



# Township of South Frontenac Official Plan

*Our Community Our Vision Our Official Plan*

Adopted by South Frontenac Township Council on <DATE>

Approved by County of Frontenac Council on <DATE>



# Table of Contents

<b>1</b>	<b>Shaping the Future of South Frontenac .....</b>	<b>1</b>
1.1	Land Acknowledgement .....	2
1.2	The Purpose of the Official Plan .....	2
1.3	How to Read this Plan .....	3
1.4	What We Value: Our Vision, Goals, and Guiding Principles .....	5
1.4.1	Vision for the Official Plan .....	5
1.4.2	Guiding Principles .....	6
1.4.3	Goals for the Official Plan .....	7
1.5	Building Relationships with Indigenous Communities .....	8
1.5.1	Historical Background .....	9
1.5.2	Rights and Interests .....	9
1.5.3	Relationship Building and Accommodation Needs.....	12
<b>2</b>	<b>Growth and Prosperity .....</b>	<b>14</b>
2.1	How We Will Grow .....	15
2.2	Where We Live.....	16
2.3	Where We Work.....	17
2.4	Where We Play .....	18
2.5	Age-Friendly Planning .....	20
2.6	Climate Change .....	21
<b>3</b>	<b>General Land Use Policies.....</b>	<b>24</b>
3.1	General .....	25
3.2	Additional Dwelling Units.....	26

3.3 Cannabis Production and Testing Facilities.....	27
3.4 Community Facilities and Open Spaces .....	27
3.4.1 Parks, Trails, and Recreational Facilities .....	29
3.5 Compatibility and Built Form.....	30
3.6 Existing Land Uses, Buildings and Structures .....	32
3.7 Garden Suites .....	34
3.8 Group Homes.....	36
3.9 Home-Based Businesses .....	36
3.10 Minimum Distance Separation Formulae.....	37
3.11 Renewable Energy .....	38
3.12 Waterfront Development .....	38
<b>4 How We Will Use the Land.....</b>	<b>41</b>
4.1 Agricultural Lands .....	42
4.2 Rural Area.....	45
4.2.1 Agricultural Uses .....	46
4.2.2 Residential Uses .....	46
4.2.3 Commercial Uses.....	48
4.2.4 Industrial Uses .....	51
4.3 Settlement Areas.....	53
4.3.1 Intensification .....	54
4.3.2 Settlement Area Boundaries.....	55
4.3.3 General Development in Settlement Areas.....	57
4.4 Employment Area.....	62
4.5 Environmental Protection .....	63
4.6 Mineral Aggregate.....	64
4.7 Mining .....	68



4.8 Waste Management ..... 70

**5 Our Natural Environment ..... 73**

5.1 Natural Heritage ..... 74

5.1.1 Wetlands ..... 76

5.1.2 Fish Habitat ..... 77

5.1.3 Endangered and Threatened Species ..... 77

5.1.4 Significant Wildlife Habitat ..... 78

5.1.5 Areas of Natural and Scientific Interest ..... 79

5.1.6 Significant Woodlands ..... 80

5.1.7 Significant Valleylands ..... 80

5.1.8 Linkages and Biodiversity Areas ..... 81

5.1.9 Environmental Impact Assessment ..... 81

5.1.10 Implementation Measures ..... 82

5.1.12 Stewardship Activities ..... 82

5.2 Natural and Human-Made Hazards ..... 83

5.2.1 Natural Hazards ..... 83

5.2.2 Human-Made Hazards ..... 88

5.3 Water Resources ..... 90

5.3.1 Lake Capacity ..... 91

5.3.2 Lake Trout Lakes ..... 93

5.3.3 Lake Management Plans ..... 94

5.3.4 Drinking Water Protection ..... 95

5.3.5 Subwatershed Planning ..... 99

5.3.6 Stormwater Management ..... 100

**6 Our Cultural Heritage ..... 102**

6.1 Cultural Heritage Resources ..... 103

6.2 Archaeological Resources ..... 104

6.3	Engaging with Aboriginal Communities on Cultural and Archaeological Heritage .....	105
6.4	Rideau Canal .....	106
<b>7</b>	<b>Making it Work: Infrastructure and Services.....</b>	<b>108</b>
7.1	Roads.....	109
7.1.1	Arterial Roads .....	109
7.1.2	Collector Roads.....	110
7.1.3	Local Roads .....	110
7.1.4	Frontage on Public Roads .....	112
7.1.5	Private Roads.....	112
7.2	Parking.....	114
7.3	Water and Sewage Services .....	114
7.3.1	Municipal Services .....	114
7.2.2	Municipal Communal Services .....	115
7.3.2	Partial Services .....	117
7.3.3	Individual On-site Services .....	117
7.4	Public Utilities and Communications Facilities Corridors .....	118
7.5	Railways.....	119
<b>8</b>	<b>How We Will Engage and Consult.....</b>	<b>121</b>
8.1	Engaging with Aboriginal Interests .....	122
<b>9</b>	<b>Land Division .....</b>	<b>124</b>
9.1	General Policies .....	125
9.2	Plans of Subdivision/ Plans of Condominium .....	127
9.2.1	Conservation Design .....	129
9.3	General Consent Policies .....	130
9.3.1	Agricultural Lot Creation Policies.....	132

<b>10</b>	<b>Secondary Plans</b>	<b>135</b>
<b>11</b>	<b>Implementation</b>	<b>137</b>
11.1	Amendments to the Plan	138
11.2	Monitoring	138
11.3	Construction of Public Works	139
11.4	Land Acquisition	139
11.5	Zoning By-law	139
11.6	Holding Provisions	139
11.7	Temporary Use By-laws	140
11.8	Interim Control By-laws	141
11.9	Other By-laws	141
11.9.1	Safe Properties and Property Standards	141
11.9.2	Shoreline Protection By-law	142
11.10	Delegation of Authority	142
11.11	Committee of Adjustment	143
11.11.1	Minor Variance Decisions	143
11.12	Dedication and Tenure of Land for Parks and Conservation	145
11.13	Cash-in-lieu of Parking Facilities	145
11.14	Site Plan Control	146
11.15	Part Lot Control By-law	146
11.16	Community Improvement Plans	146
11.17	Community Planning Permit System	147
11.18	Pre-Application Consultation	148
11.19	Complete Application Requirements	148

**12 Site-Specific Policy Areas.....151**

**13 Definitions .....154**

**Figures and Appendices.....156**

    Figure 1 – Guidelines for Measuring Narrow Waterbodies..... 157

    Appendix A – Watershed Boundary Map ..... 158

    Appendix B – Algonquin Land Claim ..... 159

    Appendix C – Rideau Canal National Historic Site and World Heritage  
    Site..... 160

    Appendix D – Frontenac Arch Biosphere Region & Public Lands Map  
    161

    Appendix E – Wooded Areas..... 162





# 1 Shaping the Future of South Frontenac

# 1.1 Land Acknowledgement

The Township of South Frontenac acknowledges that it sits on the traditional unceded territory of the Algonquin, Anishinaabe, and Haudenosaunee peoples, and its lands are entirely within the boundaries of this territory. In acknowledging this traditional territory, we recognize its long history. We recognize that planning has been happening on these lands by Indigenous peoples, long before its settlement by Europeans. This recognition must also be clearly and overtly connected to our collective commitment to make the promise and the challenge of Truth and Reconciliation real in our community and work with other communities to create meaningful planning processes amongst Indigenous communities and our municipality.

# 1.2 The Purpose of the Official Plan

The Township of South Frontenac (the Township) is a community that is natural, vibrant, and growing – a progressive rural leader. It is located in eastern Ontario just north of Kingston and Lake Ontario. In 2021, the Township was home to over 20,000 residents and preparing to become home to more as we continue to grow. With over 75 lakes and plenty of natural areas to explore, the Township is pleased to support an outdoor lifestyle that encourages residents and visitors alike to enjoy all that the Township has to offer.

The Township's Official Plan (the Plan) was prepared in accordance with the *Planning Act*, R.S.O. 1990, c. P. 13. (*Planning Act*), which provides municipalities with a set of requirements to follow when preparing an Official Plan.

The prior Official Plan for the Township was approved in 2003. Between 2003 and the adoption of this Plan, there were several updates to the *Planning Act* and the Provincial Policy Statement, as well as implementation of a County of Frontenac Official Plan (2016). The Township is required to have an Official Plan that is in conformity with these documents. As such, in 2020, the Township began the process to develop a new Official Plan to direct growth and development in the Township for the next generation and beyond.

The Plan is consistent with the policies in the 2020 Provincial Policy Statement (PPS) such as efficient use of land, provision of housing, and environmental protection. The OP was also written to be in conformity with the upper-tier County of Frontenac Official Plan (2016, as amended). It incorporates policies from the applicable Source Water Protection plans that help protect drinking water from overuse and pollution. As the legislative and planning policy framework is updated, the Official Plan will be amended to remain consistent with the legislative and planning policy in Ontario and Frontenac County. The Official Plan will also be reviewed and may be updated from time to time to ensure it stays current with the evolving needs of the South Frontenac community.

This Official Plan is an expression of the Township's Vision for the future development of the community. This Plan is a living document that provides policy guidance to and a land use vision for the Township as it grows and develops. It establishes the policies for development and conservation, such as, where development may occur and to what scale, guidelines for how our natural lands should be preserved, what activities may be supported on them, and the measures to protect our rich agricultural areas.

### 1.3 How to Read this Plan

The Official Plan consists of written policy, maps and figures. The Plan is organized by themes, from broad based planning principles and strategic policy approaches to specific land use policies, resource and utility policies to implementation tools.

The components of the Plan that will be used to guide decision-making (i.e., the “official parts” of the Plan) are **Sections 1 to 10**, **Maps A to G**, and **Figure 1**. Maps and figures are officially part of the Plan and are used to assist with interpretation of the policies of this Plan. If there are any discrepancies between a policy and a figure, then the policy shall prevail. The appendices are not officially part of the Plan. They provide additional context but are provided for reference purposes only.

The following are the recommended steps to read and interpret this Plan when undertaking changes to a property or a new development:

- **Step 1:** Identify the land use designation(s) applicable to the property on **Map A** as applicable;
- **Step 2:** Read the relevant policy for general development in **Section 3** of the Plan;
- **Step 3:** Read the relevant policy for the land use designation(s) in **Section 4** of the Plan;

## Draft 3b – July 2024

- **Step 4:** Identify if any other considerations on **Maps B to G** are applicable to the property, and read the policies in **Section 5** and/or **Section 6** related to those elements from the maps;
- **Step 5:** Check all other sections of this Plan for policies that may be relevant to the property or proposed development; and,
- **Step 6:** Check the appendices for any additional technical details that may be relevant to the property or proposed development.

This Plan must be interpreted in its entirety and the relevant policies, maps, and figures applied to each situation. All of the relevant policies, maps, and figures are to be cross-referenced with each other whether this cross-referencing is stated in the Plan or not. Efforts have been made to differentiate between policy statements versus land use policy direction, with the former providing overall guidance and the latter being applicable to all applications for development.

- a) It is intended that the boundaries of the land use designations shown on **Map A** be considered as approximate except where bounded by major roads, railways, waterbodies, legal lot lines or other geographical features. Therefore, amendments to this Plan will not be required in order to make minor adjustments to the land use boundaries and roads provided the general intent of the policies of this Plan is preserved.
- b) It is intended that all figures and quantities contained in the Plan be considered in the metric form. Amendments will not be required for any reasonable variation from these figures and quantities provided such variations meet the intent of this Plan.
- c) Any significant change from the policies contained herein will require an amendment to the Official Plan and implementing Zoning By-law. If a change is major, particularly if it will cause changes in the way in which an area is developing, then the Official Plan should be reviewed in whole.
- d) Where any Act or portion of an Act is referred to in this Plan, such references will be interpreted to include any subsequent legislation that may replace the specified Act and guidelines, and guidance documents.
- e) This Plan utilizes words or terms defined in the 2020 Provincial Policy Statement as well as other definitions. These definitions shall apply in the interpretation of the policies of this Plan and their application to development proposals and planning applications. Where any doubt exists with respect to the intended meaning of any word or phrase used in this Plan, the 2020 Provincial Policy Statement, or any subsequent Provincial Policy Statement issued under Section 2 of the *Planning Act* shall be used as a guide to interpretation.
- f) It is intended that buildings, structures and uses that are normally incidental and accessory to a permitted use listed in this Plan will also be allowed even though not specifically stated in the land use policies. Examples of permitted uses for the



designations are intended to indicate the possible range of uses considered appropriate and not to be interpreted as a finite list unless otherwise stated. All permitted uses in the Zoning By-law shall be in conformity with the intent and policies of this Plan.

# 1.4 What We Value: Our Vision, Goals, and Guiding Principles

Collectively, Council, Township staff, and members of the community developed a set of values on which this Plan is built. These values inform the Plan's Vision, Goals, and Guiding Principles. Together, these serve as a reminder of what the Township strives to become and how we plan to progress towards a future that serves existing and future residents.

## 1.4.1 Vision for the Official Plan

The vision for the South Frontenac Official Plan was developed through extensive consultation and is intended to guide the land use policies and decision-making processes set out in this Plan. The vision statement is set out below:

**South Frontenac is a progressive, forward-looking municipality that balances facilitating growth that meets the needs of all our residents with environmental leadership in the protection of our outstanding natural assets to enhance the exceptional lifestyle, rural character, and economic opportunities offered by the Township.**

## 1.4.2 Guiding Principles

The following five guiding principles have been established to ensure the development and implementation of the Plan is inclusive, equitable, and accessible to the public:

### Guiding Principle 1

- Be open-minded in consideration of potential solutions which may meet the unique needs of the community.

### Guiding Principle 2

- Adopt a sustainability lens, which considers the social, environmental, and economic impacts of decisions.

### Guiding Principle 3

- Consider the impacts of climate change on the future of our community and do our part to mitigate, adapt, and increase our resilience to those impacts.

### Guiding Principle 4

- Work with, understand, and integrate First Nations' interests in the future of South Frontenac.

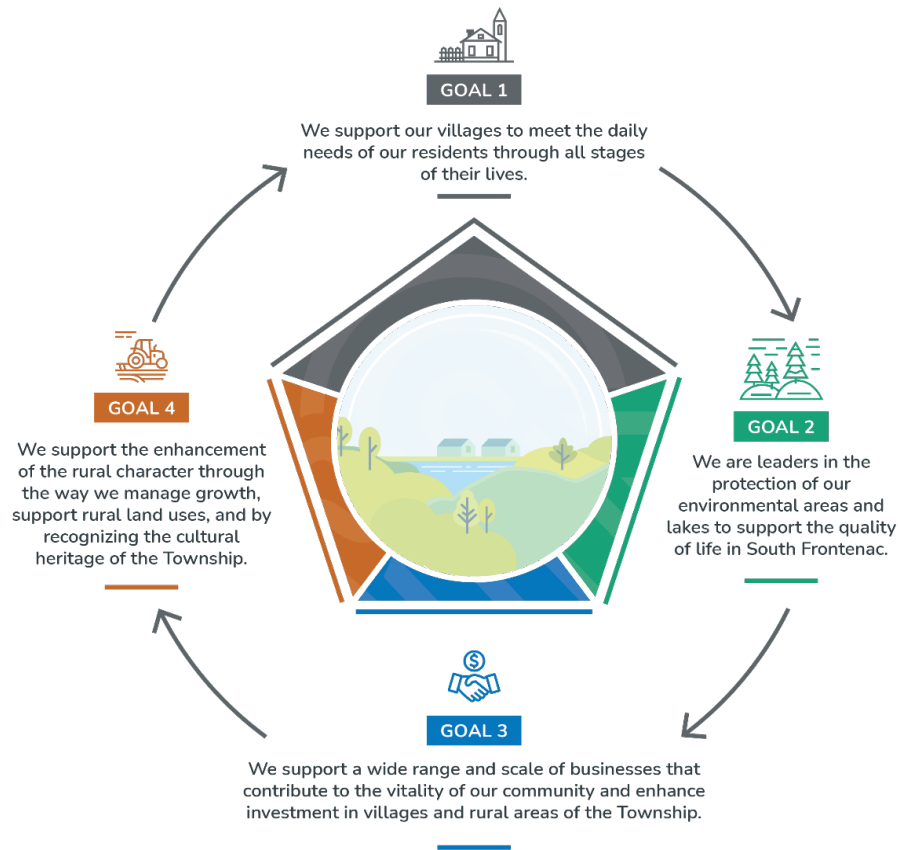
### Guiding Principle 5

- Be equitable and transparent, inviting input from community members frequently and in meaningful ways.

## 1.4.3 Goals for the Official Plan

The vision for the Official Plan is supported by the goals established by Council at the onset of the development of the Plan. Together, the vision and goals of the Plan will work to ensure that the Township is environmentally and economically vibrant, supportive of residents of all ages, and preserves the rural character of the Township. The four goals for the Plan are as follows:

- **Goal 1:** We support our villages to meet the daily needs of our residents through all stages of their lives;
- **Goal 2:** We are leaders in the protection of our environmental areas and lakes to support the quality of life in South Frontenac;
- **Goal 3:** We support a wide range and scale of businesses that contribute to the vitality of our community and enhance investment in villages and rural areas of the Township; and,
- **Goal 4:** We support the enhancement of the rural character through the way we manage growth, support rural land uses, and by recognizing the cultural heritage of the Township.





## 1.5 Building Relationships with Indigenous Communities

South Frontenac is committed to continue fostering a strong partnership with Aboriginal Rights Holders to better reflect their values and knowledge of the South Frontenac landscape as a means to guide and inform its planning and development, which includes the use and disposition of unceded land (lands formerly known as crown land that was held by the federal or provincial government) within the Township.



### 1.5.1 Historical Background

The Township of South Frontenac sits within the traditional territories of the Algonquin, Anishinaabe, and Huron Wendat Peoples and is closely connected by waterways to the territory of the Mohawks of the Bay of Quinte. These shared lands provided the required sustenance for survival and were where these nations would hunt, fish, live and gather for many centuries before the arrival of Europeans. While these nations are very different in customary ways, they were often able to come together in a nation-to-nation relationship based on mutual trust and respect to steward these lands and maintain healthy ecosystems for generations to come.

While the Township recognizes the Algonquin, Anishinaabe, Huron Wendat, and Haudenosaunee nations as sovereign nations that play a key role in land-use decisions that impact their Aboriginal Rights and interests, we also recognize the importance of building relationships with neighboring First Nations in order to move towards a more sustainable and equitable future. Our future includes a strong relationship, where we work together to protect our environmental areas, waters and lakes, and where neighboring nations are able to be self-determined within their traditional territory.

With this in mind, the Township aimed to consult with surrounding First Nations communities and Métis Nation of Ontario to include their planning perspectives with the Official Plan update. Our approach was to learn first-hand, the rights, interests, challenges and opportunities of First Nations and Metis communities, while also formulating an understanding of how they wish to experience these within their traditional territories. Our outreach included: Algonquins of Ontario, Mohawks of the Bay of Quinte, Alderville First Nation, and Metis Nation of Ontario. We believe that early engagement is key in providing Indigenous communities with the opportunity to share their history, values, planning perspectives, and rights and interests in their traditional territory. This approach has enabled the Township to gain a better understanding of the impacts that development decisions have on Aboriginal rights and interests, and the commitment required to better work together for a sustainable future.

### 1.5.2 Rights and Interests

This Plan acknowledges that Aboriginal and treaty rights are recognized and affirmed in Section 35(1) of the *Constitution Act* 1982 and are also the foundation to the United Nations Declaration on the Rights Indigenous Peoples (UNDRIP), which the Federal and Provincial government is still working to implement. The Township of South Frontenac understands that respecting Aboriginal and Treaty rights are a way of living together and to support the right to self-determination and Free, Prior and Informed Consent (FPIC) in section 32.2 of UNDRIP. As such, this Plan will respond to our role in the Truth and Reconciliation Calls to Action and will seek opportunities to support the health, wellness, self-determination, and safety of Indigenous

Peoples in matters that affect Aboriginal rights and interests within the boundaries of the Township of South Frontenac. The Township will engage with Aboriginal rights holders with regard to land use planning affecting any of the following matters within the land claim area (see **Section 8.1 “Engaging with Aboriginal Interests”** and **Appendix B**):

- Protection of water quality and utilization of lakes and rivers;
- Any development that would have an impact on navigable waterways and their waterbeds;
- Any archaeological studies and/or environmental impact study related to proposed development where areas of Algonquin interest have been identified; and/or,
- Indigenous women and girls’ safety and protection.

This Plan will further seek to support the following in regard to relationship building with Aboriginal and Treaty rights holders:

- Economic reconciliation by engaging on opportunities that may be of interest to First Nation communities;
- Capacity building and participation in land use decision making processes; and,
- Indigenous connection to the land.

### 1.5.2.1 Algonquin Rights and Interests

This Plan recognizes that lands within the boundaries of the Township lie within the historic Algonquin Territory that is part of the Treaty Negotiations with the Federal and Provincial governments. An Agreement-in-Principle (AIP) was signed by the Federal and Provincial governments and the Algonquin Nation in October 2016. As such, this Plan will respond to direction from the Federal and Provincial governments and the Algonquins towards the implementation of the AIP. The Township will seek opportunities for mutually beneficial engagement with the Algonquins on matters that affect Aboriginal history and culture.

The Algonquins of Ontario shared the following statements and positions:

- **Partnership Approach:** The Algonquins of Ontario support the Township’s intent to develop a partnership approach with First Nations and Indigenous Communities including the use of Crown land within the Township;
- **Stewardship:** The Algonquins of Ontario support the Township efforts to preserve and provide for wise stewardship of plants, animals, and ecological systems;
- **Economic Development:** The Algonquins of Ontario support the intention of the Township to coordinate economic development planning and projects with First Nation Communities and will participate fully in the development of protocols for consultation on these matters;

- **Forestry:** The Algonquins of Ontario recognize the importance of the forest resources in the Township and share the intent to support forest stewardship techniques;
- **Waterfront:** The Algonquins of Ontario agree that any new development must be considered in the light of its impact on the environmental quality of any lake or river, and support a cautious approach to development;
- **Water:** Water in all its forms is considered by the Algonquins to be the lifeblood of Mother Earth;
- **Natural Features:** The Algonquins of Ontario support the provisions of this Plan with regard to the protection of wetlands, wildlife habitat, fish habitat, and endangered and threatened species; and,
- **Trails:** The Algonquins of Ontario support the development of a recreational trail system throughout the Township.

### 1.5.2.2 Mohawks of the Bay of Quinte Rights and Interests

The Mohawks of the Bay of Quinte (Tyendinaga Mohawk Territory) maintain an allied relationship to the British Crown. As part of their role in the American Revolution, the Mohawks of the Bay of Quinte negotiated treaty 3.5 of the Simcoe Deed for 92,700 acres on the Bay of Quinte. These lands were chosen because it is the birthplace of Peacemaker and has significant meaning to the Mohawks. Today, less than 19,000 acres remain for the future growth and development of the Mohawks of the Bay of Quinte.

This Plan recognizes the shared water tributaries within the boundaries of the Township extend into the Bay of Quinte and into Lake Ontario that are the traditional territory of the Mohawks of the Bay of Quinte (Tyendinaga Mohawk Territory). The Township shall commit to maintaining clean water practices so as to not impact the Bay of Quinte and Lake Ontario.

