

TOWNSHIP OF FRONTENAC ISLANDS

OFFICIAL PLAN

Draft Amendment – 5 year Review



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SCHEDULE “A”

SCHEDULE “B”

TOWNSHIP OF FRONTENAC ISLANDS OFFICIAL PLAN

INTRODUCTION

1.1 Contents of Plan

Sections 1 through 9 of the text, together with Schedules “A” and “B” constitute this Official Plan.

1.2 Scope of Plan

1.2.1 Application

This Plan applies to all lands in the Township of Frontenac Islands.

1.2.2 Planning Period

The policies and maps contained in this Official Plan cover the Planning Period to the year 2020. Council will review the Official Plan every five years during this period to determine the need for revisions and will revise this Plan to ensure that it conforms with provincial plans or does not conflict with them; has regard to the matters of provincial interest listed in Section 2 of the *Planning Act* and is consistent with the most recent Provincial Policy Statement.

1.2.3 Effect on the Public Sector

Upon Approval of this Official Plan by the Approval Authority, Section 24 of the *Planning Act, R.S.O. 1990*, as amended, will require any public work undertaken in the Township of Frontenac Islands and any By-law passed by the Council of the Township of Frontenac Islands for any purpose, with certain exceptions as provided for in the *Planning Act, R.S.O. 1990*, as amended, to conform to this Plan.

1.2.4 Effect on the Private Sector

Although this Official Plan is a legal document, it cannot control or regulate the use of land by the private sector until such time as it is implemented by zoning by-laws passed pursuant to Section 34 of the *Planning Act, R.S.O. 1990*, as amended, or by other by-laws passed pursuant to other Provincial statutes.

1.3 Purpose of Plan

The general purpose of this Plan is to provide a comprehensive document to guide and direct the use of land in the Township of Frontenac Islands throughout the Planning Period. This Plan is prepared to assist decision making by both the public and private sectors. Public administrators may use the Plan to identify public undertakings which will be required and to assign appropriate budget, timing and locational priorities. Private interests, by being informed of the long term objectives of the Township of Frontenac Islands may make decisions on their operations in the context of consistent

and predictable public policies.

This Plan will be used to guide development of and amendments to, the Township's Comprehensive Zoning By-law; in addition to guiding decision-making and growth over the next 20 years. This Plan will undergo a comprehensive review every five years.

1.4 Vision of the Plan

The vision for Frontenac Islands is to create a strong community identity that reflects the unique island character of the area, which respects the principles of orderly, well managed growth and development, which is adequately serviced, which maintains (and preferably enhances) the quality of the natural environment and which provides for sustainable development. Sustainable development is described as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The Township's vision embraces the concept of sustainable development through land use decisions that integrate human needs with the natural and built environment. Land use decisions also include sustainable design measures for transportation, infrastructure, waste management, energy systems and the harvesting and use of natural resources. The vision intends to be adaptive to innovative design and human activities that support sustainability.

As a community that has embraced the development of a wind farm, Frontenac Islands is not only moving towards a green economy but is a municipality that encourages the development of various alternative energy systems for their energy conservation value and the economic benefits they may bring to the Island and through the export of energy to off-island users. Council will encourage and promote wherever feasible, alternative energy projects which serve to optimize the capacity of the transmission cable from Wolfe Island to the Hydro One grid (network) including solar power, biomass and other alternative energy sources.

2. GOALS AND OBJECTIVES

2.1 Basis

This plan is based on a review and analysis of background material. This analysis was presented in a Background Report prepared in February, 2000 by *Clark Consulting Services (CCS)*. **Changes to the Plan in 2009 are based on a comprehensive review. A Community Profile (January 2009 – Tunnock Consulting Ltd.), provides the background information considered in the review and includes input from public meetings held in April 2008.** This Background Report and Community Profile included a review of the following factors:

1. A number of important events shaped the communities in the Township. Key events include:
 - early surveys and settlement patterns
 - the good agricultural soils which dominate the Municipality
 - the strategic location of the islands at the head of the St. Lawrence River
 - the nearly total reliance on ferry services for access
 - the creating of recreational properties which appear to be maturing into a demand for permanent occupancy by an aging population taking early retirement
 - **the installation of a commercial wind farm and alternative and renewable energy systems**
 - **conservation of groundwater and surface water resources**
2. The current evolving development pattern which continues to evolve based upon external and internal influences. This pattern has been divided into the following categories:
 - Settlement Areas
 - Settlement Areas relying on individual private sewer and water services
 - Shoreline Development (both cottages, permanent)
 - Rural lot development (usually by consent)
 - Resource activities - farming, aggregate and forestry
 - Resource based recreation activities -cottage rental and golf courses
 - Nature Reserves
 - Other uses - including Hazardous uses
3. The two main islands have displayed markedly different growth patterns. Howe Island has shown rapid growth in permanent residential population. Much of this growth appears to be through conversion of existing cottages to permanent occupancy. To sustain this growth new development areas will be required. **We predict that growth on Howe Island will reach 705 people by year 2016, a growth of 196 people (38%).** Wolfe Island has had very little population growth during the same period. **We predict that the permanent population of Wolfe Island will reach 1683 people by the year 2020 a growth of 428 people. (34%)** Access differences appear to be the main reason for this **historic difference** ~~different~~ **in the** growth rate. **Based on our analysis (2008), we predict that Frontenac Islands will grow between 2.5% and 3% per year (46 to 56 persons per year) on average and will reach a population between 2,098 and 2,145 by 2011. The rate of growth will almost exclusively result from in-migration from the greater Kingston area and should be closely monitored as part of the five-year**

comprehensive review of the Official Plan. Population growth rates projected for the 2007 to 2031 period by the Ministry of Finance estimate an increase of 30,000 people across the County of Frontenac (including the City of Kingston) or a net growth rate of 0.82% per annum. The robust rate of growth currently experienced in Frontenac Islands is significantly more than projected for the County as a whole. As indicated, the growth rate is substantially based on in-migration rather than natural growth. Continued growth at this rate will be dependent on the available land supply. The limited job creation and the aging population on the Islands do not otherwise support such rapid growth. To this extent population growth will be dependent on employment generation elsewhere coupled with lifestyle choices of people who are currently employed in the greater Kingston area but who choose to live on the Islands. The rate of growth on the Islands should be carefully monitored through the five-year review. A construction labour force associated with the development of a commercial wind farm has contributed to accelerated growth and commercial activity on Wolfe Island.

4. ~~In order to maintain current population to employment ratios, some 152 new jobs will be required.~~ The range of housing types and densities is limited on the Islands. The predominance of low density single detached dwellings, however, is expected to continue. The current policies permit a broader range of housing types in Marysville including multiple residential housing and seniors housing. Housing policies in the Official Plan should continue to support a range of housing types and densities in Marysville and should establish housing targets to encourage greater diversity in the delivery of new housing. It is suggested that a target of 70 to 80% low density (singles, two-unit housing, converted) 10 to 15% medium density (triplexes and row or town housing) and 10 to 15% high density (apartments) should be established. In addition the municipality should also establish a target for affordable housing in the order of 20 to 25% of housing starts to ensure that housing is accessible to all socio-economic groups. Most of this residential growth will occur on waterfront areas. There will also be considerable construction on existing lots of record that are currently vacant. There is a twenty-nine year supply of available vacant residential lots based on an average of 17.5 new housing starts per year (1/2 seasonal, 1/2 permanent). A considerable amount of the vacant residential land is on water. The vacant land supply along the shoreline of each of Howe, Wolfe and Simcoe Island is adequate to accommodate new housing starts on each island for the next twenty years based on a high-end estimate of 15 new housing starts on waterfront lots per year. The land supply in Marysville (of some 90 potential lots) is adequate to meet future needs without any boundary changes due to the abundance of vacant land in the village. Residential intensification will help to achieve over 75% of the projected housing needs in the village.
5. The improvement of Ferry Service to both Islands has dominated municipal discussions. Most recently, the Municipality has decided to explore a fixed link for Howe Island. A decision as to the improvement to the Ferry Service for Wolfe Island ~~is still pending~~ will depend on an Environmental Assessment undertaken by the Ministry of Transportation designed to examine and quantify current operational characteristics of the Ferry Service to determine the future transportation needs. ~~Extensive review has developed a limited set of alternatives.~~
6. ~~The analysis anticipates land requirements of 114 ha. for housing and 72 ha. for employment. An allocation by area has been prepared as the basis for reviewing the~~

~~redesignation of land in the Plan.~~ There is a sufficient land supply to meet projected growth needs for all land use categories for the foreseeable future. Land use policies in the Plan should ensure that the allocation of the valuable land supply provide for a greater diversity of housing types and densities and provides opportunities for commercial, industrial and institutional growth commensurate with the mixed land use setting in Marysville and the low density rural character of the rural area.

7. Economic prosperity considerations include:
 - planning for infrastructure and land supply
 - protecting resources for extraction or development (i.e. agriculture, mineral aggregates)
 - creating and marketing tourism related opportunities
 - development of home based businesses and secondary uses
 - implementation of initiatives associated with the Integrated Community Sustainability Plan
 - ~~prudent application of revenues flowing from the commercial wind farm building on the alternative energy economy.~~ Taking advantage of the development of alternative energy systems as a local source of energy to support new development on the Islands and to benefit from revenues through the sale of surplus energy
 - marketing the attributes and amenities of the Islands (e.g. legacy of heritage,
 - quality of life and residential living environment, accessibility to Kingston, Frontenac County and the United States, promoting local food production/economy and local markets, natural features such as wetlands and wildlife habitat)
 - providing for the establishment of industrial uses, particularly those which embrace alternative energy systems and are compatible with surrounding land uses.
8. Agriculture, particularly on Wolfe Island, remains a predominant land use. Farming is under increasing threat by new, non-farm uses, particularly non-farm residents and dramatic changes in the agricultural industry. These uses are making traditional farming less viable and are introducing new types of operations into the area. These operations include large animal containment barns, vast land areas devoted to cash cropping, specialized crop production and a heavy reliance on leased lands.
9. ~~Certain~~ Natural Heritage Features and Areas within the Municipality warrant protection through designation such as Wetlands; where as other features can be protected through "have regard to" policies requiring new development and re-development to recognize unique local features. These features include Natural Features and Cultural Heritage resources. ~~through measures which are consistent with the Provincial Policy Statement.~~
10. With recent changes in legislation, the Municipality must adopt more stringent policies for contaminated sites including the rehabilitation of brownfield sites and the hazards they pose.
11. This Plan was drafted to ~~having regard to~~ be consistent with the Provincial Policy Statement issued under Section 3 of the *Planning Act R.S.O. 1990.*
12. Living on Frontenac Islands offers a unique but healthy lifestyle. Policies of the Official Plan

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should reinforce such lifestyles through the promotion of sustainable transportation systems (e.g. walking, cycling, and car pooling). Consideration should be given to a public-transit oriented shuttle service to help reduce the number of passenger vehicles using ferries. The shuttle service and/or car pooling could have priority access to ferry crossings. Telecommuting services should also be promoted to enable residents to live/work/play without leaving the Islands. Transportation services to and from Wolfe Island should be integrated with the Kingston Transit service by providing for park and ride facilities for island commuters.

2.2 Goals and Objectives

2.2.1 Infrastructure

Goal

To direct growth to areas capable of sustaining a minimum standard for infrastructure.

Objectives

1. To maintain minimum infrastructure requirements to service existing and future growth.
2. To prepare a regular program to improve infrastructure including ferry improvement or replacement.
3. To review new development in terms of infrastructure requirements and assure minimum standards prior to approval.
4. ~~To explore the feasibility of communal water and sewer systems for existing and new development.~~ Full municipal sewage and water services are the preferred form of servicing for urban **settlement** areas and rural settlement areas. **Council's objective is to complete a study on the feasibility of installing a municipal water service for Marysville.** In areas serviced by full municipal sewage and water services, lot creation will be permitted only if sufficient reserve water and sewage ~~system plan~~ capacity will be available to accommodate it. If full municipal services are unavailable or cannot be provided, communal services are the preferred means of servicing multiple lot/units provided site conditions are suitable. Lot/Unit creation may be serviced by individual on-site **sewage and water** systems where the use of communal systems is not feasible, **where policies in the Plan provide for this method of servicing, where site conditions are suitable for the long-term provision of such services, and where there is sufficient reserve sewage system capacity for hauled sewage.** ~~Partial services will be discouraged except~~ **may be permitted** where necessary to address failed on-site sewage and water systems in existing development and to provide for infilling and rounding out of existing development in settlement areas provided there is sufficient reserve system capacity and site conditions are suitable for the long-term provision of such services. **To this end, the Township will plan for a site on Wolfe Island to accommodate the disposal of hauled sewage.**
5. To provide waste management systems which are of an appropriate size and type to

accommodate present and future requirements, and which are located and designated in accordance with Provincial standards and legislation.

6. To protect transportation and infrastructure corridors and facilities.

2.2.2 Land and Sustainability Requirements

Goal

To promote a sustainable form of development which meets the latest projected land requirements for the Municipality.

Objectives

1. To encourage growth ~~adjacent to~~ within existing settlement areas ~~which is and~~ contiguous to existing development.
2. To review all new growth areas to determine their suitability and justification relative to the projected land requirements of the Municipality and to conduct an availability review of suitably designated vacant land elsewhere in the settlement area.
3. To review and update the municipal land requirements on a regular basis.
4. To maintain and improve the Municipality's population/employment ratio by encouraging employment uses consistent with the infrastructure and resources of the Municipality.
5. To encourage cost-effective and efficient development, redevelopment, intensification, and revitalization within settlement areas
6. To encourage growth which avoids the need for unnecessary and/or uneconomical expansion of infrastructure, which is appropriate to the type of services which are available and/or planned, and which protects natural and cultural resources, the environment, and public health and safety.
7. To encourage energy efficiency in the design and development of all types of building stock.
8. To encourage less dependence on the automobile through walking, cycling, car pooling, telecommuting and the development of island-based employment (e.g. home based businesses, resource-based development).
9. To design, develop and implement a program for Integrated Community Sustainability which will be reviewed on an ongoing basis.
10. To promote and provide for 'green industries'.
11. To promote and provide for community improvement measures that focus on the adaptive reuse of buildings, recycling of building materials, residential intensification, energy efficient

rehabilitation and repair and reduced waste generation.

2.2.3 Economic Prosperity Goal

To promote long term economic prosperity.

Objectives

1. To provide infrastructure and public services to accommodate projected growth
2. To provide/encourage the provision of a supply of land to meet projected growth.
3. To provide an efficient, cost effective, reliable transportation system integrated with all jurisdictions and appropriate for the expected growth.
4. To promote energy and water conservation.
5. To maintain economic diversity and strength.
6. To maintain the long-term availability of all natural resources including agricultural land, aggregate and mineral resources.
7. To plan for facilities such as transportation, waste management systems, and emergency services in a long range, comprehensive manner.
8. To permit and promote local food production and the development of local food markets to serve Islanders and the greater Kingston marketplace.
9. To market the alternative and renewable energy market.
10. To market the attributes and amenities of the Islands (e.g. legacy of heritage, quality of life and residential living environment, accessibility to Kingston, Frontenac County and the United States, natural features such as wetlands and wildlife habitat).
11. To encourage the development of industrial uses, home based businesses and secondary uses.
12. To encourage and promote value-added tourism.

2.2.4 Resources

Goal

To ensure that naturally occurring resources such as agricultural land, aggregate and mineral resources, ground water and significant natural features are protected from inappropriate development.

Objectives

1. To protect good agricultural lands in sufficiently large blocks to promote long term unrestrained agricultural use.
2. To identify and protect mineral and aggregate resources with extraction potential.
3. To ensure that the impact on surface and ground water resources of all land use changes is evaluated and minimized.
4. To provide for a review of all new uses as to their **compatibility and** effect on the natural environment.
5. To minimize compatibility issues between resource extraction and agricultural land uses and other land uses (i.e. sensitive land uses).
6. To ensure that resource extraction areas are rehabilitated to a suitable end use, and to ensure that prime agricultural lands are rehabilitated back to prime agricultural lands.

2.2.5 Water Quality and Quantity

Goal

To protect the quality and quantity of both surface and ground water resources.

Objectives

1. To identify all new or expanded land uses which pose a threat to water quality and quantity and provide for their regulation/review.
2. To support the monitoring and analysis of water quality and quantity.
3. To encourage best management practices for storm water management.
4. To report areas of ground water contamination and monitor measures to restore/replace ground water sources.
5. To identify, protect, and enhance sensitive groundwater recharge and discharge areas, aquifers, and headwater areas.

2.2.6 Hazards, Natural and Human Made

Goal

To identify lands affected or potentially affected by natural and human made hazards.

Objectives

1. To encourage the completion of flood plain mapping in all areas proposed for development.
2. To require a history of land use as part of any development review process and for those lands with a history of potential **or known** contamination, proof that the site is not contaminated **or that contaminated sites are appropriately remediated such that there will be no adverse effects on future or proposed uses.**
3. To identify areas for evaluation adjacent to uses which have the potential to create hazards.
4. To require set backs from shorelines which exhibit erosion potential or in areas of flooding potential.
5. To ensure through the use of rehabilitation measures, that proposed development or land use activities do not create new hazards.

2.2.7 Natural and Cultural Heritage Features

Goal

To protect significant natural and cultural heritage features and areas from incompatible development.

Objectives

1. To support the evaluation of natural and cultural heritage features to determine their significance and require an archeological evaluation of resources.
2. To document those features and areas which are significant.
3. To provide for the review of all land use changes **or site alteration** which could negatively impact significant **natural heritage** features ~~and functions for which the area is identified~~ **or on their ecological functions.** Best management practices, mitigative techniques, and avoidance will be encouraged as means of eliminating negative impacts **and avoiding incompatible development.**
4. To maintain, protect and enhance the connections between natural heritage features, including shoreline riparian zones.

2.2.8 Community Development

Goal

To encourage Community Development initiatives originating from the residents of Frontenac Islands.

Objectives

1. To encourage the review, discussion and potential implementation of projects identified through the Community Development process (i.e. Wolfe Island, A Quality Life Millennium Development Project).
2. To encourage sustainable and well managed growth that accommodates the needs of residents including youth and seniors.
3. To brand the Municipality as a leader in the design and development of energy conservation systems and their contribution to the reduction of the carbon footprint. Further, to include energy conservation as an integral component of the land use decision making process.
4. To encourage the design and development of public gathering places including local markets, small scale commercial uses, and drop-in facilities.
5. To encourage the development of new industries and home based businesses.
6. To conserve and integrate significant buildings and architectural amenities into the evolving land use pattern.
7. To encourage development that strengthens the tax base of the community and provides for a diversity of commercial, industrial and business opportunities.
8. To conserve the scenic amenities of the archipelago's shorelines and the character of low density development.
9. To encourage development that supports energy efficiency, less dependence on automobiles and more emphasis on walking and cycling.
10. To design with and for nature.

3. COMMUNITY STRUCTURE AND DEVELOPMENT POLICIES

3.1 Settlement Areas

The largest settlement area in the Municipality is Marysville on Wolfe Island. Current sewer and water services rely on individual, private services. Some shared water supplies provide service to several residences. Although there are no documented concerns with respect to water supply, future extensions to this settlement area should consider communal servicing.

The dominant form of development has been shoreline related. Much of the most suitable shoreline has been developed. Future development should be by means of plans of subdivision and should be directed to the extension of existing clusters.

Growth in permanent residential development has been and will likely continue on the basis of either conversion of existing cottages, development of existing vacant lots and severances in the Rural area.

3.2 Servicing Strategy

3.2.1 Background

The land use designations of Schedule “A” require differing levels of supporting services. These services are provided by a number of service providers, many on a communal basis. The specific nature of the communal arrangements depends on the nature of the service, the user’s expectations, and the legislative basis for the provision and payment of the service.

The revenue sources for these services are often constrained and include user fees, grants, reserves and land taxes. The land taxation system is one of the most significant locally controlled revenue sources. The land taxation system supports the local municipality, the County and the School Boards by determining taxes on the basis of a land valuation or assessment system. This system leads to concern by local municipalities for the type of land uses and the corresponding level of assessment. This is usually expressed as concern over the residential/commercial assessment ratio and its implications on the local taxes levied to support the servicing required.

Sufficient funding of capital and operating expenditures is often dependent on the management of both the service and the development/redevelopment that the servicing is required to support. Approval of a form of development/redevelopment that involves higher servicing costs will raise the average servicing costs per unit throughout the servicing area. In addition, the scheduling of development/redevelopment will affect the timing and need for these services and the cost of providing the service.

3.2.2 Approach

Based on the above considerations, the following approach will guide servicing considerations:

1. All legally established land uses should receive basic services in an efficient, safe manner consistent with their needs.
2. Currently deficient services should receive priority for improvement.
3. Servicing standards should be established which will maintain an adequate level of service to all land uses and guide future improvements to areas of existing deficiency on a priority basis. New services in areas of development/redevelopment shall meet minimum servicing standards.
4. Servicing plans should be future oriented reflecting the 20 to 30 year growth potential. All new services should be sized to accommodate anticipated growth during the life of the facility. Provision should be made for future servicing extension in all development plans to avoid reconstructing services through or around existing development.
5. All improvements to services and facilities should be made in an environmentally sensitive manner. The negative implications of development should be identified and addressed prior to development or redevelopment.
6. A “user-fee” approach to the recovery of service related costs should be used where practical. In particular, new development should not result in costs accruing to existing uses or residents without demonstrated benefit nor should new development/redevelopment increase the level of taxation to the rest of the ratepayers unless a municipal-wide benefit can be demonstrated.
7. New growth should be based on a logical extension of existing services and should not result in a need for new services unless they can be demonstrated to be appropriate and financially viable.
8. The provision of services should be coordinated so as to avoid duplication of effort and ensure that the best use of available resources, staff and finances is achieved.
9. The importance of municipal control of servicing and the vital role of volunteer contributions to the provision of services should be acknowledged and accommodated in service delivery plans where possible and appropriate.
10. Long-term capital planning should provide for the maintenance and replacement of capital assets (e.g. community buildings, rolling stock, equipment) and the upgrading or extension of existing services to meet the needs of a growing and changing community.
11. Financial management tools should take advantage of the *Development Charges Act* for levying charges to new development for improvements and upgrading of municipal services such as transportation (roads, sidewalks, public works facilities), fire services (fire vehicles,

fire stations and equipment), recreation and cultural services (parks, playgrounds, recreation facilities, library books and materials).

