



Official Plan of the Township of Elizabethtown-Kitley

December 2018 Office Consolidation

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of Leeds & Grenville on October 25, 2018**

TOWNSHIP OF ELIZABETHTOWN-KITLEY

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OFFICIAL PLAN OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

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SECTION 1 INTRODUCTION

1.1 PLANNING ACT CONTEXT

1. Pursuant to Section 17 of the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended, Council is charged with responsibility for preparing and adopting an Official Plan for the Township of Elizabethtown-Kitley. Pursuant to Section 26 of the *Planning Act*, Council is required to review its Official Plan from time to time, but not less than once every ten years, to determine the need to revise it. This Plan, which constitutes a major update to the 2005 Official Plan, has been prepared in response to these requirements.
2. Pursuant to Section 26 of the *Planning Act*, as amended, Council shall adopt an implementing Zoning By-law no later than three years after the approval of the Official Plan. Such Zoning By-law shall be adopted no later than three years after any comprehensive update to this Plan that comes into effect.
3. The *Planning Act* also provides that, where an Official Plan is in effect, no public work shall be undertaken and no By-law shall be passed for any purpose that does not conform to the Official Plan, with certain exceptions as provided by Section 24 of the *Planning Act*. This Plan will guide Council in its future decision making pursuant to this requirement.
4. In exercising its planning authority, Council shall have regard to matters of Provincial Interest set out in Section 2 of the *Planning Act*. From a policy perspective, this Plan contains policies and terminology which are intended to reflect matters of provincial planning interest as expressed in the 2014 *Provincial Policy Statement* issued under the authority of the *Planning Act*. Where any term used in this Plan is meant to address matters of provincial interest, the definition in the 2014 *Provincial Policy Statement* shall be consulted.
5. The *Planning Act* also provides that an Official Plan for a lower-tier municipality shall conform to the Official Plan for any upper-tier Municipality. This Plan contains policies which are intended to conform to the policies of the Official Plan for the United Counties of Leeds and Grenville. The reader is also encouraged to refer to the Counties' Official Plan.
6. Section 17 of the *Planning Act* sets out required processes and procedures for amendments to Official Plans. Council shall be guided by these requirements in dealing with applications for Official Plan amendments from the public, as well as those amendments initiated by Council.

1.2 INTRODUCTORY STATEMENTS

1.2.1 Title and Components

1. This Plan shall be known as the:

Official Plan of the Township of Elizabethtown-Kitley.

2. The Plan consists of six Sections and six Schedules:

Section 1	Introduction
Section 2	General Development Policies
Section 3	Land Use Policies
Section 4	Transportation
Section 5	Implementation and Administration
Section 6	Interpretation
Schedules	A1 – Elizabethtown-Kitley North
	A2 – Elizabethtown-Kitley Central
	A3 – Elizabethtown-Kitley South
	B1 – Elizabethtown-Kitley North
	B2 – Elizabethtown-Kitley Central
	B3 – Elizabethtown-Kitley South

3. Section 1 is informative in nature and primarily describes the context, general purpose and objectives of the Plan.

Section 2 sets out various general policies which apply to development, regardless of the land use designation in which it is situated. Among other matters, a number of the policies in this section relate to considerations that must be addressed in undertaking development or site alteration due to the existence of various on-site or adjacent area features, constraints, existing uses or land use designations.

Section 3 contains policies for various land uses that are specific to the land use designations shown on the Schedules.

Section 4 deals with transportation-related policies.

Section 5 states the policies for the implementation and administration of the Plan. Among other matters, the section sets out the policies applicable to the division of land.

Section 6 provides guidance with respect to the interpretation of the Plan.

Schedules A1, A2, and A3 set out the land use designations and road status. For the purpose of this Plan, Schedules A1, A2, and A3 shall collectively be referred to as Schedule A, unless otherwise noted.

Schedules B1, B2, and B3 identify various features and development constraints referred to throughout the Plan and should be considered in the planning process. For the purpose of this Plan, Schedules B1, B2, and B3 shall collectively be referred to as Schedule B, unless otherwise noted.

It is noted that lands in abutting municipalities near the municipal boundary may also contain various features and development constraints that should be considered in the planning process. Accordingly, the reader is advised that when reviewing lands for the presence of development constraints, it may be necessary to screen for relevant features and development constraints on nearby lands in neighbouring municipalities.

4. Appendices which are used by the Township for screening purposes in relation to planning applications are attached to this Plan. These Appendices are provided solely for ease of reference and do not form part of the Plan.

1.2.2 Application

This Official Plan applies to the entirety of the Township of Elizabethtown-Kitley.

1.2.3 Intent

1. This Plan is intended to support several broad land use planning goals aimed at supporting and enhancing the quality of life for those who live and work in, or visit, the Township. These goals include:
 1. To manage future growth and development in a logical and orderly manner in response to anticipated needs, having regard to economic, social, cultural, environmental and other considerations;
 2. To protect the natural and cultural heritage resources of the Township from development-related impacts in recognition of the long-term environmental, economic and other values of these resources;
 3. To address potential health, safety, environmental and property damage concerns by directing development away from areas associated with risks;
 4. While pursuing the foregoing goals, the Township seeks to:
 - Focus population growth to Settlement Areas and Residential areas;

- Focus economic and employment growth to Settlement Areas, Commercial areas and Industrial areas;
 - Preserve the predominantly rural character of the Township;
 - Foster environmentally-sustainable opportunities to live, work and visit in the Township;
 - Ensure the financial health of the Township through responsible land use and other public policy decisions.
2. The Official Plan is intended to be of use to both private and public interests. Through the Plan, private interests will have a clearer understanding of Council's policies for future development and, hence, be able to plan accordingly. Public interests will benefit by possessing a documented policy framework by which to prepare comprehensive Zoning By-laws and other tools of implementation, make planning and land use decisions, as well as identify and program the delivery of needed services and facilities in a cost-effective way.

1.2.4 Scope

The Official Plan is a legal document but does not, by itself, control or regulate the development of land by private interests. Rather, detailed control and regulation is accomplished primarily through various implementation tools such as comprehensive Zoning By-laws and Site Plan Control By-laws.

The Official Plan contains policies which are intended to guide public and private interests in such a way as to ensure the best form of development under the most desirable conditions. In addition, the Official Plan sets out guidelines for the preparation of municipal regulations which implement the Plan, establishes policies to govern both the division and development of land and, finally, identifies public actions which need to be taken to support community development.

1.2.5 Planning Period

This Official Plan is intended to guide the future development of the Township to the year 2031. The reader is cautioned, however, that the Plan has been prepared on the basis of existing conditions and information available at the time of the Plan's preparation. An Official Plan should be viewed as a work in progress and it is intended that as conditions change, as new information becomes available, and as our understanding of issues and priorities changes, there will be a need to review various policies from time to time. Pursuant to Section 26 of the *Planning Act*, Council intends to hold a public meeting not less than once every ten years to determine the need to review the Plan.

1.3 BASIS AND OBJECTIVES

1.3.1 General

The policies set out in this Official Plan have been determined by historical development patterns, existing circumstances and present trends, as well as certain fundamental principles that have been identified in the preparation of the Plan.

Considering the fact that the Township Official Plan is relatively current (2005) and the policy direction continues to be regarded as relevant by Council, this Plan has been updated to build upon the planning policy foundations of the existing Official Plan and to ensure that current Provincial and County interests have been addressed. This Plan continues to attempt to harmonize land use policies across the Township in the interests of equity and administration, and efforts have been made to recognize the uniqueness, diversity and historical importance of the various parts of the Municipality.

During the course of the preparation of the Official Plan, Council, as well as an Official Plan Steering Committee provided input and guidance. The Plan reflects many contributions resulting from their local knowledge, expertise and ideas.

Collectively, the foregoing activities and documents form the foundations for the basis and objectives of this Official Plan.

1.3.2 Basis of the Plan

The Township of Elizabethtown-Kitley came into being on January 1, 2001, as an amalgamation of the former Townships of Elizabethtown and Kitley. Elizabethtown-Kitley stretches from the shores of the St. Lawrence River northward to the southern most limit of the Township of Rideau Lakes and encompasses an area of approximately 554 square kilometres. The Municipality is distinct in that it surrounds the City of Brockville, includes shoreline development along the St. Lawrence River as well as predominantly rural countryside which extends north to the southern boundary of Rideau Lakes Township. The linearity of the Township, its large and diverse land area and its proximity to an urban centre pose certain challenges to the development and implementation of land use and other policies.

Both former townships that make up Elizabethtown-Kitley have a documented history of attempting to conserve the agricultural and rural flavour of the Township and preventing the scattered or random urbanization of lands that could significantly undermine the sense of rural character that the Township aims to maintain. With the formation of the new Township and the revisiting of previous land use policies, it has been determined that it remains appropriate that these protective policies be continued. Furthermore, in recognition of the fact that development pressures to develop Rurally-designated lands will continue to be an issue for the Municipality, policies to reinforce the preservation of the Township's rural character are maintained and further emphasized by this Plan.

The majority of future population growth will continue to be focused within the existing traditional settlement areas found in the Township's numerous villages and hamlets. The policies of this Plan are designed to support this initiative, although it is recognized that increased concerns with the sustainability of development on private services for reasons related to water quality, findings from the "Leeds Grenville Groundwater Study" and Provincial policy direction on servicing issues could have a profound effect on village and hamlet development. Despite the implications of these considerations for more intense forms of development within traditional settlements, this Plan must provide sufficient development lands to meet current and future demands.

The Township of Elizabethtown-Kitley could be characterized as being composed of several distinct elements: a predominantly rural and agricultural community served by small traditional settlement areas, a suburban catchment area to Brockville and an area of a long-standing mix of residential, tourist/recreational and industrial development between Highway No. 401 and the St. Lawrence River. This last area adjacent to the St. Lawrence River is somewhat isolated from the balance of the Municipality by Highway No. 401 which creates a strong physical barrier between those lands to the north of the highway and those lands to the south.

Because of growth pressures to develop in the rural countryside or adjacent to the St. Lawrence River, policies will aim at controlling development to low density forms located in a manner that would not alter the area's agricultural and rural character.

Rural character is that which differentiates the rural area from an urban or semi-urban setting. It is the mix of agricultural uses and low density, widely separated and randomly located dwellings on large rural parcels in a predominantly natural setting. It is distinguished by open countryside, fields, hedgerows and wooded areas. It is the predominance of the natural environment over the built environment. Rather than the ordered, repetitive built pattern found in urban areas, the development pattern is discontinuous with generally large lot sizes and frontages, together with setbacks which vary greatly. The impression is one of an open, agricultural or natural landscape rather than one dominated by human-made structures and manicured yards.

The development form which has the largest negative impact on rural character is clusters or rows of residential development at either a density, or under development standards, which allow the built environment to dominate. Smaller lot sizes, frontages and setbacks are not characteristic of the rural area and if allowed to any significant extent, they alter the character. To protect rural character, policies are required that recognize and protect qualities that define and enhance that character.

The agricultural area is an area in which the predominant constraint to development is the need to protect prime agricultural lands. Rural character is more easily achieved in prime agricultural areas because controls on forms of built development are very strict and protect the agricultural land. The rural countryside is maintained for the most part by prohibiting subdivisions and imposing very stringent controls over consents, as well as preventing the intrusion of non-agricultural uses.

In rural areas which are not comprised of prime agricultural lands, the protection of character is not as easily achieved. The policies developed to do so must specifically identify the character that is to be protected and establish controls which will protect the area. These policies should include requirements for a variety of lot sizes, mixed agricultural and rural uses and a discontinuous development pattern. Controls to ensure that development is appropriate can be implemented through zoning provisions, restrictions on subdivision development, site plan control and environmental impact reviews, where warranted.

Development in settlement areas such as villages and hamlets is primarily dictated by the ability to provide a safe water supply and sewage treatment system for each property, but lot sizes, set backs, road standards, drainage facilities and woodland preservation do much to affect the character of the community. The factors are best controlled by the use of the subdivision process.

In the past, attempts to regulate the density of development in agricultural or rural areas have centred on the use of minimum lot size standards, a limit on the number of severances that can be approved as well the use of an “average density” policy. This Plan, while it includes certain policies related to these factors, also encourages more community design and environmental policies as an aid to applicants and Township officials.

The basis of this Plan is to reinforce the preservation of the active agricultural community and the rural character of the Township while recognizing that some forms of development, particularly along what is commonly known as the County Road No. 29 Corridor, will have to be accommodated to meet the needs of the community and its residents.

The Corridor Area generally includes those lands within approximately 800 metres of County Road No. 29 and lying between the Brockville city limits and New Dublin Road. It includes the population centres of Tincap and Spring Valley, the Township’s and the Coon’s Industrial-Business Parks, as well as various stand-alone commercial and industrial uses. The following vision has been established for the County Road No. 29 as part of the background research to this Plan.

The County Road No. 29 Corridor is a main entryway into Elizabethtown-Kitley and should reflect the Township’s rural character to the extent possible, having regard to the corridor’s gateway role. The area should continue to support a mix of land uses including industry and commerce, housing and community facilities such as schools, churches and recreational facilities. The Corridor shall be a healthy and prosperous commercial and industrial area for the Township and it is envisioned that new development should be directed to existing industrial-business parks. Due to the area’s gateway role, emphasis must be placed on achieving high standards of site development.

As well as providing employment opportunities and satisfying some local needs for goods and services, the Corridor area is home to a significant number of the Township’s residents.

The Township seeks to maintain and improve the quality of life for these residents through controlling the expansion of non-residential development and ensuring that environmental and aesthetic impacts, as well as land use incompatibilities, are minimized.

A safe and efficient transportation system should be provided for the area. Direct connections shall be established between destinations within the area, as well as primary travel corridors to adjoining areas. County Road No. 29 will continue to be a primary travel corridor, therefore, there is a need to balance local access requirements with the road's inter-city connector function.

Existing open rurally-used lands, as well as historical buildings, should be preserved to enhance the area's rural character and historical flavour. In addition, development on large parcels of undeveloped land within the Corridor area will be restricted in order to maintain the distinctness of the various built-up areas and settlement areas, as well as to provide a buffer between these areas.

The overall attractiveness and character of the corridor will be enhanced through innovative site design, landscape improvements and new building design. The area should incorporate streetscapes that are inviting and offer a sense of the character of the Township, particularly along County Road No. 29. As one traverses this segment of road, the distinct nature of the various parts of the Corridor should be identifiable. For example, transitions from commercial-industrial nodes and settlement areas should be readily apparent and emphasized by recognizable entry features to create a positive experience for those travelling through or within the Corridor.

The Corridor is not conceived as an urban area, therefore, major shopping plazas and big box stores that are normally found on municipal services are not contemplated.

At a Township-wide level, the basic thrust of this Plan is to continue to direct modest growth to settlement areas and selected locations in the south portion of the Township, and to limit development in rural and agricultural areas to that which meets the goals and objectives of the Plan.

Some observations and considerations in the development of policies to support this vision follow:

1. While the Township of Elizabethtown-Kitley is located beyond the commonly acceptable daily commuting distance to major centres such as Ottawa and Kingston, the south part of the Township has felt development pressures related to its proximity to the City of Brockville. In contrast, few pressures have been observed in the more sparsely developed north portion of the Township.
2. Excellent east-west connections via Highway No. 401 and County Road No. 2 have also influenced development patterns and created some localized development pressures.

3. The area to the south of the Highway No. 401 is a significant draw for residential and other development because of its proximity to the St. Lawrence River as well as the above-mentioned transportation routes. Notwithstanding this, it is the Township's desire that settlement areas as well as larger serviced urban communities outside Elizabethtown-Kitley continue to fulfill the primary role as retail, service and social-cultural centres for the Township.
4. It is recognized that some forms of commercial and industrial development will be permitted within the County Road No. 29 Corridor, however, large retail, "big box" uses are not desired and should be directed to serviced urban areas.
5. The historical role of the Township's various villages and hamlets as residential communities and local service centres will be supported and encouraged.
6. The Township recognizes the fundamental importance of the business community, particularly in relation to its contributions to the tax base and providing local employment, but also to the tourism and recreational sectors of the economy. The Township seeks to support the creation and economic health of local enterprises, as well as to ensure that unacceptable environmental impacts and land use conflicts are not generated through their activities. This is particularly important in settlement areas, adjacent to the St. Lawrence River and in the County Road No. 29 Corridor where a wide land use mix is found within relatively small areas.
7. By the end of this Official Plan's planning period in 2031, the Township's population will be approximately 10,010 permanent residents, in keeping with the growth allocation as set out in the Counties' Official Plan. Nonetheless, this Plan accommodates higher growth rates in both the settlement areas and rural areas. It is, however, recognized that there are variables outside Council's control that can influence population and household growth and which are somewhat dependent on policies and trends in other jurisdictions. These could have a significant impact on land use needs and requirements and accordingly, shall be monitored. These factors shall be considered when evaluating the need to revise the Plan, pursuant to the "ten-year" review requirement of the *Planning Act*.
8. A combination of factors, including a decline in traditional employment opportunities, increased awareness of environmental concerns and a toughening regulatory environment, has led to a continuing decline in residential development activity over the past decade. This has translated into falling lot creation and residential building permit activity. Building permits over the last ten years has averaged approximately 14 new dwellings per year, while lot creation over the same period has averaged approximately 7 lots per year.

1.3.3 Objectives of the Plan

The objectives set forth in this Plan have evolved from the historical development and character of the Township's natural, economic, social and cultural environments. These

objectives reflect Council's vision for the Township's development in the coming years and shall be used to guide Council's decisions.

General

1. To preserve and enhance the rural character of the Township through focussing the bulk of new development to lands specifically designated for such purpose.
2. To protect existing land uses from the impacts of incompatible development and to ensure that new or expanding uses are well integrated into existing developed areas.
3. To establish detailed land use policies to be used as the basis for evaluating development proposals, particularly in those instances where such proposals may be in keeping with some objectives but in conflict with others.
4. To establish detailed land use policies to avoid the blurring of closely physically-situated communities and to encourage a sense of rural character within the County Road No. 29 Corridor.
5. To conduct planning with an open process, producing policies which are fair in their distribution of benefits and influences.

Economic Development

1. To strengthen the role of settlement areas as local commercial, residential, social, and cultural centres for the Township, as well as to enhance their function in providing services and facilities that cater to tourists.
2. To recognize the County Road No. 29 Corridor (Brockville city limits towards New Dublin Road) as a main entryway into Elizabethtown-Kitley and to ensure this area reflects the Township's rural character to the extent possible, having regard to the corridor's gateway role. The area should continue to support a mix of land uses including industry and commerce, housing and community facilities such as schools, churches and recreational facilities.
3. To direct new commercial and industrial development principally to existing industrial-business parks and to support appropriately designated portions of the County Road No. 29 Corridor area as healthy and prosperous commercial and industrial areas for the Township.
4. To encourage steady, diversified and balanced economic growth to build a more favourable assessment base and to ensure a reasonable range of employment opportunities in order that young people will choose to stay in, or return to, the Township.

5. To ensure that land use designations and related policies foster economic growth and diversification, including opportunities for home-based and tourism-based businesses.
6. To support both existing local businesses and agricultural operations in recognition of the vital and historic role these sectors have played in the Township's development.

Housing

1. To continue to provide a range of opportunities for living in the rural area, settlement areas and subdivision lands in a manner that maintains the rural character of the Township and the integrity of the environment. The character of the community, combined with servicing constraints, dictates that single-detached housing should continue to dominate new residential development.
2. To promote development patterns in Settlement Areas that efficiently use land, resources, infrastructure, and public service facilities, through compact urban forms, a mix of land uses, and appropriate densities.
3. To preserve the historical sense of community in the small Settlement Areas of the Township, the rural area and the Township as a whole.
4. To encourage the provision of an adequate supply and range of housing types and supporting amenities to satisfy the needs of existing and future residents, including those with special needs.

Natural and Cultural Heritage and Natural and Human-made Hazards

1. To identify and protect environmentally-sensitive areas and to ensure that development is compatible with such areas.
2. To provide for the protection of natural resources, such as agricultural lands, wooded areas, ground and surface water, mineral aggregates and minerals.
3. To conserve and protect cultural heritage resources, including historic areas, buildings, sites, landmarks, landscapes and archaeological sites.
4. To protect significant natural heritage features such as wetlands and areas of natural and scientific interest from development-related impacts.
5. To promote sustainable development and energy conservation practices through the planning and development approval processes.
6. To minimize risks to persons and property arising from natural hazards such as flooding, organic soils and steep or unstable slopes.

7. To ensure that, in reviewing development proposals, adequate attention is paid to human-made hazards such as contaminated sites or abandoned mine sites.
8. To ensure that, in reviewing development proposals, potential impacts of climate change that may increase the risk associated with development near natural hazards are considered.

Municipal Services

1. To provide municipal services at a level consistent with the expectations of Township residents and the ability of the Township to provide such services.
2. To ensure the continued sound financial and administrative management of the Township.
3. To provide a safe, efficient and well maintained transportation system, including the encouragement of alternatives to automobile use.
4. To permit development on private water supply and sewage disposal services, except for limited development on partial services along County Road No. 2 on lands designated Residential, as well as any municipal servicing required to remediate a public health threat.
5. To develop and maintain sufficient parkland, open space and community facilities to meet the needs of various age and socio-economic groups.

SECTION 2 GENERAL DEVELOPMENT POLICIES

2.1 INTRODUCTION

The policies of this section deal with development considerations that are generally applicable to various land uses within the Township and should be read in conjunction with the specific land use policies contained in the **Land Use Policies** section of this Plan.

2.2 ECONOMIC POLICY

The Township believes that the economic success of employment-oriented enterprises such as those intended to locate on lands within the Township's Industrial/Business designation is enhanced through encouraging them to develop in a focussed, agglomerated fashion. Accordingly, this Plan attempts to consolidate existing and future industrial-business development within portions of the County Road No. 29 Corridor Area (Lot 16, Concession 3, and Lots 20 and 21, Concession 4, on Schedule A3) by designating these areas as Industrial/Business and including policies throughout the Plan to encourage focussed development. Within these two designated industrial-business parks, it is anticipated that the majority of light and medium industrial enterprises can be accommodated. Longer term demand for additional designated lands in the south part of the Township will be encouraged principally through the extension of these existing areas.

Additional lands elsewhere in the Township may also be designated to permit industrial and commercial uses, both through the Plan as adopted and through future amendments to the Plan. In relation to the latter, it is recognized that the north (Kitley) portion of the Township lacks significant lands designated to accommodate new industrial-business or commercial uses and that, accordingly, redesignations are likely to be required. The Township shall encourage focussed, concentrated redesignations that provide for a coherent grouping of uses, rather than scattered, ad hoc development consisting of dispersed, stand-alone uses. This policy will result in a rational, efficient land use pattern, as well as offer the benefits of agglomeration economies to businesses clustered within the designated areas. Council shall, when considering proposed development, bear in mind the financial position of the Township and shall attempt to secure and maintain a satisfactory ratio between industrial/commercial assessment and residential assessment. If required, Council may deem applications for further residential development as premature until such time as it is satisfied that it has the financial resources to continue to supply needed municipal services and community facilities. Where Council has concerns in this regard, it may request the proponents of proposed developments to undertake studies which examine these issues to Council's satisfaction.

From time to time, in consultation with the appropriate agencies, Council shall review any increase in municipal costs which is associated with the provision of services and which is attributed to development activity. The results of these reviews shall serve, in part, as the basis for Council's decisions and recommendations regarding the approval of development proposals. Where appropriate, Council may impose such conditions as it regards necessary to minimize or eliminate such costs, including the adoption of a Development Charges By-law, pursuant to the provisions of the *Development Charges Act*.