The Mohawks of the Bay of Quinte shared the following statements and positions:

- **Protection of Aboriginal and Treaty Rights, environment, culture and future generations:** The Mohawks of the Bay of Quinte recognize that land use planning and development decisions that happen upstream can have an impact on environment, culture and hunting, fishing and gathering rights that take place downstream;
- **Health of the environment:** The Mohawks of the Bay of Quinte support the Township in promoting the health of wildlife, aquatic life, plant life, and water quality and quantity;
- **Safety of Indigenous Peoples:** The Mohawks of the Bay of Quinte recognize that there is a need to increase development in the area in order to accommodate growth but require the safety of Indigenous Peoples as it pertains to Missing and Murdered Indigenous Women and LGBTQ2S community remain a priority;
- **Archeology:** The Mohawks of the Bay of Quinte support the attempt of the Township to build strong policies and better capacity to better support participation in archeological processes; and,
- **Early Notification:** The Mohawks of the Bay of Quinte support the approach of the Township to provide early notification of engagement and consultation on matters that may impact their Aboriginal and Treaty rights.

### 1.5.3 Relationship Building and Accommodation Needs

The Township acknowledges that we are part of a larger watershed and that there are implications from projects that may impact water resources, fisheries, natural heritage lands and way of life downstream. Therefore, the Township shall continue to commit to ongoing relationship building efforts and develop approaches to accommodate the needs of First Nations communities to better facilitate meaningful participation and reinforce the interconnected relationships from a values-based perspective. The Township will focus efforts and resources in collaboration with First Nations communities that will support the following:

- **Communication:** The Township understands that communication is key to building any relationship and is committed to working together with First Nations communities to formulate new ways of bringing governing bodies together to better navigate interest areas, involvement in projects and decision-making. The development of a two-way communication process is required to build respectful and understanding relationships;
- **Partnership:** The Township will encourage a council-to-council relationship to better chart a path forward that is based on mutual trust and respect. The Township will seek to restructure current committees and processes to better accommodate Indigenous planning perspectives and decision-making processes as they relate to the land;



- **Education and Awareness:** The Township will continue to build staff and governance capacity and knowledge of Indigenous rights and issues as it pertains to land use planning approaches and how they are reflected in policy practices; and,
- **Indigenous Capacity Building:** The Township acknowledges the challenges that First Nations communities face with limited capacity and resources. As such, the Township is committed to supporting First Nations communities to better participate in archeological and environmental monitoring activities, consultation processes, and partnership involvement.



## 2 Growth and Prosperity

This section establishes policies to guide the orderly development of the Township to achieve healthy, liveable and safe communities, where people can live, work, shop and access services in close proximity.

## 2.1 How We Will Grow

The intent of the policies in this section is to guide where future development will occur within the Township, and to guide the expansion and development of the Township's infrastructure needs in a way that is environmentally and economically sustainable. Consideration of servicing options beyond private individual on-site sewage and water services, such as communal sewage and water services, provides an opportunity for the Township to support population and employment targets.

In terms of land use structure, the Township consists of Rural Lands, Agricultural Lands, Employment Areas, Settlement Areas, and Environmental Protection Areas. The land use structure is identified on **Map A**, with **Maps A1 to A4** providing more detailed District-level mapping. **Map B** delineates the Settlement Area boundaries and identifies designated Employment Areas.

The permanent population in the Township of South Frontenac is anticipated to reach approximately 22,160 by mid-2034 and by 23,280 mid-2039 resulting in an increase of approximately 1,500 and 2,620 persons, respectively. In addition to this growth, it is forecast the Township will grow to a total seasonal population of approximately 11,200 by mid-2034 and 11,400 by mid-2039, resulting in an increase of 440 and 650 persons, respectively. In total, the combined permanent and seasonal population in the Township is expected to reach approximately 34,700 by mid-2039. Total employment for the Township (excluding work at home and N.F.P.O.W. employment) is anticipated to reach approximately 1,620 by mid-2034 and 1,730 by mid-2039. This represents an employment increase of 150 for the 10-year forecast period and 260 for the longer-term forecast period. A substantial percentage of jobs are expected to be home-based businesses, including home industries and home occupations.

More information on the forecasted population and employment changes can be found in the 2024 Development Charges Background Study – Township of South Frontenac (Watson & Associates, May 16, 2024).

- 2.1.1 A majority of the new growth will be directed to existing Settlement Areas where it can be supported by appropriate services, in particular where communal sewage and water services could support compact development and healthy, liveable and safe communities.
- 2.1.2 Settlement Areas and Future Secondary Planning Areas shall be the focus areas for growth, forecasted to accommodate approximately 75% of employment growth and approximately 50% of residential growth.
- 2.1.3 The Harrowsmith and Inverary Settlement Areas include lands designated to accommodate at least 70 jobs. These Employment Areas are delineated on **Map B**.

- 2.1.4 The Rural Area is forecast to accommodate approximately 20% of the Township's employment growth and 46% of the Township's permanent and seasonal population growth.
- 2.1.5 Development in Settlement Areas should be pedestrian-oriented, conducive to cycling and other forms of active transportation, and connected to a network of active transportation options.
- 2.1.6 Highway commercial uses that meet the needs of the travelling public, as well as employment uses, should be directed toward Settlement Areas that are located along arterial roads.
- 2.1.7 Development shall consider storm water management, environmental impact, and compatibility with surrounding uses.
- 2.1.8 The upgrading and provision of internet connectivity in the community will be promoted to support growth and development.
- 2.1.9 Agricultural Lands and Rural Lands on **Map A** will be generally conserved to support value added agricultural production.
- 2.1.10 Locally-appropriate residential and non-residential development outside of the Settlement Areas may be permitted, in accordance with this Plan.

## 2.2 Where We Live

The intent of the policies in this section is to guide residential areas and housing options in the Township. The Township recognizes the importance of having a full range of housing options for residents, as the availability of diverse housing options is essential to the welfare of the community.

- 2.2.1 The Township supports the development of housing that serves the needs of all residents.
- 2.2.2 The Township will ensure there is an adequate supply of land for residential development and will monitor and maintain a minimum of five (5) year supply of residential land with sufficient servicing capacity through lands zoned to facilitate *residential intensification* and redevelopment and through draft approved and registered plans of subdivision.
- 2.2.3 A variety of housing options shall be provided to meet the needs of present and future residents, subject to the limitations imposed by servicing and environmental considerations.
- 2.2.4 The Township supports the provision of a range and mix housing options to meet a range of affordability and lifecycle needs beyond the traditional single-detached dwelling (e.g., boarding houses, congregate living facilities, townhomes, apartment buildings, *additional dwelling units*) through the policy framework and the Zoning By-law.



- 2.2.5 The Township will encourage a portion of new residential development, including rental housing, to be affordable.
- 2.2.6 The Township supports opportunities for the development of housing that is affordable for low- and moderate-income households and is committed to the continued progress toward contributing to the achievement of the County's overall target of 35% of all new housing units to be affordable to low and moderate income households. Accordingly, when evaluating proposals, the Township will require applicants to demonstrate how their proposal contributes to the achievement of this target as part of a development application where more than 6 residential units are proposed.
- 2.2.7 The Township recognizes that access to affordable housing is a human right and provisions for affordable housing in the market are an investment that benefits the greater community. The Township of South Frontenac will not support discrimination and intolerance against proponents or occupants of affordable housing proposals.
- 2.2.8 The Township will adapt its infrastructure and service delivery to support the development of age-friendly communities that promote active aging and a high quality of life among residents at all stages of life.
- 2.2.9 The Township will recognize the importance of and the need for residential care facilities and special needs housing, such as supportive housing establishments, hospices, group homes, and dementia villages, by permitting these uses in residential designated lands, and where appropriate, in the Zoning By-law, and in locations with existing or planned infrastructure, amenities and support services.
- 2.2.10 The implementing Zoning By-law will permit a variety of housing options and establish standards related to residential units, such as setbacks, density, and building and lot requirements.
- 2.2.11 Residential developments that offer innovative design features (e.g. *flex housing*), construction techniques (e.g. *modular homes*) or tenure arrangements (e.g. *co-housing*) which are consistent with the objectives of the Plan, and which broaden the range of housing alternatives available to the Township's residents, including affordable housing, shall be encouraged.

## 2.3 Where We Work

The intent of the policies in this section is to support the economic growth of the Township to enhance and protect the Township's long term fiscal position through increased non-residential tax assessment by attracting new employment opportunities. The policies also establish rules for the size and location of employment lands and clustered industrial uses. **Map B** shows the lands designated as Employment Areas within the Township.

- 2.3.1. The Township supports employment growth in all sectors of the economy.

- 2.3.2. The Township will prepare an Employment Lands Strategy.
- 2.3.3. The Township will maintain a minimum five-year supply of lands designated Employment Areas with a range of parcel configuration, zoning, and location to accommodate a variety of employment types.
- 2.3.4. The Township supports the clustering of light industrial and commercial uses within Settlement Areas and locally appropriate rural areas to capitalize on investments in new infrastructure (e.g., internet access and road networks) and sewage and water services.
- 2.3.5. The conversion of lands within Employment Areas to non-employment uses will only be permitted in accordance with the policies of the Provincial Policy Statement.
- 2.3.6. The Township recognizes the value of home-based businesses, including home occupations and home industries to the economic prosperity of the community and will provide support and guidance for them through appropriate policy and by-laws.
- 2.3.7. On lands designated Agricultural and Rural on **Map A**, the Township promotes diversification of the economic base and employment opportunities through goods and services, including value-added products, agri-tourism uses, agriculture-related uses, and on-farm diversified uses.
- 2.3.8. The Township values the role that mineral aggregate resources play in local economic activity and encourages their sustainable development (i.e., site rehabilitation when the resource is depleted) and mitigation of impacts from noise, vibration, dust, and traffic.
- 2.3.9. The Township will work with the County and the local business community to support and strengthen economic clusters by connecting with employers and establishing and strengthening partnerships in the business community.

## 2.4 Where We Play

The intent of the policies in this section is to support recreation and tourism. This Plan provides policies to ensure the Township's recreational features and functions are protected so that they can continue to be enjoyed by residents and guests. The Official Plan maps show the many lakes and waterbodies that provide recreational opportunities for Township residents and visitors. The Rideau Canal National Historic Site and World Heritage Site is shown on **Appendix C**. The Frontenac Arch Biosphere Region, Frontenac Provincial Park, municipal parks, conservation areas, the K&P Trail, the Cataraqui Trail, boat launches, and water access points are shown on **Appendix D**.

- 2.4.1 Council shall seek to foster the growth of the Township as a recreational and vacation hub for the mutual benefit of both residents and visitors to the area. In particular, Council shall endeavour to do the following:



- i. Continue to recognize the link of the natural environment to the tourism economy, emphasizing the need to protect natural areas, features, and functions as a means to ensure the tourism sector remains viable;
  - ii. Ensure the preservation, promotion, and revitalization of Cultural Heritage Resources as a tourism resource;
  - iii. Promote the maintenance, expansion, and upgrade of existing tourist destination-oriented uses and encourage the establishment of additional high-quality attractions, facilities, accommodations, services, events, and other tourism supportive uses;
  - iv. Encourage the development of year-round tourism opportunities;
  - v. Encourage and work with government bodies, boards, commissions, committees, business organizations, private investors, and non-profit groups and associations with an interest in tourism in South Frontenac, to expand, and market the Township as a vacation and recreation destination.
  - vi. Encourage and support the development of linkages for all modes of transportation, including walking, cycling, and passive boating, between recreational trails, settlement areas, community gardens, grocery stores, local markets, tourist attractions, points of interest and areas of scenic or environmental interest, both within and outside the Township;
  - vii. Support tourism, recreational, heritage, community improvement and economic development studies and programs;
  - viii. Promote the Township's opportunities as a multi-season recreational and vacation area;
  - ix. Encourage tourism initiatives such as seasonal festivals and sporting and cultural events that build upon the history of the area;
  - x. Encourage local businesses to form business to business networks;
  - xi. Recognize that tourism and recreational interests, particularly when oriented to enjoyment of open space and natural resource areas, may be enhanced through local and regional collaboration.
  - xii. The Township will co-ordinate and partner with neighbouring municipalities and other levels of government to protect the function and long-term development potential of regional open space and travel networks, such as the K&P Trail, the Catarauqui Trail, the Rideau Canal, and the Rideau Heritage Route.
- 2.4.2 The Township supports efforts to conserve the biodiversity of the Frontenac Arch Biosphere Region and will work to guide development in such a way that the ecological features and functions for which the area is recognized are protected and enhanced.
- 2.4.3 The Township will work with partner agencies such as Conservation Authorities, Kingston Frontenac Lennox and Addington Land Trust, Nature Conservancy of Canada,

Queen’s University, and other similar agencies to support the acquisition of lands for conservation and public education purposes.

- 2.4.4 The Township recognizes that Frontenac Provincial Park conservation reserves and other protected areas attract visitors from all over Ontario and internationally to enjoy the ecological diversity, wilderness and scenic lakes and Canadian Shield that provide an amazing quality of life in South Frontenac. The Township will ensure development minimizes negative impacts on these areas.
- 2.4.5 The Township shall support the long-term implementation of the Recreation, Parks and Leisure Master Plan by ensuring adequate parkland, recreational facilities and amenities, are provided with new developments, particularly in and near Settlement Areas, and that any new parks are connected by pedestrian trails or pathways to existing parks, trails and amenities.
- 2.4.6 The Township will continue to maintain and enhance public access to waterfronts and provide opportunities for public recreation.
- 2.4.7 The Township supports access to, and enhancement of, boat launches as a means of both public recreation and as a contributor to local economic activity.
- 2.4.8 The Township shall seek opportunities to acquire parkland through dedication and enhance parkland through cash-in-lieu of parkland as conditions of development.
- 2.4.9 The Township supports the development and maintenance of trails (e.g., K&P, Rideau and Cataraqui Trails), parks, and open spaces.

## 2.5 Age-Friendly Planning

The Township will apply an age-inclusive perspective in planning to ensure a high quality of life for citizens of all ages. The Township recognizes the need to support active aging for all residents by promoting the development of healthy, liveable and safe communities that encourage and support people to age in place. In support of age-inclusive planning, the Township will:

- a) Promote the development of communities featuring a range of affordable and barrier-free accessible housing options that are well integrated with transportation options choices and community amenities and services.
- b) Support development of a well-connected network of active transportation facilities to increase the range of healthy and accessible transportation and recreation options available to residents of all ages and abilities.
- c) Promote the use of universal design features in housing and accessibility features in the built environment to create safe, inclusive, and barrier-free spaces that enhance the mobility and independence of residents of all ages and abilities.

- d) Work collaboratively with the County of Frontenac in implementing the regional Age Friendly Planning Study (2017) to create walkable communities with good access to community services, amenities, and green spaces to promote healthy, independent, and active aging.
- e) Identify areas using Community Improvement Plans to encourage improvements in the built environment and/or supporting services to encourage universal accessibility.
- f) Apply an age-inclusive planning lens when considering both public and private development applications.

## 2.6 Climate Change

In South Frontenac, climate change is predicted to be characterized by more frequent and severe wet weather events, flooding, tornadoes; higher air temperatures; warmer water temperatures; stronger winds; more surface runoff; more evaporation and less infiltration.

Climate change can impact:

- our sources of drinking water,
- our economy,
- our natural environment,
- our public infrastructure, and
- public health.

The Township needs to respond to climate change impacts to reduce economic costs and potential environmental, social and health risks through actions that:

- Mitigate climate change such as actions that reduce greenhouse gas emissions that cause climate change
- Adapt to climate change such as actions that prepare for changes occurring, or are likely to occur, in the future.

Policies within this Plan provide a foundation toward addressing climate change and realizing the ecological benefits provided by nature.

- a) The Township will support development and management practices which address climate change mitigation, including, but not limited to:
  - i) Improving opportunities for active transportation and reducing dependency on motor-vehicle transportation;
  - ii) Seeking opportunities for partnering with neighbouring municipalities to extend public transit options into the Township;

- iii) Reducing the quantity and improving quality of stormwater runoff;
  - iv) Increasing the proportion of permeable surfaces to reduce flood risk;
  - v) Flood plain protection including factors of safety and/or lower flood frequency thresholds;
  - vi) Promoting appropriate forms of mixed-use development to provide employment and shopping opportunities close to residences;
  - vii) Encouraging servicing options that can facilitate more compact and contiguous development within Settlement Areas, including infilling and redevelopment, in appropriate locations;
  - viii) Encouraging the application of energy conservation measures in the rehabilitation and upgrading of existing buildings;
  - ix) Actively protecting the quality and quantity of local water resources through development practices that contribute to natural system resilience and facilitate restoration;
  - x) Actively protecting natural heritage features and functions, as well as preserving and enhancing fish and wildlife habitat;
  - xi) Encouraging community agriculture, such as community gardens; and,
  - xii) Managing forest resources and trees in a manner that enhances their quality, quantity, and sustainability over time.
- b) Development should include building and design features that can mitigate and/or adapt to climate change such as the following:
- i) Protection of natural heritage features and areas, shoreline buffers, and preservation of trees particularly in Settlement Areas, rural subdivisions, and waterfront areas;
  - ii) Tree preservation, tree planting, landscaping, and innovative green spaces to reduce energy use through shading and sheltering to protect buildings and infrastructure from the effects of excessive wind and sun;
  - iii) Greater use of permeable surfaces for areas such as parking lots and sidewalks;
  - iv) Development of multi-use paths to promote active transportation and pedestrian access systems to reduce overall vehicular movements;
  - v) Use of street, lot and building orientation with optimum exposures to maximize passive solar energy gain and minimize heat loss;
  - vi) Incorporation of energy conserving principles into building design;
  - vii) Installation of water conservation fixtures in new development, including supporting recycling and the reuse of grey water in accordance with the provisions of the Ontario Building Code; and,
  - viii) Implementation of energy efficient building practices.

- c) The Township will seek to develop and implement a Climate Change Action Plan with climate change and mitigation and adaption strategies specific to operations, assets, and infrastructure. A plan should include the undertaking of energy conservation measures, including the use of energy efficient building materials, designs, and appliances in municipal buildings and facilities to reduce energy consumption and greenhouse gas emissions.



# 3 General Land Use Policies

The policies in this section apply to all development in the Township, where they are relevant, in addition to the policies for specific land use designations.



## 3.1 General

- a) Development shall be compatible with the existing surroundings and shall mitigate any adverse or negative impacts of the development.
- b) Buildings, facilities, and infrastructure are encouraged to be developed using sustainable methods and materials.
- c) Climate change impacts should be considered when planning and building development, creation or expansion of infrastructure, and the planning of improvements and enhancements to public spaces.
- d) development will be encouraged to be built to exceed the minimum standards for sustainability and energy efficiency.
- e) Residential and employment development by a plan of subdivision or plan of condominium shall provide dedicated parkland or contribute to the acquisition or investment in existing parks through the payment of cash-in-lieu of parkland for the benefit and use of residents and visitors.
- f) Development deemed to be large scale by the Township shall consider storm water management, environmental impact, and compatibility with surrounding uses. Smaller scale development shall, at a minimum, consider lot grading and drainage and environmental impact.
- g) Low-impact development approaches to storm water management shall be encouraged. These approaches seek to manage rain and other precipitation as close as possible to where it falls and encourages infiltration of surface water into the ground to recharge groundwater aquifers in order to mitigate the impacts of increased runoff and storm water pollution.
- h) Protection and enhancement of tree coverage and vegetation will be promoted for all development. The maintenance of as much as possible of the natural vegetation between the development and any waterbody, other land use, as well as any existing public roads/private roads, will be required. Developers shall be required to remove as little of the vegetation as possible for the roads, building sites and servicing facilities, and specific provisions relating to protection of vegetation may be incorporated into subdivision, condominium, site plan, and development agreements.
- i) Transportation impacts will be scoped and assessed for all development including issues of traffic generation, vehicular and pedestrian movement, access, and parking.
- j) Environmental remediation of brownfield sites will be encouraged so that they can be redeveloped.
- k) New development is encouraged to incorporate universal design beyond the minimum requirements of the Accessibility for Ontarians with Disabilities Act and the Ontario Building Code. The Township shall consider accessibility as part of Age-Friendly community planning.

## 3.2 Additional Dwelling Units

- a) Additional dwelling units, also known as accessory apartments, basement apartments, and in-law suites, are encouraged as a means of providing a diversity of housing options in the Township.
- b) Additional dwelling units are permitted on lands where a single detached dwelling, semi-detached dwelling, or townhouse is the principal use permitted in the Agricultural, Settlement Area and Rural designations on **Map A**, provided that:
  - i. It is demonstrated the lot is sized such that all dwelling units are able to be serviced by the type of servicing (private, communal or municipal) available in the area, to the satisfaction of the Township;
  - ii. The additional dwelling unit is located within the principal dwelling unit or a detached accessory structure;
  - iii. The additional dwelling unit is designed and located in such a manner to avoid adverse impacts on the residential character of the property and the surrounding neighbourhood;
  - iv. A detached additional dwelling unit shall be located in proximity to the principal dwelling unit;
  - v. Parking for the additional dwelling unit is provided in accordance with the provisions of the Zoning By-law;
  - vi. The additional dwelling unit is addressed in accordance with the Township's civic addressing by-law;
  - vii. The lot has direct access from a year-round maintained publicly owned road, or a private road within an approved plan of condominium, or a private road that has been constructed to Township standards and that is maintained year-round. For a private road, the Township will require documentation demonstrating that year-round maintenance is provided; and
  - viii. The lands are not located in a flood plain.
- c) The zoning by-law will control the location of additional dwelling units relative to waterbodies and will control additional dwelling units based on servicing constraints related to water and sewage, and the other criteria outlined in Section 3.1.1 of this Plan.

## 3.3 Cannabis Production and Testing Facilities

Cannabis production and testing facilities may provide economic opportunities for the Township. In addition to other policies of this Plan, the following policies shall apply to cannabis production and testing facilities:

- a) Cannabis production and testing facilities will be permitted in Agricultural, Rural and Employment Areas.
- b) Cannabis production and testing facilities will be permitted if compatible with surrounding uses and where it has been demonstrated through appropriate studies that servicing of such a facility (e.g., water supply and sewage treatment) shall not have any adverse effects on existing uses in the surrounding area.
- c) The establishment of cannabis production and testing facilities may be permitted through site-specific amendment through the implementing Zoning By-law.
- d) Generally, a minimum 150 metre separation distance shall be required from a sensitive land use (e.g., residential or community facility) and a cannabis production and testing facility.
- e) Cannabis production and testing facilities are subject to site plan control and shall address matters such as noise, odour, light, traffic, servicing, stormwater, drainage, buffer/landscaping.
- f) In addition to any municipal requirements, the site plan shall address any site design features (e.g., security fencing) as required by federal regulations and licencing requirements.
- g) A holding symbol on an approved Zoning By-law Amendment may be applied and not be removed until Site Plan Control approval and federal licensing has been obtained.

## 3.4 Community Facilities and Open Spaces

Community facility uses are uses which exist for the benefit of the residents of the Township as a whole and which are operated by the municipality or other organizations for this purpose.

Open spaces are valuable resources that contribute to the quality of life for Township residents.

- a) The following range of community facilities shall be permitted in the Rural and Settlement Area designations:
  - i) Public, separate, and private schools;
  - ii) Places of worship;
  - iii) Municipal government facilities;
  - iv) Community centres;
  - v) Libraries;
  - vi) Public or private clubs or association halls;
  - vii) Cemeteries;
  - viii) Residential care facilities and special needs housing;
  - ix) Hospitals;
  - x) Public parks;
  - xi) Community gardens;
  - xii) Public Boat Ramps; and,
  - xiii) Similar community-oriented uses.
  
