreement with the Local Municipality as a condition to the approval and at no expense to the Local Municipality. Where a development proposal is of a minor nature, some or all of the points listed below may be waived in the

agreement. The agreement may include conditions on any or all of the following facilities and matters.

1. The construction or reconstruction of the access or egress onto all major roads or highways and any upgrading of the roads, that will be necessary as a result of the increased traffic caused by the development;
2. The number and location of all off-street loading areas and parking areas to be provided within each development, and the surfacing of such areas and driveways;
3. The number, location and construction of all walkways and walkway ramps and pedestrian access points to be provided in the development and how these will eventually be connected to adjacent areas;
4. The location, number and power of any facilities for lighting, including floodlighting of the site or any buildings or structures (such as signs) thereon;
5. All grading required to be done on the property and how storm, surface and waste waters will be disposed of in order to prevent erosion including the period during construction of the project. Plans will show the location and connections for all services to municipal services including elevations and inverts;
6. The techniques that are to be used on the site for landscaping of the property for the protection of adjoining lands, water bodies or *natural heritage features*, including the type of vegetation and techniques to be used, the existing (native) vegetation which is to be preserved, and any structures such as walls, fences or barriers that are to be used;
7. The location, height, number and size of all residential units to be erected on the site and the method by which the development will be staged;
8. The location, height, and type of all other buildings located in the proposal;
9. Illustration of the contours and final elevations of the site on a contour interval of 1 m (3.3 ft.) or less;
10. The location and type of any facilities and enclosures for the storage of garbage and other waste materials; and
11. The location and extent of any easements or other covenants on the land to be conveyed to the Local Municipality or a local board for public utilities.



### 3. Authority of the County

Where a site plan control area is established by a Local Municipality, the County may require the owner of land to provide at no expense to the County any or all of the following:

1. The widening of highways under the jurisdiction of the County.
2. Subject to the *Public Transportation and Highway Improvement Act*, where the land abuts a highway under the jurisdiction of the County, facilities to provide access to and from the land such as access ramps and curbs and traffic direction signs.
3. Where the land abuts a highway under the jurisdiction of the County, off-street vehicular loading and parking facilities, either covered or uncovered, access driveways including driveways for emergency vehicles and the surfacing of such areas and driveways.
4. Where the land abuts a highway under the jurisdiction of the County, grading or alteration in elevation or contour of the land in relation to the elevation of the highway and the provision for disposal of surface water from the land. In the review of Site Plan Applications, a Municipality may circulate to municipal departments and outside agencies who are considered to have a vested interest for their comments prior to the approval of any site plan or site plan agreement.

Agreements entered into under the authority of Section 41 of the *Planning Act* may be for the provision of any or all of the facilities, works or matters as provided for in the *Act* and the maintenance thereof and for the registration of such agreements against title to the land to which they apply (County and/or a Local Municipality).

#### 8.14.11 Parkland Dedication or Cash-in-Lieu – Section 42, 51 (1) and 53

It is a policy to require the conveyance of parkland or the cash-in-lieu equivalent for residential and non-residential development as a means to implementing the policies for parks and open space areas of this Plan (see **Section 3.06.7.8**). The land or cash to be conveyed shall not exceed two per cent (2 %) of the value of the land to be developed for commercial or industrial uses or five per cent (5 %) in all other cases. Where a Local Municipality requests cash-in-lieu, the value of the land shall be determined on the day before the day the building permit is issued. This policy shall apply to new lot creation, not to a retained lot. Cash-in-lieu may be used where the resulting park site is too small, where there is no suitable location for a park or where the money can be better used to acquire other parkland or add onto an existing park in the area.

Where a Local Municipality requires the conveyance of parkland, new parkland that is provided in Urban and Rural Settlement Areas, should have the following characteristics:

1. Contribute to the equitable distribution of parkland and green space within the community;
2. Be easily accessible by foot or bicycle from residential areas served by the parkland and preferably linked to other green spaces.
3. Be visible from many vantage points within the community.
4. Have significant street frontage, in proportion to their size, often fronting on two or more streets depending on their shape and function.
5. Be suitable for its function in terms of size, shape, topography and soil conditions.
6. Be located where possible, in close proximity to schools, community centres, other recreational facilities and other compatible community facilities.

A Local Municipality is not obliged to accept land which is unsuitable by virtue of its location in an area characterized as having a natural or human-made hazard or an area designated or identified as a natural heritage feature or area.

#### **8.14.12 Committee of Adjustment – Sections 44 and 45**

##### **1. Status of Legal Non-conforming Uses**

It is the intention of this Plan that a legal non-conforming uses should eventually cease to exist.

The owner/applicant in submitting an application for an expansion, enlargement or change of a legal non-conforming use shall demonstrate that all three of the following conditions are met in qualifying a use as a legal non-conforming use:

- A. That the use was legally established prior to the passing of any of the zoning by-laws as set out in **Sections 8.14.6 - 8.14.7** of this Plan;
- B. That the use has continued without interruption from the date of its establishment of the use, or in the case of an interruption, that there has been a reasonable attempt to continue the use during the period of discontinuance; and
- C. That the use is deemed to have existed and continued only if there was in fact, an actual user directly involved with the use.

## 2. **Enlargement or Expansion or Change to a Legal Non-Conforming Use**

It may be desirable, however, to permit the extension, enlargement or change of a nonconforming use to a similar or more compatible use subject to the following criteria:

- A. The extension or enlargement does not aggravate the non-conforming situation for neighbouring uses;
- B. The extension or enlargement is in reasonable proportion to the existing use and to the land on which it is to be located;
- C. The proposed extension or enlargement will not create undue noise, vibration, fumes, smoke, dust, odours, glare from lights nor environmental hazards;
- D. Traffic and parking conditions in the vicinity will not be adversely affected and traffic impacts will be kept to a minimum by the appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections;
- E. Adequate provisions have been or will be made for off-street parking and loading facilities where they apply;
- F. **Infrastructure** and **public services** where applicable, such as water and sewer, storm drainage, roads, school bussing etc. are adequate or can be made adequate. (*Example: upgrading, extending or widening a road to provide safe access or to carry increased volumes of traffic arising from an extension, expansion or change in a non-conforming use.*)
- G. **Section 4.06.3.10** shall apply with respect to existing land uses within a wellhead protection area.
- H. **Section 5.06.2** and **Table 5.1** shall apply with respect to uses in a Provincially Significant Wetland and the significant portions of the habitat of an **endangered or threatened species**.
- I. **Section 6.06.1.2** and **Table 6.1** shall apply with respect to development or site alteration in a flood plain.

### 8.14.13 Subdivisions, Consents, Part-Lot Control and Deeming – Sections 50-53

#### 1. **Plans of Subdivision**

Land development shall generally take place by plan of subdivision where permitted under **Sections 3.06.1.2, 3.06.2.2 and 3.06.3** of this Plan where three or more new lots/blocks are proposed. Consents shall otherwise be the method of land division.

An application for a plan of subdivision shall be in accordance with the requirements of the *Planning Act* and shall have regard for the Provincial Policy Statement. Additional information may be required in assessing the need, appropriateness and the location of the subdivision. It shall be the policy of

Council to consider for approval, only those plans of subdivision which comply with the policies of this Plan and which, to the satisfaction of the Council, can be supplied with adequate and cost effective public service facilities. The review of a subdivision application shall be subject to the Land Division Review Criteria set out below.

## 2. Consents

Mod #45

Provisions relating to the granting of consents are set out in Sections 51 and 53 of *The Planning Act*. ~~In the review of consent applications regard shall be had for~~ *Decisions on consent applications shall be consistent with* the Provincial Policy Statement in addition to the Land Division Review Criteria set out below.

## 3. Land Division Review Criteria - Plans of Subdivision and Consents

- A. The application shall be complete and shall include a sketch to scale and the prescribed application fee and shall comply with the requirements of *The Planning Act* and associated Ontario Regulation for the filing, review, notice and decision procedures.
- B. The sketch shall show the lands to be subdivided or severed and the lands to be retained, existing and proposed lot dimensions, lot areas and buildings, natural physical features water wells, sewage disposal systems, (water bodies, slopes, tree cover) and sufficient information to be able to easily locate the land. The sketch will preferably show surrounding land uses.
- C. The proposed use of the lands shall be a use permitted in the underlying land use designation (e.g. refer to the Official Plan **Land Uses Plan Schedules** to determine designation and then refer to corresponding list of permitted uses for that designation in the text of this Plan).

### D. Number of Consents:

#### I. Urban or Rural Settlement Area or Rural District

Up to two consents for residential purposes may be granted for a legally conveyable lot, excluding the retained lot, where; the approval authority is satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the land; where the lot existed as of January 1, 1980, or date of approval of the local official plan in North Glengarry or as of the date of approval of this Plan in South Stormont and South Dundas or January 1, 1998 in North Dundas; and where the land is located in the **Rural Settlement Area** or the **Rural District** as shown on the

**Land Use Plan Schedules.** In the **Urban Settlement Area**, there shall be no limit on the number of consents provided the approval authority is satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the land and that the lotting pattern will provide for the compact and efficient use of land.

In no case will an additional severance be granted for lots or parcels of land which overlap the **Agricultural Resource Lands** designation.

Consents may be granted for non-residential purposes in an **Urban or Rural Settlement Area** or the **Rural Area** provided that the lot is of a size appropriate for the type of non-residential; is sufficiently large to maintain flexibility for future changes in the type or size of the use and meets other applicable policies e.g. access, water and sewage systems, land use compatibility and zoning standards.