3.2.3 Water Supply and Sewage Disposal

Large development (more than 5 residential lots/units or other development requiring 10,000 liters/day [2,200 gal. /day]) should require communal servicing. Individual services (i.e. private wells and septic tanks and tile fields) are acceptable where long term, sustained development on individual services can be demonstrated. Such demonstration should include a review on an area basis in order to ensure that development will not result in a cumulative reduction of water supply or deterioration of water quality. Council should monitor lot creation and development density in order to avoid future servicing concerns.

3.2.4. Water Supply

The Municipality does not currently operate any municipal water supplies.

The Municipality relies upon individual water supplies taken from ground water sources or the adjacent water body. Except for those areas where new communal water supplies can be established such as within the urban settlement area of Marysville, it is expected that new development in these areas will continue to rely on ground water and surface sources. It will be necessary to ensure that all new development will have a sufficient supply of good quality ground or surface water.

Water quality standards should form the basis for evaluating water supplies in accordance with the new drinking water standards developed by the Ministry of the Environment.

3.2.4.1 Communal Water Supply

1. New Public Systems

i. New Development

New residential development of ~~5~~ 6 residential units or more will be served by communal water supply systems. Exceptions will be considered only where it is demonstrated to the satisfaction of the Township and the Ministry of the Environment that a communal system is not feasible or practical.

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ii. Reservation of Areas for Extension or New Communal System

The municipality shall deny any development in an area where existing water supplies have proven inadequate in the past, where current water supplies do not meet drinking water standards or where the hydrogeologic assessment identifies limitations of water supply or quality in terms of the long-term demand of proposed and ultimate development of an area.

iii. Cost of Extension

The municipality shall reserve areas of sufficient size to ensure that the cost of service extension will be reasonably met by individual contributions to the cost of construction and maintenance.

iv. Administration and Management

All new communal water supply systems designed to serve more than 5 residential lots/units shall be assumed by the municipality for administration and maintenance purposes. Annual review of all municipal water supply systems shall be required. The municipality shall also ensure that reserve funds for long term repair and replacement of the system components are established.

3.2.4.2 Private Communal Piped Water Supply

Where a private communal water supply system exists it may continue to provide service to the existing uses it has been servicing. New private communal services will be subject to municipal review where planning and building approvals are required. Approvals by other agencies such as the Ministry of the Environment will be required. Should these reviews involve consideration of municipal ownership, the municipality should not assume a private system until it has been improved to a municipal standard. The status of reserve funds and the maintenance arrangements should also be part of any review and shall be the subject of an agreement entered into prior to municipal assumption.

1. Extension of Existing Systems

Subject to the Ministry of the Environment review, an existing system may be extended as a private communal system. If municipal ownership is required, e.g., for permanent residential, the policies of the public communal system shall apply.

2. New Private Communal Systems

New private communal systems shall be subject to review based upon the Ministry of The Environment legislation and guidelines.

3.2.4.3 Individual Water Supply

In the review of a development proposal based upon individual private water supply (i.e. wells), the applicant should be required to prove the adequacy of the available water supply to provide a dependable, safe source of water over extended periods without negatively impacting on other water sources for adjacent uses.

1. Hydrogeologic Assessments

In areas designated for development such as hamlets and new residential areas an area hydrogeologic assessment should be prepared at the time of designation in order to assess the water supply on an area basis. This assessment should be conducted as part of any Settlement Capacity Study or Secondary Plan and any recommendations of the assessment

should be included in the development policy to be applied to this area. The municipality may seek contributions from development interests to cover the cost of this assessment. Alternatively, the municipality may recover the cost of such an assessment as part of the development charges or other revenue to be collected for the area.

2. Hydrogeologic Assessments for Individual Applications

Where an area hydrogeologic assessment has been completed and an individual development application is proposed an individual hydrogeologic assessment will be required to confirm the findings of the area assessment. For areas not subject to an area hydrogeologic assessment a full hydrogeologic assessment will be required.

3. Subdivisions

A detailed hydrogeologic assessment, prepared in accordance with the guidelines of the Ministry of the Environment, is required prior to draft approval of a plan of subdivision and prior to approval of any supporting official plan amendment. Among other matters, the assessment will confirm the adequacy of the available water supply.

4. Severances

The Approval Authority shall, as a condition of granting the consent, require a hydrogeologic assessment or individual well testing for each consent, unless the Approval Authority is satisfied by available information that the lot can achieve a satisfactory supply of good quality water from an available source which will not affect the area's water supply. ~~It should be noted that the Ministry of the Environment does not review hydrogeologic assessments prepared in support of severance application.~~

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5. Commercial/Industrial

All commercial/industrial developments will require a hydrogeologic assessment as part of the approval process preferably at the lot creation stage. The assessment may be a condition of site plan control if no previous assessment has been prepared.

3.2.5 Sewage Disposal

There are no municipal sewage collection or disposal systems in the Township. Instead, development is served by individual sewage disposal systems, primarily septic tanks and tile fields. New development will continue to rely on either communal or individual sewage disposal systems. It is important to ensure that all new development will not affect the quality of ground water and will protect these supplies for future use.

3.2.5.1 Public Sewage Disposal Systems

1. New Public Systems

Designation

The Official Plan may designate those areas where new development will only be permitted on the basis of a communal sewage disposal system. No areas have been designated at this time.

3.2.5.2 Private Communal Sewage Disposal

Where a private communal sewage disposal system exists, it may continue to provide service to the existing uses it has been serving. New communal services will be subject to municipal review where planning and building approvals are required. Approvals by other agencies such as the Ministry of the Environment or the Health Unit will be required. Should these reviews involve consideration of municipal ownership, the municipality should not assume a private system until it has been improved to a municipal standard. The status of reserve funds and the maintenance arrangements should also be part of any review and an agreement shall be entered into prior to municipal assumption.

1. Extension of Existing Systems

Subject to the Ministry of the Environment review, an existing system may be extended as a private communal system. If municipal ownership is required, e.g. for permanent residential, the policies of the public communal system shall apply as outlined above.

2. New Private Communal Systems

New private communal systems shall be subject to review in accordance with the Ministry of the Environment **legislation and** guidelines.

3. **In planning for communal sewage services, Council will ensure that such systems can be sustained by the water resources upon which such services rely; that the system is financially viable and complies with all regulatory requirements; that human health and the natural environment are protected; that there is sufficient reserve sewage system capacity; that water conservation and water use efficiency is promoted; that the design of the system is integrated in land use planning decisions; that site conditions are suitable for the long-term provision of such services, and that licensed sewage haulers are available for the transport or transfer of sewage.**

3.2.5.3 Individual Sewage Disposal System

In the review of a development proposal based upon individual private sewage disposal, the applicant should be required to prove the adequacy of the soil conditions to ensure that available water supplies are protected and there will be no impact on other water sources for adjacent uses. **In planning for individual on-site sewage services, Council shall ensure that there is sufficient reserve sewage system capacity for hauled sewage generated by new systems; that site conditions are suitable for the long-term provision of such services and that the size, treatment technology and location are the most appropriate to serve the proposed development.**

1. Hydrogeologic Assessments

In areas designated for development such as hamlets and new residential areas, an area hydrogeologic assessment should be prepared at the time of designation in order to assess the adequacy of soil conditions to support the development proposed and the most appropriate form of sewage disposal on an area basis. This assessment should be conducted as part of the Official Plan Amendment and any recommendations of the assessment should be included in the Official Plan policy to be applied to the area. The municipality may seek contributions from development interests to cover the cost of this assessment. Alternatively, the municipality may recover the cost of such an assessment as part of the development charges to be collected for the area.

2. Hydrogeologic Assessments for Individual Applications

Where an area hydrogeologic assessment has been completed and an individual development application is proposed an individual hydrogeologic assessment will be required to confirm the findings of the area assessment. For areas not subject to an area hydrogeologic assessment a full hydrogeologic assessment will be required. ~~It should be noted that the Ministry of the Environment does not review hydrogeologic assessments prepared in support of severance applications.~~

3. Subdivisions

A detailed hydrogeologic assessment, including a terrain analysis study and impact assessment, will be required prior to draft approval of a plan of subdivision and approval of any supporting Official Plan amendment. These studies will confirm the adequacy of the proposed sewage disposal system and maximum allowable density, and will be prepared in accordance with Ministry of the Environment guidelines.

4. Severances

The Approval Authority shall as a condition of granting the consent require a hydrogeologic assessment or an individual site test for each consent, unless the individual can prove to the Approval Authority by reference to available information that development of the lot will not affect the area's water supply. ~~It should be noted that the Ministry of the Environment does not review hydrogeologic assessments prepared in support of severance application.~~

5. Commercial/Industrial

All commercial/industrial developments will require a hydrogeologic assessment as part of the approval process, preferably at the lot creation stage. The assessment may be a condition of site plan control if no previous assessment has been prepared. Commercial/Industrial uses will be limited to "dry" uses only (i.e. on-site sewage disposal shall be limited to employee washrooms only.)

3.2.6 Protection of Persons and Property

It is the Township's responsibility to maintain adequate protection for persons and property within its jurisdiction. To this end the following policies shall apply:

3.2.6.1 Police Protection

1. Community Policing

The current program of Community Policing should be supported. This program provides improved access to police services and a higher level of policing.

2. Review of Development Proposals

The review of development proposals shall include consideration of the safety and security of the users and the general public.

3.2.6.2 Fire Protection

The volunteer fire fighters who continue to serve their communities in such selfless and heroic fashion are commended.

1. Increased Emphasis on Fire Prevention

Continued emphasis should be placed on Fire Prevention as a means of reducing fire calls and maintaining or improving the Township's record in fire protection.

2. Review of Development Proposals

In the review of development proposals, fire prevention shall be considered. Emergency access and provision for firefighting equipment shall be considered.

3.2.7 Waste Management

Waste management is now a responsibility of the Township. The availability of waste management facilities to accommodate new development should be assured prior to any new development in the area. In addition the Municipality should take all necessary steps to support efforts to reduce, re-use and recycle waste.

New waste management facilities should be sited so as to serve the community without unnecessarily detracting from the adjacent uses in accordance with the policies of Section 5

3.2.8 Schools

The provision of school facilities is an important part of the services to residents in the Municipality. Education is not a municipal responsibility; however land use planning decisions affect the ability and cost of the provision of education. Therefore, it is in the interest of existing and future taxpayers to ensure that these decisions account for school considerations.

3.2.9 Development Charges

With the recent approval of the *Development Charges Act* it has become necessary for municipalities to prepare Development Charges By-laws in order to recover the costs of development for related services. The Municipality should therefore ~~consider the preparation of a~~ **continue to use** Development Charges ~~By-law~~ **as a means** to ensure that the funds collected are adequate to meet the municipality's needs with respect to ~~external site servicing~~ **funding eligible municipal services required to service** new development. The calculation of Development Charges should ensure that new development will not have a negative impact on the Municipality or its ratepayers.

3.2.10 Coordination of Services

There are a number of service providers, utilities and agencies involved in the review, approval and provision of services. The Municipality plays a key role in coordinating these services. It is important that all service providers be consulted at the time of designation, development approvals and design.

3.2.11 Joint Planning with Adjacent Municipalities

The coordination of efforts between municipalities ~~will should~~ be encouraged. In particular, joint planning should be established on an ongoing basis to assist in the review of general development strategies for the Township of Frontenac Islands **and in considering matters of mutual land use planning interest among area municipalities.**

3.3 Watershed/Subwatershed Studies

3.3.1 Introduction

The Township of Frontenac Islands acknowledges the need to plan on a watershed and subwatershed basis. Watersheds serve as natural and logical boundaries for environmental and land use planning. Watershed studies apply an ecosystem based approach to resource management using watershed boundaries. These studies establish constraints, opportunities and approaches for input into land use planning decisions.

For the purposes of this plan a watershed is defined as the area of land drained by a stream and its tributaries. A subwatershed is the area drained by the tributary to the main watercourse.

3.3.2 Watershed and Subwatershed Plans

The municipality shall encourage the preparation of watershed/subwatershed plans as a basis for integrating water management into the planning process.

3.3.2.1 Approach

Watershed/subwatershed plans will be coordinated by the municipality in cooperation with the Ministry of Natural Resources and/or the Ministry of the Environment and will at a minimum include:

1. The location, area extent, present status, significance and sensitivity of the existing natural

environment within the subwatershed.

2. Establish goals and objectives in management of the watershed.
3. Identify lands not suitable for development and recommend, with reasons, appropriate environmental management practices which will protect, conserve, rehabilitate and/or enhance natural features.
4. Provide directions for the screening and selection of Best Management Practices for the watershed and subwatershed.
5. Determine how existing and future land uses can compatibly exist with the natural environment.
6. Promote public participation in and support for watershed and subwatershed planning.
7. Provide technical information that will assist in the development of community plans and the design of subdivisions.
8. Integrate disciplines, policies, mandates and requirements of all agencies and interests including neighbouring municipalities.
9. The watershed and subwatershed plans will be implemented by appropriate changes to the Official Plan and Zoning By-law.

3.3.2.2 Development Review

A watershed/subwatershed plan will be required as part of a Secondary Plan process for any area experiencing development pressure. Proponents will be required to assess the impacts of development on stormwater quality and quantity, receiving watercourses/water bodies, the natural environment, and the potential to create hazards. The stormwater management plan should identify a mix of on and off site controls, based on best management practices, in order to address stormwater quality and quantity concerns.

Once a watershed/subwatershed plan has been approved by the municipality, proposals for plans of subdivision, and commercial and industrial development will be required to include a stormwater management plan showing layout of ditches, drainage channels and retention ponds in conformity to the requirements of the subwatershed plan. The stormwater management plan will be implemented through draft plans of subdivision and site plan approval.

For areas which do not have a watershed/subwatershed plan a stormwater management plan will be required prior to final approval of a draft plan of subdivision. In the absence of a watershed/subwatershed plan the storm water management plan may be required to address the implications of development both upstream and downstream from the proposed development.

3.3.3 Source Protection

Protecting the quality and quantity of groundwater is a public health and environmental issue. Groundwater contributes to the base flow of streams and to the quantity and quality of potable water that can be drawn from private wells. Towards safeguarding the integrity of the groundwater resources, the Township proposes to manage this resource to ensure that flows within natural systems are maintained and that new development can be accommodated within the system without affecting the supplies (from both quantity and quality standpoints) available to other users.

The quality and quantity of ground water and surface water will be protected, improved or restored by:

1. considering impacts of the development of any quarry on the groundwater supply of the Township;
2. working with the Ministry of the Environment and Kingston, Frontenac and Lennox and Addington Public Health to address water quality and quantity issues in the Township, i.e. iron and sulfur, and develop measures to protect, enhance or restore water quality;
3. requiring, if necessary, a water supply assessment prior to approving new development, to ensure that there is an adequate supply of potable water;
4. ensuring future stormwater management practices minimize stormwater volumes and contaminated loads, and maintain or increase the extent of vegetative and pervious surfaces;
5. implementing measures on development, where applicable, to protect all drinking water supplies and designated vulnerable areas and protect, improve or restore vulnerable ground water, sensitive ground water features and their hydrological functions;
6. promoting efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality (installing water saving devices such as low-flow toilets and efficient showerheads, etc);
7. using best management practices in the location, construction and decommissioning of a water well;
8. Raising public awareness through public educational programs since it is through the voluntary actions and practices of people on a day-by-day basis that water resources are protected (i.e. proper use, storage and disposal of fuels, solvents, and pesticides, regular water well maintenance, installation of water saving plumbing fixtures etc.). Council may work towards developing a 'water ethic' in their communities, (i.e. instilling a collective awareness, responsibility, and commitment to protect water on an ongoing basis).

Development and site alteration shall be restricted on or near sensitive ground water features (aquifer recharge areas, discharge areas, springs, etc.) such that these features and their related hydrological functions will be protected, improved or restored.

3.3 Transportation and Utilities

3.4.1 Introduction

The Transportation Network within the Township is depicted on Schedule “A” to this Plan.

The road network includes roads and ferry services under the jurisdiction of the Province of Ontario, Frontenac Management Board, the Township of Frontenac Islands and private landowners.

Navigation on the adjacent water bodies is an important component of transportation for this municipality. Navigational aids are important to the safety of navigation.

A series of hydro corridors, and telephone lines cross the Municipality.

3.4.2 Roads

All roads in the Township of Frontenac Islands shall be developed in accordance with the policies outlined below. Schedule “A” establishes the road network in general terms by dividing all roads in the Township into the following classifications:

1. Major Roads
2. Local Road
3. Private Road

A change in road classification will not necessitate an amendment to this Plan.

3.4.2.1 Road Classification

1. Major Roads

Major Roads include the former Provincial Highway system. It functions as rural collector roads. These existing or proposed roads of two traffic lanes with a right-of-way width of 26 m [85.3 ft.] to 30 m [98.4 ft.] are designed to collect and carry medium volumes of traffic to ferry docks or to distribute traffic to local roads.

It is the intention of Council to limit the number of direct access points to Major Roads. Development adjacent to Major Roads shall be designed so as to protect and enhance the road function and the safety and operation of the road facility.

2. Local Roads

Local roads are existing or proposed roads of two traffic lanes with a standard right-of-way width of 20 m [66 ft.]. These roads are designed to provide access to abutting properties and generally carry low volumes of traffic. The Municipality may accept reduced standards where circumstances warrant.

All roads other than Major Roads under the jurisdiction of the Township of Frontenac Islands shall be classified as Local Roads for the purpose of this Plan.

3. Private Roads

The primary function of private roads is to provide direct access to cottages, cottage and camp establishments, resorts and private clubs **and condominium developments**. The volume of traffic on such roads shall be low and the traffic on the road will have an origin or destination in that road. **Private roads not built to an acceptable standard can become a safety hazard particularly if an emergency vehicle (e.g. fire truck, ambulance) becomes stuck and inoperable and may not be able to save lives or protect property at the location of the fire or emergency or respond to an emergency call in another part of the municipality. Poorly maintained private roads may cause delays in response or the potential inaccessibility of emergency vehicles. Consequently, new private road construction will not be permitted except to service a condominium, or where a proponent of development provides written justification in support of an application that:**

- i. **Private road access is the only feasible means of access to the proposed development;**
- ii. **The road will be constructed and maintained to a standard acceptable to the Municipality (public roads manager) and emergency service providers in responding to emergencies commensurate with the type of use and occupancy proposed (e.g. summer or seasonal occupancy will require a summer maintenance standard);**
- iii. **A minimum right-of-way width of 20 m [66 ft.] will be surveyed and registered against title to all lands to which the road crosses and provides access to;**
- iv. **The road will be posted with a sign acceptable to the municipality indicating the status of the road as a private road and the potential risk to the user.**

Lot creation on an existing private road shall only be permitted where a written justification report addresses items ii, iii, and iv. above.

A one-time extension to an existing private road not exceeding 90 m [295.3 ft.] in length may be permitted where the standards in items ii, iii, and iv. above are met.

The Municipality may require an agreement under the *Municipal Act* to provide for the ongoing maintenance of a private road. Construction and maintenance standards for private roads will be subject to the review of the public roads manager (i.e. road base, width, slope, clearances, drainage etc.).

The Municipality has no ~~immediate~~ intention of assuming private roads.

3.4.2.2 Intersection and Crossing Improvements

It is intended that, wherever possible as traffic conditions warrant, improvements in the form of jog eliminations, sight triangles, regulation of turning movements, proper signing, installation of traffic signals, marking of traffic lanes and channelization will be undertaken.

No development or redevelopment of lands shall be approved in close proximity to an intersection which is scheduled for improvement until this improvement has been sufficiently designed to determine the land required for such improvement.

3.4.2.3 Land Acquisition for Road Purposes

Where land is required for road widening, road extensions, road rights-of-way or intersection improvements, such land shall be obtained for the appropriate agency in the course of approving land severances and plans of subdivision. Land for road widening purposes may be obtained in the course of reviewing development or redevelopment applications for industrial uses in the Industrial Area or Rural Area. The maximum dedication which may be required for a road widening as a condition of site plan approval shall be 5 m [16.4 ft.], or the amount necessary to provide the proposed right-of-way width, whichever is less. Any proposal to widen, extend or improve roads in the Municipality should take into account the scenic features and natural attributes of the adjacent lands, particularly trees which may be on or near the road allowance.

Where the extension or improvement of a local road involves the removal of trees, consideration shall be given to reforestation along the affected road allowance.

3.4.2.4 Roadside Tree Plantings

Roadside tree plantings and vegetative cover shall be preserved, established, or replaced, especially after construction or reconstruction, for erosion control and windbreaks, as well as aesthetic reasons.

3.4.2.5 Bridge Improvements

It is the intention of this plan that as future improvements are made to bridges, that the improvements be designed so as to accommodate the type of road proposed.

3.4.3 Ferry Services

~~The Municipality is currently reviewing options for Ferry Services including the expansion and relocation of the Ferry terminals, the enlargement or addition of Ferry Boats and the replacement or addition of fixed links (bridges) to augment or replace the Ferry Service.~~

The Ministry of Transportation is undertaking a study to examine access between Wolfe Island and the mainland. The project limits are located in the City of Kingston and the Township of Frontenac Islands within the County of Frontenac. The study will examine the current operational characteristics of the existing Wolfe Island Ferry Service and determine the future access needs between Wolfe Island and the mainland. Alternatives will be generated and evaluated based on technical and environmental factors and in consultation with the public, stakeholders, municipalities and government agencies. The intended outcome of the project will be a sustainable transportation plan for access between Wolfe Island and the mainland.