- c) The following range of open space uses shall be permitted in the Rural and Settlement Area designations:
  - i) Forestry uses;
  - ii) Conservation uses;
  - iii) Wood lots; and
  - iv) Recreational uses including public and private parks, passive and active recreational activities, picnic areas, recreational trails, golf courses, and other similar open space activities.
  
- d) The lot size shall be adequate for the proposed use (e.g., to allow for access, on-site maneuvering of vehicles, parking and loading, access by emergency vehicles, appropriate water and sewage services, signage, landscaping and buffering, open space areas, light).
  
- e) Community facility uses should cater to the needs of the community and be designed to integrate effectively with the surrounding area.
  
- f) Adequate buffering shall be provided between community facility or open space areas and adjacent land uses and roadways. Such buffers may include the provision of grass strips, the screening and the planting of trees and shrubs, and the location of a berm or fence.
  
- g) Adequate off-street parking shall be provided, including consideration for bicycle parking. Access points to parking areas shall be located in such a way that the external and internal road pattern provides for the adequate and safe movement of vehicular and pedestrian traffic.

- h) Municipal government facilities should be strategically located to support effective and efficient delivery of services and to ensure the protection of public health and safety.
- i) Community facility and open space uses shall be zoned in a separate category in the implementing Zoning By-law.

### 3.4.1 Parks, Trails, and Recreational Facilities

The Township recognizes that access to public open space and outdoor recreation opportunities contributes to the physical, social, and mental wellbeing of all residents and visitors. It is the Township's intention to provide parks, trails, and recreation facilities on a basis consistent with the needs of the Municipality through the following policies:

- a) The Township shall generally permit parks, trails, and recreational facilities in all land use designations. Within the Agricultural designation, only trails and conservation/open space parks will be permitted.
- b) The Township shall ensure development within existing parks and trails are consistent with the Township's Recreation, Parks, and Leisure Master Plan.
- c) Municipal parks are acquired to meet the diverse needs of the population for active transportation, recreation, and cultural activities in accordance with the Recreation, Parks and Leisure Master Plan. Preferred locations for municipal parks include:
  - i) lands abutting natural features or elementary and secondary school sites;
  - ii) lands along major streets or at the terminus of a street;
  - iii) lands that connect to other parks as linear parks suitable for active transportation pathways; and/or,
  - iv) sites that maximize the number of residential units that are in close proximity of the park.
- d) In the development of parks, trails, and recreational facilities, adequate bicycle and vehicle parking areas shall be provided.
- e) Facilities such as ramps and walkways to enable persons with mobility challenges to reach amenities and facilities shall be provided where possible.
- f) On lands abutting or adjacent to parks, trails, and recreational facilities, there shall be regard to compatibility of the proposed use, and a site layout and design that is appropriate to the preservation and enhancement of the park, trail, or recreational facility.

- g) The Township, in conjunction with citizens, supporting businesses, other government partners, and non-government agencies will:
  - i) Provide, maintain, and acquire land to enable and enhance public access to open space areas for travel and recreational purposes and sustainable enjoyment of nature.
  - ii) Develop facilities and/or coordinate with other agencies and service providers to encourage and support active and passive uses of publicly owned or publicly accessible open space areas.
  - iii) Take an active role, or collaborate with other providers to enable the safe, responsible, and sustainable use of, and linkages between, existing publicly owned or publicly accessible lands including, parks, trails, boat launches and water access points, and vacant lands in Township ownership.

## 3.5 Compatibility and Built Form

The Township contains many different types of land uses. Land use designations and the implementing Zoning By-law help to ensure compatible uses are co-located and incompatible uses are appropriately separated. Introducing new development in existing areas, in particular through intensification, requires a sensitive approach and consideration of the area's established uses and character.

Compatible development, although not necessarily the same as existing development, is complementary or enhances an established community or area and coexists with existing development without causing undue adverse impacts on surrounding properties.

- a) Development shall be compatible with surrounding uses, built form, the general character of the area, and the ecological integrity of an area, and shall mitigate any negative impacts of the development.
- b) Compatibility of new development will be evaluated based on the following criteria:
  - i) Height and massing: Building height, massing, and scale should be assessed based on the planned or existing uses of adjacent properties, as well as the character established by the prevailing pattern of abutting development and development that is across the street;
  - ii) Landscaping and fencing: Landscaping and fencing may be required as a buffer between uses and shall be of a sufficient depth as determined through the Zoning By-law;



- iii) Lighting: The potential for light spill over or glare onto adjacent light sensitive areas or the sky must be minimized;
  - iv) Noise and air quality: The development should be located and designed to minimize the potential for significant adverse impacts on adjacent sensitive uses related to noise, odours, and other emissions;
  - v) Parking: Adequate off-street parking must be provided in accordance with the provisions of the Zoning By-law, with minimal impact on adjacent uses. For higher density development within settlement areas, the Township may consider permitting reduced standards for off-street parking, or off-site parking, where accommodation of off-street parking is not possible;
  - vi) Setbacks: Prevailing patterns of front, rear and side yard setbacks, building separation, landscaped open spaces, and outdoor amenity areas as established by existing zoning will be considered where the proposed pattern is different from the existing pattern of development;
  - vii) Shadowing: Shadowing on adjacent properties must be minimized, particularly on outdoor amenity areas;
  - viii) Traffic impacts: The road network or waterbody in the vicinity of the proposed development can accommodate the vehicular or boat traffic generated;
  - ix) Transition: An appropriate transition must be provided between areas of different development intensity and scale, including through the use of incremental changes in building height, massing, setbacks and stepbacks; and,
  - x) Vehicular access: The location and orientation of vehicle access must take into account the impact on adjacent properties including noise, glare, and loss of privacy, as well as safety of pedestrians and pedestrian access.
- c) A land use compatibility study, focused specifically on the identified land use compatibility matters, will be required where there exists a potential for negative impacts.
  - d) Noise/vibration studies using Provincial guidelines may be required for applications for development of a sensitive land use within 100 metres of a controlled access arterial road (Road 38) and within 300 metres of a railway.
  - e) Noise and/or vibration studies using Provincial guidelines may be required where sensitive development is proposed within the influence area of a stationary noise source such as an industrial use, aggregate operation, electrical generating stations, and hydro transformers.
  - f) Noise/vibration studies using Provincial guidelines will be required for applications for the establishment or expansion of a use which generates significant noise and vibration proposed near sensitive land uses.

- g) The extent of the influence area will be determined on a case specific basis in accordance with Provincial guidelines.
- h) Such studies shall be prepared by a qualified consultant in accordance with Provincial and other applicable guidelines. The study shall address all sources of noise and vibration affecting the site, and include recommendations for mitigation to meet Provincial standards, and the railway industry standards where applicable. Where adverse effects from noise have been identified, appropriate measures to mitigate the noise must be undertaken (fencing, berm, etc.). The conclusions and recommendations of these studies shall be implemented through conditions of the development approval.

### 3.6 Existing Land Uses, Buildings and Structures

There are a number of existing land uses within the Township which are non-conforming or non-complying with the Zoning By-law. A non-conforming land use is a use which existed legally under a previous Zoning By-law but is not included as a permitted use in the Zoning By-law that implements this Plan. A non-complying use is a use which is a permitted use, but which does not meet one or more performance standards of the zone (such as those relating to yards).

1. Non-conforming structures shall be allowed to continue, be repaired or be replaced in their current location, at their current size, height and volume, as-of-right, subject to the requirements of the Ontario Building Code and any applicable regulation of the Conservation Authority.
2. In certain instances, it may be desirable to permit changes, expansions, or enlargements to non-conforming uses. Applications submitted under Section 45(2) of the *Planning Act* shall only be considered where the use was:
  - a) Legally established prior to the passing of the Zoning By-law which prohibited it;
  - b) Continuous in nature since the use's establishment; and,
  - c) Located on lands owned and used in connection with the use on the day the Zoning By-law was passed.
3. The appropriateness and impact of the proposed development will be assessed against the following criteria:
  - a) Any proposed change of use or extension or enlargement would not exacerbate the non-conformity of the use;
  - b) Any proposed extension or enlargement would be in an appropriate proportion to the existing size of the non-conforming use;

- c) Any proposed extension or enlargement would be consistent with the scale and massing of surrounding development and neighbouring properties and shall generally maintain the overall scale and massing of the existing building(s) proposed to be extended or enlarged;
  - d) It will not create or become a public nuisance, in particular in regard to noise, vibration, fumes, smoke, dust, odours, lighting, traffic generation, visual impacts, and other nuisances;
  - e) Neighbouring uses will be protected, where necessary, by the provision of areas for landscaping, buffering, or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations alleviating adverse effects caused by matters such as outside storage, lighting, advertising signs or other aspects of the development that have the potential to create adverse impacts;
  - f) Traffic and parking conditions on-site and in the vicinity will not be adversely impacted by the proposal. Access shall be provided by appropriate design of ingress and egress points to and from the site and by improvement of sight lines especially in proximity to intersections;
  - g) Adequate off-street parking and loading facilities will be provided; and
  - h) Services such as storm drainage, roads and private sewer and water services are adequately sized and configured to comply with applicable standards.
4. Any proposed change in use, expansion, or enlargement of a legally non-conforming use located within 30 metres of the high water mark of a waterbody shall, in addition to the policies above, shall also be assessed against the following criteria:
- i. Natural vegetation will be maximized within the first 30 metres from the high water mark of a waterbody. A shoreline naturalization planting plan may be required in order to ensure the protection and enhancement of the shoreline area;
  - ii. Disturbed areas will be minimized within the first 30 metres from the high water mark, while allowing for a reasonable area for water access;
  - iii. The visual impact of the development as seen from the water and/or adjacent properties will be minimized;
  - iv. Proposals to enlarge a non-conforming building reflect efforts to maximize the setback from the highwater mark;
  - v. Proposals to enlarge a non-conforming building reflect efforts to reduce the amount of structural coverage within that portion of land falling within 30 metres of the high water mark of a waterbody. Proposals which may result in excess structural coverage shall explore options to offset environmental and aesthetic

- impacts such as removing, downsizing, or relocating buildings or structures which have deficient water setbacks;
- vi. The setback of any sewage system from the highwater mark of a waterbody will be maximized;
  - vii. Tertiary treatment systems and other technologies will be utilised on lots which are physically constrained and/or situated in close proximity to sensitive natural heritage features or water resources.;
  - viii. Where a new sewage system is required to replace a substandard or malfunctioning system, and where there is no other location on the property at least 30 metres from the highwater mark, the replacement system will be located not less than 15 metres from the high water mark and, wherever feasible, above the flood line elevation where one has been defined by the Conservation Authority.
  - ix. Where an existing functioning sewage system is less than 30 metres from the highwater mark, the proposed building extension or enlargement will not remove the ability for a future replacement sewage system to be located in a more compliant location, maximizing its setback from the shoreline and sensitive environmental features; The development will be located outside of flooding and/or erosion hazards and can achieve safe access (ingress and egress); and
  - x. Features will be incorporated into the development to result in a net environmental gain, control runoff and improve water quality through such measures as decreasing the amount of impervious surfaces, controlling the quality and quantity of runoff and/or enhancing riparian vegetation.
5. A lot grading and drainage plan may be required for any proposed change in use, expansion, or enlargement of a legally non-conforming use.
  6. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a legal non-conforming use, including a development agreement or site plan approval where required in this Plan, any reasonable requirements, recommendations of Township departments or the submission of studies or plans.

### 3.7 Garden Suites

Garden suites are a temporary housing option. The *Planning Act* enables the Township to enact a temporary use by-law to permit a garden suite for an initial period of up to 20 years, with subsequent 3-year renewals as necessary.

## Draft 3b – July 2024

- a) Garden suites are permitted on lands where a single detached dwelling or semi-detached dwelling is the principal use permitted in the Agricultural, Settlement Area and Rural designations on **Map A**, provided that:
- i. The garden suite is permitted as a temporary use subject to a site-specific Zoning By-law amendment under Section 39.1 of the *Planning Act*;
  - ii. It is demonstrated that the lot is sized such that all dwelling units are able to be serviced by the type of servicing (private, communal or municipal) available in the area, to the satisfaction of the Township;
  - iii. The garden suite is located in such a manner to avoid adverse impacts on the residential character of the property and the surrounding neighbourhood;
  - iv. The garden suite is located in proximity to the principal dwelling unit;
  - v. Parking for the garden suite is provided in accordance with the provisions of the Zoning By-law;
  - vi. The garden suite is addressed in accordance with the Township's civic addressing by-law; and
  - vii. The lot has direct access from a year-round maintained publicly owned road, or a private road within an approved plan of condominium, or a private road that has been constructed to Township standards and that is maintained year-round. For a private road, the Township will require documentation demonstrating that year-round maintenance is provided.
- b) In accordance with *Planning Act* requirements for garden suites, Council may require the owner of the suite or any other person to enter into an agreement with the municipality dealing with such matters related to the temporary use of the garden suite as the Council considers necessary or advisable, including:
- i. The installation, maintenance, and removal of the garden suite;
  - ii. The period of occupancy of the garden suite by any of the persons named in the agreement; and,
  - iii. The monetary or other form of security the Council may require for actual or potential costs to the municipality related to the garden suite.

## 3.8 Group Homes

Council recognizes the varied needs of individuals that can be met by group homes. Accordingly, group homes shall be permitted in all land use designations that permit residential uses in the municipality, in accordance with the following policies:

- a) Group homes shall only be permitted on lands which have direct access from a year-round maintained publicly owned road, or private road within an approved plan of condominium or a private road that has been constructed to Township standards that is maintained year-round. For a private road, the Township will require documentation demonstrating how year-round maintenance is provided.
- b) Group homes are generally defined as a premise used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for up to ten persons, exclusive of staff, living together in a single housekeeping unit because they require a supervised group living arrangement.
- c) A group home shall be in compliance with Municipal By-laws. The Township may establish a process to licence group homes under the *Municipal Act*.

## 3.9 Home-Based Businesses

Changing patterns of employment in recent years together with improvements in rural cellular/broadband technology means people often can work and operate a business within the same building as their home.

Home-based businesses play an important function in the provision of local employment opportunities for Township residents. These businesses also provide goods and services to local and regional markets.

Home-based businesses allow for people to work from home and therefore can be considered a sustainable form of development. These businesses can serve as one of the key components of a healthy rural economy. Home-based businesses are a means of providing local services, providing an incubator for new businesses and to provide more specialized services to a broader clientele.

A range of home-based businesses may be permitted accessory to residential uses throughout the Township subject to the following policies:



- a) A home occupation is defined as a legal privately-operated business located within a residential dwelling which is compatible with the character of a residential setting and is an accessory use and clearly secondary to the principal use.
- b) Home occupations are permitted within the Settlement Areas, Agricultural and Rural Area designations of this Plan.
- c) Home occupations shall generally be permitted as an accessory use in conjunction with residential development, provided they do not create a public nuisance and are compatible with surrounding uses.
- d) Bed and breakfast establishments are encouraged as a form of tourist/traveller accommodation within private homes.
- e) The Zoning By-law shall establish appropriate provisions and standards for home occupations.
- f) Home industries provide opportunities for the development of new business and small scale industrial and commercial uses. Home industries (e.g., woodworking, small-scale manufacturing, repair, and restoration) may be permitted in the Agricultural, Rural and Settlement Area designations of this Plan in accordance with the following:
  - i) The use does not change the residential character of the dwelling or outside appearance of the dwelling or accessory building, and the outside storage of goods shall be prohibited;
  - ii) They are not offensive or create a nuisance as a result of noise, hours of operations, dust, odour, traffic generation or by other means;
  - iii) The Zoning By-law shall establish appropriate provisions and standards for home industries.

### 3.10 Minimum Distance Separation Formulae

- a) Minimum Distance Separation shall be applied in accordance with the guidelines established in the Minimum Distance Separation formulae published by the Ontario Ministry of Agriculture, Food and Rural Affairs, as amended.
- b) Where livestock operations are part of an agricultural use, the Minimum Distance Separation Formulae I (MDS I) and II (MDS II) in effect at the time will apply to farming operations and to all non-farm development as a means to reduce incompatibility concerns about odour. Non-farm development in the vicinity of viable farming operations will be discouraged unless it is compatible and will not interfere with normal farm practices.

- c) Where the Zoning By-law does not clearly identify or address any or all aspects of the MDS formulae, the Township shall apply the more restrictive requirements of the MDS formulae that protect expansion potential for agricultural operations.

### 3.11 Renewable Energy

The Township recognizes the importance of considering renewable energy sources to optimize cleaner energy consumption and power supply and generation in the face of climate change. The Township will support continued renewable energy integration through the following policies:

- a) Renewable energy systems and alternative energy systems will be permitted within South Frontenac where proponents can demonstrate it is feasible to develop such projects in accordance with provincial and federal requirements. Municipal comments on such projects shall give consideration to how renewable energy projects propose to protect the environment, including natural heritage features, address land use compatibility, and protect cultural heritage.
- b) Renewable energy uses such as wind, solar and biomass energy facilities will be developed in accordance with the *Green Energy Act* and/or other applicable Provincial/Federal legislation.
- c) The distance from new sensitive receptors, such as new residential uses and community facilities to commercial scale wind turbines, may be regulated by the Zoning By-law.

### 3.12 Waterfront Development

The planned function for the Township's waterfront areas is primarily recreational and residential uses. Agricultural and commercial uses also occur in the waterfront areas. This section contains policies that intend to protect the Township's sensitive waterfront areas and lake ecosystems. Waterfront areas are all lands within 150 metres of a waterbody shown on **Map A**.

In addition to other policies of this Plan, the following policies apply to development in waterfront areas:

- a) Development and site alteration will be regulated in waterfront areas in order to protect, improve or restore waterbodies, and to increase their resilience in the face of climate change.

- b) The Township will consult with the Conservation Authority and any appropriate public agencies (e.g., Parks Canada, Ministry of Environment, Conservation & Parks) on development proposals within waterfront areas as appropriate.
- c) Development shall be designed to enhance and protect the sensitive nature of the waterfront area and water quality by incorporating measures to maintain, enhance or establish a minimum 30-metre vegetative buffer strip of unaltered, naturalized land abutting the shoreline, and to minimize direct runoff into the adjacent waterbody or watercourse, with provisions for a modest shoreline access path through this area.
- d) Development should be designed to visually complement the natural setting.
- e) On lands having steep slopes, minimal woody vegetation cover, thin soils and soils with poor phosphorus retention capability, setbacks of up to 90 metres measured horizontally may be required. Recent and applicable studies conducted on behalf of the municipality may be used to inform necessary setbacks.
- f) Where a greater setback is not required, new development, including new sewage systems, shall be set back a minimum of 30 metres from the highwater mark of a waterbody or watercourse.
- g) Consideration may be given to reductions to the required minimum 30 metre setback from the highwater mark, only if it is not physically possible or environmentally desirable to meet this requirement.
- h) Proposals to renovate, reconstruct and/or enlarge existing buildings within 30 metres of the highwater mark of a waterbody will be evaluated through the policies outlined in Section 9.12.1 of this Plan.
- i) Subject to the approval of the appropriate agency, those accessory buildings, structures, and uses requiring proximity to water, such as docks, stairs for access, or similar accessory structures, may be located within the 30-metre setback from the highwater mark of the waterbody. The implementing Zoning By-law will establish the types of structures that may be permitted within 30 metres of the highwater mark.
- j) Where communal docking facilities are proposed, such facilities shall be located a suitable distance, generally 60 metres, from the nearest residential use, residential land use designation, or residential zone.
- k) Boat houses shall not be permitted within the Township.
- l) Floating accommodations, including floating dwellings, shall not be permitted as a residential unit, nor as part of a commercial operation for short- or long-term rental on any waterbodies within the Township.
- m) Land covered by water and forming the bed of a waterbody should be left in an undisturbed condition. No dredging, filling, or alteration of the shoreline of any waterbody, or lands covered by water, shall be permitted without the approval of the appropriate federal or provincial ministry and/or Conservation Authority.

- n) The Township will maintain and enhance public access to waterbodies with attention to environmental impacts (e.g., invasive species, boating capacity of the waterbody, parking area runoff), for any public development and redevelopment projects, as appropriate.



# 4 How We Will Use the Land

This section establishes policies to guide orderly development of the Township that meets future residential and employment needs, protects important environmental features, as well as supports viability of agriculture, rural development, investment, and economic prosperity of South Frontenac. These policies address development within each of the land use designations on **Map A** and the Employment Area designation on **Map B**.

## 4.1 Agricultural Lands

South Frontenac has the highest concentration of farm operations and of prime agricultural land within Frontenac County. Prime agricultural lands are a finite resource and are of economic importance to the agri-food network locally and regionally.

Prime agricultural areas in particular need to be protected for long-term use for agriculture. Prime agricultural areas have a high capability to produce food, are primarily comprised of large block of Canada Land Inventory (CLI) Class 1 to 3 lands with some Class 4 to 5 lands included, have a local concentration of agricultural operations which exhibit characteristics of on-going agriculture, and are relatively unconstrained from incompatible uses.

The intent of this Plan is to sustain and enhance the viability of the Township's agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, as well as maintaining and improving the agrifood network.

The Agricultural designation applies to prime agricultural areas and to specific individual landholdings in the Township. The designation is made up of primarily farming activities, including agriculture, as well as complementary housing, agriculture-related uses, and on-farm diversified uses. Agricultural designated areas are shown on **Map A**.

- a) In the Agricultural Designation, permitted uses and activities are:
  - i) Agricultural uses, including on-farm diversified uses;
  - ii) Agriculture-related uses;
  - iii) Residential uses, including *Additional Dwelling Units*, home occupations and home industries; and
  - iv) Uses connected with the conservation of water, soil, wildlife, and other natural resources.
- b) The uses in (a) above will be further defined in the implementing Zoning By-law.
- c) Lands designated Agricultural shall be zoned in appropriate classifications in the implementing Zoning By-law.
- d) All types, sizes, and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.
- e) Landowners are encouraged to implement best management practices and stewardship initiatives, including establishment and maintenance of vegetated buffer strips beside waterbodies and watercourses.
- b) Council supports nutrient management planning as a means to protect water quality.
- c) Lot creation and land uses for non-agricultural or related purposes such as residential, commercial, employment, and institutional uses shall be directed to settlement areas and



rural lands in order to protect the agricultural land base from further fragmentation and so as not to hinder surrounding agricultural operations.