2.3 HOUSING AND AFFORDABILITY POLICIES

1. Policies have been included in this Plan to ensure that:
 1. There is at least a ten-year supply of land designated and available for future residential development;
 2. A variety of housing options, including second units, are accommodated to meet the needs of present and future residents, including those that require special needs, housing for persons with physical, sensory or mental health disabilities, and housing for older persons, subject to the limitations imposed by servicing and environmental considerations;
 3. The provision of new housing is encouraged to take place in the more built-up areas of the Township such as communities designated Settlement Area, as well as in areas specifically intended to accommodate residential uses and which are designated Residential.
2. The Township intends to review the comprehensive Zoning By-law to implement the housing policies referred to above.
3. The Township intends to monitor the residential land supply and the type and density of housing approved and constructed pursuant to this Plan.
4. It is acknowledged that the Township is only one municipality within a wider regional market area and is unable to accommodate all forms of residential development. Higher density, multiple-unit residential developments are generally better suited to urban, municipally-serviced communities outside the Township, but within the regional market area.
5. The Township will endeavour to achieve an overall minimum affordable housing target of 25% for all new residential development. It is recognized that the target may not be achievable on a yearly basis; therefore, a five year average shall be used to evaluate the Township's success in meeting its affordable housing objective. For the purpose of this Plan, affordable shall be defined as per the definition in the 2014 Provincial Policy Statement.

6. The Township may consider alternative design standards in the development of new subdivisions.
7. The Township shall ensure that the Zoning By-law does not require standards which preclude the development of affordable housing, especially as it relates to house and lot sizes.
8. The Township may use incentives such as grants or loans through community improvement plans or other tools permitted by the *Planning Act* or *Municipal Act* in order to achieve the affordable housing policies in this Plan.
9. The Township may consider the use of inclusionary zoning as a tool to achieve affordable housing objectives.

2.4 EDUCATIONAL FACILITIES

It is the intention of the Township to work closely with the relevant school boards in determining the need and location for future educational facilities, and in integrating educational facilities with the Township's other community facilities. Where development applications could significantly affect present or future educational facilities, the school boards will be consulted.

2.5 COMMUNITY IMPROVEMENT

1. It is Council's goal to maintain, rehabilitate and upgrade the physical environment in order to enhance the Township as an attractive place in which to live and work, as well as visit as a tourist or business traveler.
2. In order to achieve this goal, it is Council's intention to implement a program of community improvements, as defined in the *Planning Act*, which will fulfill the following objectives.
 1. Throughout the Township, to foster improvements by:
 1. Establishing and maintaining the physical infrastructure which is necessary and appropriate for the various areas and land uses, including storm drainage, roads, lighting, community facilities, etc. In relation to lighting this may include 'dark skies' lighting initiatives on both public and private property;
 2. Encouraging property owners to take pride in the appearance of their own property and Township lands in general;

3. Encouraging tree-planting initiatives for aesthetic, environmental, solar protection and other benefits;
 4. Promoting the remediation of industrial, commercial and institutional land uses that are contaminated;
 5. Supporting and encouraging the preservation, rehabilitation, and enhancement of cultural heritage features;
 6. Fostering the improvement of business and public spaces to remove barriers which may restrict accessibility.
2. In traditional settlement areas, to foster improvements by:
1. Striving for an equitable distribution of social amenities to serve various parts of the Township in facilities which are well maintained, well located, and easily accessible;
 2. Ensuring the maintenance of the existing housing stock and encouraging the rehabilitation, renovation and repair of older dwellings;
 3. Maintaining attractive communities with the necessary physical attributes to create pleasant, easily accessible local service areas;
 4. Providing incentives to foster a healthy local economy for area businesses;
 5. Ensuring that proposed changes (additions, alterations, etc.) to existing businesses enhance the area and are compatible with adjacent land uses;
 6. Encouraging the participation of the private sector in community improvement initiatives by involving local merchants, businesspersons, residents, and civic leaders;
 7. Ensuring that the undertaking of specific community improvement projects does not unduly burden the financial capability of the Township; and
 8. Ensuring that when undertaking community improvement projects due regard is given to compatibility with neighbouring land uses.
3. This Plan designates the entire Township of Elizabethtown-Kitley as a Community Improvement Policy Area.

Council will undertake various improvement programs throughout the Township, as financial resources permit and as local support of residents and the business community dictate.

4. Council may establish community improvement project areas, as local municipal resources allow and as government funding becomes available. Council recognizes that improvements will be undertaken gradually and that it will be necessary to select project areas on a priority basis. The following considerations shall be taken into account in determining high priority areas for community improvement:
 1. The level of deterioration of municipal infrastructure;
 2. The function of the settlement area to the Township in terms of serving local shopping, employment and social and cultural needs;
 3. The existing or potential significance of the settlement area in relation to serving tourism-based economic development objectives.
5. In order to achieve the objectives for community improvement, Council intends to use a variety of implementation techniques and to choose the appropriate technique(s) for each improvement initiative. Such techniques may include, but are not limited to, the following:
 1. Preparation and adoption of community improvement plans;
 2. Designation of community improvement project areas by by-law;
 3. Application to the appropriate government agencies for funds to support the Township's programs;
 4. Municipal acquisition of land within the community improvement project area(s) and the clearing, grading or preparing of the land for community improvement;
 5. Enforcement of by-laws dealing with property maintenance and enforcing the Township's policies for property maintenance and occupancy;
 6. Preparation and adoption of an appropriate comprehensive Zoning By-law;
 7. Encouraging private sector rehabilitation by providing residents and the business community with information on available government subsidies and programs;
 8. Providing the framework for more flexible planning decisions by establishing zoning regulations which encourage both residential and commercial infill and a broad range of land uses within settlement areas;

9. Utilization of financial tools to encourage the remediation of contaminated former industrial, commercial and institutional lands, as contemplated in the *Brownfields Statute Law Amendment Act*;
10. Designation of buildings or sites under the *Ontario Heritage Act*.

2.6 ACCESSORY USES

2.6.1 General

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory or essential to that use shall also be permitted. The comprehensive Zoning By-law that implements this Plan shall provide zone standards applicable to the location and use of accessory structures.

Certain structures, such as docks, boathouses and other marine structures are only permitted subject to permit requirements of approval authorities such as the St. Lawrence Parks Commission (if adjacent to St. Lawrence River), the Ministry of Natural Resources and Forestry and the relevant Conservation Authority. Such accessory structures shall be designed and located in a manner which addresses the provisions of the **Natural Heritage Features and System** section of this Plan, as well as matters such as non-interference with navigation, fish and wildlife habitat, the natural flow of the water, potential damage from water levels and ice, narrow water body constraints, access from land and water and privacy impacts associated with projecting property lines into the water. Where structures extend beyond the high water mark so that they are located partly or entirely in the beds of water bodies, they shall be constructed and maintained in accordance with the regulations and conditions of the Federal or Provincial authority having jurisdiction.

No boathouse or other marine structure shall contain a dwelling unit or any facilities for human habitation.

Where a non-residential use is permitted as a principal use by the implementing Zoning By-law, permitted accessory uses may include a dwelling which is accessory to such non-residential use, except where incompatible for reasons of public health, public safety or environmental impact.

In addition to the generality of the foregoing, the following specific policies shall apply to uses which are accessory to a principal residential use.

2.6.2 Home-Based Businesses

Home-based businesses are small-scale economic activities conducted on the site of a residential dwelling by the occupants. It is recognized that home-based businesses play an

important function in the provision of local employment opportunities to Township residents.

It is the policy of this Plan to permit home-based businesses wherever residential uses are permitted. The type and scale of home-based businesses shall be appropriately regulated in the implementing Zoning By-law to ensure that such uses are clearly ancillary to the main residential use, do not detract from the residential character of the property on which they are located, and are compatible with surrounding uses. To this end, the implementing Zoning By-law may restrict home-based businesses such that in certain areas they shall be conducted entirely within the dwelling and only those uses with which there is no associated noise, odour, smoke, significant outdoor display or other potential nuisances shall be permitted. Traffic, parking, heavy vehicle storage and operation and road access may also be regulated, having particular regard to potential functional and safety impacts.

Private home daycare facilities shall be permitted as a home-based business.

2.6.3 Bed and Breakfast Establishments

Bed and breakfast establishments are small-scale temporary lodging facilities typically conducted within the operator's dwelling. Bed and breakfasts are an important component of the Township's tourism strategy and are consistent with a low key, small-is-beautiful approach to tourism that emphasizes development that is compatible with, and complementary to, the picturesque landscapes and other natural and cultural heritage resources found throughout the Township.

A bed and breakfast establishment shall generally be permitted in land use designations that permit single-detached dwellings, provided that the physical character of such dwellings is not substantially altered. Pursuant to this policy, the implementing Zoning By-law shall define a bed and breakfast use, as distinct from a rooming or boarding house, and shall establish zone provisions which restrict the bed and breakfast use so that it is clearly an accessory use to the single dwelling.

2.7 SPECIAL RESIDENTIAL USES

2.7.1 Garden Suites

Garden suites are single dwellings that are designed to be portable in nature and ancillary to a principal residential dwelling. Garden suites are intended to provide an affordable housing option to support changing demographics and to support aging in place.

This Plan shall allow the establishment of a garden suite on any lot upon which a single-detached dwelling is a permitted use, subject to the adoption of a site-specific temporary use Zoning By-law amendment in accordance with the relevant provisions of the *Planning Act*. In considering a request for a Zoning By-law amendment, the Township shall consider

whether or not the increased intensity of use that would result from the garden suite can be adequately addressed in the proposal. In this regard, the applicant shall be required to demonstrate that the garden suite can be sited in accordance with applicable zoning standards, that sewage and water services will be adequate and that there will be no unacceptable impacts on adjacent land uses.

It is the intent of this Plan that a garden suite shall be removed from a lot at such time as it is no longer required to accommodate the occupant for whom it was originally erected. Pursuant to the provisions of the *Municipal Act*, an agreement between the owner of the lands and the Township may be used to address this and other matters.

2.7.2 Second Units

Second units are self-contained dwelling units, often with a separate entrance, located within and subordinate to an existing dwelling, that contains its own separate cooking and bathroom facilities in addition to the usual living quarters. Second units are an efficient and cost-effective means of increasing the supply of affordable housing and for providing alternative living arrangements for those, by virtue of their age or a disability, that require the support of others to live on their own.

In conjunction with a single dwelling, semi-detached dwelling or townhouse dwelling, second units are permitted on the basis of one second unit per dwelling, except in relation to residential uses where access is obtained by private roads. Second units are also permitted in a detached accessory building, provided the principal dwelling does not already contain a second unit.

Standards shall be established in the Zoning By-law to govern compatibility with both the main dwelling and with surrounding land uses, as well to ensure a secondary relationship to the main dwelling.

2.7.3 Group Homes

A group home is defined as a single housekeeping unit in a residential dwelling, in which three to ten residents (excluding staff or receiving family) live together under responsible supervision consistent with the requirements of its residents. The group home shall typically be licensed or approved under Provincial Statute and shall be in compliance with Municipal by-laws. The following policies shall apply to the establishment of group homes.

1. Group homes shall be permitted in single-detached dwellings in any designation in which a single-detached dwelling is permitted.
2. No person shall operate, or permit to operate, a group home without registering the group home with the Township Clerk in accordance with the Township of Elizabethtown-Kitley Group Home Registration By-law.

2.8 PUBLIC AND INSTITUTIONAL USES

1. Except as provided elsewhere in this Plan, public utilities and other public, community, institutional or quasi-institutional uses which provide services such as education, government, hospitals, protection to persons or property, electricity, roads, airports, railways, wired and wireless telephone, gas, cable, but excluding waste disposal, to the general public shall be permitted in all land use designations on the Schedules provided that:
 1. Such use is necessary in the area, that it can be made compatible with its surroundings, and that adequate measures are taken to ensure that proposed sensitive land uses such as residences, day care centres and educational and health facilities satisfy the policies of the **Land Use Compatibility** section of this Plan;
 2. Such use shall not be permitted within the significant portions of the habitat of endangered or threatened species, except in accordance with provincial and federal requirements;
 3. Such use shall not be permitted within the Agriculture designation except where there is no reasonable alternative location either outside the designation or within the designation but on lands having a lower Canada Land Inventory soil capability rating;
 4. The construction of permanent buildings and structures shall be prohibited in any areas which are designated Natural Heritage – PSW. The construction of permanent buildings and structures may be permitted within the Natural Heritage designation subject to the provisions of the **Environmental Impact Assessments** section of this Plan;
 5. In the case of the Natural Hazard designation, the construction of permanent buildings and structures, which by their nature must be located on hazardous lands, shall only be permitted in consultation with the relevant Conservation Authority;
 6. The development of new communications towers should be undertaken in accordance with Industry Canada's *Radio Communication and Broadcasting Antenna Systems* protocol, or an alternative Township-initiated protocol;
 7. Development that includes institutional uses (including hospitals, long-term care homes, pre-schools, school nurseries, day cares and schools) or essential emergency services or the disposal or manufacture, treatment or

- storage of hazardous substances shall not be permitted in the Natural Hazard designation;
8. The general intent of the policies of this Plan, as well as its Site Plan Control requirements, shall be satisfied;
 9. The requirements of applicable legislation such as the *Environmental Assessment Act* shall be satisfied.
 10. Electricity generation facilities and transmission and distribution systems are permitted in all designations except Natural Hazards, subject to any regulatory requirements for the utility involved. Electricity generation facilities and transmission and distribution systems will be permitted in all areas of the Township, including environmentally significant areas, where it is clearly demonstrated through an environmental assessment process under the *Environmental Assessment Act*, including an environmental impact study, that it is the preferred location for the infrastructure.
2. Notwithstanding the power of Federal, Provincial and County agencies or local Boards as defined in the *Planning Act* to undertake public works by authority granted under other statutes, Council shall endeavour to ensure that such development will follow the general intent of this Plan and will be compatible with the type, quality and character of the development in the area in which it is proposed.
 3. Public and institutional uses shall be encouraged to locate within or near lands designated Settlement Areas, except where the characteristics of such uses would clearly be incompatible with surrounding land uses.
 4. In the case of airports, the Zoning By-law which implements this Plan may contain height restrictions for buildings or structures to be located on adjacent lands situated under the take-off/approach paths and transitional surface of the runways.
 5. Corridors and rights-of-way for infrastructure, including transportation and energy generation and distribution systems, shall be protected. Where development is proposed adjacent to existing or planned infrastructure corridors such as pipelines and hydro or communications infrastructure, such development should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor. Proponents shall be encouraged to undertake early consultation with the relevant operating authority to ensure compliance with applicable regulatory requirements.

2.9 PARKS, TRAILS AND RECREATIONAL FACILITIES

1. Parks, trails and recreational facilities shall generally be permitted in all land use designations. Where active parks or active recreational facilities are proposed within the Agricultural designation, however, they shall only be permitted if there is no reasonable alternative location either outside the designation or within the designation but on lands having a lower Canada Land Inventory soil capability rating. Where such amenities are to be provided in the Natural Heritage – PSW, Natural Heritage, or Natural Hazard designation, they shall be subject to all applicable policies and regulations of these land use designations.
2. It is the Township's intention to provide park and recreation facilities on a basis consistent with the needs of the Municipality and to cooperate with other public, quasi-public and private agencies in the provision of parks, trails and recreational facilities.
3. The Township may request the dedication of parkland or cash-in-lieu thereof as a condition of the approval of planning applications, pursuant to the provisions of the *Planning Act*.
4. In the development of parks, trails and recreational facilities by the Township or other public agencies, adequate parking areas shall be provided and facilities such as ramps and walkways to enable persons with disabilities to reach amenities and facilities shall be provided where possible.
5. The Township views the development of recreational trail systems as an important resource providing opportunities for active transportation, outdoor leisure and recreation, tourism and interpretation of the natural environment.
6. The Township shall investigate the public acquisition of abandoned railway rights-of-way, or sections thereof, for alternate uses by the public. Acquisition of such lands will be based upon the availability of public monies.
7. In reviewing development applications for lands abutting or adjacent to parks, trails and recreational facilities, the approval authority shall have regard to proposed land uses and their physical relationship. The Township shall encourage uses that are complementary and shall attempt to ensure that site layout and design is appropriate to the preservation and enhancement of the park, trail or recreational facility. The St. Lawrence Parks Commission (if adjacent to St. Lawrence River) and the relevant Conservation Authority shall be consulted, as appropriate.
8. When developing, maintaining, and improving parks, trails and recreational facilities, consideration shall be given to the protection and enhancement of cultural heritage resources, including potential impacts on archaeological sites and areas of archaeological potential.

2.10 CROWN AND CONSERVATION LANDS

1. Crown and conservation lands include lands under Federal or Provincial jurisdiction and managed by agencies such as the St. Lawrence Parks Commission, the Ministry of Natural Resources and Forestry and Conservation Authorities. In addition, some conservation lands are owned and managed by not-for-profit organizations. Crown and conservation lands are of major importance to the Township for their value as natural and cultural heritage resources, as well as recreational and tourist resources that generate significant economic benefits.
2. Where a change to either the type or intensity of land use on crown or conservation lands is contemplated, the St. Lawrence Parks Commission, the Ministry of Natural Resources and Forestry and the relevant Conservation Authority, as applicable, are encouraged to consult with the Township prior to such change occurring. Similarly, where any consideration to the possibility of disposing of significant holdings of crown or conservation lands is given, consultation with the Township at the outset is expected.
3. Where development or site alteration is proposed adjacent to crown or conservation lands, the Township shall consult with the St. Lawrence Parks Commission, the Ministry of Natural Resources and Forestry or the relevant Conservation Authority, as applicable.

2.11 WAYSIDE PITS, WAYSIDE QUARRIES, PORTABLE ASPHALT PLANTS AND PORTABLE CONCRETE PLANTS

1. A wayside pit or wayside quarry is a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction or maintenance.

A portable asphalt plant is an asphalt plant which is not of permanent construction, but which is to be dismantled at the completion of a construction project and moved to another location at the conclusion of the project for which it was constructed. These facilities include equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and also include the stockpiling and storage of bulk materials used in the process.

A portable concrete plant is a concrete plant which is not of permanent construction, but which is to be dismantled at the completion of a construction project and moved to another location at the conclusion of the project for which it was constructed. These facilities include equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and also include the stockpiling and storage of bulk materials used in the process.

2. Wayside pits, wayside quarries, portable asphalt plants and portable concrete plants used on public authority contracts are permitted throughout the Township without amendments to the Plan or the Zoning By-law or development permits under the *Planning Act*, except in those areas designated as Natural Heritage - PSW, Natural Heritage, Natural Hazard or Settlement Area, or other areas characterized by concentrated existing development or environmental sensitivity that is incompatible with extraction and associated activities.
3. Lands used for the purposes of wayside pits, wayside quarries, portable asphalt plants and portable concrete plants shall be rehabilitated upon the completion of the project for which they were required. In the case of lands designated as Agriculture, this shall include rehabilitation of the site to substantially the same area and same average soil capability for agriculture as existed prior to the establishment of the wayside pit, wayside quarry, portable asphalt plant or portable concrete plant use.

2.12 USES NOT CONTEMPLATED BY PLAN

1. It shall be a policy of this Plan that any proposed new development which would introduce a land use, different from those uses described in this Plan in terms of scale, purpose or nature, and neither envisioned nor contemplated by Council, shall be subject to detailed land use and environmental impact studies, and any other studies deemed necessary by Council. Such studies will be conducted at the proponent's expense. The intent of this policy is to place the onus on the proponent to demonstrate that the introduction of a new use into the community would not be to the detriment of the Township's economic, social, cultural, environmental and financial base, would not have an adverse impact on municipal services, and would not require additional municipal or community services.
2. In addition, Council will encourage the proponent of such a use to consult informally with the public to provide information concerning the proposed development, as well as to obtain public input, prior to the submission of a formal application.
3. Any new use not contemplated by this Plan shall only be permitted through an Official Plan amendment.

2.13 EXISTING LAND USES

There are a number of existing land uses which are non-conforming or non-complying. A non-conforming land use is a use which is not included as a permitted use for the zone in which the use is located, pursuant to the Zoning By-law that implements this Plan.

A non-complying use is a use which is included in the permitted uses for the zone in which the use is located, pursuant to the Zoning By-law that implements this Plan, but which does not meet one or more performance standards of the zone such as those relating to yards or water setback.

2.13.1 Changes to Non-Conforming Uses and Extensions or Enlargements

While the Township supports initiatives by property owners to replace non-conforming uses with uses that conform to the Zoning By-law that implements this Plan, it is recognized that Section 34(9) of the *Planning Act* accords non-conforming uses certain rights to continue. In addition, the Township recognizes that it may be desirable to permit changes to non-conforming uses or extensions or enlargements of non-conforming uses in order to avoid unnecessary hardship.

Applications for changes to non-conforming uses or enlargements or extensions to such uses shall only be considered where the use was: Legally-established prior to the adoption of the Zoning By-law which rendered it non-conforming; continuous in nature since the use's establishment; and, located on lands owned and used in connection with the use on the day the Zoning By-law was passed. In considering applications, the following criteria shall be applied:

1. Any proposed change of use or extension or enlargement of the existing non-conforming use shall not aggravate the situation created by the existence of the use, especially in regard to the policies of this Plan and the requirements of the Zoning By-law applying to the area.
2. Any proposed extension or enlargement shall be in an appropriate proportion to the existing size of the non-conforming use.
3. The characteristics of the proposed non-conforming use or any proposed extension or enlargement of the existing non-conforming use shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation. Applications which would create or aggravate land use incompatibilities shall not be approved.
4. Neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc.
5. Traffic and parking conditions in the vicinity will not be adversely affected by the proposal and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and by improvement of sight lines especially in proximity to intersections.

6. Adequate provisions have been or will be made for off-street parking and loading facilities.
7. Services such as storm drainage, roads and private sewer and water services are adequate or can be made adequate.
8. Applications for changes to non-conforming uses or enlargements or extensions to such use within hazardous lands will only be considered where the change result in development in an area of no or low risk, and in consultation with the relevant Conservation Authority.

2.14 EXISTING UNDERSIZED LOTS

1. The Zoning By-law which implements this Plan may include provisions to permit the development of existing lots of record that do not meet the minimum size requirements of this Plan, provided that zoning provisions such as yards, setbacks and lot coverage can generally be met.
2. In the case of waterfront lots or island lots, the minimum lot area shall generally be 0.2 hectares and a suitable building envelope to accommodate a main building, septic system and driveway (where applicable) must exist outside any areas which may pose a risk to life or property.
3. In the case of existing undersized waterfront lots of record, the Zoning By-law which implements this Plan shall include a floor space index provision that effectively limits the maximum total floor area, excluding crawl space area, of any dwellings on waterfront lots to 10% of the lot area.
4. Lot additions or enlargements to existing undersized lots of record, shall be encouraged even though the enlarged lot may not comply with the minimum size requirements of this Plan.

2.15 MINOR VARIANCES

Where existing or proposed uses that conform to the use provisions of the Zoning By-law implementing this Plan are non-complying with respect to performance standards, the Committee of Adjustment may authorize minor variances from the provisions of the implementing Zoning By-law provided that the general intent and purpose of the Official Plan and Zoning By-law are maintained and that the variances are minor and desirable for the appropriate development of the lands. The Township may, by by-law, establish additional criteria to be considered by the Committee of Adjustment in the review of minor variance applications.

2.16 ROAD ACCESS

1. A year-round, publicly-maintained road represents the optimal means of providing access to properties from the perspective of convenience, safety and general welfare of users. Historically, some waterfront development has occurred with private road access. Additionally, some island and remote waterfront properties have been developed on the basis of water access only. Finally, some isolated non-waterfront uses related to agriculture, forestry, conservation and mineral resource exploitation have obtained access by private roads.
2. The Township views public road access as the preferred form of access to properties and it will normally be required in order for development to proceed except in the following situations:
 1. A limited amount of infill waterfront development in existing waterfront areas may continue to occur with access by existing private road or water, as set out in the **Consent Policies** and **Transportation** sections of the Plan.
 2. Agriculture, forestry, mineral resource and conservation uses not having an accessory dwelling or any building or structure to which the public has access may also be developed on the basis of private road or water access, notwithstanding the policies of the **Transportation** section of this Plan.