Mod #46

OPA 1  
Item 3

This policy shall not limit the granting of a technical severance (see **Section 8.14.3.13 R. 8.14.13.3 S**)

## II. Agricultural Resource Lands

A consent may be granted on lands designated as **Agricultural Resource Lands** as shown on the **Land Use Plan Schedules** for:

1. An *agricultural use* (i.e. crop land, livestock operation, aquaculture, agro-forestry or maple syrup production) provided that the lot is of a size appropriate for the type of *agricultural use* common in the area and is sufficiently large to maintain flexibility for future changes in the type or size of the agricultural operation;
2. An agricultural-related use;
3. ~~A farm retirement lot (residential use);~~
4. ~~A residence surplus to a farming operation, or~~
5. ~~Residential infilling (i.e. creation of a single residential lot between two existing non-farm residences which are on separated lots of a similar size and which are situated on the same side of a road and are not more than 100 m (328 ft.) apart.~~
6. ~~Sites intended for residential purposes on lands which are considered by a Local Municipality and the approval authority to be too small, irregularly shaped or fragmented for commercial farming provided other necessary criteria are met. Properties which have poor physical capability for agriculture~~

Mod #51

Mod #51

Mod #47

~~as concluded by a professional acceptable to the Approved Authority may also be considered for a consent approval.~~

7. Where a consent is granted for a residence surplus to a farming operation, a Local Municipality ~~may, through the Zoning Bylaw~~ shall, through the Zoning By-law or other municipality approach, prohibit further dwellings on the vacant retained lands created by the subject consent.

Mod #48

OPA 1  
Item 4

8. ~~Consents for residential purposes shall only be granted where the new lot(s) will not impede or adversely affect farm operations.~~ Within the Agricultural Resource Lands designation, local municipalities may recognize existing rural residential uses and permit new residential dwellings on existing lots of record, subject to the provisions of the municipal Zoning By-law.

### III. Extractive Resource Lands

*A consent will not be granted on **Extractive Resource Lands** except for an extraction use (i.e. pit, quarry or peat extraction) or an extraction-related use (i.e. value-added industry, concrete or asphalt plant, peat processing use). A consent may be granted on lands identified as an extractive resource lands overlay constraint where the policies of **Sections 5.06.4 1 and 7** are satisfied.*

E. *The lot(s) to be subdivided or severed and to be retained shall meet the requirements of any zoning by-law having application and shall be adequate for:*

- a) *the principle use of the land, buildings, or structures, any accessory uses, parking, loading, access, landscaping/buffering, storage including snow storage;*
- b) *lot frontage and depth;*
- c) *setbacks from roads, lot lines, water bodies etc.;*
- d) *allowing **development** where constraints exist such as topography, soils (organic), rock, slope, wetlands.*

F. *The lot(s) shall meet the influence area or special setback requirements where the intended use of the lot is for a **sensitive land use** e.g. a dwelling, daycare facility, educational facility or health care facility, church, campground, or the lot is for a use where there is the potential for an incompatible land use. (Examples include: industrial uses, **waste management systems**, livestock operation, sewage treatment plant/waste stabilization pond, pit or quarry, natural or human-made hazard, noise or vibration generating use.)*

G. *The application may be required to be supported by studies or other information which are needed by this Plan, e.g.*

Mod #52

- a) *capacity of public service facilities - Section 4.06.2.1*
- b) *water and sewer servicing capacity - Section ~~4.06.3.3~~ 4.06.3.4*
- c) *servicing options report - Section ~~4.06.3.5~~ 4.06.3.6*
- d) *stormwater management - Section 4.06.4*
- e) *location within an influence area Sections 4.06.5.5, 5.06.4.2*
- f) *transportation study - Sections 4.06.6 1-3*
- g) *noise and vibration - Section 4.06.6.1-3*
- h) *minimum distance separation I and II - Section 5.06.3.7*
- i) *impact assessment - Section 5.06.5.7*
- j) *water resources conservation - Section 5.06.6.2*
- k) *flood proofing, protection works, restoration - Sections 6.06.1 4, 5 and 8*
- l) *organic soils - Section ~~6.06.1.9~~ 6.06.1.10*
- m) *geotechnical studies for unstable slopes - ~~6.06.1.10~~ 6.06.1.11*
- n) *contaminated sites - Section 6.06.2.3*
- o) *heritage impact/archeological assessment - Section 7.06.1*
- p) *land use compatibility studies - Section ~~3.06.6.5~~ 3.06.6.4*

Mod #52

H. *The application should be supported with information or evidence to verify suitability of the lot for sewage disposal (i.e approval under the Building Code, Ontario Water Resources Act or a servicing options report) where sewage disposal is required. A hydrogeological study shall be required for any subdivision to be serviced by individual on-site systems or where lot creation will be for one or more lots having a lot area of less than 0.4 ha (1 ac.) (see also Section ~~4.06.3.5~~ 4.06.3.6). Lot creation shall also satisfy the requirements for stormwater management (see Section 4.06.4)*

Mod #53

- I. *The application should be supported with information to verify suitability of the water supply (i.e. a water supply assessment or servicing options report) where a water supply is required.*
- J. *The lot(s) shall have frontage on and direct access to an open year round maintained public road unless otherwise exempted (see also Section 3.06.6.3). Frontage may be exempted for farm land or extractive operations where back lands are otherwise accessible (e.g. unopened road allowance, right-of-way, from abutting lands owned by applicant).*

*Consents should not be granted which may limit access to interior lands. Provision shall be made for future road allowances at strategic locations. Local Municipalities may require increased setbacks on adjacent lands to ensure adequate setbacks from a potential road allowance.*



*In the case of a private road, documentation shall be provided of the legal rights (i.e. registration on title) to gain access over an existing private road as well as the nature of the road (length, physical condition, suitability for use by emergency vehicles, arrangements for maintenance and snow removal and potential for assumption by a Local Municipality).*

- K. *Where the lot(s) proposed front(s) on a provincial highway or a County Road, applicants shall pre-consult with the Ministry of Transportation or the United Counties of Stormont, Dundas and Glengarry respectively. Also, where the Ministry/County has identified the need for a road widening, the necessary land shall be dedicated as a condition of approval (see **Sections 4.06.6.1, 2 and 3**).*
- L. *The access or entrance to any lot should not create a traffic hazard e.g. on a curve or a hill where a driver's sight line is blocked or impaired. The applicant shall receive prior approval from the Municipality for the location and installation of an entrance and/or culvert.*
- M. *Where the potential for a **cultural heritage site** or archaeological site has been identified, an **archaeological assessment** may be required. The applicant should consult with the Municipality, or the County as the case may be or the Ministry of Culture (see **Sections 7 and 8.13.1**).*
- N. *Approval will not be granted which has the effect of limiting access to back lands for future **development** or which has the effect of creating land locked parcels.*
- O. *Approval may not be granted in areas where the undue extension of municipal services would be required e.g. extension of a public road or school bus route.*
- P. *Lot creation will not be permitted on a water body where the lake has reached its development capacity and no residual capacity exists for that water body.*
- Q. *A consent may be granted which has the effect of enlarging existing undersized lots (e.g. through lot additions).*
- R. *Where new lots are being created, part of which will be subject to flooding or erosion, unstable slopes or other physical hazards, there must be a sufficient area of and above the natural hazard limit to place the buildings and services in accordance with the applicable policies of this Plan **and the local Zoning By-law**.*

Mod #54

S. *Despite the criteria outlined in above, a consent may be granted for a technical severance as follows:*

- I. *to correct lot boundaries;*
- II. *to convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized lot for the purpose for which it is being or will be used;*
- III. *to clarify title to the land;*
- IV. *where the effect of the consents does not create an additional building lot;*
- V. *to permit an easement;*
- VI. *to permit a consent for municipal or other government purposes.*

T. *Conditions may be imposed by the approval authority in the granting of a consent or draft approval of a subdivision which may include but not be limited to the following:*

- I. *a zoning by-law amendment or a minor variance;*
- II. *site plan control;*
- III. *the dedication of land or cash-in-lieu of parkland;*
- IV. *the conveyance of land or conveyance for easements for utilities, access control or drainage;*
- V. *the construction or upgrading of roads or the installation of drainage facilities and culverts, or the installation of **infrastructure** required to service the development or provide access i.e. the installation of **sewage and water systems**;*
- VI. *the establishment of buffer strips and landscaping;*
- VII. *the construction of flood proofing structures;*
- VIII. *undertaking a heritage impact assessment and/or the conservation/rescue of heritage artifacts*
- IX. *demolition of buildings or structures and/or measures to remediate the property due to hazardous or contaminated conditions;*
- X. *the implementation of mitigation measures to ensure compatibility amongst land uses and to conserve or protect **natural heritage features**;*
- XI. *the entering into of an agreement including provisions of financial guarantees;*
- XII. *the undertaking of any studies required to support the application (see **Section 8.14.13.3 G**)*
- XIII. *the demolition or removal of farm buildings and structures and/or other appropriate measures related to residential lots created through*
- XIV. *residences surplus to a farming operation.*

*U. Any other matters as deemed appropriate by the approval authority.*

*(Note: where decision of the approval authority is appealed, the matter is referred to the Ontario Municipal Board for consideration and the Board's decision is final.)*

#### **4. Part-Lot Control**

*Part-lot control may be used for existing plans of subdivision where it is necessary to re-align lot boundaries to clarify or grant title, require specific servicing requirements as a condition of approval such as a road widening or to further control internal development on a lot.*

#### **5. Deeming Plans of Subdivision**

*Where old Registered Plans of Subdivision or parts of old Registered Plans exist and are deficient in some way by reason of inadequate lot size, poor access, lack of or inadequate **infrastructure** or would encourage development in undesirable locations, consideration may be given to passing a by-law, under the Planning Act, deeming such plans not to be registered. A Municipality may require the entering into of an agreement to provide for facilities, **infrastructure** and matters required to provide for appropriate development as a condition of repealing part or all of a deeming by-law.*

