
United Counties of Stormont, Dundas and Glengarry



Official Plan

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Where Ontario Began

The following text is updated to include Ministry modifications as well as appeals made by the United Counties of Stormont, Dundas and Glengarry, the public, and local municipalities.

Legend

Modifications – Ministry of Municipal Affairs:

- Addition of text
- ~~Deletion of text~~

Appeals:

- Appeal a modification
- Appeal part of OP text
- Addition of text to the OP

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The United Counties of Stormont, Dundas and Glengarry Official Plan

1 PREAMBLE

1.0 PURPOSE AND PLANNING REGION

The United Counties of Stormont, Dundas and Glengarry (the County) is located in the southeast corner of Ontario, bounded on the east by the Province of Quebec, on the west by the United Counties of Leeds and Grenville, to the North by United Counties of Prescott and Russell, and to the south by the United States of America. The County is located within commuting distance of Ottawa, Gatineau, Montreal, and Cornwall with a combined market area of over three million people. The most significant rail, highway and water transportation corridors in Canada pass through the County's borders. A direct bridge link to the United States supports export based businesses in the County.

The County adopted the tagline "where Ontario began" as the area was home to the first Loyalist settlers in the Province. Currently, the County has a strong agricultural culture and economy supported by extensive natural heritage areas including woodlands, wetlands, and numerous watercourses and municipal drains. Future economic diversification will include promoting employment lands along transportation corridors including the Provincial highways, rail lines, and the international Seaway and supporting technology sectors through the expansion of fiber internet. The County provides an attractive and affordable residential setting for residents, newcomers, and retirees alike.

This Official Plan sets out goals and objectives for development in the County for the next 20 years (2017-2037) including regard for the social, economic, and natural environment of the County. This Plan establishes a policy-driven framework for land use planning for the County and its six municipalities. The Plan accentuates the best attributes and amenities of the County, fosters a progressive approach to community and economic development within an environmentally friendly context, provides for the wise use of renewable and non-renewable resources, and streamlines the planning approvals process.

The Official Plan was reviewed to ensure it is consistent with the 2014 Provincial Policy Statement. Policy changes were also made based on the completion of local Source Protection Plans, the 2016 Agricultural Resource Lands Assessment, and the 2016 Population and Growth Projections and Employment Lands study.

1.1 PROVINCIAL ROLE IN LAND USE PLANNING

The Planning Act sets out many of the ground rules for land use planning in Ontario. Section 2 of the Planning Act describes the matters of Provincial interest. These interests are translated into policies in Provincial Policy Statements, issued under Section 3 of the Planning Act. The Province is responsible for issuing Provincial Policy Statements and promoting Provincial interests. The Province also provides comments and advice to Municipalities on planning matters. For example, the Ministry of Transportation controls and the location of development and access to Provincial Highways such as the Highway 138.

The Province is responsible for the approval of the statutory review of the County Official Plan. The County Official Plan must be consistent with Provincial Policy Statements, and conform to any other applicable *provincial plans*. Approval authority for all Official Plan Amendments has been delegated to the County from the Province. The Province has also delegated approval authority to the County for the following: approval of local Official Plans and local Official Plan Amendments; exemption for amendments to the County Official Plan; approval of plans of subdivision and condominium; part-lot control applications; and validation of title.

1.2 THE COUNTY ROLE IN LAND USE PLANNING

The County Official Plan is an upper tier Plan with detailed policies that reflect provincial, County and local interests. Local interests may also be articulated through Local Municipal Plans and Secondary Plans. Local Municipalities rely on the County Official Plan as a single tier Official Plan. The County Official Plan also contains guidance for more detailed policies for community development.

The County is responsible for Official Plan amendments and municipal plan review and acts on behalf of the province to protect provincial interests and ensure local interests are reflected in land use planning decisions. The County is also the approval authority for consent applications, and plans of subdivision and condominium.

The County is responsible for coordinating a review for all provincial policy interests and circulating applications to Ministries and local agencies. These interests are, for the most part, set out in the Provincial Policy Statement. The Planning Act requires that planning authorities (municipalities) be consistent with the Provincial Policy Statement in all land use planning decisions (e.g. subdivisions, consents, zoning By-law amendments etc.).

The County engages local First Nations partners including the Mohawks of Akwesasne and Algonquins of Pikwàkanagàn First Nation on major projects and matters of joint interest through the Eastern Ontario First Nations Working Group. This group works together with local Conservation Authorities on issues such as forestry, water quality, planning and development, and archeological studies.

Pre-consultation with applicants and the Local Municipality is required by the County prior to accepting a planning application. This ensures that First Nations, provincial, County, and local Municipal interests are reflected in the preparation of planning documents before decisions are made. This also avoids potential disputes or appeals later in the process. Applicants are encouraged to consult with local agencies such as Conservation Authorities.

The County consults with technical experts from provincial Ministries and other agencies, where appropriate, prior to making any decision. This includes peer review of technical studies (e.g. hydrogeology, stormwater management, or impact assessments) submitted in support of an application. The County issues a notice of decision where it acts as the approval authority.

The statutory review of the Official Plan is completed by the County. The County may also be proactive in undertaking/facilitating additional amendments when needed.

County may also use site plan control where County Roads are affected or may include requirements in local Municipal site plan agreements (see section 8.12.10 – Site Plan Control).

1.3 MUNICIPAL ROLE IN LAND USE PLANNING


Local Municipalities are vital in implementing the County Official Plan through day-to-day decisions on planning applications, issuing building permits, construction of *infrastructure*, and facilitating community economic development.

Local Municipalities are responsible for development control by updating and/or adopting zoning by-laws to conform with the County Plan. Local Municipalities also process and approve amendments to zoning by-laws in response to development applications, review and approve site plan control agreements, grant minor variances, grant permissions for non-conforming uses, administer subdivision and development agreements, and implement property standards. Local Municipalities may adopt other by-laws that implement and conform with the County Official Plan. Public works are also required to conform with the County Official Plan.

Municipalities are also responsible for processing amendments to local Official Plans which may result from development applications or as an initiative of a Local municipality (e.g. secondary plan). These may also include amendments needed to bring local Official Plans into conformity with this Plan. Any amendments to local Plans are subject to approval by the County.

1.4 AGENCY ROLE IN LAND USE PLANNING

There are many agencies involved in the land use planning process. Examples include Conservation Authorities, the health unit, utility companies (hydro, gas, pipelines, cable), transportation services (rail, Seaway authority, Coast Guard, airport authorities), St. Lawrence Parks Commission, Municipal Heritage Committees, local environmental groups, etc. These agencies have interests and responsibilities that affect land use decisions. They provide comments on applications and information or technical input. Some of these agencies have



permitting power under legislation (e.g. Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permits under the Conservation Authorities Act). Conservation Authorities may also be delegated as the Risk Management Office under the Clean Water Act.

As part of the land use planning process, the County or Local Municipalities will pre-consult with, or circulate applications to, affected agencies. Agencies provide valuable input based on their individual mandates. They may request conditions be imposed on approval. Such conditions may involve the preparation of technical studies or other information which would be reviewed by the agency.

The Raisin Region Conservation Authority, South Nation Conservation Authority, and Rideau Valley Conservation Authority are watershed based organizations that review development applications with respect to natural hazards. They also comment on *natural heritage features*. Conservation Authorities play a key role in the land use planning process in the County.

Conservation Authorities provide Municipalities with technical assistance and peer review services related to water resource management, flood control, forestry, *fish habitat*, Low Water Response, Environmental Impact Studies, and Source Water Protection. Conservation Authorities use a science based approach to watershed management through the collection of information, maintenance of databases, monitoring, and assessing the natural environment.

1.5 TITLE, COMPONENTS AND FORMAT

1.5.1 Title

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

1.5.2 Components

The Official Plan consists of text and schedules.

The Official Plan may also contain explanatory notes, references to other documents, illustrations and appendices. These do not constitute a formal part of the Plan, unless specified, but are included to help with interpretation.

1.5.3 Format

Each major policy section of the Plan has a similar format: introduction; objectives; policies; and consultation. Since many policies of the Plan are interrelated, references are provided for the convenience of the reader.

For the convenience of the reader, words in italicized bold script are words defined in the Provincial Policy Statement.

This Plan does not set out an extensive list of quantities or figures (e.g. separation distances, influence areas), unless the figure or quantity is crucial to the substance of the policy.

Reference is made to provincial, municipal, and other guidelines and reference documents which are available. These planning tools help municipalities set out regulatory controls typically found in zoning By-laws, site plan control standards, licensing statutes and other municipal By-laws.

1.6 PLANNING PERIOD AND REVIEW

The Planning Period for this Official Plan is 20 years (2017-2037). The Planning Act requires the Official Plan to be reviewed to ensure that the goals and objectives are being achieved and the policies are practical.

The Official Plan shall be reviewed and updated as required by section 26 (1.1) of the Planning Act; specifically, 10 years after it comes into effect as a new Official Plan; and every five years thereafter, unless the plan has been replaced by a new Official Plan. County Council shall hold a special public meeting pursuant to Section 26 of the Planning Act to determine the need for a review of the Plan.

As part of the review County Council shall ensure the Plan is consistent with the Provincial Policy Statement in effect at that time. This will not limit the County from initiating an amendment to the Plan at any time in response to a development application or to introduce new policies or changes to the text or schedules of the Land Use Plan.

1.7 AMENDMENTS TO THE PLAN

Applications for amendments to this Plan by the public, a public body, or by County Council or a Local municipality will be considered in accordance with the requirements of the Planning Act. Applications submitted by the public or a public body must be complete and where required by this Plan, shall include technical studies, reports or other information to enable the County to determine conformity with the policies of the Plan (see also Section 8.12.1).

County Council will convene at least one public meeting, notice of which shall be given to the persons and public bodies as required by the Planning Act. County Council will provide or make available adequate information prior to a public meeting such as a copy of the amendment or a planning report. County Council may decline to have a meeting if they refuse to adopt an amendment requested by a person or public body or the application is deemed incomplete.

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

- a. Public meetings will normally be held by County Council or a Committee of County Council where a proposed amendment affects more than one municipality or has County-wide implications.

-
- b. Public meetings will normally be held by a Local Municipal Council or a Committee of a Local Council where a proposed amendment directly affects only one Local municipality.
 - c. Public meetings for a site specific or general amendment will be advertised in accordance with the requirements of the Planning Act.
 - d. Information related to any amendment will be made available in advance of a public meeting in the municipal office of any Local municipality affected by the amendment as well as in the County administrative building.
 - e. One or more Local Municipalities may conduct a public meeting on behalf of and at the request of County Council or County staff. Local Municipalities are encouraged to combine public meeting notices and public meetings where there are amendments (e.g. local Official Plans, zoning by-law amendments, or other planning applications) that are related to a proposed County Official Plan amendment.
 - f. Where significant changes are made to the proposed Official Plan amendment due to a public meeting, Council may hold another meeting to obtain further public input.

Amendments will be required for a change in a land use designation as shown on the Land Use Plan Schedules or for a change in the substance of the policy or text of the Plan. An amendment will not be required for typographic changes, numbering, metric conversions, formatting or clarification of the Plan, provided there is no substantive change to the policies.

No amendment will be required where the colours or graphic patterns or symbols of a land use designation, or constraints layer is changed if the names and the actual boundaries of the designation or constraints layer is not altered.

Wetland boundaries may be amended or adjusted without the immediate need for an Official Plan amendment if adjustments are identified through the application of the wetland evaluation manual of the Ministry of Natural Resources and Forestry and subject to confirmation and approval by the Ministry. These boundaries shall be updated during regular housekeeping updates or statutory reviews.

Intake Protection Zones and Wellhead Protection Areas may be amended or adjusted without the need for an Official Plan amendment if adjustments are made through the Risk Assessment process identified in the Clean Water Act.

Regard shall also be given to Section 1.8 - Interpretation in considering the need for an amendment. (See also Section 3.5.3 - Secondary Plans.)

1.8 INTERPRETATION

1.8.1 Boundaries

The boundaries of the land use designations shown on the schedules are approximate. Boundaries are only considered absolute where clearly bounded by roads, railways, rivers or streams, or other distinctive geographical barriers.

Mod #1
a.

Amendments to the Official Plan may not be required for ~~minor~~ technical adjustments to boundaries of land use designations, features, other symbols, the location of roads, or ~~as a result of minor lot additions through Consent~~ if the County is satisfied that general intent of the

Mod #1
b.

Plan is preserved. ~~Minor~~ Technical changes may not be reflected on the schedules. Any such change should be incorporated at the time of a housekeeping or section 26 update.

1.8.2 Figures and Quantities

All figures and numerical quantities shall be considered approximate unless otherwise stated. Amendments to the Official Plan will not be required for reasonable variance from any proposed figures or numerical quantities.

1.8.3 Land Use

For the purposes of this Plan, it is interpreted that a legally existing use or a legal non-conforming use as of the date of adoption of this Plan, refers to the portion of the land in use and not necessarily the total land area or land holding of the property owner. For example, if one hectare of a 40-ha parcel is used for a sawmill while the balance of land is vacant, hence the industrial use would be interpreted to apply only to the one hectare.

This Plan is not intended to recognize or endorse the use of land for any illegal land use, existing or otherwise.

For the purposes of the Raisin-South Nation Source Protection Plan, an activity will be considered existing if:

- It occurred on the property within the last 12 months before the Source Protection Plan took effect, or in the case of activities related to agriculture, wherever the local zoning permitted agricultural uses prior to the plan taking effect; or
- It has not yet occurred but is associated with a development for which a complete application for regulatory or planning approvals has been submitted and accepted before the day the Source Protection Plan took effect.

1.8.4 Accessory Uses, Buildings and Structures

Buildings, structures, uses etc., that are normally incidental, accessory, or essential to a permitted use will also be allowed even though they may not be specifically stated or identified in the land use policies of this Plan (e.g. a detached garage or swimming pool accessory to a residential dwelling; an administrative office accessory to a campground or retail business).

Where the policies of this Plan specifically affect or control the development of accessory, uses, buildings or structures, development shall only occur in conformity with those policies.

1.8.5 Permitted Uses

Examples of permitted uses provided in the land use policies of this Plan indicate the possible range of appropriate uses and are not all-encompassing unless otherwise stated; however, any proposed uses not listed shall only be permitted where they are in conformity with the general intent and policies of the land use designations of this Plan. Local Municipalities may recognize existing non-conforming uses in local zoning by-laws.

1.8.6 Legislation

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

1.8.7 The County and Municipality

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

1.8.8 Provincial Policy Statement

The definitions set out in the Provincial Policy Statement (April 30, 2014) shall apply to those same words and terms where they are show in italicized bold script in this Plan.

Amendments may be made to the Provincial Policy Statement from time-to-time. Planning decisions shall be consistent with the Provincial Policy Statement in effect at the time of the decision.

1.8.9 Reference to Original Documents

Where this Plan references an original document (e.g. ***flood plain*** mapping, Assessment Report, etc.), which provides more accurate information, reference shall be made to the original document in interpreting and implementing the policies of this Plan.

1.9 LOCAL MUNICIPAL ZONING BY-LAW OR OFFICIAL PLAN CONFORMITY

1. Any Official Plan or amendment of an Official Plan adopted by the Council of a Local Municipality in the United Counties of Stormont, Dundas and Glengarry shall conform to the County Official Plan when the Plan comes into effect as the Official Plan of the County.
2. Zoning By-laws of a Local municipality or amendments thereto, shall be brought into conformity with the Official Plan in accordance with Section 26 (9) of the Planning Act.
3. In the event of a conflict between a local Official Plan and the County Official Plan, the County Official Plan shall prevail to the extent of such conflict. In all other respects, the local Official Plan shall remain in full force and effect. This policy shall not limit the

authority of a Local municipality to set out a higher standard (e.g. require a larger minimum lot area for new development).

2 PURPOSE AND BASIS

2.0 PURPOSE

The purpose of the Official Plan is to set out long-term goals and broad objectives for growth and development in the County that are consistent with Provincial policy and have regard for the social, economic and environmental health of the municipality.

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

- *Planning Act, Section 16*

This section provides a basis for the Official Plan including the population, housing, and employment projections and associated land needs that municipalities in the County should use for growth and **infrastructure** planning for a 20-year planning horizon, from 2017 to 2037.

2.1 BASIS

2.1.1 Settlement Pattern

The County has diverse urban and rural settlement areas, many dating back to the 1700's. The County brings together six historic Townships formally amalgamated in 1998: North Dundas, South Dundas, North Stormont, South Stormont, North Glengarry, and South Glengarry. The Townships are comprised of 68 urban and rural settlement areas and expansive rural and agricultural areas.

2.1.2 Historic Growth

The County had a 2016 Census population of 65,353 residents and approximately 28,000 occupied housing units. The rate of growth in population and housing across the County has slowed since 2001 relative to the longer term historic trend. A range of factors contribute to this trend including recession, the continued out-migration of younger aged adults and the aging demographic trend which is occurring throughout Ontario, particularly in areas outlying the major urban centres.

The aging of the population has also contributed to a faster rate of growth for new housing than the rate of growth in population over recent Census periods. This housing growth will be an important consideration in planning for future growth and development in the County since

an aging population results in smaller household sizes and affects housing demand and land needs.

As of the 2011 census there were 19,800 jobs in the County. Employment in the County declined from 2006 to 2011 and, like most of Eastern Ontario, the economy has seen a shift away from traditional manufacturing and primary sectors to public administration and service sector industries.

Table 2.1 - POPULATION GROWTH, 2001 TO 2011

Year	Census Population	Growth	Compound Annual Growth Rate (%)
2001	63,882	-	-
2006	64,434	552	0.2
2011	64,824	390	0.1

Table 2.2 - HOUSING GROWTH, 2001 TO 2011

Year	Households	Growth	Average Annual Growth Rate (%)
2001	23,760	-	-
2006	24,555	795	0.7
2011	25,590	1,035	0.8

Table 2.3 - EMPLOYMENT GROWTH, 2001 TO 2011

Year	Total Employment	Growth	Compound Annual Growth Rate (%)
2001	20,982	-	-
2006	21,727	745	0.7
2011	19,775	-1,952	-1.86

2.1.3 Population, Housing and Employment Forecasts

The population, housing, and employment forecasts in this section are based on a Population and Growth Projections study prepared by Hemson Consulting Ltd. in 2013 and updated in 2015. The forecasts represent an appropriate basis for planning in the County and should be used by the local Townships as allocation of population, housing and employment forecasts when planning for long-term growth, land and *infrastructure* needs. A majority of growth will be directed to urban settlement areas.

Mod #2

The forecasts will be reviewed at regular intervals and updated as necessary to ensure a sound basis for planning across the County. This review may be requested by a local Municipality or may be initiated by the County.

The County is expected to grow by 2,300 residents over the twenty-year planning period to a 2036 Census population of 67,400 residents. The housing unit forecast is for 28,900 occupied units in 2036, representing an increase of 2,300 units over the next twenty years. Employment is expected to decline overall between 2016 and 2036 by 2,400 jobs, to a 2036 total employment of 18,000.

The forecasts assume that housing growth will outpace population growth due to continued aging of the population. An aging population comprises more widows and empty nesters; over time average household size declines, both in the existing base and in new units. As a result, more housing units will be required to house fewer residents overall. An aging population also results in a smaller labour force, a factor in the declining employment forecast.

The forecasts by Local Municipality are shown in Table 2.4, 2.5 and 2.6.

Table 2.4 - PROJECTED TOTAL POPULATION GROWTH, 2016-2036

Municipality	2016	2021	2026	2031	2036	Net change	Compound Annual Growth (%)
South Glengarry	13,565	13,564	13,723	13,812	13,763	197	0.1
North Glengarry	10,528	10,365	10,391	10,366	10,292	-236	-0.1
South Stormont	13,431	13,493	13,706	13,839	13,815	384	0.1
North Stormont	7,222	7,200	7,282	7,323	7,295	72	0.1
South Dundas	11,173	11,252	11,489	11,654	11,657	484	0.2
North Dundas	11,715	12,107	12,640	13,099	13,236	1,522	0.6
Total	67,634	67,981	69,231	70,093	70,058	2,423	0.2

Table 2.5 - PROJECTED HOUSING UNIT GROWTH, 2016-2036

Municipality	2016	2021	2026	2031	2036	Net Change	Compound Annual Growth (%)
South Glengarry	5,294	5,418	5,503	5,580	5,615	321	0.3
North Glengarry	4,376	4,411	4,442	4,465	4,478	102	0.1
South Stormont	5,098	5,243	5,349	5,442	5,486	389	0.4
North Stormont	2,649	2,707	2,754	2,794	2,812	164	0.3
South Dundas	4,583	4,727	4,852	4,962	5,014	431	0.4
North Dundas	4,592	4,866	5,118	5,352	5,467	875	0.9
Total	26,592	27,372	28,018	28,595	28,872	2,282	0.4

Table 2.6 - PROJECTED EMPLOYMENT GROWTH, 2016-2036

Municipality	2016	2021	2026	2031	2036	Net Change	Compound Annual Growth (%)
South Glengarry	4,837	4,704	4,570	4,452	4,432	-405	-0.4
North Glengarry	3,567	3,488	3,438	3,496	3,475	-92	-0.1
South Stormont	2,187	2,056	1,911	1,783	1,717	-470	-1.2
North Stormont	1,333	1,284	1,243	1,215	1,240	-93	-0.3
South Dundas	4,097	3,968	3,810	3,673	3,562	-534	-0.7
North Dundas	4,356	4,230	4,027	3,878	3,577	-779	-1.0
Total	20,377	19,730	18,999	18,497	18,003	-2,373	-0.6

2.2 PUBLIC SERVICES AND INFRASTRUCTURE

Efficient and cost-effective development is important to sustain the financial well-being of the province and municipalities over the long term. Ensuring financial viability of infrastructure and public service facilities is a key component of cost-effective development patterns. While most serviced areas have residual capacity, Morrisburg, Alexandria, and Glen Walter have significant limitations. Stormwater management facilities consist of a mix of piped services, *infrastructure* such as ponds and lot-level controls, and overland drainage.

The County is serviced by an extensive network of roads; 968 km are maintained by the County. Access controls apply to all roads. Other transportation and communication services include air and rail, snowmobile and recreational trails, an extensive hydro power grid and telephone, cable and fiber optics lines. The expansion of fiber optic lines is fundamental to encouraging future economic development.

Public services also include a mature level of emergency services (e.g. police, fire and ambulance), hospitals, educational facilities and a County library service with 18 branches. The co-location of public service facilities (e.g. community hubs) is encouraged (see section 4.3.2.2).

Many public service and *infrastructure* facilities will require strategic investment to improve/expand capacity to accommodate growth over the 20-year planning period. Development will be required to optimize the use of public services and *infrastructure* with sufficient residual or planned capacity and recapture capacity through retrofitting or other improvements.

Focus will be on *redevelopment, intensification*, revitalization and contiguous development that best uses existing or planned *infrastructure*. Planned *infrastructure* may include the expansion of water and sewage treatment systems that are at capacity or close to capacity or to accommodate planned growth. This may also include new *infrastructure* in communities that are experiencing public health concerns.

2.3 RESOURCES

The County has many renewable and non-renewable resources which contribute to the economic base or have significant ecological value. For example, in 2016 there were 1464 farms in the County with farm gate sales exceeding \$436 million.

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

The sand and gravel resources in the County that are classified as being of primary significance were estimated in 1995 to be 75.6 million tonnes spread over some 800 ha. The resources are limited. Secondary sand and gravel resources are also limited in size, quality and potential. Bedrock resources were estimated at 17,419 million tonnes occupying an area of 36,533 ha. Existing settlement patterns, other natural features and significant wetlands may be a constraint to accessing the resources.

Four distinct physiographic regions (Edwardsburgh Sand Plain, Glengarry Till Plain, Winchester Clay Plain, Lancaster Flats) have been identified as the primary sources for mineral aggregates. These are areas which warrant foremost consideration for protection and are the basis for the mineral aggregate policies of this Plan. The Ontario Geological Survey Aggregate Resources Inventory coupled with an inventory of licensed pits and quarries was used to establish the land use designation for **mineral aggregate resources**.

Water is an also essential resource. The Eastern Ontario Water Resources Management Study (2000-2001) is a regional study that that generated many valuable recommendations applicable to land use planning. The Source Water Protection Plan built on this work and provides more specific policies and recommendations for protecting surface and ground water resources. These studies will be used as the basis for protecting and, where applicable, revitalizing the health of groundwater and surface water resources (e.g. wellhead protection, water budgeting, surface wastewater discharge management, protection of vulnerable aquifers, nutrient management, water efficiency measures, well and septic tank maintenance).

2.4 PUBLIC HEALTH AND SAFETY

Naturally occurring hazards (e.g. flooding, erosion, unstable slopes, unstable soils) and human-made hazards (e.g. contaminated sites, mineral extraction operations) may have a serious impact on development. Land susceptible to flooding has been mapped along several river systems. The schedules of this plan also identify lands that as have organic soils, karst, and

some areas of unstable slopes. This mapping inventory is the basis for policies designed to avoid property damage, risks to public health and safety and detrimental impacts to local ecosystems. Protective policies also apply to water bodies where flood susceptible lands and other naturally occurring hazards have not yet been mapped.

Human-made hazards include sites contaminated by past or current industrial, commercial or waste management activities and past producing mineral extraction operations. Remediation will be the basis for restoring “brownfield” and other sites while sites of mineral extraction will be rehabilitated to a safe condition prior to their subsequent use for other purposes.

2.5 HERITAGE

The conservation of buildings, landscapes, monuments and resources from the County’s history is important to present and future cultural identity. Initiatives of the Lost Villages Historical Society and the Municipal Heritage Committee are examples indicative of the interest in conserving built heritage resources or cultural heritage landscapes in the County.

Upper Canada Village and Chrysler’s Farm are nationally recognized heritage sites and heritage-tourism destinations. The strategy of the Plan is firstly, to recognize and conserve the inventory of known built heritage resources or cultural heritage landscapes. Secondly, the Plan sets out a screening and evaluation process to identify and conserve other heritage resources or areas of archeological potential which have not been identified, recognized or are currently unknown.

3 COMMUNITY GROWTH AND SETTLEMENT

3.0 INTRODUCTION

The County is part of a **rural area** that contains small rural settlements, **rural lands**, prime agricultural lands, natural heritage areas, and resource areas. Much of the growth and development will be directed to settlement areas while supporting the viability of **rural lands**. Within **rural lands**, uses will be primarily resource or resource based. Opportunities will be provided for other uses (e.g. limited residential development), in locations which do not conflict with resource uses or activities and which meet applicable servicing standards. Essential public services and **infrastructure** will also be permitted.

Emphasis will be placed on **intensification** and **redevelopment** in settlement areas before considering settlement area expansion (see section 3.5.2.6 for specific minimum targets). The land supply for development is based on a time horizon of 20 years.

This Plan encourages a resilient, efficient, and sustainable land use pattern that optimizes existing **infrastructure** (e.g. roads, water, sewage, waste disposal, utilities) and public service facilities (e.g. schools, health care, **recreation** and cultural facilities, fire, police and emergency services), protects the environment and **prime agricultural areas**, and respects the character of settlement areas and rural communities. Development and land use will also consider conservation of biodiversity and the impacts of climate change. Development will be directed away from natural and human-made hazards. This Plan also promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities.

The policies support a full range of housing types and densities to meet future growth needs, opportunities for employment uses, and institutional uses. This includes secondary units, affordable housing, and housing for older persons and associated parks, open space and special purpose trails to encourage **recreation** and active transportation.

It is the intent of this Plan to provide for development that is generally compact, adequately serviced, avoids or resolves land use conflicts and is sensitive to the features and characteristics of the natural environment. In making land use decisions, it is the intent to conserve or enhance **natural heritage features** and areas and other attributes of the natural landscape.

3.1 OBJECTIVES

1. To maintain an appropriate supply of land for residential, institutional, recreational, park and open space, and employment uses to meet projected growth and development demands for the next 20 years.
2. To provide a range and mix of housing types and densities (secondary units, **affordable**

housing, and housing for older persons) to meet current and future requirements while maintaining at least a 10-year supply of land designated and available for new residential development and *intensification*.

3. To designate land uses in *settlement areas* and *rural lands* to accommodate development and *redevelopment* having regard for the health, safety, convenience and needs of the present and future population.
4. To improve accessibility for persons with disabilities and older persons by identifying, preventing, and removing land use barriers which restrict full participation in society.
5. To maintain the well-being of downtowns and main streets by encouraging development of town-centered, pedestrian, and transit-oriented communities that promote well-designed built form that conserves and protects cultural heritage resources.
6. To achieve balanced growth and settlement across the County including a mix of residential, employment, institutional, and recreation uses to meet long-term needs.
7. To promote development where it can be adequately serviced with existing capacity or planned expansion of public service facilities and *infrastructure* and to ensure development is financially viable.
8. To protect *sensitive land uses* (e.g. dwellings, health care and educational facilities) from incompatible land uses and to avoid or resolve existing land use conflicts.
9. To conserve and protect *natural heritage features* and areas and biodiversity and consider the impacts of a changing climate in the design, development and maintenance of land uses and activities.
10. To design a land use planning framework that sustains existing employment and encourages economic development.

3.2 SETTLEMENT AREA POLICIES

The settlement pattern for the County is illustrated on the Land Use Schedules and described in the associated policy statements for development and servicing. The planned development is 80 - 85% in the settlement areas and 15 - 20% in the *rural area*. The *rural area* and urban settlement area designations are described in the table below. Special Land Use Districts, found in Section 9, are shown on the schedules of this plan as an overlay.

Table 3.2 - RURAL AREA AND SETTLEMENT AREA DESIGNATIONS

Areas	Designations
Rural area	Rural District
	Employment District
	Salvage Yard District
	Airport District
	Agricultural Resource Lands
	Extractive Resource Lands (sand and gravel reserve)
	Licensed pit or quarry
	Rural Settlement Area
	Provincially Significant Wetlands
Urban Settlement Area	Residential District
	Commercial District
	Employment District
	Major Open Space
	Provincially Significant Wetland

All Urban Settlement Areas have an associated Land Use Schedule. Lands outside of the Urban Settlement Areas (Rural Settlement Areas, Agricultural Resource Lands, and Rural Districts) are shown on one Schedule per Local municipality. Special Land Use Areas (Section 9) are shown in separate schedules.

Agricultural Resource Lands designation applies to lands predominated by prime agricultural lands and other large tracts of land characterized by viable farming activity. Residential development shall be discouraged within Agricultural Resource Lands except in accordance with the policies of this plan.

Rural District designations have, wherever possible, been consolidated in areas predominated by poor quality agricultural soils. Limited residential development may be permitted in the Rural District provided all the appropriate policies, criteria and considerations of this Plan have been satisfied.

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

3.2.1 Settlement Areas

3.2.1.1 Designation of Urban Settlement Areas

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

Table 3.2.1.1 – URBAN SETTLEMENT AREAS

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

3.2.1.2 Characterization of Urban Settlement Areas

Urban Settlement Areas are communities with a diverse mix of land uses and full or partial municipal sewage and water services. These communities are the primary settlement areas for future development. Land division will primarily be by plan of subdivision.