2.17 LAND USE COMPATIBILITY

2.17.1 Development Adjacent to Mineral and/or Mineral Aggregate Designations or Operations

1. It is a policy of this Plan that existing or potential mining operations and mineral aggregate operations will be protected from activities that would preclude or hinder their establishment, expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. For this reason, the development of sensitive land uses such as residences, day care centres and educational and health facilities within the influence area of existing pits and quarries, and lands that are designated Mineral Resource shall be permitted only if it can be demonstrated to the satisfaction of the approval authority that all issues relating to public health, public safety and environmental impacts can be addressed through setbacks or other mitigation measures without precluding or hindering the use of, or access to, the mineral resource.
2. An influence area is not a strict buffer or setback area where development adjacent to Mineral and/or Mineral Aggregate designations or operations is automatically

prohibited. The influence area is that area where impacts may occur or be experienced. The proponent of the development would be required to identify the potential 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 extractive operations and vice versa.

For policy purposes, the influence area in relation to pits is 300 metres, except in the case of Class B pits where excavation is above the water table, in which case the influence area is 150 metres. The influence area in relation to quarries is 500 metres.

3. The influence areas for resource lands designated Mineral Resource - Mineral Aggregate but which are not licensed for pits or quarries shall be dependent upon the nature of the resource. The influence area shall be 300 metres or 500 metres for lands designated on the basis of surficial or bedrock resources, respectively.
4. Development and activities which would preclude or hinder the establishment of new operations or access to mineral or mineral aggregate resources will only be permitted if:
 1. Resource use would not be feasible; or
 2. The proposed land uses or development serves a greater long term public interest; and
 3. Issues of public health, public safety and environmental impact can be addressed.

Land use compatibility studies, prepared by a qualified professional, shall be required in accordance with Provincial standards in relation to any proposal to develop lands within the influence area of an existing pit or quarry and lands that are designated Mineral Resource on the basis of mineral or mineral aggregate resources, respectively. Land use compatibility studies may be required to address such matters as hydrogeology, noise, and blast impacts, as well as conducting mineral or mineral aggregate quality and quantity assessments to determine the extent of the resource.

2.17.2 Development Where Agricultural and Non-Agricultural Uses are Adjacent

1. It is a policy of this Plan to address land use compatibility issues related to non-agricultural and agricultural uses through the application of the Minimum Distance Separation I (MDSI) and Minimum Distance Separation II (MDSII) formulae, as may be amended from time to time, to new non-agricultural uses and agricultural uses, respectively.

2. The implementing Zoning By-law may include provisions exempting properties from the application of MDS I and MDS II, as applicable, under certain situations such as when rebuilding after non-voluntary building destruction, development within settlement areas, development in proximity to cemeteries, and development on existing lots of record. The Township may require that restrictive covenants and/or notices be registered on title as a condition of an approval of a planning application, where deemed appropriate.

2.17.3 Development Adjacent to Open or Closed Waste Disposal Sites and Sewage Treatment Facilities

1. The approximate locations of all known open and closed waste disposal sites and sewage treatment facilities are identified on Schedule B to this Plan.
2. Waste disposal sites, whether open or closed, have the potential to generate impacts on the surrounding area related to such issues as air and water quality, aesthetics, noise and traffic. For policy purposes, the influence area of a waste disposal site is 500 metres. A land use compatibility study shall be required in relation to any proposal to develop new sensitive land uses such as residences, day care centres, educational and health facilities and other uses requiring potable water within the influence area. The study shall be prepared in accordance with the relevant Ministry of the Environment and Climate Change D-series land use compatibility guidelines, as may be updated by the Province, in order to address contamination by leachate, surface runoff, ground settlement, visual impact, soils contamination, hazardous waste and landfill-generated gases.
3. Sewage treatment facilities such as waste stabilization ponds and sewage treatment plants have the potential to generate impacts on the surrounding area related to such issues as air and water quality, aesthetics, noise and traffic. Consequently, separation distances between sewage treatment facilities and new sensitive land uses such as residences, day care centres, educational and health facilities and other uses requiring potable water are normally required. The minimum separation distance for a sewage treatment plant shall be 100 metres, however, this distance may be increased or decreased as a consequence of site-specific investigations and conditions, as well as the application of the relevant Ministry of the Environment and Climate Change D-series land use compatibility guideline, as may be updated by the Province. For waste stabilization ponds the recommended separation distance varies from 100 to 400 metres or more, depending upon the type of pond and characteristics of the waste.
4. The implementing Zoning By-law shall include provisions to prohibit the establishment of new incompatible uses within the influence area of waste disposal sites or within the recommended separation distance for sewage treatment facilities.

2.17.4 Other Land Use Compatibility Policies

1. It is a policy of this Plan to minimize conflicts between incompatible land uses. To this end, distance separations and buffering will be provided for the purpose of mitigating the adverse effects of one land use upon the other. A buffer may be a simple horizontal separation, a berm, a wall, a fence, planting materials, a land use different from the conflicting uses, but compatible with both, or any combination of the aforementioned sufficient to accomplish the intended purpose. This policy shall be implemented through various provisions in the implementing Zoning By-law, as well as the mechanism of Site Plan Control, as appropriate.
2. Proposed residential or other sensitive land uses within 300 metres of a railway right-of-way will be required to undertake noise studies, and any proposed residential or other sensitive land use development within 75 metres of a railway right-of-way will be required to undertake noise vibration studies. In both cases, the studies shall be completed to the satisfaction of the Township in consultation with the railway authority, and the proponent shall undertake to mitigate any identified adverse effects from noise or vibration through the implementation of appropriate measures.
3. In addition, certain land uses such as residences, day care centres and educational and health facilities may be particularly sensitive to the effects of odour, noise, vibration and other emissions associated with facilities such as rail and road transportation corridors and various classes of industries. Recommended separation distances for these classes of industries are included in the relevant Ministry of the Environment and Climate Change D-series land use compatibility guideline, as may be updated by the Province. Where proposed development is likely either to have or to be subject to a significant influence relating to an adjacent incompatible land use, a feasibility study, prepared by a qualified professional, which includes mitigation measures shall be undertaken in accordance with the relevant D-series guideline and to the satisfaction of the Township. Where required, a legally-binding commitment to implement mitigation measures shall be secured.

2.18 CULTURAL HERITAGE AND ARCHAEOLOGICAL RESOURCES

2.18.1 Cultural Heritage Resources

1. Cultural heritage resources consist of built heritage resources such as historic buildings, structures and other human-made features, as well as cultural heritage landscapes, all of which have importance to the Township. The Township possesses many examples of important sites and features, a number of which are located in various settlement areas or other built-up areas such as Butternut Bay. The Township recognizes the importance of these built heritage resources and

cultural heritage landscapes and the role that they play in making the Township a place of historic and cultural interest, both to local residents and visitors to the area. The Township shall conserve significant cultural heritage resources by encouraging the identification, protection, maintenance, restoration and enhancement of these features.

2. In reviewing development applications, the Township will consider the relationship of proposed development to the contextual environment of existing buildings and landscapes having cultural heritage interest. The Ministry of Tourism, Culture and Sport, as well as the relevant Conservation Authority will be consulted, as appropriate. New development will be planned so as to conserve, complement and enhance cultural heritage resources.
3. Development and site alteration shall not be permitted on lands adjacent to protected heritage properties except where the proposed development and site alteration has been evaluated and it has been demonstrated, through the preparation of a Heritage Impact Assessment prepared by a qualified professional, that the heritage attributes of the protected heritage property will be conserved.
4. In the context of site planning, the Township shall consider the massing of buildings and structures so as not to conflict with existing built heritage resources, particularly in areas such as villages and hamlets. New development and redevelopment should complement the character of existing buildings, structures and the surrounding landscape.
5. Council may, by by-law adopted pursuant to the provisions of the *Ontario Heritage Act*, undertake the following:
 1. Designate properties for the conservation of heritage attributes that are of cultural heritage value or interest;
 2. Define parts of the Township as areas to be studied for designation as heritage conservation districts;
 3. Designate areas of the Township as heritage conservation districts in order to control any development that may adversely affect the heritage features of the area.
 4. Develop a municipal register of all properties of cultural heritage value or interest designated under the *Ontario Heritage Act*.
6. The Township shall seek the advice of the Municipal Heritage Committee pursuant to the *Ontario Heritage Act*, if such Committee is formed, to assist and advise Council on matters related to Parts IV and V of the *Ontario Heritage Act* and on cultural heritage matters.

7. It is recognized that elements such as architectural style and building cladding and colour are important components in the design of development in the design of development that is sensitive to and reinforces the contextual environment. To the extent that the legislation provides for controls such as those pursuant to the *Heritage Act*, as well as through the Township's support for the development and distribution of appropriate design guidelines by relevant agencies and organizations, the Township will endeavour to encourage development that is contextually supportive. Where appropriate, the Township will ensure cultural landscape conservation and sympathetic design through the policies of the **Site Planning and Design Guidelines** section of this Plan.
8. Where economically feasible, Council intends to set an example to the community by maintaining Township-owned buildings and properties of cultural heritage value or interest in accordance with the intent of the policies of this section, whether or not such buildings or properties have been designated.
9. Council, in co-operation with the Municipal Heritage Committee, may also implement a program to recognize outstanding achievements in the conservation of buildings and properties of cultural heritage value or interest.
10. Notwithstanding general restrictions on the conversion of residential buildings to non-residential uses within the County Road No. 29 Corridor, special consideration may be given to the conversion of identified historical buildings to uses that would conserve and enhance such buildings and augment the role of the Corridor as a gateway.
11. The approval authority shall require the preparation of a Heritage Impact Assessment, by a qualified professional, for a development proposal on lands adjacent to significant cultural heritage resources.
12. Council shall identify, and where feasible, conserve cultural heritage resources when undertaking municipal public works projects.
13. The interests of Aboriginal communities will be considered in conserving cultural heritage resources.

2.18.2 Archaeological Resources

1. It is recognized that there are known archaeological resources in the Township, and certain areas of the Township have the potential to contain significant archaeological resources. These resources may include the remains of buildings, structures, activities, places or cultural features which, due to the passage of time, are on or below the surface of land or water and are significant to the understanding of a people or place. Some of these resources are of particular interest as they may provide an enhanced understanding of the history of First Nations peoples and the early settlement of the Township.

2. Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. It is a policy of the Plan that Council will require the preparation and undertaking of an archaeological assessment for properties with known archaeological sites and/or potential for archaeological resources which may be affected by a development proposal. An archaeologist licensed by the Ministry of Tourism, Culture and Sport must perform all archaeological work according to the terms and conditions of their licence to the satisfaction of the Township and the Ministry of Tourism, Culture and Sport. Engagement with the Algonquins of Ontario is encouraged where archaeological assessments are undertaken on lands within the Algonquin Traditional Territory, as delineated on Appendix B.
3. Applications for Official Plan and Zoning By-law amendments, plan of subdivisions, plan of condominium or consent, as well as for the undertaking of new infrastructure works (ie. new road, road widening, municipal or communal water or sewage systems, waste disposal sites) will be screened for their archaeological potential, using the criteria established by the Ministry of Tourism, Culture and Sport. At the time of adoption of this Plan, the criteria have been set out in the document entitled “*Criteria for Evaluating Archaeological Potential: A Checklist for the Non-Specialist*” which identifies a site as having archaeological potential when one of the following are present:
 1. A known archaeological site on or within 300 metres of the property or project area;
 2. Aboriginal or local knowledge of archaeological sites on or within 300 metres of the property or project area;
 3. Aboriginal knowledge or historically documented evidence of past Aboriginal use on or within 300 metres of the property or project area;
 4. A known burial site or cemetery on the property or adjacent to the property or project area;
 5. The property or project has been recognized for its cultural heritage value;
 6. A past or present water source within 300 metres of the property or project area;
 7. Evidence of two or more of the following on the property or project area:
 - Elevated topography
 - Pockets of well-drained sandy soils
 - Distinctive land formations

- Resource extraction areas
- Early historic settlement
- Early historic transportation routes

The Township will endeavour to evaluate for the presence of archaeological potential on the basis of the current provincial screening criteria established by the Province, and may consult with the Ministry and/or a licensed archaeologist from time to time in making such determination. Development proponents are encouraged to consult the Ministry checklist to screen for archaeological potential.

4. The Township may undertake to have an archaeological management plan prepared by a licensed archaeologist in its efforts towards conserving cultural heritage and archaeological resources. Such a plan will include engagement with the Algonquins of Ontario to have regard for the Algonquin Traditional Territory, as delineated on Appendix B. Where an archaeological management plan is adopted by Council, such plan shall be relied upon by the Township to screen for archaeological potential instead of the criteria set out in the preceding paragraph.
5. Where significant archaeological resources are found, the evaluation must contain mitigation measures relating to their preservation or removal. Where significant archaeological resources must be preserved in situ, only development and site alterations which maintain the heritage integrity of the site will be permitted.
6. Pursuant to the relevant provisions of the *Planning Act*, sites containing significant archaeological resources may be zoned to restrict or prohibit uses, buildings or structures which might conflict with the preservation of such resources.
7. When an identified marked or unmarked cemetery is affected by development, the Township shall ensure that adequate archaeological site assessment is undertaken, in consultation with the Ministry of Tourism, Culture and Sport and the Ministry of Consumer and Business Services. The provisions of the *Funerals, Burials and Cremation Services Act* and *Ontario Heritage Act* shall apply, as appropriate.
8. Pursuant to the provisions of a municipal-provincial data sharing agreement, the Township shall update municipal mapping for new archaeological sites as they are identified through land development and on the Provincial archaeological sites database.
9. In considering applications for shoreline or waterfront development, Council shall ensure that cultural heritage resources, both onshore and in the water, where within their jurisdiction, are not adversely affected. Council may require an archaeological assessment and satisfactory measures to mitigate negative impacts on significant cultural heritage. Council may require a marine archaeological assessment if partially or fully submerged marine features of cultural heritage value are identified and may be impacted by shoreline and waterfront developments.

10. The interests of Aboriginal communities will be considered in conserving archaeological resources.

2.19 NATURAL HAZARD FEATURES

2.19.1 Flood Plains

Flooding is a natural occurrence along all waterbodies and watercourses in the Township. It becomes a hazard when buildings and structures are placed where there is a risk of inundation. Minor flooding occurs on a seasonal basis. The 1:100 year flood elevation, plus an allowance for wave uprush and other water-related hazards, is used for planning purposes in this area of the Province. Flood plain management policies are intended to prevent the loss of life, to minimize property damage and social disruption, and to encourage a coordinated approach to the use of land and the management of water.

1. The areas within existing mapped 1:100 year flood lines, as well as within defined portions of the 1:100 year flood level (situated below the 75.8-metre (G.S.C.) elevation) along the St. Lawrence River, are designated as Natural Hazard on Schedule A and are subject to the policies of the associated **Natural Hazard** section of this Plan.
2. Lands within and adjacent to lands subject to flood hazards are subject to the Section 28 Regulation made pursuant to the *Conservation Authorities Act* and administered by the relevant Conservation Authority. While these lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no development or site alteration such as filling, grading and excavating shall occur without the written permission of the relevant Conservation Authority in accordance with the Section 28 Regulation.
3. The regulatory flood plain along the St. Lawrence River is based on a 1:100 year water level, plus a factor to account for wave uprush. New development and site alteration in the regulatory flood plain is prohibited, except for those uses that by their nature must be located within the regulatory flood plain.
4. Setbacks will be imposed from the regulatory flood plain relative to the extent or severity of the hazard and in consultation with the relevant Conservation Authority. Where such setbacks are required, they shall typically range from 6 metres to 15 metres.
5. Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations and electrical substations and uses associated with the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted.

6. For existing lots of record and where no reasonable alternatives exist, development and site alteration in the wave uprush portion of the flood plain shall only be permitted where the effects and risk to public safety are minor, could be mitigated in accordance with Provincial Standards, as determined by the demonstration and achievement of all of the following:
 1. Development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
 2. New hazards are not created and existing hazards are not aggravated;
 3. No adverse environmental impacts will result; and
 4. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies.

2.19.2 Unstable Soils and Unstable Bedrock

1. Lands with the potential for unstable soils include those lands identified as possessing organic soils from the Canada Land Inventory for Agricultural Capability, as well as permanently wet areas as identified on Ontario Base Mapping sheets. Both sources are shown on Schedules B to the Plan, which shall be used as a screening tool by the Township for organic soils. Where lands that are the subject of development proposals have been identified as potentially possessing organic soils, the approval authority may request sufficient soils and geotechnical engineering information to indicate that the lands are either suitable or can be made suitable for development.
2. Lands with the potential for unstable bedrock (i.e. karst topography) are not shown on Schedule B as there are no known areas of karst topography in the Township. Where lands that are the subject of development proposals have been identified as possessing unstable bedrock, the approval authority may request sufficient geotechnical engineering information to indicate that the lands are either suitable or can be made suitable for development.
3. Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations and electrical substations and uses associated with the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted.
4. Development and site alteration in areas containing unstable soils and/or unstable bedrock shall only be permitted where the effects and risk to public safety are minor, could be mitigated in accordance with Provincial Standards, as determined by the demonstration and achievement of all of the following:

1. Development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
2. New hazards are not created and existing hazards are not aggravated;
3. No adverse environmental impacts will result; and
4. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies.

2.19.3 Steep Slopes and Erosion Hazards

1. Lands characterized by steep slopes can pose risks to persons and property as a result of potential slope instability or erosion. In Elizabethtown-Kitley, steep slopes along portions of the St. Lawrence River are of some concern in this regard, as are concerns related to the protection of matters addressed in the **Natural Heritage Features and System** and **Surface Water Quality and Quantity** sections of this Plan. In addition to the obvious potential dangers to persons and property, development on steep slopes or erosion-prone lands can have significant negative impacts on features such as fish and wildlife habitat, soils and vegetation, surface water quantity and quality, wetlands and ANSIs, and other resources discussed in the **Natural Heritage Features and System** section of the Plan.
2. Lands within and adjacent to lands subject to steep slopes and erosion hazards are subject to the Section 28 Regulation made pursuant to the *Conservation Authorities Act* and administered by the relevant Conservation Authority. While these lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no development or site alteration such as filling, grading and excavating shall occur without the written permission of the relevant Conservation Authority in accordance with the Section 28 Regulation.
3. Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations and electrical substations and uses associated with the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted.
4. Appropriate setbacks from steep slopes and erosion-prone lands are important to minimizing risks to persons and property. Setbacks will be imposed from steep slopes and erosion hazards relative to the extent or severity of the hazard and in consultation with the relevant Conservation Authority. In considering development and/or planning applications, the approval authority will ensure that erosion potential is included in the issues to be considered and may require a geotechnical analysis by a qualified professional.

5. Sites possessing steep slopes represent a challenge, since they are often regarded as desirable for development, particularly where they abut water bodies. Lot creation or development on a portion of a site where the applicable stable slope and erosion allowances are not met shall require the submission of a geotechnical report prepared by a qualified expert to ensure that the property is suitable for development. Such report shall be prepared to the satisfaction of the approval authority and the relevant Conservation Authority. Development and site alteration shall only be permitted if all of the following can be achieved:
 1. Development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
 2. New hazards are not created and existing hazards are not aggravated;
 3. No adverse environmental impacts will result; and
 4. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies.
6. It is a policy of this Plan that lot creation and development and site alteration shall be undertaken so that a fit into the natural contours of the land is achieved. This will affect the massing and location of buildings, structures, driveways and other features, limit the extent of alteration to the landscape and natural vegetation, and necessitate more complex storm water management techniques than might ordinarily be required. In general, the greater the slope, the more emphasis shall be placed on these elements of site development.

2.19.4 Wildland Fire Hazards

1. Certain lands within the Township have been identified as areas that may be unsafe for development due to the presence of hazardous forest types for wildland fire. Wildland fire hazard lands identified by the Counties are shown on Appendix A of this Plan. Wildland fire hazard lands are categorized according to the degree of risk, and are provided as a screening tool for identifying areas potentially at risk for wildland fire in the Township. In the absence of detailed mapping, not all lands identified on Appendix A will represent wildland fire hazards. Where updated mapping becomes available, Appendix A may be revised without requiring an amendment to this Plan.
2. Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Accordingly, areas that are classified on Appendix A as having a high to extreme wildland fire hazard potential, are also shown on Schedule B, and development will generally be directed to areas that are outside of those identified as a high to extreme risk for wildland fire. Development may be permitted on lands identified as having a high to extreme wildland fire hazard potential where risk is mitigated in

accordance with wildland fire assessment and mitigation standards as identified by the Province.

3. Proponents of development applications within lands shown as wildland fire hazard lands shall undertake an assessment of the presence of high to extreme risk for wildland fire on the subject lands and on adjacent properties. In some cases, a site assessment for wildland fire risk may be completed in conjunction with the requirements for an environmental impact assessment. Where a site has been assessed as possessing potential for wildland fire risk, the assessment shall identify the measures to be implemented to mitigate the risk of wildland fire. Prior to approving development, the Township may consult with the Ministry of Natural Resources and Forestry regarding the proposed mitigation and management approaches to mitigate risk.
4. Wildland fire mitigation shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or ecological functions.

2.20 HUMAN-MADE HAZARD FEATURES

2.20.1 Contaminated Sites

1. Where a development application for a change of use from industrial or commercial to residential or parkland is made in relation to a known, suspected or potentially contaminated site or on property adjacent to such site, the approval authority shall not grant any planning approvals until:
 1. A Record of Site Condition signed by a certified engineer has been filed in the Provincial Registry;
 2. A Phase 1 Environmental Site Assessment (ESA) shall be carried out on any site which may be contaminated and a Phase 2 ESA shall be completed, if required; and
 3. Clean-up of contaminated sites shall be done in accordance with the Record of Site Condition Regulation (O.Reg 153/04) and the Ministry of the Environment and Climate Change guideline Records of Site Conditions – A Guide on Site Assessment, the Cleanup of Brownfield Sites and the Filing of Records of Site Condition, dated October 2004 and associated guidelines.
2. The Township will develop an inventory of sites where current or past uses may have, or are known to have, contributed to the presence of contaminants.

3. The Township will encourage owners of potentially contaminated sites to remediate their sites so that they may be reintegrated into the community.
4. Development may only be permitted on, abutting or adjacent to contaminated sites if rehabilitation or other measures to address and mitigate known or suspected hazards are underway or have been completed such that there will be no adverse effects.

2.20.2 Abandoned Mines, Mineral Resource Operations, and Petroleum Wells

1. There are a number of abandoned mines and mineral resource operations in the Township and approximate known locations of abandoned mines are identified on Schedule B. The greatest concentration of such sites is located in a corridor parallel to Highway No. 401, although some sites exist in other parts of the Township. These abandoned sites vary widely in nature, from little more than minor ground disturbances to major excavations and/or shafts. In the case of more major disturbances, a risk to public safety may exist. There are no known petroleum wells in the Township.
2. In reviewing development applications, the Township shall attempt to ensure that development on or adjacent to lands affected by potentially hazardous abandoned mines or mineral resource operations will be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are underway or have been completed. The Ministry of Northern Development and Mines shall be consulted in relation to any new development within a one kilometre radius of an abandoned mine site. The Ministry of Natural Resources and Forestry shall be consulted in relation to development on or adjacent to abandoned pits and quarries.

2.21 NATURAL HERITAGE FEATURES AND SYSTEM

Natural heritage features include wetlands, areas of natural and scientific interest (ANSIs), fish habitat, wildlife habitat, woodlands, valleylands and portions of the habitat of endangered and threatened species. These features are important to the unique rural character and diversity of the natural environment found in the Township and possess or perform ecological functions. While all natural heritage features are important to the Township, some have been identified as having Provincial significance.