Council's policy is to continue to work towards improving transportation linkages between the Islands (e.g. Wolfe Island and Simcoe Island), and between Wolfe Island, and Howe Island

respectively, and the mainland. Council will work on an ongoing basis towards the improvement of ferry services and where feasible, the establishment of fixed links.

Council will work with area municipalities (e.g. Kingston, ownship of Leeds and the Thousand Islands, Town of Gananoque) to improve and coordinate transportation services between the islands and the mainland through such measures as promoting the advantages of bicycling and walking onto the ferry to ferry riders; through advertising campaigns on the ferry, at the docks and in local newspapers; through the installation of park-and-ride facilities; by implementing a carpool program that not only advocates the use of carpools but helps residents of the islands coordinate carpools through the Municipality's website; and by making efficient use of existing infrastructure to help reduce wait times at the ferry docks.

3.4.3.1 Protect Land Base for Alternatives

Until final decision(s) are made it shall be the policy of this Plan to protect the land based requirements for all reasonable alternatives. The general location of these alternatives is illustrated on Schedule "A" as "Ferry Service Alternatives".

3.4.4 Noise Assessment Studies

Any development proposals located adjacent to a Major Road or other noise generating activities shall incorporate suitable noise control measures to reduce the effects of noise generated from the Roadway to a level in accordance with The Ministry of the Environment Guidelines. Any residential development, other than by consent to a land severance, may require a noise assessment and impact study prior to the approval of the development proposal by the Township Council.

The study should take into account the form of development anticipated and the appropriate noise attenuation measures to be implemented. Specific noise control measures will be established, to the satisfaction of the municipality, on a case by case basis, according to applicable Noise Guidelines.

3.4.5 Water Access

Development adjacent to a water body should be cognizant of boating activities and the sensitivity of shoreline/shore land areas. The appropriate government agencies/ministries will be consulted during the review of developments along waterways.

Offshore approvals for docking facilities shall only be granted after consideration has been given to conformity with the abutting land use designation and zoning. For instance, approval for additional boat slips for a marina would only be granted if all onshore requirements such as parking are met.

3.4.6 Utilities

Existing uses throughout the municipality and any new development rely upon the provision of a number of utilities including telephone, hydro, etc. Many of these utilities are located on municipal rights-of-way. The improvement of these utilities is an on-going process requiring replacement of existing facilities and creation of new sites for utility related functions such as transformer stations, pumping stations, valve stations, etc. In addition the municipality should actively seek to coordinate

the siting of these utilities within rights-of-way and the coordination among utilities in order to avoid the unnecessary duplication of rights-of-way or easements. Those uses permitted as public uses are delineated in Section 4.4.

Each utility should be consulted in the development, design and approval stages for new development or redevelopment in order to provide the maximum time for pre-planning of utilities.

Any new proposals to locate a transformer station, pumping station, or any new developments must be developed according to applicable Guidelines for Compatibility Between Industrial Facilities and Sensitive Land Uses prepared by the Ministry of Environment.

3.4.7 Communication Towers

Communication towers play an important role in the maintenance and improvement of quality of life as a part of communication networks for individuals, commercial radio and television broadcasting and emergency communications. Existing communication tower sites shall, where possible, be protected from incompatible uses. New communication towers will be encouraged where possible to locate adjacent to existing tower sites. New communication tower sites will require consideration of the visual impact on adjacent land uses, and provision of access from a publicly maintained road allowance. **Communication towers will only be permitted where they meet Industry Canada standards and appropriate consultation protocols. The Municipality may require an undertaking for the siting and installation of a communications tower.**

3.5 Recreation and Cultural Facilities

3.5.1 General Policies

1. It is intended that the provisions of Sections 42, 51, and 53 of the *Planning Act, R.S.O. 1990*, as amended, shall apply to all new plans of subdivision and consents to land severance, development or redevelopment. In accordance with these provisions, land and/or cash-in-lieu thereof shall be conveyed to the municipality as a condition to approval of the Plan of Subdivision, consent to land severance, development or redevelopment.
2. It is intended that lands conveyed to the municipality in accordance with the above provisions shall be suitable for development as a public recreational area and that lands subject to physical limitations such as flooding, steep slopes, erosion or other similar limitations will not necessarily be accepted for park purposes. All lands dedicated to the municipality shall be conveyed in a physical condition satisfactory to the municipality and the municipality may require certain improvements such as grading, planting of grass seed and other vegetation, fencing, etc.
3. The municipality will generally utilize funds received for cash-in-lieu of parkland dedication for the purposes of improving existing parks or purchasing additional parklands and facilities for the residents within proximity of the area subject to the development generating the cash-in-lieu of parkland dedication funds. Exceptions to the aforementioned may include additional expenditures permitted pursuant to Section 51 (2) of the *Planning Act, R.S.O. 1990*.

4. Where an open watercourse is involved, adequate open space shall be provided for the maintenance thereof. The municipality shall, where appropriate, seek waterfront access through land dedication.
5. It is intended that lands conveyed to the municipality in accordance with the above provisions shall be located in a manner which affords appropriate access to the surrounding community.
6. There is a hierarchy of parks in the Township and any new facilities will be encouraged to comply with the following size requirements:
 - i. Neighbourhood Park - 1.62 - 2.02 ha. [4 - 5 acres]
 - ii. Community Park - 3.24 - 6.07 ha. [8 - 15 acres]
7. There are several opportunities throughout the Township for the development of trail systems.

In the review of development applications, consideration shall be given to acquiring blocks of land, **arranging for conservation easements or conservation trusts or other partnerships for the purpose of creating such a trail a recreational trail system. In promoting healthy life styles and energy conservation, the criteria for a recreational trail system should include:**

- i. Provision for a variety of trail types and users (e.g. cross country skiing, hiking, jogging, cycling, equestrian, off-road vehicles);
 - ii. Accessibility for people with disabilities;
 - iii. Construction standards appropriate to the type of trail (e.g. base materials, height and width, signage, safety for users). This includes provision for a paved shoulder for cyclists on the linkage between the ferry terminal in Marysville and the terminal servicing Cape Vincent
 - iv. Locations and networks that support or encourage eco-tourism on the islands;
 - v. Linkages between key origin and destination points (e.g. ferry terminals to downtown, cross island, lodging and tourist attractions; between home and school or home and community facilities, Big Sandy Bay);
 - vi. Linkages or components that provide access to and can be integrated with natural features such as woodlands, wetlands, wildlife corridors, heritage features.
8. **Council will work with the community on each island in developing a trails master plan.**
 9. The Municipality shall acquire parkland in order to increase the parkland provision ratios as appropriate.

3.6 Secondary Plans

Secondary Plans shall be prepared as required in accordance with the policies of this Plan as part of the Settlement Capacity Study for settlement areas and prior to the undertaking of any major development proposal. The Secondary Plan shall indicate the location of arterial and collector roads, and the future land use pattern including the location of community facilities and parkland, the location and extent of areas to be developed for neighbourhood commercial purposes, the distribution and mix of housing types and the overall density of development. In addition, the Secondary Plan shall indicate the method, extent and staging of municipal services and stormwater management.

Secondary Plans shall be adopted as an amendment to Section 9 of this Plan in accordance with the provisions of Sections 17 and 21 of the *Planning Act, R.S.O. 1990*, as amended. The Secondary Plan shall be sufficiently flexible to permit minor deviations and adjustments in land use boundaries, road alignments and density, provided the general intent of the Plan is maintained.

3.7 ~~Abandoned Mines~~ Mine Hazards

In reviewing any planning applications and/or development proposals **within 1 km [0.6 miles] of an identified mine hazard**, Council shall ~~verify that~~ **consult with** the Ministry of Northern Development ~~and Mines and Forestry with respect to the status of the mine hazard as recorded in the “Abandoned Mine Inventory System” (as updated from time to time) does not indicate that to~~ **determine whether** a mine hazard exists ~~within close proximity to the subject lands. If the Inventory indicates that a mine hazard exists,~~ the applicant shall be responsible for ensuring that any hazards are **satisfactorily rehabilitated or** mitigated such that the hazard is removed and that the property is now safe for the proposed development. Council may require proof by way of a technical study **undertaken by a qualified professional** that the hazard has been **rehabilitated or** removed.

3.8 **Natural Heritage Features and Areas** and Environmental Impact Study

~~Development and site alteration shall not be permitted in significant habitat of endangered species and threatened species and in significant wetlands (i.e. Provincially Significant Wetlands). Development and site alteration shall not be permitted in significant woodlands, in significant valleylands, in significant wildlife habitat and in significant areas of natural and scientific interest unless it has been demonstrated through and EIS that there will be no negative impacts on the natural features or their ecological functions. Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.~~

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An environmental Impact Study (EIS) is intended to provide for an assessment of the potential impacts of a proposed development or site alteration on the natural features ~~or area~~ and/or ~~on their~~ ecological functions for which an area has been identified.

Council will require an EIS for development and site alterations proposed ~~within or on lands~~ adjacent to a ~~Natural Heritage Feature or lands~~ designated Provincially Significant Wetland **significant habitat of endangered species and threatened species and in or on adjacent lands to fish habitat, significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest.** The EIS will address how anticipated impacts will be mitigated through the planning and/or development approvals process. The components of an EIS will be tailored to the

scale of the proposed development and the scale of the anticipated impacts. An EIS must be prepared by a qualified individual. An EIS shall be conducted prior to the approval of a development (e.g. an EIS shall not be carried out as a condition of approval). Submission of a completed EIS does not guarantee approval. The Municipality shall rely principally on peer review for the review of these studies. **The applicant will be required to bear the costs of any EIS and peer review. See also Section 5.4 of this Plan.**

Proposed development and/or site alterations must demonstrate that there will not be a negative impact on the ecological functions and/or natural features for which an area has been identified. The following is intended to provide a guideline for the information to be included in the preparation of an EIS:

- a description (including a map) of the study area and landscape context **(including natural features and areas, and ecological functions);;**
- a description of the development proposal;
- **date of field visits must be noted;**
- identification of the features **(including their significance)** and functions likely to be effected by the development proposal;
- **species lists of flora and fauna recorded for the site;**
- assessment of the potential impacts of the proposed development on **natural features or areas and on their key features and ecological functions for which they have been identified;;**
- identification of mitigation requirements and monitoring requirements;
- quantification of residual impacts (those that cannot be mitigated) if any;
- recommendations on how to implement mitigative measures;
- review and decision.

The Township may use various planning and other approvals (e.g. site plan control, site specific zoning, site alteration by-laws, etc.) to ensure that the development or site alteration occurs in accordance with the recommendations of the Environmental Impact Study (EIS).

4. GENERAL LAND USE POLICIES

4.1 Land Use Plan - Schedule "A" and Schedule "B"

The land resources of the Township of Frontenac Islands ~~should~~ **will** be developed in accordance with the policies of this Plan. Schedule "A" establishes the general pattern of development by dividing the Municipality into the following land use designations:

1. Agriculture
2. Rural
3. Provincially Significant Wetland
4. Village
5. Aggregate and Mineral Resources
6. Waste Management
7. Hazard Land
8. Natural Heritage Features

The policies governing the use of lands in each of the above land use designations are described in Section 5 of this Plan.

In accordance with the Provincial Policy Statement (PPS), the Municipality, in the review of planning applications, is required **to be consistent with the PPS with respect to** Natural Heritage Features **and Areas**, Cultural Heritage ~~Features and Archaeology~~, Natural Hazards, Water Quality and Quantity and Human Made Hazards. The Background Study has assembled the available information on both Natural and Cultural Heritage Features. This information has been reproduced as Schedule "B" to this Plan. It is acknowledged that this information will change as new research is conducted. Therefore, it is expected that Schedule "B" will be updated regularly by Council resolution. No formal Official Plan Amendment shall be required. In any event these Schedules are intended to provide graphic representations of this information. Any application should be reviewed to determine if the proposal is in or near a feature **and is consistent with the Provincial Policy Statement.**

4.2 Land Use Boundaries

It is intended that the boundaries of the land use designations shown on Schedule "A" be considered as approximate except where bounded by major roads, railways, water bodies or other geographical features. Therefore, amendments to this Plan will not be required in order to make minor adjustments to the land use boundaries provided the general intent of the policies of this Plan is preserved.

4.3 Existing Land Use

1. Use of land, buildings or structures which lawfully existed on the date of the approval of this plan and are not recognized by this Plan may be recognized in the implementing Zoning By-law and minor extensions or enlargements may be permitted.
2. This Plan is not intended to necessarily prevent the continuation, expansion or

enlargement of existing uses which legally existed at the date of adoption of this Plan. The Municipality may allow for the continuation, expansion or enlargement of such existing uses.

3. Prior to amending the implementing Zoning By-law to permit the continuation, expansion or enlargement of any legal non-conforming use the Municipality shall have regard to the following matters:
 - i. That the proposed extension or enlargement of the established use will not adversely affect the general intent and purpose of the Plan;
 - ii. That the proposed extension or enlargement is too large when compared to the size of the existing use;
 - iii. That the proposed extension or enlargement is compatible with surrounding uses; and
 - iv. That site planning and design are such as to minimize the effect of the proposed extension or enlargement on adjacent conforming uses, and where necessary, appropriate spatial separation, buffer planting, screening and/or fencing are provided;
 - v. That the appropriate agencies having an interest in the use have been consulted; and
 - vi. That other approvals/permits (i.e.: construction permits, fill permits, Certificates of Approval etc.) have been or can be obtained from the approval authority.

4.4 Community Facilities, Public Uses and Utilities

4.4.1 General Principles

It shall be the policy of this Plan to permit the development and use of lands within any designation for the purpose of community facilities, public parks and playgrounds. These uses, however, shall generally be discouraged in Natural Heritage Features and Areas shown on Schedule "B": and prohibited in Provincially Significant Wetlands, the Significant ~~portions of the~~ Habitat of Endangered and Threatened Species, Hazard Land and in the Agricultural designation. Public Utilities and uses as required to service area residents which are normally provided by the Municipality or any public authority or utility including any department or ministry of the Government of Canada or Ontario, Ontario Hydro or its successor or any telephone or communication utility or natural gas distribution company shall be permitted in any designation in this Plan.

Uses exclusive to the above shall include electric power generating stations, transformer stations, maintenance yards or public works depots or other similar uses which shall be permitted in all designations except Provincially Significant Wetland and Hazard Land, Significant ~~Portions of the~~ Habitat of Endangered and threatened species and the Agricultural designation, provided the use is compatible with adjoining uses. These uses shall be clustered together where possible and shall be

zoned in a separate zone category.

4.4.2 Policies

1. It shall be the policy of this Plan that uses such as maintenance yards and public works depots, or other similar uses and activities shall require an Amendment to the implementing Zoning By-law.
2. It shall be the policy of this Plan that public uses and utilities such as telephone lines and switching stations, and community facility uses such as public parks, schools, libraries, museums, a municipal administration complex, cemeteries, churches, fire halls, police stations or other similar public uses and utilities and community facilities are permitted within any land use designation save and except as specifically provided in the Provincially Significant Wetland,, Natural Heritage Features and Areas, Hazard Land and Aggregate and Mineral Resources designation. Notwithstanding the above permission, the above listed uses may only be permitted in the Agricultural, Hazard Land and Wetland designations and Aggregate and Mineral Resources designation. Where land use compatibility issues have been addressed.
3. All existing electric power facilities and the development of any undertakings of Ontario Hydro or its successors are permitted in all land use designations without amendment to this Plan provided that the planning of all such facilities is carried out in accordance with the provisions of the *Environmental Assessment Act*, including regulations made under that Act, and any other relevant statutes. Prior to carrying out or authorizing any undertaking that will directly affect the Municipality, Ontario Hydro shall consult with the Municipality and have regard for the policies of this Plan. This policy shall not apply to buildings or land used for executive, administrative or retail purposes, or held under lease or license from Ontario Hydro.
4. Where community facility use or a public use or utility is permitted regard shall be had for the nature of existing uses on adjacent lands and the massing and designs of the public use relative thereto. Wherever practical, buffer planting and screening may be required to ensure compatibility with adjacent land uses.

4.5 Accessory Uses

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use also be permitted. Other permits may be required. (i.e.: Construction Permits, Fill Permits, Certificates of Approval, etc.)

4.6 Group Homes

1. General

Group homes shall be permitted in all designations that permit residential uses except for facilities primarily for persons convicted under the Criminal Code or the *Young Offenders Act*, which shall only be permitted in areas zoned as “Institutional” in the implementing

Zoning By-law.

Group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten persons (excluding supervisory staff or the receiving family) live as a family under responsible supervision consistent with the particular requirements of its residents. A group home shall be licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws.

In order to prevent an undue concentration of group homes in specific areas of the Municipality, the implementing Zoning By-law may incorporate standards requiring a minimum distance between these facilities.

Facilities existing on the date the implementing zoning by-law comes into effect, but not complying with the requirements of the by-law, will be allowed to continue in operation but will not be permitted to expand without municipal approval.

2. Registration of Group Homes:

Once an implementing zoning by-law is in effect, the Municipality may pass a by-law pursuant to Section 240 of the *Municipal Act, R.S.O. 1990*, requiring the registration of group homes with the Municipality.

4.7 Day Nurseries

Day nurseries for more than 5 children at any one time shall be a permitted use in community halls, schools, places of worship or buildings specifically designed for day nursery use. Notwithstanding these provisions, a private-home daycare for 5 or less children, may be carried on within any residential dwelling provided that compatibility with surrounding uses is insured. Day nurseries and private home day care facilities shall be provided in accordance with the *Day Nurseries Act*, as amended from time to time.

4.8 Housing

In considering the adequacy of housing, the Municipality shall have regard for the following:

1. Provision for the varying needs and lifestyles of the residents by a variety of living accommodations and support services and facilities.
2. Minimization of potential conflicts between various housing forms and between residential and non-residential uses.
3. Provision of sufficient housing to meet the needs of the community in accordance with the objectives of the Provincial Policy Statement. In this regard Council shall:
 - i. **Maintain at all times a minimum 10 year supply of lands designated for residential development or available through residential intensification and redevelopment;**

- ii. Maintain at all times a minimum three year supply of lands zoned for residential development;
- iii. Encourage the provision for affordable housing, for example, by providing for more affordable lots (e.g. inland v. shoreline lots) and by working with the City of Kingston as the Consolidated Municipal Service Manager in establishing and implementing targets for affordable housing;
- iv. Target 25% of an estimated supply of 516 vacant residential lots for residential intensification and 75% in the Marysville and maintain an adequate supply of land zoned for residential development to facilitate residential intensification and redevelopment
- v. Ensure that zoning and site development standards provide for cost-efficient residential development;
- vi. Adopt a reduced processing time-frame for residential applications where appropriate; and
- vii. Prepare a Municipal Housing Statement when Council determines such a study is required.

4.9 Heritage Resources

1. Definition:

Heritage Resources means ~~those historical, cultural, geological, or archaeological buildings, structures, or sites of significance in the Municipality.~~ Means significant built heritage resources, significant cultural heritage landscapes, significant archaeological resources and areas of archaeological potential (see definitions).

2. General:

Council shall have regard for the conservation, protection, renovation, rehabilitation and reuse of significant built heritage resources and cultural heritage landscapes.

Regard shall be had for heritage resources with respect to all new development permitted under this Plan. Such resources will be protected and/or incorporated into any site plan or other development plan wherever possible in accordance with the Policies of Section 6 of this Plan.

Council may consider the use of provisions of the *Ontario Heritage Act, R.S.O. 1990*, to aid in the protection and maintenance of heritage resources. Pursuant to the *Ontario Heritage Act, R.S.O. 1990*, Council may:

- i. establish a ~~Local Architectural Conservation Advisory Committee~~ **Municipal Heritage Committee**; and

- ii. conserve, protect and enhance heritage features through the designation of individual properties and districts

3. Archaeological Sites:

Council recognizes that there may be archaeological remnants of prehistoric habitation within the Municipality, and important archaeological evidence of historic activities which is of value. Council will therefore facilitate surveys by government or private agencies, should these agencies deem it necessary, and will encourage the preservation or rescue excavation of archaeological resources which may be necessary prior to land use change and building construction. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site will be permitted.

4. Unmarked Burial Sites

Where, through development, a site is identified to contain an unmarked burial site or new archeological features, the municipality shall contact the Ministry of Culture, the Ontario Provincial Police and First Nations. The Ministry of Consumer Services – Cemeteries Regulations Unit shall also be contacted with respect to the discovery of burial sites and unmarked cemeteries and matters related to the *Cemeteries Act*.

5. Development on Lands Adjacent to a Protected Heritage Property

Development will not be permitted adjacent to a protected heritage property without a heritage impact assessment and/or approval demonstrating that the proposed development or site alteration it will not negatively impact the purpose or character of the heritage resource.

4.10 Bed and Breakfast Operations

It is the intent of this Plan that Bed and Breakfast operations be permitted in certain areas as established in the implementing Zoning By-law. Such establishments must be operated by one or more permanent residents of the dwelling house. A maximum of three guest rooms may be used for overnight accommodation of the travelling public. Such operations shall not detract from the residential character of the area.

4.11 Home ~~Occupations~~ Based Businesses

~~Home occupations~~ based businesses will be encouraged as a means to strengthen the economic base of the community and shall be permitted in all designations that permit residential uses. Home based businesses centered on art galleries and studios are considered to be a defining element of the Municipality's character. A branding feature of the municipality is its reputation as an artist friendly community. Home ~~occupations~~ based businesses shall be permitted provided compatibility with surrounding uses is ensured. Specific regulations for home ~~occupations~~ based businesses may be included in the implementing Zoning By-law or through controls under the *Municipal Act* (e.g.

number and types of businesses, floor space, signage, parking, hours of operation, storage).

4.12 Land Use Compatibility

A new use shall only be developed or redeveloped adjacent to an existing use or in an area designated for development where the new use will be compatible with the existing uses and the proposed uses in terms of such matters as noise, vibration, fumes, heat radiation, smoke, dust, odours, or other offensive characteristics. In considering an Official Plan amendment or a Zoning By-law amendment or a minor variance, the Approval Authority may require an appraisal of compatibility to identify potential impacts and assess their implications on surrounding uses. In order to maintain land use compatibility, the Ministry of the Environment's guidelines will be applied. The assessment should include an evaluation of remedial actions proposed to address the implications identified. Specific study requirements for proposed development will be detailed in Section 5, under the appropriate designation.