- d) Where the interface of agricultural uses and non-agricultural uses result in opportunities for potential conflict, land use compatibility will be achieved by avoiding or, where avoidance is not possible, minimizing and mitigating adverse impacts on the agricultural system. Where mitigation is required, the applicant shall incorporate applicable mitigation measures as part of the non-agricultural use being developed.
- e) An application for development may require an Agricultural Impact Assessment, which shall be prepared by a qualified professional, such as a Professional Agrologist, as part of a complete application. Such a study would be undertaken to evaluate the potential impacts of non-agricultural uses on agricultural lands and operations, demonstrate compatibility with surrounding agricultural uses, and recommend ways to avoid adverse impacts on the agricultural land base.
- f) All development and site alteration shall be consistent with municipal, provincial, and federal guidelines and policies as may be updated from time to time, including the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (Publication 851, Ministry of Agriculture, Food and Rural Affairs, 2016).
- g) All development shall be consistent with The Minimum Distance Separation Document (Publication 853, Ministry of Agriculture, Food and Rural Affairs, 2016), as amended from time to time, unless otherwise specified in this Plan or the implementing Zoning By-law.
- h) Development shall be serviced with adequate water and sewage services, and stormwater management to the satisfaction of the Township.
- i) Agriculture-related uses and on-farm diversified uses may be permitted subject to any implementing by-laws and guidelines, and to the applicable policies of this Plan including the following:
  - i) Minimum Distance Separation Formulae (MDS I and MDS II) shall apply to agriculture-related uses and on-farm diversified uses that could conflict with neighbouring livestock facilities. These uses are often characterized by having a high level of human activity and attracting visitors to the agricultural area. Examples include food services, accommodations, agri-tourism uses, and retail operations. These uses will be further defined in the implementing Zoning By-law.
  - ii) Development and intensification of agriculture-related and on-farm diversified uses shall be demonstrated to be compatible with available rural services, such as road access, private water and sewage services, utilities, fire protection, emergency services, and other public services.
  - iii) Agriculture-related and on-farm diversified uses shall be developed in accordance with all applicable municipal, provincial, and federal requirements on emissions,

noise, odour, nuisance, compatibility, water, and wastewater standards and receive all relevant environmental approvals. Where applicable, the applicant shall demonstrate that all applicable federal and provincial approvals have been obtained, so as to ensure a coordinated approach to the planning and development of said use.

- j) For agriculture-related uses the applicant must demonstrate the proposed use:
  - i) Is a farm-related commercial or farm-related industrial use;
  - ii) Is compatible with and will not hinder surrounding agricultural operations;
  - iii) Is directly related to farm operations in the areas;
  - iv) Benefits from being in close proximity to farm operations;
  - v) Supports agriculture; and,
  - vi) Provides direct products and/or services to farm operations as a primary activity.
- k) For on-farm diversified uses the applicant must demonstrate the proposed use:
  - i) Is located within the limits of a farming operation;
  - ii) Is secondary to the principal agricultural use of the property;
  - iii) Is limited in size and scale, relative to the size of the farm property; and,
  - iv) Is compatible with and will not hinder surrounding agricultural operations.
- l) Ground-mounted solar facilities are permitted, only as on-farm diversified uses.
- m) On-farm diversified uses located on a farm that are secondary to the principal agricultural use, including agri-tourism uses (e.g., corn maze, upick, CSA market gardens, seasonal tours), home occupations, home industries and bed and breakfast establishments and farm produce stands may be permitted in the implementing Zoning By-law.
- n) Site Plan Control shall apply to agriculture-related uses and on-farm diversified uses as appropriate.

## 4.2 Rural Area

Lands designated Rural are characterized by a rural landscape which reinforces the historical relationship between the Settlement Areas and the surrounding farms and the rural and seasonal communities to which the Settlement Areas provide basic services. The Rural lands within the Township are a resource valued by residents and visitors. Rural areas are designated on **Map A**.

- a) The amount and type of development in the Rural Area shall be consistent with maintaining its rural character, natural heritage, and cultural landscape.
- b) The Township shall, through this Plan, preserve the character of the Rural Area and large tracts of undeveloped lands for environmental protection and aesthetic purposes;
- c) The Township shall, through this Plan, preserve the forested open space character of the rural landscape and the natural quality of area waterways.
- d) The Township shall limit development that fragments forests and natural heritage features and areas, and impacts on the accessibility or viability of renewable and non-renewable resources.
- e) The Township will discourage strip development that detracts from the rural function and character.
- f) The Township shall encourage a revival of the local agricultural industry and associated activities by enhancing their capacity to contribute to the economy of the Township.
- g) The Township shall encourage the establishment of diversified tourism opportunities that are ecologically sustainable and promote natural resources.
- h) The Township shall, through implementing this Plan, promote the development of commercial, recreational, and industrial uses that are appropriate for the Rural Area and are sustainable on individual on-site water and sewage services or municipal communal water and sewage services.
- i) The Township shall allow for limited residential development on lands that are not constrained or protected for their resource value, where appropriate.
- j) The Rural designation includes many different land uses. The range of land uses that are permitted within the Rural designation include:
  - i) Agriculture;
  - ii) Residential;
  - iii) Commercial & Industrial;
  - iv) Open Space;
  - v) Recreational; and,
  - vi) Community Facility.

Section 3 provides policy direction for open space, recreational, and community facility uses.

## 4.2.1 Agricultural Uses

The Township recognizes there is significant agricultural production located within Rural areas. Agricultural production is encouraged to continue and/or expand.

- a) The Rural designation permits agricultural uses, including on-farm diversified uses, agriculture-related uses, residential uses, and uses connected with the conservation of water, soil, wildlife, and other natural resources.
- b) The policies of the Agriculture **Section 4.1** shall apply to agricultural uses, on-farm diversified uses, and agriculture-related uses within the Rural Designation, where applicable.
- c) Minimum Distance Separation formulae shall apply to all land uses in the Rural designation in accordance with **Section 4.1.2**.
- d) Rural Agricultural uses may be zoned in a separate category in the implementing Zoning By-law.

## 4.2.2 Residential Uses

It is the intent of this Plan that the Settlement Areas be the focus of residential growth over the long term. Limited low density residential development that respects the rural character and natural resources of the Rural area is desirable when appropriate located.

- a) The following range of residential uses shall be permitted:
  - i. Single detached dwellings
  - ii. Semi-detached or duplex dwellings
  - iii. Duplexes
  - iv. Triplexes
  - v. Group homes
  - vi. Additional dwelling units
- b) In addition to a), townhouses are permitted on municipal communal water and sewage services within a Future Secondary Planning Area.
- c) Accessory home-based businesses may be permitted in accordance with the general development policies in Section 3.
- b) It is intended that scattered residential development and the extension or creation of residential strip development be limited in the Township over the long-term.
- c) Residential development shall be directed to areas where residential development exists or would be compatible with adjacent uses, and will be directed away from:
  - i) Primary or secondary aggregate deposits;
  - ii) Aggregate operations or other resource related industries or activities;
  - iii) Incompatible rural industries or businesses;

- iv) Farm operations where a land use conflict would result in;
  - v) Incompatible public uses or facilities;
  - vi) Natural or human-made hazards or development constraints; and/ or,
  - vii) Natural heritage features and areas, such as wetlands.
- d) Residential development shall comply with **Section 3.3 – Waterfront Development** policies of this Plan, where applicable.
- e) Water access will be permitted only for residential lots if they have direct frontage on the waterbody. Rights-of-way shall not be granted to provide non-waterfront residential lots with private access to a waterbody. The Township will focus on providing, acquiring, and enhancing access to waterbodies for non-waterfront residents and visitors in the Township via public access parks, boat launches, and docks.
- f) Mobile home parks shall be permitted in the Rural designation, in accordance with the following policies:
1. New mobile home parks shall be serviced by communal water and sewage services;
  2. Mobile home parks shall be managed as a single property in accordance with a responsibility agreement for the maintenance and management of servicing for the park;
  3. Accessory uses such as a management office, a convenience store, and recreational facilities for the use of the residents shall be permitted.
  4. Land used or proposed for a mobile home park shall be placed in a separate category in the implementing Zoning By-law. This category should include suitable controls for such matters as the frontage and area of the park and individual sites, the density of the park, parking requirements, and any other relevant provisions; and,
  5. All lands used for mobile home parks are subject to site plan control.
- j) Residential developments that have a primary means of access from a private road or a navigable waterway, and have limited municipal services (e.g. garbage collection, road maintenance or snow removal) are generally permitted in waterfront areas.
- k) Waterbodies within the Township contain islands and remote areas. Islands and remote areas of the Township offer the opportunity for limited-service residential use. Consequently, limited-service residential development shall be permitted on water access only lots provided:
- 1) It is demonstrated to the satisfaction of the Township that an adequate supply of potable water is available for each lot and that a satisfactory method of sewage disposal is approved by the appropriate authority;

- 2) Access to the waterbody in which the island is situated or the remote area is accessed is available via a navigable waterway and/or a public road or an existing private road of sufficient quality to ensure the provision of appropriate services to the island or remote area;
  - 3) The owner of the lot demonstrates to the satisfaction of the Township that deeded land and mooring facilities on the mainland are available to permit the parking of automobiles and/or the storage or docking of boats and boat trailers etc. associated with the use of the water access only lot, in this way ensuring minimal disruption to residents on the mainland. Such facilities shall be owned or tied in perpetuity to the water access only lot and be zoned for parking and docking facilities only;
  - 4) There is a suitable location at the island or remote area for docking and access that would not adversely impact the shoreline and riparian area;
  - 5) The water access only lot is zoned in a separate category from other forms of residential development; and,
  - 6) Notwithstanding anything in this Plan to the contrary, the minimum lot size for a new water access only lot is 2 ha to minimize impacts in these remote areas.
- l) Existing vacant back lots on private roads may be developed provided that the access and servicing policies of this Plan are satisfied.
  - m) The creation of new back lots shall not be permitted through the consent process.

### 4.2.3 Commercial Uses

The Rural area is an important area for the Township in terms of commercial uses.

- a) The uses permitted in the Rural designation include commercial uses that are agriculturally and rurally oriented commercial, highway commercial, and tourist commercial. The following range of uses shall be permitted:
  - i) Agriculturally and rurally oriented commercial uses shall include agricultural produce sales establishments, farm services, bulk fuel dealers, farm implement dealers, feed and seed mills, abattoirs, auction barns, veterinary clinics or hospitals and similar uses.
  - ii) Highway commercial uses shall include motor vehicle sales outlets, motor vehicle service stations and/or gasoline, diesel, propane and liquified natural gas outlets, small engine sales and service, building supply sales, recreational equipment sales and service and agricultural produce sales establishments and nurseries or garden centres; motels; hotels; taverns; restaurants; convenience retail stores and similar uses.



- iii) Tourist commercial uses shall include a range of uses that cater primarily to the tourism and recreational needs. Permitted uses shall include but are not limited to tourist lodging facilities, campgrounds, recreation facilities, golf courses, parks and facilities related to boat traffic, such as marinas, docks, and other services. Buildings, structures, or sites of historic interest, uses such as museums and related facilities are also permitted.
- b) The lot size shall be adequate for the proposed use (e.g., to allow for access, on-site maneuvering of vehicles, parking and loading, access by emergency vehicles, appropriate water and sewage services, storage of materials and wastes, signage, landscaping and buffering, privacy or open space areas, accessory buildings, light, air, and access to the rear of the lot).
- c) Development shall have frontage on a public road which is maintained year-round. Highway Commercial uses should be located on Arterial roads. In all cases it shall be demonstrated that the proposed use will not create a traffic hazard, and that the public road is, or can be made to be, of suitable quality to accept traffic generated by the new commercial operation.
- d) Adequate off-street parking and loading facilities shall be provided. Access points to parking areas shall be limited in number and designed in such a manner to minimize the danger to vehicular and pedestrian traffic.
- e) Rural Commercial uses will be zoned in a separate category in the implementing Zoning By-law. The Zoning By-law will also establish appropriate provisions and standards for rural commercial uses.
- f) Where commercial uses are located adjacent to residential or other sensitive land uses, provisions may be made for increased setbacks, buffering or screening to ensure compatibility and to avoid land use conflicts.
- g) Site plan control shall apply to commercial uses.

### 4.2.3.1 Tourist Commercial Uses

In addition to the policies above, the following policies apply to Tourist Commercial uses within the Rural designation:

- a) In reviewing applications for tourist commercial development, the Township shall have regard to the protection of the natural environment, cultural heritage, open space, character, and scenic qualities of the area.
- b) The continued operation, upgrading, expansion, and redevelopment of existing tourist commercial establishments, which maintain the intent, principles and policies of the Plan will be encouraged.
- c) Traditional and new concepts related to the form or ownership of tourist commercial establishments will be considered, provided the intent, principles and policies of the Plan

will be satisfied. With the exception of floating accommodation, the Township shall consider opportunities for tourist commercial accommodations that meet the market demand for short-term or seasonal occupancy.

- d) Tourist Commercial uses will be zoned in a separate category in the implementing Zoning By-law. The Zoning By-law will also establish appropriate provisions and standards for tourist commercial uses.
- e) This Plan recognizes that Tourist Campground and Tourist Lodging Establishment densities are an important component to managing environmental and land use compatibility concerns. The implementing Zoning By-law will identify specific density provisions to these uses in order to mitigate these concerns. Proposed greater densities must be supported based on the recommendations of required studies appropriate for the location and proposal.
- f) At a minimum, the consideration of a new or expansion of an existing tourist commercial use through the zoning by-law amendment process will ensure:
  - i) The site is suitable for the use proposed; and,
  - ii) The uses shall be of a scale that permits them to blend into their natural setting and shall be designed to preserve, as much as possible, a site's physical attributes such as tree coverage, varying topography, and scenic views.
- g) In general, new waterfront tourist commercial uses, buildings and structures shall be setback a minimum of 50 metres from the highwater mark of a waterbody.
- h) Any new tourist commercial use shall front onto and gain direct access from a public road, constructed to Township standards which is maintained year-round by the Township.
- i) Expansion or redevelopment of existing tourist commercial establishments may be permitted on private roads where it has been demonstrated that there is legal deeded access to the lot over a private road, and it has been demonstrated to the Township's satisfaction that the private road has been constructed or upgraded to meet or exceed the Township's Private Road Construction Standards.
- j) Buildings and/or campsites should have sufficient area and frontage along an internal road to avoid overcrowding and to ensure minimal environmental impact.
- k) Efforts shall be made to integrate waterfront tourist commercial uses with the shoreline environment so as to minimize visual and other impacts, in accordance with the Waterfront Development and Natural Heritage sections of this Plan.
- l) Adequate provision for recreational facilities shall be made in the establishment or expansion of any tourist campground or tourist lodging facility. These may be comprised of beaches, swimming pools, tennis courts, campgrounds, major open space areas or a combination of these and/or similar features.

- m) Where applications for tourist commercial development involve significant boat docking facilities such as those associated with marinas and large resorts, the preparation of a boat impact assessment shall be required to evaluate the suitability of the site and its land/water environs for docking or mooring facilities and associated boat traffic. These developments shall be subject to Parks Canada's Rideau Canal Policies for In-Water and Shoreline Works and Related Activities where applicable.

### 4.2.4 Industrial Uses

The Rural area offers opportunities for limited industrial uses.

- a) Non-water intensive industrial uses are permitted in the Rural designation. These uses shall include construction yards, warehousing, truck or transportation terminals, motor vehicle repair garages or body shops, open storage of goods or materials, bulk storage facilities, workshops, sawmills, service shops, processing, manufacturing and/or assembly operations, and research establishments, and other similar uses.
- b) Water intensive industrial uses such as breweries and cheese factories, may be permitted provided that it has been demonstrated that there is a sustainable supply of potable water, and that there would be no undue interference to existing or proposed neighbours.
- c) The lot size shall be adequate for the proposed use (e.g., to allow for access, on-site maneuvering of vehicles, parking and loading, access by emergency vehicles, appropriate water and sewage services, storage of materials and wastes, signage, landscaping and buffering, privacy or open space areas, accessory buildings, light, air and access to the rear of the lot).
- d) Development shall have frontage on a public road which is maintained year-round. In all cases it shall be demonstrated that the proposed use will not create a traffic hazard, and that the public road is of suitable quality to accept traffic generated by the new industrial operation.
- e) Adequate off-street parking and loading facilities shall be provided. Access points to parking areas shall be limited in number and designed in such a manner to minimize the danger to vehicular and pedestrian traffic.
- f) Rural Industrial uses will be zoned in a separate category in the implementing Zoning By-law. The Zoning By-law will also establish appropriate provisions and standards for rural industrial uses.
- g) Industrial uses shall be directed away from residential uses and other sensitive uses.
- h) Where industrial uses are located adjacent to residential or other sensitive land uses, provisions may be made for increased setbacks, buffering or screening to ensure compatibility and to avoid land use conflicts.

- i) Site plan control shall apply to industrial uses.
- j) Industrial uses shall be compatible with neighbouring sensitive land uses through the application of Ministry of the Environment, Conservation and Parks D-series guidelines and NPC-300 guideline, and employ the appropriate separation distances and/or mitigative measures to reduce the potential of land use conflict.
- k) Where deemed necessary, the Township will require buffering or screening by means of fencing, landscaping, or berm to reduce any adverse effects. Minimum separation distances shall be established in the implementing Zoning By-law for each industrial classification which are consistent with Ministry of the Environment, Conservation and Parks (MECP) Guideline D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses.
- l) Studies will be required to determine if servicing could be provided to meet the requirements for industrial development (e.g., appropriate water and sewage services, fire protection).





## 4.3 Settlement Areas

The Township contains several villages and hamlets, each with their own important history and identity. It is the vision of the Township that these Settlement Areas will be the focus of a significant portion of new residential and non-residential development. The purpose of this vision is to provide a range of housing options, transportation and recreation options, and community amenities and services. It is also to ensure municipal services are provided to the public in the most efficient manner possible while simultaneously protecting the natural environment and natural resources of the Township.



4.3.1 The following villages and hamlets are designated as Settlement Areas on **Map A**. Their boundaries are detailed on **Map B**:

- Battersea
- Harrowsmith
- Hartington
- Inverary
- Sunbury
- Sydenham
- Verona

4.3.1 The Township will:

- a) Ensure that sufficient lands are available to direct the majority of industrial, commercial, institutional and residential growth into Settlement Areas;
- b) Promote development using appropriate water and sewage service options;
- c) Promote a full range and mix of housing types and densities to meet the needs of all Township residents;
- d) Ensure compatibility between uses within Settlement Areas; and
- e) Encourage compact, mixed-use development that has a high level of employment and residential densities, in order to increase the future potential of efficient rural transit in South Frontenac in partnership with neighbouring municipalities. This includes the creation of active transportation connections within and between Settlement Areas and the clustering of uses such as schools, businesses, social services, and health facilities within Settlement Areas.

### 4.3.1 Intensification

The Township encourages intensification and redevelopment in the settlement areas in order to promote vibrant and compact communities, offer a range of housing choices, efficiently use land, and optimize existing infrastructure and public service facilities. It is recognized that the type, form, and scale of intensification will vary amongst the settlement areas based on their local conditions and character.

Intensification refers to the development of a property, site, or area at a higher density than currently exists, and can be achieved at different scales and through different types of land uses (e.g. residential, commercial, industrial, etc.). Intensification can be achieved in many ways including:



- Development of vacant and/or underutilized lots within previously developed areas, including redevelopment with higher density (e.g. apartments),
- Infill development, including lot creation,
- Establishing additional dwelling units,
- Expansion or conversion of existing buildings, and
- Redevelopment, including the reuse of brownfield sites.

The following policies will guide intensification:

- a) The efficient use of land and services is encouraged through increased intensification within the existing boundaries of Settlement Areas on appropriate water and sewage services.
- b) *Residential intensification* and redevelopment should be encouraged in appropriate areas with a target of approximately 10%.
- c) The design of residential development within already established areas, including intensification, should be considerate and sensitive to the character of that neighbourhood.
- d) The Township may consider establishing design standards to guide intensification.

### 4.3.2 Settlement Area Boundaries

While expansions to the existing Settlement Areas are not anticipated over the horizon of this Plan, the Township may undertake a review of the local municipal growth allocation, in accordance with the policies of the County Official Plan, to consider adjustments to settlement area boundaries to better reflect desired locations for population growth and development. Settlement area boundary adjustments shall be subject to a Township Official Plan Amendment prior to implementation.

- a) The Township may identify a new Settlement Area or allow an expansion and/ or adjustment of a Settlement Area boundary in accordance with the applicable policies of the PPS and the provisions of the *Planning Act*.
- b) Before expanding a Settlement Area boundary or establishing a new Settlement Area, the Township shall undertake a *comprehensive review* including, growth, settlement, and servicing analysis that shall include the following evaluations as necessary:
  - i. A land need assessment, including an assessment of intensification and redevelopment opportunities within the currently designated lands and the capacity of commercial and employment lands to service the anticipated population and economic growth;

- ii. An assessment of water and sewage servicing alternatives, capacities and allocations, and the associated financial feasibilities (e.g. capital and operating costs);
- iii. A hydrogeological analysis to determine the quantity and quality of groundwater, the potential impact of future development on the groundwater, and on existing sources of drinking water;
- iv. Where no municipal sewage service is available, an evaluation of the long-term suitability of the soil conditions for effective operation of individual on-site or communal sewage services;
- v. A general assessment of the stormwater management needs and facilities for the community identifying, if possible, the location and type of stormwater management facilities required to service anticipated growth;
- vi. A traffic and pedestrian flow analysis including conceptual or detailed roads, trails/walkways, public parks/open space, and parking facilities that ensure opportunities for active transportation and provides for a safe, accessible, and healthy community;
- vii. An identification of agricultural lands, provincially and locally significant natural heritage areas and features, natural hazards, human-made hazards, mineral and aggregate resources, cultural heritage and archaeological resources, and the evaluation of options for growth that minimize the adverse effects on these identified features;
- viii. An identification of alternative locations in the Agricultural designation, evaluated to determine that there are no reasonable alternatives which avoid prime agricultural areas, nor any alternatives that utilize lower priority Agricultural areas;
- ix. An evaluation determining that the new or expanded Settlement Area is in compliance with the Minimum Distance Separation formulae;
- x. A study of the impacts from new or expanding Settlement Areas on agricultural operations which are adjacent or close to the Settlement Area, indicating that such impact can and will be mitigated to the extent feasible;
- xi. An assessment related to impacts on waterbodies and natural heritage features and areas;
- xii. A review of expansion against this Plan and any applicable Secondary Plan policies and,
- xiii. Other information and evaluations as may be identified or required by the Approval Authority or other public bodies.

- c) In undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

### 4.3.3 General Development in Settlement Areas

The following policies shall apply to Settlement Areas shown on **Map A** and **Map B**.

- b. The following uses are permitted in the Settlement Areas, as more specifically regulated by the Zoning By-law:
- i. a range of residential uses from single-detached dwellings to multiple unit dwellings;
  - ii. a range of commercial uses;
  - iii. a range of community facility uses;
  - iv. a limited range of light industrial uses and
  - v. a range of open space uses.
- c. Development in Sydenham shall connect to municipal water services where available, and any existing private well servicing the property shall be decommissioned.
- d. Where municipal water and/or sewage services exist, lot creation will only be permitted if sufficient reserve capacity exists to accommodate the proposed development.
- e. Where municipal water and/or sewage services do not exist, a servicing options study, supported by a hydrogeological study and terrain analysis is required to support multi-lot or multi-unit development.
- f. Municipal or communal water and sewage services shall be the preferred form of servicing for development in Settlement Areas. Individual on-site water and sewage services may be permitted where municipal or communal services is not available.

### 4.3.4 Residential Uses

- a) Settlement Areas will provide a significant opportunity for housing within the Township. A full range of housing types shall be permitted including:
- i) single detached dwellings
  - ii) semi-detached or duplex dwellings
  - iii) triplex dwellings
  - iv) townhouses
  - v) multiple unit dwellings
  - vi) single detached dwellings converted to multiple unit dwellings
  - vii) Group homes
  - viii) Additional dwelling units

- b) Bed and breakfasts, and home-based businesses may be permitted in accordance with the general development policies in **Section 3**.
- c) Residential uses shall be zoned with an appropriate zoning category in the Zoning By-law.
- d) Development should be appropriately compatible with surrounding uses per Section 3 of this Plan.