### **8.14.14 Tariff of Fees – Section 69**

*A Municipality may by by-law, adopt a tariff of fees by-law for the purpose of levying fees for the costs associated with the processing of planning applications including:*

- 1. an amendment to the Official Plan;*
- 2. an amendment to the Zoning By-law;*
- 3. a temporary use by-law and agreement;*
- 4. a holding by-law or the lifting of the holding zone (-h);*
- 5. a Minor Variance or permission related to a non-conforming use;*
- 6. Site Plan Control application and agreement;*
- 7. a Plan of Subdivision or Condominium application, review or agreement;*
- 8. a Part-lot control by-law;*
- 9. a Consent application, review or Consent Agreement;*
- 10. a Change of use or certificate of occupancy;*
- 11. a zoning compliance report.*

## **8.15 DEVELOPMENT PERMITS**

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*The County or other Local Municipality shall explore the potential use of a **Development Permit System** pursuant to the Planning Act once such permits are made readily available to municipalities in Ontario Comprehensive policies shall be established by amendment to this Plan.*

## **8.16 PUBLIC LANDS ACT**

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*The beds of most lakes, rivers and streams are legally public land in Ontario. A work permit is usually needed before proceeding with any work project involving these areas. Even activities, such as dredging and filling, that occur in near shore areas on private land may require a work permit.*

## **8.17 GEOGRAPHIC INFORMATION SYSTEMS**

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*The County, in conjunction with Local Municipalities will continue to use and develop Geographic Information Systems as a tool for Land Use and Resource Planning throughout the County.*

## SECTION 9 – SPECIAL LAND USE DISTRICTS

### 9.01 INTRODUCTION

*The County Plan is a document which provides policy direction for future growth and settlement in the County. The basis of the Plan also recognizes the impact the current settlement pattern on the County’s future. Part of that pattern reflects past decisions of municipal Councils. The intent of this section of the Plan is to give recognition to those past land use decisions as well as to recognize potential land use developments on a site specific basis. The following list is intended to create a series of special land use districts, which for the most part are site specific to one lot or property holding.*

### 9.02 SPECIAL LAND USE DISTRICTS

*Table 9.1 sets out the list of permitted uses and development criteria for various locations. These uses are considered to be in compliance with the general intent of this Plan.*

<b>Table 9.1 - Special Land Use Districts</b>			
<i>Item</i>	<i>Roll Number</i>	<i>Legal Description</i>	<i>Development Criteria</i>
<b>Township of North Dundas</b>			
1	0511-011-000-46000	Pt. Lot 13, Conc.1	<i>Notwithstanding the Agricultural Resource Land policies to the contrary, an auto body repair shop shall be permitted on lands described as Part 1 on Plan 8R-412.</i>
2	0511-011-001-03055	Pt. Lot 6, Conc.2	<u>Employment District</u> <i>Notwithstanding the Employment District Policies to the contrary, on lands described as Part 1 on RP8R-2175, only industrial uses shall be permitted and no accessory residential uses shall be permitted.</i>
3	0511-011-001-02100	Pt. Lot 6, Conc. 2	<u>Hamlet</u> <i>Notwithstanding the Rural Settlement Area policies to the contrary, two four unit multiple dwelling units for senior citizens, served by private water supply and septic system, may be permitted on lands described as Part of Part 2, 11 Parts 4 to 10 on RP8R-371 and Part 2 on RP9R-3900.</i>
4	0511-011-002-62000	Pt. Lot 13, Conc. 2	<i>Notwithstanding the Rural District policies to the contrary, a transport truck terminal,</i>

			<i>including truck repair and a warehouse or similar uses of the same size and scale are permitted on lands described as Part 2 on RP8R-4002.</i>
5	0511-011-002-69700	<i>Pt. Lot 15, Conc. 2</i>	<i>Notwithstanding the Agricultural Resource Land policies to the contrary, a canvas repair shop or similar use of the same size and scale are permitted on lands described as Part 1 on RP8R-1328.</i>
6	0511-011-004-47500	<i>Pt. Lot 21, Conc. 3</i>	<i>Notwithstanding the Agricultural Resource Land policies to the contrary, a transport truck terminal and accessory dwelling unit within the existing structure may be permitted on lands described as Part 1 on RP8R-2750.</i>
7	0511-011-004-80085	<i>Pt. Lot 5, Conc. 4</i>	<i>Notwithstanding the Rural District policies to the contrary, on land described as Part 1 on RP8R-4191, a snowmobile club house shall be permitted along an unopened road allowance.</i>
8	0511-011-007-58500	<i>Pt. Lot 15, Conc. 6</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
9	0511-011-007-85200	<i>Pt. Lot 23, Conc. 6</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Commercial District.</i>
10	0511-011-007-88000	<i>Pt. Lot 24, Conc. 6</i>	<u>Employment District</u> <i>Notwithstanding the Employment District policies, a vehicle, goods and equipment sales and liquidation facility shall also be permitted.</i>
11	0511-011-008-76000	<i>Pt. Lot 24, Conc. 7</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
12	0511-011-009-93600	<i>Pt. Lot 24, Conc. 8</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
13	0511-011-012-57000	<i>Pt. Lot 7, Conc. 11</i>  <i>Only 2 ha. (5 acres)</i>	<u>Rural District</u> <i>Notwithstanding the Rural District provisions to the contrary, on 2 hectares (5 acres) of land described as part of Part 1 on Plan 8R-648, the operation of a truck facility for the</i>

			<i>storage and repair of vehicles utilized in septic tank pumping related to the operation of a sewer and septic contracting business shall be permitted. A septage disposal site or septage transfer station is not permitted.</i>
14	0511-011-014-03010	Pt. Lot 6, Conc. 12	<i>For the purposes of this Plan, the lands described are deemed to be part of the Commercial District.</i>
15	0511-016-001-60000	Pt. Lot 18, Conc. 2	<i>Notwithstanding the Agricultural Resource Land policies to the contrary, a construction business or similar use of the same size and scale is permitted.</i>
16	0511-016-001-65000	Pt. Lot 18, Conc. 2	<i>For the purposes of this Plan, the lands described are deemed to be part of the Commercial District.</i>
17	0511-016-001-71000	Pt. Lot 19, Conc. 2	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
18	0511-016-001-74500	Pt. Lot 20, Conc. 2	<i><u>Employment District</u> Notwithstanding the Employment District policies to the contrary, a takeout restaurant is not permitted.</i>
19	0511-016-001-75900	Pt. Lot 20, Conc. 2	<i>Notwithstanding the Agricultural Resource Lands policies to the contrary, an electrician's business or similar use of the same size and scale is permitted.</i>
20	0511-016-002-52400	Pt. Lot 18, Conc. 3	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
21	0511-016-002-52500	Pt. Lot 19, Conc. 3	<i>For the purposes of this Plan, the lands described are deemed to be part of the Commercial District.</i>
22	0511-016-002-55000	Pt. Lot 19, Conc. 3	<i>For the purposes of this Plan, the lands described are deemed to be part of the Commercial District.</i>
23	0511-016-002-79200	Pt. Lot 3, Conc. 4	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
24	0511-016-002-94210	Pt. Lot 6, Conc. 4	<i>Notwithstanding the Agricultural Resource Area policies to the contrary, a five unit apartment building is permitted. The apartment building shall be serviced by private water and sewage disposal systems on</i>



			<i>site. Such water supply and sewage disposal systems shall be subject to the approval of the Ministry of the Environment and the Health Unit.</i>
25	0511-016-002-96250	<i>Pt. Lot 7, Conc. 4</i>	<i>Notwithstanding the Agricultural Resource policies, premises for the sale of used furniture, antiques, collectibles, crafts, etc. shall be permitted on land located approximately 200 meters south of County Road No. 43, with a 91 meter frontage onto the Township road allowance between Lots 6 and 7. Further, consent to sever shall not be granted for the use, and on-site parking facilities will be kept to a minimum land area.</i>
26	0511-016-003-05050	<i>Pt. Lot 9, Conc. 4</i>	<i>Notwithstanding the Agricultural Resource Area provisions to the contrary, the storage and retail sale of building materials, in bulk, is permitted. This use shall not be permitted within 42.6 m (140 feet) of the western boundary of Lot 9, Concession IV.</i>
27	0511-016-003-25000 <i>North Side of Hwy #43</i>	<i>Pt. Lot 15, Conc. 4</i>	<i>For the purposes of this plan, the lands described are deemed to be part of the Employment District.</i>
28	0511-016-003-29200	<i>Pt. Lot 16, Conc. 4</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
29	0511-016-003-29400	<i>Pt. Lot 16, Conc. 4</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
30	0511-016-003-29600	<i>Pt. Lot 16, Conc. 4</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
31	0511-016-003-28500	<i>Pt. Lot 15, Conc. 4</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Commercial District.</i>
32	0511-016-003-40000	<i>Pt. Lot 19, Conc. 4</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District</i>
33	0511-016-003-41000	<i>Pt. Lot 19, Conc. 4</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District</i>
34	0511-016-003-42500	<i>Pt. Lot 19, Conc. 4</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the</i>