3.2.1.3 Designation of Rural Settlement Areas

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

Table 3.2.1.3 – RURAL SETTLEMENT AREAS

North Dundas Harmony Hallville Inkerman Marionville Morewood Mountain Ormond South Mountain Winchester Springs	South Dundas Brinston Dixons Corners Dunbar Dundela Glen Becker Glen Stewart Hanesville Hulbert Irena Riverside Heights Stampville Winchester Springs
North Stormont Avonmore Berwick Monkland	South Stormont Beaver Glen Bonville Harrison's Corners Lunenburg



	Osnabruk Centre
North Glengarry Apple Hill Dominionville Dalkeith Dunvegan Greenfield Glen Robertson Glen Sandfield Lochiel	South Glengarry Bainsville Brown House Corners Dalhousie Mills Glen Nevis Glen Walter Glen Norman Martintown North Lancaster St. Raphael's Summerstown Summerstown Station Williamstown

3.2.1.4 Characterization of Rural Settlement Areas

Rural Settlement Areas are characterized as small communities within the **rural area** that have a mix of land uses including public service uses and facilities. These communities have the potential for growth and the expansion of municipal water and sewage services in the future. All development must be adequately serviced with water and sewage systems in conformity with Section 4.3.3 of this Plan. Land division will primarily be by consent.

Rural Settlement Areas which are serviced with piped sewer and/or water services in accordance with Section 4.3.3 should be reclassified as Urban Settlement Areas during periodic updates or during the five-year review. Re-designation of Rural Settlement Areas to Urban Settlement Areas shall be based on appropriate justification studies.

3.2.1.5 Resource Uses in Settlement Areas

Resource uses such as farming operations and mineral aggregate extraction may be recognized as existing uses through appropriate zoning where the land is not required to accommodate new non-farm development. Local Municipalities may prohibit the establishment of intensive livestock operations within a Settlement Area through zoning By-laws. Such uses should be phased out where they are incompatible with **sensitive land uses**. New residential development near resource uses will be subject to the **minimum distance separation formulae** or the influence area requirements of Section 3.5.1.5 - Separation Distances and Influence Areas.

Existing farm operations may be permitted to expand provided:

1. The requirements of the municipal zoning By-law as well as the **minimum distance separation formulae** requirements, the Nutrient Management Act and other applicable legislation are met;
2. The expansion of the farming operation is compatible with existing and planned uses in

the Urban Settlement Area.

3.2.1.6 Urban Service Limits

Development shall be directed first and foremost to lands within the designated Urban Service Limits as illustrated on the Land Use Schedules for Urban Settlement Areas. Development, other than infill on existing lots of record, may be permitted under limited and/or temporary circumstances beyond the Urban Service Limits in accordance with Sections 4.3.5 and 4.3.6.

3.2.1.7 Boundary Adjustments to Settlement Areas

Mod #3

Adjustments to the boundaries of designated settlement areas, other than ~~minor changes~~ **technical adjustments accordance with section 1.8.1** will be subject to an Official Plan amendment. Boundary expansion and identification of new settlement areas may only happen after completing a **comprehensive review** in accordance with the requirements of section 1.1.3.8 of the Provincial Policy Statement.

A **comprehensive review** for the purposes of a settlement area expansion must specifically demonstrate that:

1. Consideration has been given to the growth forecasts and land supply maintained by the County in consultation with the local municipalities;
2. Sufficient opportunities to accommodate forecasted growth are not available through **intensification, redevelopment** and in designated greenfield areas;
3. The proposed expansion is integrated with planning for **infrastructure** and public service facilities, and must consider long-term financial viability which can be demonstrated through asset management planning;
4. Sufficient water quality, quantity and assimilative capacity of receiving waters is available to accommodate the proposed development, and that adequate sewage and water services can be provided;
5. Where the expansion is considered on Agricultural Areas, the lands do not comprise specialty crop areas, alternative locations have been evaluated, and there are no reasonable alternatives on lower priority agricultural lands in **prime agricultural areas**;
6. The transportation system can accommodate the additional volume of traffic and demand for services; and
7. Where appropriate, cross-jurisdictional issues are considered.

3.3 RURAL LANDS

Lands which are not located within a designated settlement area or within a **prime agricultural area** are part of the **rural lands**. These lands are characterized by wide open spaces or countryside setting with cross-road settlements, scattered residential uses, woodlands, pits and quarries and a variety of other rural-type uses. **Rural lands** are classified in this Plan by several

Land Use Districts and Resource Lands. Each of these districts and resource lands constitute a separate land use designation.

Development is typically serviced by individual on-site water supply and sewage disposal systems. These systems must conform to Section 4.3.3. The focus of land use activities in the **rural lands** will be resource or resource-related (e.g. Extractive Resource Lands, environmental protection lands or lands occupied by **natural heritage features** and areas).

Employment Districts will be permitted in strategic locations such as major highway intersections where exposure to the traveling public or labour market area is essential to the vitality of commercial or industrial enterprise.

Limited opportunities will be provided for residential development and infilling in the Rural District designation within existing clusters of development, cross-road settlements or shoreline areas (see policies for natural hazards and **natural heritage features** and areas). Scattered development will be discouraged. Subdivisions shall not generally be permitted in the Rural District except for rural estate subdivisions (see Section 3.4.7), areas along the shoreline of the St. Lawrence River/401 corridor, or in association with a recreational commercial development (e.g. golf course). Residential subdivision development within 500 metres of an Urban Settlement Area shall be strongly discouraged to protect the integrity of the Settlement Areas and ensure orderly expansion. Residential development on Resource Lands in the **rural lands** will be restricted (see Section 8.12.13 – Subdivisions, Consents).

The Province is responsible for the management of Crown lands pursuant to the Public Lands Act. The bed of the St. Lawrence River and the beds of navigable waters are predominantly Crown lands regulated under the Public Lands Act and administered by the Province. Development and alteration on or above Crown Land requires a work permit issued by the Province, and may also require a form of occupational authority under the Act.

Crown lands are identified on the Land Use Schedules of this Plan. Use of Crown Land is in accordance with the management policies, plans and programs of the Province. The policies of this Plan are not applicable to Crown land activities. Use of Crown lands will be determined by the Province, with regard for the policies of this Plan and the local municipal Official Plans.

Where the Province proposes to change the type or intensity of land use or dispose of significant holdings of Crown lands, agencies are encouraged to consult with the County and the local municipality prior to any such change occurring.

3.4 SCOPE OF LAND USE

This Plan recognizes site specific designations and/or development criteria as set out in Section

9 of this Plan. These include approvals or amendments that have been made by Local Municipalities that are valid and in general compliance with the policies of this Plan.

3.4.1 Land Use Districts

The Land Use Districts set out in the Land Use Schedules designate major land use categories: Residential, Commercial, Employment, Rural, Airport, Salvage Yard.

3.4.2 Settlement Areas

Open space, infrastructure, utilities and other uses are permitted in all land use districts including settlement areas (see Table 3.5 for scope of such uses in each land use category). In addition, the Plan provides a Major Open Space land use designation in Urban Settlement Areas for large parks and recreation facilities and to identify urban reserves for long-term development.

Within Settlement Areas, the Planning Principles of Section 3.5.1 shall be used in the design and development of permitted land uses listed in Table 3.5.

Local Municipalities may further distinguish land use categories, detailed development requirements, or specific land use districts by means of a secondary plan (see Section 3.5.3) or a zoning By-law.

3.4.3 Urban Settlement Areas

Within Urban Settlement Areas, the Residential, Commercial and Employment Districts are areas where the primary permitted land uses are residential, commercial and industrial, respectively. The Urban Settlement Schedules attached to the County Plan shall only apply where a Local Municipality uses the County Official Plan as its primary Official Plan. Where a Local Municipality adopts a Local Official Plan the Urban Settlement Schedules of the Local Municipal Official Plan shall apply. Other land uses may be permitted in these Districts which are compatible, related, or incidental to the major land use.

Neighbourhood serving uses such as open space, convenience commercial, public service facilities and institutional uses may be permitted in a Residential District.

Commercial Districts may include mixed uses such as commercial, residential, public service facilities and institutional uses. The use of commercially designated lands for standalone residential shall be strongly discouraged.

Employment District uses may include a mix of industrial uses, manufacturing, construction, warehousing, offices, employment supportive commercial uses including associated retail and ancillary facilities, public service facilities and institutional uses. Sensitive institutional uses shall only be permitted where they will not create issues of compatibility with existing or potential employment uses.

3.4.4 Rural Settlement Areas

Within Rural Settlement Areas, the Planning Principles of Section 3.5.1 and the Planning Guidelines set out in Section 3.5.2.1 and 4.3.2.2 shall be used in the design and development of the land use pattern for the permitted land uses listed in Table 3.5. Specific Land Use Districts may be established by Local Municipalities by means of a secondary plan, lower tier Official Plan and/or zoning By-law using the criteria set out in Section 3.5.3. Class III industrial uses and waste management systems will not be permitted in the Rural Settlement Areas.

Commercial uses within the Rural Settlement Areas shall be subject to the Local Municipality's zoning by-laws. Generally, these types of uses shall be required to be compatible with adjacent uses.

3.4.5 Rural Area

Within the **rural area**, Land Use Designations include the Rural District, Employment District, Airport District, Salvage Yard District as well as Resource Lands. Within the **rural area** the Planning Principles of Section 3.5.1 shall be used in the design and development of the permitted land uses listed in Table 3.5 (see Section 3.4.7 - Rural Estate Subdivisions).

3.4.6 Rural District

The Rural District contains a variety of land uses, such as farms, forests, small industries, golf courses, and in many places, small clusters of residential and commercial development. The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location and a limited amount of residential development where such development will not preclude continued agricultural and non-residential uses.

The following uses are generally permitted in the Rural District in accordance with the Local Municipal Zoning By-law:

1. **Agricultural uses**, forestry and conservation, and natural resource management activities;
2. Residential uses on existing lots of record and on new lots created by severance as provided for by this Plan;
3. Animal boarding, breeding, and training facilities, including stables;
4. Bed and breakfast establishments;
5. Open space;
6. Cemeteries.

A zoning By-law amendment will be required where any of the following uses are proposed in the Rural District where not otherwise permitted:

- A. New industrial and commercial uses, such as farm equipment and supply centres,

machine and truck repair shops, building products yards, landscape contractors, and nurseries;

- B. Uses that are noxious due to noise, odour, dust, or other emissions or that have potential for impact on air quality or surface water or groundwater, such as composting or transfer facilities; concrete plants; the treatment of aggregate products; and abattoirs;
- C. New recreational commercial and non-profit uses, such as golf courses, driving ranges, mini putt operations, campgrounds, outdoor theme parks, sports fields or similar uses;
- D. Other new non-residential uses that would not be better located within a Settlement Area and which are in keeping with the rural character or those uses that meet the needs of the travelling public, such as a restaurant, gas station, motel, retail or similar use; and,
- E. New institutional uses such as places of worship and schools should ideally be located within a Settlement Area but may be considered near a Settlement Area where Settlement Area land is insufficient or inappropriate.

When considering an application to amend the zoning By-law to permit a new use identified above, the following matters must be considered:

- I. The use would not be better located in a Settlement Area or the urban area;
- II. The volume and pattern of traffic flow anticipated from the development will not interfere with the proper functioning of the local road network;
- III. The privacy of adjacent landowners or the mitigation of potential adverse impacts from lighting, noise, odour, dust or traffic can be achieved by separating the land uses, buffering or other measures as part of the development;
- IV. The potential for reducing possible impacts on neighbouring *agricultural uses* or nearby rural residential or settlement areas, where relevant;
- V. The development is in keeping with the surrounding rural character and landscape;
- VI. All relevant servicing, design and compatibility and environmental protection policies of this plan;
- VII. Noxious uses will only be considered where suitable screening and buffering can be provided and generally these uses will not be considered in vulnerable drinking water protection areas, immediately adjacent to residential areas, or in waterfront areas; and,
- VIII. The impact that the development will have on the protection of tree cover as result of proposed site clearing and grading, fencing, security lighting, and other similar site plan matters.

3.4.7 Rural Estate Subdivisions

Rural Estate Subdivisions of 20 lots per application may be permitted in the Rural District

where they do not conflict with the protection or use of resources as per Section 5 of this Plan, and where the natural setting (e.g. topography, vegetation cover), is appropriate for the design and development of such subdivisions.

Rural Estate Subdivisions will be encouraged to locate where they can be designed to integrate with natural features. Innovative subdivision design will be encouraged (e.g. clustering) where it serves to conserve natural features of the landscape such as wood lands, scenic vistas, and natural heritage features.

Rural Estate Subdivisions shall be prohibited adjacent or close to settlement areas, if the proposed subdivision would prevent the efficient expansion of the settlement area.

Rural Estate Subdivisions may be permitted in compliance with this Plan subject to the following requirements:

- A. A Needs Analysis, where required by the Local municipality or approval authority, which demonstrates the demand for such housing in the location proposed;
- B. A Cost-Benefit Analysis, if required by the Local municipality or approval authority, which addresses the cost of servicing, the long-term operational costs to the municipality for maintaining services and the corresponding benefits; and
- C. A report which demonstrates the suitability of water supply and sewage disposal (see Section 4.3.3); and,
- D. Technical studies which meet the requirements of Section 8.12.13.9 of this Plan.

3.5 PERMITTED LAND USES

The scope of land uses permitted in the designated urban settlement areas and the *rural lands* are set out in Table 3.5 below (note: uses may be restricted in compliance with Sections 4.3.3.7 – Source Water Protection of this Plan and 4.3.3.1 – Servicing Hierarchy). Table 3.5 provides a summary of the permitted uses but must be read in conjunction with the associated policies of this Plan. Permitted uses in Resource Lands such as Agricultural Resource Lands, Extractive Resource Lands, and Environmental Protection Lands (e.g. wetlands, woodlands, *fish habitat*) are described in Table 5.2.

Table 3.5 - DESIGNATIONS AND ASSOCIATED PERMITTED USES

Designation	Permitted Uses
Residential District	<ul style="list-style-type: none"> - Full range of low, medium and high-density housing - Specialized housing types (e.g. group homes, crisis care, social assisted, secondary units) - Neighbourhood serving uses (e.g. convenience commercial, open space, institutional)
Commercial District	<ul style="list-style-type: none"> - Full range of retail, service commercial, automotive, recreational and resort commercial and personal service uses - Residential uses (mixed or standalone)
Employment District	<ul style="list-style-type: none"> - Class I, II, and III industrial uses (see reference documents) - Transportation and distribution industries near transportation corridors - Other associated retail and ancillary facilities. These may include limited employment supportive commercial uses serving the employment area (e.g. hotels, restaurants, fitness centres, financial institutions, convention centres, service commercial uses) as defined in the implementing Township Zoning by-law or through a site-specific zoning amendment - The following applies in the vicinity of Winchester and Chesterville Commercial: commercial uses which compliment or are compatible with any permitted industrial use or commercial uses which are deemed suitable by a Local Municipality.
Major Open Space	<ul style="list-style-type: none"> - Large public or private parks, recreational facilities, cultural facilities, community facilities, golf courses, fairgrounds, waterfront areas and other open space uses - Urban reserves for future development
Rural Settlement Area	<p><i>Residential</i></p> <ul style="list-style-type: none"> - Low and medium density housing in keeping with the character and scale of the Area <p><i>Commercial</i></p> <ul style="list-style-type: none"> - Retail, service commercial, automotive and personal service uses which are deemed suitable by the Local municipality <p><i>Industrial</i></p> <ul style="list-style-type: none"> - Class I and II industrial uses (see reference documents) which are deemed suitable by the Local municipality
Rural District	<p><i>Residential</i></p> <ul style="list-style-type: none"> - Low density housing <p><i>Commercial</i></p> <ul style="list-style-type: none"> - Resource related or rural service commercial uses - Recreational and resort commercial uses serving the tourism and leisure industries - Highway commercial uses on major roads <p><i>Agricultural</i></p>

	<ul style="list-style-type: none"> - Agricultural uses - Agricultural-related uses - On-farm diversified uses
Salvage Yard District	<ul style="list-style-type: none"> - Salvaging of materials (e.g. vehicles, building materials, non-hazardous waste, junk) in accordance with D-6 Guidelines - Associated retail, shipping, and receiving of salvage materials
Airport District	<ul style="list-style-type: none"> - Licensed airport and associated activities or services (e.g. terminals, storage, sales and repair, fuel dispensing)

Table 3.5.1 – GENERAL PERMITTED USES

General Permitted Uses	
Uses Permitted in all Designations	<ul style="list-style-type: none"> - Full range of infrastructure uses and utilities excluding waste management systems - Legally existing uses - Accessory uses to any main use (e.g. bed and breakfast establishments, garages, marine structures, administrative uses, home based businesses) - Conservation uses - Full range of open space, park and special purpose trail uses - Cemeteries - Institutional uses
Additional Uses Permitted in the Settlement Areas	<ul style="list-style-type: none"> - Full range of public service facilities (e.g. schools, health care, long term facilities, social facilities, and protective services)
Additional Uses Permitted in Rural District	<ul style="list-style-type: none"> - Waste management systems subject to the policies of Section 4.3.5 - Public service facilities which are more appropriately located in the rural area because of their type, size or the catchment area they serve

3.5.1 Planning Principles

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

3.5.1.1 Adequate Lot Size

The lot size shall be adequate for all existing, proposed, or potential future land uses including the expansion of buildings and structures above and below ground and any associated private water and sewer services. The lot shall meet all requirements for setbacks, **including setbacks from natural hazards such as flood plains**, parking and loading facilities, storage and display areas, signs, lighting, landscaping, buffering or screening, **infrastructure** and safe access and egress, where these requirements apply. Where appropriate, the approval authority shall

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require studies (e.g. servicing options report, geotechnical study, **flood plain** survey, or hydrogeological study and terrain analysis) to support the proposed lot size and ensure that there will be no **negative impacts** on groundwater quality and quantity (e.g. in areas subject to the Clean Water Act), and that development will be directed away from natural hazards.

3.5.1.2 Servicing Capacity

Servicing capacity shall be available and adequate to support existing and proposed uses as set out in Section 4 of this Plan for both public service uses and **infrastructure**. Servicing capacity will be considered at all stages of the planning process to ensure efficient use and optimization of existing sewage and water services. (e.g. a calculation on the uncommitted reserve capacity for water supply and sewage disposal is a pre-requisite to approving a multiple lot/unit development in an urban settlement area). Similar calculations or assessments should be done for school capacity and waste management services.

3.5.1.3 Frontage and Access

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

Any new development which proposes access to, or fronts on, a public road (Provincial Highway, County or Local Road) must satisfy all requirements of the transportation authority(ies) (See Section 4.3.6 - Transportation). Further, the proposed access should not negatively impact the safety and efficiency of any type of public or private road.

Proposed severances with frontage on Provincial highways or Ministry of Transportation (MTO) lands must meet the MTO frontage requirements to be eligible for entrance, building, and land use permits.

3.5.1.4 Measures for Landscaping, Buffering, Screening and Land Use Compatibility

This Plan promotes land use compatibility and encourages compatible land uses adjacent to each other. Where this is not possible or where development involves the expansion of existing adjacent incompatible uses, landscaping, buffering and screening techniques should be used to mitigate **adverse effects**, noise, visual impacts and conflicts between land uses and may also be used to improve aesthetics or to enhance the quality of development in urban or **rural areas**. Landscaping, buffering, screening or attenuation measures may include setbacks, berms, fencing, vegetation, natural land forms or a combination of these measures.

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

from residential streets).

3.5.1.5 Separation Distances and Influence Areas

Municipalities shall have regard for the recommended separation distances and/or influence areas as set out by the Ministry of the Environment and Climate Change (MOECC) for Class I, II and III industries, waste management sites (Section 4.3.5), mineral aggregate reserves (Section 5.4), sewage treatment plants/waste stabilization ponds or land uses generating **significant** noise or vibration (e.g. stationary and transportation sources, see MOECC guideline NPC-300), as they apply between such land uses and any **sensitive land uses** or non-compatible land uses (reciprocally), or water body. Such separation distances shall be incorporated into any implementing zoning By-law (see reference documents at the end of Section 3). Development may be permitted within any influence area where a Municipality is satisfied by a technical study or equivalent evidence that **adverse effects** can be satisfactorily attenuated, mitigated, or eliminated.

Note: reference should also be made to Section 5.5.2- Adjacent Lands for influence areas related to **natural heritage features** and areas.

3.5.1.5.1 Minimum Distance Separation Formulae

The **Minimum Distance Separation Formulae** (MDS) I and II as established by the Province (as amended) shall be applied to reduce incompatibility concerns about odour from livestock facilities, manure storage facilities, and/or non-farm uses (see Section 4.3.5 - Waste Management Systems). The MDS provides grants Local Municipalities discretion in the application of MDS I and II in certain situations (i.e. applying MDS to rebuilding after a fire). MDS I will not apply inside the boundaries of a designated Urban or Rural Settlement Area. Municipalities may, by By-law, choose not to apply MDS I and/or MDS II where discretion is permitted in the MDS formulae.

A Committee of Adjustment, formed under Section 44 of the Planning Act, may grant minor variances to the MDS I and II based on site specific circumstances and local conditions including: consideration of natural features, natural hazards and man-made hazards, prevailing winds, farm operations, existing buildings and structures, adequate buffering; any combination of which warrant a reduction in the required MDS setback; and for circumstances that mitigate environmental or public health and safety impacts.

The MDS II setbacks for anaerobic digesters shall not be reduced through a minor variance under Section 45 of the Planning Act.

3.5.1.6 Accessible Communities

In the design for a healthy and accessible community, Municipalities shall consider the needs of persons with disabilities as provided for under the *Accessibility for Ontarians with Disabilities*

Act and corresponding amendments to the *Planning Act*. Local Municipalities are encouraged to develop standards, and ensure site plans, plans of subdivision or other planning applications accommodate the needs of persons with disabilities and older persons to remove land-use barriers that limit full participation in society.

3.5.1.7 Zoning

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

3.5.1.8 Site Plan Control

Local Municipalities may designate by By-law specific areas or land uses within the Municipality as site plan control areas under Section 41 of the Planning Act (see Section 8.12.10.1 - Site Plan Control).

3.5.1.9 Environmental Approvals

Municipalities shall consult with provincial ministries and other agencies to ensure approvals are obtained where required to establish the principle of development. Municipalities shall determine which approvals shall be submitted as part of a complete planning application, and which approvals will be required as a condition of final approval (e.g. an Environmental Compliance Approval (ECA)) that demonstrates the compatibility of a Class III industrial use adjacent to a **provincially significant wetland** would be required prior to an Official Plan Amendment or Zoning Bylaw Amendment; an ECA for a stormwater management facility could be a condition of final approval).

This Plan promotes design and development which serves to protect or enhance the natural environment, the conservation of ecosystems, adaptation and mitigation of climate change, and designing with nature or 'green' planning. This includes low impact development stormwater management strategies. Efforts should be made to retain **significant** woodlands and tree cover, wetlands, **valleylands**, scenic views, unique landforms, and **wildlife habitat** in both urban and rural settings.

3.5.1.10 Community Improvement

Local Municipalities may undertake community improvement projects as authorized under Section 28 of the Planning Act (see Section 8.12.5).

3.5.1.11 Complete Communities

Complete communities integrate a mix of uses and include a wide range of transportation

options and housing choices. This means local access for people at all stages of life to options for food, transportation, housing, **recreation**, education, retail, and employment. Achieving complete communities requires a diverse range of housing options, opportunities for **recreation** and education for people of all ages, protecting cultural heritage, and creating inclusive public spaces with community identity. This Plan supports the creation of complete communities through the planning process and encourages long-term financial viability for infrastructure and public services. The County supports compact mixed-use development that integrates residential, commercial, employment, community, and recreational uses. This includes designing streets and **infrastructure** to facilitate active transportation, recreational activity, and public well-being.

3.5.2 Planning Guidelines

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

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

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

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

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

3.5.2.1 Community Structure

Settlement areas shall be developed with definable 'edges' that distinguish settlement area

boundaries from the **rural lands**. Local Municipalities should not approve development (e.g. consents or subdivisions) on the fringe of settlement areas to avoid premature extension of piped services or the need to adjust settlement area boundaries.

Local Municipalities will encourage compact development by directing development onto vacant lands within existing settlement areas. Development which is contiguous to existing built-up areas within these settlement areas shall be prioritized over fragmented, remote or un-serviced development that could also negatively impact **natural heritage systems**.

As communities grow and evolve, land use areas or districts shall be tailored to the character, function and servicing of specific land uses or mix of uses. This design should focus on making communities walkable and safe, particularly for children and seniors. Parks, open spaces or green areas should be planned to meet a variety of leisure and **recreation** needs and should be readily accessible to users (e.g. playgrounds, neighbourhood parks, community parks, wilderness parks, **recreational** trail systems). Green areas should be linked or integrated with **natural heritage features** and areas.

Transportation systems (per Section 4.3.6) shall be functional by linking land use areas or districts in an efficient and safe manner that also respects the needs of pedestrians and cyclists. Street patterns should be integrated between adjacent parcels or land holdings. Future growth shall be accommodated by designating corridors or rights-of-way widths for roads, reserving rights-of-way to interior lands and by avoiding linkages that disrupt established or planned residential neighbourhoods. Any new proposed streets, entrances or intersections shall be designed to meet current geometric design standards for spacing, safe use and access.

A secondary plan (see Section 3.5.3) should be used to create efficient community structure by planning for the layout of streets, lots, and piped services. Lots approved by consent or by plan of subdivision must be adequate in size (see Section 3.5.1.1), designed to avoid excessive surplus land to the needs of the development, should facilitate future servicing, and should avoid land locking or inconvenient access to interior lands.

3.5.2.2 Residential Areas

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

1. Residential developments of different heights and densities may be permitted where the scale and character is in keeping with existing or planned surrounding residential heights and densities.
2. Group building projects shall be permitted where the zoning By-law is amended to accommodate such developments, and where there are adequate water supply and

sewage disposal systems.

3. High density residential uses and facilities for seniors should be located close to public service facilities and with access onto a major street. Preference should be given to developments with close and safe access to convenience shopping facilities and healthcare facilities.
4. All residential development should include a generous area devoted to open space to be utilized as privacy areas for occupants, snow storage area, and landscaping. Existing natural vegetation will be conserved where possible especially along waterways.
5. Adequate parking shall be provided on-site or within a short walking distance. Parking areas should not impair views, block entrances and should be appropriately set back from habitable windows.
6. Street lighting should be provided as a measure of public safety in settlement areas, and may be provided for in other areas where warranted.
7. Land use compatibility shall be considered in the design and development or **redevelopment** of residential areas. This includes establishing or respecting building setbacks, separation distances, and influence areas from incompatible land uses (e.g. sewage treatment facilities, waste management facilities, industrial uses, mineral extraction operations etc.). Such uses should be located to avoid existing and future residential areas.
8. Service areas for delivery and waste disposal pick-up shall be provided for all medium and high density residential developments and shall be located to minimize or avoid any incompatible or health safety concern.
9. Provision shall be made for proper vehicular access and circulation for firefighting and other emergency vehicles. This may include dedicated or posted fire lanes.
10. High density residential areas should be close to commercial areas or downtowns and have ready access to a major street.
11. High density residential uses should only be permitted in fully serviced areas.
12. Residential design should emphasize the retention, conservation or enhancement of the natural environment and consider the effects of climate change.
13. Residential areas should be designed to incorporate public service facilities, notably the clustering of community facilities such as parks, schools, arenas, and community centres with safe linkages, particularly pedestrian linkages to residential neighbourhoods.
14. Residential buildings shall be designed to be accessible where required under the *Accessibility for Ontarians with Disabilities Act*. Provision shall be made in medium and high density residential developments for accessible parking. Properties that are protected for cultural heritage values may require unique accessibility plans that work with unique cultural values.
15. Condominium developments may be permitted where the proponent meets the

development requirements of a Local municipality.

16. In the design of residential developments, Local Municipalities may regulate building elevations, location and spacing to protect views, vistas and solar access.

Water supply and sewage disposal systems shall be installed in conformity with Section 4.3.3 of this Plan.

3.5.2.3 Commercial Areas, Main Streets, and Downtowns

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

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

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

Streetscape elements for downtowns and main streets should include special consideration to creating 'people places' and safe environments for pedestrians and persons with disabilities. These elements should include safe crossing areas, accessible sidewalks, street furniture (e.g. as benches, waste receptacles, bicycle stands, signage, information kiosks, newspaper and mail boxes), lighting (height and style of lighting should reflect the character of the settlement area), street trees or decorative plantings, green spaces and focal or gathering points. Heritage buildings should be clearly identifiable and incorporated into the streetscape.

Highway oriented commercial uses should be directed to strategic locations on major thoroughfares, with service roads in proximity to major intersections where such uses benefit from exposure to large volumes of traffic. Local Municipalities may establish specifically designated areas for highway commercial uses through zoning. Such areas should be designed to cluster highway commercial uses in one area of the community. Access should be controlled through such measures as defined, curbed access points, shared access or service roads for multiple commercial developments, prescribed spacing and number of access points to each other and to intersections. Areas for outdoor storage, parking, loading, and waste receptacles

should be visually screened or appropriately located in such a way as to not detract the traveling public or negatively affect other nearby land uses, particularly **sensitive land uses**.

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

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

The spread of commercial uses into established or planned residential neighbourhoods shall not be permitted except for neighbourhood serving uses. Similarly, local Municipalities should discourage the conversion of commercial areas to residential only on main streets and within the core commercial areas. Where the **intensification**, expansion or conversion to a commercial uses(s), or a non-residential use to a residential use occurs, the planning review shall ensure that the lot size is adequate for all requirements including parking, water supply and sewage disposal systems, that access will be safe, and that the change will be compatible with adjacent uses.

Water supply and sewage disposal systems shall be installed in conformity with Section 4.3.3 of this Plan. Controls will be exercised to avoid excessive or distracting signage in or adjacent to commercial areas.

Large format retail may be permitted by amendment to this Plan or by a zoning amendment where they are provided for in a secondary plan or where justified by a marketing study that addresses the location and scale or size of development. Large format retail may be permitted in employment or commercial districts.

3.5.2.4 Industrial Areas

Industries should be located to take advantage of existing or planned **infrastructure** or transportation services (air, rail, water, and road), in proximity to natural resources where appropriate, or where they can optimize the use of the labour market or new technologies.

Locations shall be avoided which create land use conflicts or where the industry has potential to pollute groundwater or surface water resources (e.g. wellhead protection areas or intake protection zones).

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

and ~~associated commercial land uses~~ associated retail and ancillary facilities.

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

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

Water supply and sewage disposal systems shall be installed as described in Section 4.3.3 of this Plan.

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

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

3.5.2.5 Infrastructure

Planned *infrastructure* should be cost-efficient and designed to meet the growth and development projections or capacity requirements of settlement areas for a 10 to 20-year period. Extensions or expansion to existing *infrastructure* should not be made which are unnecessary or uneconomical. Growth should be directed to promote efficient use and optimization of existing municipal *infrastructure*. New subdivisions, for example, will not be permitted in close proximity to settlement areas where requests may be made to extend piped water and sewage services. *Infrastructure* should be designed to reflect the density of development including provision for infilling and *intensification*. *Infrastructure* improvements may be made to address public health or safety issues.

The urban service area limit shall include consideration for cross-border servicing needs between Local Municipalities or across a County boundary. Alternative development standards (e.g. road and sidewalk design, utility installations, streetscaping etc.) are encouraged to make more efficient use of land. Transportation systems should be functional and should, wherever feasible, emphasize non-motorized systems such as *recreational* trails, and rights-of way for cyclists and pedestrians (see also Section 4.3.6).

3.5.2.6 Infill and Intensification

Infill and **intensification** is a process that promotes efficient development patterns, effective use of municipal services and **infrastructure**, and protects resources and green space.

Intensification also encourages complete communities that have commercial, employment, residential, and transportation uses close to each other.