### 4.3.3.1.1 Development Criteria for Residential Conversions

- e) Existing single detached dwellings may be converted into multiple self-contained dwelling units.
- f) The implementing Zoning By-law shall include criteria for establishing eligibility for conversions.
- g) Where the lot is serviced by individual on-site water and sewage services, it must be demonstrated that the lot has an adequate supply of potable water and sufficient land area for the required sewage system to the satisfaction of the Township.
- h) The converted dwelling shall comply with all pertinent provincial and municipal regulations and by-laws relevant to such matters as fire, health, safety and occupancy.
- i) Adequate buffering and screening shall be provided between the converted dwellings' parking areas and adjacent uses, particularly adjacent single detached residential uses.
- j) Adequate off-street parking shall be provided.
- k) Converted dwellings shall be zoned in separate categories in the implementing Zoning By-law.

### 4.3.3.1.2 Development Criteria for Multiple Unit Dwellings

- a) Townhouses and multiple unit dwellings, with four or more units, shall be located so as to minimize their impact on adjacent lower density residential uses.
- b) In considering development applications, Council shall ensure that the proposed multiple unit dwelling will not create a traffic hazard and that its impact on low density residential areas will be minimal.
- c) Adequate off-street parking shall be provided. Access points to parking areas shall be designed in a manner that provides for the adequate and safe movement of vehicular and pedestrian traffic.
- d) Development should be compatible with surrounding uses as per **Section 3.5** of this Plan.
- e) Developments with four or more residential units are encouraged to locate in Settlement Areas with municipal services or communal services. New multiple unit residential development may be permitted to occur on private water supply and sanitary sewage

disposal systems subject to the approval of the appropriate authority, insofar as it relates, among other things, to the types of systems to be utilized and minimum lot size.

### 4.3.5 Commercial Uses

- a) The uses permitted include those commercial establishments offering goods and services which serve the residents of the Settlement Areas or the community as a whole such as retail stores, personal service shops, motels and hotels, places of entertainment, taverns, business and professional offices, eating establishments, funeral homes, motor vehicles service stations and/or gasoline, diesel, propane and liquefied natural gas outlets, motor vehicle sales outlets, service shops, convenience stores, tourist homes, and medical clinics.
- b) Commercial uses will be further defined and will be zoned in a separate category in the implementing Zoning By-law. The Zoning By-law will also establish appropriate provisions and standards for rural commercial uses.
- c) Where commercial uses are located adjacent to residential or other sensitive land uses, provisions may be made for increased setbacks, buffering or screening to ensure compatibility and to avoid land use conflicts.
- d) Site plan control shall apply to commercial uses.
- e) Generally Commercial uses must be adequately serviced, have screened any outdoor storage, have suitable landscaping, shall orient lighting away from residential and other sensitive uses, and provide for safe vehicular and pedestrian movement through the site.
- f) Commercial uses shall be encouraged to concentrate adjacent to existing commercial uses in the Settlement Area.
- g) The lot size shall be adequate for the proposed use (e.g., to allow for access, on-site maneuvering of vehicles, parking and loading, access by emergency vehicles, appropriate water and sewage services, storage of materials and wastes, signage, landscaping and buffering, privacy or open space areas, accessory buildings, light, air and access to the rear of the lot).
- h) Development shall have frontage on a public road. In all cases it shall be demonstrated that the proposed use will not create a traffic hazard, and that the public road is, or can be made to be, of suitable quality to accept traffic generated by the new commercial operation.
- i) Adequate off-street parking and loading facilities shall be provided. Access points to parking areas shall be limited in number and designed in such a manner to minimize the danger to vehicular and pedestrian traffic.

- j) Where off-street parking is required, such parking shall generally be located to the rear or side of buildings, in order to foster a pedestrian-friendly environment.
- k) Parking lots shall be conveniently located, in such a manner as to provide safe access to public roads and sidewalks, or other pedestrian corridors. They shall be appropriately buffered and landscaped in order to reduce their micro-climatic and visual impact on the surrounding area.
- l) Residential uses shall generally be permitted to locate in either the upper stories or in the rear half of the ground storey of buildings in which commercial uses are permitted.
- m) In the case of mixed-use buildings, parking for residential uses shall be distinctly identified from the parking for commercial uses.
- n) Mixed-use buildings should include well-designed, useable amenity areas for the residents that meet the requirements of the Zoning By-law. These areas may include private or communal amenity areas, such as: balconies or terraces; rooftop patios/gardens; and communal outdoor at-grade spaces (e.g. plazas, courtyards, squares, and yards).

### 4.3.6 Industrial Uses

- a) Light non-water intensive industrial uses are permitted in the Settlement Area designation. These uses shall include manufacturing, processing, fabrication, assembly, treatment, packaging, and other similar uses, provided that all activities are conducted within a wholly enclosed building.
- b) Water intensive industrial uses such as breweries and cheese factories, may be permitted provided that it has been demonstrated that there is a sustainable supply of potable water, and that there would be no undue interference to existing or proposed neighbours.
- c) Industrial uses will be further defined and will be zoned in a separate category in the implementing Zoning By-law. The Zoning By-law will also establish appropriate provisions and standards for rural commercial uses.
- d) Industrial uses shall be encouraged to locate along a public road on the periphery of the Settlement Areas.
- e) The lot size shall be adequate for the proposed use (e.g., to allow for access, on-site maneuvering of vehicles, parking and loading, access by emergency vehicles, appropriate water and sewage services, storage of materials and wastes, signage, landscaping and buffering, privacy or open space areas, accessory buildings, light, air and access to the rear of the lot).
- f) Development shall have frontage on a public road. In all cases it shall be demonstrated that the proposed use will not create a traffic hazard, and that the public road is of suitable quality to accept traffic generated by the new industrial operation.



- g) Adequate off-street parking and loading facilities shall be provided. Access points to parking areas shall be limited in number and designed in such a manner to minimize the danger to vehicular and pedestrian traffic.
- h) Industrial uses shall be directed away from residential uses and other sensitive uses.
- i) Where industrial uses are located adjacent to residential or other sensitive land uses, provisions may be made for increased setbacks, buffering or screening to ensure compatibility and to avoid land use conflicts.
- j) Industrial uses shall be compatible with neighbouring sensitive land uses through the application of Ministry of the Environment, Conservation and Parks D-series guidelines and NPC-300 guideline, and employ the appropriate separation distances and/or mitigative measures to reduce the potential of land use conflict within a Settlement Area.
- k) Industrial uses shall be well-designed and attractive with appropriate building materials and landscaping.
- l) Studies will be required to determine if servicing could be provided to meet the requirements for industrial development (e.g., appropriate water and sewage services, fire protection).
- m) Site plan control shall apply to industrial uses.

### 4.3.7 Agricultural Uses

The Township recognizes that there are existing active farms located within Settlement Areas.

- a) Existing agricultural uses are permitted to continue until such time as those lands are required to accommodate residential and non-residential growth and development.
- b) New or expanding livestock facilities are prohibited within Settlement Areas.

## 4.4 Employment Area

Employment opportunities are a key component of a healthy, liveable and safe community. The Township must provide and protect sufficient land to accommodate competitive opportunities for employment growth. Employment Areas are identified on **Map B**.

4.4.1 Lands identified as Employment Areas in this Plan are intended to accommodate a full range of employment opportunities including industrial and office uses to meet the long-term needs of the Township.

4.4.2 The Township will guide the development and protection of Employment Areas by:

- a) Recognizing the important relationship between planning, economic development, and environmental preservation in sustainable development and healthy communities.
- b) Ensuring that Employment Areas are protected to accommodate projected employment growth.
- c) Ensuring that Employment Areas are used to their fullest and highest potential.
- d) Recognizing that certain employment lands are considered high-profile due to their visibility and frontage on major roads. These lands will be planned to accommodate prestige employment uses, consisting of industrial and office uses in wholly enclosed buildings, and where outdoor storage will not be permitted.
- e) Directing uses that do not benefit from visibility and which require outdoor storage to the interior of Employment Areas.
- f) Requiring flexible and adaptable Employment Areas that include street patterns and building design and siting that allow for redevelopment and intensification.
- g) Limiting and/or mitigating land use incompatibilities where necessary to protect public and environmental health and safety.
- h) Ensuring development within Employment Areas is designed to minimize surface parking, maximize walkability, and provide for a mix of amenities and open space.
- i) **Prioritizing the provision of municipal communal services in Employment Areas to accommodate more intensive and higher order employment uses.**
- j) Ensuring Employment Areas are serviced with leading edge telecommunication services to attract knowledge-based industries.

4.4.2 Development of Employment Areas shall be subject to a secondary plan.

## 4.5 Environmental Protection

The Environmental Protection designation applies to lands which play an important role in the preservation of the Township's natural heritage systems including wetlands, watercourses and lakes. The Environmental Protection designation is shown on **Map A**.

Policies of this section of the Plan are primarily related to land use. More detailed policy related to environmental functions and features that form the traditional basis for this land use designation, are found in Section 5.

1. The following uses are permitted in the Environmental Protection designation:
  - a. Open space, conservation or flood protection uses
  - b. Passive recreational or educational activities excluding structures or buildings
  - c. Docks
  - d. Small watercraft access areas
2. The boundaries of the Environmental Protection designation were based on Provincial mapping. When additional information on the natural heritage or natural hazard features, wetland mapping or floodline mapping becomes available, this Official Plan and the Zoning By-law shall be amended accordingly.
3. Environmental Protection areas shall be zoned in a separate classification in the implementing Zoning By-law.
4. Minor changes to the boundaries of the designation may be permitted without an amendment to the Official Plan. An environmental impact assessment may be required in support of a minor boundary adjustment.
5. Nothing in this Plan is intended to imply that lands designated Environmental Protection are open to the general public or that any public body will be required to purchase such lands.
6. Minimum building setbacks from the Environmental Protection designation will be established in the Zoning by-law.

## 4.6 Mineral Aggregate

The planned function for the Township's mineral aggregate areas is primarily commercial resource extraction uses. The intent of the policies in this section is responsibly manage mineral aggregate resources by protecting them for long-term use, regulating current operations, requiring proper rehabilitation of closed operations, and protecting resources from incompatible uses.

The Township recognizes the importance of its mineral aggregates as a limited and non-renewable resource which may be required to meet the needs of both the Township and surrounding areas.

- a) The Township will protect wherever possible and practical the sand and gravel resources and a reasonable amount of bedrock resources for aggregate extraction. Unconstrained resource areas are those that have been identified through Aggregate Resource Inventory Papers (ARIP) prepared by the Ministry of Northern Development, Mines, Natural Resources and Forestry, are located outside of mapped natural heritage features, and are outside areas with sensitive uses. The intent of designating these unconstrained areas of mineral aggregate deposits is to protect these deposits from incompatible development over the long-term.
- b) Mineral Aggregate areas including licenced aggregates, such as pits and quarries, as well as sand and gravel resource areas (i.e., reserve areas) are designated on **Map A. Map D** identifies mineral aggregate resource areas by classification (i.e., secondary, or tertiary deposit) and the classification of pit/quarry and the associated influence areas.
- c) The following uses are permitted in the Mineral Aggregate designation:
  - Pit and quarry operations licensed under the Aggregate Resources Act;
  - A wayside pit or quarry;
  - Uses associated with or accessory to the pit or quarry operation including crushing facilities, stockpiles, and screening operations;
  - Aggregate recycling facilities;
  - Concrete batching plants;
  - Aggregate transfer stations;
  - Activities and operations associated with the progressive rehabilitation of the lands;
  - A forestry, agricultural, conservation or passive recreation use which does not preclude or hinder current or future extraction of the resource may be permitted only where the lands are not being used for a mineral aggregate operation; and

- Existing dwellings and accessory uses.
- d) A new asphalt plant or production of secondary related products in conjunction with a mineral aggregate operation, shall require a Zoning By-law amendment.
- e) Development of sensitive land uses is not permitted within 300 metres of sand and gravel resource areas or within 500 metres of bedrock resource areas, unless it can be demonstrated through a mineral aggregate impact assessment that such development shall not conflict with future mineral aggregate extraction. Examples of sensitive land uses are:
  - a. The creation of new lots
  - b. Rezoning to permit dwellings, community facilities, commercial operations
- f) Development of sensitive land uses may be permitted within 300 metres of a licensed sand and gravel pit or within 500 metres of a licensed bedrock quarry if it can be demonstrated that the existing mineral aggregate operation, and potential future expansion of the operation in depth or extent, will not be affected by the development.
- g) In considering new development through e) and f), it must be demonstrated that:
  - a) Resource use would not be feasible; or
  - b) The proposed land uses, or development serves a greater long-term public interest; and,
  - c) Issues of public health, public safety, and environmental impact are addressed. This may necessitate the submission of other supporting information such as but not necessarily limited to, geo-technical and groundwater studies, noise, vibration and dust studies and, environmental impact assessment.
- h) Development in or adjacent to unconstrained areas of mineral aggregate deposits, shall be located and buffered sufficiently to ensure that the extraction is not limited and that the development is not affected by the noise, dust or other health and public safety issues that are related to the extractive activity.
- i) The Township may permit the construction of a dwelling and accessory buildings on a lot within the Mineral Aggregate designation or within 300 m of sand and gravel resource areas or the licensed boundary of an existing pit, and within 500 m of bedrock resource areas or the licensed boundary of an existing quarry subject to the following conditions:
  - i) The lot was created under the Planning Act prior to October 2003,
  - ii) The use is permitted in the Zoning By-law,
  - iii) All requirements for individual on-site water and sewage services are met, and

- iv) New development shall be sited on the lot to minimize the impact upon future extraction of mineral aggregate resources, and/or the mineral aggregate operation.
- j) In considering an amendment to the Official Plan and/or Zoning By-law for the establishment of a new pit or quarry or the expansion of an existing pit or quarry, the Township will consider:
  - a) The location, nature, extent and economic potential of the mineral aggregate deposit;
  - b) The nature and location of adjacent land uses and the effect the pit and quarry operation could have on:
    - i) Natural heritage features,
    - ii) Agricultural resources and activities,
    - iii) The character of the area,
    - iv) The groundwater recharge functions on the site and in the immediate area,
    - v) Cultural heritage and archaeological resources in the area,
    - vi) Surface water features in the area, and nearby wells and surface intakes used for drinking water purposes.
  - c) The capability of the existing road network to service the proposed location;
  - d) The effect of the noise, odour, dust and vibration generated by the use and the use of haul routes on adjacent land uses, and
  - e) How the impacts of the proposed pit or quarry will be mitigated in order to lessen the impacts.
- k) Within the areas designated as Mineral Aggregate, the establishment of a new pit or quarry or the expansion of an existing operation onto lands not zoned for such use shall require an amendment to the Zoning By-law.
- l) The area to be zoned or licensed may extend beyond the boundaries of the designation shown on **Map D** provided such expansion is minor, reasonable, respects any separation distances and does not adversely impact on existing uses in the area.
- m) Past producing aggregate operations or active extraction sites shall be subject to the provisions of the *Aggregate Resources Act* with respect to rehabilitation and/or closure.
- n) Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible.
- o) Where an aggregate operation has been rehabilitated and the license surrendered, the lands may be redesignated to Rural for an appropriate land use.



- p) The Township will encourage comprehensive rehabilitation planning where there is a concentration of mineral aggregate operations.

### 4.5.3 Wayside Pits and Quarries

- a) Wayside pits and quarries used by the Township or its agents, are generally permitted throughout the Township without the need to amend this Official Plan or the Zoning By-law, except in areas of existing development or of particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.
- b) Prior to the establishment of a wayside pit or quarry for Township purposes, Council will be advised by the Township's Director of Public Services that the proposed operation qualifies as a wayside pit or quarry and that a permit be issued by the Ministry of Natural Resources under the authority of the Aggregate Resources Act.

### 4.5.4 Portable Asphalt Plants

The Township recognizes portable asphalt plants as an important part of aggregate operations.

- a) Portable asphalt plants, used by the Township or its agents, are permitted throughout the Township without the need to amend this Official Plan or the Zoning By-law, except in those areas of existing development or of particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.
- b) If asphalt for a public road project cannot be obtained from an existing asphalt plant, the portable plant should be located in a wayside pit, vacant industrial site, the highway right-of-way, or on inactive or less productive agricultural lands.
- c) Portable asphalt plants are subject to the following provisions:
  - i) The portable asphalt plant will be removed from the site upon completion of the project;
  - ii) The portable asphalt plant must have an Environmental Compliance Approval from the Ministry of the Environment and must meet the minimum separation distance of that Ministry; and,
  - iii) Where the site used for a portable asphalt plant is on Class 1 to 3 soils within the Agricultural designation, the site should be rehabilitated with substantially the same area and soil capability for agriculture being restored.

## 4.7 Mining

While there is no current mapping that indicates there is mineral potential within the Township, it is acknowledged that there may be new mineral deposits found over the life of this Plan. In these situations, mineral potential may be important to the Township. It is acknowledged that mineral potential has the potential to conflict with the other goals and objectives of the Official Plan. The Township will therefore exercise caution when considering a request for a mining operation to ensure that mining is permitted only under enforceable controls which maintain the environmental, residential, tourism, recreational and economic goals, and objectives of this Plan.

The Mining designation applies to mines operated in accordance with the *Mining Act*. Existing mines are shown on **Map D**.

- a) The following uses are permitted in the Mining designation:
  - mining and mining-related uses,
  - pits and quarries and related uses
  - A forestry, agricultural, conservation or passive recreation use provided they do not preclude or hinder future extraction of the resource
- b) Mining areas will be protected from development which would preclude or hinder the establishment of a new mining operation or access to the resource unless:
  1. The Resource use would not be feasible; or
  2. The proposed land use or development serves a greater long term public interest;  
and
  3. Issues of public health and safety and environmental impacts are addressed.
- c) In considering an amendment to the Official Plan and/or Zoning By-law for the establishment of a new mineral mining operation or the expansion of an existing operation, the Township will consider:
  1. The location, nature, extent and economic potential of the mineral deposit;
  2. The nature and location of adjacent land uses and the effect the mining operation could have on:
    - i. Natural heritage features,
    - ii. Agricultural resources and activities,
    - iii. The character of the area,
    - iv. The groundwater recharge functions on the site and in the immediate area,
    - v. Cultural heritage and archaeological resources in the area,

- vi. Surface water features in the area, and nearby wells and surface intakes used for drinking water purposes.
  - 3. The capability of the existing road network to service the proposed location;
  - 4. The effect of the noise, odour, dust and vibration generated by the use and the use of haul routes on adjacent land uses; and
  - 5. How the impacts of the proposed operation will be mitigated in order to lessen the impacts.
- d) Mineral mining operations will be zoned in a separate category in the implementing Zoning By-law. The sites approved for mining may be placed in one or more specific zoning categories to carefully control and regulate the use of land.
  - e) Past producing mining operations or active mining operations shall be subject to the provisions of the *Mining Act* with respect to rehabilitation and/or closure. Petroleum resource operations shall be subject to provisions and regulations of the *Oil, Gas and Salt Resources Act* with respect to rehabilitation and/or closure.
  - f) Progressive rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible.
  - g) Where a mine or petroleum resource operation has been closed and rehabilitated, the lands may be redesignated for an appropriate land use.

## 4.8 Waste Management

The Waste Management Designation is intended to locate and manage public or private waste disposal, management, or treatment. Waste management facilities and their adjacent influence areas are designated on **Map A**.

- b) The following uses are permitted in the Waste Management designation:
- municipally or privately operated waste disposal or management sites licensed by the Province;
  - waste transfer stations,
  - recycling stations,
  - composting facilities,
  - sewage lagoons,
  - sewage treatment facilities,
  - landfill sites or former landfill sites,
  - salvage yards
- c) The types of wastes permitted shall be limited to municipal wastes and controlled wastes as defined by the Ministry of the Environment.
- d) Under no circumstances shall any waste disposal site be used for the storage or disposal of nuclear, hazardous or pathological waste.
- e) Waste disposal, processing and transfer facilities must be established in accordance with the regulations and requirements of the Province including:
- iv) adequate separation distances between the waste management use and any sensitive use;
  - v) where a use is permitted by an Environmental Compliance Approval of the MOECC, the zoning category must identify the site as a waste management site; and
  - vi) once any portion of an area used for waste disposal, processing or transfer ceases, no further use may be made of the site without MOECC approval.
- f) New or expanding waste management facilities shall proceed by way of an Official Plan Amendment, Zoning By-law Amendment, and Site Plan Control.
- g) In considering applications for the establishment of waste management facilities, appropriate studies shall be prepared which demonstrate to the satisfaction of the Township:
- vii) A need exists for the proposed use;
  - viii) The proposed use is compatible with the adjacent uses;

- ix) The requirements of all applicable legislation, including the Environmental Protection Act and the Environmental Assessment Act have been fulfilled;
  - x) The site is physically suited to the proposed use particularly with regard to topography, relief, landforms, soils and surface and ground water characteristics;
  - xi) The public road system is adequate to serve the site; and,
  - xii) Adequate and appropriate buffering and landscaping are provided; and
  - xiii) The development will not adversely affect the community in terms of noise, dust, odour, visual impact, impacts to ground or surface water, or other social, economic or environmental impact deemed relevant by the Township.
- h) Waste Management uses shall be zoned in a separate category in the implementing Zoning By-law.
  - i) Closed or inactive sites may be used for other purposes subject to meeting requirements of the Environmental Protection Act. In general, no buildings or other uses may be made of land used as a waste management facility within a period of 25 years from the year in which the site was closed without the prior approval of the Province. Exceptions include the use of the property for approved infrastructure programs.
  - j) The designation on lands may be changed from Waste Management to another land use category once the Township has received confirmation that the site has been decommissioned and cleaned to the satisfaction of the Ministry of the Environment and Climate Change.
  - k) Where a former waste management site has been rehabilitated, the Official Plan will continue to identify the lands as a former waste management site on **Map A**.
  - l) No development shall be permitted within 30 metres of the fill area of an active waste disposal facility or area.
  - m) Development must be located outside the defined area of influence of an area designated or zoned for waste management use. If an influence area has not been defined, the development must be no closer than 500 metres from any site designated or zoned as Waste Management.
  - n) The area of influence and separation distance between a sensitive land use and Waste Management designation may be altered to reflect site-specific conditions related to such matters as land use compatibility, groundwater, noise, dust, vibration and other appropriate matters without amendment to this Plan, subject to the completion of an impact assessment report and a technical study prepared by a qualified individual in accordance with the Ministry of the Environment, Conservation and Parks D-Series Guidelines that demonstrates that the proposed development, particularly a sensitive land use, will not be negatively impacted by the waste disposal facility (e.g., leachate, methane gas, rodents, vermin, odours, fire etc.) to the Township's satisfaction. Where

recommended by the reports, measures to mitigate any adverse effects will be required as a condition of development.





# 5 Our Natural Environment

In South Frontenac, the protection of environmental health is fundamentally linked to social well-being and long-term prosperity of the community. This section establishes policies to guide the development of the Township to ensure it protects the environmentally sensitive areas of the Township, and to protect development from hazards.

Within this section, policies address how environmentally sensitive areas will be regulated, monitored, and protected, which areas or features may require an environmental impact assessment, and how the Township will guide development near protected lands within the Township. There are also policies to address natural hazards, human-made hazards and water resources.





## 5.1 Natural Heritage

The Township is located within Frontenac Arch Biosphere Region, which extends to include the St. Lawrence River and the 1000 Islands. The Frontenac Arch Biosphere Region is a designated United Nations Educational, Scientific and Cultural Organization (UNESCO) World Biosphere Reserve, identified for its globally significant ecological features. In particular, the Frontenac Arch Biosphere Region has been identified as being significant due to its role in connecting the Adirondack Mountains to the Canadian Shield. It houses a number of diverse

ecosystems within the Township, including a rich mix of flora and fauna. The ecological significance of the Region is recognized in the number of hectares in the Township owned and conserved by the Province (e.g. Frontenac Provincial Park) and by not-for-profit conservation agencies.