			<i>Employment District</i>
35	0511-016-003-50000	<i>Pt. Lot 19, Conc. 4</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District</i>
36	0511-016-003-52000	<i>Pt. Lot 19, Conc. 19</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District</i>
37	0511-016-004-46200	<i>Pt Lot 7, Conc. 5</i>	<p><u><i>Employment District – Special Exception</i></u>  <i>The predominant use of land shall be for private and commercial clubs and recreational facilities for the community, a retail lumber yard, mini-warehousing and storage facilities, restaurant, individual retail stores, a commercial hall, an accessory to the foregoing, Uses on the site shall be restricted as follows:</i></p> <ul style="list-style-type: none"> <li>• <i>the total number of buildings shall be limited to 3</i></li> <li>• <i>the existing building, one building for mini-warehousing and storage purposes and one additional building which is not to exceed the existing building of 17 000 feet<sup>2</sup></i></li> <li>• <i>total retail facilities on the site shall not exceed 3 000 feet<sup>2</sup>; and,</i></li> <li>• <i>a bingo hall, in any form, is not permitted</i></li> </ul>
38	0511-016-004-64000	<i>Pt. Lot 9, Conc. 5</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District</i>
39	0511-016-005-42000	<i>Pt. Lot 19, Conc. 5</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
40	0511-016-005-48000	<i>Pt. Lot 19, Conc. 5</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District</i>
41	0511-016-005-49000	<i>Pt. Lot 19, Conc. 5</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District</i>
42	0511-016-005-50000	<i>Pt. Lot 19, Conc. 5</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
43	0511-016-005-97000	<i>Pt. Lot 2, Conc. 6</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the</i>

			<i>Commercial District.</i>
44	0511-016-005-98000	<i>Pt. Lot 2, Conc. 6</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Commercial District.</i>
45	0511-016-006-01200	<i>Pt. Lot 2, Conc. 6</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
46	0511-016-009-28825 <div style="border: 1px solid black; padding: 2px; display: inline-block; color: red;">Mod #55</div>	<i>Pt. Lot 1, Conc. 10</i>	<u><i>Commercial District</i></u> <i>Notwithstanding the provisions of the Commercial District, the predominant use of land shall be for commercial facilities which are primarily intended to serve the traveling public, such as automobile-oriented facilities, eating establishments, motels, hotels, drive-in facilities, <span style="color: green;">contractors yard and/or shop</span> and similar uses.</i>
47	0511-016-011-44000	<i>Pt. Lot 17, Conc. 11</i>	<i>Notwithstanding the Agricultural Resource Area policies to the contrary, a farm machinery repair business or similar use of the same size and scale is permitted.</i>
48	0511-016-011-81200	<i>Pt. Lot 1, Conc. 12</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Employment District.</i>
49	0511-016-012-22200	<i>Pt. Lot 13, Conc. 11</i>	<i>Notwithstanding the Agricultural Resource Area policies to the contrary; a bus depot and maintenance garage, and automotive and truck repairs are permitted, or similar use of the same size and scale is permitted.</i>
50	0511-016-012-27500	<i>Pt. Lot 15, Conc. 11</i>	<i>Notwithstanding the Agricultural Resource Area policies to the contrary, an auto body shop including body work and painting business or similar use of the same size and scale is permitted.</i>
51	0511-018-003-90800	<i>Plan 34, Pt. Lot 47 &amp; 48</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Commercial District.</i>
52	0511-018-005-58000	<i>Plan 34, Pt. Block 10, 688 St. Lawrence Street</i>	<u><i>Employment District – Special Exception</i></u> <i>Existing single detached dwelling may be primarily used as a residential use</i>
53	0511-018-007-21600	<i>Plan 34, Lot 115, N of Main</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Commercial District.</i>
54	0511-019-002-87400	<i>Pt. Blk. L, Plan 35</i>	<i>For the purposes of this Plan, the lands described are deemed to be part of the Commercial District.</i>



<b>Township of North Stormont</b>			
101		Part of Lot 12, Conc. 10, Roxborough RP52R-400	Notwithstanding the requirements of the Employment District, an Agri-Eco Industrial use shall be permitted on the subject lands of which the permitted uses may include a mix of environmentally friendly commercial and industrial uses, greenhouses and uses which may produce electricity.
102	0411-016-012-25900	Lot 15, Pt. Lot 14, Conc. 6, Formerly in the Geographic Township of Roxborough	Despite a general limit of 20 lots for <b>Rural Estate Subdivisions</b> in a <b>Rural District</b> designation ( <b>Section 3.05.5.4</b> ) an integrated golf course and residential subdivision consisting of up to 47 lots shall be permitted provided all the necessary planning criteria and other considerations as set out in this Plan are satisfied.
103	0411-009-006-11000  Mod #56  OPA 1 Item 5	West half, Lot 1, Conc. 8, Geographic Township of Finch (1991 Finch-Winchester Boundary Road)	Notwithstanding any other provisions of this Plan, no severances or further divisions of land will be permitted within 500 metres of the licensed boundary of the Morewood Quarry, with the exception of those severances described in the Land Division Office Consent files B-97-05 and B-98-05, and the possible exception of the existing residence situated at 1991 Finch-Winchester Boundary Road, but only on the condition that the southern boundary of the new severed parcel be more than 500 metres from the existing property line of the licensed Morewood Quarry.
104	0411-016-007-62020  OMB Decision No. 2505	Part 3, Plan 52R-6420 being Part of Lot 6, Conc. 5, former Township of Roxborough	Notwithstanding the Locally Significant Wetland Constraint indicated on Schedule B3, nothing contained herein shall restrict a licensed pit from operating within this property. Where it is determined by an impact study that the alteration cannot be mitigated, amendments to the Official Plan and applicable Zoning By-law may be approved provided the property will be progressively rehabilitated as set out in the Provincial Standards that support the Aggregate Resources Act R.S.O. 1990. Chapter A.8., and the Aggregate Resource Policies and Procedures, as amended from time to time.



<b>Township of South Dundas</b>			
201	0506-006-005-54000	<i>S Pt. E ½ Lot 26, Conc. 2, Formerly the Geographic Township of Matilda Civic #10641 English Road</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a welding/fabrication shop and ironworks sale business shall be a permitted use.</i>
202	0506-006-005-55500	<i>W Pt. Lot 26, Conc. 2, Formerly the Geographic Township of Matilda, Civic #5156 Carman Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a trophies, sign shop apparel embroidery business shall be a permitted use.</i>
203	0506-006-005-57600	<i>Pt. Lot 27, Pt. Lot 28, Conc. 2, Formerly the Geographic Township of Matilda, Civic # 5108 Carman Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a biosolid, sludge storage facility shall be a permitted use.</i>
204	0506-006-005-13100	<i>Pt. Lot 28, Conc. 3, Formerly the Geographic Township of Matilda, Civic #5087 Carman Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a heavy equipment bucket manufacturing sales, service ironworks shall be a permitted use.</i>
205	0506-006-005-61600	<i>Pt. Lot 30, Conc. 2, Formerly the Geographic Township of Matilda, Civic #5053 Kelly Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard with heavy equipment shall be a permitted use.</i>
206	0506-006-005-63000	<i>Pt. Lot 31, Conc. 2, Formerly the Geographic Township of Matilda, Civic #10392 Haddo Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a drywall &amp; insulation contracting and sales business shall be a permitted use.</i>
207	0506-006-005-16900	<i>N. Pt. Lot 31, Conc. 3, Formerly the Geographic Township of Matilda, Civic #4720 Carman Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a welding/fabrication shop and ironworks sale business shall be a permitted use.</i>



208	0506-006-007-48400	<i>S. Pt. Lot 36, Conc. 5, Formerly the Geographic Township of Matilda</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a sand pit shall be a permitted use provided that a pit license is obtained from the Ministry of Natural Resources.</i>
209	0506-006-008-01100	<i>E. Pt. Lot 33, Conc. 6, Formerly the Geographic Township of Matilda, Civic #10316 Sandy Creek Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, an automotive body shop shall be a permitted use.</i>
210	0506-006-007-97600	<i>N Pt. Lot 31, Conc. 6, Formerly the Geographic Township of Matilda, Civic #3944, Carman Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, an abattoir, custom meat cutting, wrapping, sales, smokehouse business shall be a permitted use.</i>
211	0506-006-007-20800	<i>W Pt. Lot 19, Conc. 5, Formerly the Geographic Township of Matilda, Civic #11008 Gilmour Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a recreational vehicle sale, service and sign shop business shall be a permitted use.</i>
212	0506-006-006-01600	<i>Pt. Lot 21, Conc. 3, Formerly the Geographic Township of Matilda, Civic #10910 Seibert Road</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a fertilizer storage warehouse facility and chemical fertilizer spreader business shall be a permitted use.</i>
213	0506-008-009-23000	<i>Range 2, Pt. Lot 27, Conc. 1, Formerly the Geographic Village of Iroquois, Civic #5551 Carman Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a bus service and sales business shall be a permitted use.</i>
214	0506-006-003-99050	<i>Pt. Lot 1, Range 2, Conc. 1, Formerly the Geographic Township of Matilda</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a bus service and sales business shall be a permitted use.</i>
215	0506-006-005-40000	<i>Pt. Lot 20, Conc. 2, Formerly the Geographic Township of Matilda, Civic</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a furniture finishing, repairs, upholstering business shall be a permitted use.</i>

		<i>#10931 Stampville Rd.</i>	
216	0506-006-005-88600	<i>E ½ of Lot 14, Conc. 3, Formerly the Geographic Township of Matilda, Civic #11317 Rowena Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a bus depot, service, sales and repair garage shall be a permitted use.</i>
217	0506-006-006-42800	<i>S Pt. Lot 12 &amp; 13, Conc. 4, Formerly the Geographic Township of Matilda, Civic #11351 Waddell Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard with heavy equipment shall be a permitted use.</i>
218	0506-006-006-27900	<i>Pt. Lot 3, Conc. 4, Formerly the Geographic Township of Matilda, Civic #11867 Norgaard Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard and home renovations business shall be a permitted use.</i>
219	0506-001-006-32400	<i>Pt. Lot 37, Conc. 5, Formerly the Geographic Township of Matilda, Civic #4215, Caughnawaga Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, an automotive, bus, truck, race car transmission specialist repairs business shall be a permitted use.</i>
220	0506-006-007-51000	<i>Pt. Lot E Com. Con. 6, Formerly the Geographic Township of Matilda</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a trucking yard, heavy equipment and contractor's yard shall be a permitted use.</i>
221	0506-006-006-84603	<i>W Pt. Lot 2, Conc. 5, Formerly the Geographic Township of Matilda, Civic #11916 Cty Rd. #18</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.</i>
222	0506-006-006-84905	<i>Pt. Lot 2, Conc. 5, Formerly the Geographic Township of Matilda, Civic #4385 Billy Lane</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a masonry services, wood stove sales and service and contractor's yard shall be a permitted use.</i>
223	0506-006-	<i>Pt. w ½ Lot 2, Conc.</i>	<i>Notwithstanding anything to the contrary in</i>