The County will work with local Municipalities to achieve a target of 15 % residential **intensification** and **redevelopment** in built-up areas. This target should be met prior to expansion of the settlement areas. The County will monitor the number of units created that meet the **intensification** criteria below. The Municipality may use phasing and holding provisions to ensure **intensification** targets are achieved prior to allowing new greenfield development. Local Municipalities are encouraged to set density requirements for new greenfield development to optimize **infrastructure** and services.

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

3.5.2.7 Water and Energy Conservation, Green Energy, and Climate Change

Energy conservation will be promoted through compact form, building orientation and design, building retrofit, use of vegetation for cooling or warmth, by considering alternative development standards and by considering renewable and alternative energy sources in the design and development of communities. Municipalities should also maximize vegetation in settlement areas.

It is noted that the Green Energy Act has removed Municipal participation in the renewable energy approvals process. Renewable energy proponents will be encouraged to attempt the highest levels of cooperation, consideration, and communication with the County, Local Municipalities, host property owners, and the local community during all phases of project development and operation, and will be encouraged to comply with the policies of this Plan.

Municipalities may require proponents to enter into a road use agreement with respect to the use and crossing of Municipal roads for the delivery or construction of project components and, the long-term use of road allowances for transmission and distribution lines.

Local municipalities are encouraged to enter into agreements with renewable energy

proponents to address after-project site decommissioning and rehabilitation, emergency response, dispute resolution, use and alterations to municipal drains, and community benefit funds or securities for the provision of same.

It is recommended that communities develop or encourage opportunities for 'green' energy (e.g. small electrical generating facilities, co-generation facilities, solar panels etc.), as part of the development of urban and rural landscapes.

Climate change can be mitigated by promoting active transportation and by focusing growth and development in areas where active or public transportation is accessible or planned. Land uses which require freight and shipping should be located close to major highways, airports, ports, or **rail facilities**.

3.5.2.8 Open Space, the Natural Environment, and Natural heritage features

Municipalities shall have regard for the protection, conservation or enhancement of features or attributes of the natural environment and **natural heritage features** and areas through development (e.g. retention/planting of native vegetation, maintaining/adding to tree cover, natural land forms, wetlands, and habitat areas). These features should be combined with open space as a component of community design. Consideration should be given to conserving scenic vistas, special views and landmarks in making development decisions. (See also Section 5.5 - **Natural heritage features** and Areas).

Natural heritage systems must be identified and protected. These features include natural corridors, wetlands, woodlands, **areas of natural and scientific interest, fish habitat**, water bodies, water courses, **significant wildlife habitat**, and groundwater resources. The **natural heritage system** may also include areas targeted for rehabilitation and restoration of corridors and linkages. These areas protect biodiversity, provide habitat, offer ecosystem services such as water and air purification, and are sites for **recreation**.

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

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

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

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

3.5.2.9 Shoreline Development and Lake Development

The design, development, or **redevelopment** of shoreline properties shall include a provision for the establishment and/or retention of natural features and shoreline vegetation; this is in addition to any provisions imposed by a Conservation Authority as part of a shoreline management plan or flood or erosion control (see Section 6 - Public Health and Safety).

Development setbacks (e.g. no site alteration or development) shall be implemented in consultation with local Conservation Authorities as a measure to conserve shoreline features, protect the ecological functions of the shorelines. For new lot creation, the minimum setback will be the greater of the: development limits established by the regulatory flood line; development limit as established a geotechnical study; or generally 30 metres from the normal high-water mark of permanent rivers, lakes and streams and permanently flowing municipal drains. Setbacks may be reduced in consultation with the local Conservation Authority (e.g. lots created by subdivision) where there are no natural hazard constraints. On existing lots of record, development shall be setback 30 metres or as far back as the lot can accommodate

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Where large developments are proposed (e.g. greater than five lots, resort development) a site evaluation may be required that considers existing water quality, surface water run-off, phosphorus loading, stormwater management, etc.

Development of shoreline properties shall ensure cultural heritage resources on the shore and in the water, are not adversely affected. This Plan recognizes that there may be marine archeological remains from the pre-historic period though the modern era up to the last 50 years. Municipalities may require marine archeological assessments where appropriate.

Loch Garry and Middle Lake are nutrient rich lakes that are highly susceptible to algal blooms. The lakes are part of the Garry River watershed which provides drinking water to Alexandria and has three intake protection zones as defined under the Clean Water Act. **Site alteration** and new development, including septic systems, shall be setback a minimum of 30 metres from the normal high-water mark of these waterbodies. Vegetation within this setback shall be disturbed as little as possible and the soil mantle should not be altered. Best management practices related to shoreline protection, riparian vegetation, drainage, stormwater management, and the siting, design, and footprint of septic systems will minimize the impacts of development and **site alteration**. Policies of the Raisin-South Nation Source Protection Plan may also apply in the Alexandria intake protection zone.

Development on Loch Garry and Middle Lake may be permitted where an impact report

indicates that development will not negatively affect the water quantity or quality of the lake (e.g. through increased phosphorus loading, a reduction in oxygen levels, or water taking). This may be achieved through a lake development plan using provincially accepted modeling techniques for determining lake capacity. This policy does not apply to existing lots of record (see Section 3.5.7 - Lots of Record). Development on lots of record shall be setback as far as the lot can accommodate.

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

Creation of undersized lots for private recreational use along the St. Lawrence shall be strongly discouraged. The Local municipality shall be encouraged to acquire lands along the St. Lawrence to provide public access.

Development will be permitted on existing lots of record where it conforms with the requirements of Section 3.5.7 - Lots of Record.

3.5.3 Secondary Plans

Local Municipalities can use secondary plans to plan and direct development for urban or rural settlement areas or special areas within the County (e.g. waterfront of the St. Lawrence River/401 corridor); or where detailed policies are required to direct or create opportunities for growth and/or development; or to resolve land use planning issues. Secondary Plans allow a more detailed level of planning than found in an Official Plan. A Secondary Plan applies to a specific area of a Municipality and is adopted into the Official Plan as an amendment. This gives the Secondary Plan the same status as an Official Plan document.

Where a Local municipality relies on the County Official Plan as their primary Official Plan, Secondary Plans would normally be incorporated into the County Official Plan as an amendment. A secondary plan should be tailored to the circumstances of the settlement area or special area to which it applies and shall have regard to the following:

1. Projections for population, employment, and land supply including the mix of housing and/or non-residential uses. This information shall be used to develop an existing settlement area or to substantiate the expansion of an existing settlement area into the **rural lands**.
2. Planning for the installation of new **infrastructure**, the phasing, improvement, or extension to existing **infrastructure**, or defining or adjusting the urban service limits.
3. Planning for the installation of public services, public service facilities, or the expansion of existing services or facilities.

4. Planning for the location, types or mix of land uses and the density of development and integrating this with **infrastructure**.
5. Phasing of land development and the provision of necessary **infrastructure** and its relationship to existing built-up area(s) of the community.
6. Establishing street and lot patterns, open space areas, pedestrian linkages and public transit services.
7. Assessing transportation or traffic impacts near a Provincial Highway, County Road or major Township Roads (see also Sections 4.3.6.1-3). Studies related to **or within the permit control area of Ministry of Transportation's** Provincial Highways must be submitted to the Ministry of Transportation for their review and acceptance as part of a secondary plan process.
8. Planning for the revitalization or **redevelopment** of neighbourhoods or **'brownfields'**, community improvement initiatives, or for infilling and **intensification** in existing neighbourhoods or non-residential areas.
9. Planning for the well-being of downtowns and main streets or to create complete communities (e.g. encouraging a mix of land uses, facade improvements, streetscaping, and **infrastructure**).
10. Planning for the protection and conservation of built heritage resources, cultural heritage landscapes or areas of archeological potential or the designation of heritage conservation districts. This includes design and development of heritage criteria that may guide the integration of new development into existing communities.
11. Integrating features of the natural environment, open space, and **natural heritage features** into community design.
12. Planning for the integration of settlement patterns which cross municipal boundaries.
13. Determining the characteristics, limits, impacts and mitigation measures for natural and human-made hazards as they affect community development.
14. Integrating design and approvals for **infrastructure** under the Planning Act and the Environmental Assessment Act.
15. Providing justification for expansion of a settlement area into a **prime agricultural area**, where the lands are designated Agricultural Resource Lands. Such expansion will only be permitted where there is an insufficient supply of land to accommodate the growth projected for an urban or rural settlement area affected by a proposed expansion and where development cannot be reasonably directed to a settlement area in the vicinity. As noted below in section A.

A Secondary Plan shall be developed as an amendment to this Plan. Secondary Plans shall be in conformity with the general principles and policies of this Plan but may incorporate more

detailed land use designations. A Secondary Plan will not generally be required for a single land use or property (e.g. site-specific development). This planning tool should be utilized where a major retail complex is proposed (e.g. shopping centre or large format retail use), where the scale or type of development is expected to have an impact on the character, physical change, social, economic or natural environment of the settlement or other area in which the development is proposed.

Any Secondary Plan that is prepared to establish a new settlement area or to allow for expansion of an existing settlement area shall meet the requirements of a **Comprehensive Review** (see section 3.2.1.7).

3.5.4 Housing

3.5.4.1 Land Supply for Housing and Affordability

Local Municipalities shall maintain a 10-year supply of land available for new residential development and at least a three-year supply of residential units in serviced areas in draft approved or registered plan of subdivision.

Local Municipalities shall make provision for a range of housing types and densities that are appropriate for meeting the housing needs of the County and shall support the strategies of the 'Ten-Year Housing Plan for the City of Cornwall and the United Counties of Stormont, Dundas & Glengarry'. **A minimum of 25% of all new housing units will be affordable as defined by the Provincial Policy Statement, 2014. However, the County in consultation with local municipalities may undertake a study to identify an alternate affordability target.**

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In the design and development of subdivisions and in planning larger scale housing projects, specific consideration shall be given for the development of **affordable** housing for moderate and lower income households. Local Municipalities are encouraged to provide housing to meet special needs including garden suites, crisis housing (temporary residence for persons requiring emergency shelter), Ontarians with disabilities and group homes (See Community Design Criteria for Infill and **Intensification** and Section 3.5.4.5- Group Homes).

3.5.4.2 Garden Suites

Garden suites may be permitted as a one-unit, detached, portable, self-contained residential structure that is accessory to and separated from an existing permitted residential dwelling on the same lot. Garden suites are intended to provide supportive housing.

Garden suites may be established in any Land Use District which permits a residential use as per Table 3.5 by the enactment of a Temporary Use By-law under the Planning Act. A Local municipality may require the property owner to enter into an agreement to govern the occupancy, sewage and water services, appearance, maintenance and removal of the unit, and

the conditions and penalties for failure to remove the unit. The installation of any garden suite shall have regard to the planning principles set out in Section 3.5.1 and to the requirements for a temporary use By-law in Section 8.12.9).

3.5.4.3 Secondary Units

Secondary units provide affordable housing, additional income for homeowners, and help meet *intensification* targets. These types of units are an important part of the affordable housing mix in settlement areas and rural communities. Secondary units also provide an alternative to a temporary garden suite and can support persons with special needs.

Local Municipalities shall make provision for secondary units by authorizing:

- 1) the use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains a residential unit; and,
- 2) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the detached house, semi-detached house or rowhouse contains a single residential unit;

where these types of uses would normally be permitted (e.g. outside of natural hazard areas such as floodplains).

The policies of Section 4.3.3 - Water Supply and Sewage Disposal Systems and Section 8.12.10.1 – Site Plan Control may apply as well as the provision of adequate parking and conformity with the requirements of the Building Code, Fire Code, and property standards by-laws.

No severances for new lots will be permitted to separate a secondary unit from the primary dwelling.

3.5.4.4 Mobile Home Development, Park Model Dwellings

Local Municipalities may allow or prohibit mobile homes or park model dwellings (seasonal, recreational) in a subdivision or in a park setting under single management. Such development shall have regard for Sections 3.5.1, 3.5.2, and 4.3.6 of this Plan. Such development may include support services (e.g. parks and recreational facilities, administrative facilities and neighbourhood serving commercial uses) where they are planned as an integral part of such development.

Within a park setting, development will be subject to site plan control (see Section 8.12.10.1) and will require an amendment to the Official Plan.

3.5.4.5 Group Homes

Group homes are generally defined a single housekeeping unit in which three to ten persons,

excluding supervisory or operating staff, live together under responsible supervision and which is licensed and/or approved under provincial statutes and comply with municipal By-laws. Local Municipalities shall permit group homes in all residential districts. Provision may also be made to locate such facilities in mixed-use areas with access to transportation services.

3.5.4.6 Home Based Businesses and Bed and Breakfast Establishments

A home-based business is a legal business operated as an accessory use within a dwelling and/or accessory building. Home based businesses are an important economic activity, incubate the development of small businesses, and provide on-farm diversification. Local Municipalities are encouraged to make provisions in their zoning By-laws for governing home-based businesses. Development standards for home based businesses in an urban or rural setting should include the classification of businesses, numbers of businesses and employees permitted in a dwelling, location, floor area coverage (dwelling and/or accessory building), parking, signage, access, outdoor storage, etc. Home based businesses should not be permitted where they will create a public nuisance for neighbouring properties (e.g. noise, electrical interference, excessive traffic, odour etc.) (see Section 5.3.2.1 - Agriculture-related uses).

A bed and breakfast establishment shall be permitted within a single detached dwelling provided the exterior physical character of the dwelling is not altered. The single detached dwelling must clearly be the principal use of the land and the bed and breakfast clearly an accessory use to the dwelling. A bed and breakfast establishment shall be defined as a single detached dwelling in which guest bedrooms are provided for gain as temporary accommodation daily. Bed and breakfast establishments shall be limited in size or the number of units to fit in with the overall residential neighbourhood.

The local health unit or delegate shall be consulted when a new bed and breakfast establishment is proposed and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating. Any implementing zoning By-law shall define a bed and breakfast use including the maximum number of guests or units, the appropriate residential zones where they may be permitted and the zone provisions that apply to this use. Bed and breakfast establishments may be subject to site plan control.

Home based businesses and bed and breakfast establishments are subject to the controls and requirements of the Ministry of Transportation (MTO) where they are in the MTO Permit Control Area. Conversion to a commercial zoning shall not be permitted for a home-based businesses or bed and breakfast establishment with access to a provincial highway (see Section 4.3.6.1)

3.5.5 Airport District

Lands designated as Airport District on the Land Use Schedules may be used for a licensed

airport and all associated support activities or services (e.g. passenger terminal, aircraft storage, sales and repair, training facilities, fuel storage and dispensing, emergency services etc.). This shall also include an industrial air park subject to the **infrastructure** requirements of Section 4 and the requirements for separation distances and influence areas of Section 3.5.1.5 (see also Section 4.3.6.7 - Air Transport). Where noise exposure forecasts or noise exposure projection mapping have been undertaken, Local Municipalities may restrict land uses and the heights of buildings near the airport.

3.5.6 Salvage Yard District

3.5.6.1 Scope of Permitted Uses

Lands designated as Salvage Yard District on the Land Use Schedules may be used for the storage, crushing, dismantling, recycling, sorting or transfer of vehicles, building materials, non-hazardous wastes, junk and other materials and shall include the incidental retail, shipping and receiving of such materials. Accessory uses may include storage buildings, crushing or processing equipment, waste storage facilities, weigh scales and administration facilities.

3.5.6.2 Amendment

New scrap, junk, salvage or wrecking yards shall only be located on lands designated for these purposes by an amendment to this Plan. Existing sites may also be recognized which are considered to comply with the planning principles in Section 3.5.6.3.

3.5.6.3 Planning Principles

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

- A. The general need and desire for the type of operation proposed.
- B. The compatibility of this type of land use to surrounding land uses. The requirements of Section 3.5.1.5 -Separation Distances and Influence Areas shall apply. Salvage yards should be directed away from settlement areas and tourism areas.
- C. The potential to contaminate both surface and groundwater resources and the location of **designated vulnerable areas**.
- D. The potential for other environmental impacts (e.g. noise, litter, or visual impacts) on **natural heritage features** and areas.
- E. The adequacy of existing or proposed roads to provide access to the site and their capacity to support truck traffic.

3.5.6.4 Development Requirements

- A. Scrap, junk, salvage and wrecking operations will generally be restricted to areas not exposed to public view.

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- B. Adequate provision shall be made for fencing, screening, buffering, or berming the operation from adjacent properties and roads.
 - C. Site Plan Control shall apply (see Section 8.12.10.1 - Site Plan Control).
 - D. Provisions shall be made in any implementing zoning By-law to regulate Salvage Yards.

3.5.7 Lots of Record

Lots of record are legally created parcels or tracts of land that can legally be conveyed. This includes lots in a registered plan of subdivision, parcels created by consent, or any other distinct and separate holding where the deed is registered in the Land Registry Office.

Lots of record, which are vacant and which existed on the date of adoption of this Plan, may be used for building purposes if the Local municipality is satisfied that:

1. The lot complies with the policies of this Plan for access to lots (e.g. frontage on a public or private road, which is open and maintained year-round);
2. A water supply and sewage disposal system, unless exempted, can be provided on the lot to the satisfaction of the public body having jurisdiction (see Section 4.3.3 - Water Supply and Sewage Disposal Systems);
3. The use complies with the relevant provisions of the Growth and Settlement policies of Section 3;
4. The lot meets the relevant planning principles of this Plan for specific land use designations and the standards of the Zoning By-law;
5. **Development** will not create or exacerbate an environmental or public health and safety concern;
6. **Development** will meet the requirements for an Impact Assessment under Section 5.5.6, where applicable;
7. Local Municipalities may provide for exceptions in the zoning By-law for lots of record affected by the **minimum distance separation formulae**;
8. **Development** may be permitted on existing lots of record located on private roads;
9. **Development** may be subject to an archeological assessment on lots with known or potential archeological resources (see Section 8.11.1); and
10. **Development** may be restricted on lots which are characterized as having natural or human-made hazards (see Section 6).

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

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

3.6 CONSULTATION AND REFERENCES

The following agencies shall be consulted where appropriate:

1. Ministry of the Environment and Climate Change for separation distances and influence areas as they relate to Class I, II and III industrial uses, waste management sites, sewage treatment plants/waste stabilization ponds, noise and vibration, and provincial modeling approaches to determining lake capacity for inland lakes.
2. Ministry of Agriculture, Food and Rural Affairs for the application of the ***minimum distance separation formulae***.
3. Ministry of Transportation for Provincial Highway access approvals and permits for development adjacent to a Provincial Highway and within the Ministry's Permit Control Area.
4. Ministry of Natural Resources and Forestry for potential conflicts between extractive aggregate operations/mineral aggregate reserves and ***sensitive land uses***.
5. Ministry of Tourism, Culture and Sport for archeological assessments.
6. The appropriate conservation authority for shoreline management, natural hazards and ***natural heritage features*** and the regulation of development, interference with wetlands and alterations to shorelines and watercourses. The Conservation Authority may also enforce the responsibilities of the Clean Water Act.

Reference documents:

- Procedure D-5-1, Calculating and Reporting on uncommitted Reserve Capacity at Sewage and Water Treatment Plants, MOECC, 1995
- Guideline D-4, Land Use on or Near Landfills and Dumps, MOECC, 1994
- Guideline D-1, Land Use Compatibility, MOECC
- Guideline D-6, Compatibility between Industrial Facilities and sensitive land uses, MOECC
- In the Zone: Housing, human rights and municipal planning, Ontario Human Rights Commission
- Non-Renewable Resources Training Manual, MNRF, re: influence areas for pits and quarries
- Environmental Noise Guideline: Stationary and Transportation Sources NPC 300, MOECC
- Minimum Distance Separation Formulae I & II, OMAFRA, 2017
- Provincial Policy Statement, 2014 re: definitions
- Planning for Barrier-Free Municipalities, A Handbook & Self-Assessment Tool
- Shoreline Management Plan for the St. Lawrence River

4 PUBLIC SERVICES AND INFRASTRUCTURE

4.0 INTRODUCTION

Public service facilities and **infrastructure** are vital to the well-being of people and to the economic health of communities in Stormont, Dundas and Glengarry. Available, accessible and affordable services are essential to the proper and orderly growth and development of all communities.

Public services include emergency services (e.g. fire, police, and ambulance), **recreation** and leisure services, health care and social services, and educational and cultural services.

Infrastructure includes physical services such as sewage and water, roads, waste disposal, utilities, and communications facilities.

Public services may be delivered by public agencies, through public-private partnerships, by community groups, or by individuals. The type and level of service delivery in the County varies based on the needs of people, the settlement pattern, and the financial resources available. Careful planning for public service facilities and **infrastructure** is an investment in the future of communities and a key ingredient to deciding on where, why and how development should take place.

This Plan provides the County and Local Municipalities with mechanisms to plan for the cost-effective and efficient delivery of public services and **infrastructure**, to control the location and phasing of development based on availability and capacity of services, and to minimize land use conflicts related to the location of facilities and **infrastructure**. The Plan also provides for planned investment in services to stimulate economic development and provide long term prosperity of the County and its communities.

4.1 OBJECTIVES

1. To develop public services and **infrastructure** that are accessible, available, cost-effective, and efficient at meeting the needs of existing and new development and considers the effects of climate change.
2. To improve and enhance the quality of existing public service facilities and **infrastructure**.
3. To ensure new **infrastructure** meets current environmental standards and does not create **adverse effects** for humans or the natural environment.
4. To provide a level and quality of public service facilities and **infrastructure** commensurate with the planned growth and development of settlement areas and the **rural area** of the County.
5. To optimize use of existing public service facilities and **infrastructure** before extending or providing new services.

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6. To ~~use~~ stimulate and support economic growth and development through cost-effective development of servicing. Council will ensure that public service facilities are coordinated and integrated with land use planning so that they are financially viable over their life cycle.

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4.2 PUBLIC SERVICES AND INFRASTRUCTURE POLICIES

4.2.1 Public Use Facility

Planning decisions must provide for access to, or the availability of, an appropriate range of public service facilities that meet the needs of the existing population and the future growth and development within the County.

4.2.2 Infrastructure

This Plan requires that accessible, cost-efficient and effective **infrastructure** be provided commensurate with the planned growth and development of communities in the County. Expansions and upgrades shall also consider the effects of climate change on the sizing of **infrastructure**. **Infrastructure** shall be constructed and maintained in compliance with the appropriate and applicable environmental standards/approvals and shall minimize, manage or avoid **adverse effects** to humans or the natural environment.

No public work shall be undertaken and no By-law shall be passed which does not conform with this Plan unless an amendment to the Plan has been adopted, but is not in effect, and the by-law will conform with that amendment.

Studies and investigations, or other reasonable preliminary steps may be initiated for public works that do not conform with this Plan prior to a related amendment to this Plan.

4.3 IMPLEMENTATION

4.3.1 Description

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

Examples of infrastructure include physical structures and facilities for sewage and water systems, stormwater facilities, transportation, waste management systems, utilities, and communications services.

4.3.2 Public Services

4.3.2.1 Capacity

For educational, cultural, health care, and social services the approval authority shall be satisfied that the residual capacity, existing or planned, is sufficient or the service is available by

consulting with or circulating applications for comment to agencies which deliver these services (e.g. school board, hospital board).

4.3.2.2 Location, Design Criteria, and Community Hubs

Public service facilities should be located in settlement areas or centrally within their service catchment area or in close proximity to major transportation routes and in a location which is serviced with full municipal sewage and water services. These services should be offered as part of a community hub. Community hubs can be virtual or located in a physical building. Each hub may be unique to the community it serves and defined by local needs, services and resources. A community hub can be a school, neighbourhood centre, library, or other public space that offers coordinated services such as education, health care, social services, and parks.

Facilities should be designed to be compatible with adjacent land uses (e.g. creating safe school zones, hospital zones, buffering service entrances and parking areas). New public service facilities should be encouraged to locate in existing or recycled/retrofitted buildings, where feasible.

Local Municipalities may locate some public service facilities to better serve the **rural area** or smaller settlements where an urban location is less suitable. Public Service facilities may be permitted in Agricultural Resource Lands if: the need is demonstrated within the planning horizon; there are no reasonable alternative locations which avoid **prime agricultural areas**; and there are no reasonable alternative locations in **prime agricultural areas** with lower priority agricultural lands.

4.3.2.3 Emergency Services

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

- Emergency circumstances
- Disasters
- Chemical or hazardous materials spills
- Fire suppression and evacuation of multi-storey residential buildings and special occupancies; and
- Flooding.

4.3.2.4 Barrier Free Access

Design concepts in building, planning and other approvals shall include accessibility provisions for persons with disabilities and seniors (see Sections 3.5.1.6, 3.5.2.2).

4.3.2.5 Parks and Recreation

Local Municipalities shall provide parks and open space facilities for **recreation** and leisure in accordance with the park land dedication provisions of the Planning Act. Where new parks or open space facilities are not possible or practical, or where these facilities already exist in close

proximity, the Local Municipality may accept cash-in-lieu of parkland. These funds can be used to acquire land or develop public parks or public recreational uses.

Special purpose trails should be protected and incorporated into design and development decisions. Trails should be designed as a continuous system with linkages, notably to park and open space facilities and community services.

4.3.3 Water Supply and Sewage Disposal Systems

4.3.3.1 Servicing Hierarchy

Full water and sewage disposal services are the preferred servicing for urban settlement development. Private Communal sewage and water servicing shall be strongly discouraged for any development. Individual on-site water supply and sewage disposal systems may be used if the site is suitable for the long-term provision of such services with no **negative impacts**. In settlement areas, these services may be used for infilling and minor rounding out of existing development.

Partial services (piped water or piped sewer) are recognized where they currently exist in the County. Development on **partial services** shall only be permitted in the following circumstances:

1. Where necessary to address failed individual on-site sewage or water services in existing development, or
2. To allow for infilling or minor rounding out of existing development on **partial services** in settlement areas where:
 - a. The development is within the reserve sewage or water system capacity; and
 - b. Site conditions are suitable for the long-term provision of such services with no **negative impacts**.

4.3.3.2 Planning for Water Supply and Sewage Disposal Systems

This Plan recognizes existing water supply and sewage disposal works, including water supply and waste water treatment facilities, which comply with applicable legislation or approvals.

New works or the expansion of existing works shall be permitted to address health concerns or to accommodate new development. Generally, facility expansion or infiltration control should be considered when effluent flows reach 80% of the daily design capacity.

New or expanded works shall comply with the growth and settlement and servicing policies of the Plan (e.g. where piped services are proposed, an amendment is required to re-designate a rural settlement area as an urban settlement area) (see Sections 4.3.3, 3.2.1.6, and 3.2.1.4).

4.3.3.3 South Nation Watershed Water Management Strategy

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

minimized through appropriate measures including the total phosphorus management program.

See also Section 4.4 - Consultation and References

4.3.3.4 Servicing Capacity and Allocation

1. In Settlement Areas, within the Service Limits, development will be permitted only where there is sufficient reserve capacity. Reserve capacity for private communal sewage services and **individual on-site sewage services** is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the Nutrient Management Act, or disposed of at sites approved under the Environmental Protection Act or the Ontario Water Resources Act.
2. Water conservation programs or efficiency measures should be used to extend or recapture existing design capacity before expansion of a water or sewer system is undertaken. A Local municipality may limit the allocation of capacity for any development. Capacity which has been allocated to development may be reallocated where measures are instituted under the Planning Act to de-designate development (e.g. Official Plan amendment, deeming of subdivisions, rezoning). Local Municipalities shall use zoning to phase development as needed to meet the servicing policies of this plan.
3. All proposed development within the Service Limits shall be connected to full or **partial services** where such services are available and where there is sufficient capacity to accommodate the proposed development. Where there is insufficient servicing capacity, the Local municipality shall determine whether the proposed development is premature and should be postponed until servicing capacity is increased.
4. Development outside the Service Limits shall only be permitted in compliance with Section 4.3.3. Such development shall be connected to municipal services when made available, provided capacity is available to service the development.
5. Ontario Regulation 544/06 requires a servicing options report and hydrogeological report for any development greater than five lots on private services, and for fewer than five lots if there is more than 4500 litres of effluent generated per day.
6. Servicing capacity shall normally be included as part of a subdivision agreement or other appropriate instrument.
7. A holding symbol may be used under Section 36 of the Planning Act to phase development in areas which do not have sufficient servicing capacity. Holding symbol zones may be removed once servicing capacity is available and any other planning conditions are satisfied.

4.3.3.5 Connection to Services

Local Municipalities may establish service limits for existing water and sewer services in Settlement Areas (see Section 3.2.1.6 - Urban Service Limits) where connection to full or partial municipal sewage and water services is mandatory. The Service Limits shown on the Settlement

Area schedules are approximate only. Local Municipalities may make use of more precise or updated sources of information to determine the Service Limits including an analysis conducted by a Professional Engineer submitted for individual development proposals.

Local Municipalities may extend Service Limits without the need for an amendment to this Plan provided:

1. Development occurs in a sequential, compact and phased manner and sufficient capacity exists in the sewage and water services;
2. Extension of services can occur without placing a financial burden on the Municipality; and
3. The development complies with the growth and settlement policies of this Plan (see Section 3.2.1.6).

Development may be permitted on individual on-site water and sewage systems outside service limits but within the Settlement Areas where pockets of private services exist and where additional development on private services is proposed for infilling and minor rounding out.

4.3.3.6 Servicing Options and Approvals

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

Small scale development outside of a defined Urban Service Limit but within a designated Urban Settlement Area will require a hydrogeological report prepared by a qualified professional in support of an application for consent or plan of subdivision as an alternative to a servicing options report. This report shall recommend a minimum lot size based on sustainable groundwater quality and quantity, soil conditions and their ability to accommodate the effluent load from a sewage disposal system.

All municipal drinking water systems are required to obtain an approval under the Safe Drinking Water Act. Written consent of a municipality is required for non-municipal systems that will serve six or more private residences or for an existing system that is extended to serve a major residential development. A municipality may require financial assurance as a condition of consent or site plan control.

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

Where industrial or commercial uses are proposed, individual on-site water supply and sewage disposal systems may be used where appropriate to the development and where approval from the Principal Authority under Section 8 of the Building Code has been obtained. If a system greater than 10,000 litres/day is required, the Ministry of Environment and Climate Change is the approval authority under the Ontario Water Resources Act.

4.3.3.7 Source Water Protection

The County relies on both surface and groundwater resources for drinking water. These resources must be protected from contamination associated with certain land uses and activities to maintain quality of life for residents and businesses and support future growth.

Municipal drinking water systems are subject to the policies of the Raisin-South Nation Source Protection Plan which was developed under the Clean Water Act. The associated Assessment Reports describe the **designated vulnerable areas** around drinking water wells (Wellhead Protection Areas or WHPAs) and surface water intakes (Intake Protection Zones or IPZs).

Development, **site alteration**, and proposed land uses that involve the storage or manufacture of pathogens, chemicals, or dense non-aqueous phase liquids shall be prohibited in **designated vulnerable areas** (where no exemptions apply) as identified on Schedule B4 where they are considered a significant threat per the criteria of the Clean Water Act.

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~~New planning act applications and building permits in **designated vulnerable areas** (Intake Protection Zones and Wellhead Protection Areas) where land uses could be associated with significant threat activities (as shown on schedule B4) will require a Notice from the Risk Management Office as required under Section 59 of the Clean Water Act unless. If the applicant can demonstrate to the satisfaction of the approval authority that a significant drinking water threat will not occur, a notice under S.59 (2) may not be required.~~ New Planning Act applications and building permits in designated vulnerable areas (Intake Protection Zones and Wellhead Protection Areas as shown on Schedule B4), where land uses could be associated with significant threat activities will require a Notice from Risk Management Office as required under Section 59 of the Clean Water Act unless the applicant demonstrates to the satisfaction of the Approval Authority that a significant drinking water threat will not occur.