4.13 Re-use of **Known or** Potentially Contaminated Sites

Prior to the zoning of a site for a new use, Council will require an examination of the site to determine if there are any contaminants on site which require remedial action. An initial review to determine the previous uses of the site may be sufficient to satisfy all concerns or it may limit the area or scope of further investigations. The Ministry of the Environment Guidelines will be consulted if it is determined that remedial action may be required.

Decommissioning of a contaminated site shall be in accordance with the Ministry of the Environment Guidelines for Use at Contaminated Sites. Once a site has been identified as having the potential to be contaminated, the municipality shall require that the proponent submit a Record of Site Condition as part of the development and planning approval process. **Contaminated sites may be placed in a holding zone in the municipality's zoning By-law (where the principle of development or land use has already been established). Where a holding zone is used, the "H" may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the municipality and in compliance with the *Environmental Protection Act* or any other applicable legislation.**

4.14 Wind Energy Conversion Systems **and Alternative and Renewable Energy Systems**

Wind Energy Conversion Systems consist of mechanical devices designed to convert wind energy into electricity. These systems may be small or large in scale. Small scale systems are those which generate less than 50kW per unit and normally comprise only one generating device. Large scale systems are systems producing more than 50kW per unit and involve one or more generating devices producing more than 50kW per unit. The latter systems are generally referred to as "Wind Farms."

Based upon the scale of these types of facilities, it is appropriate to develop policies which address the anticipated impacts of these uses.

1. Small Scale Generating Systems

Small scale generating systems have a nameplate capacity of less than 50 kW hours per unit and generally tend to generate electricity only for the property owner. The establishment of a small scale generating system will be subject to Site Plan Control.

2. Commercial Generating Systems

Commercial generating systems or “Wind Farms” are a more intensive use having a nameplate capacity of greater than 50kW per unit, comprised one or more generating units, and are located on one lot. The commercial generating systems are intended to supply electrical power into the transmission grid. Given the usually large scale of “Wind Farms”, “Wind Farms” shall be permitted in the Rural and Agriculture designations. A “Wind Farm” is considerably different from the typical uses located within areas designated Rural and as such, compatibility with surrounding land uses and the safety of neighbouring residents must be protected. Proposed “Wind Farms” in the Rural designation will require a site specific Zoning By-law Amendment.

“Wind Farms” may be considered in the Agricultural designation, by way of an Amendment to this Plan. Such an Amendment will only be considered if there is a demonstrated need for additional land to be designated to accommodate the proposed use, there are no reasonable alternative locations which avoid prime agricultural areas, there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands, and if any impacts on surrounding agricultural operations and lands can be mitigated. A site specific amendment to the Zoning By-law will also be required.

The following policies must be addressed prior to the granting of a Zoning By-law Amendment:

- i. A professional drawing or Site Plan shall be provided illustrating the location and height of the proposed generating units, as well as the location and height of all existing buildings and structures on the subject property and the location and height of all existing buildings and structures within 500 m [1,640 ft.] of the subject property.
- ii. A professional engineer shall approve the base and tower design of the generating units.
- iii. The development shall be subject to Site Plan Control under the *Planning Act*, and an appropriate agreement may be required.
- iv. The Applicant shall review the noise characteristics of the turbines and demonstrate by analysis that the noise generated by the turbines will meet Ministry of the Environment guidelines.
- v. Setbacks from road allowances, lot lines, and structures (on-site and off-site) and maximum height provisions shall be established in the Zoning By-law Amendment.
- vi. Wind farms shall be encouraged to locate in areas of limited agricultural activity. Separation distances of 400 m [1,312 ft.] to 700 m [2,297 ft.] should be used in proximity to urban areas, or multiple lot subdivisions depending upon the number of

turbines proposed. Where potential wind Farms sites are proposed within proximity to an urban area or multiple lot subdivision, the applicant's planning report shall address the potential impacts of the wind farm on these adjacent land uses and explain how such impacts may be reduced to acceptable levels.

- vii. The Applicant shall review the proposed height of the generating structures with the Ministry of Natural Resources to determine what warning light improvements, if any, are required to ensure the safety of the bird population.

3. Renewable energy sources other than wind may include but are not limited to:

- i. Active solar energy: While solar systems will be encouraged throughout the municipality, a commercial scale solar energy generating facility should not be permitted within lands designated as Agriculture (i.e. prime agricultural lands) on the Land Use Plan without an amendment to this Plan. Small scale solar energy systems which produce electricity primarily for domestic, on-site consumption and which may include a limited sale of electricity to the transmission grid may be permitted as a secondary use to an agricultural use in lands designated as Agriculture. Active solar facilities will be directed away from natural heritage features and areas and hazard lands.
- ii. Anaerobic digestion: A process in which microorganisms break down biodegradable material in the absence of oxygen. The process is widely used to treat wastewater sludge and organic wastes because it provides volume and mass reduction of the input material. As part of an integrated waste management system, anaerobic digestion reduces the emission of landfill gas into the atmosphere. Anaerobic digestion is a renewable energy source because the process produces a methane and carbon dioxide rich biogas suitable for energy production helping replace fossil fuels. Also, the nutrient-rich solids left after digestion can be used as fertilizer. While anaerobic digester systems will be encouraged, large scale anaerobic digesters that utilize substantial off-farm source material will not be permitted within lands designated as Agriculture on the Land Use Plan without an amendment to this Plan. On-farm anaerobic digesters which utilize manure are otherwise considered to be an agricultural use. Anaerobic digester facilities will be directed away from natural heritage features and areas and hazard lands.
- iii. Biomass energy: While biomass systems will be encouraged, large scale biomass energy generating systems should not be permitted within lands designated as Agriculture on the Land Use Plan without an amendment to this Plan.

4. Large Scale Energy Creating Systems: Shall mean any renewable energy system that is classified as a 'Category B' or 'Category C' project as defined by Ontario Regulation 116/01 for Electricity Projects. These projects are subject to an Environmental Assessment (Category B) or an individual Environmental Assessment (Category C) according to the *Environmental Assessment Act*, as amended. Micro Scale Energy Creating Systems shall mean any renewable system that is classified as a 'Category A' project as defined by Ontario

Regulation 116/01 for Electricity Projects, has 10kW or less of nameplate generating capacity, and does not exceed 17 m in height. Small Scale Energy Creating Systems shall mean any renewable energy system that is classified as a 'Category A' project as defined by Ontario Regulation 116/01 for Electricity Projects, as 50 kW or less of nameplate generating capacity, and does not exceed 38 m in height. Medium Scale Energy Creating Systems shall mean any renewable energy system that is classified as a 'Category A' project as defined by Ontario Regulation 116/01 for Electricity Projects, exceeds 50 kW of nameplate generating capacity, and is between 39 m and 60 m in height.

5. The implementing zoning by-law shall contain provisions that generally limit the number of small scale, medium scale and large scale renewable energy systems per property to one. This policy is interpreted to mean a single turbine or solar panel array, rather than an interconnected series of turbines as part of a wind or solar farm. The installation of more than one renewable energy system per property may be permitted subject to the approval of either a zoning by-law amendment or a minor variance depending upon the nature and scale of the proposal. Any application to increase density beyond one renewable energy system per property shall consider what, if any, cumulative impacts will result to the adjacent landowners, the general area, or the municipality as a result of multiple installations. Despite the above, this policy is not meant to limit properties from having more than one small, medium or large scale renewable energy system on the property where site characteristics are suitable and the cumulative impacts have also been addressed. In approving alternative or renewable energy projects, consideration will be given to the visual and noise impacts on adjacent properties. Council may require studies to be undertaken by an applicant in support of any new or expanded alternative or renewable energy project.
6. All new or expanded renewable energy systems are subject to site plan control.
7. All alternative and renewable energy systems are subject to the *Green Energy Act*.

5. LAND USE DESIGNATIONS

Land uses within this Official Plan shall be developed in accordance with the land use designations delineated on Schedule “A”. The land use policies contained in this Plan must be read in conjunction with Schedule “A” and Schedule “B” attached to and forming part of this Plan.

This Plan serves to guide development in such a manner that adjoining land uses are complementary and those activities which are not compatible or which demonstrate conflicting requirements are separated. The pattern of land use on Schedule “A” has been delineated with the intent of providing for future development in keeping with the socio-economic fabric of the municipality, while at the same time, protecting the natural resource base and environmentally significant areas. In this regard, major land use categories have been identified and related policies for each such category established in this section of the Plan.

The policies governing these land use designations are described in the following land use policy sections and development shall be in accordance with these policies. The land use designations and transportation network are conceptual and may be adjusted without further amendment to this Plan, provided the general intent of the Plan is maintained.

5.1 Agriculture

The policies for the areas designated “Agriculture” on Schedule “A” is as follows:

5.1.1 General Principles

It is the policy of this Plan to maintain a permanent and viable agricultural industry throughout the Township. Agriculture is recognized as an important component of the economic base, a source of employment and the basis of the rural way of life. It is therefore the intent of this Plan to protect land suitable for agricultural production from scattered development and land uses which are unrelated to agriculture. Prime Agricultural Lands have been designated on the basis of lands with high capability for agricultural production and includes lands identified by the Canada Land Inventory as having Class 1, 2 or 3 Capability for Agriculture **areas where prime agricultural lands predominate; and additional areas where there is a local concentration of ongoing agriculture.** The predominant form of land use within the Agriculture designation shall be agricultural and farm related uses.

5.1.2 Permitted Uses

The predominant use of land within those areas designated as Agriculture may be agriculture and farm related uses inclusive of associated residential dwellings. It is the intent of this Plan that agriculture and farm related uses may include the use of lands, buildings and structures for the purposes of general farming and livestock production, poultry and poultry products, the raising and training of horses including riding and boarding stables, orchards and other similar forms of specialized crop production, fish hatcheries, aviaries, apiaries, market gardening, nurseries and nursery gardens or other similar uses, and, activities as are normally carried on in the field of agriculture.

Other uses permitted shall include conservation, forestry, “Wind Farms”, reforestation, bed and breakfast establishments, home occupations and professional offices in residences, and related low intensity outdoor recreational uses such as hiking and cross country ski trails.

5.1.3 Policies

1. It shall be the policy of this Plan to prevent the development of non-farm related uses within the Agriculture designation and to prevent scattered development leading to the unnecessary fragmentation of farmland, non-farm related uses shall be directed to locate within or adjacent to hamlets or areas designated for such purposes.
2. New livestock and poultry operations, and the extension, enlargement or renovation of existing structures shall only be established adjacent to existing residences and other sensitive uses in accordance with the Minimum Distance Separation Formulae (MDS). Any new or expanding non-farm related development such as residential, commercial or industrial uses must be shown to be compatible with adjacent agricultural operations and their impacts, if any, should be mitigated to the extent feasible. Applications for the erection, extension or enlargement of non-farm uses, shall comply with the provisions of the Minimum Distance Separation Formulae, in order to protect farm operations from encroachment and to allow for the future flexibility and expansion of existing farm operations. The MDS will be used as a technical guideline for other related issues (i.e. lots of record, buildings affected by catastrophic events etc.).
- ~~3. The municipality may pass by laws to define and regulate the establishment and expansion of intensive livestock operations. An intensive livestock operation is defined in Section 9 of this Plan. In this regard the municipality may pass by laws to require Nutrient Management Plans. Such development may be subject to Site Plan Control in accordance with Section 41 of the Planning Act, R.S.O. 1990.~~
4. A farmer may be permitted to establish a second dwelling house on a farm, provided that such dwelling unit is to be occupied by persons engaged on a full time basis on such farm and who significantly assists in the day to day operation of the farm. It shall further be the policy of this Plan that no land severance will be granted for such farm related dwelling.
5. Notwithstanding any other provision of this Plan to the contrary, within the Agriculture designation, limited agricultural service and supply industries such as a farm implement dealer, a feed mill or seed cleaning plant, an agricultural produce warehouse, an abattoir or other similar agri-business may be permitted without an amendment to this Plan. Such uses shall generally be encouraged to consolidate into groups within or adjacent to existing communities or in areas of marginal agricultural value. Regard shall be had to the following matters in reviewing applications for the development of such uses:
 - i. The compatibility of the proposed use with surrounding land uses;
 - ii. The siting and design of the proposal so as to ensure the provision of adequate off-street parking and loading facilities, appropriate setbacks, landscaping and buffering and that any lighting or signs are arranged so as to blend in with the character of

adjacent uses;

- iii. Such development shall comply with the provisions of the Minimum Distance Separation Formulae; and,
- iv. The requirement for the use to be in close proximity to farming operations.
- v. Compliance with Policy ~~2.1.3~~ 2.3.5.1 of the Provincial Policy Statement.

It shall further be the policy of this Plan that such uses will only be permitted conditional upon approval of an amendment to a separate zoning classification in the implementing Zoning By-law where appropriate provisions and regulations are established to govern the use of such lands.

6. Existing lots of a size too small to be viable agricultural units shall be encouraged to consolidate with adjacent farm properties.
7. If utility and transportation corridors intrude on Agriculture areas, Council shall attempt, wherever possible, to ensure the continuation of the existing networks while minimizing the disruption on farm units and households, and ensuring the continuity of the agricultural community as a whole.
8. The establishment of new non-farm related development will generally be discouraged throughout the Agriculture designation. ~~However, non farm development on an infilling basis only, as defined in Section 6.3.1 vii) will be permitted on lots created by a consent to a land severance in accordance with the policies contained in Section 6.3.1 and Section 6.3.2. hereof. The establishment of such non farm related development shall only be permitted conditional upon approval of an amendment to the implementing Zoning By law. Lot creation in prime agricultural areas is discouraged and may only be permitted for:~~
 - i. Agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
 - ii. Agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
 - iii. A residence surplus to a farming operation as a result of farm consolidation provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
 - iv. Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.
(See also Section 6.3.1 1 to 6, 8 to 17, 19 to 21)

9. Existing non-farm residential development may be appropriately zoned in the implementing Zoning By-law where a node or cluster of such uses exists. Where such development has been zoned, infilling of residential uses may be permitted in accordance with the policies of Section 6.0 hereof.
10. A Secondary ~~Use Farm Occupation~~ may be permitted on a farm property as part of the farm unit. Secondary Farm Occupations are intended to provide the farm family with a secondary or supplementary means of income. The uses permitted are to be small scale in nature and they must be clearly secondary to the principal use of the farm property for farming purposes. Before a Secondary Farm Occupation use will be permitted, it must satisfy all of the following criteria:
 - i. A Secondary ~~Use Farm Occupation~~ can be conducted only by farm family members residing on the farm property in question and who are physically involved in conducting the farm operation on a day-to-day basis.
 - ii. The types of uses permitted as Secondary ~~Uses Farm Occupation~~ shall be limited to those involved in the manufacture or fabrication of goods (i.e. farm gates, hay bale elevators, animal feeders), uses considered to be trade occupations (i.e. electrician, plumber, carpenter, welder), uses that complement the normal farming practices or use available farm facilities (i.e. storage, farm tours, farm related attractions) and those occupations which are primarily and directly related to agriculture and farming.
 - iii. The use proposed must be clearly secondary and incidental to the principal use of farming on the subject property; it must be such that the activity does not result in the loss of good and/or productive farmland; it cannot occupy building area that is necessary for or essential to the ongoing farm operation; and, it must in no way impede or interfere with the ability of the farmer to conduct his/her farming operation.
 - iv. All Secondary ~~Uses Farm Occupation~~ uses shall be conducted inside of buildings and/or structures. The combined floor area of all buildings or structures, or parts thereof that are used for the Secondary ~~Use Farm Occupation~~ shall not exceed 186 m² [2,002.1 ft.²].
 - v. All buildings and structures used in connection with a Secondary ~~Use Farm Occupation~~ must be designed in such a manner that they can be converted/reverted to a farming use that is appropriate for the farm property in question at such time that the Secondary ~~Use Farm Occupation~~ ceases to exist. Further, all buildings and structures used in connection with the Secondary ~~Use Farm Occupation~~ must be located in proximity to the principal farm buildings (i.e. farm dwelling and barns).
 - vi. A Secondary ~~Use Farm Occupation~~ must be operated as part of the farm unit and

must cease if the farm operation is discontinued. Secondary ~~Uses Farm Occupation~~ shall not be permitted as separate or independent uses from the farm operation. Any proposal to separate or sever a Secondary ~~Use Farm Occupation~~ from a farm property shall not be permitted.

- vii. The use must be such that it does not generate vehicular traffic beyond that which is normally associated with a farming activity on a farm unit. Vehicular access to the use will be by a driveway which serves the farm unit. A separate access driveway serving a Secondary ~~Use Farm Occupation~~ shall not be permitted.
 - viii. Secondary ~~Uses Farm Occupation~~ shall not be placed in a separate zone category in the implementing Zoning By-law, but rather shall be considered as a permitted use in the Agriculture Zones established in the Zoning By-law. The Zoning By-law will establish provisions for Secondary ~~Uses Farm Occupation~~ that are consistent with the criteria contained in this Section.
11. Notwithstanding any other provision to this Plan to the contrary, Agriculture designation shall not serve to preclude the issuance of building permits on existing legal lots of record for residential purposes provided such lot complies with the provisions of the implementing Zoning By-law and can comply with the Minimum Distance Separation Formulae.
12. Where lands are designated as Agriculture on Schedule “A”, landowners shall be encouraged to recognize the forest resource as an integral part of their total agricultural operation, both as a source of income from various forest products, and as an important agent in providing essential soil and water conservation benefits. In this respect landowners will be encouraged to:
- i. Manage forest resources in accordance with proper forest management practices, in consultation with the Ministry of Natural Resources and the Conservation Authority;
 - ii. Retain existing tree cover, insofar as it is practical;
 - iii. As appropriate, maintain and establish tree and shrub cover on low agriculture capability soils, and in hazardous areas such as steep slopes, major drainage swales, and flood prone areas, in order to reduce runoff rates and minimize soil erosion;
 - iv. Encourage the retention and establishment of windbreaks to reduce wind erosion; and,
 - v. Encourage reforestation on non-productive farmland.
13. The implementing Zoning By-law shall establish an appropriate Zone (s) with standards and controls to implement the policies established for the Agriculture designation.

5.1.4 Special Policy - Agricultural Designation

- 1. Part of Lot 14 & 15 OS, Wolfe Island

In addition to the uses permitted in Section 5.1.2, a golf course and accessory uses shall be permitted.

2. McCreedy Golf Course
Part Lot 7, Concession IX Wolfe Island

In addition to the uses permitted in Section 5.1.2, a parking lot shall be permitted.

5.2 Rural

The policies for the areas designated “Rural” on Schedule “A” are as follows:

5.2.1 General Principles

It is the policy of this Plan to maintain a permanent and viable agricultural industry throughout the Township. Agriculture is recognized as an important component of the economic base, a source of employment and the basis of a rural way of life.

Therefore, it is the intent of this Plan to protect land suitable for agricultural production from scattered development and land uses which are unrelated to agriculture. The Township will direct limited non-farm growth to the Rural areas provided it will not interfere with or limit existing farm activity in the Rural designation. The development of land in the Rural areas will be primarily by consent to a land severance.

The Rural areas represent soils primarily within Classes 5, 6 and 7 Soils of the Canada Land Inventory of Soil Capability for Agriculture, and organic soils; Class 4 soils which are adjacent to the Classes listed above and form part of a large and contiguous block of poorer agricultural land; and, areas where previous non-farm development has effectively limited the future of intensive farm activity. Development in the Rural designation, but within the Shoreland Area will be subject to the policies outlined in Section 5.2.4 of this Plan.

5.2.2 Permitted Uses

The predominant use of land within the Rural designation may include all agricultural uses outlined in Section 5.1 of this Plan, forestry, “Wind Farms”, reforestation, conservation, community facilities, home occupations and professional offices in residences and accessory buildings, outdoor recreational facilities such as golf courses, hiking and cross-country ski trails which require a large land area, bed and breakfast establishments and similar, small-scale accommodation which caters to tourists and travelers and is compatible with the rural character of the area. Single dwelling houses on existing lots of record or lots created by a consent to a land severance are permitted provided they are compatible with adjacent land uses.

5.2.3 Policies

1. It shall be the policy of this Plan to discourage the development of non-farm related uses within the Rural designation and to prevent scattered development leading to the unnecessary fragmentation of farmland. Separate policies are provided for the Shoreland Areas within the Rural designation in Section 5.2.4 of this Plan.

2. Any non-farm related development, such as residential, commercial, or industrial uses, must be shown to be compatible with adjacent agricultural operations. Applications for the erection, extension or enlargement of non-farm uses and other sensitive uses shall comply with the provisions of the Minimum Distance Separation Formulae, in order to protect farm operations from encroachment and to allow for the future flexibility and expansion of existing farm operations. New livestock and poultry operations and the extension, enlargement or renovation of existing structures shall be established adjacent to existing residences in accordance with the Minimum Distance Separation Formulae.
3. The municipality may pass by-laws to define and regulate the establishment and expansion of intensive livestock operations (as defined in Section 9 of this Plan). In this regard the municipality may pass by-laws to require Nutrient Management Plans. Such development may be subject to Site Plan Control in accordance with Section 41 of the *Planning Act, R.S.O. 1990*.
4. A farmer may be permitted to establish a second dwelling house on a farm, provided that such dwelling unit is to be occupied by persons engaged on a full time basis on such farm and who significantly assist in the day to day operation of the farm. It shall further be the policy of this Plan that no land severance will be granted for such farm related dwelling.
5. Notwithstanding any other provision of this Plan to the contrary, within the Rural designation, limited agricultural service and supply industries such as a farm implement dealer, a feed mill or seed cleaning plant, an agricultural produce warehouse, an abattoir or other similar agri-business may be permitted without an amendment to this Plan.