	006-84623	5, Formerly the Geographic Township of Matilda, Civic #4389 Billy Lane	this Official Plan, a masonry services, wood stove sales and service and contractor's yard shall be a permitted use.
224	0506-007-007-65120	W Pt. Lot 15, Conc. 6, Formerly the Geographic Township of Matilda, Civic #11225 Henderson Rd.	Notwithstanding anything to the contrary in this Official Plan, an agricultural sales and service, dairy bulk tank supplier business shall be a permitted use.
225	0506-001-003-11000	E Pt. Lot 4, Conc. 2, Formerly the Geographic Township of Williamsburg, Civic #5153 Archer Rd.	Notwithstanding anything to the contrary in this Official Plan, an non-conforming building renovation material storage yard shall be a permitted use.
226	0506001-003-09600	W Pt. Lot 4, Conc. 2, Formerly the Geographic Township of Williamsburg, Civic #5016 Archer Rd.	Notwithstanding anything to the contrary in this Official Plan, a bus depot, service, sales, automotive body shop and service garage shall be a permitted use.
227	0506-001-003-30000	Pt. Lot 17, Conc. 2, Formerly the Geographic Township of Williamsburg, Civic #5085 Cty Rd. #18	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard with heavy equipment, top soil and gravel sales shall be a permitted use.
228	0506-001-005-14600	Pt. Lot 31, Conc. 4, Formerly the Geographic Township of Williamsburg, Civic #4606, Cty Rd. #31	Notwithstanding anything to the contrary in this Official Plan, a HVAC contracting sales and service business shall be a permitted use.
229	0506-001-005-12200 <div style="border: 1px solid black; padding: 2px; display: inline-block; color: red;">OPA No. 3</div>	Pt. Lot 30, Conc. 4, Formerly the Geographic Township of Williamsburg, Civic #4475, Cty Rd. #31	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard with heavy equipment, truck and trailer service, car sales and mini storage which my utilize steel shipping containers shall be a permitted use. As a result of the fish habitat and extensive woodlands on this property, the policies in Section 5.06.5.3 (Fish Habitat) and Section 5.06.5.4.A.III (Woodlands) shall

			<i>apply. Any necessary studies shall take place prior to approval of a Zoning By-law amendment and recommendations of such studies shall be reflected in the Zoning By-law amendment as appropriate.</i>
230	0506-001-007-17800, 0506-001-007-18000	W Pt. Lot 4, Conc. 7, Formerly the Geographic Township of Williamsburg, Civic #4000, Salmon Rd.	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard with heavy equipment, truck and trailer service shall be a permitted use.</i>
231	0506-001-006-50000	Pt. Lots 7 & 8, Conc. 6, Formerly the Geographic Township of Williamsburg, Civic #4092, Beckstead Rd.	<i>Application received to correctly change boundary of quarry, Cruickshank Construction.</i>
232	0506-001-008-70400	Pt. Lot 31, Conc. 8, Formerly the Geographic Township of Williamsburg, Civic #3500, Cty Rd. #31	<i>Notwithstanding anything to the contrary in this Official Plan, a transportation, truck terminal and trucking yard shall be a permitted use.</i>
233	0506-001-006-61400	Pt. Lot 15, Conc. 6, Formerly the Geographic Township of Williamsburg, Civic #13200 MacKenzie Rd.	<i>Notwithstanding anything to the contrary in this Official Plan, an abattoir an butcher shop shall be a permitted use.</i>
234	0506-001-006-69400	Pt. Lot 19, Conc. 6, Formerly the Geographic Township of Williamsburg, Civic #3851, Cty Rd. #7	<i>Notwithstanding anything to the contrary in this Official Plan, an automotive body shop shall be a permitted use.</i>
235	0506-001-006-72902	Pt. Lot 21, Conc. 6, Formerly the Geographic Township of Williamsburg, Civic #12856, Loucks Rd.	<i>Notwithstanding anything to the contrary in this Official Plan, a sign contractor's yard with bucket trucks shall be a permitted use.</i>
236	0506-001-007-66625	W Pt. Lot 24, Conc. 7, Formerly the	<i>Notwithstanding anything to the contrary in this Official Plan, a sewage/septic haulage</i>

		<i>Geographic Township of Williamsburg, Civic #4136, Cty Rd. #7</i>	<i>with portable toilet rentals business shall be a permitted use.</i>
237	0506-001-005-82200	<i>Pt. Lot 26, Conc. 5, Formerly the Geographic Township of Williamsburg, Civic #4201 Saddlemire Rd., Civic #12603, Cty Rd. #18</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a golf course, clubhouse and driving range shall be a permitted use.</i>
238	0506-001-004-76800	<i>Pt. Lot 3, Conc. 4, Formerly the Geographic Township of Williamsburg</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a stone quarry shall be a permitted use provided:</i> <ul style="list-style-type: none"> <li><i>• the quarry does not interfere with a provincially significant wetland designation;</i></li> <li><i>• an Environmental Impact statement is conducted for a quarry proposal;</i></li> <li><i>• an appropriate zoning by-law amendment has been granted for the proposed quarry operation by the Ministry of Natural Resources</i></li> </ul>

**Township of South Stormont**

301

Special Policy – Moulinette Island

1. *The interior of Moulinette Island (Island 17) has been designated as a “Future Study Area” as indicated on the attached **Schedule A4a1-Moulinette Island**.*
2. *In a Future Study Area designation, no further development shall be permitted unless the following conditions are met:*
  - (a) *a comprehensive planning study shall be undertaken, identifying and evaluating land use and development options for the interior lands of Moulinette Island;*
  - (b) *a detailed secondary plan shall be prepared for the subject lands based on the preferred land use option from the comprehensive planning study, such secondary plan to be approved by the Council of the Township of South Stormont;*
  - (c) *An Official Plan amendment shall be passed by the County Council at the request of the Council of the Township of South Stormont, establishing a more definite land use designation and incorporating the subject secondary plan into the County Official Plan.*
3. *In understanding the comprehensive planning study and secondary plan, the Council of the Township of South Stormont shall appoint a special study advisory committee consisting of area residents/landowners, Township and County officials, representatives from the development and real estate industry, and other appropriate agencies/organizations. The advisory group shall oversee the study and shall make recommendations to the Township of South Stormont Planning Advisory Committee and the Council of the Township of South Stormont. Informal public meetings and open houses shall be held to seek the views of the public on the study.*
4. *Any proposed residential development schemes to be considered in the comprehensive planning study shall incorporate the following planning principles:*
  - (a) *Designs based on the provision of open space buffers adjacent to existing development shall be considered in addition to other options;*
  - (b) *Minimum lot frontages and lot sizes shall be consistent with the character of existing lots on Moulinette Island particularly in areas immediately adjacent to existing development;*
  - (c) *Existing tree cover shall be protected wherever feasible and additional tree planting shall be required where appropriate;*
  - (d) *Subdivision design options shall be considered including overall subdivision design concepts based on “cluster design” principles (also known as “open space” or “conservation” subdivisions)*



		<p><i>which utilizes development around short cul-de-sacs and loop streets, linked open space and internal nature/walking/bicycle trails.</i></p> <p><i>(e) Special design treatment shall be used around the new water treatment plant such as buffers, setbacks, decorative fences, landscaping, placement of parkland, etc. to ensure compatibility with future residential areas.</i></p> <p><i>5. Future development of the interior of Moulinette Island shall be permitted only through the plan of subdivision approval process as required under the Planning Act.</i></p>	
302	6-017-99300	<i>Pt. Lots 19 &amp; 20, Conc. 3, 14849 Dafoe Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan,, a contractor's yard shall be a permitted use.</i>
303	6-019-79000	<i>Pt. Lot 18, &amp; Ctr Commons, Conc. 5, 14970 North Lunenburg Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a welding/fabrication shop shall be a permitted use.</i>
304	6-203-55000	<i>Pt. Lot 14, Conc. 8, 3735 Cty Rd. #12</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard/shop and vehicle sales establishment shall be a permitted use.</i>
305	6-004-77202	<i>Lot 6, Conc. 2, 5311 Cty Rd. #12 (S ½ of property)</i>	<i>Notwithstanding anything to the contrary in this Official Plan, equipment sales and repair/fabrication shop shall be a permitted use.</i>
306	6-021-27000	<i>Pt. Ctr Commons, Conc. 7, 14932 Otto Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a garden centre/nursery shall be a permitted use.</i>
307	6-018-69000	<i>Pt. Lot 14, Conc. 4, 15225 Cty Rd. #18</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.</i>
308	6-017-20400	<i>Pt. Lot 15, Conc. 3, 15096 Cty Rd. #18</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.</i>
309	6-016-68400	<i>Pt. Lot 9, Conc. 3, 15434 Cty Rd. #18</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a lodging house shall be a permitted use.</i>
310	6-017-67000	<i>Pt. Lot 18, Conc. 3, 4975 Cty Rd. #14</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a rural industrial yard shall be a permitted use.</i>
311	1-017-93000	<i>Pt. Lot 32, Conc. 6, 16267 Cty Rd. #29</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.</i>
312	1-012-92000	<i>Pt. Lot 25, Conc. 3,</i>	<i>Notwithstanding anything to the contrary in</i>