The Region provides north-south pathways that allow wildlife to maintain genetic diversity. Animals travel these pathways, birds follow them, and with global warming pushing climate zones northward, even plants are expanding along them.

The protection of Natural Heritage features is critical to the quality of life and natural amenities that residents and visitors to the Township enjoy, including playing a role in moderating climate change impacts. The intent of the policies in this section is to guide the management and conservation of natural heritage features and areas. Natural heritage features and areas are important for their environmental and social values as a legacy of the natural landscapes of the area. They include wetlands, areas of natural and scientific interest, woodlands, valleylands, significant wildlife habitats, fish habitats, and habitats of endangered species and threatened species.

Collectively, the natural heritage features and areas within a given area form a natural heritage system. It is intended that the features identified in South Frontenac will be conserved for their natural heritage value. Known, mapped features of the Township's Natural Heritage System are identified on **Map C**. Other features have not been mapped yet or cannot be identified on the Map to protect the species and their habitats. The components of the natural heritage system are shown on **Map C**. The Frontenac Arch Biosphere Region, large scale parks and conservation areas within the Township are shown on **Appendix D**.

Frontenac County recognizes the regional significance of natural heritage systems, and is planning to undertake an update to the County-wide Natural Heritage Study following the adoption of this Official Plan. This study will update existing natural heritage mapping and will consider a systems approach to natural heritage protection.

- d) The Township supports this work and will participate in the update to the County Natural Heritage Study.
- e) The Township will initiate an amendment to this Official Plan to implement County policy and mapping updates to ensure the Township plan remains in conformity with the County Official Plan.





### 5.1.1 Wetlands

Wetlands are habitat for a variety of plant and animal species, and are important for water quality, flood control, water storage and recharge areas, and for their value for passive recreation. Provincially significant wetlands, locally significant wetlands and unevaluated wetlands are identified as part of the Natural Heritage System on **Map C**. Wetlands are designated as Environmental Protection areas on **Map A** due to their importance.

- a) Development and site alteration shall not be permitted in a wetland.
- b) Development and site alteration shall not be permitted on the adjacent lands to a Provincially significant wetland or locally significant wetland, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that



there will be no negative impacts on the wetland or on their ecological functions. For the purpose of this policy, adjacent lands are defined as lands within 120 metres of a Provincially significant wetland, and defined as lands within 30 metres of a locally significant wetland.

- c) Any development or site alteration proposed on the adjacent lands shall also satisfy the land use policies of the underlying land use designation as shown on **Map A**.
- d) The Township may require an environmental impact assessment for development that is proposed on lands within 30 metres of an unevaluated wetland.
- e) Where a wetland exists but has not been identified on **Map A** or **Map C** of this Plan, or where a wetland is identified through an environmental impact assessment, the policies in this Plan shall apply.

### 5.1.2 Fish Habitat

It is the intent of the Township to protect fish spawning areas and fish habitat.

- f) Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
- b) Development and site alteration on adjacent lands to fish habitat may require an environmental impact assessment to evaluate the ecological function of the adjacent lands and to demonstrate that there will be no negative impacts on the fish habitat or on their ecological functions. For the purposes of this policy, adjacent lands to fish habitat include a distance of 120 metres from the shoreline abutting the affected water bodies, including wetlands and watercourses.
- n) Where fish habitat is identified through an environmental impact assessment, the policies in this Plan shall apply.
- d) Any development or site alteration proposed within fish habitat or on the adjacent lands shall also satisfy the land use policies of the underlying land use designation as shown on **Map A**.

### 5.1.3 Endangered and Threatened Species

The Township is home to a large number of Species at Risk, including endangered species and threatened species. The Endangered Species Act, 2007 (ESA) prohibits the killing, harming, harassment, capture, or taking of a Species at Risk, and the damaging or destroying of their habitat. Endangered species and threatened species are listed / categorized on the Province's official Species at Risk in Ontario list, as updated and amended from time to time.

The Ministry of Environment, Conservation and Parks (MECP) is the lead agency responsible for delineation of habitat of endangered species and threatened species and administering the provisions for the ESA. The Species at Risk branch of the Ministry maintains a list of Species at

Risk (SAR) known to have observations and occurrences is available through the Species at Risk office. If at any time, SAR as listed under the ESA is encountered, work must stop immediately and the MECP must be contacted.

Property owners are encouraged to consult the ESA and related O. Reg 230/08, and to consult the public data made available by the MECP on the Natural Heritage Information Centre (NHIC) database prior to undertaking development or site alteration. The NHIC includes information on the occurrence of endangered and threatened species and is an important screening tool for assessing the likelihood of the presence of endangered and threatened species habitat.

- a) This Plan recognizes that endangered species and threatened species may exist throughout the Township. The habitat of such species is not identified on the maps that comprise this Official Plan, in order to protect the associated features from disturbance. Proponents must obtain this information from the Province to screen locations for the known presence of species at risk.
- b) Where habitat of endangered species and threatened species is identified through an environmental impact assessment, the policies in this Plan shall apply.
- c) Development and site alteration shall not be permitted within habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. The conditions of any Environmental Benefit Permit will be part of any development applications submitted to the Township.
- d) Development and site alteration shall not be permitted on land adjacent to the habitat of endangered and threatened species, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- e) Agreements with the Township as a condition of development will inform the property owner about their obligations under the ESA.

### 5.1.4 Significant Wildlife Habitat

Significant wildlife habitat is defined as areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their populations.

Certain areas of the Township provide prime habitat for deer and are identified as a significant wildlife habitat. Winter deer habitat identified by the Province is identified as part of the Natural Heritage System on **Map C**. The Township seeks to preserve the function of these relatively large geographic areas while not unduly restricting development. Other types of significant wildlife habitat may include seasonal concentrations of animals, specialized habitats for wildlife,



rare vegetation communities, and habitats of species of special concern. Not all *significant* wildlife habitats are mapped.

- a) Development and site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the significant wildlife habitat or their ecological functions.
- b) Development and site alteration on lands within 120 metres of significant wildlife habitat shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the significant wildlife habitat or on their ecological functions.
- c) Any new development or site alteration proposed within significant wildlife habitat or on adjacent lands shall also satisfy the land use policies of the applicable land use designation as shown on **Map A**.
- d) Where significant wildlife habitat is identified through an environmental impact assessment, the policies in this Plan shall apply.
- e) Any new development or site alteration proposed within significant wildlife habitat or on adjacent lands shall also satisfy the land use policies of the applicable land use designation as shown on **Map A**.

### 5.1.5 Areas of Natural and Scientific Interest

Areas of natural and scientific interest (ANSI) are areas of land and water that contain natural landscapes or features that have been identified as having life science or earth science values related to the protection, scientific study, or education. Provincially and Regionally Significant Life Science and Earth Science ANSIs are identified as part of the Natural Heritage System on **Map C**.

- a) Development and site alteration shall not be permitted in a Provincially Significant ANSI or a Regionally Significant ANSI, unless it has been demonstrated that there will be no negative impacts on the ANSI or on their ecological functions.
- b) Development and site alteration on lands within 120 metres of a Provincially or Regionally Significant Life Science ANSI shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the ANSI or on their ecological functions.
- c) Development and site alteration shall not be permitted within 50 metres of a Provincially or Regionally Significant Earth Science ANSI, unless it has been demonstrated that such development will not negatively affect the overall character of the geological feature that resulted in the classification or contribute to potential cumulative impacts. An

environmental impact assessment or other appropriate study may be required to assess the impact of the development or site alteration on this feature.

- d) Any new development or site alteration proposed within an ANSI or on adjacent lands shall also satisfy the land use policies of the applicable land use designation as shown on **Map A**.

### 5.1.6 Significant Woodlands

It is recognized that the woodlands and forests of South Frontenac have great ecological significance locally and internationally. **Appendix E** identifies the wooded areas within the Township.

- a) Criteria for determining significance of any woodlands shall be in accordance with the Natural Heritage Reference Manual until such time that the County Natural Heritage Study is completed.
- b) Where significant woodland is identified through an environmental impact assessment, the policies in this Plan shall apply.
- c) Development and site alteration shall not be permitted in a significant woodland unless it has been demonstrated that there will be no negative impacts on the woodland or on its ecological functions.
- d) Development and site alteration on lands within 120 metres of a significant woodland shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the woodland or on their ecological functions.
- e) Any new development or site alteration proposed within a significant woodland or on adjacent lands shall also satisfy the land use policies of the applicable land use designation as shown on **Map A**.

### 5.1.7 Significant Valleylands

- a) Where a significant valleyland is identified through an environmental impact assessment, the policies in this Plan shall apply.
- b) Development and site alteration shall not be permitted in a significant valleyland unless it has been demonstrated that there will be no negative impacts on the valleyland or on its ecological functions.
- c) Development and site alteration on lands within 120 metres of a significant valleyland shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the valleyland or on their ecological functions.

- d) Any new development or site alteration proposed within a significant valleyland or on adjacent lands shall also satisfy the land use policies of the applicable land use designation as shown on **Map A**.

### 5.1.8 Linkages and Biodiversity Areas

Natural heritage features and areas are connected through linkages and biodiversity areas to form the natural heritage system. This system interconnected to the natural heritage beyond our local boundaries and form part of the Frontenac Arch Biosphere Region.

Linkages are not currently identified on any maps at this date of the adoption of this Plan by Council. Linkages may be identified through the completion of an environmental impact assessment through development review processes. These lands may be zoned or designated as Environmental Protection through future amendments to this Plan.

### 5.1.9 Environmental Impact Assessment

- a) An appropriate level of background review and ecological site assessment may be required to determine the location and nature of natural heritage features or areas that may be present on an individual property prior to submission of a development application.
- b) The Township will require an environmental impact assessment (EIA) to provide for an assessment of the potential impact of a proposed development or site alteration on natural heritage features and shall be used to determine whether the proposed development, redevelopment or site alteration will result in negative impacts to the natural heritage features or on their ecological functions.
- c) The EIA will be undertaken by a qualified professional retained by the proponent of development and/or site alteration.
- d) An EIA may need to address the need for a larger setback to adjacent lands depending on species or habitat sensitivity, site characteristics, and/or intensity of development or site alteration.
- e) A setback width may be recommended based on site-specific characteristics where negative impacts are not anticipated. For example, in an existing built-up area, or for proposals for small intrusions into adjacent lands requiring a *Planning Act* approval (e.g., minor variance).
- f) The components of the EIA shall be tailored to the scale of development and may range from a simplified assessment (scoped assessment) to a full-scale assessment. For example, a single detached dwelling may only require a scoped assessment while a subdivision, condominium, multiple unit residential development, major commercial or industrial development, golf course etc. will require a full site assessment. The Township

may consult with other agencies in determining information requirements and the type and content of an EIA.

- g) An EIA must be prepared in accordance with Provincial guidance documents and the Township's guidelines for environmental impact assessment.

### 5.1.10 Implementation Measures

- h) The Township may use zoning, site plan control, development agreements, and the provisions of the *Municipal Act* (i.e., site alteration controls, tree cutting and vegetation removal by-laws) as measures to implement recommendations or results of an environmental impact assessment or to govern the spatial relationship of buildings and structures to natural heritage features and areas.

### 5.1.12 Stewardship Activities

One of the key factors that make South Frontenac such a unique place is that it is largely undeveloped, especially when compared to other parts of Ontario. The Township supports the development of stewardship activities in order to provide a broad prospective on protecting ecosystems and managing landscapes. This Plan recognizes that connectivity of landscapes and ecosystems is important for the long-term resilience of the natural environment in the Township and the broader region.

- a) The Township supports consideration of new conservation areas, conservation easements and ecological stewardship and education programs within South Frontenac.
- b) The Township may support stewardship activities directly or indirectly through Township projects, budget allocation, grants and by supporting the research and work of conservation agencies, not-for-profit groups, and educational institutions.
- c) All land owners are encouraged to recognize forest resources and to:
  - a. manage all woodlands in accordance with proper forest management practices;
  - b. retain existing tree cover as much as possible, and particularly in areas of low capability soils, slopes, major drainage swales and flood prone areas to reduce runoff rates and minimize soil erosion;
  - c. establish and retain windbreaks to reduce wind erosion; and,
  - d. reforest non-productive farmland where it is not providing significant wildlife habitat or habitat of endangered species and threatened species.

## 5.2 Natural and Human-Made Hazards

Development in areas of natural and human-made hazards can pose an unacceptable risk to public health and safety, and of property damage. It can also create new or aggravate existing hazards. Risks may be exacerbated by extreme weather events and climate change.

### 5.2.1 Natural Hazards

Natural hazards which are known to be present in the Township include flooding and erosion, unstable soils, and bedrock (i.e., karst topography), and wildland fire hazards. The Township relies on the Conservation Authorities to identify natural hazards with the exception of wildland fire hazards, which are identified by the Province.

- a) Development shall generally be directed to areas outside of hazardous lands adjacent to waterbodies and watercourses which are impacted by flooding hazards and/or erosion hazards.
- b) Development shall generally be directed to areas outside of hazardous sites including unstable soils or bedrock.
- c) Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.
- d) Where development is proposed in an area with a suspected hazard or where the extent of a known hazard has not been confirmed, the Township may require technical studies prepared by a qualified individual demonstrating that the development would not be affected by natural hazards and would not put other properties at greater risk from these hazards.
- e) The Township will take a comprehensive approach to natural hazard management for all development and site alteration proposals considering factors including but not limited to:
  - i) Risk to life and property;
  - ii) Upstream and downstream impacts and the cumulative impacts of development on the overall hazard level;
  - iii) The impacts of a changing climate that may increase the risk associated with natural hazards; and,
  - iv) Impacts to natural features and areas including their ecological and hydrologic functions.

### 5.2.1.1 Erosion Hazards and Steep Slopes

Lands along waterbodies and watercourses, and lands characterized by steep slopes can pose risks to people and property resulting from potential slope instability or erosion. Development on steep slopes or erosion-prone lands can have significant negative impacts on natural heritage features and areas, surface water quality and quantity, and other resources.

- a) Appropriate setbacks from steep slopes and erosion-prone lands are important to minimize risks to people and property. Setbacks will be imposed from steep slopes and erosion hazards relative to the extent of severity of the hazard, in consultation with the Conservation Authority.
- b) The Township may require the submission of a geotechnical report or slope stability assessment prepared by a qualified professional to ensure that the property is suitable for development to the satisfaction of the Township and the Conservation Authority.
- c) Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations, and electrical substations, and uses associated with the disposal, manufacture, treatment, or storage of hazardous substances shall not be permitted.
- d) Development and site alteration may be permitted on lands affected by steep slopes or erosion hazards where the effects and the risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards, as determined by demonstrating and achieving all of the following:
  - i) Development and site alteration is carried out in accordance with floodproofing standards, protections work standards, and access standards;
  - ii) New hazards are not created, and existing hazards are not aggravated;
  - iii) No adverse environmental impacts will result; and,
  - iv) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies.

### 5.2.1.2 Flooding Hazards

Flooding is a natural occurrence along all waterbodies and watercourses in the Township. It becomes a hazard when buildings or structures are placed where there is a risk of inundation. Minor flooding occurs on a seasonal basis. The 1:100 year event is used for planning purposes in the Township. Flood plain management policies are intended to prevent the loss of life, to minimize property damage and social disruption, and to encourage a coordinated approach to the use of land and management of water.



The flood plain is not included on the mapping included in the Official Plan. Lands within South Frontenac are regulated by three Conservation Authorities, Cataraqui Conservation, Rideau Valley Conservation Authority and Quinte Conservation. Each Conservation Authority has its own mapping and regulations that identify the flood plain within their own jurisdiction. The inclusion of flood plain mapping in the Official Plan may occur in the future.

- a) Development and site alteration is prohibited within areas that are subject to flooding hazards, except for those uses that by their nature must be located within the flood plain, such as flood or erosion control structures, shoreline stabilization works, water intake facilities and marine facilities such as docks and access stairs, subject to approval by the Township and any applicable agency (i.e., Parks Canada, Ministry of Natural Resources, Conservation Authority).
- b) Uses such as agriculture, forestry, conservation, wildlife management, outdoor education uses and similar activities are permitted, provided that no associated buildings or structures are located in the flood plain.
- c) Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations, and electrical substations, and uses associated with the disposal, manufacture, treatment, or storage of hazardous substances shall not be permitted.
- d) Appropriate setbacks from flooding hazards are important to minimize risks to people and property. Setbacks will be imposed from flooding hazards relative to the extent of severity of the hazard, in consultation with the Conservation Authority.
- e) The Township may require the submission of a floodplain management study prepared by a qualified professional to ensure that the property is suitable for development to the satisfaction of the Township and the Conservation Authority.
- f) Development and site alteration may be permitted on lands affected by flooding hazards where the effects and the risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards, as determined by demonstrating and achieving all of the following:
  - i) Development and site alteration is carried out in accordance with floodproofing standards, protections work standards, and access standards;
  - ii) New hazards are not created, and existing hazards are not aggravated;
  - iii) No adverse environmental impacts will result; and,
  - iv) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies.

### 5.2.1.3 Unstable Soils

Lands with the potential for unstable soils include those that possess organic soils, as identified by the Canada Land Inventory for Agricultural Capability. These lands are not mapped in the Official Plan. 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 do not contain sufficient strength to support a building or structure.

- g) Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations, and electrical substations, and uses associated with the disposal, manufacture, treatment, or storage of hazardous substances shall not be permitted.
- h) Where development is proposed on lands identified as having potential for unstable soils, the Township may require sufficient soils and geotechnical engineering information to indicate that the lands are either suitable or can be made suitable for development.
- i) Development and site alteration may be permitted on lands affected by unstable soils where the effects and the risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards, as determined by demonstrating and achieving all of the following:
  - v) Development and site alteration is carried out in accordance with floodproofing standards, protections work standards, and access standards;
  - vi) New hazards are not created, and existing hazards are not aggravated;
  - vii) No adverse environmental impacts will result; and,
  - viii) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies.

### 5.2.1.4 Unstable Bedrock – Karst Topography

Karst topography describes the formations caused by a combination of physical erosion and chemical dissolution of rock by surface water or groundwater. It can lead to hazards including sink holes, fissure widening, bedrock collapse and preferential pathways to groundwater. Such features have the potential to adversely impact water supplies through reduced filtration and rapid transport of contaminants and may present a hazard to human health and safety.

Karst topography is not mapped as part of this Official Plan. Local Conservation Authorities and the Province have the most accurate current mapping of karst topography in the Township.

- a) Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations, and electrical substations, and uses

associated with the disposal, manufacture, treatment, or storage of hazardous substances shall not be permitted.

- b) Where development is proposed on lands identified as having potential for unstable bedrock, the Township may require sufficient geotechnical engineering information to indicate that the lands are either suitable or can be made suitable for development.
- c) Development and site alteration may be permitted on lands affected by unstable bedrock where the effects and the risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards, as determined by demonstrating and achieving all of the following:
  - i) Development and site alteration is carried out in accordance with floodproofing standards, protections work standards, and access standards;
  - ii) New hazards are not created, and existing hazards are not aggravated;
  - iii) No adverse environmental impacts will result; and,
  - iv) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies.
- d) Proponents of development may be required to prepare an aquifer vulnerability and karst assessment report to the satisfaction of the Township and applicable Conservation Authority to determine the presence of any hazard associated with unstable bedrock and any drinking water threat it may pose, and necessary mitigation measures. Such assessment report may be required for development in areas of known or inferred unstable bedrock; and, sites exhibiting any evidence of karst formations such as disappearing streams, sinkholes, caves, and vertical fissures.

### 5.2.1.5 Wildland Fires

The Ministry of Northern Development, Mines, Natural Resources and Forestry has identified areas that have potential for wildland fire. Classification of wildland fire risk in the Township is shown on **Map G**.

- 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.
- b) 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 for wildland fire, and include proposed mitigation measures, if required.

### 5.2.2 Human-Made Hazards

#### 5.2.2.1 Contaminated Sites, Site Decommissioning and Clean-up

Potentially contaminated sites include lands where contaminants may be present due to previous commercial, industrial, transportation, utility, mining, or similar uses. Sources of site contamination can include disposal of waste materials, raw material storage, residues left in containers, lands associated with public works yards, rail operations, maintenance activities as well as fuel and chemical spills.

It is the intent to ensure the proper decommissioning and clean-up of contaminated sites prior to their redevelopment or reuse.

- a) Applications for the development or redevelopment of sites that are identified as being contaminated or potentially contaminated shall be supported by at minimum a Phase I Environmental Site Assessment (ESA). A Phase II ESA should be completed when warranted by the outcome of a Phase I ESA. Clean-up of contaminated sites should be done in accordance with the Record of Site Condition Regulation (O. Reg. 153/04) and Ministry of the Environment, Conservation and Parks guidelines.
- b) Contaminated sites may be placed in a holding zone in the implementing Zoning By-law, to be removed when a Record of Site Condition is filed in the Environmental Site Registry.

#### 5.2.2.2 Active and Abandoned Mines

There are a number of abandoned exploration trenches, mine sites and mineral resource operations in the Township. Known locations are identified on **Map D**. These abandoned sites vary widely in nature, from little more than minor ground disturbances to major excavations and/or shafts. In the case of more major disturbances, a risk to public safety may exist.

- a) The Ministry of Energy, Northern Development and Mines maintains the Abandoned Mines Inventory System (AMIS) which contains information relating to potential mine sites. The Township shall require that an applicant consult with the Ministry for any development within 1 km of an identified abandoned mine site identified on **Map D** and to undertake any remediation measures as legislated under the Mining Act. Development on, abutting or adjacent lands shall be permitted if measures to address and mitigate known or suspected hazards are underway or have been completed to the satisfaction of the Township and Province. A study completed to permit development shall identify healthy

and safety concerns, identify rehabilitation measures, and identify required mitigation measures.

- b) Where the Ministry has provided to the Township that the Abandoned Mine Site does not pose a threat to public health and safety as per the development proposed, the Township shall not require a study to be undertaken or an amendment to this Plan, provided all other policies in this Plan are met.
- c) Development on, abutting or adjacent to lands affected by mine hazards may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.



## 5.3 Water Resources

Lakes, rivers, and underground aquifers are used to supply drinking water to the residents and businesses of the Township. It is in the community's interest to protect the quantity and quality of source water to ensure that safe potable drinking water is available for the long term. Having clean and plentiful sources of water also supports tourism and recreation and provides habitat for fish and wildlife.

In order to maintain the quality and quantity of water, it is the intent of the Township to restrict development and site alteration near sensitive surface water or groundwater features, protect and enhance the "ribbon of life" along waterbodies, restrict water-based activities that may be harmful to the aquatic environment, implement appropriate stormwater management and pollution control measures, and implement the regional source protection plans.



### 5.3.1 Lake Capacity

The Township has considerable interest in maintaining the quality of its surface water resources. It is important that development not exceed the capacity of the lake to accommodate development and not contribute negatively to the aquatic environment.

It is necessary to protect lakes and their aquatic ecosystems by limiting development that would contribute to enhanced nutrient inputs or negative impact associated with erosion. In addition to water quality related to coldwater lake trout lakes, the Plan recognizes these additional factors as limiting lake development capacity on all lakes:

- a) Surface capacity for recreation;
- b) Lake nutrient levels and increasing trends;
- c) Confirmed harmful algae blooms; and,
- d) Overall vulnerability to additional human alterations.