Such uses shall generally be encouraged to consolidate into groups within or adjacent to existing communities or in areas of marginal agricultural value. Regard shall be had to the following matters in reviewing applications for the development of such uses:

- i. The compatibility of the proposed use with surrounding land uses;
- ii. The siting and design of the proposal so as to ensure the provision of adequate off-street parking and loading facilities, appropriate setbacks, landscaping and buffering and that any lighting or signs are arranged so as to blend in with the character of adjacent uses;
- iii. Such development shall comply with the provisions of the Minimum Distance Separation Formulae; and,

It shall further be the policy of this Plan that such uses will only be permitted conditional upon approval of an amendment to a separate zoning classification in the implementing Zoning By-law where appropriate provisions and regulations are established to govern the use of such lands.

6. Existing lots of a size too small to be viable agricultural units shall be encouraged to consolidate with adjacent farm properties.

7. If utility and transportation corridors intrude on Rural areas, Council shall attempt, wherever possible, to ensure the continuation of the existing networks while minimizing the disruption of farm units and households, and ensuring the continuity of the agricultural community as a whole.
8. The establishment of new non-farm related development will generally be discouraged throughout the Rural designation. Limited non-farm development however, will be permitted on lots created by a consent to a land severance by the Approval Authority in accordance with the policies contained in Section 6.3.3. Special Policies Non-Farm Residential Severances in the Rural Designation.
9. Existing non-farm residential development may be appropriately zoned in the implementing Zoning By-law where a node or cluster of such uses exists. Where such development has been zoned, infilling of residential uses may be permitted in accordance with the policies of Section 6.3 hereof. The expansion of the nodes or clusters of non-farm residential development shall generally be discouraged.
10. Secondary ~~Uses Farm Operations~~ are permitted within this designation in accordance with the criteria outlined in Section 5.1.3.10. of this Plan.
11. Notwithstanding any other provision of this Plan to the contrary, the Rural designation shall not serve to preclude the issuance of building permits on existing legal lots of record for residential purposes provided such lot complies with the provisions of the implementing Zoning By-law and can achieve the Minimum Distance Separation Formulae.
12. Where lands are designated as Rural on Schedule “A”, landowners shall be encouraged to recognize the forest resource as an integral part of their total agricultural operation, both as a source of income from various forest products, and as an important agent in providing essential soil and water conservation benefits. In this respect landowners will be encouraged to:
 - i. manage forest resources in accordance with proper forest management practices, in consultation with the Ministry of Natural Resources and the Conservation Authority;
 - ii. retain existing tree cover, insofar as it is practical;
 - iii. as appropriate, maintain and establish tree and shrub cover on low agriculture capability soils, and in hazardous areas such as steep slopes, major drainage swales, and flood prone areas, in order to reduce runoff rates and minimize soil erosion;
 - iv. encourage the retention and establishment of windbreaks to reduce wind erosion; and,
 - v. encourage reforestation on non-productive farmland.
13. While golf courses are a permitted use in the Rural Designation, the development of such facilities poses challenges for the Municipality. In addition to being subject to Site Plan

Control, all golf course applications shall be accompanied by supporting documentation pertaining to water supply and sewage disposal, traffic, parking, nutrient and pesticide management and compatibility with surrounding land uses. Golf courses shall be placed in a separate zone in the implementing zoning by-law.

14. Development in areas with close proximity to lands designated Aggregate, must comply with the requirements of Section 5.6.2.1 ii of this Plan.
15. The implementing Zoning By-law shall establish an appropriate Zone (s) with standards and controls to implement the policies established for the Rural designation.

5.2.4 Shoreland Areas

The shore land and associated water bodies of Frontenac Islands area landscape features of significant aesthetic, ecological and cultural value. They are also a major tourist attraction as they provide the resource base for both passive and active recreational activities. The Shoreland Area policies will apply to all those lands having frontage on the Lake Ontario and/or the St. Lawrence River shoreline.

Large tracts of shoreline are to be maintained in as natural a state as possible. Where ever possible and reasonable, the natural vegetation and soil mantle adjacent to the shoreline will remain undisturbed. Landowners are encouraged to maintain and enhance a natural riparian zone adjacent to the shoreline.

5.2.4.1 Policy

1. The shoreland area shall be protected from development that would compromise its environmental and ecological integrity. Residential and commercial development should be sensitively designed and located to enhance and protect the shoreline resources and should avoid crowding of buildings, the removal of earth and vegetation and the pollution of surface and subsurface waters.
2. Any land to be developed in the shoreland area must meet the requirements of the Minimum Distance Separation Formulae, as amended from time to time.
3. Development should not necessitate the undue extension of municipal services such as the upgrading of private rights-of-way to municipal standards or the provision of a municipal water system to correct an environmental problem caused by the cumulative effect of development.
4. Dwellings occupied on a permanent basis in the shoreland area should not contribute singularly or with other uses to demands for services which are not feasible or economic to provide, improve or maintain.
5. There has been much development throughout the Municipality on private roads. ~~This is difficult and frequently impossible to service, due to their limited capacity to provide a full range of services to such development.~~ **Development on private roads will be restricted and shall comply with Section 3.4.2.1.3 of this Plan. Development on private roads such**

development may be placed in an appropriate zone which recognizes the restricted nature of service delivery within that zone.

6. Tourist commercial uses in the shoreland area are an important component of the Municipality's current and future economy. These uses should be operated in a manner that is compatible with surrounding land uses and the environment.
7. Proposals for resort development to create 'destination' resorts are encouraged and may include tenured forms of development such as condominiums, fractional ownership and time-share. Such resorts shall provide a variety of activities, facilities and types of accommodation within a single development. The building form shall be ground-oriented (i.e. shall not exceed three storeys in height) and in the design and development of such facilities shall take into consideration the following criteria:
 - i. The building or development envelope shall not exceed 25% of the lot area such that the balance of the lot is maintained in a natural state or enhanced through landscaping and the preservation of the shoreline;
 - ii. All buildings and sewage disposal services shall be set back a minimum of 30 m from the high water mark;
 - iii. 'green design' shall be considered to ensure that energy conservation is optimized;
 - iv. The location of any buildings shall not obscure scenic vistas of the water or of adjacent shoreline land uses;
 - v. The density of any residential units shall not exceed three units per hectare;
 - vi. At least 60% of the shoreline shall be retained or planted in vegetative cover;
 - vii. Sewage and water services shall comply with the relevant policies of Sections 3.2.3, 3.2.4, 3.2.5 and 5.2.4.2.1 of this Plan;
 - viii. The development shall be integrated so as to be compatible with surrounding shoreland development;
 - ix. The development shall have access to a public road, while the internal road system shall be designed and constructed for emergency vehicle access to the satisfaction of Council and emergency service providers.
8. The provision of adequate public access to water in the shoreland area designation shall be ensured.
9. Where it is deemed necessary by the Municipality, all applications for development and site alteration within 30 m [98.4 ft.] of the high water mark or within an area susceptible to flooding must be accompanied by a Stormwater Management Plan and Erosion and Siltation Control Plan using best management practices.

10. Wherever possible, a natural vegetative buffer strip or riparian zone of 30 m [98.4 ft] shall be maintained adjacent to the high water mark to filter pollutants from run-off. Within this buffer area, the clear cutting of trees and disturbances to the soil mantle will be discouraged. Any cutting of vegetation to create a view of the water shall respect the aesthetic and ecological character of the shoreline and should not create erosion problems
11. All development within Shoreland Areas shall meet the requirements of Section 5.3 Hazard Land and 5.4 Natural Heritage Features and Areas of this Plan.
12. Lands within the Rural designation and subject to the Shoreland Area policies will be placed in a separate Zoning category(ies) in the implementing Zoning By-law.

5.2.4.2 Shoreline Residential Use

1. Given that residential development will be developed primarily on non-municipal services, residential development in the shoreland area it may be permitted for single dwelling units only. Condominiums, which require municipal water and sewer services, are not a permitted use unless specifically provided for as an amendment to this Plan.
2. More specifically, the permitted uses shall include:
 - i. Resort commercial uses which provide lodging and accommodation for the vacationing public such as motels, lodges, cottage establishments and cabins, and bed and breakfast operations, with accessory residential uses for the owner and recreational uses such as tennis courts, swimming pools and golf courses;
 - ii. resort institutional uses which provide camping and resort type accommodation for religious and private non-profit organizations;
 - iii. tourist commercial establishments catering to the day-to-day and recreational needs of tourists such as a general store, mini-golf course, driving range or eating establishment;
 - iv. marine commercial uses which provide facilities such as docking, boat storage, service and repairs, and commercial fishing and associated businesses;
 - v. seasonally operated tent, trailer and recreational vehicle parks and accessory facilities such as docks and convenience stores catering to the day-to-day needs of tourists;
 - vi. open space uses including outdoor recreational uses and areas, public docking and launching facilities, picnic and viewing areas.
 - vii. Recreational vehicles and trailers shall only be permitted in areas zoned for such

uses.

3. The shoreland area residential subdivisions shall be designed to avoid the complete development of the shoreline with a single or multiple row of lots. A comprehensive design of large areas shall be encouraged, ensuring the maximum access and use of water frontage. As well, locations least likely to block or interrupt scenic vistas as viewed from public roadways and the water shall be preferred for development.
4. Where the shoreland area is considered by the municipality to be unsuitable for clustering, linear development consisting of individual dwellings situated between the shoreline and a public road may be permitted.
5. Access for new residential and commercial development in the shoreland area shall only be by a publicly maintained assumed year-round road. Limited development on existing lots of record and infilling lots or new lots created by severances as minor extensions to existing development may be permitted on an existing private right-of-way provided that the existing private road **complies with the criteria of Section 3.4.2.1 and** has the capacity for additional traffic, and that the municipality rezones the property to a limited services residential zone.
6. The use of shared driveways is encouraged in the shoreland area in order to reduce the number of private, individual entrance requirements.
7. Where the shoreland area has been developed in a linear fashion, the land on the other side of this linear row of development may be developed with limited residential uses, in keeping with the consent policies of the Rural designation.
8. Commercial uses will be permitted on those parcels which are large enough to accommodate buildings, parking, water and sewage services and landscaping. Adequate and safe access to a maintained public road shall be provided. Traffic associated with the commercial use shall not pose a safety hazard. Where appropriate, safe and adequate boat access and swimming areas shall be provided.
9. Tent trailer and recreational vehicle parks shall be located on waterfront property, wherever possible **and shall comply with Section 5.2.4.4 of this Plan.**
10. Consents for limited residential, commercial and industrial development may be permitted provided that no more than a total of 3 lots are created and the lots (severed and retained) are of a size and configuration that would not lend themselves to further subdivision;
11. Filling of the shoreland area *may* be permitted for the development of boat houses, docks, replacing eroded land and shore wells, and shore protection works, and may require the approval of the Ministry of Natural Resources and/or the Department of Fisheries and Oceans or their designates. Appropriate approvals should be obtained prior to the

undertaking of any of these works, and such works *must* be supported by the appropriate technical study. Fill shall not be permitted for the purpose of creating new developable space along the shoreline or artificially increasing the surface area of a shoreline private property;

12. Wherever possible, communal as opposed to individual docking facilities will be encouraged in the shoreland area development, in order to reduce the disturbance caused to the bed of the water body and the visual obstructions along the shoreline. Where a communal docking facility is to be provided, it shall be located an appropriate distance from the nearest dwelling;

5.2.4.3 Commercial Development

1. The following criteria should be reviewed in considering a new or expanded resort, institutional or commercial use or a tourist or marine commercial use in the shoreland area designation:
 - i. the adequacy of the shore frontage for related active and passive recreational uses;
 - ii. the suitability of the proposed density and scale of the development in relation to the site and surrounding land uses;
 - iii. the adequacy of parking and docking facilities;
 - iv. the suitability of the site for sewage disposal facilities and water supply as per a servicing options investigation;
 - v. the impact of the development on surface and subsurface water as per hydrogeological and stormwater management studies;
 - vi. the adequacy of public road access to the site; and
 - vii. the impact of traffic on surrounding land uses and on the safety of pedestrians;
2. The establishment of new commercial uses and the expansion of existing commercial uses shall proceed subject to the approval of a zoning by-law amendment and to site plan control, in order to establish the arrangement and density of development. All commercial uses shall be buffered by planting and/or screening and by substantial spatial separation from adjoining residential uses.
3. All new resort and institutional uses will incorporate large areas of passive or active open spaces into the development scheme in order to maintain the existing recreational character of the designation. Clustering or grouping of structures will be encouraged in order that

overall densities reflect this recreational character;

4. The conversion and subdivision of resort commercial housekeeping cabins to residential uses and lots shall be discouraged so that the stock of commercially zoned land can be maintained;
5. A new marine facility shall be adequately separated and buffered from residential uses, generally being no closer than 120 m [393.7 ft.] to any existing permanent residential zone;

5.2.4.4 Tent, Trailer and Recreational Vehicle Parks

1. The uses permitted shall be limited to seasonally operated tent and trailer parks for tents, trailers and recreational vehicles and accessory facilities such as docks and convenience stores catering to the day-today needs of tourists;
2. Seasonal establishments must have a ~~Certificate of Approval~~ for their water works as ~~issued by the Ministry of the Environment, as required under the *Health Promotion and Protection Act*~~ and approval from the local Health Unit for their subsurface sewage disposal system. Currently, subsurface sewage disposal systems with a daily capacity in excess of 10,000 liters [2,200 gal.] per day require Ministry of Environment approval;
3. Tent, trailer and recreational vehicle parks shall conform to the provisions of the local municipality's Trailer By-law passed under the authority of the *Municipal Act*;
4. The establishment of new tent, trailer and recreational vehicle parks and the expansion of existing parks shall proceed subject to the approval of a zoning by-law amendment and to site plan control.
5. Tent, trailer and recreational vehicle park shall be large enough to support the proposed number of campsites, accessory uses and open space areas but shall be not less than 4 ha. [9.88 ac.] in area;
6. The area of each campsite shall be adequate to provide for site accessibility and comfortable living space but shall generally be not less than 200 m² [2,152 ft.²] for each site.
7. A tent, trailer and recreational vehicle park located on waterfront property shall provide a waterfront park adequate to meet the needs of the proposed number of campsites but shall generally provide not less than 1.5 m [4.92 ft.] of waterfront for each site.
8. Roads within a proposed tent, trailer and recreational vehicle park shall provide for the safe and adequate movement of vehicular and pedestrian traffic. Access to parking areas shall be limited and designed to minimize danger to vehicular and pedestrian traffic. Adequate on-site parking shall be provided.

9. A new tent, trailer or recreational vehicle park shall be adequately separated and buffered from residential uses, generally being located no closer than 120 m [393.7 ft.] to an existing residential zone.
10. Overall density within a tent, trailer and recreational vehicle park shall not exceed 30 sites per hectare.

5.3 Hazard Land

The policies for the areas designated “Hazard Land” on Schedule “A” are as follows:

5.3.1 General Principles

The Hazard Land designation applies to those lands having environmental hazards including flood or erosion susceptible lands as defined by Provincial Policy and soils with poor drainage, or other physical characteristic or limitation which, if developed, could cause property damage or loss of life.

5.3.2 Permitted Uses

The principal uses permitted within the Hazard Land designation are those uses undertaken to protect, conserve, enhance and manage the natural environment as an ecosystem and public resource.

Permitted uses may include agricultural uses, public or private parks, outdoor recreation, education and interpretive activities provided that such activities do not negatively impact the features or functions for which the area has been identified. Proponents will be required to ensure that harmful site alteration, disruption or destruction of fish habitat will not result from a proposed undertaking without the written authority of the Department of Fisheries and Oceans, or their designate. Wildlife, fish, fowl and water quality management uses, flood control structures and works, and erosion control structures and works may also be permitted.

5.3.3 Policies

- 5.3.3.1 The Hazard Land designation shall be used primarily for the preservation and conservation of the natural landscape and environment. Such areas shall be managed in a manner as to complement adjacent land uses and to protect such uses from any physical hazards and their potential effects.
- 5.3.3.2 The erection of buildings and structures or the placing or removal of fill of any kind whether originating on the site or elsewhere, shall be prohibited within an Hazard Land designation, except where buildings or structures are intended for flood or erosion control, landscape stabilization or essential utilities, provided further that such works are in accordance with all related regulations, and receive the approval of the appropriate approval authority, and are supported by a technical study prepared by a qualified individual.

5.3.3.3 The boundaries of the Hazard Land designation are shown in a conceptual manner on Schedule “A”. The extent and exact location of the boundaries of the Hazard Land **designation** shall be delineated in the implementing Zoning By-law in consultation with Ministry of Natural Resources. For the purpose of this policy, the flood plain shall be defined as the Regulatory Flood Plain. In the absence of such detailed mapping, Council will seek the technical assistance of the Ministry of Natural Resources and shall use the boundaries of the Hazard Land **designation** delineated on Schedule “A” as a general guideline in the preparation of the Zoning By-law and in the assessment of development proposals.

Minor alterations to the boundaries of the Hazard Land **designation** resulting from more detailed mapping or site specific assessments will not require an amendment to the Official Plan provided the general intent of the Plan is maintained.

5.3.3.4 Whenever any flood control or other similar works are undertaken which result in significant changes to the boundaries of a Hazard Land designation, such changes shall be incorporated on Schedule “A”.

5.3.3.5 It shall be the policy of this Plan to impose building setbacks from **the Hazard Land boundary** in the implementing Zoning By-law in relation to the extent and severity of the existing or potential hazard. Where property includes areas where a hazard is known or suspected to exist, Council should ensure that they are satisfied that a proposed development will not be effected by a hazard and that the proposal is designed in such a way as to avoid the hazard or engineered to withstand the hazard (where appropriate). Council may require the submission of supporting technical studies prepared by a qualified individual.

5.3.3.6 Where recreation or conservation projects are designed for public or private use, adequate automobile parking areas shall be established, and, access points to such parking areas shall be designed in such a manner so as to minimize the danger of both pedestrian and vehicular traffic and shall ensure that vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies. The design of such parking areas shall also be cognizant of the sensitivity of the environmental feature.

5.3.3.7 Where any land designated as Hazard Land is held under private ownership, this Plan shall not be construed as implying neither that such areas are free and open to the general public nor that the lands will be purchased by the municipality or other public agency.

5.3.3.8 It shall be the policy of this Plan that in considering an application for the redesignation of lands designated as an Hazard Land for any other purpose, the applicant and Council, shall have due regard to the following matters:

- i. The environmental significance of the sensitivity of the feature;
- ii. The potential impact of any proposed development on the Hazard Land;

- iii. The existing environmental and/or physical hazards and any new hazards which may result from the proposal;
- iv. The proposed methods by which these impacts may be mitigated in a manner consistent with accepted engineering techniques and resource management practices;
- v. The appropriateness of the proposed designation in light of the policies for that designation and the community structure and development policies; and,
- vi. The policies contained in Section 5.4 shall be complied with.

It shall be a general policy of Council not to redesignate and permit a development which may impact negatively on a sensitive environmental feature. However, where appropriate design by an applicant can be shown to overcome potential environmental hazards, without affecting environmental significance, consideration may be given to a redesignation.

5.3.4 Shoreline Areas

In addition to the Hazard Land policies, the following policies shall apply to all lands along the shore of The St. Lawrence River and/or Lake Ontario. Those areas requiring particular attention are delineated on Schedule "A" as "Sensitive Shoreline".

1. The stability of the shoreline, the potential for flooding and wave uprush are natural hazards which must be addressed prior to the approval of development. Development along the shoreline must consider the environmentally sensitive nature of this feature.
2. A horizontal shoreline setback for construction of buildings will be 30 m [98.4 ft.] from the St. Lawrence flood elevation of 76.0 m Geodetic Survey of Canada [249.3 ft.] with the exception of marine facilities and those uses requiring direct access to the shoreline.
3. Where the above setback cannot be accommodated (such as where the placement of an existing road will not allow such a setback) the distance may be reduced to 15 m [49.2 ft.] provided buildings are not in the floodplain or other Hazard area and subject to approval of a variance to the implementing Zoning By-law and to Site Plan approval. Residential infill (between two existing residential dwelling units not greater than 30 m [98.4 ft.] apart measured along the shoreline) structures may be setback from the high water mark such that they are in keeping with the established building line for the area and provided the setback is not less than 15 m [49.2 ft.] and that such uses will not be located within the flood plain or other hazard area.
4. Where there is concern as to the appropriate setback, Council may request a professional opinion as to the shoreline stability or extent of hazard lands, and the appropriate setback.

Detailed engineering, geotechnical and scientific principles, practices and procedures are published from time to time by the Ministry of Natural Resources and shall be referenced for clarification or in matters of dispute.

5. For those lands located in Lot 27, South Range, former Township of Howe Island, specifically described in registered plan of subdivision, Plan 13M-29, a 15 m [49.2 ft.] setback from the highwater mark will be required as per the subdivision agreement for Plan 13-M-29.

5.4 Natural Heritage Features and Areas

Council recognizes the importance of protecting the natural heritage resources of the Municipality. These natural heritage resources include significant wetlands, significant ~~portions of the~~ habitat of endangered and threatened species, **species at risk**, **significant** valley lands, **significant** wildlife habitat, fish habitat, and **significant** Areas of Natural and Scientific Interest (ANSI's) as well as locally significant wetlands, groundwater recharge and discharge areas, large tracts of vegetation, and other environmentally sensitive areas identified by the Municipality.

Except for the habitat of endangered and threatened species and Provincially Significant Wetlands, which have been illustrated on Schedule "A", information (where it exists) on the location of natural heritage features has been included on Schedule "B". Where the extent of, or location of, natural heritage features is unknown, it is Council's intention to insure that these features or areas are identified and incorporated into the Official Plan. **To protect species at risk and highly sensitive habitat, these features will not be illustrated on the Land Use Plan.**

It is Council's intention to protect natural heritage features **and areas** and to encourage private landowners to protect and enhance natural heritage features through sound management practices. Council recognizes that hunting, fishing, and trapping have historically been carried out within the natural heritage features and that these practices will continue.