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Highly Vulnerable Aquifers (HVA) and Significant Groundwater Recharge Areas (SGRA) cover the majority of the County, as such, these areas have not been identified on Schedule B4. However, impacts of development applications on groundwater will be considered in planning decisions. Major development applications within these areas will demonstrate that the quality and quantity of groundwater in these areas and the function of the recharge areas will be protected, improved, or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrological functions.

4.3.3.8 **Municipal Regulatory Control**

Local Municipalities are encouraged to implement amendments to zoning by-laws which prohibit the use of land for new development, change of use, or expansion of an existing use unless appropriate water and/or sewage systems are available and adequate to service the subject lands. Site plan agreements shall similarly reflect the requirements for servicing. Local Municipalities shall establish separation distances in zoning By-laws between development (primarily **sensitive land uses**) and waste stabilization ponds and septage facilities (see Section 3.5.1.5)

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

4.3.4 **Stormwater Management**

Development in urban and **rural areas** can change the quantity and quality of stormwater runoff. Stormwater management considers water quantity and quality where artificial drainage improvements or practices are necessary. Best Management Practices such as low impact development and erosion control can be implemented through an integrated stormwater management approach to reduce cost and **infrastructure** requirements, reduce maintenance for Municipalities, and protect natural watercourses. New stormwater management facilities are prohibited within the WHPA-A and IPZ-1 portions of the **designated vulnerable areas** (as shown on Schedule B4) where they are a significant threat.

1. Stormwater management shall be required as part of the development approval process, particularly for subdivisions, multiple lot/unit residential development, commercial, industrial and institutional development and in the design and implementation of stormwater **infrastructure** for urban and rural settlement areas.
2. Municipalities are encouraged to pre-consult with the Conservation Authority on stormwater management and discuss options for low-impact design, water quality targets, and drinking water protection.
3. Stormwater management shall incorporate an ecosystem approach through the design, construction and post-construction phases. **Ecological functions**, particularly aquatic habitat and **fish habitat**, will be conserved or enhanced on a local and sub-watershed basis. Low impact development measures can be used to enhance water quality and reduce flooding and erosion.
4. Stormwater management plans are an opportunity to rectify existing nutrient, contaminant, erosion or hydraulic flow issues.
5. Stormwater management planning should include water quality targets, especially in **designated vulnerable areas** around municipal drinking water sources.

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6. Stormwater Management will follow the MOECC Stormwater Management Planning and Design Manual, 2003 (as updated).
 7. Best management practices shall be used in the design, construction, and maintenance of stormwater management **infrastructure** to ensure that:
 - a. Post-development flows are maintained at pre-development levels and the cumulative impacts of development within the sub-watershed are considered as part of stormwater **infrastructure** design;
 - b. Natural characteristics and quality of the receiving streams are maintained or enhanced through sediment control, riparian vegetation, and thermal conditions;
 - c. There will not be any new or increased downstream flooding or erosion;
 - d. Natural habitat areas are protected or enhanced or restored;
 - e. A sediment and erosion control plan is instituted to prevent stream borne sediments, changes in flow or other adverse characteristics from affecting the **ecological functions** or other impacts on receiving waters during construction; and
 - f. The post construction phase includes rehabilitation, continued maintenance or **infrastructure** and a monitoring program.
 8. Stormwater management **infrastructure** may be incorporated into parks and open space or green space but shall not form part of the required parkland dedication within a Plan of Subdivision.
 9. Stormwater management shall consider groundwater recharge and discharge and ensure that groundwater is not negatively impacted.
 10. Development with the Ministry of Transportation Permit Control Area may require a Stormwater Report based on Ministry standards.
 11. Local Municipalities, in co-ordination with conservation authorities, should develop and implement a stormwater management strategy in areas of high development pressure that incorporates consistent best management practices, river/stream corridor improvement, point and non-point source contaminant controls and **infrastructure** improvements.

4.3.5 Waste Management Systems

4.3.5.1 Scope

Waste management includes landfills, recycling facilities, septage haulage and disposal sites, and waste materials haulage and disposal sites.

4.3.5.2 Existing and New Landfills, Septage Sites, and Transfer Stations

Existing active or new sites (public or private) may only be operated, expanded or closed in accordance with current provincial environmental standards and approvals. New sites shall be located where they are compatible with adjacent land uses (existing and designated). New waste disposal sites will be prohibited in **designated vulnerable areas** where they pose a

significant threat to drinking water. Site development shall provide for progressive rehabilitation and reuse of the site.

Waste management systems may include facilities for recycling, composting, hazardous waste control, transfer sites, and ancillary activities operated in accordance with a valid Environmental Compliance Approval. New sites will require an amendment to this Plan and will require approval under the Environmental Protection Act before an amendment is considered. Provincial and municipal approvals will be required for the hauling and disposal of waste materials and sewage and septage.

Prohibited wastes shall include nuclear wastes and hazardous or pathological wastes. Sites may include transfer sites used for the temporary storage of waste materials. Local Municipalities should monitor waste sites to ensure that there are no off- site adverse impacts (see also Section 3.5.1.5).

The “D-4 Land Use on or Near Landfills and Dumps” guideline shall be used as a guide when assessing land use on or near any open or closed landfill site which contains municipal solid waste, industrial solid waste and/or sewage sludges. Separation distances will apply on a reciprocal basis for existing *sensitive land uses*.

The County may assume responsibility for waste management on behalf of one or more Local Municipalities without requiring an amendment to this plan.

4.3.5.3 Closed or Inactive Sites

Closed or inactive sites, whether public or private, may be used for other purposes subject to meeting requirements of the Environmental Protection Act (Section 46 Order). In general, land used as a waste management facility cannot be developed within a period of 25 years from the date the site was closed without approval from the Minister of the Environment and Climate Change. Closure plans for waste sites should include progressive rehabilitation of the site.

4.3.5.4 Design Capacity

Local Municipalities shall ensure that there is sufficient capacity to accommodate waste disposal for all new development. Local Municipalities should be proactive in reducing solid waste generation to protect the environment and extend the life of existing landfill sites within the County.

4.3.5.5 Influence Area and Separation Distances

Local Municipalities will use a 500-m radius, or such other distance recommended by the Ministry of the Environment, as a guideline for assessing the impact of a landfill site and requiring impact studies.

Local Municipalities may use zoning By-laws or use site plan control to establish an appropriate separation distance from a landfill site. Development proposals near *sensitive land uses* within the influence study area must include, but are not limited to, landfill generated gases, ground

and surface water contamination by leachate, odour, litter, vehicular traffic, dust, noise, vectors and vermin and visual impact (see Section 3.5.1.5).

4.3.6 Transportation

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

4.3.6.1 Provincial Highways

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

The function of provincial highways and/or interchange areas shall be maintained through land use decisions which support MTO controls on access, adjacent land uses, and structures. These controls include highway safety and geometrics (e.g. right-of-way widths, number of lanes etc.), stormwater (drainage) *infrastructure*, and buffering or screening of outdoor storage and parking areas for development adjacent to provincial highways and intersecting local roads. Outdoor storage and loading areas shall be visually screened or appropriately located in such a way as to not distract the traveling public.

Access to provincial highways is restricted and development shall only be permitted with applicable approvals. These approvals may include a traffic study. Development that has frontage on both a Municipal and Provincial road will be required to access from the Municipal road; this would generally include a Municipal right-of-way. The MTO also has requirements for spacing between intersections and entrances on Provincial highway ramp terminal intersections.

Any new roads proposed to be connected to a provincial highway are subject to provincial approval including spacing requirements between intersections. Noise and vibration studies may be required prior to considering whether development should be approved adjacent to a provincial highway.

4.3.6.2 County Roads

This Plan supports the function of County Roads by recognizing the authority of the County to control access, driveway and intersection spacing, and sign and building setbacks when making land use decisions. This Plan discourages residential ribbon development and commercial strip development along County roads by controlling direct access points (driveways and entrances). When considering a development application, the development will be considered as “new” and access associated with the development must meet the requirements of this Plan. County roads may be classified for their transportation function.

County roads are also used as pedestrian and cycling facilities and, in some situations, form part of larger trail networks (e.g. The Ontario Waterfront Trail). County road design and

improvement should include consideration of active transportation requirements including signage, wider shoulders, and buffers from vehicular traffic.

Traffic studies and/or engineered designs may be required by the County as a prerequisite to the approval of any new access or a change to an existing access or intersection spacing with a County road. A traffic study does not guarantee an approval. The County may also require land to be conveyed for a road widening, day lighting triangle, or intersection improvement as a condition of site plan approval or land division where a road allowance or intersection is deficient in width or enlargement is a requirement. The County may require the dedication of an access reserve along the frontage of any property abutting a County Road and may require a paved entrance. Drainage controls may also be required as a condition of development (see Section 8.12.10.1 - Site Plan Control and 8.12.13 – Subdivisions, Consents, Part-Lot Control and Deeming). Noise and vibration studies may be required prior to considering whether development should be approved adjacent to a County road.

Wherever feasible, the safety and efficiency of the County road system will be improved through such measures as reconstruction, realignment, consolidating and closing multiple entrances, increasing day lighting triangles, load limits, truck and fire routes, parking, bike lanes, paved shoulders, lighting, transit or commuter lanes, speed zoning, creating shared access for non-residential uses, and signalization. Road maintenance and improvements to the County road system and the construction of new roads shall be deemed to conform to Section 24 of the Planning Act.

Where approvals are granted, design and development standards governed by the County shall apply (e.g. County Entrance By-law). Where an access approval has been granted for a specific use, it will not necessarily be altered to support a proposed change of use on the property.

4.3.6.2.1 Development Adjacent to County Roads

New residential lot creation (see Section 8.12.13.2-3) with direct access will not be permitted on County roads having a speed limit of 80km/hr or greater and an average annual daily traffic (AADT) volume of 4,000 vehicles or greater.

Despite the above, access to a County Road may be permitted subject to the following:

- A) Within the boundaries of urban or rural settlement areas;
- B) To existing lots of record on the day this Plan comes into force;
- C) When the posted speed limit is 60km/hr or less and the County Engineer is satisfied that driveway spacing, entrance location and sight distances would provide safe access;
- D) For public road entrances;
- E) When providing shared access that conforms to the requirements of the County Entrance By-law;
- F) For new commercial, institutional, industrial or agricultural farm splits that conform to this Plan and to Local Municipal Zoning requirements;

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- G) Where there is no opportunity to access a local road and there is at least 350 m of continuous road frontage free of year-round residential/ commercial/ industrial/ institutional entrance ways (or the requirement for same) on the same side of the road for which an application has been made.
- a. For County Roads with less than 1,000 AADT, the frontage may be reduced to 200 m.

Two entrance ways adjacent to one another may be permitted, if the overall density of year-round residential/ commercial/ industrial/ institutional entrance ways (or the requirement for the same) on any one side of a road is no more frequent than 3 per kilometer or 5 per kilometer for County Roads with less than 1,000 AADT. The kilometer shall be that segment containing the subject land and the greatest number of lots requiring year-round access.

4.3.6.3 Township Roads

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

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

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

Local Municipalities may permit the use of an unopened road allowance by agreement and may open or close a road allowance in compliance with the requirements of the Municipal Act. Local Municipalities may enter into encroachment agreements for unused or un-assumed road allowances (see Section 3.5.1.3).

A Local municipality may require land be conveyed for a road widening, day lighting triangle, or intersection improvement as a condition of site plan approval or land division where a road allowance or intersection is deficient in width or enlargement is required. Generally, the conveyance shall be equal to one-half the deficiency in the width of the road allowance (see Section 3.5.1.8 - Site Plan Control).

A Local municipality may require the dedication of an access reserve to the County/Local municipality along the frontage of any property abutting a County or local road as a condition of development. A Local municipality may require the dedication of a 20-m road reserve as a condition of approval of any development (or alternative ROW if required) to provide an access for future development of land.

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

4.3.6.4 Private Roads

Private roads are under private ownership serving multiple properties. New private road construction will be limited to minor extensions to existing private roads where public road frontage cannot be provided, or as part of a condominium or in a park, campground, mobile home park or on the lands of a public authority. Where private roads are permitted, effective legal mechanisms should be used to achieve minimum road standards, permanent access, and long-term maintenance. This may include Plan of Condominium or private easements.

Local Municipalities are not obliged to assume a private road but may do so where the road is constructed or improved to municipal standards without an amendment to this Plan. Roads constructed as part of a condominium shall be constructed to municipal standards.

No new lot creation will be permitted on a private road other than for a condominium development or mobile home park. Local Municipalities or school boards are not obliged to provide services (e.g. emergency services, garbage collection, school bussing) on private roads which are impassable or sub-standard (see Sections 3.5.1.3 and 8.12.13).

4.3.6.5 Transit

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

4.3.6.6 Rail

Rail corridors are recognized as important economic and transportation linkages in the County. Land use controls will be used to protect these corridors for current use and the potential upgrade to high speed or rapid passenger service. Rail-related noise and vibration attenuation and/or the construction of crash barriers/berms (for public safety against derailments) shall be considered for development proposed adjacent to or in the vicinity of the corridors.

Detailed studies (e.g. noise, vibration, safety) may be required for development proposals within 1000 metres of a freight rail yard, 300 metres from a principal main railway line, 250 metres from a secondary main railway line and 150 metres from a principle branch line, and 75 metres from a secondary branch line or spur line. Minimum recommended building setbacks for new residential development in proximity to railway operations should be included in local

zoning By-laws to ensure that the entire railway right-of-way is protected for potential rail expansion in the future.

4.3.6.7 Air Transport

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

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

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

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

4.3.6.8 Water Transport

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

4.3.6.9 Special Purpose Trails and Pedestrian Pathways

This Plan recognizes the economic, health and recreational benefits of active transportation on trails and corridors of various use(s) across the County (e.g. snowmobile, ATV, cross-country, walking, hiking, cycling, equestrian, canoeing). This Plan also encourages cooperation and coordination between public authorities and agencies to maintain, upgrade and extend trails and corridors as an important part of land use decision making. Trail improvements will not require an amendment to the Plan. Trails should be designed to be continuous and to provide an alternative transportation system to the road network. Local Municipalities are encouraged to develop a Trails Master Plan.

The County shall make County Forest land available for recreational trails and shall coordinate efforts to develop a continuous trail system.

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

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

4.3.7 Communications and Utilities

4.3.7.1 General

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

4.3.7.2 Development Control

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

New or existing corridors (e.g. gas, oil, electric transmission) shall be protected from development by requiring setbacks and construction standards which are consistent with the safe operation, proposed expansion and/or respective regulations of the agencies governing those corridors (e.g. TransCanada Pipelines, Hydro One Networks, Bell Canada Fiber Optics) (see Section 4.3.6.7 - Air Transport).

Utilities which directly serve new subdivisions or other development and are compatible and in scale with the development shall be permitted without amendment to this Plan. These utilities must comply with the construction or other relevant standards of the County or Local municipality having jurisdiction. Where feasible, preference should be given to underground servicing in urban areas.

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

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

In the design and development of communication or utility towers, consideration should be given to the visual impacts on adjacent land uses and public safety in the event of the collapse

of a tower. Communication towers should be directed to non-prominent areas and to areas which do not fragment agricultural lands.

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

4.3.7.3 Existing Facilities

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

4.3.7.4 Wireless Optical and Internet Services

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

4.4 CONSULTATION AND REFERENCES

The following agencies shall be consulted where appropriate:

1. School Boards for capacity of schools.
2. Raisin Region Conservation Authority, Rideau Valley Conservation Authority, or South Nation Conservation Authority for stormwater management planning and approvals, and Clean Water Act approvals.
3. Ministry of the Environment for Certificates of Approval, Section 46 Environmental Protection Order for closed waste disposal site, waste materials approval.
4. South Nation Conservation's Clean Water Committee on any application to expand or establish a sewage system which discharges into the South Nation River or its tributaries.
5. Ontario Ministry of Agriculture, Food and Rural Affairs for nutrient management plan controls.
6. Ministry of Transportation for provincial highway access approvals, and development applications **adjacent** within the Ministry's Permit Control Area.
7. Transport Canada for Aeronautical Act approvals.
8. Canadian Coast Guard for approval of marine structures affecting navigable waters.
9. TransCanada Pipelines, Trans Northern, Enbridge - for construction near pipeline corridor.
10. Hydro One Networks for construction near electric power transmission corridors.

Mod #11

Reference documents:

- Guideline for TransCanada Pipelines 1247 E, 1996
- Environmental Noise Guideline Stationary and Transportation Sources – Approval and Planning Publication NPC-300, MOECC, 2013

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- Excavation and Construction Near Pipelines, National Energy Board, 2014
 - Urban Development Adjacent to Pipeline Facilities, Calculating and Reporting on uncommitted Reserve Capacity at Sewage and Water Treatment Plants, MOE, 1992
 - Guideline D-4, Land Use on or Near Landfills and Dumps, MOE, 1994
 - D-5-2, Application of Municipal responsibility, Communal Water/Sewage, 1995
 - D-5-4, Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment
 - D-5-5, Technical Guideline for Private Wells: Water Supply Assessment
 - Stormwater Management Practices & Design Manual, MOE
 - Guidelines for Erosion and Sediment Control for Urban Construction Sites, MOE
 - Roadside Drainage, United Counties of Stormont, Dundas and Glengarry, 1976
 - Piping/filling in of Roadside Ditches, United Counties of Stormont, Dundas and Glengarry, 1996
 - Current Design Standards for Design of County Roads, United Counties of Stormont, Dundas and Glengarry
 - Guidelines for New Development in Proximity to Railway Operations, 2013

5 RESOURCE MANAGEMENT

5.0 INTRODUCTION

Renewable and non-renewable resources are **significant** contributors to the County economic base and can have **significant** ecological value (**natural heritage features and areas**). Many of these resources contribute to the unique character of the County and offer opportunities for recreation and strengthen healthy communities.

There are many **natural heritage features** across the County which have ecologic and economic value. An estimated 28% of the land base, or 94,170 hectares, is covered by forests which preserve biodiversity, provide habitat, and support **recreation**. These forests also support commercial forestry at various scales. Wetlands provide ecosystem benefits by mitigating flooding and climate variations; creating habitat for sensitive species; improving water quality; and offering **recreation** and hunting opportunities. Commercial peat extraction also occurs in some wetland areas.

The County has surface water and groundwater resources which are sources of drinking water for Municipal and private systems. These water resources are quantified, described, and protected in the Raisin-South Nation Source Protection Plan and associated Assessment Reports.

This Plan supports stewardship of all renewable and non-renewable resources. This Plan describes measures to protect, conserve, or enhance the quality or character of the resource. Land uses that are incompatible with normal use or that threaten the quality of the resources will not be permitted on or close to the resource. The Plan supports the transition of resource lands to other uses where the resource has been depleted (e.g. mineral aggregates).

5.1 OBJECTIVES

1. To designate renewable and non-renewable resource lands for resource use.
2. To minimize land use conflicts between resource uses and surrounding land uses.
3. To allow for the sequential use of resource lands per provincial priorities.
4. To conserve, protect, and enhance the value of the natural environment including **natural heritage features and areas**.
5. To support agriculture and **agriculture-related uses**, and to protect agricultural lands for long-term use.
6. To review development applications affecting various resource activities against established protocols.
7. To manage and protect local **natural heritage systems**.

5.2 RESOURCE MANAGEMENT POLICIES

The County will protect renewable and non-renewable natural resources for resource and resource-related economic use. This Plan recognizes the importance of managing lands with the potential for one or more resource uses, minimizing land use conflicts, restoring land for successive land uses, and stewardship of ***natural heritage features***, areas, and the natural environment. This Plan supports the local use or conservation of resources which are important to the community or are recognized as being locally, provincially, or nationally ***significant***.

5.2.1 Designations and Constraint Overlays

For the purposes of this Plan, Agricultural Resource Lands, ***Provincially Significant Wetlands*** and Extractive Resource Lands (except bedrock resources) are shown on the Land Use Schedules as land use designations.

Changes to wetland boundaries will not require an immediate Official Plan amendment if adjustments are made based on the wetland evaluation manual of the Ministry of Natural Resources and Forestry (subject to confirmation and approval by the Ministry). Updates will be completed as part of any housekeeping or statutory reviews.

Environmental Protection Lands shall be a constraint overlay and are subject to the policies of Section 6 of this Plan. Lands identified as the habitat of an ***endangered species*** or a threatened species are not identified on the schedules. Other ***natural heritage features*** and areas including ***significant woodlands*** are shown on the Constraints Schedules and are subject to the policies of Section 5 of this Plan.

5.2.2 Scope of Uses and Application

Table 5.2 shall be used to determine the scope of uses permitted or prohibited for each Resource Lands category. Table 5.2 shall be read in conjunction with the relevant policies of this Section of the Plan.

Table 5.2 - RESOURCE LANDS AND SCOPE OF USES

Resource Use	Permitted Uses	Prohibited Uses
Agricultural Resource Lands	<ul style="list-style-type: none"> -Agricultural uses -Agriculture-related uses and on-farm diversified uses (in accordance with Section 2.3.3.1 of the Provincial Policy Statement) -Forestry use or woodlands -Conservation uses - Existing dwellings and dwellings on lots created by consent under Section 8.12.13 and legally existing uses, buildings or structures - Public service facilities which are more appropriately located in the rural area because of their type, size or the catchment area they serve (in accordance with section 2.3.6.1 of the Provincial Policy Statement) -Mineral aggregate operation as an interim use (see Section 5.4.3) -Passive outdoor recreation use excluding buildings and golf courses -Natural heritage features and areas -Wayside Pits or Quarries -Legally existing uses, buildings or structures 	<ul style="list-style-type: none"> - Uses which conflict with normal agricultural operations
<div style="border: 1px solid black; padding: 2px; width: fit-content; margin-bottom: 5px;">Mod #12</div> Extractive Resource Lands – Sand and Gravel Reserve	<ul style="list-style-type: none"> -Agricultural uses -Forestry use or woodlands -Conservation use -Natural heritage features and areas -Outdoor recreation use excluding buildings -Peat extraction and associated accessory uses and value-added peat resource-related industries -Existing dwellings -Legally existing uses, buildings or structures - Any use which does not preclude or hinder access to the mineral resource 	<ul style="list-style-type: none"> - Uses which would preclude or hinder the establishment, expansion, or continued use of mineral aggregate operations or access to mineral aggregate resources
Extractive Resource Lands – Licensed Pit or Quarry	<ul style="list-style-type: none"> - Mineral aggregate operation -Asphalt and concrete plants, mineral aggregate processing facilities and administration buildings or structures -Wayside pits or quarries - Any use which does not preclude or hinder access to the mineral resource 	<ul style="list-style-type: none"> - Uses which preclude or hinder the establishment, expansion, or continued use of mineral aggregate operations or access to mineral aggregate resources

		resources
Environmental Hazard Lands	As set out in Section 6	As set out in Section 6
Provincially Significant Wetland	<ul style="list-style-type: none"> - Conservation use excluding buildings or structures unless required for educational purposes (e.g. boardwalk, interpretive kiosk), subject to Sections 5.5.6 and 5.5.7 - Any other natural heritage features and areas - Legally existing uses, buildings or structures 	<ul style="list-style-type: none"> - Any development, site alteration, expansion of an existing use, building, or structure -Wayside pit or quarry
Locally Significant Wetland	<ul style="list-style-type: none"> - Conservation use excluding buildings or structures unless required for educational purposes (e.g. boardwalk, interpretive kiosk), subject to Sections 5.5.6 and 5.5.7 - Any other natural heritage features and areas - Any use in the underlying land use designation subject to satisfying Section 5.5.7 - Legally existing uses, buildings or structures 	<ul style="list-style-type: none"> - Any development or site alteration which will have a negative impact on the natural features or ecological functions for which the wetland has been identified (see Section 5.5.6) -Wayside pit or quarry
Habitat of Endangered and Threatened Species	<ul style="list-style-type: none"> - Conservation use excluding buildings or structures unless required for educational purposes (e.g. boardwalk, interpretive kiosk), subject to Sections 5.5.6 and 5.5.7 - Any other natural heritage features and areas - Legally existing uses, buildings or structures - Uses permitted in accordance with provincial and federal requirements 	<ul style="list-style-type: none"> - Any development, site alteration, expansion of an existing use, building, or structure in the habitat of an endangered species or a threatened species except in accordance with provincial and federal requirements -Wayside pit or quarry
Fish Habitat	<ul style="list-style-type: none"> - Any use in the underlying land use designation subject to Sections 5.5.7 - Conservation Use excluding buildings or structures unless required for educational purposes (e.g. boardwalk, interpretive kiosk), subject to Sections 5.5.6 and 5.5.7 - Any other natural heritage features and areas 	<ul style="list-style-type: none"> - Any development or site alteration which will have a negative impact on the natural features or ecological functions for which the fish habitat has been identified (see

	<ul style="list-style-type: none"> - Legally existing uses, buildings or structures 	<p>Section 5.5.3)</p> <ul style="list-style-type: none"> - Wayside pit or quarry
Significant Wildlife Habitat	<ul style="list-style-type: none"> - Any use in the underlying land use designation subject to Sections 5.5.6 - Conservation Use excluding buildings or structures unless required for educational purposes (e.g. boardwalk, interpretive kiosk), subject to Sections 5.5.6 and 5.5.7 - Any other natural heritage features and areas - Legally existing uses, buildings or structures 	<ul style="list-style-type: none"> - Any development or site alteration which will have a negative impact on the natural features or significant ecological functions for which the wildlife habitat has been identified (see Section 5.5.5) - Wayside pit or quarry
Significant Areas of Natural and Scientific Interest (ANSI)	<ul style="list-style-type: none"> - Any use in the underlying land use designation subject to Sections 5.5.7 - Conservation Use - Any other natural heritage features and areas - Legally existing uses, buildings or structures 	<ul style="list-style-type: none"> - Any development or site alteration which will have a negative impact on the natural features or ecological functions for which the ANSI has been identified (see Section 5.5.5) - Wayside pit or quarry
Significant Woodlands	<ul style="list-style-type: none"> - Any use in the underlying land use designation subject to Section 5.5.7 - Conservation Use - Any other natural heritage features and areas - Legally existing uses, buildings or structures 	<ul style="list-style-type: none"> - Any development or site alteration which has a negative impact on the natural features or ecological functions for which the woodland has been identified subject to Section 5.5.4
Significant Valleylands	<ul style="list-style-type: none"> - Any use in the underlying land use designation subject to Sections 5.5.7 - Conservation Use - Any other natural heritage features and areas - Legally existing uses, buildings or structures 	<ul style="list-style-type: none"> -Any development or site alteration which will have a negative impact on the natural features or ecological functions for which the valleyland has



		been identified (see Section 5.5.5) - Wayside pit or quarry
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5.3 AGRICULTURAL RESOURCE LANDS

5.3.1 Determination of *Prime agricultural area*

The Agricultural Resource Lands shown on the Land Use Schedules of this Plan were identified as ***prime agricultural area*** by the Land Evaluation and Area Review Committee. These lands were further evaluated in the 2016 Agricultural Resource Lands Review. This most recent evaluation was not a comprehensive Land Evaluation and Area Review in conjunction with Ontario Ministry of Agriculture, Food and Rural Affairs but served to refine the agricultural resource lands which were previously identified.

Agricultural Resource lands generally include lands which are Class 1-3 in the Canada Land Inventory for agricultural capability, specialty crop land, and lands used for, or related to, agricultural productivity. This may also include lands of lesser agricultural capability, woodlands, lands identified as a ***natural heritage features*** or other lands considered important to food production.

5.3.2 Scope of Permitted Uses

The scope of permitted uses on Agricultural Resource Lands on the Land Use Schedules are described in Table 5.2.

Agricultural uses are defined in the Provincial Policy Statement and include grow crops; raising livestock and animals for food, fur or fiber; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time labour when the operation requires additional employment.

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

Existing lots of record on prime agricultural lands may be used for non-***agricultural uses*** listed in Table 5.2 - Agricultural Resource Lands - Permitted Uses provided there are no reasonable alternate locations which avoid ***prime agricultural areas*** and where the requirements of the Provincial Policy Statement, section 2.3.6.1, are met.

Existing non-**agricultural uses**, buildings or structures may be expanded provided they will be compatible with farm operations. If proposals are made for a non-agricultural use, an Official Plan Amendment would be required to permit the use. The lands would remain in an Agricultural designation however site-specific provisions would permit the specific use identified in the proposal. Should approval be obtained it would only permit the use specified in the proposal and is not intended to establish a 'general approval' for a series of uses.

Where there is a conflict between a proposed (new) agricultural use and a natural heritage feature and area, the agricultural use will be subject to the relevant requirements of Section 5.5, including the requirement for an Environmental Impact Study. While existing **agricultural uses** shall be permitted to continue, agricultural operators are encouraged to protect or conserve **natural heritage features** and areas.

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

5.3.2.1 Agriculture-related uses

Agriculture-related uses on prime agricultural lands are encouraged to strengthen and diversify the agricultural industry and to supplement farm income. For the purposes of this section, **agriculture-related uses** are farm-related commercial and industrial uses directly related to farm operations in the area that support agriculture, and benefit from being close to farm operations. This can include home industries, and uses that produce value added agricultural products such as custom meat shops, wineries, pick-your-own operations, produce market, and packing operations, or a grain drying handling and storage facility.

Local Municipalities shall ensure that such uses are compatible with **agriculture uses** and shall not hinder surrounding agricultural operations. Criteria used to evaluate compatibility include: the type and scale of use; that the use, where it is located on a farm, is clearly secondary to the main farm operation; that on-site farm-related uses are not likely to generate a future land severance; that the use does not interfere with **normal farm practices**; and that the use can be satisfactorily serviced with individual on-site water and sewage disposal systems. Impacts on agricultural operations from any **agriculture-related uses** that are secondary to the principal use of the property shall be mitigated (Section 3.5.1 shall apply for these purposes) (see Section 3.5.4.6 - Home Based Businesses and Bed and Breakfast Establishments.)

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

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

5.3.3 On-Farm Diversified Uses

On-farm diversified uses are secondary to the principal agricultural use of the property, and are limited in area. **On-farm diversified** uses include, but are not limited to, home occupations, home industries, **agri-tourism uses**, and uses that produce value-added agricultural products. These uses shall be compatible with, and shall not hinder, surrounding agricultural operations.

5.3.4 Lot Sizes

Agricultural lots shall be of a size appropriate for the type of **agricultural uses** common in the area and sufficiently large to maintain flexibility for future changes in operations. **In this regard, the minimum lot size for new lots will be generally 40 ha in size for each of the severed and retained parcels.**

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Lots which include an **agriculture-related use** shall be designed to minimize the use of land within the **prime agricultural area**. Where applicable, the lot shall be adequate for all setbacks, parking and loading facilities, storage and display areas, signs, lighting, landscaping, buffering or screening, **infrastructure** and safe access and egress, individual on-site systems and shall comply with Section 3.5.1 of this Plan.

5.3.5 New Lot Creation

New lot creation on Agricultural Resource Lands shall be governed by Section 8.12.13.3 of this Plan.

5.3.6 Expansion of Settlement Areas

Expansion of settlement areas within the Agricultural Resource Lands shall be governed by Section 3.5.3 – Secondary Plans, or Section 3.2.1.7 of this Plan.

5.3.7 Minimum Distance Separation Formulae I and II

The Ministry of Agriculture and Food and Rural Affairs Minimum Distance Separation (MDS) Formulae I and II, as amended from time-to-time, shall be applied to reduce incompatibility concerns about odour from livestock facilities and/or manure storage facilities and any non-farm uses. The MDS Formulae II will not apply to the rebuilding of a building destroyed by natural causes (e.g. fire, flood), if the rebuilding does not further diminish the applicable distance separation (see Section 3.5.1.5) or result in higher MDS factors (type of livestock, number of livestock, type of manure storage, etc.).