This Plan recognizes that these features should not be viewed in isolation, but rather, they form part of a natural heritage system that is linked by natural corridors and that they are an essential part of the maintenance of biological and geological diversity, natural functions, and viable populations of indigenous species and ecosystems. Since all natural heritage features possess and perform important ecological functions, the Township will promote the enhancement, restoration, or, where possible, the improvement of these natural features and their linkages between surface and groundwater features.

Some of these natural heritage features and areas are identified through natural heritage land use designations indicated on Schedule A, while other features and areas are indicated using a constraints overlay approach on Schedule B. In some cases, such as endangered species and significant wildlife habitat, locational information is not indicated in order to protect the species. In addition to the natural heritage features and areas identified on Schedule A and B of this Plan, the Township's natural heritage system also includes natural heritage corridors, linkages, and surface and groundwater features found throughout the Township. Collectively, and through policy protection afforded to these natural heritage components, these natural features and areas comprise the key components of the Township's natural heritage system.

Accordingly, this Plan recognizes that natural corridors such as hedgerows and watercourses are integral components in maintaining connectivity and ecosystem diversity over the broader landscape scale. While many of these natural corridor features are not specifically identified on Schedule B as natural heritage features, these features are accorded policy protection through policies contained in this section of the Plan and the **Development Adjacent to Water Bodies** section of the Plan. It is the intent of this Plan to recognize the importance and significance of natural corridors and linkages between natural heritage features and areas.

Where development is proposed within or adjacent to lands within the natural heritage system, the Township will require an environmental impact assessment prepared in accordance with the **Environmental Impact Assessments** section of this Plan. Depending on the nature of the development and site alteration, and in circumstances where there is a low likelihood of negative impact on the natural heritage system, the Township, in consultation with the Conservation Authority, may waive the requirement for an environmental impact assessment.

The Counties-wide Natural Heritage System Strategy is intended to reinforce the conservation, restoration, and enhancement of identified natural heritage features and areas and to promote the overall diversity and interconnectivity of natural heritage features and areas. Until such time that the Counties prepares a refined Natural Heritage System Strategy, the natural heritage features and areas identified in this Plan shall comprise the key components of the natural heritage system for the Township. The Township will endeavour to contribute in the development of the Counties-wide Natural Heritage System Strategy.

The policies of this Plan are intended to address the requirements which must be met in order to ensure that natural heritage features are adequately protected. These policies may be amended from time to time as additional information is gathered with respect to the significance or sensitivity of various natural heritage features.

As a general policy, established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to all natural heritage features and areas, but new or

expanded agricultural buildings or structures or the clearing or draining of additional lands are only permitted subject to the **Environmental Impact Assessments** section of this Plan.

2.21.1 Wetlands and Adjacent Lands

1. Provincially-significant wetlands, including significant coastal wetlands, have been designated as Natural Heritage - PSW on Schedule A and are subject to the policies of the associated **Natural Heritage - PSW** section of this Plan, which effectively prohibits development and site alteration within the designation.
2. Locally-significant wetlands have been designated as Natural Heritage on the Schedules and are subject to the policies of the associated **Natural Heritage** section of this Plan.
3. Development and site alteration such as filling, grading and excavating on lands adjacent to the Natural Heritage - PSW and Natural Heritage designations shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
4. Development or site alteration within or adjacent to wetland areas is subject to the Section 28 Regulation made pursuant to the *Conservation Authorities Act* and administered by the relevant Conservation Authority.
5. For the purposes of determining adjacent lands, they shall be those lands lying within 120 metres of any Provincially-significant wetland, including coastal wetlands, and within 50 metres of any locally-significant wetland.

2.21.2 Areas of Natural and Scientific Interest (ANSIs) and Adjacent Lands

1. ANSIs represent areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education, and are categorized as being either Life Science ANSIs or Earth Science ANSIs. In addition, ANSIs are further categorized by the Province as being provincially significant or as being a candidate for future consideration as a provincially significant ANSI.
2. At the time of adoption of this Plan, only Life Science ANSIs have been identified in the Township. The Brockville Long Swamp Fen has been confirmed as being a provincially significant ANSI, while the Irish Lake Marsh, Cranberry Lake Swamp, and Fernbank Forest ANSIs have been identified as being candidate ANSIs. For the purpose of this Plan, the policies for significant ANSIs also apply to candidate ANSIs and all have been designated as Natural Heritage on Schedule A. If further ANSIs are subsequently identified, they shall be designated as Natural Heritage on

the Schedules and be subject to the policies of the associated **Natural Heritage** section of this Plan.

3. Development and site alteration such as filling, grading and excavating on lands within an ANSI shall not be permitted unless it has been demonstrated that there will be no negative impacts on the ANSI's natural features or their ecological functions. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
4. Development and site alteration such as filling, grading and excavating on lands adjacent to an ANSI shall not be permitted unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the ANSI's natural features or their ecological functions. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
5. For the purposes of determining adjacent lands, they shall be those lands lying within 120 metres of any ANSI – Life Science and 50 metres of any ANSI – Earth Science.

2.21.3 Fish Habitat and Adjacent Lands

1. The spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes constitute fish habitat. Fish resources have large value to the Township for their vital role in the food chain, their contribution to the diversity of species, as well as their function as a natural water quality indicator. The Township has considerable interest in protecting fish habitat from harmful alteration, disruption and destruction.
2. Most of the Township lakes, rivers, streams, ponds, watercourses and wetlands that provide fish habitat have been identified by the Ministry of Natural Resources and Forestry. Fish habitat has not been identified on the Schedules. Consequently, all applications for development or site alteration such as filling, grading and excavating adjacent to any water body will be screened by the approval authority for the presence of fish habitat. Where such fish habitat is identified, no development or site alteration shall be permitted within 120 metres of the habitat, except in accordance with provincial and federal requirements. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan, to identify the appropriate measures to be undertaken and to ensure that there will be no negative impacts on the natural features or the ecological functions of the habitat they support.

3. Where development or site alteration may potentially affect fish habitat, the Department of Fisheries and Oceans or the relevant Conservation Authority, as applicable, shall be consulted and required approvals obtained.
4. It is recognized that storm water management and drainage measures, although frequently located some distance from fish habitat, have significant potential to affect it. When evaluating storm water and drainage activities, consideration shall be given to potential impacts upon fish habitat.
5. Storm water management approaches that maximize natural infiltration and minimize runoff, both during and after construction will be selected. The relevant Conservation Authority shall be consulted.

2.21.4 Significant Wildlife Habitat and Adjacent Lands

1. The Township recognizes the importance of conserving wildlife habitat for the purposes of maintaining the ecosystem and its diversity. Additionally, many social and economic benefits accrue from maintaining habitat, related to tourism, nature observation and education, hunting and trapping.
2. Wildlife habitat includes areas where flora and fauna live and the latter find food, shelter and physical space sufficient to sustain their population, particularly at times during their annual life cycle when they may be more vulnerable. Human activities such as clearing of wooded areas, drainage works, filling, forestry operations, introduction of non-native species and road construction are examples of activities that can have a detrimental effect on wildlife habitat.
3. The Significant Wildlife Habitat Technical Guide prepared by the Ministry of Natural Resources and Forestry provides detailed technical information on the identification, description, and prioritization of significant wildlife habitat. Significant wildlife habitat may include areas where there are seasonal concentrations of animals, rare vegetation communities and specialized habitats for wildlife, habitats of species of special concern, and animal movement corridors.
4. Significant wildlife habitat areas have not been mapped on Schedule B of this Plan, however, it is recognized that significant wildlife habitat may exist within any of the natural heritage features and areas described in this Plan, as well as outside of the identified natural heritage features. In view of the limitations with respect to information availability concerning significant wildlife habitat, as well as the acknowledged strong ecological linkages between natural feature areas and wildlife habitat, this Plan assumes that all natural heritage features may contain potentially significant wildlife habitat. In determining the significance of wildlife habitat within these features and areas, the process for identifying and confirming significant wildlife habitat shall follow the process as set out in the “Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement”. In the interim, the Township will endeavour to contribute to the

Counties-wide Natural Heritage System Strategy review which will establish the criteria for determining significance.

5. The Township seeks to preserve the function of significant wildlife habitat without unduly restricting development. Accordingly, prior to permitting any development or site alteration such as filling, grading and excavating within a significant wildlife habitat area or on adjacent lands within 120 metres where there is a reasonable potential for negative impacts upon the natural features or ecological functions of the habitat area, the approval authority shall require an environmental impact assessment demonstrating that there will be no negative impacts on the habitat's natural features or their ecological functions. Without limiting the generality of the foregoing, the preparation of an environmental impact assessment shall be a prerequisite to the consideration of any planning application, where the Township's screening process indicates the presence of potentially significant wildlife habitat. The assessment required pursuant to this policy will be completed in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.

2.21.5 Endangered and Threatened Species Habitat and Adjacent Lands

1. Endangered species are those species listed as such in the Species at Risk in Ontario list under the *Endangered Species Act*. The purpose of the Act is to identify species at risk, to protect such species and their habitats, to promote species recovery and to foster stewardship activities to assist in the protection and recovery of species at risk. Endangered species and the significant habitat of these species is protected through the *Endangered Species Act* and through this land use policy.
2. The Township encourages property owners to consult the *Endangered Species Act* and related O.Reg 230/08 as well as consult the Natural Heritage Information Centre database prior to undertaking development or site alterations. The Centre makes data available to the public on the Province's rare species, vegetation communities and natural areas. The database includes information on the occurrence of endangered and threatened species and is an important screening tool for assessing the likelihood of the presence of endangered and threatened species habitat.
3. This Plan recognizes that endangered and threatened species may exist throughout the Township, and the Township's policy with respect to endangered and threatened species is as follows:
 1. The habitat of endangered and threatened species shall not be identified on Schedule B to this Plan in order to protect the species. The environmental impact assessment process associated with natural heritage features may identify the presence of endangered and threatened species habitat. In other cases, a screening map showing areas of documented occurrences of endangered or threatened species and their habitats provided to the

Township by the Ministry of Natural Resources and Forestry will be used as a screening tool for reviewing planning applications.

2. Where endangered or threatened species habitat has been identified through an environmental impact assessment or screening process, the proponent shall retain a qualified professional to conduct a preliminary ecological site assessment to delineate the significant habitat within or adjacent to the area of proposed development. The Township may consult with the Ministry of Natural Resources and Forestry on the findings of the report as to the extent of significant habitat present. If significant habitat of endangered and threatened species is identified, no development or site alteration shall be permitted within the significant habitat, except in accordance with provincial and federal requirements.
3. A site inventory for butternut, an endangered tree species, will be required prior to disturbance or removal of trees. Where harm to (cutting branches, root disturbance, etc.) or removal of butternut is proposed, prior assessment of the health of the species by a qualified Butternut Health Assessor is required. If the butternut is determined to be “not retainable”, a certificate from the assessor indicating that the tree(s) can be removed will be required. If, however, the butternut is “retainable” a permit will be required for its removal pursuant to the *Endangered Species Act*.

2.21.6 Significant Woodlands and Adjacent Lands

1. The Township possesses many large, contiguous woodland areas scattered throughout the Township. These areas provide many environmental and economic benefits. Ecological functions include contributions to water quality and quantity by decreasing storm water runoff, soil erosion, flooding, and also removing sediments and toxins. Woodlands provide important habitat that is essential to the survival of many species of flora and fauna, including certain endangered or threatened species, as well as contributing to improved fish habitat. Woodland areas also contribute to the forest-covered character of portions of the Township and enhance the scenic and recreational qualities of the area to the benefit of residents, local businesses and visitors alike.
2. Significant woodland areas are important ecologically, in terms of species composition, age and stand history, functionally, in terms of their broader landscape function due to location, size, and linkage to other woodlands, and economically, due to their quality, species composition, and past management history. Significant woodlands have been identified on Schedule B to this Plan, using the criteria and methodology found in the “Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement”. The criteria include woodland size, woodland interior (core habitat that is 100 metres from a woodland edge), proximity to other significant woodlands, linkages, uncommon woodland characteristics and woodland age.

3. The boundaries of significant woodlands as shown on Schedule B were not field checked for accuracy. In this regard, site assessments will be an integral part of environmental impact assessments to verify the presence of significant woodlands.
4. Development and site alteration such as filling, grading and excavating on lands within significant woodlands shall not be permitted unless it has been demonstrated that there will be no negative impacts on the woodland's natural features or their ecological functions. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
5. Development and site alteration such as filling, grading and excavating on lands adjacent to significant woodlands shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the woodland's natural features or their ecological functions. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
6. For the purpose of this Plan, adjacent lands are those lands lying within 120 metres of any significant woodland identified on Schedule B.

2.21.7 Significant Valleylands and Adjacent Lands

1. A valleyland is a natural area that occurs in a valley or other landform depression that has water flowing through it for some period of the year. Valleylands would only be considered significant if they are considered to be ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system using the criteria set out in the "Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement". Until such time that the Counties establishes the criteria for determining significance in relation to significant valleylands, it is considered that the Township does not contain any significant valleylands. This Plan shall be amended to identify significant valleylands and provide policies to protect such feature, if and when significant valleylands are identified within the Township.

2.21.8 Environmental Impact Assessments

1. The various interrelated features that comprise the natural heritage system vary considerably in terms of their sensitivity to development. Some features and areas may accommodate some development, while others are highly sensitive. The process of undertaking environmental impact assessment is intended to assist in making that determination.

2. The nature and scale of proposed development, its physical location relative to the natural feature(s) or areas(s) and the contextual environment (i.e. built versus natural) in which it is to occur are important considerations in the context of establishing the appropriate level of study to be associated with an environmental impact assessment. Additionally, the number, nature and sensitivity of natural heritage features within an area will have a significant bearing on the extent of study required.
3. Potential negative impacts on the identified natural heritage feature or area will be examined through a process of environmental impact assessment, conducted on a case-by-case basis, prior to the approval of development. The scope and scale of an environmental impact assessment shall be determined by the approval authority, in consultation with the relevant Conservation Authority, but shall be appropriate to both the type and size of the proposed development, the nature of the natural feature(s) to be assessed and whether the proposed development is to occur within or adjacent to the identified natural features(s) and area(s). In all cases, an environmental impact assessment must demonstrate that there will be no negative impacts on the natural features or ecological functions for which the area or feature and associated lands is identified.
4. Depending on the nature of the development and site alteration, and in circumstances where there is a known likelihood of negative impact on the natural heritage system, the Township, in consultation with the relevant Conservation Authority, may either waive the requirement for an environmental impact assessment, require a scoped environmental assessment, or require the completion of an environmental screening checklist submitted to the approval authority as part of a planning application. The purpose of the checklist will be to provide a screening of the likelihood of negative impacts.
5. In situations where a comprehensive assessment is warranted from the outset, or, in situations where a more detailed review is deemed necessary from the outcome of a scoped environmental impact assessment or screening checklist, a full environmental impact study will be required. A full environmental impact study must be prepared by a qualified professional and must assess the potential negative impacts on the natural features and ecological functions of the area in question. Such environmental impact study shall be required prior to the consideration of the planning application by the approval authority.
6. An environmental impact study shall:
 1. Define the nature and the boundaries of any significant features, ecological functions, and values on, or adjacent to the site;
 2. Describe and map the proposed development activities, including building location, excavation, site grading, landscaping, drainage works, roadway

- construction, paving, sewage and water servicing in relation to the various environmental considerations;
3. Predict the effects of the proposed development on the various components of the environment on and adjacent to the site, such as wildlife, fish, vegetation, soil, surface water, ground water, air and any other relevant factors, taking into consideration effects during and after site alteration;
 4. Evaluate the significance of all predicted and negative and positive effects on the various environmental considerations;
 5. Itemize and recommend all measures that can be taken to mitigate the predicted negative impacts;
 6. Evaluate the cumulative effect that the project (and any other known projects or activities) may have following implementation of any mitigation measures on the natural features and ecological functions identified for protection;
 7. Conclude with a professional opinion on whether negative effects on the natural features and ecological functions will occur, the significance of such impacts, and whether ongoing monitoring is required.
7. Where a development and/or site alteration is approved by the approval authority, the approval authority may use various planning controls such as site-specific zoning provisions or site plan control to ensure that development and/or site alterations, as well as any required monitoring activities, will occur in accordance with the recommendations of the environmental impact assessment.
 8. In reviewing environmental impact assessment submissions, the approval authority will consult with independent professionals and other bodies such as the relevant Conservation Authority, as required, to determine whether the development can proceed.

2.22 GROUND WATER SUPPLY, SEWAGE DISPOSAL AND OTHER SERVICES

2.22.1 Ground Water Supply and Sewage Disposal

1. There are no full municipal water or sewage services available in the Township and it is unlikely that such services will be extended in the foreseeable unless it were required on an isolated remedial basis for health and safety reasons. Communal water and sewage servicing options are of no interest to the Township, as they would accommodate certain more intense forms of development that place heavier demands on sewage and water services, such as residential projects consisting of

more than five units or lots served by common sewage and/or water systems. It is recognized that current technologies and implications for municipal responsibility for communal systems resulting from Provincial policy requirements render this servicing option problematic for both land owners and the Municipality. As a consequence, it is anticipated that new development will continue to occur on the basis of private on-site water supply and sewage disposal services in accordance with the requirements of the approval authority having jurisdiction. In addition, a small quantity of residential development utilizing shared or common services involving five or less residential units or lots may be permitted. The Township shall not consider residential development proposals of more than five residential units or lots serviced with communal services as the Township does not wish to enter into responsibility agreements with the owner-operator of the services, as required by Provincial policy.

2. Notwithstanding the fact that there are no full municipal water or sewage services available in the Township, the area lying to the west of Brockville and along or immediately adjacent to County Road No. 2 may continue be developed on the basis of partial services through connection to an existing piped water supply that runs along the said road, with sewage services provided through individual on-site systems. While development on partial services is ordinarily strongly discouraged in the Township, an exception to servicing policies is accorded to this area on the basis of its history and the partial-servicing policy that has been in place for the entire life of the former Official Plan. By way of explanation, the existing municipal piped water supply was put in place approximately in 1997-1998 as a remedial measure that was necessitated by groundwater contamination attributed to road salting operations. The infrastructure put in place at the time was oversized to accommodate the equivalent of 825 households, although only 255 properties were initially connected. The intent of the oversizing was to accommodate all existing development in the area, together with that contemplated pursuant to the land use designations contained in the Township's existing Official Plan at the time. Accordingly, and consistent with the expectations of affected property owners, this Plan substantially maintains the policies of the previous Official Plan for this area in terms of both partial servicing and land use designations.
3. The protection of ground water quality and quantity is of major interest to the Township, given the importance of ground water source potable water to permanent residential development, as well as all commercial and industrial uses and institutions. In 2001, the United Counties of Leeds and Grenville completed the *Groundwater Management Study* to assess existing ground water conditions and recommend management and protection practices to maintain the quantity and quality of the ground water resource in order to protect it as a safe supply of potable water for current and future generations. Highly vulnerable aquifers and significant groundwater recharge areas shall be protected so that there is sufficient quantity and quality of water to meet existing and future uses on a sustainable basis.

4. The determination of site suitability for proposed sewage disposal systems and the environmental sustainability of development (i.e. long term protection of ground water) are important considerations in development. Required servicing reports such as hydrogeological investigations, terrain analyses, impact assessments and servicing options reports shall be provided to the satisfaction of the approval authority, including the relevant approval authority for water supply and sewage disposal systems.
5. Throughout the Municipality, high water users which would be best served by municipal water and sanitary sewers or communal systems requiring municipal responsibility agreements will not be permitted. In addition, uses with significant potential to contaminate ground water sources should be discouraged, particularly where they would be adjacent to residential areas and other sensitive land uses.

In reviewing development applications, cumulative impacts of private services shall be monitored to ensure sustainability of development.

6. The minimum lot size for development shall be in accordance with the requirements of this Plan and the implementing Zoning By-law, although the approval authority may require larger lots or impose special conditions or restrictions on development where deemed necessary to address health, safety or other issues related to the proper functioning of water and sewage services.
7. The Township will encourage the regular maintenance of sewage disposal systems and the upgrading or replacement of substandard systems. Where the upgrading or replacement of an existing system cannot reasonably be undertaken in compliance with the policies of this Plan with respect to water setbacks due to site-specific constraints, such sewage system improvements may be permitted with reduced setbacks, subject to meeting the requirements of the *Building Code Act*.
8. The Township will monitor the development of alternative sewage system technologies. Individual treatment systems designed to improve effluent quality, as well as small shared systems, may have significant implications for retrofit situations on existing single lots and more intense cluster development forms, respectively. The Township will review its servicing and development policies as required to accommodate new technologies and development forms.
9. The Township supports initiatives of both public and private interests to encourage the efficient and sustainable use of water resources, including water conservation practices.
10. The Township may consider the establishment of an on-site sewage disposal system inspection program and/or septic system education and awareness program throughout the Township.
11. It is expected that the Ministry of the Environment and Climate Change will release guidelines in the future 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 Township to consider amendments to the Official Plan to be consistent with the Sewage and Water policies of the Provincial Policy Statement.

2.22.2 Other Services

1. Development shall be encouraged to take place in settlement areas where other services are either already available or can be readily provided. Among others, such services may include but are not limited to public roads, waste collection, disposal and recycling, fire protection, police protection, ambulance service, education, school bussing and parks and other recreational facilities.

2.23 SURFACE WATER QUALITY AND QUANTITY

2.23.1 Development Adjacent to Water Bodies

1. In addition to the policies of the **Fish Habitat and Adjacent Lands** section of this Plan, which are aimed at protecting fish habitat, the Township has a direct concern with the issue of surface water quality impacts related to water-oriented development, whether located directly on the waterfront of the Township's lakes, creeks or rivers, or adjacent to these water bodies. Further, it is recognized that there is a relationship between surface water and ground water quality.
2. Over the years, various research has been undertaken with respect to the issue of surface water quality and lake capacity. Policies to address, water setback and water frontage follow:

1. Water Setback

1. An adequate water setback serves an important function in relation to the protection of the natural and cultural heritage characteristics and water quality of the lakes and rivers of the Township. The intent of a water setback is to prevent the disturbance of the shoreline area as a result of the placement of buildings and structures, including sewage systems, or the removal of the soil mantle and natural vegetation. In addition to preserving the natural aesthetic qualities of the shoreline as viewed from the water, an appropriate water setback can reduce phosphorus and other nutrient loads to the lake and, in combination with vegetation, prevent erosion and sedimentation. Development or site alteration such as filling, grading and excavating shall generally occur a minimum distance of 30 metres from the normal high water mark of any water body with

minimal disturbance of the native soils and very limited removal of shoreline vegetation. The quantitative element of this setback shall be implemented through the comprehensive Zoning By-law, while the qualitative elements shall be addressed through the Site Plan Control process.