Over time, Council may undertake the preparation of a comprehensive study of natural heritage features and areas utilizing information derived from the Wolfe Island Wind Project, the Integrated Community Sustainability Plan, the Ministry of Natural Resources and other sources. The study may undertake to identify natural heritage features which contribute and support the bio-diversity, ecological functions and linkages which make up the natural heritage system on the Islands. Features of importance include wetlands, woodlands, valleylands, fish habitat, wildlife habitat, threatened, vulnerable and species of concern and areas of natural and scientific interest. The study may serve to identify features which are provincially, regionally or locally significant and to develop strategies to protect and enhance habitat and biological diversity of the natural heritage system.

5.4.1 Provincially Significant Wetlands (PSW)

The policies for the areas designated “Provincially Significant Wetland” on Schedule “A” shall be as follows:

5.4.1.1 General Principles

Wetlands are essential ecosystems and parts of ecosystems. Wetlands are delineated as lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favored the dominance of hydrophytic or water to foreign clients. The four major types of wetlands are swamps, marshes, bogs, or fens. Land which is being used for agricultural purposes, that are periodically soaked or wet are not considered wetlands.

Wetlands provide continuous, sustainable environmental, economic and social benefits that contribute to the high quality of life in Ontario. Wetlands functions include groundwater recharge and discharge, flood damage reduction, shoreline stabilization, sediment trapping, nutrient retention and removal, food chain support, habitat for fish and wildlife and **attendant** social and economic benefits.

The Provincially Significant Wetland designation as shown on Schedule “A” applies to all Provincially Significant Wetlands (PSW) as identified by the Ministry of Natural Resources. All other wetlands are illustrated on Schedule “B”. **Any changes to the boundary and/or significance of a Provincially Significant Wetland must be approved by the Ministry of Natural Resources.**

Existing agricultural activities will be permitted to continue in natural heritage features and areas.

5.4.1.2 Permitted Uses

Educational, recreational and interpretive uses are permitted within Provincially Significant Wetlands provided that these uses cause no negative impacts on the natural features and ecological functions for which the area has been identified. In particular, sustainable activities such as **nature study**, trapping, fishing and construction of related structures **and existing agricultural uses** may be permitted. All structures should only be established upon consultation with the municipality, the Ministry of Natural Resources and the Department of Fisheries and Oceans or their designated, to the placement and/or construction of such structures.

5.4.1.3 Prohibited Uses - Wetland

Development and site alteration as defined in a Section 9.0 of this Plan, shall not be permitted within the Provincially Significant Wetlands identified on Schedule “A”.

The above prohibition is subject to the statutory authority of the municipality. In this regard the municipality may consult with such agencies as the Ministry of Natural Resources, and the Department of Fisheries and Oceans, or its designate to implement these policies.

5.4.1.4 Policies

No development as defined in this designation shall be permitted within a Provincially Significant Wetland as shown on Schedule “A” subject to the following policies.

1. The boundaries of the Provincially Significant Wetland designation as shown on Schedule “A” are approximate only and will be used as general guidelines in the review of development proposals and in the preparation of the Zoning By-law. Council will require the determination of the exact boundaries at the time of a development application.
2. Minor alterations of the boundaries of the Wetland areas resulting from more detailed mapping, which are implemented in the Zoning By-law, will not require an amendment to this Plan provided that the original intent of the Plan is maintained.
3. Any changes to the boundaries or status of Provincially Significant Wetlands will require the approval of the Ministry of Natural Resources.

5.4.1.5 Adjacent Lands

Adjacent Lands are defined as those lands generally within 120 m of a Provincially Significant Wetland. Development of these lands may be permitted in accordance with the Schedule “A” designation if supported by an approved Environmental Impact Study, prepared in accordance with Section 3.8 of this Plan.

1. If any development is to be considered on lands adjacent to a Provincially Significant Wetland (generally within 120 m [393.7 ft.]) a Full Site or Scoped Site Environmental Impact Study (EIS) will be required to ~~confirm that~~ **determine if** the development of these adjacent lands will not have a negative impact upon the Wetland. This EIS will also provide an evaluation of the extent of lands requiring review as adjacent to the Wetland. The municipality in cooperation with the Ministry of Natural Resources will determine whether a Full Site or Scoped Site Environmental Impact Study will be required.
2. If the Environmental Impact Study (EIS) concludes that the proposed development will have no impact on the Wetland, the said development may proceed based upon the abutting land use designation. An amendment may be required to the Zoning By-law. The Zoning By-law amendment and/or a Site Plan Agreement in accordance with Section 41 of the *Planning Act*, R.S.O. 1990 shall implement any mitigation measures outlined in the EIS.
3. The EIS must address to the satisfaction of the municipality that the development and/or site alteration will:
 - i. Not result in a loss of Wetland natural features and ecological functions;

- ii. **Not** create a subsequent demand for future development which will negatively impact on existing Wetland natural features and ecological functions;
 - iii. Not conflict with existing site-specific wetland management practices;
 - iv. Not result in a loss of contiguous natural features and ecological function of the Wetland area.
4. Where development is proposed on a site which is in part designated as Provincially Significant Wetland or within the identified adjacent lands, such area may not necessarily be accepted as part of the conveyance of land for park purposes as outlined in Section 42 of the *Planning Act*, R.S.O. 1990.
 5. In the implementing Zoning By-law, existing uses, building and structures together with an amount of land sufficient for the siting of such uses at their present extent may be recognized as conforming uses. An EIS study, in accordance with Section 3.8, will be required prior to any expansion of such uses, building and structures.

5.4.1.6 Special Policy - Big Sandy Bay

The Municipality will continue to work cooperatively with provincial and private land owners to help establish controlled public access, ~~camping facilities~~ and associated uses which have regard for policy 2.3 of the Provincial Policy Statement, area management plans, and relevant policies of this Plan. Accessory uses such as parking and camping shall be permitted on lands in the vicinity of the Big Sandy Bay Wetland, to serve the needs of visitors to the Big Sandy Bay wetland, provided such uses comply with the provisions of the Big Sandy Bay Management Plan.

5.4.2 Habitat of Endangered and Threatened Species **and Species at Risk**

The habitat of threatened and endangered species **and species at risk** has not been identified in the Plan. Council will ensure that as part of the review of planning and/or development applications, consideration is made to the Ministry of Natural Resources endangered and threatened species habitat mapping **and information for species at risk** regarding these habitats. Development and site alteration will not be permitted within significant ~~portions of the~~ habitat of endangered or threatened species (as defined in the Provincial Policy Statement, ~~1997~~) Council will require the submission of an Environmental Impact Study (EIS) in accordance with the requirements of the Plan when development and/or site alterations are proposed within 50 m [164 ft.] of significant ~~portion of the~~ habitat of threatened and endangered species.

5.4.3 Areas of Natural and Scientific Interest (ANSI)

ANSIs are areas of land and water containing natural landscapes or features which have been identified as having values related to protection, appreciation, and scientific study or education.

These areas have been identified, mapped, and ranked by the Ministry of Natural Resources. The boundaries of the ANSIs have been shown in Schedule “B”. Development and/or site alteration may be permitted within an ANSI subject to the following policy.

1. Applications for development and/or site alteration within an ANSI or within 50 m [164 ft.] of an ANSI must be accompanied by an Environmental Impact Study prepared in accordance with Section 4.28 of the Official Plan.
2. Changes to the boundaries of an ANSI require the approval of the Ministry of Natural Resources.

5.4.4 Woodlands

Significant woodlands have not yet been identified. Council intends to identify significant woodlands and incorporate them and appropriate policies into the Official Plan as part of the next update of the Plan. In the interim, Council will support the maintenance of forested areas for wildlife habitat and the sustainable forest management activities carried out by individual landowners, including the establishment of new plantation, the tending of existing plantations and woodlots, timber harvesting, pest control, the establishment of windbreaks and fence rows, and forest research.

5.4.5 Valleylands

Significant valleylands have not yet been identified. It is Council’s intention that significant valleylands will be identified before the next major review and update Official Plan.

5.4.6 Wildlife Habitat

Significant wildlife habitat has not been identified. Its Council’s intention to identify areas of significant wildlife habitat during the next major update of the Official Plan.

5.4.7 Fish Habitat

All shoreline areas and watercourses have the potential to be fish habitat. An Environmental Impact Study prepared in accordance with Section 3.8 of the Official Plan must be submitted with any development or site alteration proposed within 30 m [98.4 ft.] of the high water mark or **for development** which has the potential to negatively impact fish or fish habitat. **The Municipality may use a scoped assessment in establishing the requirements for a study.** Approvals from senior levels of government will apply as warranted

5.4.8 Natural Connections/Corridors

The maintenance and enhancement of the natural connections between natural heritage features and the shorelines riparian zone is important and where ever possible, Council will require that these

natural connections be maintained and enhanced.

5.5 Village

The policies for the areas designated “Village” on Schedule “A” is as follows:

5.5.1 General Principles for Village Areas

The community of Marysville is the only Village designated on Schedule “A”.

The Village designation shall be the focus for development. The extent of development shall be determined by the servicing capacity of the area to support private sewer and water systems. Council will consider the establishment of communal servicing as the basis for significant new development in the vicinity of the Village.

The existing community structure shall be maintained and reinforced in accordance with their ability to sustain growth. Villages will be recognized as rural settlement areas capable of sustaining limited growth in the form of minor internal infilling or as extensions to existing development unless a communal servicing system has been installed.

A mix of suitable residential, commercial, community facilities and small scale industrial uses, developed on private sewage and water systems, at appropriate densities, will be encouraged within the Village designation. The future growth of Village areas should be consistent with environment, physical and socio-economic conditions. Surrounding land uses, intensity of existing development and potential soil or ground water constraints should be considered in assessing new development proposals. Prior to significant development, a Village Settlement Capacity Study shall be completed in accordance with the policies of this Plan.

5.5.2 Permitted Uses

The predominant form of land use will be single detached dwellings. Other residential permitted uses will include; a full range of low and medium housing types, multiple unit residential development; apartments-in-a-house; apartment units above the first floor of a associated with a retail commercial use; bed and breakfast establishments; and senior citizen’s housing. Home occupations based businesses and professional offices in residences shall also be permitted as accessory residential uses.

Limited commercial and industrial uses, which are of a relatively “dry” nature in that they do not require large amounts of water and can satisfactorily be developed on the basis of available services, shall also be permitted. Such uses may include manufacturing, warehousing and storage facilities, building supply yards, farm implement dealerships or other similar uses of limited size and scope which primarily serve the needs of the surrounding rural areas and are compatible with adjacent land uses. In addition, parks, playgrounds and community facility uses, such as schools, places of worship, assembly halls and fraternal association meeting halls will be permitted

5.5.3 Policy

1. Infilling and development of all Villages will be encouraged by Plan of Subdivision wherever possible. In considering an application for consent to a land severance within Village areas, the effects of the proposed severances on future in-depth development shall be assessed. In particular, internal road and lot layouts, proposed access locations, parkland allocations, etc., should be considered.
2. The maximum density of new ~~single family~~ residential development occurring by registered Plan of Subdivision shall be determined by the ability to satisfy the Ministry of the Environment criteria for sewage disposal as set out in the Ministry Guidelines and determined by a Servicing Options Statement.
3. The minimum lot area and frontage requirements for single detached residential development by consent to a land severance shall generally not be less than 2,000 m² [21,529 ft.²] and 30 m [98.4 ft.] respectively, except as may otherwise be specifically permitted in the implementing By-law in instances which would otherwise result in unnecessary hardship.
4. An application for development by registered Plan of Subdivision shall, at the draft plan approval stage, be accompanied by a detailed hydro geological and soil analysis report with regards to the availability and adequacy of ground water supplies, surface drainage characteristics and the ability of the soils to sustain development on the basis of private services. All private water supply and sewage systems shall conform to the standards and regulations of the authority responsible for their approval. Development shall not be permitted if underground water supplies are not sufficient to support the existing as well as the proposed level of development.
5. Access to individual lots within a plan of subdivision shall generally be from internal subdivision roads, the construction of which shall be in accordance with municipal standards and the responsibility of the developer. It is further intended that such roads shall be maintained by the developer for such period as specified in the subdivision agreement and subsequently assumed by the Municipality at no cost.
6. Prior to development in areas of documented water quality and quantity problems in Village areas, a Village Settlement Capacity Study shall be completed in accordance with the policies of this Plan. Village Settlement Capacity Studies shall also be completed where an individual development proposal exceeds 10 lots or a development area has a development potential of 25 lots or more. In addition, prior to the expansion of existing Village boundaries, a Village Settlement Capacity Study shall be completed to the satisfaction of the municipality, in consultation with such agencies as the municipality feels are appropriate.

A Village Settlement Capacity Study shall include:

- i. A hydrogeologic study to determine if groundwater quality and quantity is sufficient to sustain development;
 - ii. An assessment of the impact of future development on existing groundwater quantity and quality and on existing sources of drinking water including municipal, commercial and communal wells;
 - iii. An assessment of the long-term suitability of the soil conditions for the effective operation of private sewage disposal systems;
 - iv. An identification of any existing restrictions to future development;
 - v. An assessment of surface drainage and stormwater management;
 - vi. An assessment of how new growth will be complimentary to and consistent with the historic character and tourist potential of the area;
 - vii. A subwatershed plan which, among other matters, assesses the impact of development on natural features and aquatic and terrestrial habitats;
 - viii. A statement of conformity with the Minimum Distance Separation Formulae 1;
 - ix. An assessment of the financial implications of the development and its impact on the Township's financial position;
 - x. Consultation with residents and landowners;
 - xi. A review of the role of the Village area in the municipality.
 - xii. A review of the servicing strategy as set out in Section 3 of this Plan; and,
 - xiii. An assessment of the need for additional development, including a review of all other Village areas, to determine:
 - the need for additional lots;
 - the absorption rate of lots for the proposed use;
 - the impact that additional development will have on the surrounding areas and Village infrastructure.
7. New development shall proceed in a continuous manner from adjacent built up areas in order to provide for a continuous road pattern and efficient servicing patterns.
 8. All lots shall be required to have frontage on a public road

9. Criteria for Consideration

When an application for development is received the municipality shall consider:

- i. If the proposed development is at a scale and density compatible with existing development;
 - ii. If the proposed development is compatible with the desired character of the Village area;
 - iii. In the case of an application for consent to a land severance within a designated Village area, the effects of the proposed consent to a land severance(s) would have on future in-depth development. In particular, consideration should be given to internal road and lot layouts, proposed access locations, parkland allocations, etc.
10. New development in the Village designation shall proceed by Zoning By-law amendment where appropriate zoning is not in place. Single detached residential, multiple residential, institutional, commercial and industrial uses will be zoned in separate categories in the implementing Zoning By-law where suitable regulations and provisions shall be prescribed to govern the development and use of such lands as set out in Section 3 of this Plan.
11. The expansion of a Village settlement area boundary is not anticipated within the life of this Plan, but will only be considered as part of the comprehensive review of this Plan (every five years) based on an evaluation of such matters as the management and planning for growth, infrastructure, public service facilities and impacts on prime agricultural areas, natural heritage features and other resources.

5.6 Aggregate and Mineral Resources

The Aggregate and Mineral Resources designation includes all lands currently licensed under the *Aggregate Resources Act*, for extractive uses as well as those lands identified as areas of primary aggregate or mineral potential for aggregate or mineral extraction by the Ministry of Natural Resources or lands having Mineral or Building Stone potential by the Ministry of Northern Development ~~and~~ Mines, and Forestry.

5.6.1 Permitted Uses

Permitted uses shall include sand and gravel pits, quarries, wayside pits and quarries, aggregate storage areas, crushing, washing and screening plants, and those uses directly related and essential to extraction operations. In addition, lands designated “Aggregate and Mineral Resources” may be used for agricultural, resource management, open air recreation, or forestry purposes.

Lands designated Aggregate and Mineral Resources on Schedule “A” shall be generally reserved and

used for the purpose of aggregate or mineral extraction and related uses described above, except that it shall be a policy of this Plan to require the implementing Zoning By-law to recognize all existing uses.

5.6.2 Policies

- I. An amendment to this Plan shall be required where new aggregate extraction operations are proposed in areas not designated Aggregate and Mineral Resources. The following matters shall be considered by Council before a decision is made to amend the Official Plan to permit a new aggregate resource operation or to the Implementing Zoning By-law to allow for the major expansion to an existing operation:
 - i. In order to preserve the scenic beauty and amenity of the area, extractive operations will generally be restricted to areas which can be screened from public view;
 - ii. It shall be the policy of the plan that the township, when considering a new or major expansion to a pit or quarry proposal, will have regard to the existing adjacent land use that might be affected by a pit or quarry operation. This regard or consideration may be reflected in appropriate setbacks and/or other mitigative techniques (e.g. screening, berms, location of machinery, and timing of operation etc.) Which may be established as conditions on the license or site plan under the *Aggregate Resources Act* or a predecessor thereof, at the time of licensing. Any setback and/or mitigative techniques being established should depend on a site by site review and in light of other policies in this section;
 - iii. The Ministry of the Environment considers the area of influence to be 500 m [1,640 ft.] for a quarry, 300 m [984.2 ft.] for a pit below the water table and 150 m [492.1 ft.] for a pit above the water table. This influence area is considered to have the most impact on sensitive land uses from the pit or quarry operation. Environmental studies should be required to assess the impact if development occurs within this influence area. This influence area should be applied reciprocally to new sensitive land uses encroaching upon an existing extraction operation or lands committed for future extraction; (MMAH Mod.#18)
 - iv. On good agricultural land, i.e.: areas which have soil Classes 1,2, or 3 as defined in the Canada Land Inventory of Soil Capability for Agriculture, or which are specialty crop soils, or which are lands currently supporting viable agricultural activities, aggregate extraction may occur provided agricultural rehabilitation of the site is progressively carried out and substantially the same acreage and average soil capability for agriculture are restored;
 - v. Haulage routes and the traffic generated by the extractive operation;
 - vi. The phasing of extraction so as to avoid large areas of open unrehabilitated

extraction;

- vii. Such other matters as deemed necessary by Council, which may include the provision of a hydro geological report specific to the proposal.
2. An application for an amendment to this Plan to permit the establishment of an aggregate extraction operation or the major expansion of an existing operation shall be accompanied by the detailed site development plan. Site Plans and reports as required by Section 7 of the *Aggregate Resources Act* shall be acceptable for the purpose of this section.
 3. All pit and quarry uses must satisfy the requirements of the Ministry of the Environment as to water supply and disposal of liquid wastes, and all emission into the air or land including noise, vibration and dust. Pumping and dewatering will not be permitted in any pit or quarry unless approval is obtained from the Ministry of the Environment.
 4. All pit and quarry uses shall satisfy the requirement of the *Aggregate Resources Act* as to licensing and regulation.
 5. The construction of buildings and changes of land use which are deemed to be incompatible with future aggregate extraction in and adjacent to areas identified as Aggregate Reserve on Schedule 'B', will be discouraged to protect such resources for development at some future time. It is recognized by this Plan, however, that extraction may not be feasible or advisable in all areas identified as Aggregate Reserve. The municipality, in consultation with the Ministry of Natural Resources and the Ministry of Northern Development ~~and~~ Mines, and Forestry may permit non-aggregate land uses or developments in areas designated for Aggregate Reserve under carefully considered circumstances where it can be shown that:
 - i. Extraction would not be feasible; or
 - ii. The proposed land use or development serves a greater long term interest of the general public than does aggregate extraction; or
 - iii. The proposed land use or development would not significantly preclude or hinder future extraction.

Where non-aggregate land uses or development are permitted within areas identified Aggregate Reserve, the subject parcel of land shall be deemed to fall under the Schedule 'A' designation and the appropriate policies shall apply.
 6. The boundaries of the lands designated as Aggregate and Mineral Resources on Schedule "A" shall not be used as guides for development. An amendment to this plan will not be required for minor changes to the Aggregate and Mineral Resources boundaries, which are deemed to be suitable by Council after consultation with the Ministry of Natural Resources and/or the Ministry of Northern Development and Mines. Where such changes occur the new

land use designation to be applied shall be either the abutting designation or the Rural designation.

7. For those areas identified as Aggregate Reserve development shall only be permitted if it can be demonstrated that the development will not preclude the extraction of the aggregate or the mineral resource which formed the basis for the designation. In the event that Council is satisfied after thorough investigation that there is no aggregate or mineral potential on or adjacent to the site the proposed development may be considered in accordance with the applicable policies of this Plan as determined in (6) above. It is Council's intention to protect mineral resources for their long term use and that mineral resources will be protected from incompatible uses which would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety, or environmental impact.
8. All existing licensed extractive operations shall be recognized in the Zoning By-law and clearly distinguished from other extraction operations such as wayside pits. An amendment to the Zoning By-law shall be required for the opening of new extractive operations or the extension or enlargement of existing operations. In accordance with Section ~~2.2.3.4~~ 2.5.4.1 of the Provincial Policy Statement, wayside pits, and quarries and portable asphalt plants and portable concrete plants used on public authority contracts will be permitted, without the need for official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities. In all other cases, it shall be the policy of this plan that concrete batching plants and asphalt plants shall be specifically restricted to those areas zoned for such purposes in the implementing zoning by-law.

5.7 Waste Management

The policies for the areas designated Waste Management on Schedule "A" is as follows:

5.7.1 Uses Permitted

The uses permitted shall include solid waste (garbage) transfer stations, waste diversion facilities (such as recycling depots and composting facilities) and solid waste land fill sites as authorized by the municipality and approved (as necessary) by the Ministry of the Environment. These uses shall be designated on Schedule "A" to the Official Plan to indicate their locations and their "assessment areas". All solid waste landfill sites and solid waste (garbage) transfer stations shall have an "assessment area" with a radius of approximately 500 m [1,640 ft.] from the property line of the subject site, except where otherwise determined by the Ministry of the Environment. All lands within 500 m [1,640 ft.] of the solid waste landfill site or solid waste transfer station may be zoned in a "holding" zone to prevent future development.

Wrecking Yards are prohibited in the Municipality.