5.3.8 Normal farm practices

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

5.4 EXTRACTIVE RESOURCE LANDS

5.4.1 Scope of Permitted Uses and Land Use Designation

The scope of permitted uses on Extractive Resource Lands on the Land Use Schedules are set out in Table 5.2. Bedrock resources and tertiary sand and gravel resources are identified as a

constraint overlay on a separate Land Use Schedule. It is the intent of this Plan that they be protected by directing permanent development (e.g. buildings) away from these areas.

Bedrock resources are evaluated using three levels of significance. These levels are related to the delineation of bedrock resources and the ratings illustrated by the Ontario Geological Survey, Aggregate Resources Paper, 1997. An amendment to this Plan shall be required where aggregate resources (bedrock resource areas, tertiary sand and gravel resources, or Extractive Resource Lands – Sand and Gravel Reserve) are proposed to be licensed for extraction.

The bedrock resources boundaries are a general indication of where bedrock exists. Additional bedrock resources identified or confirmed by the Ministry of Northern Development and Mines may be referenced when an application is made for a licensed extraction operation. The Constraints Schedules shall normally be amended during **comprehensive reviews** or periodic updates of the Official Plan.

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

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

5.4.2 Licensing, Operations, Separation Distances and Influence Areas

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

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

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

Table 5.4.2 – INFLUENCE AREA FOR AGGREGATE LAND USES

Land Use	Influence Area
Pit and sand and gravel reserve	300 m
Quarry and bedrock reserve	500 m

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

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

1. That the proposed development will not preclude or hinder existing **mineral aggregate operations** or the establishment of new operations; and
2. That impacts such as noise, dust, vibration can be mitigated through design. Where residential and other **sensitive land uses** are proposed adjacent to a pit or quarry, the applicant shall demonstrate that the quality and quantity of groundwater is suitable.

Where a residential or other **sensitive land use** is proposed within an influence area adjacent to an existing pit or quarry, the proponent or applicant shall be responsible for mitigation measures (e.g. berms, fencing, setbacks etc.) which shall be accommodated within the proponent’s property.

Development will not be permitted on or adjacent to Extractive Resource Lands if it would:

- A. Preclude or hinder access to the resource;
- B. Restrict the expansion or continued use of the resource; or
- C. Be incompatible for reasons of public health or safety or environmental impact.

New development may be permitted on or adjacent to lands designated as Extractive Resource Lands where a Local municipality is satisfied that the extraction of the resource is not feasible and matters of public health or safety and environmental impacts can be addressed.

“For any application to an approval authority under the Planning Act for any approval relating to lands within an Influence Area for which notice to the public is required including any official plan amendment, zoning by-law or zoning by-law amendment, consent application or subdivision approval, notice of such application shall be given to the owner of the Extractive Resource Lands which have a boundary with the Influence Area in addition to any other notice to the public that may be required in the circumstances.”

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5.4.3 New or Expanding Pit or Quarry

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

- A. A zoning by-law amendment will be required for the licensed area. The applicant shall demonstrate that the amount of land proposed for the rezoning or re-designation shall not exceed the size required to meet the needs of the industry.
- B. The County or Local Municipality, as appropriate, may require studies to ensure off-site impacts such as water quality and quantity, truck volumes, traffic safety, and noise issues are effectively addressed and that mitigation measures can be implemented. Studies should ensure cumulative impacts of adjacent extractive operations have been considered (e.g. the impact on groundwater and surface water resources, natural heritage features and municipal and County road systems).
- C. Rehabilitation and/or closure plans shall be provided as required under the Aggregate Resources Act. The rehabilitation and/or closure plan will seek to enhance the natural environment, where applicable. Plans shall show provisions for landscaping, drainage, final elevations, buildings and final slope gradients. Long term monitoring plans shall be provided, where required.
- D. Where the proposed extractive resource area conflicts with a natural heritage feature (e.g. **provincially significant wetland, significant woodland**, and/or the habitat of an endangered or threatened species) an Environmental Impact Study will be required (see Section 5.5.7).

5.4.4 Zoning

A zoning by-law amendment will be required prior to the establishment of a new pit or quarry or the expansion of an existing licensed boundary under the Aggregate Resources Act.

Pits and quarries, licensed/authorized under the Aggregate Resources Act, shall generally be zoned to the extent of the Aggregate Resources Act license boundary for extraction and associated accessory uses, **but may be zoned to the limit of extraction only.**

Lands within the Extractive Resource Lands designation which are not zoned for a pit or quarry shall be placed in an appropriate zone category by a Local Municipality to protect the lands from sterilization by new development.

Local Municipalities **Municipal decisions** shall be consistent with the policies relating to mineral resources in the Provincial Policy Statement when determining the boundary of an Extractive Resource Land area in the zoning by-law.

Sufficient lands shall be designated to accommodate active extraction as well as other lands that may be necessary to accommodate uses normally associated with mineral extraction

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operations such as crushing, screening, stockpiling, etc. Regard will be given to compatibility with adjacent land uses, particularly, existing sensitive uses, ensuring that access to the resource, both existing and future, is not hindered and that mitigation can be provided.

The zoning By-law of a Local municipality shall prohibit residential development within a prescribed minimum separation distance from a licensed pit or quarry or from a mineral aggregate reserve, except on existing lots of record (subject to Section 3.5.7) and as an accessory use to a permitted agricultural use.

Local Municipalities may enact a temporary use by-law (see Section 8.12.9) to permit the erection of buildings for any of the non-mineral resource uses permitted in Table 5.2.

5.4.5 Measures for Landscaping, Buffering and Screening

Landscaping, buffering, screening or other attenuation measures shall be used to mitigate **adverse effects**, noise, visual impacts, improve aesthetics or to address land use conflicts between extractive resource operations and other land uses. This may include setbacks, berms, fencing, vegetation, natural land forms or a combination of these measures. Aggregate proponents are encouraged to work with Conservation Authorities (tree planting programs) to enhance screening and buffering using native vegetation.

5.4.6 Wayside pits and quarries, Portable Asphalt and Concrete Plants

Wayside pits or quarries and portable asphalt and concrete plants used on public authority contracts shall be permitted subject to provincial approvals. An Official Plan or zoning amendment shall not be required except in a designated urban or rural settlement area, on lands designated Environmental Protection Lands, or in a **Natural heritage features** and Areas (see Table 5.2 for details on locations). **Wayside pits and quarries** in the prime agricultural lands shall comply with the rehabilitation requirements of Section 5.4.3.

5.4.7 Resource Identification or Depletion

Resource lands not currently identified may be designated by amendment to this Plan. Despite this, reserves which are identified in the Ontario Geological Survey, ~~Aggregate Resources Inventory (ARIM)~~ **Aggregate Resources Inventory Paper (ARIP)**, Bedrock Resources Maps 167, 1A-1C and 2A-2C, shall be used as a constraint overlay (see Land Use Plan Schedule B5) in the review of planning applications in meeting the policies of Section 5.4 of this Plan.

Lands which have been depleted of the mineral aggregate resource may be re-designated for other land uses where the extraction license has been surrendered ~~or where a Local municipality is satisfied that the lands have been appropriately rehabilitated and rendered safe for the intended use (complete or progressive rehabilitation) and that the land use is compatible with adjacent resource uses, where applicable.~~

Where the resource has not been depleted, development in or adjacent to deposits of mineral aggregates will only be permitted if the applicant can clearly demonstrate that resource use would not be feasible; or the proposed land uses or development serves a greater long term

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public interest; and issues of public health, public safety and environmental impact are addressed.

The above-noted policies are also applicable to other mineral resources under the jurisdiction of the Mining Act.

5.4.8 Peat Extraction

Peat extraction activities shall not lead to or cause **negative impacts** to the conservation or protection of adjacent wetlands or other **natural heritage features** or areas.

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

5.5 NATURAL HERITAGE FEATURES AND AREAS

5.5.1 Resource Identification and Conservation

Natural heritage features and areas are important for their environmental, economic, and social values and area legacy of the natural landscapes of the area. Collectively, the individual **natural heritage features** and areas within the County form a **natural heritage system**. **Significant natural heritage features** and areas in the County have been identified on the Land Use Schedules (e.g. winter deer habitat, nesting sites, fish spawning areas etc.); it is understood that these ecosystems may change over time and new areas and features may be added to the inventory. Additional features or areas may be added from sources such as a naturalist club, a conservation authority or other similar agency, or by a Local municipality where the basis of the information is adequate to determine the nature and importance of the feature (e.g. assessment of the significance of an unclassified wetland using the provincial Wetland Evaluation System). Such information may be incorporated as part of a regular update of this Plan or by a specific amendment to the Plan.

Where a known natural heritage feature and area is not identified on the Land Use Schedules to this Plan, this shall not preclude the requirement for an Impact Assessment in the review of a Planning application.

For the purposes of this Plan, all **fish habitat** (e.g. lakes, rivers, streams and wetlands) should be considered as potential areas for **fish habitat**. The Land Use Schedules are intended to identify spawning sites and **fish habitat** classification where a higher level of protection will generally be required (see Section 5.5.3). These waterbodies may also include the headwater drainage features which are integral to the health of larger downstream waterbodies.

For the purposes of this Plan, **significant woodlands** have been classified using several provincial criteria outlined in the Natural Heritage Reference Manual which relate to the ecological value of woodlands. These approaches are further described in Section 5.5.4.

DuPont Provincial Park in the Municipality of South Dundas is not classified as a natural heritage feature or area; however, this park has natural heritage values as a nature reserve which is regulated under the Provincial Parks Act. Development and/or **site alteration** within the **adjacent lands** to the park (e.g. 120 m) shall be subject to the provisions for **adjacent lands** in Section 5.5.2 below.

Planning decisions by Municipalities shall have regard for the objectives and programs of the St. Lawrence Remedial Action Plan, including to the provision for a buffer strip along the St. Lawrence River (e.g. conserving existing vegetation cover or planting of native species, re-establishing riverine characteristics etc.).

This Plan encourages the protection of natural connections and linkages or corridors including rivers and streams and **valleylands** that facilitate the movement of wildlife and **fish**, hydrological and nutrient recycling, genetic transfer, and energy flows through food webs. Local Municipalities may identify **significant valleylands** for protection in consultation with the appropriate Conservation Authority and/or The Ontario Ministry of Natural Resources and Forestry. This Plan incorporates studies and other information to better identify the characteristics and knowledge of **natural heritage features** and areas. Future updates may lead to amendments to the Plan.

5.5.2 Adjacent lands

No development and/or **site alteration** will be permitted on **adjacent lands** to a natural heritage feature or area unless the **ecological function** of the lands has been evaluated and it has been demonstrated through an Environmental Impact Study (see section 5.5.7) that there will be no **negative impacts** on the natural features or their **ecological functions**.

The Impact Assessment shall include a professional opinion on whether **negative impacts** on the natural features and **ecological functions** will occur, the significance of such impacts, recommended mitigation measures (if required), and whether ongoing monitoring is required. Planning tools (e.g. zoning, site plan control, **site alteration** By-laws, development agreements, and/or environmental approvals etc.) may be used to implement measures for mitigating **negative impacts**, where appropriate.

The following shall generally constitute **adjacent lands** for the purposes of this Plan:

- 120 m from the boundary of a **provincially significant wetland**, locally **significant wetland**, or **coastal wetland**;
- 120 m from the seasonal high-water mark for **fish habitat**;
- 120 m from the boundary or limit of a **significant woodland**;
- 120 m from the boundary or top of slope of a **significant valleyland**;

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- 120 m from **significant wildlife habitat**;
 - 120 m from the boundary or limit of a **significant** life sciences area of natural and scientific interest; and
 - 50 m from the boundary or limit of a **significant** earth sciences area of natural and scientific interest.

Adjacent land distances can be modified or reduced where reflected in a Natural Heritage Strategy, where recommended by a local Conservation Authority, or where similar Municipal approaches are used. In such cases, no amendment shall be required to this Plan. Local Municipalities are encouraged to identify **adjacent lands** in any implementing zoning by-law.

5.5.3 Fish Habitat

It is a policy to protect identified and potential **fish habitat** areas for their habitat values in compliance with **provincial and federal requirements**. This includes waters supporting aquatic species under the Endangered Species Act.

All water bodies contribute base flow and nutrients to downstream **fish habitat** and may also provide direct **fish habitat**. Wherever possible, Municipalities should work towards a net gain of productive capacity of the fishery. More specifically, development and/or **site alteration** in and adjacent to **fish habitat** shall not result in:

- Net loss of **fish habitat**;
- Serious harm to fish; or
- Restriction of fish passage.

Development and/or **site alteration** may be permitted on **adjacent lands** to **fish habitat** only if it has been demonstrated in an Environmental Impact Study prepared in accordance with Section 5.5.7 that there will be no **negative impacts** on the **fish habitat**. A scoped Environmental Impact Study may be appropriate to determine the sensitivity of the **fish habitat**. Where serious harm to fish may occur, an applicant or a qualified environmental professional must follow the Fisheries and Oceans (DFO) protocol to determine whether a DFO review is necessary. For areas identified as spawning grounds and any other areas, including nursery, rearing, food supply and migration areas, on which fish depend directly or indirectly to carry out their life processes, a full site assessment may be required under the Environmental Impact Study provisions of this Plan (see Section 5.5.7).

Compensation or reconstruction of **fish habitat**, where permitted/required, shall be subject to **provincial and federal requirements**.

The provisions of Section 5.5.6 shall apply to development or **redevelopment** along shorelines as a measure to preserve or enhance the function of shorelines in protecting **fish habitat**.

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

5.5.4 Significant Woodlands

The intent of this Plan is to conserve woodlands. Municipalities should work with Conservation Authorities, forest groups, farmers and other industries to conserve woodlands. The County will work towards a goal of 30% forest cover in each watershed. This is based on the Environment Canada guidelines to sustain **wildlife habitat** and ecological services such as flood attenuation and soil retention. **Significant woodlands** are identified on an overlay constraint layer.

Woodlands shown on Land Use Schedule B2 as a constraint overlay represent the wooded areas deemed **significant**. Significance was determined using the Natural Heritage Reference Manual criteria.

Municipalities in conjunction with conservation authorities, using provincial and federal guidelines, may further assess and identify **significant** woodlands within the County and amend the Plan to reflect the results of those studies or to establish additional protection measures.

Land uses permitted in the underlying land use designation are subject to the following development criteria:

1. Commercial timber operations including harvesting by commercial timber operators or the management of forests by private property owners should have an emphasis on sustainable forestry and stewardship.
2. **Agricultural uses** may be permitted on woodlands in Agricultural Resource Lands or in the **rural area**; this may include cutting for fuel wood.
3. Clear cutting for the expansion of farming operations, mineral aggregate extraction, green energy development, etc. is strongly discouraged. Best management practices will be encouraged including selective cutting and reforestation, preventing livestock grazing, and encouraging the identification, maintenance and enhancement of higher value woodlands.
4. Rural uses such as commercial or industrial uses, waste management facilities, salvage yards or other non-residential uses will be directed away from woodlands except for uses which demonstrate a dependency on the resource for their business e.g. golf course, campground, outdoor commercial recreational use or similar uses. Where it is necessary for a non-residential use to be located in or on **adjacent lands** to woodlands, such uses shall require an Environmental Impact Study which considers the significance of the vegetative communities, age, height and species composition, tree health, potential for water table changes, the value to **wildlife habitat**, the protection of wildlife corridors, maintaining uniqueness of the woodland stand and sets out measures, where applicable, for sustaining the woodland ecosystem (see Section 5.5.7). This assessment may include the preparation and implementation of a tree conservation plan as a condition of development. The tree conservation plan and other forest conservation measures may be implemented through site plan control and a **site alteration** By-law.

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5. Rural residential uses will be permitted in woodlands where permitted by the underlying designation where they will not result in **negative impacts** to the natural feature or its **ecological function**. A scoped Environmental Impact Study may be required as a condition of development to inventory the resource. Site plan control and a site alteration By-law may be used to protect a higher value woodland where residential development is permitted. In general, rural residents will be encouraged to retain natural tree cover on their properties.
 6. Municipalities can retain woodlands in Urban and Rural Settlement Areas through land acquisition, parkland or other transfers, assistance through a trust fund, conservation easements and/or other means considered appropriate for resource conservation e.g. part of a stormwater management facility. A tree conservation plan should be required as a condition of development for a subdivision or a non-residential use.
 7. A Municipality may enact a tree conservation by-law under the Municipal Act to control the cutting of trees in woodlands or other **significant** areas of **significant** local interest.
 8. Private environmental stewardship programs and public education programs on woodland areas should be implemented.

5.5.5 Significant Wildlife Habitat, Significant Areas of Natural and Scientific Interest, Valleylands, Endangered and Threatened Species

It is a policy to conserve or protect **significant wildlife habitat**, (e.g. winter deer habitat, nesting sites), **significant areas of natural and scientific interest**, and **valleylands**, as shown on the Land Use Schedules, for their **ecological functions** or natural features. Where relevant, a Ministry of Natural Resources and Forestry property inquiry or review may be requested to determine if any **endangered or threatened species** are present or expected.

Note: significant portions of the habitat of endangered and threatened species are not illustrated on the Land Use Schedules. There are no valleylands identified within the County.

Development and/or **site alteration** will not be permitted in the habitat of endangered or threatened species except in accordance with **provincial and federal requirements**. Applicants are responsible to comply with the Endangered Species Act if **endangered species** are found as part of an Environmental Impact Study. Any identified habitat must be reviewed and approved by the Ministry of Natural Resources and Forestry.

Development and/or **site alteration** on the **adjacent lands** to **significant wildlife habitat**, **significant areas of natural and scientific interest**, and **valleylands** shall be subject to an Environmental Impact Study (see Section 5.5.7). Municipalities may permit development and/or **site alteration** if the Environmental Impact Study shows that there will be no **negative impacts** on the natural features or their **ecological function**.

5.5.6 Wetlands

The Ministry of Natural Resources and Forestry classifies **Provincially Significant Wetlands** and **Significant Coastal Wetlands** per the Ontario Wetland Evaluation System. **Coastal wetlands** are defined in the Provincial Policy Statement; locally, these are wetlands located on the St. Lawrence River or tributary, either wholly or in part, downstream of a line located 2 km upstream of the floodplain (plus wave run-up) of the St. Lawrence River.

The boundaries of **Provincially Significant Wetlands** and **Significant Coastal Wetlands** are defined based on information from the Province. **Coastal wetlands** may not be shown on Schedule B1, as comprehensive mapping is under development by the Province. The identification of coastal wetlands must be determined on a site-specific basis, in accordance with the definition of **coastal wetlands**.

The wetland evaluation process defines, identifies and measures wetland functions and values. Wetlands are assessed based on ecosystem and social benefits and values. Unevaluated wetlands and coastal wetlands may require evaluation as part of a planning application. This will generally be requested by a Conservation Authority or Local municipality based on criteria such as size, species at risk occurrence, type (e.g. bog, fen,) or proximity to other significant wetlands. Changes to wetland boundaries or the determination of a wetland significance must be completed by a professional qualified as an Ontario wetland evaluator and must be approved by the Ministry of Natural Resources and Forestry.

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

It is a policy to conserve and protect wetlands for their **ecological functions** including flood prevention, water quality improvement, economic and recreational opportunities, and **wildlife habitat**. Development and/or **site alteration** will not be permitted in a **provincially significant wetland**. This protection shall also be reflected in the implementing zoning by-laws and supported by Conservation Authority regulations and policies.

Locally Significant Wetlands may be protected by local Municipalities in their zoning by-laws. Where a local municipality has identified a wetland as Locally Significant it will be shown as a constraint. The underlying Land Use Designation shall apply. The intent is that areas indicated as Locally Significant Wetlands shall be considered when a development application is made (e.g. Official Plan and zoning By-law amendments, consents and subdivision applications).

Notwithstanding this policy, Locally Significant Wetlands may be designated in the Land Use Schedules as Land Use Designations in a local Official Plan.

Development and/or **site alteration** on the **adjacent lands** to a **provincially significant wetland** or in any **coastal wetland** shall be subject to an Environmental Impact Study (see Section 5.5.7). Municipalities may permit development and/or **site alteration** if the Environmental Impact Study shows that there will be no **negative impacts** on the natural features or their **ecological function**. Lands adjacent to a locally significant wetland may be subject to an Environmental Impact Study if required by the local municipality.

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

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

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

The Bainsville Bay/Pointe Mouillée Wetland is a **provincially significant wetland** located to the south of Highway 401 in the Township of South Glengarry. Section 9.2.1 Special Land Use Districts, Bainsville Bay/Pointe Mouillée Policy Area, of this Plan contains specific policies for a portion of the Bainsville Bay/ Point Mouillée Wetland (Part of Lots 10 to 18, Concession 1) to guide the proposed development in the area.

5.5.7 Environmental Impact Study

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

An EIS will assess the potential impact of a proposed development and/or **site alteration** on a natural heritage feature, area, or linkage and shall determine whether the proposed development, **redevelopment** or **site alteration** should or should not be permitted, in whole or in part. The EIS will also provide more detailed information (e.g. composition, diversity, age) to support the identification of any **significant** features that can only be assessed by site inspection. The EIS will be completed by the proponent of development and/or **site alteration**.

Where the policies in this Plan provide for the preparation of an EIS, it is understood that, through consultation with the appropriate review agency, the EIS may be scoped or eliminated in instances where the potential impact of development is reduced or is non-existent. This will be determined through consultation with the local municipality, Conservation Authority having jurisdiction, and other appropriate agencies.

A full assessment will be completed by a qualified professional (e.g. a single detached dwelling may only require a scoped assessment while a subdivision, multiple unit residential complex, major commercial or industrial development, golf course etc. will require a full site assessment). The following is intended to provide a guideline on the potential scope of an EIS:

1. Identify the specific needs of the Environmental Impact Study (e.g. identifying/mapping key features and functions, ecological linkages, processes, study area boundaries, information needs);
2. Describe the development proposal (e.g. land use, building type/size/location, excavation, site grading, landscaping, drainage/stormwater works, roadway/utility construction, water and sewage systems, in relation to the various environmental considerations);
3. Determine the impact of the development on the natural features and **ecological functions** on and adjacent to the site (e.g. wildlife, **fish**, vegetation, soil, surface and groundwater resources, air) and consider the effects during and after development and/or **site alteration**;
4. Identify mitigation requirements and monitoring requirements;
5. Quantify any residual impacts (those that cannot be mitigated) if any; and
6. Conclude, with a professional opinion and recommendation, whether **negative impacts** on the natural features and **ecological functions** will occur, the significance of such impacts and whether ongoing monitoring is required.

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

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

Any property containing a **significant** natural feature, function, or attribute not identified in the schedules of this Plan, that is identified through subsequent study, will be subject to the policies of this Plan and to the applicable requirements for protection.

5.5.8 Natural Heritage System

A **natural heritage system** has been identified on Schedule B3. This system is made up of the following features:

1. **Provincially significant wetlands**, as identified by the Ministry of Natural Resources and Forestry;
2. Locally Significant Wetlands;
3. **Significant woodlands** as identified in schedule B2 of this Plan;
4. Significant Life and Earth Science **Areas of Natural and Scientific Interest** as identified by the Ministry of Natural Resources and Forestry;
5. **Fish habitat** and natural corridors such as **flood plains** that are identified through planning or environmental studies;
6. Publicly owned lands (Conservation Areas, County forests, Crown lands); and
7. Watercourses including municipal drains.

The goal of **natural heritage system** planning is to maintain and restore ecological systems, connections, and linkages. The **natural heritage features 1-7** above are identified for protection in the policies of this Section. These features are not protected in isolation; the connections and natural linkages between feature that facilitate wildlife movement, genetic diversity, and resiliency must also be protected. Municipalities shall have regard to these areas and seek to protect, restore, and, where possible, enhance natural linkages.

All areas designated in the **natural heritage system** may be designated as site-plan control areas.

It is recognized that a **natural heritage system** is dynamic and subject to change. The County may undertake studies and monitoring in partnership with other regions and environmental agencies to investigate the status and completeness of the **natural heritage system** by identifying the location of critical natural features or modifying elements of the system. This system may also be updated using information obtained through development applications and Environmental Impact Studies.

This plan promotes the donation of privately owned lands in the **natural heritage system** to public agencies or charitable organizations, or the protection of the **ecological functions** and features through a conservation easement agreement. The County may also obtain, or encourage the Local Municipalities, Conservation Authorities and other public agencies to obtain, parts of the **natural heritage system** through the development approval process as permitted by legislation. Municipalities may also consider biodiversity offsetting programs

where avoidance and mitigation are not feasible. This type of offsetting should result in an ecological net-gain.

Municipalities may also consider the establishment of financial incentive programs including conservation easements, land trusts, tax incentives and rights of way to preserve, enhance and access natural corridors.

5.6 WATER

5.6.1 Significance of the Resource and Policy Intent

Wise management of the quality and quantity of our water resources will ensure a sustainable resource for human and livestock consumption. By protecting water resources, we ensure a reliable water source for terrestrial and aquatic resources, and for industrial, agricultural, domestic and recreational uses. The policies of this Plan protect surface and groundwater features, hydrologic functions, shorelines, and any associated natural features. This Plan also encourages a collaborative approach to water resource management. This involves the County, Local Municipalities, Conservation Authorities and many other agencies with water related mandates.

5.6.2 Measures for Water Resources Conservation

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

1. Establishing setbacks, protecting streambanks, and buffering surface water from various land use activities to prevent erosion and minimize the discharge of contaminants (e.g. phosphorus, herbicides, sediments).
2. Ensuring that planning decisions consider the impact of development on downstream communities. This includes phosphorus management and ensuring that the quantity of receiving waters is adequate for projected sewage lagoon discharges. Planned **infrastructure** will correlate growth with the capacity of water quality and quantity resources to sustain such development. See also Section 4.3.3.7 - Source Water Protection for policies relating to water supply.
3. Protecting identified Wellhead Protection Areas, Intake Protection Zones, Highly Vulnerable Aquifers, and **Significant** Groundwater Recharge Areas (as identified in the Assessment Report), and natural springs from activities which may contaminate these resources.
4. Developing an inventory of contaminated sites and providing for site clean-up as a condition of **redevelopment**.
5. Controlling discharges to surface and ground water through the application of Best Management Practices for stormwater runoff and land drainage. In general, drainage outlets into lakes will not be permitted. This is expected to occur through the review of Planning applications and the requirements for site plan control.

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6. Promoting water conservation practices (e.g. water efficient plumbing fixtures, upgrading **infrastructure**, recycling etc.).
 7. Lake development planning including the setting of development capacities to protect inland lakes (e.g. Loch Garry, Middle Lake).
 8. Maintaining and retrofitting sewage disposal systems and encouraging or requiring residents to pump-out septic tanks on a regular basis.
 9. Supporting new technologies in sewage disposal systems that minimize phosphorus discharge.
 10. Requiring conformity with Ontario Regulation 903 with respect to the construction of wells.
 11. Compliance with the Safe Drinking Water Act and Clean Water Act.
 12. Monitoring municipal waste management facilities for leachate migration, bacterial and viral components.
 13. Providing for the safe storage of fuels, chemicals and other toxic contaminants as a condition of site plan control.

5.7 CONSULTATION AND REFERENCE

The following agencies shall be consulted where appropriate:

1. The local Conservation Authority for Environmental Impact Studies related to **natural heritage features** and areas.
2. Ministry of Natural Resources and Forestry for applications for **mineral aggregate operation** licenses, ~~evaluation or screening of aggregate reserves (quality and quantity)~~, procedures related to Environmental Impact Studies for natural heritage, evaluation of unclassified **natural heritage features** and areas, and to determine the presence of ~~endangered or threatened species~~ **species at risk and species at risk habitat**.
3. Ministry of the Environment and Climate Change for requirements related to the approval of **wayside pits and quarries** and portable asphalt and concrete plants.
4. Department of Fisheries and Oceans for procedures and approvals under the Fisheries Act.
5. Ontario Ministry of Agriculture, Food and Rural Affairs for application of **Minimum distance separation formulae** and the application of the Farming and Food Production Protection Act (FFPPA) to normal farming practices and the requirements of the Nutrient Management Act, 2002.
6. The Ontario Aggregate Resources Corporation Stone, Sand and Gravel Association for the Management of Abandoned Aggregate Properties (MAAP) Program.

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Reference documents:

- Minimum Distance Separation Formulae I and II, OMAFRA
- Aggregate Resources of Ontario, Provincial Standards, Version 1.0, Queen's Printer for

Ontario,1997

- Non-Renewable Resources Training Manual, Version 1.0, MNRF, February 1997
- Aggregate Resources Inventory of the United Counties of Stormont, Dundas and Glengarry, Ontario Geological Survey, Aggregate Resources Paper, 1997
- Natural Heritage Reference Manual, MNRF, 2010
- Significant Wildlife Habitat Technical Guide, October 2000
- Ontario Wetland Evaluation System, Southern Manual, Version Three, MNRF, 2013
- St. Lawrence Remedial Action Plan, 1997
- Provincial Policy Statement, 2014 re: definitions
- Environment Canada, How Much Habitat is Enough? Third Edition, 2013

6 PUBLIC HEALTH AND SAFETY

6.0 INTRODUCTION

This section of the Plan addresses natural and human made hazards. Natural, physical and environmental processes can produce unexpected events that may result in damage to property, injury or loss of life and changes to the natural environment. Natural hazards include flooding, erosion, unstable bedrock, and slope failure. The Conservation Authorities have a regulatory role in managing and permitting development in areas of natural hazards. The Conservation Authorities should be pre-consulted early in the development process.

Human-made hazards result from human activities that modify or disturb the landscape in a way that can threaten the health or safety of humans or the environment. This includes industrial or commercial land uses that contaminate or pollute the ground or water.

The policies of this Plan safeguard the health and safety of the population of the County by directing development away from natural and human made hazards. Policies also ensure that hazards are addressed in a physically and environmentally sound manner where mitigation and development are possible. Planning and development strategies geared toward the effective management of natural and human-made hazards will increase opportunities for development while maintaining and enhancing the integrity of the ecosystem, protecting human life, and minimizing property loss and social disruption.

This Plan requires an assessment and, where required, the clean-up and restoration of sites to safeguard development including **redevelopment** from the **adverse effects** of soil and water contamination. This Plan also requires technical studies (**flood plain** analysis, geotechnical investigation) to be completed by qualified professionals before allowing development in or adjacent to a natural hazard.

6.1 OBJECTIVES

1. Safeguard the public and the natural environment from natural and human-made hazards through the development of policies, tools, and processes to identify, evaluate, prevent, or protect against such hazards.
2. Build a database of information on the location and characteristics of natural hazards and known or potentially contaminated sites.
3. Increase public awareness of potential impacts of natural and human-made hazards and the measures needed to protect or prevent property destruction, social disruption, and environmental damage.
4. Institute measures to evaluate known or potentially contaminated sites and restore them to a condition suitable for reuse, development, or **redevelopment**.

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5. Institute measures to identify **hazardous lands** and sites and develop techniques, strategies, and methods to prevent or protect people and property from damage, injury, or fatality.
 6. Recognize the need to update and ensure the accuracy of **flood plain** studies and mapping to support safe development.