2. Where lake-specific or site-specific conditions suggest that it would be appropriate, the minimum water setback may be increased. Examples of the latter would include sites with steep slopes, limited soil depth, sub-optimal (i.e. very high or very low) soil percolation rates, large inland presence of the 1:100 year flood plain, or limited vegetative cover.
3. Development or site alteration may be permitted less than 30 metres from a water body in situations where existing lots or existing developments preclude the reasonable possibility of achieving the setback. In such cases, proponents will be required to achieve the greatest possible/feasible setback for all development and site alteration, including septic systems, given existing site constraints such as lot size, lot shape and terrain. Extensions and enlargements to existing structures within the 30 metre water setback will be regulated through the Zoning By-law and shall not have the effect of further reducing a deficient waterbody setback. Any proposal for development or site alteration proposed to occur less than 30 metres from a water body shall be subject to the policies of the **Fish Habitat and Adjacent Lands** and **Environmental Impact Assessments** sections of this Plan.
4. Applications to further reduce an existing water setback of less than 30 metres will not be permitted. In order to achieve the greatest setback possible, proponents will be encouraged to seek variances to reduce minimum yards not adjacent to water rather than reducing existing water setbacks. Consideration shall also be given to maximizing the setback through building design and orientation, and the siting of the septic system.
5. New lots shall be capable of accommodating the 30 metre water setback for all new development, including septic systems, except for those proposed lots where the presence of an existing building means that the 30 metre setback cannot be achieved. In these instances, the policies of this Plan shall apply to ensure that any subsequent development does not further reduce the deficient setback and that the greatest possible setback is achieved. The creation of a new lot with an existing dwelling should be large enough, where possible, to accommodate redevelopment of the lot at a location that achieves the 30 metre setback.

6. It is the intention of this Plan to encourage increased water setbacks for replacement septic systems, where they are less than 30 metres from a water body.
7. Water setback requirements shall not apply to permitted encroachments, docks, boathouses, pump houses and other marine facilities accessory to permitted uses. Depending upon their location in relation to the water, such structures may require permits from approval authorities such as the Ministry of Natural Resources and Forestry and the relevant Conservation Authority in addition to, or instead of, approvals from the Township.
8. It is the policy of this Plan to encourage the protection of existing natural vegetation from disturbance and the revegetation or naturalization of altered or disturbed shoreline areas through the development approval process. Among other tools, tree cutting by-laws, site alteration by-laws and Site Plan Control may be utilized by the Township for this purpose.
9. Through the mechanism of Site Plan Control, the Township shall attempt to ensure that a buffer of substantially undisturbed and naturally-vegetated area abutting the length of the shoreline on waterfront properties, interrupted only by required water-related structures such as docks, pump houses and boathouses. This buffer will contribute to protecting the riparian and littoral zones and their associated habitat, prevent erosion, siltation and nutrient migration, and assist in maintaining the natural appearance of the shoreline area. This buffer will form part of the 30-metre minimum water setback required pursuant to this section and is intended to ensure the protection of the most environmentally-sensitive portion of the setback area. The Ministry of Natural Resources and Forestry, the St. Lawrence Parks Commission and the relevant Conservation Authority shall be circulated development applications, as applicable.

2. Water Frontage

1. As a general rule, the minimum water frontage for any new waterfront lot shall be 60 metres. This requirement may be increased where water body-specific or site-specific conditions suggest that it would be appropriate and shall be implemented through the Zoning By-law.
2. Where the creation of more than three non-waterfront lots from a waterfront land holding is proposed, a user-in-common deeded waterfront parcel of land shall generally be provided.

2.23.2 Storm Water Management

1. Storm water management is an important part of the Township's broader interest in protecting water quality. Storm water management is also important for flood control, maintaining baseflow in watercourses, water temperature regulation, erosion and sediment control, limiting nutrient and bacteria loading, maintaining fish habitat, providing groundwater recharge and preventing groundwater contamination. Due to the fact that development affects the quality and quantity of storm run-off, the Township will ensure that adequate consideration is given to storm water management, including off-site impacts.
2. In 2007, the Rideau Valley Conservation Authority produced a plan for the Kemptville Creek watershed which documents the condition of the watershed and pinpoints areas requiring further attention. It is expected that similar plans will be prepared for other area watersheds and sub-watersheds and the Township supports this work. The Township will have regard to the *Kemptville Creek Watershed Plan* and any future watershed plans that may be prepared, as well as relevant guidelines of the Ministry of the Environment and Climate Change, in establishing and revising storm water design criteria and standards.
3. Prior to recommending plans of subdivision for draft approval, the Township may request that conceptual storm water management plans be prepared for review by the relevant Conservation Authority and approval authorities. The conceptual plan will include a statement of the design objectives to be applied and a description of the storm water management practices to be applied, in accordance with the relevant Provincial policies. Applicants are encouraged to consult with the approval authority and the relevant Conservation Authority prior to submitting a draft plan of subdivision.
4. Prior to final approval of plans of subdivision, detailed storm water management plans will be required. Such plans will be prepared in accordance with the requirements of the relevant Conservation Authority and approval authorities. Design criteria will be based upon methods and procedures contained in the relevant Provincial planning and design manuals used by these agencies.
5. The Township will evaluate site plans according to an approved storm water management plan, or where no such plan exists, may request the following:
 1. A design for the provision of storm water drainage facilities;
 2. A determination of the impact of the development on the receiving watercourse or storm water management facility, both during and after construction, in respect of flooding, pollution, erosion, and sedimentation; and
 3. Measures for mitigating any adverse impacts if such are likely to result from the proposed development.

6. Development applications having potential impacts on the storm drainage system along County Roads or Provincial highways shall be circulated to the County Engineer or the Ministry of Transportation, as applicable.
7. The Township shall encourage storm water management practices that:
 1. Minimize or, where possible, prevent increases in contaminant loads;
 2. Minimize changes in water balance and erosion;
 3. Not increase risk to human health and safety and property damage;
 4. Maximize the extent and function of vegetative and pervious surfaces; and
 5. Promote storm water management best practices, including storm water attenuation and re-use, and low impact development.

2.24 SOURCE WATER PROTECTION

Uncontaminated and plentiful surface and groundwater resources are essential to the safe and adequate provision of drinking water. In order to meet the present and future needs of residents, businesses and the natural environment, it is the policy of this Plan to ensure sustainable surface and groundwater resources through the protection, conservation and careful management of the quality and quantity of drinking water sources.

As water contamination is extremely difficult, costly and sometimes impossible to rectify, prevention of contamination is the most appropriate strategy. Surface and groundwater sources shall be protected from a full range of drinking water threats.

Source water protection policies in this Official Plan are consistent with the intent of policies included in the Cataraqui Source Protection Plan (2014), Mississippi-Rideau Source Protection Plan (2014) and Raisin-South Nation Source Protection Plan (2014) made under the *Clean Water Act, 2006*. For clarification and policy detail, all three Source Protection Plans must be referenced. The terms used in this section carry the same meaning as those in the Source Protection Plans and the *Clean Water Act, 2006*.

In the event of conflict between long-term protection of drinking water sources and other considerations, drinking water shall take priority. Source Water Protection Plans are intended to protect vulnerable areas including wellhead protection areas and intake protection zones around municipal drinking water supplies, as well as significant groundwater recharge areas and highly vulnerable aquifers from activities identified as drinking water threats, per the *Clean Water Act, 2006*.

As an implementation body identified in the Source Protection Plans, the Township will comply with significant drinking water threat land use planning policies, have regard for

all other land use planning policies and provide due consideration for other non-binding recommendations in the Source Protection Plans, as applicable, to realize source water protection.

Monitoring and reporting consistent with requirements and/or recommendations in the Source Protection Plans and in a format specified by the Source Protection Authority, as applicable, and the Province of Ontario will be completed by the Township.

2.24.1 Vulnerable Areas

The Provincial Policy Statement accounts for municipal drinking water supplies and designated vulnerable areas. Accordingly, the Township will adapt municipal operations, consider program development, and work in partnership with the relevant Source Protection Authority and others to comply with or support source water protection within vulnerable areas, as per the details and timeframes included in the Source Protection Plans.

The *Clean Water Act, 2006*, defines a vulnerable area as a wellhead protection area, an intake protection zone, a significant groundwater recharge area, or a highly vulnerable aquifer. In the Township of Elizabethtown-Kitley, there is one intake protection zone, which is associated with the City of Brockville municipal water supply. There are no wellhead protection areas identified in the Township. Virtually the entire Township is considered to be a highly vulnerable aquifer and significant groundwater recharge area.

Particular activities that have the potential to contaminate sources of drinking water are called “drinking water threats”. The policies of this Plan take into account drinking water threats that must or should be considered if they were to become established. Depending on their scale, the type of activity and their proximity to the source of drinking water, drinking water threats are ranked as significant, moderate and low.

2.24.1.1 Brockville Intake Protection Zone

The City of Brockville water treatment plant draws water from the St. Lawrence River and distributes treated water to some 22,000 residents and businesses in the City of Brockville and some 1,000 residents in the Township of Elizabethtown-Kitley along County Road No. 2. The majority of the intake zone consists of the St. Lawrence River and mainly of urban and rural residential properties on land. The urban properties are connected to municipal sanitary servicing while the rural properties are connected to on-site septic systems.

The Brockville Intake Protection Zones include high vulnerability scores as documented in the Assessment Report. The intake protection zones are shown on Schedule B3 and is intended to be used as an overlay to Schedule A3, where the following policies shall apply:

1. New development and/or expansions to existing development that involve waste disposal sites within the Brockville Intake Protection Zone 1 and waste water treatment facilities, including related infrastructure, with the Brockville Intake

Protection Zones 1 and 2, are prohibited where they would constitute a significant drinking water threat.

2. New development and/or expansions to existing developments within the Brockville Intake Protection Zones that involve the storage or manufacture of potential contaminants (that could include Dense Non-Aqueous Liquids (DNAPLs), organic solvents, commercial fertilizers, liquid fuel, pesticides, sewage and road salt) where they would constitute a moderate or low drinking water threat may be subject to the implementation of risk management measures to protect the drinking water supply.
3. New development and/or expansions, alterations or redevelopment of existing development for all non-residential uses within the Brockville Intake Protection Zones where significant drinking water threats can occur, may be permitted, if the Risk Management Official (RMO) is satisfied that the proposal will be carried out in accordance with the policies in the Cataraqui Source Protection Plan. Submission of correspondence from the RMO under Section 59 of the *Clean Water Act* is required for all non-residential planning applications or land use changes, as per the Restricted Land Use Referral Process.
4. The Zoning By-law shall prohibit or restrict land uses that constitute drinking water threats in the Brockville Intake Protection Zone.

2.24.1.2 Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas

As with many areas throughout eastern Ontario, thin soils and fractured bedrock dominate the majority of the landscape within the Township of Elizabethtown-Kitley. These conditions result in widespread recharge and high groundwater vulnerability. For the most part, the entire Township is considered to be a highly vulnerable aquifer, and portions of the Township, mostly near the south, are considered a significant groundwater recharge areas. The relevant Source Water Protection Plan shall be consulted for mapping of highly vulnerable aquifer and significant groundwater recharge area delineations. Throughout the Township, the following policies shall apply:

1. New development and/or expansions to existing developments within significant groundwater recharge areas and/or highly vulnerable aquifers that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, mine tailings and Polychlorinated Biphenyls (PCBs)) where they would constitute a drinking water threat may be subject to risk management measures to protect the groundwater.
2. The Zoning By-law should restrict land uses, as applicable, in highly vulnerable aquifers and significant groundwater recharge areas.

3. New development and/or expansions to existing development associated with non-residential planning applications located within vulnerable areas may be subject to Site Plan Control. Requirements may include a risk reduction plan to identify measures to be incorporated into the development for land uses that involve the storage of manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, mine tailings and PCBs) where it would constitute a drinking water threat. The risk reduction plan must be completed to the satisfaction of the Township.
4. The risk reduction plan may be waived if a hydrogeological sensitivity study, prepared by a qualified professional, demonstrates that the subject lands do not exhibit the characteristics of a highly vulnerable aquifer or a significant groundwater recharge area.

2.25 ENERGY, AIR QUALITY AND CLIMATE CHANGE ADAPTATION POLICIES

1. This Plan supports and encourages alternative and renewable energy systems. The use of alternative energy systems that reduce harmful emissions, as well as renewable energy systems such as wind, water, biomass, solar, and geothermal shall be supported, provided that such systems comply with all applicable governmental requirements.
2. In reviewing planning applications such as site plans and plans of subdivision, Council shall encourage the development of plans that support energy conservation and efficiency through techniques such as green building design or orientation, lot orientation, and the use of vegetation. The Township shall also promote and encourage designs that accommodate active transportation as an alternative to automobile use.
3. Alternative energy projects will require the necessary approvals as per the *Green Energy and Green Economy Act*. Where the proponent is required to consult with the Township, the Township shall encourage alternative energy projects to incorporate measures to mitigate visual, social and environmental impacts.
4. The Township will consider LEED (Leadership in Energy and Environmental Design) certification for all new municipal buildings and for major renovations/expansions to existing municipal buildings.
5. The Township will promote approaches to low impact development when considering development and redevelopment proposals.
6. The Township will promote the protection and enhancement of tree canopies and natural areas in recognition of the benefits that trees provide in relation to energy

conservation, air quality improvement, and efforts towards managing climate change.

7. In reviewing planning applications, potential impacts of climate change, including extreme and unpredictable weather events, that may increase the risk associated with development near natural hazards, will be considered.

SECTION 3 LAND USE POLICIES

3.1 INTRODUCTION

The Township of Elizabethtown-Kitley shall be developed in accordance with the land use pattern shown on the Land Use and Roads Plans, attached as Schedules A1, A2 and A3 to this Plan. The Schedules establish the pattern of development in very general terms by dividing the Township into ten land use designations:

Agriculture
Mineral Resource
Natural Heritage - PSW
Natural Heritage
Natural Hazard
Rural
Settlement Area
Residential
Commercial
Industrial/Business

The policies governing the use of the lands within these designations, as shown on the Schedules, are contained in this section of the Plan, but should be read in conjunction with all other sections of the Plan. Particular regard should be had to the **General Development Policies** section of this Plan which sets out various policies which apply to development, regardless of the land use designation in which it is situated. Among other matters, a number of the policies contained in the **General Development Policies** section relate to considerations that must be addressed in undertaking development or site alteration due to the existence of various on-site or adjacent area features, constraints, existing uses or land use designations.

In addition, certain Public and Institutional uses may be permitted in land use designations, in accordance with the policies of this Plan dealing with **Public and Institutional Uses**.

3.2 AGRICULTURE

3.2.1 Intent of the Designation

The Agriculture designation has been placed on prime agricultural areas which are predominantly characterized by soils designated as Classes 1 to 3 in the Canada Land Inventory for Agricultural Capability, as well as those lower capability agricultural lands

historically used and protected for such purposes. The Township intends that these lands will be protected and preserved for agricultural uses.

3.2.2 Permitted Uses

Agricultural uses are permitted. Agricultural uses include the growing of crops, including nursery, biomass and horticultural crops; the raising of livestock and other animals for food, fibre or fur, including poultry and fish; aquaculture; apiaries; agroforestry; maple syrup production; and associated on-farm buildings and structures.

Agriculture-related uses and on-farm diversified uses will also be permitted provided they are compatible with, and will not hinder surrounding agricultural operations.

Agriculture-related uses include farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. Examples of permitted agriculture-related uses include grain drying, handling and storage facilities, abattoirs, livestock marketing or sales yards, seed cleaning plants, agricultural produce warehouses and similar agri- businesses.

On-farm diversified uses are secondary to the principal agricultural use of the property and are limited in area. Examples of permitted on-farm diversified uses include home occupations, home industries, and those uses which add value to farm produce such as the processing, preserving, storing and packaging of the farm's products on the farm property. In addition, agri-tourism uses such as pick-your-own, produce markets, farm tours, farm gate sales and small-scale farm theme rural events are also permitted.

A dwelling accessory to any of the foregoing uses and located on the same lot shall be permitted. Residential accommodation for farm employees may also be permitted on the same lot, subject to the provisions of the Zoning By-law. Farm-related residential uses on separate lots shall be permitted, subject to the policies of the Agriculture designation and the section of the Plan dealing with **Land Division**.

3.2.3 Policies

1. All new farm and non-farm development shall comply with the Minimum Distance Separation I (MDSI) and Minimum Distance Separation II (MDSII), as set out in the **Land Use Compatibility** section of this Plan.
2. The Township encourages the preparation and practice of nutrient management planning and best management practices by all nutrient generators and users.
3. In evaluating an amendment to the Official Plan to change the designation from Agriculture to another designation, the Township shall be satisfied that there is a demonstrated need for the proposed use for which the amendment is sought and that it cannot reasonably be located on lands outside the Agriculture designation or

on lands within the Agriculture designation with a lower agricultural capability. In the case of proposed expansions of rural settlement areas such as villages and hamlets onto lands designated Agriculture, it must also be demonstrated that the Township does not have sufficient lands already designated Settlement Area or Residential to accommodate projected growth.

4. Within the Agriculture designation, there may be small pockets of land which are only marginally productive or of a lower potential for agriculture due to their size, shape, topography, soil, class, drainage or other characteristics. These limitations shall not, however, constitute justification for an Official Plan amendment to a non-agricultural designation. The use of such pockets for uses permitted in the Agriculture designation that do not require sites with high potential for agriculture, such as commercial and industrial uses providing agriculture-related services and supplies, shall be encouraged.
5. The creation of new residential building lots in the Agriculture designation shall not be permitted. In addition to complying with the policies of this Plan relating to **Land Division**, lot creation in the Agriculture designation is permitted for the following uses only, and subject to the following provisions:
 1. New lots for agricultural uses shall be of a size appropriate to the type of agriculture common in the area and to allow flexibility for future changes to the type of the agricultural operation. In general, lots shall be a minimum of 40 hectares in area.
 2. New lots for agriculture-related uses shall be limited to the minimum size required to accommodate the use and the appropriate sewage and water services.
 3. New lots for existing dwellings that are surplus to a farming operation as a result of farm consolidation, subject to the following conditions:
 1. The retained farm parcel will be zoned so as to prohibit the construction of any additional dwellings;
 2. The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 3. The surplus dwelling will be zoned to recognize the non-farm residential use, as required.
 4. New lots for infrastructure related to public sewage and water systems, septage treatment facilities, waste management facilities, electrical power generation and transmission, pipelines and associated facilities, transportation corridors and facilities, communications and telecommunications, provided that such facilities or corridors cannot be

accommodated through the establishment of easements or rights-of-way, rather than lot creation.

5. Lot adjustments in the Agriculture designation may be permitted for legal or technical reasons. Lot line adjustments will be interpreted to prohibit the creation of new residential or non-farm parcels. Applications to sever a previously legal lot of record that unintentionally merged under the *Planning Act* may be permitted subject to satisfying the Agriculture policies of this Plan.
6. Mineral aggregate resource extraction is permitted as an interim use provided that the site will be rehabilitated back to an agricultural condition. On the prime agricultural lands, complete agricultural rehabilitation is not required if:
 1. There is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
 2. Other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Classes 4 – 7 soils, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Classes 1, 2 and 3.
 3. Agricultural rehabilitation in remaining areas is maximized.

3.2.4 Special Exception Areas

(Reserved)

3.3 MINERAL RESOURCE

3.3.1 Intent of the Designation

The importance of mineral aggregates and minerals and their protection for long term use is recognized through the Mineral Resource designation. This designation has been applied on the basis of information on the extent of resources and existing operations supplied by the Ministry of Natural Resources and Forestry and the Ministry of Northern Development and Mines. The most significant aggregates are sand and gravel, while the most significant mineral is pyrite. Good sources of sand and gravel are scarce and surficial deposits are gradually being depleted.

Surficial sand and gravel deposits in the Township are indicated on the Schedules on the basis of tertiary significance, as identified in the Aggregate Resources Inventory of the United Counties of Leeds-Grenville, Southern Ontario, Paper 183 (2009). There are no deposits of primary or secondary significance, and while many of the deposits are small and fragmented, others are significantly larger and/or represent areas where deposits are concentrated. Given that the deposits are identified by the Province as being of tertiary significance only and many are small and fragmented, it is recognized that not all deposits could support commercial activity for aggregate extraction.

It is recognized that bedrock sources of aggregate are not shown on the Schedules and that, as surficial aggregate resources are exhausted, bedrock sources may become of interest. Official Plan Amendment applications to develop these bedrock resources may, therefore, be expected.

In certain cases, areas of surficial tertiary deposits have been excluded from the Mineral Resource designation due to contextual considerations such as proximity to natural heritage features such as wetlands, ANSIs, existing incompatible land uses or the shorelines or water bodies.

It is anticipated that an Official Plan amendment will be necessary to identify both surficial and bedrock sources of aggregate in the Township upon completion of the Counties' Aggregate Resources Master Plan.

The Mineral Resource designation is differentiated on the basis of its potential for mineral aggregates or minerals through the use of the suffix “- Mineral Aggregate” and “- Mineral”, respectively.

On lands designated Mineral Resource on the basis of the extent of potential minerals rather than mineral aggregates, non-mineral development may occur, provided that the Ministry of Northern Development and Mines and the Township have determined that such development would not compromise objectives with respect to mineral resource protection and extraction.

In certain areas designated Mineral Resource, there are soils designated as Classes 1 to 3 in the Canada Land Inventory for Agricultural Capability. It is the intent of the Plan that agricultural activities can occur in the Mineral Resource designation, but that the long term protection of the mineral resource should take precedence.

It is also the intent of the Plan that where lands designated Mineral Resource have a soil capability rating such that Classes 1 to 3 soils predominate, mineral aggregate and mineral mining operations be conducted in such a manner so as to allow, where feasible, for the subsequent agricultural use of such lands.

It is recognized that the Township may have potential for other mineral commodities not currently identified. It is Council's intention that these important mineral resources will be protected for long term use.

3.3.2 Permitted Uses

The aggregate-related uses permitted include pits and quarries, as well as all associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate, or the production of secondary related products. These uses include crushing facilities, stockpiles, washing and screening operations, asphalt plants, concrete plants and aggregate transfer stations, as well as accessory uses to extractive operations including asphalt plants, concrete batch plants, recycle stockpile areas for glass, clean fill, asphalt, and concrete and aggregate transfer stations.

The mineral-related uses permitted include open pit and underground mining operations and associated facilities such as milling operations.

Land uses such as agriculture, forestry, conservation and outdoor recreation uses shall be permitted, provided that such uses shall not generally include buildings or activities that would preclude or hinder the establishment of new mineral mining or mineral aggregate operations or access to mineral resources.

On lands designated Mineral Resource - Mineral on the basis of potential minerals, development proposals for other land uses may be permitted in accordance with the **Rural** section of this Plan, subject to the agreement of the Ministry of Northern Development and Mines and the Township.

3.3.3 Policies

1. On lands designated Mineral Resource, the area to be zoned and licensed under the *Aggregate Resources Act* for a pit or quarry must be located within the limits of the designated area. Any expansion proposal involving lands beyond the limits of the designated area will require an amendment to this Plan.
2. Existing licensed pits and quarries and other existing mineral resource operations will be zoned in the Zoning By-law to permit such uses. New operations, as well as expansions to existing operations will be established through an amendment to the Zoning By-law. In evaluating the application, the Township shall review studies submitted by the applicant in support of the related licence application pursuant to the *Aggregate Resources Act*.
3. Lands within the Mineral Resource designation that are not zoned for mineral aggregate or mineral mining operations shall be placed in an appropriate zone category in the Zoning By-law which will allow rurally-oriented uses, but which will not allow sensitive land uses such as residences, day care centres and educational and health facilities. Notwithstanding the foregoing, sensitive uses may be permitted subject to the agreement of the Ministry of Northern Development and Mines or the Ministry of Natural Resources and Forestry, as applicable, and the Township's policies in the **Land Use Compatibility** section of this Plan.

4. On lands designated Mineral Resource and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resource shall only be permitted if:
 1. Resource use would not be feasible; or
 2. The proposed land use or development serves a greater long term public interest; and
 3. Issues of public health, public safety and environmental impact are addressed.
5. All pit and quarry operations shall be licensed by the Ministry of Natural Resources and Forestry under the *Aggregate Resources Act*.
6. Aggregate extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.
7. Access to mineral aggregate or mineral mining operations shall be encouraged to be located on Provincial highways or County roads, wherever possible. Where access is to be obtained from a Township road, it must be of an adequate standard of construction to support the anticipated truck traffic.
8. An application for an amendment to the Official Plan to change the designation from Mineral Resource to another designation shall be supported by a report which demonstrates that:
 1. A mineral resource use would not be feasible; or
 2. The proposed land use or development serves a greater long term public interest; and
 3. All issues related to public health and safety and environmental impact are addressed; and
 4. The proposed redesignation shall not preclude the potential to use adjacent lands designated Mineral Resource for mineral or mineral aggregate extraction; and
 5. The existing aggregate operation has ceased and the aggregate license has been surrendered.