5.7.2 Development Policies

1. Applications for new “Waste Management” development proposals shall be considered with regard to the following concerns:
 - i. The physical suitability of the site for the proposed use;
 - ii. The compatibility of the proposed use with surrounding land uses;
 - iii. The ability of roads accessing the proposed Waste Management site to carry traffic volumes projected to be generated by the proposed development, and the suitability of the proposed access points to the maintenance of a constant traffic flow pattern.
2. Any new solid waste (garbage) transfer station, or solid waste landfill site shall front on an assumed public road which is currently maintained on a year-round basis.
3. Waste Management uses shall not be located within 500 m [1,640 ft.] to any established or approved residential or commercial type use without an assessment of impact prepared satisfactory to the Municipality.
4. Former solid waste landfill sites or solid waste (garbage) transfer stations shall be indicated as such on the attached Schedule “A” of this Plan and shall be zoned in a Holding zone classification in the Implementing Zoning By-law. These sites are designated for information purposes, and may be utilized for any non-residential land use permitted in the land use designation which underlies the “assessment area” designation, without an Official Plan Amendment, provided the Municipality is satisfied that the following concerns have been dealt with (Ministry of the Environment Guidelines should be used in the preparation of technical studies addressing potential impacts/concerns):
 - i. The development satisfies the provisions of the *Environmental Protection Act, R.S.O. 1980*;
 - ii. Studies have been carried out to the satisfaction of the municipality that show that the development is compatible and can safely take place;
 - iii. The Municipality shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
 - iv. Studies of gas, leachate and hydro geology, shall be carried out by a qualified engineer;
 - v. The municipality shall be satisfied with the required studies with respect to any

matter regarding structural stability, safety and integrity of any and all structures;

- vi. Notwithstanding the land use designations on Schedule “A” residential development will not be allowed to proceed on areas identified by subsections (2) and (4) above, which contain organic and chemical wastes. When the above described concerns have been satisfied, a former solid waste landfill site or solid waste (garbage) transfer station shall be rezoned in an appropriate zone classification reflecting the proposed use of the property
5. All new Waste Management sites shall be zoned in a separate category or categories in the implementing Zoning By-law, which will contain appropriate standards and controls to implement the policies established in this designation. In the case of waste management uses requiring licensing by the Ministry of the Environment, the area to be zoned shall correspond precisely to the licensed area.

5.7.3 Hauled Septage Disposal

1. Hauled septage disposal sites for the disposal of effluent pumped from septic tanks may be zoned in the Rural designation in accordance with the policy below.
2. No new septage disposal sites shall be permitted within 90 m [295.2 ft.] of individual dwelling (i.e. consents) and associated wells; within 30 m [98.4 ft.] of public roads; within 450 m [1,476.3 ft.] of residential development (i.e. plans of subdivision) and within 180 m [590.5 ft.] of surface waters (i.e. lakes). These distances may be increased by MOE depending on site-specific conditions and/or septage application procedures. Where existing septage disposal sites are involved, all new residential development shall comply with the setback distances above. “Septage” means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, or a sewage holding tank.
3. All hauled sewage disposal sites shall be operated and maintained in accordance with Ministry of the Environment standards and shall be approved by the Ministry of the Environment.
4. The waste disposal area shall be located a reasonable distance from existing or proposed residential, commercial, institutional, or recreational use or similar designation all in accordance with the provisions of Section 5.7.3.2.
5. Disposal sites shall be located and designed so that pollution of any watercourse or groundwater does not occur in accordance with the provisions of Section 5.7.3.2.
6. Disposal sites shall be adequately screened on all sides either naturally or by artificial means and such screening will apply to all open storage areas and disposal site operations.

7. Sites shall be located so that ingress and egress points do not create a traffic hazard.

6. DEVELOPMENT REVIEW

6.1 General Principles

It is a policy of this Plan that Council will only recommend approval for development of land, (whether it be by a consent to a land severance or a Plan of Subdivision/Condominium), which;

1. complies with the intent of this Plan
2. can be supplied with adequate municipal services and community facilities such as schools, fire and police protection, water supply, sewage disposal, storm drainage facilities, and road maintenance,
3. would not encumber the financial position of the Municipality.
4. ~~Has Regard to~~ **Is consistent with** the Provincial Policy Statement.
5. **Where the policies of this Plan require consultation, or where consultation is required under the *Planning Act*, the Township and/or the applicant shall consult with the Ministry of Municipal Affairs and Housing where the Ministry is the approval authority, or other agencies where they are so named and with the First Nations, where applicable.**
6. **Where studies or assessments are required under this Plan, the Plan should be generally interpreted to mean that it is Council's responsibility to ensure that they are consistent with the Provincial Policy Statement in effect at that time.**

6.2 Policies

6.2.1 General

In accordance with the Provincial Policy Statement the Municipality, in the review of planning applications, is required to ~~"have regard to"~~ **"be consistent with"** Natural Heritage Features **and Areas**, and Cultural Heritage ~~Features~~ **and Archaeology** and Hazard Land. The Background Study has assembled the available information on both Natural and Cultural Heritage Features. This information has been reproduced on Schedule "A" and Schedule "B" to this Plan. It is expected that this information may be updated from time to time. In any event, these Schedules are intended to provide a graphic representation of this information. Any application should be reviewed to determine if the proposal is in or near a feature. The following policy addresses the nature of concerns and the anticipated response to these concerns.

6.2.2 Natural Heritage Features **and Areas** and Hazard Land

Applications should be reviewed in light of Section 5.3 and 5.4 of this Plan.

6.2.3 Cultural Heritage Features

Cultural Heritage Features shall include Built heritage Resources and Cultural Heritage Landscapes. Built heritage resources shall mean one or more **significant** buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic or military history and identified as important to the community. **These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdictions.** Cultural heritage landscapes means a defined geographical area of heritage significance which has been modified by human activities ~~Such an area is valued by a community and is of significance to the understanding of the history of a people or place and is~~ **valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; and villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.**

6.2.4 Areas of Archeological Potential

1. ~~Areas of Archeological Potential shall mean areas with medium or high potential for the discovery of archaeological resources. This potential is based on the presence of a wide range of geographical and historical features which influenced past settlement. Archeological potential is confirmed through archaeological assessment.~~ **means areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.**
2. Development and site alteration may be permitted on lands containing archeological resources or areas of archeological potential if significant archeological resources have been conserved by removal and documentation, or preservation on site. Where significant archeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site will be permitted.
3. Council will require an archeological assessment or survey by archeologist licensed under the *Ontario Heritage Act*, in areas where there are known archeological resources and/or areas exhibiting archaeological potential. Any significant archaeological resource identified through assessment may be preserved on site, to ensure that the integrity of the resource is maintained and/or may be systematically removed through excavation by a licensed archaeologist. Council may maintain the integrity of archaeological resources by adopting zoning by-laws under Section 34 of the *Planning Act*, to prohibit any land-use activities or the erection of buildings or structures on land which is a site of significant archaeological resource. Council shall consult appropriate government agencies, including the Ministry of

Culture (MCL) and the Ministry of ~~Consumer and~~ Consumer Services when an identified marked or unmarked cemetery is affected by land use development. The provisions under the *Ontario Heritage Act* and the *Cemeteries Act* shall apply where appropriate.

6.3 Criteria for Assessing Land Division Applications

Land development, particularly residential, should, wherever possible, occur by a registered Plan of Subdivision or Plan of Condominium. Where a Plan of Subdivision/Condominium is not necessary for proper and orderly development, a consent to a land severance may be granted by the Approval Authority pursuant to its powers as set forth under Section 52 of the *Planning Act, R.S.O. 1990*, as amended.

When assessing submissions for a consent to land severance or a Plan of Subdivision/Condominium, Council shall have regard for, among other things, the amount of existing developed and vacant lots in the Municipality and consider the projected population in relation to the need for the proposal. A preliminary allocation of growth is provided in the Background Report prepared for this Official Plan and should be consulted.

It shall also be a policy of this Plan that residential growth will be accommodated through either the Plan of Subdivision or Condominium process to areas set aside in this Plan to accommodate such growth. Consent to a land severance will only be considered on a limited basis and in such instances where it can be shown that the request is minor in nature and will not affect the future potential of the balance of the land holding.

In considering whether the consent to land severance process can be used for the division of land, into more than 2 new lots, an applicant must demonstrate the following:

1. Future development options will not be limited, restricted or eliminated;
2. Existing municipal services are adequate for the proposed development and will not require extension;
3. Safe access to a publicly maintained road is available;
4. Natural heritage features will not be negatively impacted;
5. The proposed development will meet the MDS requirements for proximity to ~~animal operations~~ livestock facility;
6. No aggregate reserves are within 500 m [1,640 ft.] of the proposed development;
7. The proposed development is not subject to any natural hazard; and,

8. All other policies of the Official Plan can be met.

Council will require submission of a concept plan illustrating the entire proposed development prior to considering the consent applications.

If the above criteria cannot be met, a Plan of Subdivision will be required.

When reviewing a Plan of Subdivision Application, the Approval Authority shall have regard to the provisions of Section 51 (24) of the *Planning Act, R.S.O. 1990*. The Approval Authority shall have regard to the following criteria and policies in reviewing an application for a consent to a land severance.

6.3.1 General Criteria

1. Assessment of Application

A consent to a land severance should only be considered when the Approval Authority is satisfied that a Plan of Subdivision, as referred to under Section 51 of the *Planning Act, R.S.O. 1990*, is not required to ensure proper and orderly development of the lands. Where the land ownership would be capable and appropriate for division into numerous lots or where there are indications that the scale of development is going beyond that for which the consent process is intended, then a Plan of Subdivision shall be required.

2. Economic Considerations

Approval of a consent should only be considered when the Approval Authority is satisfied that the proposed lot will not have a detrimental effect on the Corporation's financial status. A consent to a land severance should not be granted where the extension of any road or other public facility, or service, including the creation of new school bus routes or the extension of routes, as may be required to facilitate the proposed development, is considered to be uneconomical.

3. Compatibility With Adjacent Land Uses

Consideration should be given to the compatibility of the proposed use for which the consent is required. Where the proposed development is not considered compatible with adjacent or adjoining land uses, a consent shall not be granted.

4. Frontage on Public Street or Private Road

A consent should only be granted where the proposed lot fronts directly upon an improved public street which is maintained year round and which is of a reasonable standard of construction. In this regard a report may be requested by the Approval Authority from the appropriate agency. In the case of development on Private Roads the policies of Section

5.2.4.1 e) shall apply.

5. Traffic Hazard

A consent to a land severance should not be granted where, due to the development of the proposed lot, a traffic hazard would be created or serve to further an existing traffic hazard as a result of limited sight lines, curves or grades. The Approval Authority should also have regard to the grade of the driveways as it approaches or intersects with the public street. The Approval Authority will not approve a consent, if the effect of its approval will create a dangerous situation for the ingress/egress of vehicles or aggravate any drainage issues which may arise.

6. Extension of Development

A consent to a land severance should not be granted if, due to the approval of such severance, it would have the effect of creating or extending a form of development deemed to be inappropriate (e.g. strip development).

7. Infilling

A consent to a land severance shall generally be given favourable consideration if it has the effect of infilling in a Village or other built-up area. Notwithstanding that a severance may be given favourable consideration if it has the effect of infilling, such a severance should be denied if it has the effect of creating a land-locked parcel of land such that either the parcel to be created or retained does not comply to paragraph (iv) hereof. A consent creating a land-locked parcel may, however, be granted in the case of land assembly for future subdivision purposes where development is anticipated provided that such a severance is necessary to permit the development of the lands and the municipality has completed sufficient review of the overall development concept to be confident that the consent will not preclude future development.

For the purposes of this Plan “infilling” shall refer to situations where the lands under consideration front upon a public street or road and are between two or more existing non-farm residential buildings separated by not more than 100 m [328] on the same side of the road. It shall further be the policy of this Plan that a Plan of Subdivision shall be required if the effect of the severance would be to create three or more additional lots.

8. Site Plan Requirement

A consent to a land severance for purposes other than residential should only be considered where a Site Plan is submitted which is drawn to scale and which indicates the true dimensions of the lot; the proposed use for such lot; the dimensions of any yards, setbacks, landscaped open space; and, the location of all existing buildings or structures adjacent to the

lot which is to be severed. Where deemed necessary, the approval of a consent to a land severance may be subject to a Site Plan Agreement, as per the provisions of Section 41 of the *Planning Act, R.S.O. 1990*, between the applicant and the municipality. Such agreements shall be registered against the title of the subject lands.

9. Compliance with Agreements

The division of lands by consent should be in compliance with the provisions of any Site Plan, subdivision or any other development agreements registered against the title of the subject lands. The municipality may enter into a Development Agreement as a condition of the granting of the consent.

10. Services and Utilities

A consent to a land severance should only be granted where adequate services are available or will be available prior to occupancy of the proposed use on the severed lands. A consent to a land severance should only be granted where the municipality of County or other Governmental Agency, Board or Commission is able to provide all necessary services such as fire protection, school accommodation facilities and busing, police protection, street lighting and other similar utilities, etc., as may normally be provided or required. If the municipality or other public agency advises that the approval of a severance may have an adverse effect on its plans or programs, such application should be denied.

11. Access to Major Roads

The creation of lots fronting on and having direct access to a Major Road should generally be discouraged where an alternative access is available from a local road. A consent to a land severance should not be granted where the consent does not comply with the policies and standards of the road authority having jurisdiction.

12. Hazardous Conditions and Environmentally Sensitive Areas

Applications for consent will be subject to the policy requirements of Section 5.3 and 5.4 of this Plan. Where it is evident that a lot for which a consent is proposed is susceptible to a hazard or is in or adjacent to a natural heritage feature, the consent should be denied unless it has been clearly established to the satisfaction of the approval authority that the proposed use or the natural heritage feature or the hazard would not be detrimentally affected/aggravated. The consideration of any proposed consent on lands where these conditions are present shall take into account among other things, the Provincial Policy Statement and the policies of this Plan. Such proposals must be supported by the appropriate technical studies identified in Section 5.3 and/or 5.4 of this Plan.

Dedications

Where necessary, dedications for appropriate road widening or one foot reserves shall be required as a condition of approval across the frontage or other yards of all proposed lots.

13. Minimum Distance Separation Formulae, *Public Health Act* and Other Guidelines

The Approval Authority shall ~~have regard for~~ **comply with** the Minimum Distance Separation formulae so as to ensure compliance. The Approval Authority shall not grant a consent that does not comply with the Minimum Distance Separation formulae. The Approval Authority shall also have regard to the *Public Health Act* and regulations made thereunder, and any other applicable guidelines in granting consents.

14. Lot Area Requirements

All parcels of land to be severed and all retained parcels should be of an adequate size for the use proposed, having regard for the topography of the land, the siting of the proposed buildings and the existing or proposed points of ingress and egress. Specific regard should be had for the suitability of the soil and ground water conditions to provide for an adequate potable private water supply and for the installation and operation of a satisfactory private sewage disposal system which complies with the standards of the Ministry of the Environment as revised from time to time, and as administered by the Health Unit. Drilled wells shall be encouraged as they are generally less susceptible to contamination than shallower bored or dug wells.

The Approval Authority will, in examples where multiple consent applications are being considered or in areas where there has been documented water quality/water quantity concerns, require the completion of a detailed hydrogeological report by a qualified Hydrogeologist to confirm the ability of the area to support further development without impairing groundwater quality on the basis of private water supply and sewage disposal services. This report must be completed to the satisfaction of the municipality before a final decision on an otherwise acceptable application is rendered. The recommendations of the Hydrogeologist's report may be imposed by the Approval Authority as a condition of approval.

15. Land Use Compatibility

Residential areas and other uses of similar sensitivity will be protected from situations of undesirable air quality and excessive noise/vibration. Proponents may be required to carry out noise and/or vibration assessments and determine control measures which meet the guidelines of the Ministry of the Environment and the Approval Authority. These may include as conditions of the granting of the consent separation distances, buffers between uses and such other control measures as they deem warranted.

16. Waste Disposal

Consents for residential uses in proximity to existing landfill sites and dumps shall receive further analysis than those proposals which are not in proximity to such a use. The Township shall request appropriate studies for all development proposed within 500 m [1,640 ft.] of the boundaries of open or closed landfill sites in order to make a decision on the proposed consent. (MMAH Mod. #26)

17. Aggregate and Mineral Reserve Areas

Consents for residential uses should not be approved in or within 500 m [1,640 ft.] of an Aggregate and Mineral Reserve Areas as shown on Schedule "B" unless it can be demonstrated that the resource is not of economic importance or cannot be extracted due to site limitations or conflicts with other land uses or environmental limitations. In addition prior to the approval of the consent the impact on adjacent aggregate and mineral potential shall be reviewed.

18. Significant Natural Features and Cultural Heritage Features

Consents for new uses should not be approved in or in proximity to Significant Natural Features or Cultural Heritage Features as shown on Schedule "B" unless it can be demonstrated to Council's satisfaction that there will little or no impact or that the impact can be mitigated.

19. Conformity to Zoning By-law

No lot shall be created which does not comply with the minimum requirements of the Zoning By-law. The Approval Authority shall require, as a condition of severance, the zoning of the severed parcel to an appropriate zone category. Any non-conforming, non-complying aspects of the retained parcel should be documented in the consent decision.

20. Conditions of Approval

The Approval Authority may attach any other conditions as may be authorized under the provisions of the *Planning Act, R.S.O. 1990*, as amended, or any other statute as may be applicable, which may include, but not be limited to the following:

- i. The payment of development charges to the municipality to cover the costs of additional municipal services to be provided as may be deemed necessary by Council.
- ii. The dedication of land to the municipality for park purposes, and/or, as an alternative, the payment of cash-in-lieu of such dedication as may be accepted by the

municipality.

- iii. The limitation of time for the fulfillment of the conditions of approval prior to lapsing of the consent.
- iv. The submission of a registered reference plan to the Approval Authority prior to the consent being finalized; and
- v. The preparation of a Site Plan under Section 41 of the *Planning Act, R.S.O. 1990* if required.

6.3.2 Special Policies Residential Severances Related to Agricultural Activities in the Agriculture Designation

A consent to a land severance may be granted by the Approval Authority in the Agriculture designation as delineated on Schedule "A" to this Plan in accordance with the following criteria provided that the relevant criteria specified under Section 6.4.1 hereof are complied with.

- ~~1. For the purposes of this section a farmer shall be defined as a person who:~~
 - ~~i. Has owned and farmed land in the municipality and is presently actively involved in the operation of the farm from which the consent would be taken. The Approval Authority will accept membership in a farm organization such as the Ontario Federation of Agriculture or the Christian Farmers of Ontario as proof of a farmer's qualifications.~~
 - ~~ii. Spends a substantial portion of their working time involved in the operation of the farm (in this regard, the rental of the land to someone else who manages the actual farm operation will not be considered as active involvement);~~
 - ~~iii. Obtains a substantial portion of their yearly income from the farm.~~
- ~~2. A consent may be granted by the Approval Authority to a retiring farmer who sells the farm, provided that:~~
 - ~~i. the farmer will reside on the retirement lot;~~
 - ~~ii. that the severed lot (ie the farm) is sold by the retiring farmer, which shall be documented as a condition of consent by the Approval Authority;~~
 - ~~iii. once a lot has been granted for this purpose, no further retirement lots shall be~~

~~granted for the retiring farmer. The retiring farmer may be permitted to retain a lot on which the existing farm house is located, or, an alternative lot on the same farm for the construction of a new single dwelling, or, to create a lot located elsewhere in the municipality which is deemed to be more desirable for the construction of a new dwelling, provided that, in either case, such dwelling or lot is intended for his own occupation;~~

- ~~iv. — the retirement lot shall generally be located in the least productive portion of the agricultural parcel;~~
 - ~~v. — the retirement lot shall be in compliance with the Minimum Distance Separation Formulae, as amended;~~
 - ~~vi. — the farmer is a full time farmer of retirement age, is retiring from active working life, was farming on January 1, 1994, and has owned and operated the farm for a substantial number of years; and~~
3. — ~~Where two or more farms are being consolidated and an existing dwelling becomes surplus to the needs of the farmer, the municipality may require that the titles be legally merged or in the case where the properties are not adjoining the municipality may require an Agreement on title and/or the completion of a Zoning By-law amendment which will prohibit residential development on the lands from which the surplus dwelling is separated.~~
4. — ~~The Approval Authority may create a new parcel or land for agricultural purposes, provided that, both the proposed retained and severed parcels are of a size appropriate for the type of agricultural uses common in the area and which is sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations for the agricultural purpose proposed. Agriculture and farm related uses which require smaller lots shall be encouraged to locate on existing small lots located throughout the municipality.~~

~~Notwithstanding the provisions of this section hereof to the contrary, a consent to a land severance may be granted if the effect of such a severance is to allow infilling within an area presently zoned for residential purposes. For the purposes of this section, infilling shall refer to situations where two or more non farm residential dwellings located on the same side of a public road or street and the non farm residences are separated by not more than approximately 100 metres. The proposed lot must comply with the provisions of the Minimum Distance Separation Formula 1.~~

- 1. **Agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;**
- 2. **Agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;**

3. A residence surplus to a farming operation as a result of farm consolidation provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
4. Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
5. Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons. (See also Section 6.3.2 1 to 6, 8 to 17, 19 to 21)

6.3.3 Special Policies Non-Farm Residential Severances in the Rural Designation

Within the Rural designation as delineated on Schedule “A” to this Plan, the establishment of new non-farm single detached dwellings will generally be discouraged on prime agricultural lands defined as soils primarily within Class 1, 2 and 3 of the Canada Land Inventory, Soil Capability for Agriculture; and Class 4 soils which are adjacent to the Classes noted above. A limited number of non-farm dwellings may be permitted, however, by consent to a land severance. Regard shall be given to the following criteria provided that the relevant criteria specified under Section 6.3.1 hereof are complied with.