		5450 Richmond Dr.	<i>this Official Plan, an auto body shop shall be a permitted use.</i>
313	1-017-71015	<i>Pt. Lot 27, Conc. 6, 16582 Black River Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a transportation terminal shall be a permitted use.</i>
314	1-017-67211	<i>Pt Lot 25, Conc. 6, 5190 Brunet Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a warehouse/industrial building shall be a permitted use.</i>
315	1-017-53000	<i>Pt. Lot 20, Conc. 6, 16939 Valade Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.</i>
316	1-000-29100	<i>Pt. Lot 6, Conc. 4, 5565 Cty Rd. #42</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
317	1-000-29000	<i>Pt. Lot 6, Conc. 4, 5661 Cty Rd. #42</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a towing service/compound yard shall be a permitted use.</i>
318	1-000-29150	<i>Pt. Lot 6, Conc. 4, 5555 Cty Rd. #42</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
319	1-000-31200	<i>Pt. Lot 7, Conc. 4, 5560 Cty Rd. #42</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
320	1-000-11000	<i>Pt. Lots B &amp; C, Conc. 4, 17945 South Branch Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a crematorium/cemetery shall be a permitted use.</i>
321	1-011-17210	<i>Pt. Lot 6, Conc. 5, 17681 Cty Rd. #44</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a towing/service compound yard shall be a permitted use.</i>
322	1-019-51200	<i>Pt. Lot 12, Conc. 6, 4901 Highway #138</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a fabrication shop shall be a permitted use.</i>
323	1-017-09900	<i>Pt. Lot 12, Conc. 6, 4901 Highway #138</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
324	1-024-80000	<i>Pt. Lot 20, Conc. 9, 16880 Willy Allan Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.</i>
325	1-016-87600	<i>Pt. Lot 9, Conc. 6, 17535 Island Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.</i>
326	1-006-77175	<i>Pt. Lot 18, Conc. 4, 16890 Atchison Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a truck repair centre shall be a permitted use.</i>
327	1-006-77198	<i>Pt. Lot 18, Conc. 4</i>	<i>Notwithstanding anything to the contrary in</i>

			<i>this Official Plan, rural industrial uses shall be a permitted use.</i>
328	1-013-82400	<i>Pt. Lot 30, Conc. 5, 5391 Cty Rd. #15</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.</i>
329	1-019-67000	<i>Pt. Lot 17, Conc. 7, 4730 O'Keefe Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, an auto body shop shall be a permitted use.</i>
330	1-018-14000	<i>Pt. Lot 38, Conc. 6, 5190 Windfall Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
331	6-019-2660	<i>Pt. Lot 34, Conc. 4, 4770 Aultsville Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
332	6-020-72600	<i>Pt. Lot 34, Conc. 6, 4229 Cty Rd. #11</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's workshop shall be a permitted use.</i>
333	6-019-84600	<i>Pt. Lot 20, Conc. 5, 15869 Bunker Hill Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a commercial repair garage shall be a permitted use.</i>
334	1-017-92000	<i>Pt. Lot 31, Conc. 6, 5184 Cty Rd. #15</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
335	1-006-77168	<i>Pt. Lot 18, Conc. 4, 16900 Atchison Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a contractor's workshop/office shall be a permitted use.</i>
336	1-006-77160	<i>Pt. Lot 18, Conc. 4, 5660 Cty Rd. #33</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a transportation terminal shall be a permitted use.</i>
337	1-011-17300	<i>Pt. Lot 6, Conc. 5, 17645 Cty Rd. #44</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a commercial repair garage shall be a permitted use.</i>
338	1-110-16850	<i>Pt. Lot 5, Conc. 5, 17723 Cty Rd. #44</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a commercial repair garage shall be a permitted use.</i>
339	6-012-22000	<i>Pt. Lots 16 &amp; 17, Conc. 7, 3902 Cty Rd. #14</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a commercial repair garage shall be a permitted use.</i>
340	1-013-88900	<i>Pt. Lots 16 &amp; 17, Conc. 7, 3902 Cty Rd. #14</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a tourist/museum commercial establishment.</i>
341	6-012-46040	<i>Pt. Lot 25, Conc. 2, Farran's Point Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
342	6-012-46050	<i>Pt. Lot 25, Conc. 2,</i>	<i>Notwithstanding anything to the contrary in</i>

		<i>Farran's Point Rd.</i>	<i>this Official Plan, rural industrial uses shall be a permitted use.</i>
343	6-012-46060	<i>Pt. Lot 25, Conc. 2, Farran's Point Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
344	6-012-46100	<i>Pt. Lot 25, Conc. 2, Farran's Point Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
345	6-012-46030	<i>Pt. Lot 25, Conc. 2, Farran's Point Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
346	6-012-46020	<i>Pt. Lot 25, Conc. 2, Farran's Point Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
347	6-012-46000	<i>Pt. Lot 25, Conc. 2, Farran's Point Rd.</i>	<i>Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.</i>
348	6-014-00000	<i>Lot 2m RP-278, 13985 County Rd. 2</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a water bottling plant with accompanying retail outlet and on site residential uses for employees and owners shall be a permitted use.</i>
349	001-011-18505-0000 Mod #57	<i>Part of Lot 6, Conc. 5, 17692 Cty Rd. 18</i>	<i>Notwithstanding anything to the contrary in this Official Plan, a recreational vehicle sales and storage use shall be permitted.</i>
350	001-024-78000-0000 OMB Decision No. 2505	<i>Pt. of Lots 21 &amp; 22, Conc. 9, Formerly the Geographic Township of Cornwall</i>	<i>Notwithstanding the policies of the Provincially Significant Wetland designation and the ANSI constraints overlay, nothing in this plan shall restrict the operation of a pit or quarry within the boundaries of the licensed pit or quarry that existed as of the date of approval of this Plan.</i>
351	OPA No. 5	<p><i>The following text entitled Secondary Plan together with Schedule SP4b constitute OPA 5</i></p> <p><i>SECONDARY PLAN SOUTH STORMONT WATERFRONT AREA</i></p> <p><i>1.0 DEVELOPMENT POLICIES</i></p> <p><i>The Waterfront Area is located along the entire waterfront of the Township. The area includes part of the Villages of Ingleside and Long Sault. The lands subject to the amendment are all lands south of former Highway 2 and includes lands that lie to the north of the</i></p>	