6.2 NATURAL HAZARDS

6.2.1 Scope of Uses

Development shall be directed away from lands or areas which are hazardous or susceptible to hazards including flooding, erosion, slope failure, unstable soils, or unstable bedrock. The policies of this section shall apply to hazards that exist but are not identified in this Plan. In exceptional circumstances, certain types of development may be permitted on **hazardous lands** or sites where measures are undertaken to safeguard such development and the environment from the impacts of such hazards and from the creation of new hazards. **Hazardous lands** will be considered for their environmental resource value including habitat areas and areas that add to greenspace within communities. Table 6.1 shall be used to determine the scope of prohibited uses in hazardous lands adjacent to listed waterways.

Generally, no development will be permitted within the Natural Hazard Limit except for flood or erosion control structures, shoreline stabilization, water intake facilities and marine structures such as docks and boathouses. Legally existing buildings or structures will be encouraged to relocate outside of the **flood plain** or away from other **hazardous lands** wherever feasible. In the case of land **redevelopment**, structures may be required to relocate outside of the hazard area. Redevelopment may be required to locate outside of the **flood plain** in some cases.

Development and **site alteration**, where permitted (see table 6.1), shall meet the applicable requirements below for flood proofing, the installation of protection works and compliance with the access standard, having been approved by the relevant Conservation Authority. Such development shall not include institutional or essential emergency services, large scale commercial uses, or the disposal, manufacture, treatment, or storage of hazardous material. In reviewing such requests, it is essential that new hazards are not created, existing hazards are not aggravated and that no adverse environmental impacts result.

6.2.2 Flooding

The **one-hundred-year flood** hazard limit applies to all water bodies. This standard is used for existing **flood plain** mapping and shall also be used to determine the **flooding hazard** limit in areas where engineered **flood plain** mapping has not been prepared. On the St. Lawrence River, the flood limit is the **one-hundred-year flood** level plus an allowance for wave uprush and other water-related hazards.

The one-zone concept shall apply. The one-zone defines the **flooding hazard** limit or **floodway**. Within the boundaries of the floodway, development or **site alteration** will not be permitted

except in accordance with the exceptions of the Provincial Policy Statement and regulations under the Conservation Authorities Act. This Plan does not limit the use of a two-zone concept (where a floodway and flood fringe are defined) if established through technical studies and by an amendment to this Plan, or where the concept is currently used (e.g. St. Lawrence River and Grays Creek). The amendment shall set out the criteria and conditions under which development or **site alteration** may be permitted in the flood fringe.

Established flood elevations or engineered **flood plain** mapping for the St. Lawrence River, Raisin River including North and South Branch, South Nation River including South Branch and portions of the North Branch, Loch Garry, Middle Lake, Delisle River, Beaudette River, Black Creek, Hoople Creek, Castor River, Garry River, Mill Pond (Alexandria Lake) and Grays Creek, Payne River systems shall be used as the **flooding hazard** limit in reviewing planning applications (see Table 6.1). Aerial photo interpretation may be used to identify flood susceptible lands adjacent to the Rigaud River. The boundaries of regulatory **flood plains** are approximate and reference shall be made to the official **flood plain** mapping from the applicable Conservation Authority.

The most recent, accurate information or new mapping to show natural hazard limits (e.g. flooding, erosion, dynamic beaches) ~~may~~ will be used without amendment to this Plan provided the intent of the Plan is maintained ~~and provided the applicable implementing zoning By-law is amended~~. Nothing contained herein shall exempt any person from complying with the applicable Conservation Authority regulation with respect to Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses

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

The Natural Hazards Training Manual shall be used as the source for the evaluation of site suitability, application of the flood proofing and access standards, evaluation of protection works and mitigation options for development on **hazardous lands**. In general, development on **hazardous lands** will only be permitted in exceptional circumstances and only where adequate study has been undertaken and provisions are made to meet the applicable requirements of Section 6.2 (see Table 6.1). Specifically, development proposals located in or adjacent to an environmental constraint should be accompanied by a site plan, which in addition to the requirements of Section 8.12.10.1 should include:

1. the location of any fill imported onto the site;
2. the existing and final contours at 0.5 m intervals;
3. erosion and siltation control procedures;
4. the proposed building envelope; and,
5. the exact location of the engineered flood line and flood line elevations.

6.2.2.1 Flood Proofing Standard

Where buildings or structures are permitted in a flood hazard area they shall be designed and constructed in accordance with established standards and procedures to withstand anticipated vertical and horizontal hydrostatic pressures and shall incorporate flood proofing measures that will preserve the integrity of exits and means of egress during times of flooding. This may include minimum elevations for basements and building openings. Design and construction shall also consider the potential impacts of Climate Change which may increase the risk associated with this hazard. Any proposed flood proofing measures should be reviewed and approved by the appropriate conservation authority, or outside of the authorities' jurisdiction, by the Ministry of Natural Resources and Forestry.

6.2.3 Organic Soils

Organic soils are normally formed in a water saturated environment (e.g. wetland) where the soil is not exposed to the air for enough time to permit the breakdown of vegetative material. These soils may not contain sufficient strength to support a building or structure and shall be considered as **hazardous lands**. Development shall be directed away from lands identified on Land Use Schedule B1 as organic soils or any lands found to contain organic soils. The approval authority may refuse development applications on organic soils or may require further studies to determine their suitability for development. Development may be permitted in exceptional circumstances only where the hazard can be overcome using acceptable engineering techniques and where the access standard can be met (see Section 6.2.10) and no other environmental hazards will be created. This policy shall not apply to the extraction of peat (see Section 5.4.8 - Peat Extraction).

6.2.4 Unstable Slopes

Shoreline erosion and soil type play a significant role in slope failure along waterways. Lands labeled as unstable slopes on Schedule B1 have been identified as having increased risk to subsidence or slope failure. This includes Leda clay or sensitive marine clays. Prior to any development or **site alteration** on an unstable slope a geotechnical inspection by a qualified engineer shall be required. This inspection shall assess the potential impact of the proposed development and to determine the required setbacks for development and other stabilization measures, if any (e.g. slope re-grading or the construction of stabilization structures such as berms). It should be noted that the results of a geotechnical investigation may determine that mitigation measures are required on lands adjacent to the development proposal to offset the impact of development. The geotechnical investigation may also determine that development on the site is not appropriate, in which case the proposal shall be refused by the Local municipality or the Approval Authority.

6.2.5 Erosion hazards

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

6.2.6 Karst

Karst topography generally forms on limestone and dolostone plains and is marked by sink or karst holes. Karst is commonly underlain by caverns that influence the flow of surface and ground waters. Due to its geological nature, karst topography presents a potential hazard to human safety which must be mitigated through development controls and approvals.

Karst areas shown on Schedule B5 to this plan are considered potential development constraint areas. The mapping is approximate and identifies areas of potential constraint; there may be other areas subject to karst hazards. Development shall generally be directed to areas outside of karst topography unless the effects and risk to public safety are managed or mitigated.

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a.

Where karst topography is suspected, the Local Municipality **may-should** require a geotechnical study, hydrogeological study, or similar study, ~~to demonstrate that the lands are suitable or that the hazard can be mitigated~~ by a qualified professional. The Study shall assess the presence of karst and propose measures to satisfactorily mitigate any potential hazard. The study must also demonstrate that the development will not result in adverse impacts to groundwater.

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6.2.7 Wildland Fire Hazards

The Ministry of Natural Resources and Forestry has identified areas that have potential for wildland fire (see Appendix A). Development will generally be directed to areas outside lands identified as a high to extreme risk for wildland fire, unless the risk can be mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the Province.

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Proponents of development applications may be required to assess areas on the subject lands and adjacent properties which would pose a high to extreme risk for wildland fire. A wildland fire assessment must provide a site-specific assessment for wildland fire risk, confirm the presence of a hazardous forest type, and include proposed mitigation measures, if required.

6.2.8 Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses

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

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

6.2.9 Protection Works

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

6.2.10 Access Standard

When developing *hazardous lands* provision shall be made to ensure that people and vehicles can access and exit or be safely evacuated in times of an emergency (e.g. flooding, erosion, wave action, subsidence).

6.2.11 Hazardous Lands as Open Space

While *hazardous lands* may be utilized for open space, to improve public access to waterways, or for passive recreation or leisure purposes there is no obligation for any Local municipality to accept such lands as part of parkland dedication under the Planning Act. Local Municipalities are also not required to purchase such lands, nor is it intended that such lands are necessarily open to and accessible by the public.

6.2.12 Unidentified Hazards

In some circumstances, the scope or extent of a hazard may not be known. Where a proposal includes a suspected hazard or if the extent of a known hazard has not been confirmed, the approval authority and the Local municipality must be satisfied that the development will not be affected. The development proposal should be designed to avoid the hazard or engineered to withstand the hazard where permitted. Municipalities may require supporting technical studies prepared by a qualified individual.

6.2.13 Restoration

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

6.2.14 Land Use Plan and Reference Documents

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

6.2.15 Zoning and Site Plan Control

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

Table 6.1 Natural Hazards and Development Standards				
Waterway	Natural Hazard	Natural Hazard Limit	Prohibited Uses	Access Requirement
St. Lawrence River System				
Township of South Dundas frontage	Flood, erosion, dynamic beach	30 m setback from a stable slope allowance or the regulatory flood elevation (74.6m – 75.7m GSC), erosion hazard , or dynamic beach hazard , whichever is greater. ¹	<ul style="list-style-type: none"> • New buildings or structures (except Permitted Uses) • Disposal, manufacture, treatment or storage of hazardous substances • Institutional uses • Essential emergency uses (e.g. ambulance buildings) • Site alteration such as fill, grading or excavation that causes a significant change to the natural land form or native vegetation of a site or impacts flood storage capacity of adjacent watercourse • Creation of a new lot or change in land use where development cannot be accommodated outside of the natural hazard(s) 	Shall include a 6-m erosion access allowance unless otherwise determined by accepted scientific, geotechnical, and engineering principles ⁴
Ault Island (South Stormont west boundary) to City of Cornwall boundary	Flood, erosion	30 m setback from a stable slope allowance or limit of the regulatory flood elevation (74.62 m GSC), whichever is greater. ¹		
Former Charlottenburgh Township frontage (South Glengarry)	Flood, erosion	30 m setback from a stable slope allowance or the regulatory flood elevation (47.7 m-47.3 m GSC) whichever is greater. ¹		
Former Lancaster Township frontage (South Glengarry)	Flood, erosion	30 m Setback from a stable slope allowance or the regulatory flood elevation (47.3 m - 47.2 m GSC) whichever is greater. ¹		
Raisin River and branches, South Nation River and branches, Loch Garry, Middle Lake, Delisle River, Beaudette River, Black Creek, Hoople Creek, Castor River, Garry River, Mill Pond, Grays Creek, Payne Creek				
All reaches of the waterway where flood plain mapping has been prepared ²	Flood, erosion	The greater of the regulatory flood line or erosion hazard .		
All reaches where slope stability mapping has been prepared	Unstable Slopes ³	Setbacks determined based on slope stability classification and an associated geotechnical investigation.		
All Other Rivers, Streams, and Watercourses				
All reaches	Flood, erosion	15 m from the top of bank except as otherwise determined by a qualified professional.		
¹ Stable slope allowance is a horizontal allowance measured landward from the toe of the shoreline bank to a distance that is three times the height of the bank. See local Conservation Authority flood elevations along reaches of the St. Lawrence River System (i.e. Official Flood Plain Mapping).				
² Reference should be made to Conservation Authority engineered flood plain mapping (e.g. Official Flood Plain Mapping). The geodetic elevations determine the location of the flood plain upon the subject property. In St. Andrew's West, no opening shall be permitted below the 69.7 m elevation.				
³ Unstable slopes on the South Nation River exceed flood plain such that a greater setback is required.				
⁴ Access allowance along one side yard, as well as along the shoreline/bank, or as determined by technical information and supported by the MNRF Hazard policies delegated to the local Conservation Authority. No permanent above or below ground structures, rooflines, retaining walls, fences, landscaping features, etc. shall be permitted within the allowance for heavy equipment access.				

6.3 HUMAN-MADE HAZARDS

6.3.1 Description

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

6.3.2 Inventory

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

6.3.3 Evaluation and Restoration

Known or potentially contaminated sites shall be assessed and remediated in a manner consistent with the Environmental Protection Act, relevant regulations, and Ministry of the Environment and Climate Change (MOECC) guidelines as a condition of their reuse or **redevelopment**. See section 6.3.5 – Brownfields for more information on processes to be used on known contaminated sites.

Local Municipalities may require abandoned pits or quarries be rehabilitated or restored to a safe condition of as a condition of **redevelopment**.

6.3.4 Zoning Controls

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

6.3.5 Brownfields

Brownfields are typically former industrial and commercial sites that are underused, derelict or abandoned and may or may not have soil or water contamination.

The development or redevelopment of potentially contaminated sites shall be consistent with the requirements of the Environmental Protection Act and Ontario Regulation 153/04.

Sites known or suspected to have contaminated soils should be assessed for environmental condition. A Record of Site Condition (RSC) may be required either prior to the development

approval, at the time of release of conditions of approval, or at the time of issuance of building permits, as required by the local municipality.

When considering applications for development (especially for sensitive uses) which include sites suspected or known to be contaminated, the municipality may require a Phase I and/or II Environmental Site Assessment be completed by the applicant. The municipality may require site remediation as a condition of development. Where a property is being changed from industrial or commercial use to residential or parkland use a Record of Site Condition must be filed by a qualified person.

Local Municipalities are encouraged and may provide for the reuse or **redevelopment** of brownfield sites by using any of a variety of tools including:

1. The preparation of community improvement plans under Section 28 of the Planning Act of which a component may be a program to issue grants or loans for rehabilitation;
2. Heritage conservation through the making of loans or grants for the restoration, renovation or repair of designated properties under Section 39 of the Ontario Heritage Act on terms and conditions established by a municipal council;
3. The use of financial incentives or grants where authorized by the Municipal Act;
4. Exemptions from development charges under the Development Charges Act as an incentive to the development of new commercial, industrial or other land uses; and
5. Incentives and provisions of the Brownfields Statute Law Amendment Act.

6.4 CONSULTATION AND REFERENCES

The following agencies shall be consulted where appropriate:

1. The Raisin Region Conservation Authority, Rideau Valley Conservation Authority, or the South Nation Conservation Authority for filling, dredging, construction, erosion control and alterations to waterways in areas of their respective jurisdictions affected by Ontario Regulations issued under the Conservation Authorities Act (Raisin Region: O.R. 140/90; South Nation O.R.724/94) and, slope stability inspection and setback requirements. The Land Use Schedules show the geographic area administered by each of these agencies.
2. Ministry of Natural Resources and Forestry for shoreline alterations on the St. Lawrence River along the Dundas County frontage and the north-east corner of the County of Glengarry.
3. Ministry of the Environment and Climate Change for requirements related to the restoration of contaminated sites and the preparation of a Record of Site Condition.
4. Ontario Stone, Sand and Gravel Association for management of Abandoned Aggregates Properties (MAAP) Program.

Reference documents:

- Technical guide for Great Lakes – St. Lawrence River Shoreline, Flooding, Erosion and Dynamic Beaches, Ministry of Natural Resources and Forestry
- Technical Guide: River and Stream Systems Flooding Hazard Limit, Ministry of Natural Resources and Forestry
- Technical Guide: River and Stream Systems Erosion Hazard Limit, Ministry of Natural Resources and Forestry
- Technical Guide for Hazardous Sites, Ministry of Natural Resources and Forestry
- Understanding Natural Hazards, 2001, Ministry of Natural Resources and Forestry
- Guideline for Use at Contaminated Sites in Ontario, Ministry of the Environment and Climate Change, 1997
- Understanding Natural Hazards, Queen’s Printer, 2001
- Guidance on Sampling and Analytical Methods for Use at Contaminated Sites in Ontario, MOE, 1996
- Guidance on Site Specific Risk Assessment for Use at Contaminated Sites in Ontario, MOE, 1996
- Rationale for the Development and Application of Generic Soil, Groundwater and Sediment Criteria for use at Contaminated Sites, MOE, 1996
- Shoreline Management Plan, Raisin Region Conservation Authority, 1992
- Slope Stability Study of the South Nation River and Portions of the Ottawa River, Ontario Geological Survey, Map 2

7 HERITAGE

7.0 INTRODUCTION

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

7.1 OBJECTIVES

1. Manage community heritage resources in a responsible manner through the development of policies, tools and processes to identify, recognize, document, protect, rescue and conserve these resources. Adopt a proactive approach towards heritage resources conservation including the development of an Archaeological Master Plan.
2. Integrate the conservation of heritage resources within development and **infrastructure** decisions which may affect those resources.
3. Incorporate heritage conservation as a sustaining element of economic development.
4. Work with First Nations partners to identify and protect areas of archaeological significance.

7.2 HERITAGE POLICIES

Heritage resources shall be managed through proactive identification, recognition, documentation, protection, conservation and rescue; these resources shall be conserved when making development and **infrastructure** decisions which may affect them. Heritage resources include built heritage resources, cultural heritage landscapes and **archaeological resources** which are important to the community or area in which they are located or are recognized for their significance at a provincial or national level.

7.3 IMPLEMENTATION

7.3.1 Development Applications and Public Works

When reviewing applications (e.g. zoning amendment, a consent for a residential, commercial, industrial or institutional use or a multi-unit residential building; or subdivision; or in the undertaking of new **infrastructure** works) consideration shall be given to the possible effects and impacts of such works on a known heritage resource or on an area of **archaeological potential**. Marine **archaeological resources** within and along the St. Lawrence River (e.g.

resources, known sites of past settlement and burial sites) shall be considered where affected by a development proposal.

A 'known' heritage resource is:

1. Designated under the Ontario Heritage Act by a municipality;
2. An archaeological site or building which has been identified or registered by the Ministry of Tourism, Culture and Sport; or
3. An archaeological site or building identified or registered by Parks Canada.

There may be other cultural heritage properties that are not yet identified but are still of local cultural heritage interest. These properties are worthy of conservation and can be identified and evaluated through processes under the Planning Act, Environmental Assessment Act, Heritage Act, and ~~Cemeteries Act~~ **Funeral, Burial and Cremation Services Act**.

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A heritage impact assessment report shall be required for development adjacent to a known heritage resource (local, provincial or federal). Development on properties that contain archaeological sites or areas of ***archaeological potential*** will require an archaeological assessment to the satisfaction of the municipality and the Ministry of Tourism, Culture and Sport.

Where a site is identified through development to contain an unmarked burial site or new archaeological features, a municipality shall contact the Ministry of Tourism, Culture and Sport and the local First Nations community, if applicable.

The Ministry of Government and Consumer Services shall also be contacted with respect to the discovery of burial sites and unmarked cemeteries and matters related to the Funeral, Burial and Cremation Services Act.

The development process may result in the need for archaeological preservation on site or rescue evacuation of significant ***archaeological resources***. Council's preferred option is for archaeological resource preservation on site, to ensure that the integrity of the resource is maintained.

7.3.2 Inventories

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

7.3.3 Heritage Master Plan

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

7.3.4 Heritage Resources Designation

A Local municipality may by By-law, designate properties, buildings, or structures to be of architectural or cultural heritage value or interest under Part IV of the Ontario Heritage Act or may designate a heritage conservation district under Part V of the Ontario Heritage Act. This authority may be delegated to the County by a Local municipality.

7.3.5 Zoning and Regulatory Controls

A Local municipality may protect significant *archaeological resources* and conserve cultural heritage resources on site through the passing of an archaeological zoning By-law (see Section 8.12.6) or by undertaking other measures under the Planning Act, the Municipal Act, the Environmental Assessment Act, The Public Lands Act and the Aggregate Resources Act.

7.3.6 Economic Benefit

A Local municipality may develop strategies or measures to recognize, promote or enhance the economic benefit of the heritage resource for the community or the County including enhancement for tourism. This may require an evaluation of the economic impact of development proposals on or adjacent to cultural heritage resources.

7.3.7 Heritage Committees

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

7.3.8 Heritage Conservation Incentives

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

7.3.9 Adaptive Re-Use

Council shall support the reduction of waste from construction and demolition debris by promoting and encouraging adaptive reuse of older and existing building stock or by recycling as much material as reasonably possible.

7.4 CONSULTATION AND REFERENCE

The following agencies shall be consulted where appropriate:

1. Municipal Heritage Committee for the designation of a property or the designation of a heritage district.
2. Ministry of Tourism, Culture and Sport in the discovery of new archaeological features, unmarked burial sites, requirement for review or implementation of a heritage impact assessment report, or the designation of a Heritage Conservation District.
3. Ministry of Government and Consumer Services for unmarked burial sites or cemeteries and matters related to the Funeral, Burial and Cremation Services Act, 2002.
4. First Nation Communities for identification of areas of ***archaeological potential***, review or implementation of a heritage impact assessment report.
5. St. Lawrence Parks Commission for review or implementation of a heritage impact assessment report adjacent to Commission lands.

Reference documents:

- Criteria for Evaluating Archaeological Potential - Ministry of Tourism, Culture and Sport, 2015;
- Criteria for Evaluating Marine Archaeological Potential - Ministry of Tourism, Culture and Sport, 2016;
- Heritage Resources in the Land Use Planning Process Ministry of Citizenship, Culture and Recreation, 2005; and
- Provincial Policy Statement, 2014.

8 IMPLEMENTATION

8.0 INTRODUCTION

Planning authorities have many tools to implement the Official Plan. This Section of the Plan lists tools which may assist in the implementation of this Plan. Reference is made to many different provincial statutes and/or Regulations. The list does not include all legislation, particularly, those Acts and Regulations which are administered by the federal or provincial government.

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

The County requires pre-consultation prior to accepting applications for Plan of Subdivision or Condominium, or an Official Plan Amendment. The County also requires applicants to pre-consult with the local municipality for all consent applications. Where an application for Consent has access on a County Road, or where there are significant constraints (aggregate resources, *Provincially Significant Wetlands*, Source Protection Areas, flood plain, etc.) additional pre-consultation with agencies may be required.

Local Municipalities may also require pre-consultation for approvals granted at the local level (zoning by-law amendment, minor variance, site plan control, etc.).

8.1 BUILDING CODE ACT

8.1.1 General

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

8.1.2 Property Standards

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

The By-law may be reviewed from time-to-time with respect to the standards for maintenance of buildings and shall include consideration for:

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- The maintenance of yards and accessory buildings;
 - The maintenance of residential and non-residential buildings and structures;
 - Occupancy standards;
 - Notices and orders; and
 - Administration and enforcement measures.

Property maintenance and occupancy standards may also be used to protect cultural heritage resources. Local municipalities may prescribe minimum standards for the maintenance of heritage attributes for properties designated under the Ontario Heritage Act.

8.2 CONDOMINIUM ACT

8.2.1 General

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

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

8.2.2 Applications

Applications shall be made to the County using the prescribed forms and shall set out a description suitable for registration on title unless otherwise exempted by Council. A Local Municipality may enter into an agreement with the applicant for the provision of services or such other matters as are governed by Section 51 of the Planning Act (see Section 8.12.13 - Subdivisions).

8.3 CONSERVATION AUTHORITIES ACT

The Conservation Authorities Act provides for the creation of Conservation Authorities in Ontario, their administration and funding, and more importantly, for the conservation, restoration and responsible management of Ontario's water, land and natural habitats through programs that balance human, environmental and economic needs. The Act provides the enabling authority to establish and enforce Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulations within their respective jurisdictions. Permits and associated fees may be required for development approvals.

8.4 DEVELOPMENT CHARGES ACT

8.4.1 Statement of Intent

Development charges can be collected against land to pay for increased capital costs required because of increased needs for services arising from development of the area. This constitutes a statement of intent of County or Local Municipal Council to carry out or authorize to be carried out, various public works as described specifically or in general terms in this Plan and which may be the subject of a development charge.

8.5 ENVIRONMENTAL ASSESSMENT ACT

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

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

8.6 ENVIRONMENTAL PROTECTION ACT

The Environmental Protection Act provides mechanisms to protect the environment; this applies to the public as well as to the Council of a Municipality. A Municipality shall ensure that

the appropriate approvals are in place when reviewing a planning application or in undertaking a public works affected by the EPA, prior to the commencement of the project.

8.7 FISHERIES ACT

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

8.8 LOCAL IMPROVEMENT ACT

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

8.9 MUNICIPAL ACT

The Municipal Act provides the enabling authority with a variety of By-laws which serve to implement features of this Plan or to authorize other actions of a Municipality as follows:

1. Section 31 - Establishing a highway
2. Section 34 - Closing a highway
3. Sections 37/38 - Closing a private road
4. Sections 47/48 - Naming a road
5. Sections 58/59 - Zoning and sign restrictions on a County road
6. Section 92 - Controlling discharges into a sewer (sewer use By-law)
7. Section 99 - Regulating signs
8. Section 123 - Regulating dangerous places (e.g. cliffs, deep water)
9. Section 124 - Regulating pits and quarries
10. Section 127 - Regulating refuse and debris
11. Section 129 - Regulating noise, odour, dust, vibration, and outdoor illumination
12. Section 131 - Regulating wrecking yards
13. Section 135 - Regulating tree cutting or injury to trees
14. Section 142 - Site alteration control (e.g. dumping, filling, topsoil removal, grade alteration)
15. Section 151 - Licensing adult entertainment establishments
16. Section 166 - Designation and registration of group homes
17. Section 168/169 - Licensing trailers and trailer camps
18. Section 170 - Licensing motor vehicle racing
19. Section 204 - Establishing a Business Improvement District

8.10 NUTRIENT MANAGEMENT ACT

The Nutrient Management Act deals with the management of materials containing nutrients that are applied to improve agricultural crops or for a purpose specified by regulation. The Act does not affect the application of the Environmental Protection Act, the Ontario Water Resources Act, or the Pesticides Act. The regulations associated with the Nutrient Management Act govern the preparation of nutrient management plans, protection of waterways and farming practices related to livestock operations.

8.11 ONTARIO HERITAGE ACT

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

8.11.1 Requirement for Archaeological Assessment

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

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

8.12 PLANNING ACT

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

8.12.1 Amendments to the Official Plan – Sections 17 and 22

It is the policy of the County that amendments to the Plan shall be required for a change in a land use designation as shown on the Land Use Plan Schedules or for a change in the substance of the policy or text of the Plan (see Section 1.7). In determining if an amendment to the Plan is required, special regard shall be had to the Growth and Settlement policies of Section 3. Any proponent of development must discuss the need for an amendment with the County and the Local municipality prior to making an application.

The County requires pre-consultation for all Official Plan Amendment applications. Applicants are strongly encouraged to attend the public meeting held for their application.

If applicable, the effect of written and oral submissions received with respect to their decision on the application will be documented.

8.12.2 Public Works – Section 24

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

8.12.3 Acquisition of Land – Section 25

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

8.12.4 Meeting to Consider Revisions to the Plan – Section 26

A major review of this Plan shall be undertaken in accordance with section 26 (1.1) of the Planning Act. Nothing shall prevent more frequent reviews and updates where warranted.

8.12.5 Community Improvement – Section 28

1. A Local municipality may, subject to the provisions of the Planning Act, carry out physical improvements within the community. **The County may also make grants or loans to the Council of a local municipality for the purpose of carrying out a community improvement plan, on such terms as council considers appropriate.** In establishing a Community Improvement Area, consideration shall be given to the following matters:
 - a. The extent or deficiencies in public services, public service facilities or **infrastructure**;
 - b. Building stock, including municipal buildings, which do not meet a Local Municipality's Property Standards By-law;
 - c. The presence of vacant buildings/lands that could be developed, redeveloped or converted to another use;
 - d. The opportunity to expand the supply of housing;
 - e. The need to improve the streetscape or aesthetics of an area;
 - f. The presence of incompatible land uses; and
 - g. The presence of older industrial lands (e.g. brownfields) that exhibit deficiencies but provide opportunities for **redevelopment**.

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2. ~~All Settlement Areas including areas immediately adjacent shall be considered Community Improvement Areas. Outside of Urban Settlement Areas and Rural Settlement Areas, all existing industrial, commercial, institutional sites, extractive resource operations, salvage yards, public service facilities, waste disposal sites and County Road frontages shall be considered Community Improvement Areas. Additional Community Improvement Areas may be designated on the Land Use Schedules by~~

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~~amendment to this Plan. All Community Improvement Areas shall be eligible for the establishment of one or more Community Improvement Project Areas.~~

~~A Local Municipality may implement measures for community improvement including, but not limited to:~~

- ~~a. The designation of Community Improvement Project Areas by By-law and the preparation of Community Improvement Plans for one or more project areas.~~
- ~~b. Scheduling community improvement projects in accordance with municipal budgets.~~
- ~~c. Enforcement of the Property Standards By-law.~~
- ~~d. Utilizing senior government funding programs and/or partnering or soliciting financial support or contributions in kind from the public or private sector.~~
- ~~e. Supporting, through the development of land use and design criteria, proposals for conversion, infill, **redevelopment** or **intensification** of land or buildings.~~
- ~~f. Pursuant to Section 28 (3) of the Planning Act, a Local municipality may acquire and clear land for the purposes of implementing a program of community improvement.~~
- ~~g. Preparing appropriate policies and guidelines to direct streetscape improvements in residential, commercial and industrial areas.~~
- ~~h. Providing and encouraging buffering techniques to reduce the impact of incompatible land uses using mechanisms such as site plan control and development permits.~~
- ~~i. Considering the use of property tax or other financial incentives for the **redevelopment** of 'Brownfield', older industrial areas, commercial areas, or other areas considered suitable for **redevelopment**.~~
- ~~j. Supporting Municipal Heritage Committee and heritage conservation initiatives as set out in the heritage policies of this Plan.~~
- ~~k. Providing grants or loans to the registered owners or assessed owners of lands and buildings within a community improvement project area to pay for the whole or any part of the cost of rehabilitating such lands, or in undertaking other measures which conform to the community improvement plan.~~
- ~~l. To reduce flooding in hazard or flood prone lands by encouraging the conservation authorities to develop and identify a two-zone concept for **flood plain** management in areas of historical development.~~

The intent of this Plan is to recognize the entire County as a Community Improvement Area eligible for the establishment of one or more Community Improvement Project Areas.

8.12.6 Zoning By-laws – Section 34

A zoning by-law shall reflect the principles, policies and land use descriptions in this Plan and shall be in conformity with this Plan. The By-law shall zone land and establish regulations to

control the use of land and the character, location and use of buildings and structures (e.g. retaining walls, fences, signs, communication towers, sewage disposal systems, recreation vehicles, swimming pools, docks, wharves, manure storage facilities etc.) and recognize existing legal non-conforming uses in accordance with this Plan.

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

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

A Local municipality may require pre-consultation prior to accepting an application Zoning By-law Amendment or an application for Minor Variance.

Local Municipalities may also implement alternative notice requirements for technical Zoning By-law Amendments where the amendments are required to fully implement an approved consent or zoning by-law amendment or for housekeeping purposes.

8.12.7 Holding Zone – Section 36

A “holding” designation may be used, in the form of a symbol “H”, to show a future zoning designation while retaining control of the timing of development. The “H” shall be a suffix to the zone designation. Where the zoning by-law includes a “H”, the use of the land shall be limited to the existing uses.

8.12.7.1 Rationale for the Use of Holding By-laws

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

1. To hold land from development until water and sewage services, stormwater management facilities, roads or transportation services are provided, or, studies have been undertaken to prove that servicing is possible on the site and the servicing has been included in the Municipal budget or provided for through a Subdivision Agreement or other acceptable means with a developer;
2. To hold land that is designated in the Official Plan, but, as yet is undeveloped until a proposal is submitted to develop or redevelop the land for the use/uses intended in the Official Plan;
3. To hold land from development until other environmental or physical improvements to the site are made. For example, road improvements or infill on a site may be required prior to development of the site;
4. To prevent or limit the use of land to achieve orderly phased development;
5. To ensure that all conditions of development including financial requirements and agreements in accordance with the provisions of this Plan and/or the Planning Act, have been complied with;

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6. Contaminated sites may be placed in a Holding Zone in the Local municipality's zoning By-law. Where a holding zone is used, the "H" symbol may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the Local municipality and in accordance with a site remediation plan and subject further, to the submission of an acceptable Record of Site Condition to the Ministry of the Environment.