1. A consent to a land severance may be granted to allow the establishment of a new non-farm single dwelling where such lands satisfy the following criteria:
 - i. The land is deemed to be poor agricultural land, which is defined as being Class 5 to 7 soils as shown on the Ministry’s Agricultural Capability Mapping, and is not suited to an agricultural or agricultural related use.
 - ii. No more than 3 severances shall be granted from any lot as it existed on January 1, 1985.
 - iii. The effect of such a severance does not interfere with or restrict the viability of adjoining farm activities or other adjacent land uses.
2. A consent to a land severance shall not be granted where the lands are located within an area identified as an Aggregate Reserve area on Schedule “B”.
3. Notwithstanding the provisions of paragraphs (1) and (2) hereof to the contrary, a consent to a land severance may be granted by the Approval Authority if the effect of such a severance is to allow infilling. For the purposes of this section, infilling shall refer to situations where two or more non-farm residential dwellings located on the same side of a public road or street are separated by not more than approximately 100 m [328 ft.] The proposed lot must achieve

- the provisions of the Minimum Distance Separation Formulae.
4. Lot area and frontage for lots created for non-farm residential uses shall be of an appropriate size and dimension so as to not restrict existing and possible future use of the retained parcel.
 5. Farm related severances are permitted in the Rural designation. The Approval Authority shall follow the policies as outlined in Sections 6.3 and 6.4 of this Plan.

7. IMPLEMENTATION POLICIES

7.1 General

It is the intention of the Municipality to implement this Plan by utilizing the powers conferred upon them by the *Planning Act, R.S.O., 1990*, as amended, the *Municipal Act, R.S.O., 1990, as amended*, and other such statutes as may be applicable. In particular, this Plan may be implemented by the enactment and administration of implementing by-laws including a Zoning By-law, Building By-law, Minimum Standards of Maintenance and Occupancy By-law, and Site Plan Control By-law. Alternatively, the implementation of this Plan may occur by the acquisition of land, by the construction of public works, and by amendments to this Plan.

7.2 Zoning By-law / Non-Conforming Uses

The comprehensive Zoning By-law as adopted by the Municipality will be amended to conform to the policies stated herein as the principle means for implementing this Plan. As set out in Section 34 of the *Planning Act, R.S.O., 1990*, as amended, this By-law may regulate the use of land, the erection or use of buildings, the construction of buildings and provisions for parking and loading space among other things.

1. It is not intended that all the land use areas designated on Schedule “A” will be zoned for such uses immediately by the implementing Zoning By-law.
2. Notwithstanding any other provisions of this Plan, this Plan is not intended to necessarily prevent the continuation, expansion, or enlargement of existing uses which do not conform to designations or provisions of this Plan. The Municipality may, at its discretion, zone certain existing land uses so as to recognize the use existing as of the date of adoption of this Plan and thereby provide for the continuation, expansion or enlargement of such existing uses in accordance with the following principles:
 - i. This Plan shall permit the continuation, expansion or enlargement of those uses legally existing as of the date of adoption of this Plan provided that the continuation, expansion or enlargement of any land use, building or structure does not result in any adverse effects on the use of adjacent lands or the implementation of the provisions of this Plan.
 - ii. The Municipality may recognize the use of land, buildings or structures for the purposes for which they were legally used at the date of the passing of the implementing Zoning By-law.
 - iii. In considering an application for an amendment to the implementing Zoning By-law

in accordance with the provision of Section 34(10) of the *Planning Act, R.S.O., 1990*, as amended, the Municipality shall consider the intent and purpose of this Plan with a view to the feasibility and desirability of municipal acquisition of the lands and the possibility of holding, selling, leasing or redeveloping the property in accordance with the provisions of this Plan. Consideration should also be given to the possible relocation of the legal non-conforming use to a designated or zoned location where it would be allowed to continue, expand and enlarge adjacent to similar and compatible uses and in accordance with the intent of this Plan.

Where an application for an amendment to the implementing Zoning By-law is made in accordance with the provisions of Section 34(10) of the *Planning Act, R.S.O., 1990*, as amended, to allow for the continuation, expansion or enlargement of any land, building or structure for a purpose which legally existed as of the date of the adoption of this Plan but which is not recognized in this Plan nor the implementing Zoning By-law, the Municipality shall have regard for the following matters prior to enactment of an amendment to the implementing By-law:

- a. The proposed extension or enlargement of the established use will not adversely affect the implementation of the policies of this Plan and that the general intent and purpose of the Plan is maintained;
 - b. The proposed extension or enlargement is in proportion to the size of the use as it existed at the date of the enactment of the implementing Zoning By-law;
 - c. The proposed extension or enlargement is compatible with surrounding uses in terms of noise, vibration, fumes, heat radiation, smoke, dust, odours, or other similar offensive characteristics;
 - d. Site planning and design are such as to minimize the effect of the proposed extension or enlargement on adjacent conforming uses, and, where necessary, adequate spatial separation, buffer planting, screening and fencing are provided so as to afford adjacent conforming uses a degree of protection from any offensive characteristics; and,
 - e. The use will not result in increased traffic volumes through residential areas that adequate off-street parking and loading facilities are available, and that ingress and egress points to and from the site are designed in such a manner as to minimize the danger to both vehicular traffic and pedestrian movements.
- iv. The Municipality shall notify all property owners within the area affected by an

application made in accordance with Section 34(10) of the *Planning Act, R.S.O. 1990*, as amended in order to solicit their views as to the extension or enlargement of such existing uses.

v.

The Municipality shall not pass an amendment to the implementing Zoning By-law pursuant to the provisions of Section 34(10) of the *Planning Act, R.S.O. 1990*, as amended, until it is satisfied that such extension or enlargement will not have any adverse effects on adjacent land uses nor the implementation of this Plan.

7.3 Minimum Standards of Maintenance and Occupancy By-law

In order to ensure adequate construction standards in new development and to encourage the rehabilitation of existing buildings and property, the Municipality shall endeavour to develop appropriate property maintenance standards to ensure that the detracting influence of substandard structures is minimized. Without limiting the generality of the foregoing, the Municipality may pass a Minimum Standards of Maintenance and Occupancy By-law under Section 31 of the *Planning Act, R.S.O. 1990*, as amended, which prescribes standards for the maintenance and occupancy of property.

7.4 Committee of Adjustment

A Committee of Adjustment may be appointed to rule on applications for minor variance from the provision of the Zoning By-law that implements the Official Plan. In granting any variance the Committee will be satisfied that such variance is in fact minor and desirable for the appropriate development. The use of the land, building or structure will maintain the general intent and purpose of the By-law and Official Plan. The Committee of Adjustment may permit the extension or enlargement of any building or structure that constitutes a legal non-conforming use.

7.5 Capital Works Program

It is intended that the Municipality may prepare a capital works program in conformity with the proposals and policies of this Plan, in order to assess its immediate and long-term requirements and plan its major expenditures within its financial resources. The program should be revised and upgraded annually.

7.6 Public Works

It is intended that the creation and/or improvement of public works within the Municipality shall be carried out in accordance with the policies of this Plan.

7.7 Holding Provisions

1. The Municipality may, in a By-law passed pursuant to the provisions of Section 36 of the *Planning Act, R.S.O. 1990*, as amended, zone lands for their intended use while at the same

time imposing a holding provision by the use of the Holding “H” symbol. This allows a municipality to plan for future development of land while delaying the actual development until such time as deemed appropriate. The use of holding provisions shall be in accordance with one or more of the following criteria:

- i. To prevent or limit the use of land in order to achieve orderly phased development;
 - ii. To ensure that the servicing and design criteria established by the Municipality have been met and any required special studies completed prior to removing the holding symbol;
 - iii. To allow for the implementation of special design features in specific locations or developments;
 - iv. Where development is to occur by registered Plan of Subdivision;
 - v. To ensure that all conditions of development including financial requirements and agreements in accordance with the provisions of this Plan and/or the *Planning Act, R.S.O. 1990*, as amended, have been complied with.
2. In accordance with the provisions contained within Section 36 of the *Planning Act, R.S.O.1990*, as amended, the Municipality may pass an amending By-law to remove the holding symbol and permit development to proceed in accordance with the zoning category assigned. Prior to adopting a By-law to remove the holding symbol, the Municipality shall be assured that the proposed development is orderly and timely, that all the necessary agreements have been registered on title according to the provisions of this Plan, and as may be applicable, the conditions of draft plan approval have been complied with and any required special studies completed.

7.8 Interim Control By-law

Pursuant to Section 38 of the *Planning Act, R.S.O. 1990*, as amended, the Municipality may pass an interim control by-law for the purpose of controlling development for a period of one year or with an extension, a total of two years. There must be an issue/problem identified for the undertaking of a study, review or revision of land use policies within a defined area or areas.

7.9 Temporary Use By-law

The Municipality may authorize the use of land or buildings for a temporary use for renewable periods of up to three years, subject to the requirements of Section 39 of the *Planning Act, R.S.O. 1990*, as amended.

7.10 Cash-In-Lieu of Parking

The Municipality may enter into an agreement with owners of land, permitting a cash-in-lieu payment for parking facilities in accordance with the requirements of Section 40 of the *Planning Act, R.S.O. 1990, as amended*.

7.11 Site Plan Control

1. In accordance with Section 41(2) of the *Planning Act, R.S.O. 1990*, as amended, the entire Corporation of the Township of Frontenac Islands is designated as a Site Plan Control Area. **Site plan control provides detailed control of the development of a particular site. Under this provision, Council may require a site plan agreement with a developer outlining details such as parking areas, elevations and grades, landscaping and buffering, storage of wastes, lighting, entrance and exits, road widening, exterior design and character and sustainable design elements (e.g. such as vegetation materials, street furniture, waste and recycling and bicycle parking) and services (water supply and sewage disposal services).**
2. A By-law passed in accordance with Section 41(3) of the *Planning Act, R.S.O. 1990*, as amended, shall exempt the following from the requirements of Site Plan Control; namely:
 - i. All farm buildings except those buildings and structures used for the sale of agricultural goods or agricultural related goods and services which are made available to the general public at the site and intensive livestock housing as defined in Section 9 (*MMAH Mod #1*) including manure handling facilities; and,
 - ii. All structures and buildings accessory to and incidental to the above mentioned farm buildings.
3. In the case of single detached residential dwellings the Municipality may limit the extent of the site plan and the agreement. Council may also delegate the approval of routine site plans to its building officials. Where a Building Official determines that a more complex site plan is warranted the Building Official may refer the site plan and its approval to Council.
4. Land dedications for road widening purposes may be required as a condition of site plan approval in accordance with Section 3.4.2.3 of this Plan.
5. It shall further be the policy of this Plan that Council may require the owner to enter into one or more agreements as a condition to the approval of certain plans and drawings in accordance with the provisions of Section 41(7) of the *Planning Act, R.S.O. 1990*, as amended.
6. Council may require a site plan agreement for the construction, erection, placing or extension of buildings or structures in association with a pit or quarry. For purposes of site plan control, Council shall generally accept a site plan prepared in accordance with the requirements of the *Aggregate Resources Act, 1989*, modified as necessary as a site plan

within the meaning of this Official Plan.

7. Council and any applicable agency may require a site plan agreement for a development proposal such as a marina which is to occur on the bed of water bodies and other federal lands.
8. Wherever deemed appropriate in accordance with Section 5.4 of this Plan, Council may require a site plan agreement for a development proposal in order to provide for mitigative measures to protect Significant Natural Heritage Features or Wetlands.

7.12 Community Improvement Policies

1. In the future, the Municipality's community improvement development will be directed toward the following goals:
 - i. To create a community that satisfies the social, physical or psychological needs of people;
 - ii. To stabilize and enhance existing development by providing a safe, convenient and attractive environment for residents; and
 - iii. To provide for and encourage the ongoing maintenance, improvement, rehabilitation and renewal of the Municipality's residential, commercial and industrial areas.
2. To achieve the goals outlined above, several objectives have been formulated. The objectives are:
 - i. To encourage the maintenance and improvement of the existing housing stock in a safe and attractive form and in compliance with the provisions of the Maintenance and Occupancy Standards By-law;
 - ii. To encourage the provision, maintenance and upgrading of the physical infrastructure and public services and utilities;
 - iii. To ensure that the population is served by an adequate provision of community and recreational facilities;
 - iv. To alleviate or eliminate any problem resulting from existing incompatible land uses with the Municipality;
 - v. To preserve historically significant buildings and cultural heritage resources;
 - vi. To provide a framework to guide the expenditure of public and/or private funds on

community improvement activities; ~~and~~

- vii. To provide land for low and moderate income housing.
- viii. To provide for the rehabilitation of brownfields;
- ix. To encourage renovations and upgrades for homes and businesses that utilizes sustainable technologies (e.g. energy efficiency, low flow plumbing fixtures, recycled building materials).

3. Criteria for the Selection of Community Improvement Policy Areas

In order to achieve the Community Improvement goals and objectives contained within Section 7.12.1) and 7.12.2, Community Improvement Policy Areas will be identified on the basis of some or all of the following criteria:

- i. The existence of sanitary and storm sewers and water systems requiring upgrading or construction;
- ii. The existence of roads, curbs, sidewalks, or other municipal services and/or utilities requiring construction or upgrading;
- iii. Areas requiring the alleviation or elimination of drainage related problems;
- iv. The presence of incompatible land uses;
- v. The existence of building stock showing signs of deterioration and requiring rehabilitation and upgrading;
- vi. The existence of insufficient or inadequate parks or community facilities;
- vii. Significant aesthetic improvements required;
- viii. Lack of off-street parking and/or on-street parking; and
- ix. Historically significant building.

x. Community Improvement Project Areas

Based on the criteria specified in Section 7.12.3, a number of Community Improvement Project Areas may be identified. These areas should be delineated on Schedule "B" when identified.

4. Implementation

The various methods which the Municipality intends to utilize to achieve the community improvement goals and objectives may include:

- i. The designation of community improvement project areas and preparation and implementation of community improvement plans in accordance with the provisions of the *Planning Act*;
- ii. Participation in programs with the various levels of government to assist in funding the implementation of the Community Improvement Policies of this Plan;
- iii. The acquisition and preparation of land to implement approved community improvement plans;
- iv. Enforcement of the Municipality's Maintenance and Occupancy Standards By-law;
- v. The upgrading and/or provision of utilities, municipal services and recreation and community facilities;
- vi. Encouraging individuals and business to participate in government programs which implement the Community Improvement Policies of this Plan;
- vii. Providing citizens with information on government subsidies and programs for rehabilitation of property;
- viii. Employing *The Ontario Heritage Act* in terms of both the designation of buildings and heritage districts; ~~and~~
- ix. Encouraging the establishment of Business Improvement Areas.
- x. Council may make grants or loans towards the cost of rehabilitation of lands and buildings in conformity with the community improvement plan and may use financial incentives as provided for under the *Planning Act*.
- xi. Council shall consult with appropriate agencies in the preparation of Community Improvement Plans.

7.13 Municipal Land Acquisition

1. In order to implement certain policies of this Plan, it may be expedient for the Municipality to acquire land and it may then hold, sell or lease the land for the purpose of developing any feature or implementing any particular policy of this Plan.
2. The Municipality may acquire land from time to time in order to implement appropriate

features of this Plan.

7.14 Financial Impact Statements

Council may as part of any application for an Official Plan Amendment or a Zoning By-law Amendment request the applicant to prepare a Financial Impact Statement. Such a Statement shall include the following:

1. An indication of the type and extent of construction.
2. An indication of the value of the construction and its assessed value.
3. An estimate of the development charges, fees and one time contributions expected together with an estimate of the annual tax revenue to the Municipality to be generated using current rates of taxation.
4. An indication of the external services required from the Municipality together with a costing of both construction/upgrading and annual operational costs.
5. An estimate of the employment both during construction and operation of the project.
6. A summary of the Financial Impact together with comments on any unusual financial aspects of the project.

8. ADMINISTRATION AND INTERPRETATION

8.1 Plan Adoption

Prior to adoption of any amendments to this Plan by Council, consultation shall be held with officials of the Approval Authority and other agencies, and information shall be made available to residents of the Municipality to present the draft Official Plan Amendment. All comments shall be documented and considered. A record of the Public Notice and of the public meeting and all comments received shall be maintained.

8.2 Plan Information

Following approval of amendments to this Plan, Council will arrange to have the revised Plan reproduced and make it available in order to inform the general public of the policies and proposals contained herein.

8.3 Plan Review

1. Continuing Review:

It is intended that this Plan will be subject to continuing review by Council. Should the basis or objectives of this Plan or other economic, social or technical conditions be significantly altered, the Plan will be amended to reflect the altered conditions.

2. 5-Year Review:

It is intended that, within 5 years from the date of approval of this Plan, Council will undertake a complete review of the policies and schedule of this Plan.

8.4 Plan Amendments

1. Conditions for Amendment

When development which would require an amendment to this Plan is proposed, such amendment shall only be considered if it would conform to the major objectives of the Plan. Applicants must complete the Municipality's "application for amendment to the Official Plan and/or Zoning By-law" and comply with the conditions and procedures thereof.

2. Notification Procedures

The following procedures shall be followed to ensure that the public receives adequate notification of a proposed amendment:

i. Public Meetings

Prior to deciding that any amendment be made to this Plan, Council shall have the amendment prepared and hold a public meeting or meetings to present the amendment and receive comments.

ii. Notice of Meetings

Notice of each public meeting shall be given, at least 14 days prior to the date of such meeting, by advertisement in a newspaper having general circulation in the Municipality.

iii. Record of Meetings

A record shall be compiled of each public meeting and it shall be appended to amendment prior to its adoption by Council

vi. Notice of Approval

Following approval of any amendment, a notice shall be as provided for in the *Planning Act R.S.O. 1990* as amended. Copies of the amendment may be reviewed at the Municipal Offices.

8.5 Interpretation of Plan

1. Quantities

All figures and quantities of this Plan are in metric form and minor variances from these figures may not require an Amendment to this Plan provided the general interest and purpose of this Plan is maintained.

2. Agency Names and Responsibilities

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

3. Legislation

From time to time, Provincial legislation may be replaced by a new legislation bearing a new

name. In addition, each 10 years, all statutes of Ontario are revised and all sections of the many Acts of the Legislature are re-numbered to reflect any additions or deletions made in each Act during the previous decade. The names and sections of the various Acts used in this Plan are according to the Revised Statutes of Ontario, 1990, (R.S.O. 1990), as of the date of adoption of this Plan. It is not intended that this plan be amended each time an Act is re-named or when new consolidations of the statutes are issued. Rather, this Plan shall be interpreted so as to refer to those Acts of Legislature named, or to their successors, as conditions dictate.

4. Definitions

This Plan utilizes words or terms defined in the Provincial Policy Statement of March 2005. These definitions shall apply in the interpretation of the policies of this Plan and their application to development proposals and planning applications.

8.6 Technical Amendments

Township Council may forego public notification and Public Meeting(s) in connection with a technical Official Plan Amendment or Zoning By-law Amendment if such will not affect the provisions and intent of the Official Plan or Zoning By-law Amendment previously enacted to either document, in any material way, and may include the following matters:

1. Altering the number and arrangement of any provision;
2. Correcting punctuation or altering language to obtain a uniform mode of expression;
3. Correcting clerical, grammatical, dimensions or typographical errors;
4. Effecting changes in format.

8.7 Complete Applications

Applications for development for an official plan amendment, a zoning by-law amendment, site plan control, subdivision or consent shall be reviewed for completeness. The municipality/approval authority will not consider an application complete or may refuse an application where studies or other information required by this Plan or the *Planning Act* are not submitted as part of the application. These studies or information may include, but are not limited to:

- A capacity calculation or analysis of public service facilities
- A water and sewer servicing capacity study
- A water supply assessment report
- A servicing options report
- An off-site septage haulage report
- A hydrogeological study and terrain analysis

- A drainage and/or stormwater management report
- A minimum separation distance calculation for an industry, mineral mining operation, waste management facility, pit or quarry
- A resource impact report for development in proximity to a waste management facility, industrial use or mineral/mineral aggregate use including an assessment of impacts within an influence area
- A transportation transit, parking or traffic study
- A noise and/or vibration study
- A minimum distance separation formulae I and II calculation
- An environmental impact assessment (EIS) for a natural heritage feature or area or Ecological Site assessment for the purpose of determining the presence/absence of endangered or threatened species and/or their habitat
- A source protection study including a groundwater impact and/or surface water impact study
- A flood plain, flood proofing, protection works, restoration report
- A organic or unstable soils report
- An aggregate resource evaluation report to assess the residual economic value of aggregates
- A geotechnical study for unstable slopes
- An Environmental Site Assessment Report for a contaminated site and a record of site condition
- A cost-benefit study and/or justification report for a private road
- A heritage impact statement and/or archeological assessment report
- A mining hazard report and/or rehabilitation assessment study including a monitoring report
- A renewable or alternative energy report for a solar, biomass, geothermal, passive, hydro or wind energy facility
- A market study

These studies may be in addition to other requirements set out in Ontario Regulations 543/06, 544/06, 545/06 or 547/06 under the *Planning Act*.

Council/the approval authority may refuse to accept an application as complete in the absence of required studies in support of an Official Plan amendment, a zoning by-law amendment, a subdivision, consent, or site plan application.

Council may by by-law require pre-consultation with the appropriate approval authority for all development applications.

9. DEFINITIONS

For the purposes of the Township of Frontenac Islands Official Plan, where terms are used in the Plan that are defined and intended to be those set out in the Provincial Policy Statement, the definition in the Provincial policy Statement shall apply.

Agricultural uses:

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

Agriculture-related uses:

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

Development:

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

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

Intensive Livestock Facility/Operation

has greater than 150 livestock units OR greater than 50 livestock units with a livestock density of greater than 5 livestock units per tillable hectare.

Prime agricultural area:

means areas where prime agricultural lands predominate. This includes: areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using

evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land:

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

Sensitive land uses:

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

Significant: means

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

~~g. in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.~~

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

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

Site alteration:

~~means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.~~

~~For the purposes of policy 2.1.3(b) of the Provincial Policy Statement, site alteration does not include underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as in the Mining Act. Instead, those matters shall be subject to policy 2.1.4(a) of the Provincial Policy Statement.~~

Strip Development

means a concentration of development of five or more existing residential lots along one side of any 300 m [984.2 ft.].