	<p><i>former Highway and that have frontage on the former Highway. Schedule 'SP4b' to this Amendment will describe the limit to which the waterfront policies shall apply. The balance of the policies of the Official Plan shall continue to apply to these lands. The lands south of the heritage Parkway (former Highway, now County Road 2) are primarily in public ownership.</i></p> <p><i>The design policies and targeted strategies of the Waterfront Strategy that are the subject of this amendment are aimed at enhancing the quality of the public realm, guiding future development and property decisions. The identification of partnership opportunities is encouraged in order to anticipate and respond to the resurgence of Village (downtown) living, and the resultant demand for the amenities of a quality urban environment. The amendment, in fact, touches on the many aspects that make up the South Stormont waterfront experience, including land development, built form, streetscapes, open spaces, transportation and capital works. These are clearly long term objectives that the Township can initiate, but may require significant periods of time to accomplish.</i></p> <p><i>The policies contained herein are to be read in conjunction with the current policies of the Official Plan of the United Counties as they apply to the Waterfront lands.</i></p> <p><i>1.1 Land Use Objectives</i></p> <p><i>The Township will continue to reinvigorate and reinvest in the Waterfront through a series of co-ordinated public realm improvements that gives priority to the needs of pedestrians and the development of the tourist economy, while providing venues that are accessible to the general public</i></p> <p><i>Township Council shall also encourage the complete use of space along all lanes, paths, courtyards and interiors of blocks. An interesting variety of main street retail uses will be encouraged to extend along the Heritage Parkway and the abutting commercial streets, creating a strong pedestrian link with the Waterfront.</i></p> <p><i>The Township can encourage tourism through better signage, programming and promotion of the Waterfront as a major heritage destination in the Township;</i></p> <p><i>The Commercial Area will accommodate a mix of commercial, institutional and residential uses that enhances the surrounding community by providing goods and services for the adjacent residents, employees and tourists and the Township as a whole. It is intended that small-scale, street-oriented commercial establishments will contribute to a highly animated and attractive commercial street with a strong pedestrian presence. Also, an appropriate balance and mix of uses will be achieved and maintained so as to adequately</i></p>
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		<p><i>serve the local community, to potentially develop a regional market, including tourists; and to capitalize on the Township's yearly festivals and special events, all the while not undermining the adjacent community. The presence of community uses and churches in the Villages will complement the overall mix of uses and serve to enhance the waterfront's vitality by making it the focus of community activity. It is also the desire that the area's housing stock will be augmented with upper-floor residential units in an attempt to increase local resident activity on the street. Building heights will be limited along the streets, but should be encouraged to increase in height, as they are set back from the street. This increase in height must be sensitive to the lower density uses that already exist.</i></p> <p><i>Because of their nature highway commercial uses require direct access to the Heritage Parkway. The appearance of these stand-alone businesses cumulatively impacts on how the waterfront is perceived. Well-designed development is the key to preserving the visual appearance of the waterfront. The following measures should be encouraged to improve the appearance of Highway Commercial Areas: Locate storage, other than displays for highway commercial uses, at the rear of buildings. Locate parking at the rear or side of buildings in a manner that will not adversely impact exiting and/or proposed residential development. Where this is not possible and parking is required at the front or side of the building, a greater setback from the property line should be required to permit planting to mitigate the effects of the parking area (e.g. parking screened from view). Site buildings fronting on the Heritage Parkway to face, front and feature the road waterfront (entry roads and all local roads). Preserve and add as many trees as possible on the site with tree planting within wide setbacks. Use landscaping, decorative fences, trees and/or shrubs in front of fencing to screen unsightly uses. Encourage the use of shared entrances and signage off the Heritage Parkway wherever possible. Coordinate signage so that it is attractive and in keeping with the historical theme for the waterfront to address consistency and ease of identification of businesses. One example of a means to create a unique feeling for the area could be the introduction of low, farmstead-type laid stonewalls to reinvigorate the agricultural heritage of the area. These could be found intermittently along the roadside, maybe to mark entrances, as an identifiable signature of the waterfront.</i></p> <p><i>Convenience Commercial Nodes have the potential to create a sense of place if located at special places or landmarks in the community. Convenience commercial nodes can reinforce places as landmarks and places of interest in the community. In order to create a sense of place and have cars slow down at these nodes, buildings should be oriented to the street to create the sense of a more pedestrian oriented animated place.</i></p> <p><i>The following measures should be encouraged in Commercial Areas:</i></p> <ul style="list-style-type: none"> <li><i>• Narrow setbacks to bring buildings close to the road allowance to frame the street;</i></li> </ul>
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		<ul style="list-style-type: none"> <li>• Provide sidewalks;</li> <li>• Enhance lighting with pedestrian scale lighting along sidewalks and pedestrian amenity areas (entry plazas);</li> <li>• Provide well defined on street parking along the side streets;</li> <li>• Encourage shared parking at the rear groups of properties;</li> <li>• Consider canopies or other weather protection over entrances;</li> <li>• Encourage the height of buildings to be 2 to 3 stories at the street;</li> <li>• Plant trees and provide landscaping;</li> <li>• Examine ways to integrate a residential component into commercial development; and</li> <li>• Examine ways to ensure that all non-residential development is compatible with existing residential development</li> </ul> <p><i>In recognition of the potential for certain uses to detract from achieving an appropriate mix of uses, and in particular the potential impacts associated with entertainment/restaurant type uses, and to ensure that uses along the waterfront will contribute to achieving the above-noted land use policy, the zoning for the area will establish regulations to limit the size and street frontage of uses so as to ensure that a small-scale street-related character is maintained for the area, and to limit the location of certain uses so as to ensure that uses contribute to an attractive pedestrian-oriented street environment.</i></p> <p><i>Improved pedestrian links, including inviting, safe crossings of the heritage Parkway and an enhanced urban experience along the Village portions of the street, including new streetscaping and traffic management improvements, and the creation of a more distinctive network of public spaces around the existing institutional buildings, including: integration of the marina with the Village; better access and animation to the water's edge; and, expanding the existing park space along the eastern edge of the Long Sault Parkway.</i></p> <p><i>A special emphasis will be placed on reforestation by protecting and significantly adding to the areas street trees while establishing new green open spaces and pedestrian amenity areas, which are lacking in development.</i></p> <p><i>Public and/or private partnerships help realize the Strategy's objectives. Streetscape improvements, tree planting, public open space and public art as part of the capital budget for all road and infrastructure renewal and the introduction of transit programs are all long term objectives for development to recognize.</i></p> <p><i>Design and/or public realm performance standards as part of the criteria for the sale of Township lands are also an objective for the Township.</i></p> <p><i>A public open space acquisition program (including privately-owned but</i></p>
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	<p><i>publicly-accessible open spaces) could be considered in the future. The Township should work closely with developers to encourage the inclusion of urban open space in new developments.</i></p> <p><i>Lower Floor Articulation of the lower floors of buildings, with a special emphasis on the relationship of the building to the street at grade level. This would include entranceways that provide well-defined entrances with large pedestrian circulation spaces. The Township should also encourage buildings to front on both north-south as well as east-west streets to provide for openness for the public.</i></p> <p><i>Major Buildings should be encouraged to provide deeper front setbacks where a major building will occupy much of a block, in order to accommodate wider sidewalks, street furniture and landscaping.</i></p> <p><b><i>1.2 Strategic Intervention</i></b></p> <p><i>To achieve the land use objectives for the area, Council is committed to identifying and participating in the implementation of strategic intervention opportunities such as strategic redevelopment opportunities through joint venture or development for the area, or potential incentives such as financial and other incentives that can encourage or support the establishment of the desired uses. This might include exploration of parking opportunities and streetscape improvements</i></p> <p><b><i>1.3 Streetscape Improvements</i></b></p> <p><i>It is Council's desire to achieve a highly animated and attractive physical environment within the Waterfront Area. Streetscape improvements that would enhance the pedestrian environment and establish a distinctive character, including an integration of the commercial area with the Waterfront are encouraged. As part of this initiative, consideration will be given to the creation of building façade design guidelines to give direction and encouragement to owners to improve building facades.</i></p> <p><i>The existing intersections with the Heritage Parkway that are currently found in the Villages shall be pedestrian-focus areas. Street furniture, landscaping and public art should be concentrated at these locations and pedestrian crosswalks, made of matching sidewalk materials, should cross the paved roadway and link all four corners.</i></p> <p><i>At one corner of each of the four intersections it is suggested that the roadway be narrowed to create an extra-wide sidewalk node.</i></p> <p><i>The mainstreet characteristics could be reflected in some fashion along the streetscape and in the surface pattern of the sidewalk,</i></p>
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		<p><i>consistent with Township wide design considerations.</i></p> <p><i>In an effort to make the Waterfront area an attractive evening destination for residents and tourists, pedestrian lights should be installed along the sidewalk on both sides of the streets as part of any future streetscape improvements. In the selection of fixtures, consideration should be given to the existing pedestrian light fixtures that would enhance the waterfront theme. To ensure lighting decisions are made in a comprehensive and coordinated fashion, it is suggested that a lighting appraisal be prepared by lighting professional for the area and implemented as part of any future streetscape improvements. It is also suggested that wall-mounted accent lights be installed to highlight specific features or landmark buildings. Architects and landowners will be asked to demonstrate through the site plan process how this highlighting will be achieved. These decisions should all be made in consultation with local businesses, residents and keeping in mind the desire to limit lighting that adversely affects the night sky.</i></p> <p><i>Strategically-placed benches, waste containers and bike racks that are pedestrian-friendly and consistent with the waterfront character should be part of any future streetscape improvements on both sides of the heritage parkway and the main roads leading to the water (i.e. County Roads 14 and 35). Such furniture should be positioned so that it does not encumber the pedestrian traveled portion of the sidewalk. Community residents may make donations towards the purchase of memorial benches and other street furniture, and local artists could be encouraged to develop unique furniture for this use.</i></p> <p><i>The section of the public sidewalk closest to buildings should be allowed to become a shared space to be used by pedestrians and businesses for seasonal outdoor patios. The location, operation and design of patios can be regulated through the Township’s Zoning By-law, the Encroachment By-law and any Patio Design Guidelines.</i></p> <p><i>To maximize the effects of future streetscape improvements, it is suggested that special attention be given to highly visible private/public areas that have been identified as properties in need of improvement. The Township should review the inclusion of such a study in its budgets to complete individual landscape schemes and cost-estimates should be prepared for these areas and the owners approached about cost-sharing the private improvements. These private improvements would be implemented at the same time as the capital works improvements for this portion of the waterfront.</i></p> <p><i>The following design suggestions are offered as ways to avoid graffiti in the public realm: Garbage bins should be screened from the street; and At-grade blank walls should be avoided. Where this is not possible, painted wall murals, dark coloured materials or other features designed to reduce graffiti should be used.</i></p>
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		<p><b>1.4 Road Widening Requirement</b></p> <p><i>A streetscape plan to be prepared at a future date will identify potential locations where the road widening may be required to accommodate wider sidewalks, trees, street furniture, bus shelters and bicycle parking. This may apply to County and Township streets.</i></p> <p><b>1.5 Environmental Protection Measures</b></p> <p><i>Requirements of all levels of government for environmentally responsible construction as manifested in the subdivision and site plan control approval processes will be followed to adequately protect and enhance the features on-site.</i></p> <p><b>1.6 Urban Design Policies</b></p> <p><i>When considering Zoning By-law amendments and site plans, Council shall consider the following guidelines</i></p> <ul style="list-style-type: none"> <li><i>• Integration of different housing types (singles of varying sizes, semi-detached, doubles, triplexes, apartments and accessory apartments) will be encouraged to foster community development;</i></li> <li><i>• Long rows of townhouses should be avoided in order to encourage diversity in the built-form;</i></li> <li><i>• A variety of streetscapes throughout the community should be created in order to foster a sense of identity, especially at the entrances to the community and at highly visible locations along collector roads;</i></li> <li><i>• The provision of adequate on-street parking by examining street layout and mix of unit types;</i></li> <li><i>• Housing designs should minimize the projection of garages beyond the main front wall of the dwelling entry features should be afforded prominence and double driveways across the curb should be discouraged in order to reduce the dominance of automobiles on the streetscape;</i></li> <li><i>• Mixed use development (buildings with multiple uses such as commercial on the ground floor and residential and/or offices above) would be encouraged; and</i></li> <li><i>• Development based upon the heritage theme would be strongly supported</i></li> </ul> <p><b>2.0 IMPLEMENTATION</b></p> <p><b>2.1 Increase in Height and Density By-law</b></p> <p><i>Pursuant to Section 37 of the Planning Act, the Township of South Stormont may authorize increases in the height and density of development above the levels otherwise permitted by the zoning by-law. Public</i></p>
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		<p><i>consultation will be included in the development and approval of such a by-law. Limited increases will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law. Such provisions that may be authorized include, but are not limited to:</i></p> <ul style="list-style-type: none"> <li><i>• Public cultural facilities;</i></li> <li><i>• Building design and public art;</i></li> <li><i>• Conservation of heritage resources;</i></li> <li><i>• Conservation/replacement of rental housing;</i></li> <li><i>• Provision of new affordable housing units;</i></li> <li><i>• Child care facilities;</i></li> <li><i>• Other local improvements identified in community improvement plans, capital budgets or other implementation plans or studies;</i></li> <li><i>• Artist live-work studios.</i></li> </ul> <p><b><i>2.2 Community Improvement Areas</i></b>  <i>The County Plan identifies all settlement areas as Community Improvement Areas. The Township can take advantage of this designation in pursuing improvements that are identified in the plan in accordance with the provisions of Section 28 of the Planning Act. Further site specific Amendment may be required when specific projects are identified and if funding is sought.</i></p> <p><b><i>2.3 Implementation</i></b>  <i>The implementation of this Amendment shall be in accordance with the respective policies of the Official Plan.</i></p>
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## Township of South Glengarry