8.12.7.2 Conditions to Remove the Holding Symbol

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

1. Approval of servicing the site /area is given or servicing of adequate standards is provided on the site;
2. A proposal is submitted for a site that conforms to the policies of the Official Plan;
3. A phasing plan is submitted;
4. Architectural or design drawings and studies, where applicable, are submitted showing the required features;
5. Financial securities have been submitted (e.g. bond or letter of credit).

With respect to contaminated sites, the "H" may be removed upon the receipt of a report approved by Council that the appropriate level of remediation, demonstrated by a Record of Site Condition, has been acknowledged by the Ministry of Environment.

Council can consider an application to remove the "H" symbol when the Local Municipality is satisfied that the above circumstances and conditions have been met in full. Notice of Council's intention to remove the holding symbol will be given in accordance with the requirements of the Planning Act.

8.12.8 Interim Control By-laws – Section 38

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

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

8.12.9 Temporary Use By-laws – Section 39

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

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

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

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

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

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

8.12.10 Site Plan Control – Section 41

8.12.10.1 Policies

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

1. Any industrial, commercial or institutional use;
2. Any multiple residential use (including secondary units), home occupation or bed and breakfast establishment;
3. Any lands abutting or including a water body, natural or human-made hazard, or natural heritage feature;
4. All conversions and **redevelopment** within any of the above categories;
5. A home-based business;
6. A wellhead protection area or intake protection zone; and
7. Any other land use or area included in a Local Municipal site plan control By-law.

A Local municipality may, by By-law, designate one or more areas as Site Plan Control areas. A Local municipality may require the submission of plans and drawings for all development proposals within the Site Plan Control area. Municipalities may use site plan control for residential development in Rural Settlement Areas.

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

8.12.10.2 Authority of a Local municipality

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

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

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11. The location and extent of any easements or other covenants on the land to be conveyed to the Local municipality or a local board for public utilities.

8.12.10.3 Authority of the County

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

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

Agreements entered into under the authority of Section 41 of the Planning Act may be for the provision of any or all of the facilities, works or matters as provided for in the Act and the maintenance thereof and for the registration of such agreements against title to the land to which they apply (County and/or a Local municipality). The County will work with the Local municipality through pre-consultation and review of site plan control applications.

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

It is a policy to require the conveyance of parkland or the cash-in-lieu equivalent for residential and non-residential development as a means to implementing the policies for parks and open space areas of this Plan (see Section 3.5.2.8). Where a Local municipality requests cash-in-lieu, the value of the land shall be determined on the day before the day the building permit is issued. This policy shall apply to new lot creation, not to a retained lot. Cash-in-lieu may be used where the resulting park site is too small, where there is no suitable location for a park or where the money can be better used to acquire other parkland or add onto an existing park in the area.

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

1. Contribute to the equitable distribution of parkland and green space within the community;

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

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

8.12.12 Committee of Adjustment – Sections 44 and 45

8.12.12.1 Status of Legal Non-Conforming Uses

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

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

1. That the use was legally established prior to the passing of any of the zoning By-laws as set out in Section 8.12.7 of this Plan;
2. That the use has continued without interruption from the date of its establishment, or in the case of an interruption, that there has been a reasonable attempt to continue the use; and
3. That the use is deemed to have existed and continued only if there was in fact, an actual user directly involved with the use.

8.12.12.2 Enlargement or Expansion or Change to a Legal Non-Conforming Use

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

1. The extension or enlargement does not aggravate the non-conforming situation for neighbouring uses;
2. The extension or enlargement is in reasonable proportion to the existing use and to the land on which it is to be located;
3. The proposed extension or enlargement will not create undue noise, vibration, fumes, smoke, dust, odours, glare from lights nor environmental hazards;
4. Traffic and parking conditions in the vicinity will not be adversely affected. Traffic impacts will be kept to a minimum by the appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections;

5. Adequate provisions have been or will be made for off-street parking and loading facilities where they apply;
6. **Infrastructure** and public services where applicable, such as water and sewer, storm drainage, roads, school bussing etc. are adequate or can be made adequate (e.g. upgrading, extending or widening a road to provide safe access or to carry increased volumes of traffic arising from an extension, expansion or change in a non-conforming use);
7. Section 4.3.3.7 shall apply with respect to existing land uses within a wellhead protection area;
8. Section 5.5.6 and Table 5.2 shall apply with respect to uses in a **Provincially Significant Wetland** and the **significant** portions of the habitat of an endangered or threatened species; and
9. Section 6.6.2 shall apply with respect to development or **site alteration** in a **flood plain**.

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

8.12.13.1 Plans of Subdivision

Development shall generally take place by plan of subdivision where permitted under Sections 3.2.1.2, 3.2.1.5, and 3.3 of this Plan where three or more new lots/blocks are proposed. Consents shall otherwise be the method of land division.

Mod #21
a.

~~An application for a plan of subdivision shall be in accordance with the requirements of the Planning Act and shall be consistent with the Provincial Policy Statement.~~ An application for a plan of subdivision shall be made in accordance with the requirements of the Planning Act. A municipal decision on a plan of subdivision shall be consistent with the Planning Act and the Provincial Policy Statement. Additional information may be required in assessing the need, appropriateness and the location of the subdivision. The County shall only consider plans of subdivision which comply with the policies of this Plan and which can be supplied with adequate and cost effective public service facilities to the satisfaction of the Council. The review of a subdivision application shall be subject to the Land Division Review Criteria set out below.

8.12.13.2 Consents

Provisions relating to the granting of consents are set out in Sections 51 and 53 of The Planning Act. Decisions on consent applications shall be consistent with the Provincial Policy Statement in addition to the Land Division Review Criteria set out below. The effect of written and oral submissions received with respect to their decision on the application will be documented, if applicable.

8.12.13.3 Land Division Review Criteria - Plans of Subdivision and Consents

1. The applicant must pre-consult with the local municipality prior to applying to the County.
2. The applicant must submit all required fees including the fees payable the County and Conservation Authority if applicable.

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

Where the land is in the Rural District and the lot existed as of:

 - I. January 1, 1980 in North Stormont and South Glengarry;
 - II. September 12, 2001 in North Glengarry; and
 - III. August 18, 2006 in North Dundas, South Stormont and South Dundas;

up to two consents for residential purposes may be granted for a legally conveyable lot, excluding the retained lot, where the approval authority is satisfied that a plan of subdivision of the land is not necessary for proper and orderly development.
 - b. Within the Township of South Glengarry consents along the waterfront shall be granted under the following circumstances subject to conformity of the Township of South Glengarry's Zoning By-law and the Official Plan:
 - i. To dispose of a second or additional dwellings on an existing lot (excepting secondary units);
 - ii. To allow for a lot addition where the net result is to increase the size and serviceability of the lot; and
 - iii. To allow for a lot addition to consolidate land in the conversion of a cottage or seasonal dwelling to a permanent dwelling if the lot has frontage on a public road.

Consents shall not be granted under the following circumstances:

 - iv. To create undersized lots for waterfront access only; and
 - v. To create undersized lots to access existing boathouses and/or docks.
 - c. In the Urban Settlement Areas, there shall be no limit on the number of consents provided the approval authority is satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the land and that the pattern of lots will provide for the compact and efficient use of land.

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- d. In Rural Settlement Areas, where the scale of development does not require a Plan of Subdivision, consents will be considered if the proposed lot:
 - i. represents infilling in a built-up area
 - ii. is compatible with the frontage and density pattern of the surrounding area
 - iii. fronts on a Municipal road (open and maintained year-round)

Applicants may be required to provide both a hydrogeological assessment to demonstrate suitability for private services and a lot grading and drainage plan to support the consent application. These supporting documents must be prepared by qualified professionals.

- e. Consents may be granted for non-residential purposes in an Urban or Rural Settlement Area or the **rural lands** if the lot is of a size appropriate for the type of non-residential; is sufficiently large to maintain flexibility for future changes in the type or size of the use and meets other applicable policies (e.g. access, water and sewage systems, land use compatibility and zoning standards). In no case will an additional severance be granted for lots or parcels of land which overlap the Agricultural Resource Lands designation.
- f. This policy shall not limit the granting of a technical severance (see Section 8.12.13.2.23).

7. Agricultural Resource Lands

- a. A consent may be granted on lands designated as Agricultural Resource Lands as shown on the Land Use Plan Schedules for:
 - i. An agricultural use (e.g. crop land, livestock operation, aquaculture, agro-forestry or maple syrup production) if the lot is of a size appropriate for the type of agricultural use common in the area and is sufficiently large to maintain flexibility for future changes in the type or size of the agricultural operation;
 - ii. An **agriculture-related use**; or
 - iii. A residence surplus to a farming operation, if;
 - I. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 - II. the Local municipality shall, through the Zoning By-law or other municipality approach, prohibit further dwellings on the vacant retained lands created by the subject consent.

Within the Agricultural Resource Lands designation, local municipalities may recognize existing rural residential uses and permit new residential dwellings on existing lots of record, subject to the provisions of the municipal Zoning By-law.

8. Extractive Resource Lands

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- a. A consent will not be granted on Extractive Resource Lands except for an extraction use (e.g. pit, quarry or peat extraction) or an extraction-related use (e.g. value-added industry, concrete or asphalt plant, peat processing use). A consent may be granted on lands identified as an extractive resource lands overlay constraint where the policies of Sections 5.4 are satisfied.
 - b. The lot(s) to be subdivided or severed and to be retained shall meet the requirements of any zoning By-law having application and shall be adequate for:
 - i. the principle use of the land, buildings, or structures, any accessory uses, parking, loading, access, landscaping/buffering, storage including snow storage;
 - ii. lot frontage and depth;
 - iii. setbacks from roads, lot lines, water bodies etc.;
 - iv. allowing **development** where constraints exist such as topography, organic soils, rock, slope, wetlands.
 - c. The lot(s) shall meet the influence area or special setback requirements where the intended use of the lot is for a **sensitive land use** (e.g. a dwelling, daycare facility, educational facility or health care facility, church, campground), or the lot is for a use where there is the potential for an incompatible land use (e.g. industrial uses, waste management systems, livestock operation, sewage treatment plant/waste stabilization pond, pit or quarry, natural or human-made hazard, noise or vibration generating use.)
9. Applications may be required to be supported by studies or other information which are needed by this Plan, including the following:
- a. Capacity of public service facilities
 - b. Water and sewer servicing capacity
 - c. Servicing options report
 - d. Stormwater management
 - e. Location within an influence area
 - f. Transportation study
 - g. Noise and vibration
 - h. Minimum distance separation I and II
 - i. Impact assessment
 - j. Water resources conservation
 - k. Flood proofing, protection works, restoration
 - l. Organic soils
 - m. Geotechnical studies for unstable slopes
 - n. Contaminated sites
 - o. Heritage impact/archeological assessment
 - p. Land use compatibility studies
 - q. Topographic and floodplain survey and associated technical information;

Mod #22
a.

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- r. Wildland Fire Assessments
10. Applications should be supported with information or evidence to verify suitability of the lot for sewage disposal (e.g. approval under the Building Code, Ontario Water Resources Act or a servicing options report) where sewage disposal is required. A hydrogeological study shall be required for any subdivision to be serviced by individual on-site systems or where lot creation will be for one or more lots having a lot area of less than 0.4 ha (see Section 4.3.3). Lot creation shall also satisfy the requirements for stormwater management (see Section 4.3.4)
 11. The application should be supported with information to verify suitability of the water supply (e.g. a water supply assessment or servicing options report) where required.
 12. The lot(s) shall have frontage on and direct access to an open year-round maintained public road unless otherwise exempted (see Section 3.5.1.3). Frontage may be exempted for farm land or extractive operations where back lands are otherwise accessible (e.g. unopened road allowance, right-of-way, from abutting lands owned by applicant) and where the local municipality has passed a Council Resolution of support. These lands must be rezoned to prohibit residential buildings.
 13. Consents should not be granted which may limit access to interior lands. Provision shall be made for future road allowances at strategic locations. Local Municipalities may require increased setbacks on adjacent lands to ensure adequate setbacks from a potential road allowance.
 14. In the case of a private road, documentation shall be provided of the legal rights (e.g. registration on title) to gain access over an existing private road as well as the nature of the road (length, physical condition, suitability for use by emergency vehicles, arrangements for maintenance and snow removal and potential for assumption by a Local municipality).
 15. Where the lot(s) proposed front(s) on a provincial highway or a County Road, applicants shall pre-consult with the Ministry of Transportation or the County respectively. Also, where the Ministry/County has identified the need for a road widening, the necessary land shall be dedicated as a condition of approval (see Sections 4.3.6).
 16. The access or entrance to any lot should not create a traffic hazard (e.g. on a curve or a hill where a driver's sight line is blocked or impaired). The applicant shall receive prior approval from the Municipality for the location and installation of an entrance and/or culvert.
 17. Where the potential for a cultural heritage site or archaeological site has been identified, an archaeological assessment will be required. The applicant should consult with the Municipality, County, or the Ministry of Tourism, Culture and Sport as required.
 18. Approval will not be granted which has the effect of limiting access to back lands for future development or which has the effect of creating land locked parcels.
 19. Approval may not be granted in areas where the undue extension of municipal services would be required (e.g. extension of a public road or school bus route).

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20. Lot creation will not be permitted on a water body where the lake has reached its development capacity and no residual capacity exists for that water body.
 21. A consent may be granted which has the effect of enlarging existing undersized lots (e.g. through lot addition).
 22. Where new lots are being created, part of which will be subject to flooding or erosion, unstable slopes or other physical hazards, there must be a sufficient area of and above the natural hazard limit to place the buildings and services in accordance with the applicable policies of this Plan and the local Zoning By-law.
 23. Despite the criteria outlined above, a consent may be granted for a technical severance as follows:
 - a. To correct lot boundaries;
 - b. To convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized lot for the purpose for which it is being or will be used;
 - c. To clarify title to the land;
 - d. Where the effect of the consents does not create an additional building lot;
 - e. To permit an easement;
 - f. To permit a consent for municipal or other government purposes.
 24. Conditions may be imposed by the approval authority in the granting of a consent or draft approval of a subdivision which may include but not be limited to the following:
 - a) A zoning By-law amendment or a minor variance;
 - b) Site plan control;
 - c) The dedication of land or cash-in-lieu of parkland;
 - d) The conveyance of land or conveyance for easements for utilities, access control or drainage;
 - e) The construction or upgrading of roads or the installation or improvement of drainage facilities and culverts, or the installation of **infrastructure** required to service the development or provide access (e.g. the installation of sewage and water systems);
 - f) The establishment of buffer strips and landscaping;
 - g) The construction of flood proofing structures;
 - h) Undertaking a heritage impact assessment and/or the conservation/rescue of heritage resources;
 - i) Demolition of buildings or structures and/or measures to remediate the property due to hazardous or contaminated conditions;
 - j) The implementation of mitigation measures to ensure compatibility amongst land uses and to conserve or protect **natural heritage features**;
 - k) The entering into of an agreement including provisions of financial guarantees;

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- l) The undertaking of any studies required to support the application (see Section 8.12.13.3.9);
 - m) The demolition or removal of farm buildings and structures and/or other appropriate measures related to residential lots created through residences surplus to a farming operation;
 - n) The consolidation or removal of entrances;
 - o) Any other matters as deemed appropriate by the approval authority.

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

8.12.13.4 Part-Lot Control

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

8.12.13.5 Deeming Plans of Subdivision

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

8.12.13.6 Tariff of Fees – Section 69

A Municipality may by By-law, adopt a tariff of fees to levy fees for processing planning applications including:

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

8.12.13.7 Requirements for Public Consultation

Public consultation for Official Plan amendments, Official Plan revisions, Zoning By-laws, Plans of Subdivision, and proposed consents shall meet the requirements of the Planning Act and shall include local First Nations (Eastern Ontario First Nations Working Group). This does not limit a Municipality's ability to go above and beyond statutory requirements. This includes processes for aggregate related Zoning By-law and Official Plan Amendments where the municipality may require the public meeting under the Planning Act be held prior to similar meetings being held under the Aggregate Resources Act (ARA). This can ensure members of the public provide input through the most appropriate process and do not miss the opportunity to participate in the ARA comment window.

For Official Plan Amendments, at least one public meeting must be held, notice of which must be given 20 days ahead of time. This is generally done through circulation by mail, local newspapers, and the County and local Municipal website.

For the Official Plan Review under subsection 26 (1) of the Planning Act, a special meeting of Council shall be held that is open to the public, as well as an open house information session and at least one public meeting. Adequate information, including a copy of the proposed Plan, will be made available to the public in advance of the public meeting. Any person or public body may provide written comments and/or speak at the public meeting about the proposed plan.

County Council will appoint a Planning Advisory Committee which must include at least one resident who is neither a member of Council nor an employee of the County.

8.13 COMMUNITY PLANNING PERMIT SYSTEM

The County or other Local municipality may explore the potential use of a Community Planning Permit System pursuant to the Planning Act. Comprehensive policies shall be established by amendment to this Plan.

8.14 PUBLIC LANDS ACT

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

8.15 PUBLIC TRANSPORTATION AND HIGHWAY TRAFFIC ACT

The Ministry of Transportation controls all development within its permit control area through the Public Transportation and Highway Improvement Act. The Ministry of Transportation protects lands for future highway expansion, improvements to Provincial Highways, and the operating capacity of its highways by controlling the location of development and access through permits. Those who wish to develop property within the permit control area must comply with the Ministry's regulations and

policies. Early pre-consultation with the Ministry of Transportation is encouraged to ensure an efficient development review process.

8.16 GEOGRAPHIC INFORMATION SYSTEMS

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

9 SPECIAL LAND USE DISTRICTS

9.0

9.1 INTRODUCTION

The County Plan is a document which provides policy direction for future growth and settlement in the County. The Plan also recognizes the impact the current settlement pattern on the County’s future. This includes past decisions of municipal Councils. **Special land use districts identified on Schedules A1, A2, A3, A4, A5, and A6 are overlays.**

Mod #23
a.

This section of the Plan recognizes past land use decisions and potential land use developments on a site-specific basis. **These include special land use districts and special policy areas. Special land use districts are areas with legal non-conforming uses.** The following is a list of special land use districts, which for the most part are site specific to one lot or property holding. While these uses are legally allowed to continue, in the long-term they are intended to be replaced by uses that fully conform with the Official Plan. **Special land use areas are areas where one or more uses are permitted subject to specific policies of that section.**

Mod #23
b.

Mod #23
c.

SDG, ND & SG – Appeal
SDG,ND & SG oppose the use of the term “legal non-conforming uses” in relation to the list of special land-use

9.2 SPECIAL LAND USE DISTRICTS

The tables below set out the list of permitted uses and development criteria for various locations. These uses comply with the general intent of this Plan.

Table 9.1.1 - SPECIAL LAND USE DISTRICTS, TOWNSHIP OF NORTH DUNDAS

SS – Appeal
Paragraph 2 and Mod #23b

Item	Roll Number	Legal Description	Development Criteria
1	0511-011-000-46000	Pt. Lot 13, Conc.1	Notwithstanding the Agricultural Resource Land policies to the contrary, an auto body repair shop shall be permitted on lands described as Part 1 on Plan 8R-412.
2	0511-011-002-69700	Pt. Lot 15, Conc. 2	Notwithstanding the Agricultural Resource Land policies to the contrary, a canvas repair shop or similar use of the same size and scale are permitted on lands described as Part 1 on RP8R-1328.
3	0511-011-004-47500	Pt. Lot 21, Conc. 3	Notwithstanding the Agricultural Resource Lands policies to the contrary, a transport truck terminal and accessory dwelling unit may be permitted on

			lands described as Part 1 on RP8R2750.
4	0511-011-004-80085	Pt. Lot 5, Conc. 4	Notwithstanding the Rural District policies to the contrary, on land described as Part 1 on RP8R-4191, a snowmobile club house shall be permitted along an unopened road allowance.
5	0511-011-007-85200 and 0511-011-007-84500	Pt. Lot 23, Conc. 6	Notwithstanding the Agricultural Resource Lands policies to the contrary, Commercial District uses shall be permitted.
6	0511-011-012-57000	Pt. Lot 7, Conc. 11 Only 2 ha	Notwithstanding the Rural District provisions to the contrary, on 2 hectares of land described as part of Part 1 on Plan 8R-648, the operation of a truck facility for the storage and repair of vehicles utilized in septic tank pumping related to the operation of a sewer and septic contracting business shall be permitted. A septage disposal site or septage transfer station is not permitted.
7	0511-011-014-03010	Pt. Lot 6, Conc. 12	Notwithstanding the Extractive Resource Lands policies to the contrary, an automobile repair garage and accessory dwelling shall be permitted.
8	0511-016-001-60000	Pt. Lot 18, Conc. 2	Notwithstanding the Agricultural Resource Land policies to the contrary, a construction business or similar use of the same size and scale is permitted.
9	0511-016-001-75900	Pt. Lot 20, Conc. 2	Notwithstanding the Agricultural Resource Lands policies to the contrary, an electrician's business or similar use of the same size and scale is permitted.
10	0511-016-002-94210	Pt. Lot 6, Conc. 4	Notwithstanding the Agricultural Resource Lands policies to the contrary, a five-unit apartment building is permitted. The apartment building shall be serviced by private water and sewage disposal systems on site. Such water supply and sewage disposal systems shall be subject to the approval of the Ministry of the Environment and the delegated approval authority for on-site sewage systems.
11		Pt. Lot 1, Conc. 10	Notwithstanding the provisions of the

	0511-016-009-28825		Agricultural Resource Lands to the contrary, the predominant use of land shall be for commercial facilities which are primarily intended to serve the traveling public, such as automobile-oriented facilities, eating establishments, motels, hotels, drive-in facilities, contractors yard and/or shop and similar uses.
12	0511-016-012-22200	Pt. Lot 13, Conc. 11	Notwithstanding the Agricultural Resource Lands policies to the contrary, an automotive and truck repairs are permitted, or similar use of the same size and scale is permitted.
13	0511-016-012-22210	Pt Lot 13, Conc. 11	Notwithstanding the Agricultural Resource Lands policies to the contrary, a bus depot and maintenance garage, or similar use of the same size and scale is permitted.
14	0511-016-012-27500	Pt. Lot 15, Conc. 11	Notwithstanding the Agricultural Resource Lands policies to the contrary, an auto body shop including body work and painting business or similar use of the same size and scale is permitted.
15	0511-016-006-69500	Pt. Lot 1, Conc. 7	Notwithstanding the provisions of the Commercial District to the contrary, residential use(s) shall not be permitted on the ground floor or basement. Residential use may be permitted above the ground floor.
16	0511-016-005-96500	Pt. Lot 1, Conc. 7	Notwithstanding the provisions of the Commercial District to the contrary, residential use(s) shall not be permitted on the ground floor or basement. Residential use may be permitted above the ground floor.
17	0511-016-006-80000	Pt. Lot 3 and 4 Conc. 7	Notwithstanding the policies of the Agricultural Resource Lands to the contrary, sewage lagoons and related buildings shall be permitted.

Table 9.1.2 - SPECIAL LAND USE DISTRICTS, MUNICIPALITY OF SOUTH DUNDAS

Item	Roll Number	Legal Description	Development Criteria
18	0506-006-005-54000	S Pt. E ½ Lot 26, Conc. 2, Formerly the Geographic Township of Matilda Civic#10641English Road	Notwithstanding anything to the contrary in this Official Plan, a welding/fabrication ship and ironworks sale business shall be a permitted use.
19	0506-006-005-55500	W Pt. Lot 26, Conc. 2, Formerly the Geographic Township of Matilda, Civic #5156 Carman Rd.	Notwithstanding anything to the contrary in this Official Plan, a trophy, sign shop apparel embroidery business shall be a permitted use.
20	0506-006-005-57600	Pt. Lot 27, Pt. Lot 28, Conc. 2, formerly the geographic township of Matilda, Civic # 5108 Carman Rd.	Notwithstanding anything to the contrary in the Official Plan, a biosolid, sludge storage facility shall be a permitted use.
21	0506-006-006-13100	Pt. Lot 28, Conc. 3, Formerly the Geographic Township of Matilda, Civic #5087 Carman Rd.	Notwithstanding anything to the contrary in this Official Plan, a heavy equipment, bucket manufacturing sales, service, iron works shall be a permitted use.
22	0506-006-005-61600	Pt. Lot 30, Conc. 2, Formerly the Geographic Township of Matilda, Civic #5053 Kelly Rd.	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard with heavy equipment shall be a permitted use.
23	0506-006-005-63000	Pt. Lot 31, Conc. 2, Formerly the Geographic Township of Matilda, Civic #10392 Haddo Rd.	Notwithstanding anything to the contrary in this Official Plan, drywall & insulation contracting and sales business shall be a permitted use.
24	0506-006-006-16900	N. Pt. Lot 31, Conc. 3, Formerly the Geographic Township of Matilda, Civic #4720 Carman Rd.	Notwithstanding anything to the contrary in this Official Plan, a welding/fabrication shop and ironworks sale business shall be a permitted use.
25	0506-006-008-01100	E. Pt. Lot 33, Conc. 6, Formerly the Geographic Township of Matilda, Civic #10316 Sandy Creek Rd.	Notwithstanding anything to the contrary in this Official Plan, an automotive body shop shall be a permitted use.
26	0506-006-007-20800	W Pt. Lot 19, Conc. 5, Formerly the Geographic Township of Matilda, Civic	Notwithstanding anything to the contrary in this Official Plan, a recreational vehicle sale, service and

		#11008 Gilmour Rd.	sign shop business shall be a permitted use.
27	0506-006-005-88600	E ½ of Lot 14, Conc. 3, Formerly the Geographic Township of Matilda, Civic #11317 Rowena Rd.	Notwithstanding anything to the contrary in this Official Plan, a bus depot, service, sales and repair garage shall be a permitted use.
28	0506-006-006-42800	S Pt. Lot 12 & 13, Conc. 4, Formerly the Geographic Township of Matilda, Civic #11351 Waddell Rd.	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard with heavy equipment shall be a permitted use.
29	0506-006-006-27900	Pt. Lot 3, Conc. 4, Formerly the Geographic Township of Matilda, Civic #11867 Norgaard Rd.	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard and home renovations business shall be a permitted use.
30	0506-006-006-27900	Pt. Lot 3, Conc. 4, Formerly the Geographic Township of Matilda, Civic #11867 Norgaard Rd.	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard and home renovations business shall be a permitted use.
31	0506-006-007-51000	Pt. Lot E Conc. Con. 6, Formerly the Geographic Township of Matilda	Notwithstanding anything to the contrary in this Official Plan, a trucking yard, heavy equipment and contractor's yard shall be a permitted use.
32	0506-006-006-84603	W Pt. Lot 2, Conc. 5, Formerly the Geographic Township of Matilda, Civic #11916 Cty Rd.#18	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.
33	0506-006-006-84905	Pt. Lot 2, Conc. 5, Formerly the Geographic Township of Matilda, Civic #4385 Billy Lane	Notwithstanding anything to the contrary in this Official Plan, a masonry services, wood stove sales and service and contractor's yard shall be a permitted use.
34	0506-006-006-84623	Pt. w ½ Lot 2, Conc. 5, Formerly the Geographic Township of Matilda, Civic #4389 Billy Lane	Notwithstanding anything to the contrary in this Official Plan, a masonry services, wood stove sales and services and contractor's yard shall be a permitted use.
35	0506-001-005-14600	Pt. Lot 31, Conc. 4, Formerly the Geographic Township of Williamsburg, Civic #4606, Cty Rd. #31	Notwithstanding anything to the contrary in this Official Plan, a HVAC contracting sales and service business shall be a permitted use.

36	0506-001-005-14600	Pt. Lot 31, Conc. 4, Formerly the Geographic Township of Williamsburg, Civic #4606, Cty Rd. #31	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard with heavy equipment, truck and trailer service, car sales and mini storage which may utilize steel shipping containers shall be a permitted use. Because of the fish habitat and extensive woodlands on this property, the policies in Section 5.5.3 (Fish habitat) and Section 5.5.4 (Woodlands) shall apply. Any necessary studies shall take place prior to approval of a Zoning By-law amendment and recommendations of such studies shall be reflected in the Zoning By-law amendment as appropriate.
37	0506-001-008-70400	Pt. Lot 31, Conc. 8, Formerly the Geographic Township of Williamsburg, Civic #3500, Cty Rd.#31	Notwithstanding anything to the contrary in this Official Plan, a transportation, truck terminal and trucking yard shall be a permitted use.
38	0506-001-006-69400	Pt. Lot 19, Conc. 6, Formerly the Geographic Township of Williamsburg, Civic #3851, Cty Rd.#7	Notwithstanding anything to the contrary in this Official Plan, an automotive body shop shall be a permitted use.
39	0506-001-006-72902	Pt. Lot 21, Conc. 6, Formerly the Geographic Township of Williamsburg, Civic #12856, Loucks Rd.	Notwithstanding anything to the contrary in this Official Plan, a sign contractor's yard with bucket trucks shall be a permitted use.
40	0506-001-007-66625	W Pt. Lot 24, Conc. 7, Formerly the Geographic Township of Williamsburg, Civic #4136, Cty Rd. #7	Notwithstanding anything to the contrary in this Official Plan, a sewage/septic haulage with portable toilet rentals business shall be a permitted use.
41	0506-001-004-76800	Pt. Lot 3, Conc. 4, Formerly the Geographic Township of Williamsburg	Notwithstanding anything to the contrary in this Official Plan, a stone quarry shall be a permitted use provided: <ul style="list-style-type: none"> the quarry does not interfere with a provincially significant wetland designation;



			<ul style="list-style-type: none">• an Environmental Impact statement is conducted for a quarry proposal;• an appropriate zoning By-law amendment has been granted for the proposed quarry operation and a license has been obtained by the Ministry of Natural Resources
42	0506-006-007-84420	Part 1, Plan 8R-4031 being Part of Lot 20, Con. 6 Former Matilda Twp.	Notwithstanding the Agricultural Resource Lands Policies to the contrary in the Official Plan, storage of vehicles and recreational vehicles is permitted in addition to those uses permitted in an Agricultural Resource Lands designation.
43	0506-006-007-85200	E Pt. Lot 21, W/Pt Lot 21, Concession 6 Former Matilda	To recognize an existing contractor's yard with heavy equipment that was in operation prior to the adoption of the County Official Plan in 2006.
44	0506-001-000-69600, 0506-001-000-62000, and 0506-001-000-63000	Block E, Plan 59	Notwithstanding uses permitted in the Employment District, medium or high-density residential uses will also be permitted (OPA 18, SDG Official Plan 2006).