#### 5.3.1.1 Surface Capacity for Recreation

Research has established relationships between recreational development on a given lake, and the resulting use of the lake's surface area for fishing, boating, swimming, water skiing, and other related activities. Beyond a certain limit, the amount of recreational use on a given lake will significantly reduce its attractiveness for shoreline residents and visitors. As well, in some circumstances, recreational boating can intensify to the point where public safety is at risk.

- a) A boating capacity study may be required for proposed shoreline development that has the potential to unduly add to existing aquatic recreational stresses, conflicts, and hazards This study must demonstrate to the Township's satisfaction:
  - i) that the boating activity generated by the proposed development will not unduly add to existing aquatic recreational stresses, conflicts, and hazards;
  - ii) that any impacts can be mitigated so that the lake's recreational attractiveness will be maintained or enhanced; and,
  - iii) that issues of public safety are minimized.
- b) Conditions of approval may be imposed to ensure the implementation of impact mitigation recommendations.
- c) There are localized areas such as narrow channels, near existing marinas, and in the vicinity of lock stations where there is potential for boater conflicts. Proponents of large-scale water-oriented development projects will be required to consult with the Township during the preparation of a concept to assess the effect of development on safe and enjoyable navigation of lakes. Parks Canada shall be consulted for development on the Rideau Canal.

### 5.3.1.2 Lake Trophic and Ecosystem State

Lakeshore capacity assessment is a planning tool that can be used to control the amount of phosphorus, a key pollutant, from entering lakes by controlling shoreline development. The Township endorses the use of the lakeshore capacity model as developed by the Province in the Lakeshore Capacity Assessment Handbook (2010, as amended) as a means to appropriately plan for shoreline areas within the Township.

Currently, lake trout lakes are the focus of provincial monitoring and assessment, due to such lakes being considered significant habitat by the Province.

- a) The Township will encourage and support the continued and enhanced monitoring of lake trophic state, the identification of increasing nutrient concentration trends, and harmful algal blooms by the Ministry of the Environment and Climate Change and lake associations and conservation authorities for all lakes. The Township will use the results in reviewing the policies of this Plan and, where appropriate, individual development applications. If Council determines that a proposed development has the potential to impact the lakeshore capacity of a lake, it may require the applicant to undertake a lakeshore capacity assessment prior to approval to ensure that water quality of the lake is protected.
- b) Major development proposals (e.g., plan of subdivision or condominium, or tourist commercial use) within 300 metres of a waterbody will require a lakeshore capacity assessment to determine if the lake can support additional development without adversely affecting water quality.
- c) Given that there is usually a lag in determining negative impacts (i.e., it takes a long time for lakes to show symptoms), proposals for development must also demonstrate how environmental net gains and/or improvement of ecosystem services will be achieved.
- d) The Township, in consultation with the relevant agencies, will use lake characterization and / or monitoring information to identify appropriate best management practices with the overall goal of net lake health improvement to build lake system resilience. If the MECP or other agencies identify a lake as being highly sensitive or having significant adverse water quality trends from baseline conditions, the Township may develop remedial action plans in consultation with the agencies. This remedial action plan can include enhanced water quality monitoring programs, and/or the implementation of best management practices on development on a case-by-case basis as recommended by the agency.

### 5.3.2 Lake Trout Lakes

Lakes which have suitable quality of water to be managed for lake trout are a limited and non-renewable resource and thus the protection of this resource is an objective of this Plan. In addition to the management of these lakes for environmental reasons, the protection of these lakes is important for the recreational and tourist nature of the area.

The Township has the highest concentration of native lake trout lakes in the eastern Ontario. Lake trout require cold, deep, well-oxygenated water for survival.

Warming alters thermal regimes with the potential to directly impact the cold-water habitats on which lake trout populations are reliant. Increased nutrient loads from development can negatively impact dissolved oxygen which decreases the ability of lake trout to thrive and may ultimately lead to decreased survivability.

The majority of lake trout lakes in the Township are considered to be “at-capacity” for development because the fish habitat is degraded and water quality is poor making them extremely sensitive to nutrient loading that can occur as a result of further development. Their status is classified by the Province.

At-capacity lake trout lakes are indicated on **Map C** and include the following lakes:

- Big Salmon
  - Bobs (Green Bay)
  - Buck (South Basin and North Basin)
  - Crow
  - Devil
  - Garter
  - Knowlton
  - Loughborough (West Basin)
  - Potspoon
- b) Mapping showing the status of the lake trout lakes shall be updated without the need for an amendment to this Plan, and the appropriate policies applied to development, should the Province change the classification of any lake trout lake (i.e. it becomes at-capacity or no longer at-capacity).
- c) Development, including lot creation, is prohibited within 300 metres of a waterbody where the waterbody has reached or may reach its development capacity except where one or more of the following conditions exists:

- i) The leaching or disposal beds on each new lot are set back at least 300 metres from the highwater mark of the lake, or its tributaries, or such that drainage from these beds would flow at least 300 metres to the lake, or its tributaries; or
  - ii) The leaching or disposal beds on each new lot are located such that they would drain into the drainage basin of another waterbody, which is not at-capacity;
  - iii) There is a need to separate existing, habitable dwellings each having individual on-site water services and individual on-site sewage services, provided that the land use would not change.
- d) Residential lots of record within 300 metres of an at-capacity lake trout lake, or its tributaries, may be developed in accordance with the applicable policies of this Plan.
- e) No more than one single detached dwelling unit together with accessory buildings shall be permitted on any lot of record or a lot created by consent.
- f) Land uses that represent a significant phosphorus loading to an at-capacity lake trout lake shall be prohibited.
- g) For redevelopment of non-residential properties within 300 metres of an at-capacity lake trout lake, or its tributaries, the proposed new use shall have a scale and density that is less than currently exists on the property and demonstrate no net change or a net reduction of phosphorus loading on the lake. Prior to any development being approved, an environmental impact assessment and/or lake capacity assessment must be completed to the satisfaction of the Township and the Ministry of the Environment, Conservation and Parks. The studies must, among other things, provide recommendations on implementation tools related to hydrogeology, soils and vegetation matters on site. The studies must consider and provide recommendations on such matters as hydrogeology, soil types or overburden, vegetation, topography and slope, the location of existing and proposed land uses and a comparison of pre and post development nutrient loadings on the adjacent water body(ies). Township staff shall consult with Ministry staff to determine the appropriate scope and terms of reference for any such study on an at-capacity lake trout lake.

### 5.3.3 Lake Management Plans

A Lake Management Plan (LMP) is an approach by a lake association to identify and protect the physical and environmental values of a lake or river system. A LMP can result in a long-range

vision for the lake community that can be implemented through stewardship direction and potential land use policies.

Lake Management Plans may include a number of components, including:

- a) A lake capacity assessment or vulnerability characterization to help determine the carrying capacity for development and for opportunities to improve water quality;
  - b) An inventory of existing and proposed development by type, and characteristics of sewage and water services;
  - c) A shoreline capacity assessment to help determine lands which are suitable for development based on such features as slope, vegetation cover, and depth of overburden;
  - d) A fish habitat assessment;
  - e) The nature of public access and the use of the lake for aquatic and boating activities;
  - f) Road access to the lake or river for shoreline development;
  - g) Shoreline management practices that can provide direction for appropriate conservation restoration or retention of natural features and functions;
  - h) Identification of special attributes of the lake;
  - i) Public education; and,
  - j) An implementation and monitoring program.
1. The Township endorses the development of LMPs by lake associations, particularly those lakes that may be experiencing development pressure.
  2. This Plan may be amended to include policies that identify Lake Management Plans that have been completed.

### 5.3.4 Drinking Water Protection

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

Water contamination is extremely difficult, costly, and sometimes impossible to rectify, so prevention of contamination is the most appropriate strategy.

The Cataraqui Source Protection Plan, Mississippi-Rideau Source Protection Plan, and Quinte Source Protection Plan contain policies intended to mitigate or eliminate threats to source water. These plans are intended to protect vulnerable areas including wellhead protection areas and intake protection zones around municipal residential drinking water supplies, as well as significant groundwater recharge areas and highly vulnerable aquifers from activities identified

as drinking water threats, per the Clean Water Act, 2006. This Plan is consistent with the intent of policies included in these plans.

1. The applicable Source Protection Plan must be referenced for clarification and policy detail. The terms used in this section carry the same meaning as those in the Source Protection Plans and the Clean Water Act, 2006.
2. In the event of conflict between long-term protection of drinking water sources and other considerations; drinking water shall take priority.
3. As an implementation body identified in the Source Protection Plans, the Township will comply with significant drinking water threat policies, have regard for all other land use planning policies and provide due consideration for other non-binding recommendations in the Source Protection Plans to realize source water protection.
4. Monitoring and reporting consistent with requirements and / or recommendations in the Source Protection Plans and in a format specified by the Source Protection Authorities and the Province of Ontario will be completed by the Township.
5. Intake protection zones, wellhead protection areas, *significant* groundwater recharge areas, and highly vulnerable aquifers are shown on **Map E**. **Map E** is to be used as an overlay to **Map A** - Land Use Plan.

### 5.3.4.1 Vulnerable Areas

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

The Clean Water Act, 2006, defines a vulnerable area as a wellhead protection area, an intake protection zone, a significant groundwater recharge area, or a highly vulnerable aquifer. The Sydenham municipal water system has an intake protection zone. The majority of the Township is considered to be a highly vulnerable aquifer and significant groundwater recharge area.

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



## 5.3.4.1.1 Intake Protection Zones

### 5.3.4.1.1.1 Sydenham Intake Protection Zone

The Sydenham Settlement Area is serviced by a municipal water system. The Township draws the water for this system from Sydenham Lake. There are Intake Protection Zones (IPZ) on the land and water surrounding the intake pipe. A large portion of the IPZ is within the boundaries of Sydenham Lake. On land, the IPZ consists mainly of shoreline residential properties. It also includes the Sydenham water treatment plant, a municipal park and boat launch facility, a few farms, and part of the village of Sydenham, which has a variety of residential, commercial, and institutional land uses.

- a) New development and / or expansions to existing development that involve waste disposal sites within Sydenham Intake Protection Zone 1 and wastewater treatment facilities, including related infrastructures, within Intake Protection Zones 1 and 2, are prohibited where they would constitute a significant drinking water threat.
- b) New development and/ or expansions to existing development within Sydenham Intake Protection Zones 1, 2 and 3a that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizers, liquid fuel, pesticides, sewage, and road salt) where they would constitute a moderate or low drinking water threat may be subject to the implementation of risk management measures to protect the drinking water supply.
- c) New development and / or expansions to existing development within Sydenham that involve the discharge of stormwater from a stormwater retention pond where it would constitute a drinking water threat should incorporate stormwater management features into building and site plans to reduce the volume of contaminants entering storm sewer systems and roadside ditches draining into Sydenham Intake Protection Zone 1 and / or 2, or to Sydenham Lake.
- d) New development and / or expansions, alterations or redevelopment of existing development for all non-residential uses within Intake Protection Zones 1 and 2 where significant drinking water threats can occur, may be permitted, if the Risk Management Official (RMO) is satisfied that the proposal will be carried out in accordance with policies in the Cataraqui Source Protection Plan (e.g., the significant threat to the drinking water ceases to exist, developing a risk management plan). Submission of correspondence from the RMO under Section 59 of the Clean Water Act, 2006, is required for all non-residential planning applications or land use changes, as per the Restricted Land Use Referral Process.
- e) The Zoning By-law will prohibit or restrict land uses that constitute drinking water threats, as applicable in intake protection zones.

## 5.3.4.1.2 Wellhead Protection Areas

{reserved}

## 5.3.4.1.3 Regionally Vulnerable Groundwater Areas

As with many areas in eastern Ontario, thin soils and fractured bedrock dominate the majority of the landscape within the Township. These conditions result in widespread recharge and high groundwater vulnerability. It is easily impacted by sources of contamination (i.e., pollution) such as fuel spills or leaks and poorly functioning on-site sewage systems (e.g., septic systems).

The relatively unprotected groundwater is called a highly vulnerable aquifer (HVA). Significant groundwater recharge areas (SGRA) exist where water from the surface more easily infiltrates the ground (soaks in) to recharge the aquifers.

- a) New development and / or expansions to existing development within significant groundwater recharge areas and/or highly vulnerable aquifers that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, mine tailings and PCBs) where they would constitute a drinking water threat may be subject to risk management measures to protect the groundwater.
- b) Karst formations (e.g., disappearing streams, sinkholes, caves, vertical fissures) can create a direct link between contaminants at the surface and the underlying aquifer. The following measures will be taken to help manage this risk:
  - i) The Township, in consultation with the Conservation Authority, may require a karst assessment to determine what, if any, additional risk management measures may be required as a condition of approval for development in any karst features.
  - ii) The requirement for a karst assessment may be waived if the proponent for the development can demonstrate, through a site-specific investigation, that a property does not exhibit any karst features. Karst assessment requirements are also linked to the protection of health and safety as per **Section 5.2.1**.
- c) The Zoning By-law will restrict land uses as applicable in highly vulnerable aquifers and significant groundwater recharge areas.

## 5.3.4.1.4 Application and Development Process

### 5.3.4.1.4.1 Applicable Study Requirements

- a) New development and / or expansions to existing development associated with non-residential planning applications located within vulnerable areas identified on **Map E** may be subject to Site Plan Control. Requirements may include a 'Risk Reduction Plan' to identify measures to be incorporated into the development for land uses that involve the

storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer, pesticides, sewage, liquid fuel, road salt, snow storage, mine tailings and PCBs) where it would constitute a drinking water threat. The Risk Reduction Plan must be completed to the satisfaction of the Township.

- b) The 'Risk Reduction Plan' requirement in a) may be waived for development on lands identified as highly vulnerable aquifers on **Map E** property if a 'Hydrogeological Sensitivity Study' prepared by a qualified professional geoscientist or engineer and provided to the satisfaction of the Township demonstrates that the subject lands do not exhibit the characteristics of a highly vulnerable aquifer or a significant groundwater recharge area.

#### 5.3.4.1.4.2 Transport Pathway Notification

- a) The Township shall provide notice to the Source Protection Authority and the Source Protection Committee upon receiving an application for approval of a proposal that may result in the creation or modification of a transport pathway in a wellhead protection area or intake protection zone, as required by Ontario Regulation 287/07 (General).

#### 5.3.4.1.4.3 New Drinking Water Systems

New municipal drinking water systems could result in existing land uses becoming significant drinking water threats. Care shall be taken to avoid this outcome wherever feasible.

1. The establishment of new municipal drinking water systems, as defined under the Safe Drinking Water Act, 2002, as amended, will require an amendment to the applicable Source Protection Plan.

### 5.3.5 Subwatershed Planning

Watershed systems need to be respected to ensure that water resources are available in sufficient quantity and quality for environmental, social, and economic benefits. The integrity of aquatic, riparian and related terrestrial ecosystems need to be respected, and maintained and enhanced as necessary.

The Rideau Valley Conservation Authority has produced subwatershed and catchment reports for lakes and areas within the Rideau watershed and Cataraqui Conservation has produced watershed report cards which document the condition of the watersheds and pinpoints areas requiring further attention.

- a) The Township, in consultation with the relevant Conservation Authority, will have regard to subwatershed and catchment reports, as well as watershed report cards, prepared by a competent and recognized authority, in the decision-making process for planning applications and in future policy updates.

- b) The Township supports enhanced water quality monitoring programs carried out by, or under the supervision of, competent and recognized authorities.
- c) The need to prepare a subwatershed plan for any given area should be determined following consultation with the Conservation Authority and provincial agencies;
- d) Subwatershed plans for undeveloped areas should have regard to the portion of the affected watershed that has already been developed or committed for development through this Plan; and,
- e) This Plan may be updated to incorporate policies from subwatershed plans.

### 5.3.6 Stormwater Management

The management of stormwater protects natural hydrologic processes and affects the protection of drinking water sources that are located downstream and down-gradient, and therefore has implications for human health and well-being, local economies, and the natural environment.

- a) Development proposals are to be accompanied by stormwater management plans where required by the Township and/or Conservation Authority.
- b) Development shall incorporate methods of stormwater management in accordance with the standards of the Township, the relevant Conservation Authority having jurisdiction, and provincial agencies.
- c) Approaches to storm water management that encourages re-absorption of surface water into the ground will be encouraged.
- d) Where possible, native soil mantle, natural vegetation and trees should be preserved during and after development. Where not possible, re-vegetation or, at a minimum, installation of permeable pavers or other pervious surfaces should be used to manage the absorption of stormwater.
- e) Low impact development and green infrastructure are encouraged approaches to address stormwater management.
- f) Efforts must be made so that development minimizes:
  - i) Nutrient enrichment;
  - ii) Bacteriological contamination;
  - iii) Toxic contamination;
  - iv) Sediment and phosphorous loading;
  - v) Changes in flood levels and base flows in waterbodies;
  - vi) Changes in water temperature in waterbodies and watercourses;
  - vii) Disruptions to fish habitat; and
  - viii) Groundwater contamination.
- g) The Township may, where deemed appropriate, required development proponents to submit a lot grading and drainage plan.

- h) The use of erosion and sediment control measures such as the installation and maintenance of silt fencing, the replacement of ground planting of native vegetated buffers, and the use of measures to promote infiltration (such as low impact development and Best Management Practices) will be implemented as appropriate.





# 6 Our Cultural Heritage

The intent of this Plan is to conserve significant built heritage resources, significant cultural heritage landscapes and archaeological resources. These resources include buildings, structures, landscapes, monuments and artifacts of value or interest. This section contains policies that intend to conserve these resources, and to foster collaborative relationships with Aboriginal groups.



# 6.1 Cultural Heritage Resources

In addition to other policies of this Plan, the following policies apply to built heritage resources and cultural heritage landscapes:

- a) The Township supports the conservation of cultural heritage resources for the benefit of the community.
- b) The Township will encourage and foster public awareness, participation and involvement in the preservation, restoration and utilization of cultural heritage resources while also encouraging public and private financial support for the conservation of protected heritage properties.
- c) The Township may develop a Municipal register of properties that have cultural heritage or interest or assist other organizations and work with the Ministry of Culture in developing, maintaining, and sharing an inventory under the *Ontario Heritage Act*.
- d) The Township may designate, by by-law, properties, heritage conservation districts, cultural heritage landscapes, and areas having historic and architectural value or interest under Parts IV and V of the *Ontario Heritage Act*.
- e) The Township shall require a heritage permit before erection, demolition, alteration or removal of any building or structure or alteration of external portion of a protected heritage property.
- f) Development and site alteration on or adjacent to protected heritage property shall not be permitted except where the proposed development and site alteration has been evaluated through a Heritage Impact Statement and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
- g) A Heritage Impact Statement shall be prepared by a qualified Heritage Consultant to demonstrate that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and/or alternative development approaches may be required to conserve the heritage attributes of the protected heritage property affected by the development or site alteration.

## 6.2 Archaeological Resources

In addition to other policies of this Plan, the following policies apply to archaeological resources:

- a) The Township recognizes that there are precontact and historic archaeological sites, and areas containing archaeological potential within the Township. Areas of archaeological potential will be determined through the use of provincial screening criteria, or potential mapping. Provincial screening criteria include the consideration of factors such as proximity to known archaeological sites, burial sites, or cemeteries, present or past water sources, well-drained sandy soil, elevated topography, distinctive landforms, resource extraction areas and historic transportation routes or other places of past human settlement.
- b) The Township will keep confidential the existence and location of archaeological sites to protect against vandalism, disturbance, and the inappropriate removal of resources.
- c) The Township supports the development of archaeological master plans to conserve and manage archaeological resources and to provide direction in determining areas of archaeological assessment. The Township may work collaboratively with the County to undertake an archaeological master plan.
- d) Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Where significant archaeological resources are preserved on site, development and site alteration shall maintain the heritage integrity of the site.
- e) An archaeological assessment is required for development and site alteration proposed adjacent to a known cemetery or burial site.
- f) The Township shall require an applicant to undertake an archaeological assessment of the lands to determine the nature and extent of any archaeological resources on the site. The archaeological assessment shall be conducted by an archaeologist licensed under the *Ontario Heritage Act* and shall be in compliance with the Standards and Guidelines for Consultant Archaeologists set out by the Province.
- g) The Township may consider preserving identified significant archeological sites through the Zoning By-law.
- h) The Township shall contact the appropriate government agencies, including the Ministry of Tourism, Culture and Sport, and the OPP when an unmarked human burial site or new archaeological site(s) is discovered and the provisions under the *Ontario Heritage Act* and *Funeral, Burial and Cremation Services Act* shall apply.

## 6.3 Engaging with Aboriginal Communities on Cultural and Archaeological Heritage

- a) The Township shall engage with Aboriginal communities including, but not necessarily limited to, the Algonquins of Ontario on matters that affect Aboriginal history and culture.
- b) The Township shall engage with Aboriginal communities including, but not necessarily limited to, the Algonquins of Ontario and consider their interests when identifying, protecting, and managing cultural heritage and archaeological resources.
- c) Aboriginal communities including, but not necessarily limited to, the Algonquins of Ontario will be consulted when development on culturally significant lands is planned or where archaeological assessments are required.
- d) The Algonquin Traditional Territory is composed of a diversity of indigenous cultural landscapes. An Indigenous cultural landscape is a living landscape that indigenous people value because of their enduring relationship with that place and its continuing importance to their cultural identity. For the Algonquins, Traditional Environmental Knowledge, an intimate knowledge of an area's landforms, plants and animals, is reflected in an indigenous cultural landscape. Many archaeological sites within the Algonquin Traditional Territory are small and contain a minimal amount of archaeological material, and these materials may be of great significance to the Algonquins of Ontario (AOO). For thousands of years the Algonquin Traditional Territory was characterized by glacial lakes and/or inland seas, resulting in high water levels that have left a sequence of paleo-shorelines and associated archaeological sites often far inland from modern shorelines that are the familiar focus of many archaeologists. The archaeological 'visibility' of sites on relic shorelines and fossil islands in the Algonquin Traditional Territory is further affected by the use of local stone for tools, a technology which may be unfamiliar to archaeologists but visible to Algonquins. The AOO regards all cultural heritage sites – from sacred burials to everyday stone tool workshop sites – to be of importance and worthy of investigation and protection. Effective and successful engagement with the AOO is based on early notification. Specific to archaeology this includes the notifications of the intention to complete Stage 1 through Stage 4 Archaeological Assessments, the review of these draft reports, as well as the participation of Algonquin Liaisons during Stages 2 through Stage 4, and possibly Stage 1 if a site visit is planned. The Algonquins of Ontario shall be notified if any artifacts of

Aboriginal interest or human remains are identified in an Archaeological Assessment or encountered during development.

# 6.4 Rideau Canal

The Rideau Canal travels through the eastern end of the Township, as identified on Appendix C of this Plan. This Official Plan acknowledges that the Rideau Canal is a National Historic Site, a Canadian Heritage River, and also a World Heritage Site. The Rideau Canal is recognized for its construction and engineering technology, its integrity and authenticity, the contribution and sacrifices of canal construction labourers, its military purpose, and its contributions to the social and economic development of Upper Canada.