Where an aggregate impact assessment demonstrates to the satisfaction of the Township that there is no viable material present within the areas designated Mineral Resource, development may occur in accordance with the policies of the Rural designation without an Official Plan amendment.

9. Mineral aggregate operations shall be required to undertake progressive rehabilitation to accommodate subsequent land uses. Comprehensive and coordinated rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations. Where such operations are located on lands which have been redesignated from the Agriculture designation or are located on lands with soil classes 1 to 3 in the Canada Land Inventory for Agricultural Capability, site rehabilitation shall be carried out whereby substantially the same areas and average soil capability for agriculture is restored. Complete agricultural rehabilitation will be required except where there is a substantial quantity of mineral aggregates below the water table warranting extraction or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible. In either case, other options must have been considered by the applicant and found unsuitable and agricultural rehabilitation in remaining areas shall be maximized.
10. Mineral resource operations, including associated processing facilities, shall undertake rehabilitation, including progressive rehabilitation where feasible, to accommodate subsequent land uses, promote land use compatibility, recognize the interim nature of extraction and to minimize impacts, to the greatest extent possible. Final rehabilitation shall take surrounding land uses and approved land use designations into consideration.
11. In evaluating an amendment to the Official Plan to change the designation of lands to Mineral Resource from another designation, the Township shall require the applicant to provide sufficient information to evaluate the application, including the following:
 1. The quality and quantity of mineral resource;
 2. The type and location of neighbouring land uses, having regard to land use compatibility with the rural character and landscape, including visual impacts;
 3. The location and adequacy of proposed access routes, any proposed improvements and the traffic flow and volume;
 4. Proposed operational plans and site plans for extraction activities;
 5. Potential sources and sensitive receptors of noise, dust and vibration;
 6. Hydrogeology and surface water quality and quantity, predicted changes and sensitivity to such changes;
 7. The location of natural heritage features and ecological functions, their type, value and sensitivity to change;
 8. The appropriateness of the progressive and final rehabilitation plan;

9. The adequacy of proposed screening, buffering and other mitigation measures;
10. The presence of archaeological remains or cultural heritage resources; and
11. Requirements under the *Aggregate Resources Act*.

Information that may be required shall not include any demonstration of need for mineral aggregates (i.e. any type of supply and demand analysis).

12. It is a policy of this Plan that existing sensitive land uses such as residences, day care centres and educational and health facilities shall be protected from the establishment of new mineral aggregate and mining operations or expansions where such establishment or expansion would be incompatible for reasons of public health, public safety or environmental impact. Similarly, established pits and quarries and resource areas are the beneficiaries of reciprocal policies contained in the **Land Use Compatibility** section of this Plan intended to protect them from encroachment by sensitive land uses. Influence areas in relation to pits are 300 metres, except in the case of Class B pits where excavation is above the water table, in which case the influence area is 150 metres. The influence area in relation to quarries is 500 metres.
13. On lands designated Mineral Resource – Mineral, all planning applications shall be circulated to the Ministry of Northern Development and Mines. Subject to the agreement of the Ministry and the Township, development for purposes not related to mineral resources may be permitted in accordance with the provisions of the Rural designation, provided that such lands are not licensed for a pit or quarry under the *Aggregate Resources Act* and provided further that:
 1. A mineral resource use would not be feasible; or
 2. The proposed land use or development serves a greater long term public interest; and
 3. All issues related to public health, safety and environmental impact are addressed.

3.3.4 Special Exception Areas

(Reserved)

3.4 NATURAL HERITAGE - PSW

3.4.1 Intent of the Designation

Our natural heritage consists of a variety of features and areas which are important for their environmental, economic and social value. These features and areas include wetlands, areas of natural and scientific interest (ANSIs), fish habitat, woodlands, valleylands, wildlife habitat and the habitat of endangered and threatened species. Some of these features and areas are considered particularly significant by the Province of Ontario and/or the Township. The Natural Heritage - PSW designation is assigned to Provincially-significant wetlands and significant coastal wetlands in order to protect them from any development or site alteration.

Wetlands are those lands which are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. (Periodically saturated or inundated lands used for agricultural purposes and which do not meet established criteria for wetland definition are not considered to be wetlands for the purposes of these policies.) In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water-tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Wetlands are important for their role in the recharge and discharge of groundwater, water quality improvement, flood and erosion damage reduction, wildlife habitat and recreational and tourism opportunities such as hunting, fishing, bird watching, hiking and boating.

Certain portions of Provincially-significant wetlands designated as Natural Heritage - PSW in this Plan include lands which are also areas of natural and scientific interest (ANSIs). ANSIs are areas of land and water with natural landscapes or features that have been identified as having scientific value worthy of protection or study or related to education. ANSIs are important since they represent the full spectrum of biological communities and natural landforms and environments across the Province. In general, ANSIs are designated Natural Heritage by this Plan, except where they are geographically coincident with Provincially-significant wetlands, in which case they are designated Natural Heritage - PSW in recognition of the more restrictive policies of the latter designation.

Similarly, other portions of Provincially-significant wetlands designated as Natural Heritage - PSW in this Plan include lands within 1:100 year flood lines, as mapped by the Conservation Authorities. While, in general, flood plain lands are designated Natural Hazard by this Plan, where they are geographically coincident with Provincially-significant wetlands and significant coastal wetlands, they are designated Natural Heritage - PSW to reflect the more restrictive policy environment of the latter designation.

Locally-significant wetlands are not included in the Natural Heritage - PSW designation, but rather are designated Natural Heritage.

Other natural heritage features such as fish habitat, wildlife habitat, endangered and threatened species habitat and woodlands are discussed in the section of this Plan dealing

with **Natural Heritage Features and System**. While not included in the Natural Heritage - PSW designation for policy or practical reasons, such features are nevertheless considered significant. Policies relating to fish habitat, wildlife habitat, valleylands, woodlands, and endangered and threatened species habitat are included in the **Natural Heritage Features and System** section, as are policies relating to development on lands adjacent to wetlands and ANSIs which are designated either Natural Heritage - PSW or Natural Heritage.

3.4.2 Permitted Uses

The permitted uses include only those related to conservation, wildlife management and passive outdoor recreation activities that do not require alteration to the natural features. Minor accessory structures relating to these uses, such as nesting platforms, which are designed to minimize impacts on the natural features and functions of the area may be permitted subject to the provisions of the **Environmental Impact Assessments** section of this Plan.

3.4.3 Policies

1. Development or site alteration such as filling, grading and excavating shall be prohibited within the Natural Heritage - PSW designation.
2. Development or site alteration such as filling, grading and excavating shall not be permitted on lands adjacent to the Natural Heritage - PSW designation, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions, as set out in the **Natural Heritage Features and System** section of this Plan and **Environmental Impact Assessments** section of the Plan. Adjacent lands means those lands within 120 metres of the Natural Heritage - PSW designation.
3. Development or site alteration within or adjacent to wetland areas is subject to the Section 28 Regulation made pursuant to the *Conservation Authorities Act* and administered by the relevant Conservation Authority.
4. New lots created on lands adjacent to the Natural Heritage – PSW designation should not include any portion of the provincially significant wetland within the lot being created so as to have the effect of fragmenting the wetland among multiple ownerships.
5. Where land designated as Natural Heritage - PSW is held under private ownership, there is no implication that the land is open to the general public or that it will be acquired by any public agency.
6. Established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to the Natural Heritage - PSW designation, but the expansion of agricultural buildings or structures or the clearing or draining of

additional lands are only permitted subject to the **Environmental Impact Assessments** section of this Plan. In no case shall new agricultural buildings or structures be permitted within the Natural Heritage - PSW designation.

3.4.4 Special Exception Areas

(Reserved)

3.5 NATURAL HERITAGE

3.5.1 Intent of the Designation

Our natural heritage consists of a variety of features and areas which are important for their environmental, economic and social value. These features and areas include wetlands, areas of natural and scientific interest (ANSIs), fish habitat, woodlands, valleylands, wildlife habitat and the habitat of endangered and threatened species. Some of these features and areas are considered particularly significant by the Province of Ontario and/or the Township. The Natural Heritage designation is assigned to areas of natural and scientific interest (ANSIs) and locally significant wetlands in order to protect them from development or site alteration, unless it can be demonstrated that there will be no negative impacts on the natural features or ecological functions for which the area is identified.

ANSIs are areas of land and water with natural landscapes or features that have been identified as having scientific value worthy of protection or study or related to education. ANSIs are important since they represent the full spectrum of biological communities and natural landforms and environments across the Province.

All ANSIs in the Township are included in the Natural Heritage designation regardless of whether they have been deemed provincially significant by the Ministry of Natural Resources and Forestry or are identified as being a candidate ANSI.

In addition to ANSIs, locally-significant wetlands are included in the Natural Heritage designation.

Other natural heritage features such as fish habitat, wildlife habitat, endangered and threatened species habitat and woodlands are discussed in the section of this Plan dealing with **Natural Heritage Features and System**. While not included in the Natural Heritage designation for policy or practical reasons, such features are nevertheless considered significant. Policies relating to fish habitat, wildlife habitat, valleylands, woodlands, and endangered and threatened species habitat are included in the **Natural Heritage Features and System** section, as are policies relating to development on lands adjacent to wetlands and ANSIs which are designated either Natural Heritage - PSW or Natural Heritage.

3.5.2 Permitted Uses

The permitted uses shall generally include only those related to conservation, wildlife management and passive outdoor recreation activities that do not require alteration to the natural features. Development and site alteration relating to these uses may be permitted subject to the provisions of the **Environmental Impact Assessments** section of this Plan.

Uses permitted in the Rural designation may also be permitted subject to the provisions of the **Environmental Impact Assessments** section of this Plan.

3.5.3 Policies

1. Development or site alteration such as filling, grading and excavating shall not generally be permitted within the Natural Heritage designation unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions in accordance with the **Environmental Impact Assessments** section of this Plan and an amendment to the Zoning By-law.
2. Development or site alteration such as filling, grading and excavating shall not be permitted on lands adjacent to the Natural Heritage designation unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions, as set out in the **Natural Heritage Features and System** and **Environmental Impact Assessments** sections of this Plan. Adjacent lands means those lands within 120 m of the Natural Heritage designation, except where the designation is in relation to an ANSI – Earth Science, in which case the adjacent lands shall be those lands within 50 metres of the Natural Heritage designation.
3. Development or site alteration within or adjacent to wetland areas is subject to the Section 28 Regulation made pursuant to the *Conservation Authorities Act* and administered by the relevant Conservation Authority.
4. Where land designated as Natural Heritage is held under private ownership, there is no implication that the land is open to the general public or that it will be acquired by any public agency.
5. Established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to the Natural Heritage designation, but new or expanded agricultural buildings or structures or the clearing or draining of additional lands are only permitted subject to the **Environmental Impact Assessments** section of this Plan.

3.5.4 Special Exception Areas

(Reserved)

3.6 NATURAL HAZARD

3.6.1 Intent of the Designation

Natural Hazard lands are lands which could be unsafe for development because of their physical characteristics and which pose a potential risk for loss of life, property damage, and social disruption if developed. Lands within 1:100 year flood lines, as mapped by the Conservation Authorities, are designated as Natural Hazard on the Schedules. In addition, certain portions of the shoreline area along the St. Lawrence River are flood and erosion prone and also pose a significant potential risk to both people and property. In the Township of Elizabethtown-Kitley, the 1:100 year flood level is 75.8 metres geodetic. These lands are also designated as Natural Hazard. Generally, it is intended that no development or site alteration occur in the designation.

The **Natural Hazard Features** section addresses policies for lands along the St. Lawrence River which lie between the 1:100 flood elevation and the applicable wave uprush elevations.

Steep slopes and organic soils as identified in the Canada Land Inventory also have the potential to constitute a natural hazard and are discussed in the section of this Plan dealing with **Natural Hazard Features**. Policies relating to steep slopes and organic soils are included in the **Natural Hazard Features** section. Typically, lands exhibiting steep slopes or organic soils pose constraints to development which, with appropriate engineering, may be overcome. Accordingly, such lands will not normally be included in the Natural Hazard designation.

In situations where Natural Hazard lands are geographically coincident with Provincially-significant wetlands, they are designated Natural Heritage – PSW and subject to the policies of the Natural Heritage – PSW designation, thereby reflecting the more restrictive policy environment of the latter designation. In cases where the Natural Hazard lands are geographically coincident with ANSIs and locally significant wetlands, and thereby designated Natural Heritage, development is subject to both designations. Where the two conflict, the more restrictive policies shall apply.

3.6.2 Permitted Uses

The permitted uses of the Natural Hazard designation include those related to agriculture, forestry, conservation, wildlife management and passive outdoor recreation activities. Buildings or structures associated with these uses shall not be permitted within the Natural Hazard designation. It is recognized that Natural Hazard lands are to be managed so as to complement adjacent land uses and protect them from any physical hazards or their effects.

No development is permitted other than flood or erosion control structures, shoreline stabilization, water intake facilities and minor recreational facilities such as docks, all as approved by the appropriate approval authorities, such as the Ministry of Natural Resources and Forestry and the relevant Conservation Authority.

3.6.3 Policies

1. The boundaries of the Natural Hazard designation as shown on the Schedules will be used as a guide for the preparation of Zoning By-law provisions which will implement the policies of this section. Development setbacks will be imposed from the boundary of land designated as Natural Hazard relative to the extent or severity of the hazard as set out in the **Natural Hazard Features** section of this Plan. No new lots shall be created that lie solely in areas susceptible to flood hazards or that cause adverse impacts on upstream or downstream lands. In accordance with Provincial policies, all relevant policies of this Plan, the *Conservation Authorities Act* and any associated regulations which may be adopted, no buildings or structures except those related to flood and erosion control shall be constructed or enlarged, and no other development or site alteration shall be permitted on lands within or adjacent to the Natural Hazard designation, except as approved by the relevant Conservation Authority.
2. Lands within and adjacent to lands affected by natural hazard are subject to the Section 28 Regulation made pursuant to the *Conservation Authorities Act* and administered by the relevant Conservation Authority. While adjacent lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no development or site alteration such as filling, grading and excavating shall occur without the written permission of the relevant Conservation Authority in accordance with the Section 28 Regulation.
3. Although lands adjacent to the Natural Hazard designation within the wave uprush area along the St. Lawrence River are designated for various land uses, development and site alteration shall not be permitted on lands within or adjacent to the Natural Hazard designation unless it satisfies the applicable policies of the **Natural Hazard Features** section of this Plan.

Notwithstanding the foregoing, development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations and electrical substations and uses associated the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted.

There is no public obligation, however, either to redesignate or to purchase any land if there is an existing or potential hazard that would be difficult or costly to overcome.

4. Where land designated Natural Hazard is held under private ownership, there is no implication that the land is open to the general public or that it will be acquired by any public agency.
5. An application for the redesignation of Natural Hazard lands for other purposes shall only be considered if it can be demonstrated to the satisfaction of the Township

and relevant Conservation Authority that the lands are not subject to a natural hazard.

6. Where development is proposed on a site, part of which has physical or environmental hazards, then such land shall not necessarily be acceptable as part of the required parkland dedication under the *Planning Act*. All lands dedicated to the Township shall be conveyed in a physical condition satisfactory to the Township. Where an open watercourse is involved, adequate space shall be provided for maintenance and operation.
7. The Township shall encourage the owners of existing development to address potential hazards in accordance with the policies of this Plan. Specifically, buildings that are located within a 1:100 year flood plain should provide floodproofing protection for such buildings and any proposed additions in consultation with the relevant Conservation Authority.
8. Currently, the 1:100 year flood plain for Golden Creek, Lyn Creek, portions of Butler Creek and Centre Lake have been mapped. In addition, the 1:100 year flood level and wave uprush elevations have been established for the St. Lawrence River. Where new or additional flood plain mapping is undertaken, it shall be incorporated into this Plan by amendment.

3.6.4 Special Exception Areas

(Reserved)

3.7 RURAL

3.7.1 Intent of the Designation

The lands designated Rural represent the bulk of lands within the Township and include a wide variety of land types and activities at a relatively low density. These lands are characterized by their historical role in accommodating the farm and rural communities. The intent of this Plan is the preservation and promotion of the area's rural character while providing for a modest amount of compatible and orderly new development.

Although a limited amount of commercial and industrial development is contemplated in the Rural designation, the dominant consideration in assessing development proposals in the Rural designation is the impact on the rural character of the Township. Preservation of the rural, agricultural and natural appearance of the countryside is a priority. The overall amount of development permitted will be consistent with the retention of the natural and cultural heritage and landscapes of lands within the designation, including maintenance of its characteristic tree-covered open spaces.

Lands designated Rural on the periphery of the City of Brockville have historically been the subject of greater development pressures and exhibit a more concentrated pattern of development than other Rural designated areas. It is anticipated that this peripheral area will continue to be the focus of greater development interest than Rural designated lands in general due to its proximity to an urban centre of regional significance, lower land values and taxes than Brockville and the visibility offered by County Road No. 29 which is a busy thoroughfare. Although the majority of the properties that front on County Road No. 29 are already built-up, the Township wishes to focus new commercial and industrial development to areas designated Commercial and Industrial-Business, respectively. Accordingly, Rural designated lands within the County Road No. 29 Corridor Area will be preserved as predominantly agriculturally or rurally-used lands to maintain and enhance the community's rural character and reduce congestion along this heavily-travelled road. Consequently, Official Plan amendments and Zoning By-law amendments to accommodate new commercial, industrial and residential uses within portions of the Rural designation fronting on County Road No. 29 shall be strongly discouraged.

3.7.2 Permitted Uses

Within the Rural designation, a variety of land uses shall be permitted. The primary use of land will be for the management or use of resources such as forestry and conservation, resource-based recreational uses (including recreational dwellings), home occupations, home industries, and cemeteries. Agriculture uses (including agriculture-related uses, on-farm diversified uses, and normal farm practices), as well as commercial, industrial, and limited residential uses are also permitted, subject to the following use-specific policies.

3.7.3 Agriculture Policies

1. The uses permitted in the Agriculture designation shall be permitted, provided that all new farm and non-farm development shall comply with the Minimum Distance Separation I (MDSI) and Minimum Distance Separation II (MDSII), as set out in the **Land Use Compatibility** section of this Plan.

3.7.4 Residential Policies

1. Permitted residential uses shall generally be restricted to single dwellings developed on the basis of one dwelling per lot.
2. Rural lands are intended for limited, low density residential development that complements the character of the rural environment.
3. Land division for the creation of residential lots is intended to be limited in nature and shall be permitted only by the consent process and in accordance with the **Land Division** section of this Plan. Plans of subdivision for residential use are not permitted in the Rural designation.

4. Given that residential uses are sensitive land uses, special regard shall be given to the policies of the **Land Use Compatibility** section of this Plan.
5. Residential uses shall be placed in an appropriate zoning category in the Zoning By-law.

3.7.5 Commercial Policies

1. Rural Commercial Policies

1. A variety of small-scale, rurally-oriented commercial uses shall be permitted. These commercial uses include those engaged in the buying and selling of goods and services primarily to area residents and the surrounding agricultural community. Among other uses, permitted uses shall include veterinary establishments, kennels, service shops, farm-related commercial uses and small-scale businesses engaged in the custom production of articles such as artists' or artisans' studios. An accessory dwelling for the owner or operator shall be permitted.
2. Commercial uses shall be limited to 465 square metres in building area.
3. In order to avoid the blurring of communities and to maintain a sense of rural character, commercial uses within the County Road No. 29 Corridor shall be located at least 500 metres from lands designated Settlement Area.
4. Within the County Road No. 29 Corridor:
 1. Only those commercial establishments which do not use large volumes of water or generate high sewage flows shall be permitted;
 2. The internal conversion of existing residential buildings to commercial uses shall be discouraged.
5. Commercial uses must be appropriate for the proposed location.
6. Commercial uses shall be encouraged to concentrate in groupings along the main roads and in the vicinity of major intersections.
7. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where commercial development would abut residential or other sensitive land uses.
8. Vehicular access to commercial uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure public safety.

9. Adequate off-street parking, including accessible parking and accessory structures, loading spaces and other facilities shall be provided in accessible and convenient locations.
10. The outdoor storage of goods and materials will be strictly controlled.
11. Rural commercial uses shall generally be permitted by amendment to the Zoning By-law.

2. Tourist Commercial Policies

1. Tourist commercial uses shall include a full range of uses that cater primarily to the travelling or vacationing public or to recreational needs. Permitted uses shall include tourist lodging facilities such as hotels, motels, resorts, rental cottages and campgrounds, summer camps, clubs, antique shops, places of entertainment, and recreational facilities such as golf courses, driving ranges, hunt camps, sports and recreation areas and facilities, parks and waterfront marinas. Buildings, structures or sites of historic interest, uses such as museums, interpretive centres and related facilities are also permitted. An accessory dwelling for the owner or operator of a tourist commercial use shall also be permitted.
2. Tourist commercial uses must be appropriate for the proposed location. In this regard, uses shall be located so that they are readily accessible to tourist traffic with a minimum of disruption to adjacent residential uses from lighting, noise, odour, dust or traffic.
3. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where tourist development would abut residential or other sensitive land uses.
4. Within the County Road No. 29 Corridor:
 1. Only those tourist establishments which do not use large volumes of water or generate high sewage flows shall be permitted;
 2. In order to avoid the blurring of communities and to maintain a sense of rural character, tourist establishments shall generally be located at least 500 metres from lands designated Settlement Area.
5. Vehicular access to tourist commercial uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure public safety.

6. Adequate off-street parking, including accessible parking and accessory structures, loading spaces and other facilities shall be provided in accessible and convenient locations.
7. In reviewing planning applications for tourist commercial development, particular regard shall be given to the protection of cultural and natural heritage features.
8. The conversion of existing buildings with cultural heritage value for tourist commercial uses shall be encouraged.
9. Tourist commercial uses shall generally be permitted by amendment to the Zoning By-law.

3.7.6 Industrial Policies

1. Permitted industrial uses shall be those which are small-scale and oriented to the rural economy, such as those which use local resources or serve local businesses and residents such as sawmills, feedmills, agricultural processing facilities, farm service businesses and similar farm and forest-based uses. An accessory dwelling for the owner or operator of an industrial use may also be permitted, where compatible.
2. In order to address potential land use conflicts between industrial and other uses, industrial development shall comply with the **Land Use Compatibility** section of this Plan.
3. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where industrial development would abut residential or other sensitive land uses.
4. Adequate off-street parking, including accessible parking and accessory structures, loading spaces and other facilities shall be provided in accessible and convenient locations.
5. Vehicular access to industrial uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure public safety. Particular regard shall be had to the needs of truck traffic.
6. Outdoor storage areas shall be adequately buffered from adjacent roads and properties.
7. Within the County Road No. 29 Corridor:
 1. The internal conversion of existing residential buildings to industrial uses shall be discouraged;

2. In order to avoid the blurring of communities and to maintain a sense of rural character, industrial uses shall be located at least 500 metres from lands designated Settlement Area.
8. Industrial uses shall be limited to 465 square metres in building area.
9. Industrial uses shall generally be permitted by amendment to the Zoning By-law.