Table 9.1.3 - SPECIAL LAND USE DISTRICTS, TOWNSHIP OF SOUTH STORMONT

Item	Roll Number	Legal Description	Development Criteria
45	6-017-99300	Pt. Lots 19 & 20, Conc. 3, 14849 Dafoe Rd.	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.
46	6-203-55000	Pt. Lot 14, Conc. 8, 3735 Cty Rd. #12	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard/shop and vehicle sales establishment shall be a permitted use.
47	6-017-20400	Pt. Lot 15, Conc. 3, 15096 Cty Rd. #18	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.
48	6-016-68400	Pt. Lot 9, Conc. 3, 15434 Cty Rd. #18	Notwithstanding anything to the contrary in this Official Plan, a lodging house shall be a permitted use.
49	1-017-71015	Pt. Lot 27, Conc. 6, 16582 Black River Rd.	Notwithstanding anything to the contrary in this Official Plan, a transportation terminal shall be a permitted use.
50	1-017-67211	Pt Lot 25, Conc. 6, 5190 Brunet Rd.	Notwithstanding anything to the contrary in this Official Plan, a warehouse/industrial building shall be a permitted use.
51	1-017-53000	Pt. Lot 20, Conc. 6, 16939 Valade Rd.	Notwithstanding anything to the contrary in this Official Plan, a contractor's yard shall be a permitted use.
52	1-000-11000	Pt. Lots B & C, Conc. 4, 17945 South Branch Rd.	Notwithstanding anything to the contrary in this Official Plan, a crematorium/cemetery shall be a permitted use.
53	1-019-67000	Pt. Lot 17, Conc. 7, 4730 O'Keefe Rd.	Notwithstanding anything to the contrary in this Official Plan, an auto body shop shall be a permitted use.
54	6-019-2660	Pt. Lot 34, Conc. 4, 4770 Aultsville Rd.	Notwithstanding anything to the contrary in this Official Plan, rural industrial uses shall be a permitted use.

55	6-020-72600	Pt. Lot 34, Conc. 6, 4229 Cty Rd. #11	Notwithstanding anything to the contrary in this Official Plan, a contractor's workshop shall be a permitted use.
56	6-019-84600	Pt. Lot 20, Conc. 5, 15869 Bunker Hill Rd.	Notwithstanding anything to the contrary in this Official Plan, a commercial repair garage shall be a permitted use.
57	1-006-77160	Pt. Lot 18, Conc. 4, 5660 Cty Rd. #33	Notwithstanding anything to the contrary in this Official Plan, a transportation terminal shall be a permitted use.
58	1-011-17300	Pt. Lot 6, Conc. 5, 17645 Cty Rd. #44	Notwithstanding anything to the contrary in this Official Plan, a commercial repair garage shall be a permitted use.
59	1-110-16850	Pt. Lot 5, Conc. 5, 17723 Cty Rd. #44	Notwithstanding anything to the contrary in this Official Plan, a commercial repair garage shall be a permitted use.
60	6-012-22000	Pt. Lots 16 & 17, Conc. 7, 3902 Cty Rd. #14	Notwithstanding anything to the contrary in this Official Plan, a commercial repair garage shall be a permitted use.
61	1-013-88900	Pt. Lots 16 & 17, Conc. 7, 3902 Cty Rd. #14	Notwithstanding anything to the contrary in this Official Plan, a tourist/museum commercial establishment.
62	6-014-00000	Lot 2m RP-278, 13985 County Rd. 2	Notwithstanding anything to the contrary in this Official Plan, a water bottling plant with accompanying retail outlet and on site residential uses for employees and owners shall be a permitted use.
63	001-011-18505-0000	Part of Lot 6, Conc. 5, 17692 Cty Rd. 18	Notwithstanding anything to the contrary in this Official Plan, a recreational vehicle sales and storage use shall be permitted.
64	001-024-78000-0000	Pt. of Lots 21 & 22, Conc. 9, Formerly the Geographic Township of Cornwall	Notwithstanding the policies of the <i>Provincially Significant Wetland</i> designation and the ANSI constraints overlay, nothing in this plan shall restrict the operation of a pit or

			quarry within the boundaries of the licensed pit or quarry that existed as of the date of approval of this Plan.
65	0406-001-007-75000	Lot 30, Con. 1, former Cornwall Twp.	<p>Notwithstanding anything to the contrary in this Official Plan, the existing building shall be limited to storage uses only provided:</p> <ul style="list-style-type: none"> • No human habitation is permitted as well as no sales or repairs of goods, machinery or merchandise • Storage shall be limited to uses which are commonly stored on a residential property and shall be contained wholly within the subject building. <p>Should municipal water and sewage services be available in the future, a single detached dwelling may be erected on the subject site subject to the requirements of the Zoning By-law and provided that the subject storage building is demolished and only other buildings clearly accessory and secondary to the dwelling are erected on the site and a related zoning By-law amendment is enacted by the Township Council and comes into force</p>
66	0406-006-020-42002	Part 2, Plan 52R-7120, being Part of Lot 13, Conc. 6 Former Osnabruck Twp.	Notwithstanding anything to the contrary in this Official Plan, including the Rural District designation, a contractor's shop or yard shall be a permitted use on the subject lands
67	0406-001-018-06010	Part 1, on Plan 52R-7840, being Part of Lot 37, Conc. 6 former Cornwall Twp.	Notwithstanding anything to the contrary in this Official Plan, including the Rural District designation, rural Industrial uses shall be a permitted use on the subject lands

Table 9.1.4 - SPECIAL LAND USE DISTRICTS, TOWNSHIP OF NORTH STORMONT

Item	Roll Number	Legal Description	Development Criteria
68		Part of Lot 12, Conc. 10, Roxborough RP52R- 400	Notwithstanding the requirements of the Employment District, an Agri-Eco Industrial use shall be permitted on the subject lands of which the permitted uses may include a mix of environmentally friendly commercial and industrial uses, greenhouses and uses which may produce electricity.
69	0411-016-012-25900	Lot 15, Pt. Lot 14, Conc. 6, Formerly in the Geographic Township of Roxborough	Despite a general limit of 20 lots for Rural Estate Subdivisions in a Rural District designation (Section 3.05.5.4) an integrated golf course and residential subdivision consisting of up to 47 lots shall be permitted provided all the necessary planning criteria and other considerations as set out in this Plan are satisfied.
70	0411-009-006-11000	West half, Lot 1, Conc. 8, Geographic Township of Finch (1991 Finch- Winchester Boundary Road)	Notwithstanding any other provisions of this Plan, no severances or further divisions of land will be permitted within 500 meters of the licensed boundary of the Morewood Quarry, with the exception of those severances described in the Land Division Office Consent files B-97-05 and B-98-05, and the possible exception of the existing residence situated at 1991 Finch-Winchester Boundary Road, but only on the condition that the southern boundary of the new severed parcel be more than 500 meters from the existing property line of the licensed Morewood Quarry.
71	0411-016-007-62020	Part 3, Plan 52R- 6420 being Part of Lot 6, Conc. 5, former Township of Roxborough	Notwithstanding the Locally Significant Wetland Constraint, nothing contained herein shall restrict a licensed pit from operating within this property. Where it is determined

			by an impact study that the alteration cannot be mitigated, amendments to the Official Plan and applicable Zoning By-law may be approved provided the property will be progressively rehabilitated as set out in the Provincial Standards that support the Aggregate Resources Act R.S.O. 1990. Chapter A.8., and the Aggregate Resource Policies and Procedures, as amended from time to time.
72	0411-016-007-60000, 0411-016-007-61000, 0411-016-007-62000, and 0411-016-007-62020	Part of Lots 5 and 6, Conc. 5, former Township of Roxborough	Notwithstanding a Locally Significant Wetland Constraint, nothing contained herein shall restrict a licensed pit from operating within the Aggregate Resource Lands (Licensed Pit and Quarry) designation shown on Schedule A3.

Table 9.1.5 - SPECIAL LAND USE DISTRICTS, TOWNSHIP OF SOUTH GLENGARRY

Item	Roll Number	Legal Description	Development Criteria
73	0101-001-015-87100 and 0101-001-015-87150	Part Lot 36, Conc. 8	Notwithstanding the Agricultural Resource Land policies to the contrary, manufacturing shall be permitted on the lands described as Part 1 on 14R-1370 and Part 1 on 14R4602.

9.3 SPECIAL LAND USE AREA - TOWNSHIP OF SOUTH GLENGARRY

9.3.1 Bainsville Bay/Pointe Mouillée Policy Area

The Bainsville Bay/Pointe Mouillée Policy Area includes all lands situated in Part of Lots 10 through 18, Concession 1, former Township of Lancaster now in the Township of South Glengarry, lying south of Highway 401. The land use designations in the area include: Residential District, Employment District, Commercial District and **Provincially Significant Wetland**. The Bainsville Bay/Pointe Mouillée Policy area is more particularly shown on Schedule SLA6a. The following policies are intended to ensure that future development permitted in this Special Land Use Area shall be sensitive to the nature of the shoreline and the site's natural heritage including the Bainsville Bay/Pointe Mouillée Wetland.

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1. All new development in this Special Land Use Area shall adhere to applicable land use designation policies and other relevant policies of this Plan including the policies of 6.06.1 Natural Hazards. All residential development in Part of Lots 16, 17, and 18 Concession 1 shall be by plan of subdivision.
 2. In recognition of the sensitive nature of the shoreline, the site's natural heritage and **significant** wetlands of this area, all development proposals shall be consistent with the Provincial Policy Statement; specifically:
 - a. Impact on **fish habitat** and natural hazards (shoreline erosion) shall be mitigated as a condition of development approval;
 - b. Quality and quantity of groundwater and surface water shall be protected through conditions of development approval in co- ordination with the Raisin Region Conservation Authority and other applicable approval authorities;
 - c. The following items shall be addressed, where applicable: safely addressing potential hazards, ensuring that new hazards are not created and that existing hazards are not aggravated, adverse environmental impacts will not result, safe access will be provided at all times and institutional or essential emergency services will not be established within such lands.
 3. Planning Controls, including zoning, site plan control and conditions of draft approval shall ensure that future development does not interfere with the natural hazards and shall protect existing wetlands. Protective measures will be required to mitigate flooding, erosion and unstable soils (organic soils). These shall apply to all land use designations for which development is proposed in the Special Land Use Area.
 4. Adjacent Land Policies: All new development proposed for lands adjacent to areas designated as Wetland Areas, shall be subject to Official Plan Policy 5.5.2, **adjacent lands**. In addition, an Environmental Impact Study shall be prepared prior to formal submission to the applicable approval authority of any development application in the area, including consents, plan of subdivision, rezoning, and site plan control. Generally, an Environmental Impact Study shall demonstrate that there will be no **negative impacts** on natural features or **ecological functions** and identify specific development controls (e.g. zoning setbacks, etc.) and construction techniques (e.g., buffer strips, etc.) to mitigate wetland impacts. The Environmental Impact Study shall be prepared in consultation with the applicable approval authority and shall be submitted for the review and approval of the Municipality
 5. Lot 16, 17 and 18, Concession 1:
 - a. Prior to formal submission to the applicable approval authority of any Residential development application in Lot 16, 17 and 18, Concession 1, an Environmental Impact Study must be prepared to consider the natural resource values of the Bainsville Bay Marsh Wetland (as evaluated and mapped by the Ministry of Natural Resources) and identify appropriate locations for **site alterations**, buildings, septic systems, roads and related **infrastructure**. More

specifically, the impact study shall demonstrate that development in Lot 16, 17 and 18, Concession 1 is designed in such a manner as to preserve the existing tree cover, particularly the white pine growth, conserve continued groundwater linkage to Lake St. Francis and identify specific development controls and construction techniques to mitigate wetland impacts. The Environmental Impact Study shall be prepared by a qualified professional, in consultation with the applicable approval authority, and shall be submitted for review and approval of the Municipality.

- b. The Environmental Impact Study must include **Provincially Significant Wetland** boundary delineation by way of ‘ground truthing’ and shall be subject to review and concurrence by the Ministry of Natural Resources. Any area that is deemed to be **Provincially Significant Wetland** shall be re-designated to reflect the **Provincially Significant Wetland** status in the Official Plan and the Municipal Zoning By-law.
 - c. In addition, these policies shall apply to all applications for development (including plan of subdivision, consent and site plan control) within the Employment District designation which are located within this lot.
6. All Employment District and Residential District development proposed in the Policy area shall require a Traffic Impact study, as a condition of draft plan approval, to be prepared and submitted to the Municipality and the Ministry of Transportation for review and approval. The study shall address the anticipated traffic volumes and their impact upon the interchange area at Highway 401 and Curry Hill Road and provide mitigation measures, if required, to be incorporated into the design of the Plan.
 7. For part of Lots 16 to 18, Concession 1, all development proposals shall incorporate appropriate separation distances based on the Ministry of the Environment’s Guideline, “Compatibility Between Industrial Facilities and Sensitive Land Uses”
 8. Notwithstanding the policies of Section 5.5.6 Wetlands, the existing residential uses located in Part of Lot 12 Concession 1 shall be permitted in accordance with Table 5 of this Plan and shall be recognized in the implementing Zoning By-law.

9.4 SPECIAL LAND USE AREAS - TOWNSHIP OF SOUTH STORMONT

9.4.1 East of St. Andrew’s West Settlement Area

A Special Land Use Area has been identified in the Township of South Stormont on the north side of County Road 18, immediately east of the Urban Settlement Area of St. Andrews West more particularly shown on Schedule SLA4d.

Within the Special Land Use Area, commercial uses, agricultural service uses and employment district uses may be permitted subject to the following policies.

1. Future commercial uses, agricultural service uses and employment district uses shall be permitted through the process of zoning By-law amendment applications.

2. Access to County Road 18 shall be controlled and engineered to the satisfaction of the County Engineer.
3. The Township of South Stormont and/or the County may require a site plan indicating proposed access driveways, buildings, parking and loading spaces and areas, areas for open storage, landscaping and similar elements.
4. Adjacent residential uses shall be protected through appropriate measures such as increased setbacks, landscaped buffer strips, fencing, and the careful location of commercial buildings, parking and loading areas, open storage, and similar elements.
5. A traffic impact study may be required.

9.4.2 Long Sault Employment District

A Special Land Use Area has been identified in the Township of South Stormont on the south side of Highway 401, extending south to the Canadian National Railway corridor, from County Road 35 to County Road 15 immediately north of the Urban Settlement Area of Long Sault as shown on Schedule SLA4b to allow for Employment uses as described on Table 3.5 of Section 3.4, Scope of Land Use.

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Within the Special Land Use Area, employment district uses may be permitted subject to the following policies:

1. That the Township will zone the lands for Employment Uses and protect the lands from **sensitive land uses**.
2. The Township will include a Holding provision in the implementing Zoning By-law, which will include provisions to be considered by Township Council when the Holding Symbol will be removed.
3. The Township will not remove the Holding symbol on the lands until the Township has secured the provision of municipal water and sewer service extension, through a Planning Act process, to ensure that these services shall be extended to the lands to support the future development.
4. That the Township will not remove the Holding symbol until a development proposal is received by the Township.
5. That the Township will not remove the Holding until the Township is satisfied regarding any undertakings regarding cost sharing for the provision of the municipal servicing.
6. That the Township is satisfied that any proposed intersection improvements required to serve the development are acceptable to the United Counties of Stormont, Dundas and Glengarry.

Mod #24
a.

These lands fall within the Ministry of Transportation's (MTO) permit control area. Due to the limited frontage on County Road 35, the MTO requires that an Interchange Highway Access Management Plan be completed **at the time of in advance of** a development application to ensure a plan is in place and understood by any developer. **The County and Township of South Stormont will proactively work with MTO to develop an Interchange Highway Access Management Plan in advance of any development. A requirement for an Interchange Highway Access Management Plan may also be triggered by a specific proposal.**

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9.4.3 Moulinette Island

The interior of Moulinette Island (Island 17) has been designated as a “Future Study Area” as indicated on the attached Schedule SLA4e.

In a Future Study Area designation, no further development shall be permitted unless the following conditions are met:

1. a comprehensive planning study shall be undertaken, identifying and evaluating land use and development options for the interior lands of Moulinette Island;
2. a detailed secondary plan shall be prepared for the subject lands based on the preferred land use option from the comprehensive planning study, such secondary plan to be approved by the Council of the Township of South Stormont; and
3. an Official Plan amendment shall be passed by the County Council at the request of the Council of the Township of South Stormont, establishing a more definite land use designation and incorporating the subject secondary plan into the County Official Plan.

In understanding the comprehensive planning study and secondary plan, the Council of the Township of South Stormont shall appoint a special study advisory committee consisting of area residents/landowners, Township and County officials, representatives from the development and real estate industry, and other appropriate agencies/organizations. The advisory group shall oversee the study and shall make recommendations to the Township of South Stormont Planning Advisory Committee and the Council of the Township of South Stormont. Informal public meetings and open houses shall be held to seek the views of the public on the study.

Any proposed residential development schemes to be considered in the comprehensive planning study shall incorporate the following planning principles:

- A. Designs based on the provision of open space buffers adjacent to existing development shall be considered in addition to other options;
- B. Minimum lot frontages and lot sizes shall be consistent with the character of existing lots on Moulinette Island particularly in areas immediately adjacent to existing development;
- C. Existing tree cover shall be protected wherever feasible and additional tree planting shall be required where appropriate;
- D. Subdivision design options shall be considered including overall subdivision design concepts based on “cluster design” principles (also known as “open space” or “conservation” subdivisions) which utilize development around short cul-de-sacs and loop streets, linked open space and internal nature/walking/bicycle trails.
- E. Special design treatment shall be used around the new water treatment plant such as buffers, setbacks, decorative fences, landscaping, placement of parkland, etc. to ensure compatibility with future residential areas.

Future development of the interior of Moulinette Island shall be permitted only through the plan of subdivision approval process as required under the Planning Act.

9.4.4 Secondary Plan - South Stormont Waterfront Area

9.4.4.1 Development Policies

The Waterfront Area is located along the entire waterfront of the Township. The area includes part of the Villages of Ingleside and Long Sault. The lands subject to the amendment are all lands south of former Highway 2, and includes lands that lie to the north of the former Highway and that have frontage on the former Highway. Schedule SLA4a will describe the limit to which the waterfront policies shall apply. The balance of the policies of the Official Plan shall continue to apply to these lands. The lands south of the heritage Parkway (former Highway, now County Road 2) are primarily in public ownership.

The design policies and targeted strategies of the Waterfront Strategy that are the subject of this amendment are aimed at enhancing the quality of the public realm, guiding future development and property decisions. The identification of partnership opportunities is encouraged in order to anticipate and respond to the resurgence of Village (downtown) living, and the resultant demand for the amenities of a quality urban environment.

The amendment, in fact, touches on the many aspects that make up the South Stormont waterfront experience, including land development, built form, streetscapes, open spaces, transportation and capital works. These are clearly long-term objectives that the Township can initiate, but may require significant periods of time to accomplish.

The policies contained herein are to be read in conjunction with the current policies of the Official Plan of the United Counties as they apply to the Waterfront lands.

9.4.4.2 Land Use Objectives

The Township will continue to reinvigorate and reinvest in the Waterfront through a series of coordinated public realm improvements that gives priority to the needs of pedestrians and the development of the tourist economy, while providing venues that are accessible to the public.

Township Council shall also encourage the complete use of space along all lanes, paths, courtyards and interiors of blocks. An interesting variety of main street retail uses will be encouraged to extend along the Heritage Parkway and the abutting commercial streets, creating a strong pedestrian link with the Waterfront.

The Township can encourage tourism through better signage, programming and promotion of the Waterfront as a major heritage destination in the Township.

The Commercial Area will accommodate a mix of commercial, institutional and residential uses that enhances the surrounding community by providing goods and services for the adjacent residents, employees and tourists and the Township. It is intended that small-scale, street-oriented commercial establishments will contribute to a highly animated and attractive commercial street with a strong pedestrian presence. Also, an appropriate balance and mix of uses will be achieved and maintained to adequately serve the local community, to potentially develop a regional market, including tourists; and to capitalize on the Township's yearly festivals and special events, all the while not undermining the adjacent community. The presence of community uses and churches in the Villages will complement the overall mix of uses and serve to enhance the waterfront's vitality by making it the focus of community activity.

It is also the desire that the area's housing stock will be augmented with upper-floor residential units to increase local resident activity on the street. Building heights will be limited along the streets, but should be encouraged to increase in height, as they are set back from the street. This increase in height must be sensitive to the lower density uses that already exist.

Because of their nature highway commercial uses require direct access to the Heritage Parkway. The appearance of these stand-alone businesses cumulatively impacts on how the waterfront is perceived. Well-designed development is the key to preserving the visual appearance of the waterfront. The following measures should be encouraged to improve the appearance of Highway Commercial Areas: Locate storage, other than displays for highway commercial uses, at the rear of buildings. Locate parking at the rear or side of buildings in a manner that will not adversely impact exiting and/or proposed residential development. Where this is not possible and parking is required at the front or side of the building, a greater setback from the property line should be required to permit planting to mitigate the effects of the parking area (e.g. parking screened from view). Site buildings fronting on the Heritage Parkway to face, front and feature the road waterfront (entry roads and all local roads). Preserve and add as many trees as possible on the site with tree planting within wide setbacks. Use landscaping, decorative fences, trees and/or shrubs in front of fencing to screen unsightly uses. Encourage the use of shared entrances and signage off the Heritage Parkway wherever possible. Coordinate signage so that it is attractive and in keeping with the historical theme for the waterfront to address consistency and ease of identification of businesses. One example of a means to create a unique feeling for the area could be the introduction of low, farmstead-type laid stonewalls to reinvigorate the agricultural heritage of the area. These could be found intermittently along the roadside, maybe to mark entrances, as an identifiable signature of the waterfront.

Convenience Commercial Nodes have the potential to create a sense of place if located at special places or landmarks in the community. Convenience commercial nodes can reinforce places as landmarks and places of interest in the community. In order to create a sense of place and have cars slow down at these nodes, buildings should be oriented to the street to create the sense of a more pedestrian oriented animated place.

The following measures should be encouraged in Commercial Areas:

1. Narrow setbacks to bring buildings close to the road allowance to frame the street;
2. Provide sidewalks;
3. Enhance lighting with pedestrian scale lighting along sidewalks and pedestrian amenity areas (entry plazas);
4. Provide well defined on street parking along the side streets;
5. Encourage shared parking at the rear groups of properties;
6. Consider canopies or other weather protection over entrances;
7. Encourage the height of buildings to be 2 to 3 stories at the street;
8. Plant trees and provide landscaping;
9. Examine ways to integrate a residential component into commercial development; and
10. Examine ways to ensure that all non-residential development is compatible with existing residential development

In recognition of the potential for certain uses to detract from achieving an appropriate mix of uses, and in particular the potential impacts associated with entertainment/restaurant type uses, and to ensure that uses along the waterfront will contribute to achieving the above-noted land use policy, the zoning for the area will establish regulations to limit the size and street frontage of uses so as to ensure that a small-scale street-related character is maintained for the area, and to limit the location of certain uses so as to ensure that uses contribute to an attractive pedestrian-oriented street environment.

Improved pedestrian links, including inviting, safe crossings of the heritage Parkway and an enhanced urban experience along the Village portions of the street, including new streetscaping and traffic management improvements, and the creation of a more distinctive network of public spaces around the existing institutional buildings, including: integration of the marina with the Village; better access and animation to the water's edge; and, expanding the existing park space along the eastern edge of the Long Sault Parkway.

A special emphasis will be placed on reforestation by protecting and significantly adding to the areas street trees while establishing new green open spaces and pedestrian amenity areas, which are lacking in development.

Public and/or private partnerships help realize the Strategy's objectives. Streetscape improvements, tree planting, public open space and public art as part of the capital budget for all road and infrastructure renewal and the introduction of transit programs are all long-term objectives for development to recognize.

Design and/or public realm performance standards as part of the criteria for the sale of Township lands are also an objective for the Township.

A public open space acquisition program (including privately-owned but publicly-accessible open spaces) could be considered in the future. The Township should work closely with developers to encourage the inclusion of urban open space in new developments.

Lower Floor Articulation of the lower floors of buildings, with a special emphasis on the relationship of the building to the street at grade level. This would include entranceways that provide well-defined entrances with large pedestrian circulation spaces. The Township should also encourage buildings to front on both north-south as well as east-west streets to provide for openness for the public.

Major Buildings should be encouraged to provide deeper front setbacks where a major building will occupy much of a block, to accommodate wider sidewalks, street furniture and landscaping.

9.4.4.3 Strategic Intervention

To achieve the land use objectives for the area, Council is committed to identifying and participating in the implementation of strategic intervention opportunities such as strategic **redevelopment** opportunities through joint venture or development for the area, or potential incentives such as financial and other incentives that can encourage or support the establishment of the desired uses. This might include exploration of parking opportunities and streetscape improvements

9.4.4.4 Streetscape Improvements

It is Council's desire to achieve a highly animated and attractive physical environment within the Waterfront Area. Streetscape improvements that would enhance the pedestrian environment and establish a distinctive character, including an integration of the commercial area with the Waterfront are encouraged. As part of this initiative, consideration will be given to the creation of building façade design guidelines to give direction and encouragement to owners to improve building facades.

The existing intersections with the Heritage Parkway that are currently found in the Villages shall be pedestrian-focus areas. Street furniture, landscaping and public art should be concentrated at these locations and pedestrian crosswalks, made of matching sidewalk materials, should cross the paved roadway and link all four corners.

At one corner of each of the four intersections it is suggested that the roadway be narrowed to create an extra-wide sidewalk node.

The main street characteristics could be reflected in some fashion along the streetscape and in the surface pattern of the sidewalk, consistent with Township wide design considerations.

Pedestrian lights should be installed along the sidewalk on both sides of the streets as part of any future streetscape improvements to make the Waterfront area an attractive evening destination for residents and tourists. In the selection of fixtures, consideration should be given to the existing pedestrian light fixtures that would enhance the waterfront theme. To ensure lighting decisions are made in a comprehensive and coordinated fashion, it is suggested that a lighting appraisal be prepared by lighting professional for the area and implemented as part of any future streetscape improvements. It is also suggested that wall-mounted accent lights be installed to highlight specific features or landmark buildings. Architects and landowners will be asked to demonstrate through the site plan process how this highlighting will be achieved. These decisions should all be made in consultation with local businesses, residents and keeping in mind the desire to limit lighting that adversely affects the night sky.

Strategically-placed benches, waste containers and bike racks that are pedestrian-friendly and consistent with the waterfront character should be part of any future streetscape improvements on both sides of the heritage parkway and the main roads leading to the water (e.g. County Roads 14 and 35). Such furniture should be positioned so that it does not encumber the pedestrian traveled portion of the sidewalk. Community residents may make donations towards the purchase of memorial benches and other street furniture, and local artists could be encouraged to develop unique furniture for this use.

The section of the public sidewalk closest to buildings should be allowed to become a shared space to be used by pedestrians and businesses for seasonal outdoor patios. The location, operation and design of patios can be regulated through the Township's Zoning By-law, the Encroachment By-law and any Patio Design Guidelines.

To maximize the effects of future streetscape improvements, it is suggested that special attention be given to highly visible private/public areas that have been identified as properties in need of improvement. The Township should review the inclusion of such a study in its budgets to complete individual landscape schemes and cost-estimates should be prepared for these areas and the owners approached about cost-sharing the private improvements. These

private improvements would be implemented at the same time as the capital works improvements for this portion of the waterfront.

The following design suggestions are offered as ways to avoid graffiti in the public realm: Garbage bins should be screened from the street; and at-grade blank walls should be avoided. Where this is not possible, painted wall murals, dark coloured materials or other features designed to reduce graffiti should be used.

9.4.4.5 Road Widening Requirement

A streetscape plan to be prepared at a future date will identify potential locations where the road widening may be required to accommodate wider sidewalks, trees, street furniture, bus shelters and bicycle parking. This may apply to County and Township streets.

9.4.4.6 Environmental Protection Measures

Requirements of all levels of government for environmentally responsible construction as manifested in the subdivision and site plan control approval processes will be followed to adequately protect and enhance the features on-site.

9.4.4.7 Urban Design Policies

When considering Zoning By-law amendments and site plans, Council shall consider the following guidelines:

1. Integration of different housing types (singles of varying sizes, semi-detached, doubles, triplexes, apartments and accessory apartments) will be encouraged to foster community development;
2. Long rows of townhouses should be avoided in order to encourage diversity in the built-form;
3. A variety of streetscapes throughout the community should be created to foster a sense of identity, especially at the entrances to the community and at highly visible locations along collector roads;
4. The provision of adequate on-street parking by examining street layout and mix of unit types;
5. Housing designs should minimize the projection of garages beyond the main front wall of the dwelling entry features should be afforded prominence and double driveways across the curb should be discouraged in order to reduce the dominance of automobiles on the streetscape;
6. Mixed use development (buildings with multiple uses such as commercial on the ground floor and residential and/or offices above) would be encouraged; and
7. Development based upon the heritage theme would be strongly supported

9.4.4.8 Implementation

9.4.4.8.1 Increase in Height and Density By-law

Pursuant to Section 37 of the Planning Act, the Township of South Stormont may authorize increases in the height and density of development above the levels otherwise permitted by the zoning By-law. Public consultation will be included in the development and approval of such a

by-law. Limited increases will be permitted in return for the provision of such facilities, services or matters as are set out in the By-law. Such provisions that may be authorized include, but are not limited to:

1. Public cultural facilities;
2. Building design and public art;
3. Conservation of heritage resources;
4. Conservation/replacement of rental housing;
5. Provision of new **affordable** housing units;
6. Child care facilities;
7. Other local improvements identified in community improvement plans, capital budgets or other implementation plans or studies;
8. Artist live-work studios.

9.4.4.8.2 Community Improvement Areas

The County Plan identifies all settlement areas as Community Improvement Areas. The Township can take advantage of this designation in pursuing improvements that are identified in the plan in accordance with the provisions of Section 28 of the Planning Act. Further site-specific Amendment may be required when specific projects are identified and if funding is sought.

9.4.4.8.3 Implementation

The implementation of this Amendment shall be in accordance with the respective policies of the Official Plan

9.4.5 Long Sault – County Road 36 Special Study Area

The Long Sault County Road 36 Special Study Area includes lands north of County Road 36 and west of County Road 15 within the Rural District that are adjacent to the Long Sault settlement area boundaries (shown on Schedule SLA4c). The Township of South Stormont, in consultation with the County, will initiate a comprehensive review to determine whether the Long Sault County Road 36 Special Study Area should be added to the Long Sault urban boundary.

The comprehensive review of the study area would incorporate the 2016 Census Data, land supply within Long Sault, and existing and future servicing requirements. This review may require the removal of existing land designated within the Long Sault urban settlement boundary or other designated settlement areas to ensure the amount land of designated for growth is consistent with the County's growth allocations. Any changes will be incorporated through an Official Plan Amendment.

The Township shall limit severances and changes to the permitted land uses that would preclude future urban expansion within this area until a study has been completed.

9.5 SPECIAL LAND USE AREA - MUNICIPALITY OF SOUTH DUNDAS

9.5.1 Morrisburg Special Land Use Area

The Special Land Use Area has been identified in the Urban Settlement Area of Morrisburg, located in the south-east corner of the Settlement area, east of Allison Avenue, bounded on the north by County Road No. 2, on the east Nash Creek and to the South the St. Lawrence River. The Area is more particularly shown on Schedule SLA2a.

Within the Special Land Use Area, Employment District type uses or alternatively medium or high density residential development will be permitted.

9.6 SPECIAL LAND USE AREA – TOWNSHIP OF NORTH DUNDAS

9.6.1 Winchester Enterprise District Special Land Use Area

The Winchester Enterprise District is shown on schedule SLA1a.

Enterprise District uses may include a mix of industrial uses, commercial uses, manufacturing, construction, warehousing, offices, employment supportive commercial uses including associated retail and ancillary facilities, public service facilities and institutional uses. Sensitive institutional uses shall only be permitted where they will not create issues of compatibility with existing or potential employment uses.



LAND USE SCHEDULES