### 1) Special Policies - Charlottenburgh Waterfront

Notwithstanding any of the designations shown on the **Land Use Schedules** of this Plan, the following special policy shall apply to certain lands within the waterfront area of the former Township of Charlottenburgh. Such lands are shown on the attached schedule “C6 South Glengarry Water Front Exceptions” and more particularly described as:

- **Part of Blocks ‘A’through‘K’, Concession 1 Front**
- **Part of Lots 1 through 26, Concession1 Front located from Copoper’s Marsh on the east to Rae Road on the West**
- **Parts of Lots 10, 12, 13, and 15 through 18, Broken Front Concession I.L. in the Glen Walter Area**

(See Schedule C6 for specific areas)

Within the subject Area, the policies and schedules of Amendment No. 1 to the **Official Plan for the former Township of Charlottenburgh** shall apply. For the purposes of this **Official Plan**, the subject Amendment No.1 shall be considered as a **Secondary Plan** and may be referred to as the “**Charlottenburgh Waterfront Secondary Plan**”

### 2) Cairnview Estates - Village of Lancaster

Not withstanding anything to the contrary on the Designation shown on Land Uses Schedule A6c - South Lancaster/Lancaster, additional commercial uses may be permitted on the subject site provided:

- a) the Township of South Glengarry Council approves a zoning by-law amendment to allow for the proposed commercial development;
- b) supporting studies regarding commercial market analysis, traffic impact and servicing, as deemed appropriate by the Township, are submitted, and;
- c) an overall site plan is submitted and is approved b the Township and a site plan agreement is entered into with the Township of South Glengarry.

## 9.03 SPECIAL POLICY AREAS

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### *Township of South Glengarry*

#### *1. Future Light Industrial Area*

*A Special Policy Area has been identified in the general area of Highway 401 and County Road 27 generally between Gore road and Hay road and more particularly shown on Schedule SP6A*

*Within the Special Policy Area, commercial uses, agricultural service uses and employment district uses may be permitted subject to an overall planning study and Official Plan amendment as well as confirmation of the availability of municipal water*

*and sewer services. The resulting Official Plan amendment and implementing zoning by-law regulations shall include policies and measures to protect adjacent residential uses.*

## **2. Bainsville Bay/Pointe Mouillée Policy Area**

The Bainsville Bay/Pointe Mouillée Policy Area includes all lands situated in Part of Lots 10 through 18, Concession 1, former Township of Lancaster now in the Township of South Glengarry, lying south of Highway 401. The land use designations in the area include: Residential District, Employment District, Commercial District and Provincially Significant Wetland. The Bainsville Bay/Pointe Mouillée Policy area is more particularly shown on Schedule SP6A. The following policies are intended to ensure that future development permitted in this Special Policy Area shall be sensitive to the nature of the shoreline and the site's natural heritage including the Bainsville Bay/Pointe Mouillée Wetland.

- a) All new development in this special policy area shall adhere to applicable land use designation policies and other relevant policies of this Plan including the policies of 6.06.1 Natural Hazards. All residential development in Part of Lots 16, 17, and 18 Concession 1 shall be by plan of subdivision.
- b) In recognition of the sensitive nature of the shoreline, the site's natural heritage and significant wetlands of this area, all development proposals shall be consistent with the Provincial Policy Statement, in particular:
  - Impact on fish habitat and natural hazards (shoreline erosion) shall be mitigated as a condition of development approval;
  - Quality and quantity of groundwater and surface water shall be protected through conditions of development approval in co-ordination with the Raisin Region Conservation Authority and other applicable approval authorities;
  - The following items shall be addressed, where applicable: safely addressing potential hazards, ensuring that new hazards are not created and that existing hazards are not aggravated, adverse environmental impacts will not result, safe access will be provided at all times and institutional or essential emergency services will not be established within such lands.
- c) Planning Controls, including zoning, site plan control and conditions of draft approval shall ensure that future development does not interfere with the natural hazards and shall protect existing wetlands. Protective measures will be required to mitigate flooding, erosion and unstable soils (organic soils). These shall apply to all land use designations for which development is proposed in the Special Policy Area.
- d) **Adjacent Land Policies**

All new development proposed for lands adjacent to areas designated as Wetland Areas, shall be subject to Official Plan Policy 5.06.5.2, adjacent lands. In addition, an Environmental Impact Study shall be prepared prior to formal submission to the applicable approval authority of any development application in the area, including consents, plan of subdivision, rezoning, and site plan control. Generally, an Environmental Impact Study shall demonstrate that there will be no negative impacts on natural features or ecological functions and identify specific development controls (e.g. zoning setbacks, etc.) and construction techniques (e.g. buffer strips, etc.) to mitigate wetland impacts. The Environmental Impact Study shall be prepared in consultation with the applicable approval authority and shall be submitted for the review and approval of the Municipality

- e) Lot 16, 17 and 18, Concession 1
  - i) Prior to formal submission to the applicable approval authority of any Residential development application in Lot 16, 17 and 18, Concession 1, an Environmental Impact Study must be prepared to consider the natural resource values of the Bainsville Bay Marsh Wetland (as evaluated and mapped by the Ministry of Natural Resources) and identify appropriate locations for site alterations, buildings, septic systems, roads and related infrastructure. More specifically, the impact study shall demonstrate that development in Lot 16, 17 and 18, Concession 1 is designed in such a manner as to preserve the existing tree cover, particularly the white pine growth, conserve continued groundwater linkage to Lake St. Francis and identify specific development controls and construction techniques to mitigate wetland impacts. The Environmental Impact Study shall be prepared by a qualified professional, in consultation with the applicable approval authority, and shall be submitted for review and approval of the Municipality.
  - ii) The Environmental Impact Study must include **Provincially Significant Wetland** boundary delineation by way of ‘ground truthing’ and shall be subject to review and concurrence by the Ministry of Natural Resources. Any area that is deemed to be **Provincially Significant Wetland** shall be re-designated to reflect the **Provincially Significant Wetland** status in the Official Plan and the Municipal Zoning By-law.
  - iii) In addition, these policies shall apply to all applications for development (Including plan of subdivision, consent and site plan control) within the Employment District designation which are located within this lot.
- f) All Employment District and Residential District development proposed in the Policy area shall require a Traffic Impact study, as a condition of draft plan approval, to be prepared and submitted to the Municipality and the Ministry of Transportation for review and approval. The study shall address the anticipated

traffic volumes and their impact upon the interchange area at Highway 401 and Curry Hill Road and provide mitigative measures, if required, to be incorporated into the design of the Plan.

- g)** For part of Lots 16 to 18, Concession 1, all development proposals shall incorporate appropriate separation distances based on the Ministry of the Environment's Guideline, "Compatibility Between Industrial Facilities and Sensitive Land Uses"
- h)** Notwithstanding the policies of Section 5.06.5.6 Wetlands, the existing residential uses located in Part of Lot 12 Concession 1 shall be permitted in accordance with Table 5 of this Plan and shall be recognized in the implementing Zoning By-law.

### ***Township of South Stormont***

#### ***1. East of St. Andrew's Settlement Area***

*A Special Policy Area has been identified in the Township of South Stormont on the north side of County Road 18, immediately east of the Urban Settlement Area of St. Andrew's more particularly shown on Schedule SP4a*

*Within the Special Policy Area, commercial uses, agricultural services uses and employment district uses may be permitted subject to the following policies.*

- a)** *Future commercial uses, agricultural service uses and employment district uses shall be permitted through the process of zoning by-law amendment applications.*
- b)** *Access to County Road 18 shall be controlled and engineered to the satisfaction of the County Engineer.*
- c)** *The Township of South Stormont and/or the County may require a site plan indicating proposed access driveways, buildings, parking and loading spaces and areas, areas for open storage, landscaping and similar elements.*
- d)** *Adjacent residential uses shall be protected through appropriate measures such as increased setbacks, landscaped buffer strips and fencing and the careful location of commercial buildings, parking and loading areas and open storage and similar elements.*
- e)** *A traffic impact study may be required.*



## *Township of North Dundas*

### *1. East of South Mountain Rural Settlement Area*

*A Special Policy Area has been identified on the south side of County Road 3, immediately east of the Rural Settlement area of South Mountain and more particularly shown on Schedule SP1a.*

*Within the Special Policy Area, commercial uses and agricultural service uses may be permitted subject to the following policies.*

- a) Future commercial and agricultural service uses shall be permitted through the process of zoning by-law amendment applications.*
- b) Access to County Road 3 shall be controlled and engineered to the satisfaction of the County Engineer.*
- c) The Township of South Stormont and/or the County may require a site plan indicating proposed access driveways, buildings, parking and loading spaces and areas, areas for open storage, landscaping and similar elements.*
- d) Adjacent residential uses shall be protected through appropriate measures such as increased setbacks, landscaped buffer strips and fencing and the careful location of commercial buildings, parking and loading areas and open storage and similar elements.*
- e) A traffic impact study may be required.*

## **LAND USE SCHEDULES**