3.7.7 Mobile Home Parks Policies

1. A mobile home park is a property developed for the placement of mobile homes on permanent foundations. Mobile home parks, including uses which are incidental to a mobile home park such as a park management office, accessory commercial uses such as a convenience store, recreational facilities, a laundromat, storage facilities and other similar uses may be permitted.
2. Mobile home parks may be developed for ownership either as a single entity or on a freehold basis.
3. Where a mobile home park is owned as a single entity, ownership and maintenance of the roads, operation and maintenance of servicing systems, snow ploughing, waste collection, landscaping and other amenities and services shall rest with the owner of the park.
4. Sewer and water services shall be provided to the satisfaction of the Township and the relevant approval authorities for such services. The Township will not approve the development of any mobile home park on the basis of communal sewage and/or water services.
5. Internal roads will be constructed to Township standards.
6. All mobile home sites will have frontage on an internal road.
7. Where the park is to be owned as a single entity, development will take place in accordance with a site plan approved by the Township. Where the park is to be owned on a freehold basis, development will take place by plan of subdivision.
8. Lot area, density, site size, yard and parking requirements and other matters shall be regulated through the implementing Zoning By-law.
9. A minimum of 5% of the total area of the park should be provided in a consolidated form for recreational purposes.
10. The establishment of any new mobile home park shall require an amendment to the Official Plan to a Special Exception Area, as well as an amendment to the Zoning By-law. In considering such amendments, the Township shall have regard to the following criteria:

1. The compatibility of the proposed park with existing land uses and designations of the surrounding area;
2. The park shall have frontage on a public road, which is of a suitable standard of construction, and any access to the public road shall be located so as not to create a safety hazard;
3. The suitability of the proposed site with respect to servicing considerations, and the implications for the Township in terms of potential responsibility for services; and
4. The adequacy of the layout of the park in relation to aesthetic, functional and other matters, as reflected in the proposed site plan or plan of subdivision.

3.7.8 Waste Disposal Sites Policies

1. Waste disposal sites shall be restricted to existing closed or open waste or sanitary landfill sites as identified on the Schedules. Ancillary uses such as recycling depots and transfer stations shall also be permitted. Disposal of liquid industrial, radioactive or toxic waste shall not be permitted.
2. Waste disposal sites shall be operated and maintained in accordance with the standards set by the Ministry of the Environment and Climate Change.
3. No use shall be made of land used as a waste disposal site for a period of 25 years from the year in which the waste disposal use ceased without the approval of the Ministry of the Environment and Climate Change. Use of any closed disposal site will be in accordance with the Certificate of Approval.
4. Development of lands adjacent to a closed or open waste disposal site shall be subject to the **Land Use Compatibility** section of this Plan.
5. The establishment of any new waste disposal site shall be undertaken in accordance with Provincial requirements and shall require an amendment to the Official Plan and the Zoning By-law.

3.7.9 Wrecking Yards Policies

1. Wrecking yards are facilities where derelict, discarded, abandoned or inoperative motor vehicles and/or other goods, wares, merchandise or articles are stored wholly or partly in the open. Wrecking yards may be permitted, as may an accessory dwelling for the owner or operator.
2. Wrecking yards shall be adequately screened on all sides so that no portion of the operation, including the storage areas, are visible from a public road.

3. Wrecking yards shall not cause or contribute to the contamination of any ground or surface water.
4. The establishment of any new wrecking yard shall require an amendment to the Official Plan to a Special Exception Area, as well as an amendment to the Zoning By-law. Among other matters, the Township shall consider:
 1. The compatibility of the proposed wrecking yard with existing land uses and designations of the surrounding area. In this regard, the policies of the **Land Use Compatibility** section of this Plan shall apply.
 2. The suitability of the proposed site with respect to environmental considerations.
 3. The layout of the wrecking yard in relation to screening, buffering, functional and other matters as reflected in the proposed site plan.

3.7.10 Special Exception Areas

1. 154 County Road 17, Part of Lot 4, Concession 2 (geographic Township of Kitley)

Notwithstanding any policies or provisions of the Rural designation to the contrary, on the approximately 6.4 hectare parcel of land known municipally as 154 County Road No. 17 and located in Part of Lot 4, Concession 2, geographic Township of Kitley, a concrete plant shall be an additional permitted use.

3.8 SETTLEMENT AREA

3.8.1 Intent of the Designation

The villages and hamlets designated as Settlement Area are the focus of growth, and include the population centres of Lyn, Tincap, New Dublin, Addison, Greenbush, Rocksprings, Frankville, Toledo, Bellamy's Mills, Jasper and Newbliss. These communities have historically provided, to varying degrees, a mix of local retail, service and social-cultural and residential opportunities for the community. Settlement areas have played a long-standing and important role in accommodating the day-to-day needs of the farm and rural communities, as well as recreational and tourist-oriented uses.

The Township also seeks to encourage more concentrated development in the Settlement Areas designation than would typically be found or permitted within the Rural designation, subject to appropriate servicing as outlined in the **Ground Water Supply and Sewage Disposal** section of the Plan. The amount and type of development permitted through

infilling and intensification will, however, be consistent with the maintenance of the character of these villages and hamlets.

The existing boundaries of the Settlement Area designation are intended to include some allowance for new development to occur and it is anticipated that Settlement Areas will continue to experience growth through infilling and development of vacant lands. The identification of a new settlement area and/or the expansion of an existing settlement area boundary is only permitted at the time of a comprehensive review in accordance with the policies set out in the Counties Official Plan.

While Settlement Area expansions are not anticipated over the horizon of this Plan, where adjustments to Settlement Area designation boundaries are considered which would not increase the aggregate amount of developable land within a settlement area, the Township may undertake a review of the local municipal growth allocation in accordance with the requirements set out in the Counties Official Plan. Such adjustments to the Settlement Area designation boundaries will not require a Counties comprehensive review but will require an amendment to both the Counties and Township Official Plans.

3.8.2 Permitted Uses

Permitted uses within the Settlement Area designation may include residential, general commercial and tourist commercial uses, and small-scale light industrial uses, subject to the following use-specific policies.

3.8.3 Residential Policies

1. A variety of residential uses, ranging from single-detached dwellings to multiple unit dwellings and including dwellings units within non-residential buildings may be permitted, subject to the completion of hydrogeological, terrain analysis and impact assessment reports in relation to more intense development forms. Such studies will be to the satisfaction of the relevant approval authority for sewage and water services.
2. Residential development may take place by consent along a main road serving the community or by a plan of subdivision for lands behind existing development fronting on such road and in accordance with the **Land Division** section of this Plan.
3. New development within the Settlement Area designation shall be encouraged to take place as a logical extension of existing development in order to create compact and efficient communities.
4. Adequate screening and/or a buffer strip shall be required where a proposed residential development abuts non-residential uses which could be incompatible.
5. Residential uses shall be zoned and regulated in the Zoning By-law.

3.8.4 Commercial Policies

1. General Commercial and Tourist Commercial uses permitted in the Commercial designation may be permitted.
2. Within the County Road No. 29 Corridor:
 1. Only those commercial establishments which do not use large volumes of water or generate high sewage flows shall be permitted;
 2. The internal conversion of existing residential buildings to commercial uses shall be discouraged.
3. Commercial uses must be appropriate for the proposed location.
4. Commercial uses shall be encouraged to concentrate in groupings along the main roads and in the vicinity of major intersections.
5. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where commercial development would abut residential or other sensitive land uses.
6. Vehicular access to commercial uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure public safety.
7. Adequate off-street parking, including accessible parking and accessory structures, loading spaces and other facilities shall be provided in accessible and convenient locations.
8. Open storage shall not generally be permitted.
9. Commercial uses shall be zoned and regulated in the Zoning By-law, which may include use and zone provisions which support tourist-oriented and locally-oriented commercial uses, as well as the inclusion of residential uses within buildings accommodating commercial uses at street level.

3.8.5 Industrial Policies

1. In general, industrial uses shall not be permitted in the Settlement Area designation. Small-scale light industrial uses such as certain tradesperson's workshops may be permitted, subject to an amendment to the Zoning By-law.
2. No industrial use shall be permitted that would create a nuisance by way of noise, illumination, odour, dust, vibration, fumes or smoke. In this regard, the policies of the **Land Use Compatibility** section of this Plan shall apply.

3. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where industrial development would abut residential or other sensitive land uses.
4. Within the County Road No. 29 Corridor:
 1. Only those industrial establishments which do not use large volumes of water or generate high sewage flows shall be permitted;
 2. The internal conversion of existing residential buildings to industrial uses shall be discouraged.
5. Industrial uses shall be encouraged to locate along the main road on the periphery of the settlement area.
6. Adequate off-street parking, including accessible parking and accessory structures, loading spaces and other facilities shall be provided in accessible and convenient locations.
7. Vehicular access to industrial uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure public safety. Particular regard shall be had to the needs of truck traffic.
8. Open storage shall not generally be permitted.
9. Industrial uses shall be limited to 465 square metres in building area.
10. Industrial uses shall generally be permitted by amendment to the Zoning By-law.

3.8.6 Special Exception Areas

(Reserved)

3.9 RESIDENTIAL

3.9.1 Intent of the Designation

Together with the Settlement Area designation, the Residential designation is intended to provide for the bulk of new residential development over the planning horizon of this Plan. The Residential designation focuses residential development to specific areas and encourages development to occur in a comprehensively planned and compact fashion. The Residential designation also serves to identify, on a limited basis, where residential subdivision development outside the Settlement Area designation may occur.

The lands designated Residential identify both existing and proposed areas where residential development has been, or is to be, directed and developed largely by plan of subdivision. The bulk of Residential-designated lands lie in the south portion of the Township and no vacant lands in the north part of the Township are currently designated. While the communities designated Settlement Area provide some ability to accommodate future residential development, this Plan anticipates that there may be requests to redesignate Rural-designated lands in the north portion of the Township to Residential in order to address residential subdivision needs.

The general intent is to permit only limited division of lands within the Residential designation through the consent process and provided only that such division does not inhibit the ability to develop the balance of designated lands through the subdivision process.

All development within the Residential designation will take place on the basis of private water supply and sewage disposal services, except for a limited amount of development situated on the north and south sides of County Road No. 2 in the southwest portion of the Township which may be connected to a municipal piped water supply but serviced with individual sewage disposal systems, in accordance with the policies contained in the **Ground Water Supply, Sewage Disposal and Other Services** section of the Plan.

3.9.2 Permitted Uses

Uses within the Residential designation shall be limited to low density residential development generally developed by plan of subdivision.

3.9.3 Residential Policies

1. Permitted residential uses shall generally be restricted to single dwellings developed on the basis of one dwelling per lot.
2. Residential lands are intended for low density residential development that complements the character of the rural environment.
3. Land division for the creation of residential lots is permitted primarily by plan of subdivision. Only limited lot creation by consent is contemplated. Lot creation shall be in accordance with the **Land Division** section of this Plan.
4. Residential uses shall be zoned and regulated in the Zoning By-law.

3.9.4 Special Exception Areas

(Reserved)

3.10 COMMERCIAL

3.10.1 Intent of the Designation

The Commercial designation is to provide for a wide range of general and tourist commercial uses, including large-scale operations.

The lands designated Commercial identify both existing and proposed areas where commercial development has been, or is to be, directed and developed. An important element of the intent of the designation is to encourage the clustering of commercial uses within defined areas in order to encourage efficient land use patterns that serve the interests of both businesses and consumers.

Currently, most Commercial-designated lands lie in the south portion of the Township. While the areas designated Commercial include vacant lands and offer some ability to accommodate future commercial land requirements, this Plan anticipates that there may be requests to redesignate Rural-designated lands in the north portion of the Township to Commercial in order to address local needs for convenient access to goods and services.

3.10.2 Permitted Uses

Uses permitted within the Commercial designation shall include a full range of General Commercial and Tourist Commercial uses.

3.10.3 Commercial Policies

1. General Commercial Policies

1. A variety of commercial uses including locally-oriented, rurally-oriented and highway commercial uses shall be permitted. These commercial uses are those engaged in the buying and selling of goods and services primarily to area residents, farms, businesses and the travelling public. Among other uses, permitted uses shall include automobile sales and service, gas bars, hotels, motels, eating establishments, retail uses, business and professional offices, service shops and farm-related commercial uses. In addition, small-scale businesses engaged in the custom production of articles such as artists' or artisans' studios shall be permitted. An accessory dwelling for the owner or operator may be permitted.
2. In order to avoid the blurring of communities and to maintain a sense of rural character, commercial uses within the County Road No. 29 Corridor shall be located at least 500 metres from lands designated Settlement Area.
3. Within the County Road No. 29 Corridor:

1. Only those commercial establishments which do not use large volumes of water or generate high sewage flows shall be permitted;
2. The internal conversion of existing residential buildings to commercial uses shall be discouraged.
4. Commercial uses must be appropriate for the proposed location.
5. Commercial uses shall be encouraged to concentrate in groupings along main roads and in the vicinity of major intersections.
6. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where commercial development would abut residential or other sensitive land uses.
7. Vehicular access to commercial uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure safety to road users, including pedestrians and cyclists.
8. Adequate off-street parking, including accessible parking and accessory structures, loading spaces, bicycle parking and other facilities shall be provided in accessible and convenient locations.
9. The outdoor storage of goods and materials will be strictly controlled.
10. Commercial uses shall be specified and regulated in the Zoning By-law.

2. Tourist Commercial Policies

1. Tourist commercial uses shall include a full range of uses that cater primarily to the travelling or vacationing public or recreational needs. Permitted uses shall include tourist lodging facilities such as hotels, motels, resorts, rental cottages and campgrounds, summer camps, clubs, places of entertainment, and recreational facilities such as golf courses, hunt camps, sports and recreation areas and facilities, parks and marinas. Buildings, structures or sites of historic interest, uses such as museums and related facilities are also permitted. An accessory dwelling for the owner or operator of a tourist commercial use may also be permitted.
2. Tourist commercial uses must be appropriate for the proposed location. In this regard, uses shall be located so that they are readily accessible to tourist traffic with a minimum of disruption to adjacent residential uses from lighting, noise, odour, dust or traffic.

3. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where tourist development would abut residential or other sensitive land uses.
4. Within the County Road No. 29 Corridor:
 1. Only those tourist establishments which do not use large volumes of water or generate high sewage flows shall be permitted;
 2. In order to avoid the blurring of communities and to maintain a sense of rural character, tourist establishments shall generally be located at least 500 metres from lands designated Settlement Area.
5. Vehicular access to tourist commercial uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure safety to road users, including pedestrians and cyclists.
6. Adequate off-street parking, including accessible parking and accessory structures, loading spaces, bicycle parking, and other facilities shall be provided in accessible and convenient locations.
7. In reviewing planning applications for tourist commercial development, particular regard shall be given to the protection of cultural and natural heritage features.
8. The conversion of existing buildings with cultural heritage value for tourist commercial uses shall be encouraged.
9. Tourist commercial uses shall be specified and regulated in the Zoning By-law.

3.10.4 Special Exception Areas

(Reserved)

3.11 INDUSTRIAL/BUSINESS

3.11.1 Intent of the Designation

The Industrial/Business designation is intended to provide consolidated lands for various types of industries and enterprises. With the exception of some isolated areas scattered throughout the Township, the main areas presently targeted and designated for

industrial/business development are concentrated in two industrial/business parks, both of which are located in the County Road No. 29 Corridor Area.

While the existing areas designated Industrial/Business include significant vacant lands and offer considerable ability to accommodate future industrial land requirements, these designated lands are located almost exclusively in the south portion of the Township. The north-south linearity of the Township, combined with the need for certain rural industrial uses to locate in stand-alone environments due to locational, compatibility or other land use considerations, requires that this Plan anticipate that there are likely to be requests to redesignate Rural-designated lands to the Industrial/Business designation, particularly in the north portion of the Township.

Proposals to convert lands within the Industrial/Business designation to another type of land use will be reviewed through a review of local municipal growth allocation and the need for a boundary adjustment, in accordance with the requirements set out in the Counties Official Plan.

3.11.2 Permitted Uses

Permitted industrial uses shall be those which are oriented to the rural economy, such as those which use local resources or serve local businesses and residents such as sawmills, feedmills, agricultural processing facilities, open storage, warehousing, farm service businesses, builders' supply yards, bulk storage yards, contractors' yards, transportation terminals, marijuana production facilities, and similar uses. An accessory dwelling for the owner or operator of an industrial use may also be permitted, where compatible.

In addition, the following light industrial uses shall be permitted: processing and assembly facilities, light manufacturing, wholesaling, the provision of goods and services to businesses and institutions, and laboratories and research and development facilities.

Where the Industrial/Business designation provides for both rural and light industrial uses, it is intended that the implementing Zoning By-law may restrict permitted industrial uses on the basis of their compatibility with, and complementarity to, each other.

3.11.3 Industrial/Business Policies

1. In order to address potential land use conflicts between industrial/business uses, such development shall comply with the **Land Use Compatibility** section of this Plan.
2. Within the County Road No. 29 Corridor:
 1. Only those industrial/business establishments which do not use large volumes of water or generate high sewage flows shall be permitted;

2. The internal conversion of existing residential buildings to industrial/business uses shall be discouraged.
3. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where industrial or business development would abut residential or other sensitive land uses.
4. Adequate off-street parking, including accessible parking and accessory structures, loading spaces, bicycle parking, and other facilities shall be provided in accessible and convenient locations.
5. Vehicular access to industrial or business uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure safety to road users, including pedestrians and cyclists. Particular regard shall be given to areas where truck traffic poses a safety issue to pedestrians, cyclists and other road users. Regard shall be given to implementing safety features that support pedestrian and cycle-friendly environments.
6. Outdoor storage areas shall be adequately buffered from adjacent roads and properties.
7. Industrial/business uses permitted shall be specified and regulated in the Zoning By-law.

3.11.4 Special Exception Areas

(Reserved)

SECTION 4 TRANSPORTATION

4.1 GENERAL

This Section establishes the general transportation policies for the Township. A safe, convenient and functional road network is the key element in facilitating the movement of both people and goods to and from the various areas within the Township and between the Township and neighbouring municipalities. The road pattern shown on the Schedules largely reflects the historical interrelationship between land use and transportation routes. The road system is classified on the basis of the jurisdiction of responsibility.

Existing and proposed public roads within the Township are classified as Provincial Highways, County Roads and Township Roads, as indicated on the Schedules. Where additional land is required for widening and extension, such land shall be obtained, where possible, in the course of approving development applications under the *Planning Act*.

The Township will work with the authorities having jurisdiction to secure road improvements in the form of jog eliminations, regulation of turning movements, proper signing, installation of traffic signals, marking of traffic lanes, channelization and new road construction that will establish a functional road network as shown on the Schedules.

The Canadian National Railway runs east-west along the southern portion of the Township, and the Canadian Pacific Railway runs north-south. It is the intention that railroad crossings be improved where warranted by the appropriate railway regulatory authority. Improvements may be in the form of grade separations or other protective measures such as daylighting triangles, signals or gates, or combinations thereof.

Where a development proposal may have an impact on the proper functioning or safety of the road network or railway, the approval authority may require the undertaking of traffic impact or other studies to identify potential issues and mitigation measures.

The Township acknowledges that County Road No. 29's primary function is as an inter-city connector, however, also recognizes that it acts as the gateway into the Township. As such, it is a window to the character of the Township. Consequently, when undertaking road improvements and the development of new intersecting roads, the Township shall encourage efforts to preserve and enhance the scenic qualities of County Road No. 29 and other roads, while ensuring that functional and safety concerns are addressed.

The Township shall seek funding or set aside funds in the municipal budget for the maintenance and upgrading of roads, in accordance with community improvement plans and/or transportation and traffic studies.

The Township will support the development of an active transportation network and implementation of a local municipal trails strategy, including connectivity with other local, regional and provincial trail systems.

4.2 PROVINCIAL HIGHWAYS

Provincial highways are intended to carry a high volume of traffic at relatively high speeds. Proposed development adjacent to a provincial highway or in the vicinity of an interchange is subject to the requirements and permit control of the Ministry of Transportation. All development proposals relating to lands adjacent to a provincial highway or in the vicinity of an interchange shall be circulated to the Ministry of Transportation for comment. The preparation of traffic studies and storm water management plans may be requested by the approval authority.

For any proposed development on lands adjacent to a provincial highway or in the vicinity of an interchange, Ministry of Transportation permits relating to land use, buildings and structures, signs and entrances are required prior to the commencement of any construction.

There is one provincial highway in the Township - Highway No. 401. The minimum right-of-way width shall be as determined by the Ministry of Transportation.

4.3 COUNTY ROADS

Where development is proposed adjacent to a County road, approval for an entrance must be obtained from the United Counties of Leeds and Grenville in accordance with the County requirements and policies of this Plan. These requirements and policies shall also be used in determining building setbacks from County roads.

County Road Nos. 1, 2, 6, 7, 8, 16, 17, 26, 27, 28, 29, 30, 42, and 46 presently serve the Township and are under the jurisdiction of the United Counties of Leeds and Grenville.

The minimum County road right-of-way for County Road No. 2 and 42 should be 30.5 metres. In all other cases, the minimum County road right-of-way should be 26.2 metres, except where, in consultation with the Counties, circumstances may necessitate a wider road allowance or where there is insufficient land to obtain the widening without having to demolish existing buildings.

4.4 TOWNSHIP ROADS

The Township roads identified on the Schedules are those roads which are owned and maintained by the Township. Where development is proposed adjacent to a Township road, approval for an entrance must be obtained from the Township. Access shall only be permitted in locations that can accommodate traffic in a safe manner. Where sight deficiencies exist due to curves, grades or other factors, no new access will be permitted unless the deficiency is corrected at the owner's expense and to the satisfaction of the Township.

The minimum right-of-way for Township roads will be 20 metres. All new Township roads shall be constructed to Township standards.

For policy purposes, the Township considers unmaintained Township roads to be private roads.

4.5 PRIVATE ROADS

Private roads are those rights-of-way which provide access to two or more properties but which have not been assumed by the Township for maintenance purposes. Some private roads have been established as registered rights-of-way and are precisely defined on legal plans while others are not clearly identified with respect to their location. The Township shall not assume any liability for any private road regardless of status.

Where access to properties is provided by private roads, municipal services such as snow ploughing or road maintenance and improvement are neither available nor the responsibility of the Township. Additionally, in some cases other public services such as school bussing and protection to persons/property from services including police, fire and ambulance may be unavailable or limited in nature. The Township shall attempt to recognize such limitations through the mechanisms of the Zoning By-law and/or municipal agreements.

The creation or extension of private roads is not permitted. For the purposes of interpreting this policy, the establishment of a right-of-way to provide shared driveway access for two abutting properties, each of which has frontage on a public road, shall not constitute the creation of a private road. In addition, a consent application, the sole purpose of which is to legally identify the location of an existing private road, as defined in this Plan, shall not constitute the creation of a new private road.

Notwithstanding the foregoing policy prohibiting the creation or extension of a private road, the creation of a new private condominium road shall be permitted where such road

is within a registered plan of condominium pursuant to the *Condominium Act*, as amended, and where it connects directly to an existing public road.

If an existing private road is reconstructed to a standard acceptable to the Township and at no expense to the Township, the Township may consider the assumption of the private road by by-law, if it abuts an existing maintained Township or County road or Provincial highway. Prior to undertaking any such reconstruction for the purposes of allowing Township assumption, landowners of property on a private road must obtain the approval of the Township. The work shall be undertaken to the standards of, and supervised by, the Township.

Known private roads are shown on the Schedules for information purposes.

4.6 PROPOSED ROAD WIDENINGS

The County or Township may require land to be conveyed at no cost for the purpose of widening the existing public road right-of-way as a condition of consent, subdivision or site plan approval.

Land for the widening of the existing public road right-of-way shall generally be sought equally from both sides of the right-of-way, however, in certain situations site-specific conditions may necessitate taking widening on an unequal basis.

4.7 ROAD ALLOWANCES ABUTTING WATER BODIES

The Township values all road allowances that abut water bodies for their ability to provide both physical and visual access to the water. Where road allowances abut the shores of lakes and rivers, the Township intends to retain ownership of such road allowances.

SECTION 5 IMPLEMENTATION AND ADMINISTRATION

5.1 INTRODUCTION

This Official Plan shall be implemented by means of the powers conferred upon the Council by the *Planning Act*, the *Municipal Act* and such other statutes as may be applicable. In particular, this Plan shall be implemented through Zoning By-laws, Site Plan Control, legislation pursuant to the *Municipal Act*, the construction of Public Works and a Capital Works Program.

5.2 LAND DIVISION

5.2.1 Introduction

The United Counties of Leeds and Grenville is the approval authority for plans of subdivision, plans of condominium and consent applications. The division of land can take place in two ways; by the consent (severance) process and by plan of subdivision. The division of land by the consent process is intended for the creation of not more than two new lots, and for situations not related to the creation of new lots such as lot line adjustments and the creation of easements. Except in circumstances specifically contemplated in this Plan, where the division of land results in the creation of three or more new lots, it will likely be necessary to proceed by plan of subdivision.

There are certain general policies that apply to all lot creation, other policies that are specific to consents, and others that apply exclusively to plans of subdivision.

5.2.2 General Policies

1. The frontage, size and shape of any lot created shall be appropriate for the proposed use and conform to the provisions of the Zoning By-law. The minimum lot area shall be generally no less than 0.4 hectares. A larger lot size may be required depending upon the nature of the use, the topography and/or other development constraints. A smaller lot size may be permitted in exceptional situations, such as in the case of lands within the Settlement Area designation where the nature or siting of existing uses or buildings precludes the possibility of achieving the 0.4 hectare minimum lot area.
2. No land division shall result in the landlocking of any parcel of land. Further, no land division shall result in a situation where a lot would have unusually limited road frontage relative to its width or area, such that the existing or potential ability

to use the lot in an appropriate fashion is significantly undermined by such limited road frontage.

3. No land division shall be permitted where safe vehicular access from the proposed lot to the adjacent road cannot be provided due to conditions such as limited sight lines, traffic volumes, grades or proximity to intersections or rail crossings, in accordance with the policies of the **Transportation** section of this Plan.
4. No land division shall create a financial burden on the Township with respect to the provision of Municipal services or facilities, as set out in the **Economic Policy** section of this Plan.
5. All land division shall meet the requirements of this Plan for the dedication of parkland or cash-in-lieu thereof, as set out in the **Parks, Trails and Recreational Facilities** section of this Plan.
6. All land division shall address land use separation and compatibility concerns, as set out in the **Land Use Compatibility** section of this Plan.
7. No land division shall result in the creation of a lot subject to natural hazards such as flooding, organic soils or steep slopes with potential for instability or erosion, unless development would be permitted by the **Natural Hazard Features** section of this Plan.
8. No land division shall result in the creation of a lot affected by soil contamination or hazards related to former mining or mineral resource operations, unless development would be permitted by the **Human-made Hazard Features** section of this Plan.
9. No land division shall result in a negative impact on the natural features or the ecological functions for which the area is identified such as wetlands, areas of natural and scientific interest (ANSIs), woodlands, fish habitat, wildlife habitat and endangered and threatened species habitat. The policies of the **Natural Heritage Features and System** section will be adhered to in this regard.
10. The creation of new lots that extend into, or fragment ownership of natural heritage features and areas, and where appropriate, lands subject to natural hazards, should be discouraged in consideration of the long-term management concerns related to risks to life and property and natural heritage protection.
11. In considering land division applications, regard shall be had to the **Cultural Heritage and Archaeological Resources** section of the Plan, including requirements with respect to the identification and preservation of significant cultural heritage and archaeological resources.

12. All land division shall comply with the **Ground Water Supply, Sewage Disposal and Other Services** section of the Plan concerning the provision of appropriate water and sewage services and the availability of other services.
13. No land division shall create a lot which cannot comply with the minimum water setback and minimum water frontage requirements contained in the **Development Adjacent to Water Bodies** section of this Plan.
14. Road widening dedications may be requested by the County or Township as a condition of the approval of any land division application.
15. The preservation of existing vegetation and in particular, mature trees, may be a condition of approval of any land division application.

5.2.3 Consent Policies

1. A maximum of two new lots (excluding the retained lot) shall be created from a land holding as it existed on July 11, 1988, notwithstanding:
 1. Where a land holding is situated partly or wholly in the Settlement Area designation, this maximum shall not apply, provided that such new lot is situated wholly within the Settlement Area designation, and it has been deemed that a plan of subdivision is not necessary for the orderly development of the lands.
 2. Where a lot has a minimum of 1 kilometre of frontage on an opened and maintained public road, a third new lot shall be permitted.
2. Within lands designated as Agriculture, consents shall only be permitted in accordance with the policies of the **Agriculture** section of this Plan and the creation of new residential building lots shall not be permitted.
3. Where consents are proposed for the purposes of creating new non-agricultural lots in the Rural designation on lands possessing soils rated Classes 1 to 3 in the Canada Land Inventory for Agricultural Capability, the approval authority shall encourage such lots to be the minimum size required to accommodate the proposed use in order to maintain the viability of the balance of the land holding for agricultural use.
4. Consents in the Rural designation should not have the effect of creating or extending areas of strip development.
5. Consents requiring direct access onto County roads shall be restricted. Wherever possible, new lots shall obtain access from Township roads.

6. Lots created by consent shall front onto existing maintained public roads. Notwithstanding the foregoing, consents may be permitted under the following circumstances:
 1. For waterfront residential lots on an infill basis on existing private roads, subject to compliance with the policies of the **Road Access, Development Adjacent to Water Bodies**, and **Private Roads** sections of this Plan;
 2. For lots to accommodate conservation uses only, as set out in the **Crown and Conservation Lands** section of the Plan, provided that such lots have frontage on an existing private road or an existing or proposed private right-of-way registered on title.
7. Within the County Road No. 29 Corridor Area, no consent shall be granted where the proposed new lot would:
 1. Obtain public road access only from County Road No. 29;
 2. Be located within 500 metres of lands designated Settlement Area, Commercial or Industrial/Business.
8. A consent for the purpose of creating a lot on an island may be considered where deeded parking and water access is provided on a lot on the mainland that is suitable by virtue of its location, access and other relevant considerations.
9. Except in the case of lands designated Settlement Area, Residential, Commercial or Industrial/Business, a consent for creating a new lot shall generally have regard for an average density policy measure which attempts to limit development in the rural area to approximately four dwellings, structures or accesses (both existing and potential) per side of the road per kilometre. Where required, as in the case of a short road or cul-de-sac, a pro rata calculation shall be used. The calculation shall be taken from the centre of the proposed lot to be created.

5.2.4 Subdivision Policies

1. Development by Plan of Subdivision shall be permitted in the Settlement Area, Residential, Commercial and Industrial/Business designations.
2. Access to a proposed plan of subdivision shall be from a maintained public road, built to an adequate standard to accommodate the additional traffic requirements. Where, in the opinion of the Township or approval authority, such public road access is not adequate, upgrading of the road shall be a condition for final approval of the Plan of Subdivision.
3. Access to individual lots in a plan of subdivision shall be by internal public roads, built to Township standards. Where design considerations necessitate it, limited direct lot access to an existing public road abutting the subdivision may be granted.

4. The road layout in a plan of subdivision shall avoid cul-de-sacs, where possible, and provide opportunities for future road connections to abutting lands, where requested by the Township.
5. All plans of subdivision shall comply with the policies of the **Storm Water Management** section of this Plan.
6. Development by plan of subdivision shall meet the requirements set out in the **Ground Water Supply, Sewage Disposal and Other Services** section of the Plan.
7. The approval authority may apply lapsing provisions to any draft plan of subdivision, pursuant to the provisions of the *Planning Act*.
8. The approval authority may include provisions for the phasing of development within a plan of subdivision to ensure that it proceeds in an orderly, cost-efficient pattern.
9. In reviewing parkland dedication requirements for plans of subdivision, preference shall be given for parklands which provide connections to existing public parks, trails, bikeways and other recreational facilities, as well as to water bodies, where applicable.
10. The policies of this subsection shall also apply to plans of condominium, as appropriate.

5.3 DEEMING PLANS OF SUBDIVISION

Under the authority of the *Planning Act*, the Township may pass a deeming by-law which has the effect of declaring part or all of a plan of subdivision not to be registered for conveyance purposes, provided that the subdivision is a registered plan within the meaning of the *Planning Act* and that it has been registered for a period of eight or more years.

5.4 SITE PLAN CONTROL

1. Site Plan Control is a site design and approval process intended to be used in cases where the type of development proposed or the characteristics of the particular site require a more detailed level of attention to, and control over, the siting of buildings, structures, facilities and other features than would be possible or practical through the mechanism of a Zoning By-law.
2. It is the intention of the Township to use Site Plan Control as a planning tool complementary to the Zoning By-law to ensure that:

1. Proposed buildings and structures are well sited vis-à-vis adjacent land uses;
 2. Design details, such as accessory buildings and structures, lighting, walkways, parking, loading, waste facilities, grading, drainage, landscaping materials, fencing, etc., are adequate for the uses proposed, in terms of functional, safety and aesthetic considerations;
 3. Where possible, shared driveway access and connectivity between sites is achieved;
 4. Development occurs with minimal impact on natural and cultural heritage resources, particularly where proposed in immediate proximity to water bodies or on or adjacent to properties with cultural heritage significance;
 5. Detailed policies of this Plan can be properly implemented;
 6. Development is undertaken and maintained as approved by the Township;
 7. Development approvals incorporate risk management measures to protect surface water and groundwater resources.
3. The Township may control the design and details of development proposals through the use of a Site Plan Control By-law. The entire Township of Elizabethtown-Kitley shall be considered a Proposed Site Plan Control Area except that certain types of development such as the following may be exempt from Site Plan Control:
1. Agricultural uses;
 2. Public infrastructure uses including pipelines, telecommunications, electricity generation facilities and transmission and distribution systems, transportation corridors and facilities;
 3. Single-detached, semi-detached and duplex dwellings and buildings or structures accessory thereto, in cases where no development or site alteration is proposed adjacent to a water body or lands designated as Natural Heritage - PSW, Natural Heritage or Natural Hazard;
 4. Minor additions or alterations to existing buildings and structures.
4. In imposing Site Plan Control, the Township will seek to regulate the general site layout of the property and, where appropriate, the massing and conceptual design of all buildings and structures on the property. Site plan drawings shall be required in all cases. Floor plan, elevation and cross-section drawings may be required for any development, as determined by the Township.
5. In processing Site Plan Control applications, the Township will consult with various public bodies, including the relevant Conservation Authority, as

appropriate. Without limiting the generality of the foregoing, the relevant Conservation Authority shall be circulated all Site Plan Control applications for waterfront properties.

6. As a condition of the approval of a site plan, the County or Township may require the dedication of land for public road widening purposes.
7. The Township may enter into Site Plan Control agreements with the owners of lands for which site plans have been approved and register such agreements on the title of the lands to which they apply.

5.5 SITE PLANNING AND DESIGN GUIDELINES

A comprehensive Zoning By-law is a major tool in the implementation of an Official Plan and sets many quantitative-type performance standards that are important in achieving the Township's development objectives. It is also recognized that site planning and architectural design are important and complementary components in a successful Official Plan implementation strategy. It is primarily through meticulous attention to site planning and architectural elements that qualitative matters related to development are addressed.

In recognition of the importance of good site planning and in order to ensure that Site Plan Control applications adequately address the technical requirements and design objectives of the Township, site plan application guidelines may be developed. These guidelines would be used as a tool by both applicants and approval authorities for the preparation and processing of applications, respectively. The guidelines would address various functional, safety, aesthetic and other issues relevant to the appropriate development of various land uses.

In addition to developing site plan guidelines, the Township may prepare architectural design guidelines for specific areas of the Township such as core areas within Settlement Areas or the Township's Industrial/Business Park. The Township would encourage the use of the guidelines as a tool in developing lands and buildings in a contextually-sensitive manner.

5.6 ZONING BY-LAWS AND HOLDING PROVISIONS

5.6.1 General

It is intended that a comprehensive Zoning By-law to implement this Plan shall be prepared and adopted in accordance with the provisions of the *Planning Act*. Such by-law shall contain land use zones in accordance with the policies contained within this Plan and will

establish regulations to control the use of land and the character, location, and use of buildings and structures. In accordance with the *Planning Act*, Council shall amend the Zoning By-law no later than three years after any comprehensive update to this Plan that comes into effect.

5.6.2 Holding Zones

It is not intended that all land use areas designated in this Plan will be zoned for such uses immediately in the Zoning By-law. Areas may be zoned for their existing uses or in a Holding category pursuant to Section 36 of the *Planning Act*, and in accordance with the criteria which follow:

1. It is the intention of Council to place certain lands within a Holding category in the Zoning By-law when the principle of development has been established, in order to:
 1. Delay the development of lands until any necessary municipal infrastructure become available;
 2. Affect the phasing and/or proper design of large-scale residential, commercial, or industrial development;
 3. Ensure that proper financial and other agreements are in place; and/or
 4. Delay development until such time as it is determined that identified development constraints can be overcome to the satisfaction of Council.
2. Lands which are subject to Holding provisions shall be identified in the Zoning By-law by an “h” symbol, in conjunction with the appropriate zone symbol denoting the eventual use of the land and shall be subject to the following policies:
 1. Lands which are shown to be in a Holding category shall generally be restricted to existing uses;
 2. New development proposed on land zoned in a Holding category shall not be permitted unless Council deems it appropriate to remove the Holding symbol through an amending by-law.
3. An application for removal of the Holding symbol shall be reviewed by Council in consideration of the following:
 1. That the proposed use is in conformity with the requirements of the Zoning By-law;
 2. That the required municipal infrastructure is available or will soon be available;

3. That the financial and other requirements of the municipality have been fulfilled;
4. That the phasing and design of the proposed development is to Council's satisfaction; and/or
5. That any development constraints which have been identified can be overcome to the satisfaction of Council.

5.6.3 Interim Control By-laws

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

5.6.4 Temporary Use By-laws

Pursuant to Section 39 of the *Planning Act*, Council may authorize the temporary use of land, buildings or structures for any purpose otherwise prohibited by the Zoning By-law. The temporary use may be initially authorized for a period of time up to three years from the date of the passing of the by-law, except in the case of garden suites which may be authorized for up to twenty years. A Temporary Use By-law may be extended by by-law for further periods of not more than three years each. Upon the expiry of a Temporary Use By-law, the use authorized by the by-law shall cease, unless extended by by-law.

Where deemed appropriate by Council, a Temporary Use By-law may be adopted for a purpose which does not conform to the Official Plan, provided that the long-term objectives and policy direction of the Plan shall not be adversely affected by the by-law.

5.6.5 Conditional Zoning

Conditional Zoning is a tool that may be utilized to impose conditions on the use of lands or the erection of buildings or structures. Conditional Zoning is intended to allow a more flexible zoning process and provides the Township with the authority to secure conditions in agreements that may be registered on title and enforced against both current and future owners of the lands.

When regulations have been enacted by the Province to authorize the use of Conditional Zoning By-laws in accordance with the *Planning Act*, the Township may, in a Zoning By-law, permit the use of land or the erection, location or use of buildings or structures subject to one or more prescribed conditions on the use, erection or location.

Prior to the enactment of a Zoning By-law under the Conditional Zoning policies of this Plan, the Township may require the owner to enter into one or more legal agreements to be registered on title against the lands to which it applies, dealing with the said conditions and matters related to implementation.

5.7 COMMITTEE OF ADJUSTMENT

A Committee of Adjustment has been appointed to consider applications for relief from any Zoning By-law implementing this Plan. The Committee will be guided by Section 44 of the *Planning Act*, and by the rules of procedure and regulations issued from time to time by the Minister of Municipal Affairs.

The Existing Land Uses section of this Plan sets out policies for dealing with applications to change or enlarge non-conforming uses, as well as for minor variance applications where existing or proposed uses conform to the Zoning By-law but are non-complying with respect to zoning provisions such as building setbacks. The Committee will have regard to the relevant non-conforming use and minor variance policies.

5.8 PLANNING APPLICATIONS – REQUIRED INFORMATION AND MATERIALS

1. In addition to the information and materials required pursuant to the *Planning Act* and associated O. Regs, and any other legislation, as amended, the Township may require development proponents to provide additional information to accompany applications as part of a complete application. Notwithstanding the generality, additional studies and materials may be required for Official Plan amendment, Zoning By-law amendment, Minor Variance, Site Plan Control, consent, subdivision, and condominium applications.
2. The number and scope of studies and assessments to be required for the submission of a complete application shall be appropriate and in keeping with the scope and complexity of the application.
3. The additional information that may be required in support of an application includes, but is not limited, to the following:
 - Aggregate Studies
 - Agricultural Soils Assessment
 - Archaeological Assessment
 - Boat Capacity Study
 - Contaminated Site Assessment / Environmental Site Assessment

- Cultural Heritage Assessment
 - Environmental Impact Assessment/Study
 - Environmental Site Assessment
 - Erosion and/or Sedimentation Plan
 - Floodplain Analysis
 - Geotechnical Report
 - Grading and Drainage Plan
 - Groundwater Impact Assessment
 - Heritage Impact Assessment
 - Hydrogeological Assessment
 - Lake Capacity Assessment
 - Landscaping Plan
 - Land Use Compatibility Assessment
 - Minimum Distance Separation (MDS) Calculations
 - Noise/Vibration/Blast Study
 - Parking Study
 - Planning Rationale
 - Record of Site Condition
 - Risk Reduction Plan
 - Servicing Options Report
 - Slope Stability Analysis
 - Species At Risk Assessment
 - Stormwater Management Plan
 - Surface Water Impact Assessment
 - Terrain Analysis
 - Traffic Impact Assessment
 - Tree Conservation and Protection Plan
 - Visual Impact Assessment
 - Other information or studies relevant to the development of lands impacted by the proposed development approval application
4. The Township may require any of the required studies to be peer-reviewed on behalf of the Township, at the sole expense of the proponent.
5. The Township encourages development proponents to consult with the Township prior to submitting planning applications. Failure to do so may result in the application being deemed incomplete in accordance with the *Planning Act*.

5.9 PUBLIC PARTICIPATION AND PUBLIC NOTICE PROCEDURES

1. Council shall make planning documents specified in the *Planning Act* such as the Official Plan and Zoning By-law available to the public to foster a greater awareness and knowledge of planning matters. Where amendments to these documents are made, Council shall endeavour to ensure that up-to-date consolidations of the amended documents are made available.
2. Council shall, as a minimum, follow the requirements of the *Planning Act* as they apply to public notification and participation in relation to such matters as Official Plans, Community Improvement Plans, Zoning By-laws, amendments to the said Plans and By-laws, Plans of Subdivision and Plans of Condominium.
3. In order to facilitate public participation, Council will employ appropriate methods at varying stages of the decision-making process such as, but not limited to, delegations to Committees of Council, formal and informal public meetings, open houses, workshops, displays, municipal-wide advertising, working committees, task forces, consultation with community, ratepayer or business associations, and posting affected properties with information signs.

5.10 PUBLIC WORKS AND CAPITAL WORKS PROGRAM

The implementation of the policies of this Plan which require the provision of municipal facilities and services will involve the Township directly in the financing of such projects, as resources permit. Project areas may include activities such as the development of park and recreational facilities, the upgrading of roads, the improvement of intersections and the enhancement of drainage facilities.

It is intended that Council, on the basis of the policies of this Plan dealing with municipal facilities, will establish a priority list for the implementation of these projects with estimates of cost (land acquisition, construction and maintenance costs wherever possible). A five-year capital works program will then be developed which the Council should carry out systematically.

It is intended that the program will be reviewed annually as part of the capital budget procedure.

5.11 MAINTENANCE AND OCCUPANCY BY-LAW

1. It is the policy of Council to encourage the maintenance of the Township as a pleasant environment in which to live, work or visit. Continued maintenance of property is essential to the welfare of the Township.

2. It is the intention of the Township to support the private efforts of property maintenance and to eliminate any existing hazards to building occupants through the introduction of by-laws specifying standards for all properties within the Township for property maintenance and occupancy under Section 15.1 of the *Building Code Act* and/or under the *Municipal Act*.
3. Council will endeavour to support further property maintenance and safe occupancy by:
 1. Utilizing available government programs, where applicable, to provide financial and administrative support to individuals seeking to improve their properties;
 2. Undertaking education and public relations programs as needed to demonstrate the benefits of property maintenance;
 3. Maintaining municipally-owned buildings, properties and community facilities, and providing or maintaining municipal services in good repair.
4. Upon adopting a maintenance and occupancy by-law, Council will appoint a Property Standards or Property Officer who will be responsible for administering and enforcing the by-law.
5. Council will also appoint a Property Standards or Property Committee for the purpose of hearing appeals against an order of the Property Standards or Property Officer.
6. The by-law will be administered using a standard recording form for building or property condition to provide a clear and equitable procedure for evaluating building condition.
7. The maintenance and occupancy by-law may prescribe standards for the following matters and any others that may be considered necessary:
 1. The keeping of yards, vacant lands, parks, waterfront areas, laneways and passageways, free from debris, rubbish, weeds, abandoned or derelict vehicles, trailers, boats, barges, mechanical equipment or similar material;
 2. The adequacy of sanitation control, including garbage disposal, sewage and drainage;
 3. The maintenance of parking and storage areas;
 4. The maintenance of all buildings and structures, including structural standards of walls, floors, ceilings, foundations, insulation, electrical systems, plumbing, heating, adequacy of protection from weather, natural

lighting and ventilation, condition of chimneys, fire protection standards and general cleanliness and upkeep;

5. The maintenance of fences, swimming pools, accessory buildings and signs; and
6. The establishment of occupancy standards including pest prevention, adequacy of food preparation facilities, access, ventilation, maximum number of persons per dwelling unit, minimum floor spaces and room heights.
7. The maintenance of heritage attributes for properties designated under the *Ontario Heritage Act*.

5.12 THE MUNICIPAL ACT

The *Municipal Act* provides significant opportunities for the Township in relation to regulatory control over a range of matters and interests. These include various land uses, signs, trees, site alteration, economic development and a wide range of other matters of relevance to planning. Where necessary and desirable, the Township shall amend existing By-laws or pass new By-laws as may be required to ensure such matters are properly regulated and controlled.

SECTION 6 INTERPRETATION

1. It is intended that the boundaries of the land use classifications and development constraints shown on Schedules A and B, respectively, be considered as approximate and absolute only where bounded by roads, railways, rivers or streams or other similar geographical barriers. It is recognized that the Schedules are subject to the typical and inherent inaccuracies associated with rural base mapping sources and digitized assessment parcel information. Accordingly, amendments to the Official Plan will not be required in order to make minor adjustments to the parcel fabric, physical features or approximate land use boundaries shown on the Schedules, provided that such adjustments do not, in the Township's opinion, compromise the intent of the Plan.
2. Typographical, grammatical and formatting modifications to this Plan may be undertaken without an Official Plan amendment, provided that such modifications do not, in the opinion of the Township, affect the intent of the Plan.
3. Private roads and unopened road allowances have been identified on the Schedules for information purposes. In the event that a private road or unopened road allowance has incorrectly been identified as a public or open public road, this shall not signal an intention by the Township to change the status of the road, nor shall any amendment to the Plan be required to make a correction.
4. It is intended that all figures and quantities herein shall be considered as approximate only and not absolute. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures.
5. Where any doubt exists with respect to the intended meaning of any word or phrase used in this Plan, the *2014 Provincial Policy Statement* shall be used as a guide to interpretation.
6. Where any Act or portion of an Act is referred to in this Plan, such references shall be interpreted to refer to any subsequent renumbering of sections in the Act and/or changes in the date of the Act.
7. Any appendices attached to this Plan may be revised without an Official Plan amendment.