It is the intent of this Plan to conserve the natural, cultural, scenic and tourism landscapes and resources associated with the Rideau Canal, in cooperation with Parks Canada and other agencies having jurisdiction, as well as the other municipalities along the waterway. The Township recognizes the significant and historic value of the views from the canal and canal lands to the heritage shore lands and communities at Upper and Lower Brewers lock stations. It is also the intent of this Plan to assist with implementing the Rideau Corridor Landscape Strategy.

The lands located adjacent to the Rideau Canal are recognized as a special area. In addition to other applicable policies of this Plan, the following policies apply to the Rideau Canal, the lock stations, and all lands adjacent to the Canal:

- a) The Township shall work with Parks Canada to identify the cultural heritage, natural heritage, and scenic features and vistas of the Rideau Canal landscape, and will protect those values through appropriate land use policies and designations, cultural and natural heritage policies, and view protection policies.
- b) The Township will engage Parks Canada on any issues that relate to the Rideau Canal.
- c) The Township shall prohibit development and site alteration that would:
  - ix) Alter the size, shape and/or configuration of the Rideau Canal; and,
  - x) Interfere with the safe and efficient navigation of the Rideau Canal.
- d) The Township may adopt design guidelines for new development on lands adjacent to the Rideau Canal.
- e) Development or site alteration on lands adjacent to the Rideau Canal shall conserve and respect the cultural heritage resources.
- f) Where deemed appropriate in consultation with Parks Canada, such as along narrow channels, the Township may require an increased development setback from the water

to preserve and/or enhance the aesthetic and cultural heritage resources associated with the Rideau Canal.

- g) New buildings should be designed to complement the landscape character and cultural heritage value of the surrounding area. Buildings should be in proportion to the size and frontage of the property and fit in with the surrounding built environment. New buildings should be low profile and not exceed the height of the tree canopy.
- h) The Township may require that a Heritage Impact Statement be prepared by a qualified person to the satisfaction of the Township for any development proposal that has the potential to adversely affect the cultural heritage value of the Rideau Canal. The scope of the Heritage Impact Statement is to be determined in consultation with Parks Canada, and must include information relevant to the circumstances, including alternative development approaches or mitigation measures to address any impact to the Rideau Canal and its associated cultural heritage landscape and built heritage resources.





# 7 Making it Work: Infrastructure and Services

The intent of this Plan is to guide the development of roads, water services and sewage services to ensure they can support development within the Township. This section contains policies that identify the hierarchy of roads and services, and the requirements for each



classification. It also contains policies on public utilities and communication facilities and railways.

# 7.1 Roads

Township roads are classified according to the function they should perform. The classification of roads within the Township shall include the following, and the respective policies in the following sections apply:

- a) Arterial roads (controlled access);
- b) Arterial roads;
- c) Collector roads;
- d) Local roads; and,
- e) Private roads.

Traffic on higher order roads, such as arterial roads that connect communities, have priority over traffic on lower order roads, such as local Township roads. Proposed road allowance widths and standards are established for each class of road, where appropriate.

Township road classifications are identified on **Map F**. **Map F** may be updated without amendment to this Plan.

## 7.1.1 Arterial Roads

Arterial roads connect communities and provide direct linkages to the Provincial highway network. They are designed to facilitate movement of a large volume of traffic from all types of vehicles including commercial vehicles (e.g. heavy trucks). Traffic movement is the primary function and consideration for arterial roads. Access to land along arterial roads is generally a secondary consideration.

1. The Township may restrict access to abutting parcels and control the spacing of driveways to maintain the function and safe use of an arterial road.
2. Arterial roads require a minimum 30 metre road allowance width. Road allowances will be widened using such mechanisms as subdivision approvals, consent approvals and Site Plan Control approvals, in order to produce a safe and efficient road transportation network. The width of the road allowance may be permitted to be reduced within the boundaries of Settlement Areas where curbing and drainage systems are present or planned.

### 7.1.2 Collector Roads

The primary function of collector roads is to provide access to/from arterial roads and local roads.

1. New collector roads shall be located in accordance with all applicable policies of this Plan.
2. New collector roads shall be designed and constructed to municipal standards prior to their assumption by the Township. The roads shall be designed, overseen, confirmed, and stamped by a qualified engineer.
3. Collector roads require a minimum 30 metre road allowance width. Road allowances will be widened using such mechanisms as subdivision approvals, consent approvals and Site Plan Control approvals, in order to produce a safe and efficient road transportation network. The width of the road allowance may be permitted to be reduced within the boundaries of Settlement Areas where curbing and drainage systems are present or planned.

### 7.1.3 Local Roads

The primary function of local roads is to provide direct access to abutting properties. Roads in plans of subdivision are typically local roads. Lower speed limits and traffic control devices may be necessary to ensure public safety.

1. The Township may permit a proponent, at the proponent's expense, to extend a local road on an unopened road allowance to provide sufficient road frontage to facilitate development of a parcel of land.
2. New local roads and extensions of local roads shall be located in accordance with all applicable policies of this Plan.
3. New local roads and extensions of local roads shall be designed and constructed to municipal standards prior to their assumption by the Township, in accordance with the subdivision or development agreement. The roads shall be designed, overseen, confirmed, and stamped by a qualified engineer.
4. Local Roads require a minimum 20 metre road allowance/right of way width. Road allowances will be widened using such mechanisms as subdivision approvals, consent approvals and Site Plan Control approvals, in order to produce a safe and efficient road transportation network.

#### 7.1.3.1 Seasonal Roads

Seasonal roads under the jurisdiction of the Township are not maintained and are not open on a year-round basis. They are generally of low priority and carry a minimal amount of traffic.

1. The Township may post seasonally maintained roads with signs to indicate that maintenance is limited. Where such roads are classified and posted with a sign, the Township will not be obliged to provide winter control services, nor to convert a seasonally maintained road to a year-round maintained road.
2. Development is not generally permitted on a seasonal road.
3. Council may consider changing the status of a seasonal road to year-round to permit a proposed development on the condition that the proponent upgrade the road per the Local Roads policies.
4. The status of a seasonal road may be changed without an amendment to this Plan.

### 7.1.3.2 Forced Roads

Forced roads are those that deviate from the established road allowances due to topographic challenges such as hills and swamps.

1. As a condition to the approval of a plan of subdivision, a plan of condominium, or a consent along a portion of forced road, and of site plan control, the proponent shall be required to confirm that the forced road in question is in the ownership of the Township and/or to convey the forced road and up to a 20 metre road allowance width to the Township.

### 7.1.3.3 Unopened Road Allowances

Unopened road allowances are public roads that have not been opened and assumed for maintenance purposes by the Township. They also include unopened roads on plans of subdivision and former municipal roads that are now effectively unmaintained.

1. Where an unopened road allowance is requested to be improved for the purpose of providing driveway access to what would otherwise be a land locked parcel of land, the Township may at its sole discretion:
  - a. sell all, or a portion of an unopened road allowance or
  - b. enter into a licence agreement and register notice on title that the Township will not be responsible for the repair or maintenance of unopened road allowances, where development is accessed over an unopened road allowance.
2. There are several historic plans of subdivision that created waterfront communities that have private roads constructed over unassumed/unopened road allowances. The Township will not be responsible for the repair or maintenance of any private road that has been constructed over an unopened or unassumed road allowance.

### 7.1.4 Frontage on Public Roads

No building or structure shall be erected, extended, or enlarged on any vacant lot within the Township of South Frontenac unless such lot fronts on a public road, except as follows:

- a) Where a lot fronts onto an unassumed road in a registered plan of subdivision where the road will not be assumed by the Township until the end of the maintenance period.
- b) Where a model home agreement has been executed by the owner and the Township on a lot prior to registration of a plan of subdivision.
- c) Where a lot fronts onto a private road or a private road on an unassumed road allowance, or is accessed over an unopened road allowance, provided:
  - a) The owner demonstrates legal deeded access to the lot over the private road or access over the unopened road allowance through a licence agreement, and
  - b) The lot is in an appropriate zone that acknowledges the limited service nature of the lot and the proposed use of the lot, such as a Limited Service Residential zone.
- d) Where a lot can only be accessed by water provided:
  - i. The owner demonstrates the lot has legal deeded mainland parking and mooring facilities, and
  - ii. The lot is in an appropriate zone that acknowledges the limited service nature of the lot and the proposed use of the lot, such as a Limited Service Residential zone.

### 7.1.5 Private Roads

Private roads (private lanes) play an integral role in connecting many seasonal and permanent residences in our community to the Township road network. These roads are not owned or maintained by the Township. They typically consist of rights-of-way over private property benefiting multiple properties.

The trend toward the conversion of traditional cottages to year-round residential dwellings has resulted in pressure on private roads that were only ever intended to accommodate seasonal residential use. The imbalance between the needs of permanent residential uses and the service level provided by seasonal private roads has led to concern regarding public health and safety, and the impact that these roads may have on municipal financial well-being.

- a) New private roads shall not be permitted unless they are developed as common elements condominiums, in order to establish the ownership and maintenance of the road among all

## Draft 3b – July 2024

owners, and to provide a legal obligation to ensure that sufficient funds are in place to ensure the ongoing maintenance of the road in perpetuity.

- b) New private roads shall meet the Township's Private Road Construction Standards as updated from time to time. The private road shall be designed, overseen, confirmed, and stamped by a qualified professional engineer to the satisfaction of the Township.
- c) No new waterfront lot creation in the form of limited infilling or minor extensions shall be permitted on existing private roads unless:
  - i) The private road is designed and constructed to the Township's Private Road Construction Standards from its intersection with the public road to the new lots; or
  - ii) The existing private road is developed within a common element condominium pursuant to the Condominium Act, as amended, and connects directly to an existing public road.
- d) Owners who access their properties by private roads are encouraged to establish private road associations and agreements to ensure adequate maintenance of the road, and to improve their private roads to a minimum standard to allow accessibility by emergency service vehicles or to the Township's Private Road Construction Standards.
- e) Lot creation through consents and plans of condominium on private roads shall be subject to an agreement to be registered against the title to the lands and that includes provisions acknowledging:
  - i) The Township does not maintain or repair the private road;
  - ii) The private road shall be named and addressed to the Township's satisfaction for civic addressing and emergency service purposes;
  - iii) Garbage and recycling bins, as well as mailboxes, shall be provided at a common location near the intersection of the Township public road and the private road.
  - iv) The Township does not provide municipal services on the private road that is normally associated with public roads;
  - v) The owners are responsible for all costs necessary to maintain the private road, including the establishing and maintaining signage;
  - vi) The Township is not responsible for any loss or damage created by the owner's failure to maintain the private road; and,
  - vii) The Township assumes no liability in the event that emergency vehicles are not able to access the lot because of impassable road conditions.
- f) Council may consider a request to assume a private road in accordance with Township policy.

## 7.2 Parking

This Plan intends to promote efficiently planned, compact and accessible development for all modes of transportation. Given that the automobile will continue to be the principal mode of transportation within the Township, sufficient off-street/on-site parking facilities must be established to serve the needs of the intended use.

- a) Adequate on-site parking must be provided in accordance with the provisions of the Zoning By-law, with minimal impact on adjacent uses. For higher density development within Settlement Areas, the Township may consider permitting reduced standards for on-site parking, or off-site parking, where accommodation of on-site parking is not possible.
- b) In the Settlement Area designation, the Township shall assess parking needs in order to provide adequate on-street and off-street parking, to accommodate short-term parking for shopping and business purposes and long-term parking for those employed in the area.
- c) In cases where sufficient on-site parking cannot be accommodated in the Settlement Area designation, the Township at its sole discretion may collect cash-in-lieu pursuant to Section 40 of the Planning Act to be used expressly for the provision of additional parking spaces in an appropriately defined area.

## 7.3 Water and Sewage Services

At the time this Plan was adopted, there were no settlement areas on both municipal water and sewage services. Sydenham Settlement Area offered partial servicing in the form of municipal water services. All other Settlement Areas relied on individual on-site water services and sewage services to facilitate development. Rural Areas also rely on individual on-site water services and sewage services.

### 7.3.1 Municipal Services

The Provincial Policy Statement and the County of Frontenac Official Plan identify a servicing hierarchy which identifies municipal water services and sewage services as the preferred form of servicing for Settlement Areas.



- a) Where municipal water and sewage services exist or are established over the life of this Plan, development shall connect to these services and existing private services shall be decommissioned.
- b) Development within the Settlement Areas will only be approved if sufficient capacity within the municipal water and sewer systems exist.
- c) Holding symbols may be used to permit multi-lot/multi-unit development to proceed in a phased manner upon verification of water and sewage system capacity allowances, Limitations in the capacity or operating performance of the water and/or sewage systems shall be recognized as a constraint to the timing of new development.
- d) The Township shall establish an on-going monitoring program for the calculation, reporting and allocation of uncommitted reserve capacity within the municipal water and sewage systems to ensure the efficient use of existing servicing infrastructure. Should the usage at any time reach 80% of the capacity of the system the Township shall initiate a study to investigate means of securing future capacity.
- e) The extension of municipal water and sewage services to support planned development will be the sole responsibility of the developer. The Township shall pass by-laws and enter into agreements, including financial agreements, with developers and/or property owners for the installation of municipal services.
- f) New development shall be directed to areas that allow for extensions to existing municipal water and sewage services in an economical and practical manner provided that such expansion is consistent with the other objectives of this Plan. New development will generally be approved and permitted only in stages of orderly progression from the termination of existing services.
- g) The management of the municipal water system shall include measures to educate the public on the need to conserve water and to reduce requirements for additional water supply, and impacts to sewage systems where they exist.

### 7.2.2 Municipal Communal Services

Frontenac County completed a regional Communal Servicing Study in 2019 to assist the County and its member municipalities with the planning, engineering, and economic development tools necessary to enable redevelopment and new development using communal water and sewage services (also known as decentralized services). The Township collaborated with the County and the other Frontenac Townships to establish a jointly owned public utility that will assist with the operation of municipal communal water and sewage services within South Frontenac, and across the County as a whole. The Frontenac Municipal Services Corporation was incorporated in November 2023.

Municipal communal water and sewage services are intended:

## Draft 3b – July 2024

- a) To become the dominant form of servicing within Settlement Areas during the duration of this Plan;
- b) To support higher density, multi-unit dwellings, as well as mixed use developments in Settlement Areas and in secondary plan areas, and conservation design development in the Rural Area;
- c) To allow the expansion of existing Settlement Areas, where appropriate, so that new development is more compact, reflects the existing lot fabric of settlement areas, and promotes walkable communities;
- d) To support new commercial, industrial, and business park development;
- e) To protect lakes by minimizing impacts to water quality;
- f) To direct growth to areas with water and sewage services;
- g) To support the upgrade of infrastructure within Settlement Areas for existing residents and businesses, and to encourage appropriate intensification development; and
- h) To ensure that future development in the Rural Area is environmentally responsible and conserves land and important natural resources.

The following policies are intended to direct development supported by municipal communal water and sewage services:

- a) Development on municipal communal water and sewage services shall be the preferred form of servicing within the Settlement Area designation. In Settlement Areas, the priority shall be for multi-unit/multi-lot development to be on municipal communal services. These developments shall be implemented through plans of subdivision, plans of condominium, and/or site plan control as appropriate.
- b) Development on municipal communal water and sewage services should be directed in or near Settlement Areas where community services and amenities are available to support increased population.
- c) Where new multi lot and multi unit development is proposed within a Future Secondary Planning Area before the secondary plan is prepared, the development may be required to use municipal communal water and sewage services, depending on the nature, scale, and density of the development.
- d) Where development is proposed adjacent a Settlement Area, the Township and proponent will negotiate the possibility of including some of the existing Settlement Area lands in the Environmental Assessment for servicing through the pre-application process.
- d) The Township shall encourage municipal communal water and sewage services as an alternative to individual wells and sewage systems elsewhere in the Township, where it is deemed feasible by the Township.

- f) Municipal communal water and sewage services shall be the primary servicing method for new large scale commercial development and industrial/business parks.
- g) Large scale, high density, and mixed-use development proposals located outside of Settlement Areas and the Future Secondary Planning Areas shall require an amendment to the Official Plan.
- h) Development proposals utilizing the conservation design subdivision concept and municipal communal services may be permitted outside of Settlement Areas where residential uses are permitted.

### 7.3.2 Partial Services

Partial services refer to the provision of either municipal or private communal water or sewage service, but not both. At the time of adoption of this Plan, Sydenham had a municipal water service and individual on-site sewage services.

- a) Partial services shall only be permitted in the following circumstances:
  - a. Where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or
  - b. Within Settlement Areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.
- b) Any development in areas where partial services are provided must connect to the municipal service and properly decommission any private individual service on the property.
- c) The Township may consider establishing a program to assist property owners to decommission wells in an area where partial services are provided, to reduce the potential of cross-connections within the municipal drinking water system.
- d) A partially serviced Settlement Area may only expand on full municipal water and sewage services or private communal water and sewage services.

### 7.3.3 Individual On-site Services

Individual on-site water and sewage services refer to privately owned and operated water and sewage systems on individual properties.

- a) Where municipal water and sewage services or private communal water and sewage services are not provided, individual on-site water services and individual on-site sewage services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

- b) Within the Settlement Areas shown on **Map B**, these services may be used for infilling and minor rounding out of existing development. Preference will be to connect to municipal or communal services where available.
- c) For the purposes of this section, negative impacts shall be defined as potential risks to human health and safety, and degradation to the quality and quantity of water, sensitive surface water features and sensitive groundwater features, and their related hydrologic functions, due to single, multiple, or successive development. Negative impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards.
- d) A hydrogeological assessment and terrain analysis report may be required for development proposals using groundwater sources (i.e., well) in accordance with the MECP D-Series Environmental Land Use Planning Guideline to demonstrate that there is an adequate water supply (quantity and quality) and that there will be no interference from sewage disposal or unsustainable draw down of the water table. Consideration shall be given to the cumulative impact of development on the available water supply. A water conservation plan for new users may be required in this regard.
- e) A hydrogeological assessment is required for new lots created by consent that would be serviced by a drilled or dug well to demonstrate a viable water supply. The study must be prepared in accordance with Township standards and Provincial guidelines, to the satisfaction of the Township.
- f) Waterfront lots may be serviced by drawing water from a lake.

## 7.4 Public Utilities and Communications Facilities Corridors

The sustainability, health and safety of South Frontenac residents and its economy is closely related to the public utility corridors, utility networks, and communications facilities that span the municipality. These facilities and corridors include a wide variety of utilities that are owned and operated by both public and private entities, including cellular, broadband and fibre optic networks. The Township will work with the utility providers to protect corridors from inappropriately encroaching development, to help manage public health and safety, to manage any impact from their development/expansion, and, particularly when it benefits the community, to facilitate the logical/cost-effective expansion of these utilities.

- a) Public uses necessary for the function of municipal, provincial, or federal government, including a related board, commission or agency, and utilities such as power, water services, roads, railways, telecommunications including provision of cellular and internet, natural gas facilities, will generally be permitted in all land use designations, except the Agricultural designation, provided that such use or utility is necessary and appropriate in the proposed location and can be made compatible with surrounding uses. Buildings are prohibited in the Environmental Protection designation.
- b) The Township acknowledges development of energy supply including electricity generation facilities and transmission and distribution systems, is required to accommodate current and projected needs. The development of electric power facilities will occur in an orderly manner to facilitate the efficient and reliable provision of adequate electric power. Electric generation facilities and transmission and distribution systems are permitted in all land use designations without an amendment to the Plan provided that the planning of all such facilities is carried out having regard to the other policies of this Plan. Consultation with the municipality will be required on the location of any new facility.
- c) The Township recognizes that the installation of communication towers is required to supply, improve, and maintain the quality of cellular and internet service. A proponent seeking to establish a communication tower shall work with the Township and seek input from the community in accordance with Industry Canada guidelines.
- d) Municipal review of proposals shall consider any impact of a proposal on the natural heritage, archaeological potential, and cultural heritage. Appropriate setbacks and mitigation measures shall be recommended through municipal comments on proposals.
- e) The Township will work cooperatively with telecommunication companies to expand broadband and fibre internet services into the area to serve the needs residents and businesses.

## 7.5 Railways

The Township acknowledges the importance of railways and recognizes its critical role in long-term economic growth and the efficient and effective movement of goods and people.

- a) All development in proximity to rail facilities shall be developed in accordance with the Federation of Canadian Municipalities and Railway Association of Canada (FCM/RAC) Guidelines for New Development in Proximity to Railway Operations.
- b) All proposed residential or other sensitive use development within 300 metres of a railway right-of-way will be required to undertake noise studies, to the satisfaction of the Township, in consultation with the appropriate railway operator, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.

- c) All proposed development within 75 metres of a railway right-of-way will be required to undertake vibration studies, to the satisfaction of the Township, in consultation with the appropriate railway operator, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.
- d) All proposed building setbacks shall be in accordance with the FCM/RAC Guidelines. As a general guideline, buildings shall be setback 30 metres with an appropriate berm abutting the rail right-of-way. Reduced setbacks can be considered in certain circumstances dependant on the proposed use and in conjunction with additional study and alternative safety measures, to the satisfaction of the Township in consultation with the appropriate railway operator.
- e) All proposed development adjacent to railways shall implement appropriate mitigation measures, including but not limited to, safety setbacks, berms, crash barriers, and security fencing, in accordance with the FCM/RAC Guidelines.
- f) All proposed development adjacent to railways shall implement any required notices on title such as warning clauses and/or environmental easements, through appropriate legal mechanisms, to the satisfaction of the Township and the appropriate railway operator.
- g) All development in proximity to rail facilities shall evaluate, prioritize, and secure grade separation of railways and major roads, in co-operation with Transport Canada and the appropriate railway operator.





# 8 How We Will Engage and Consult

The purpose of the “How We Will Engage and Consult” section is to guide the interactions of the Township with the public, stakeholders, and Aboriginal groups. This section contains policies to address how public participation will be encouraged and the processes and channels the Township will utilize to ensure equitable discourse. This section also explains how the Township hopes to partner with Aboriginal groups to develop and enact policies along the path to reconciliation.

- a) Applicants may be required to provide a public consultation strategy that shall demonstrate to the Township’s satisfaction how an applicant will solicit public input ahead of the holding of a formal public meeting. Such measures may include open houses, newsletters, survey, etc.
- b) Where a development application is deemed to have a potentially significant impact, the Township may require an expanded public consultation process, including additional community meetings.

# 8.1 Engaging with Aboriginal Interests

The Township will engage with Aboriginal interests on the path to reconciliation as follows:

- a) Aboriginal communities will be consulted when development on culturally significant and Treaty lands is proposed or where archaeological assessments and environmental monitoring are required.
- b) Aboriginal communities will be consulted and engaged on projects and land use decisions that may impact Aboriginal rights to continue to practice and live their way of life as a result of their ancestors’ longstanding use and occupancy of land.
- c) Aboriginal communities will be consulted and engaged on matters that may impact Aboriginal interests as it pertains to land use, safety, and stewardship.
- d) Aboriginal communities will be consulted and engaged on matters that may impact the Aboriginal right to self-determination.
- e) This Plan shall be implemented in a manner that is consistent with the recognition and affirmation of applicable Aboriginal and treaty rights in accordance with Section 35 of the Constitution Act, 1982. The Township shall work with Indigenous communities who have connection to the lands within the Township in the planning process to ensure consultation and engagement is appropriate to the type of planning application or process being undertaken. The Township respects the interests of the Indigenous communities and will seek to work in a collaborative and productive manner. The Township shall engage with Indigenous communities to:

- i) Coordinate on land use planning matters, in accordance with the Provincial Policy Statement.
  - ii) Consider their interests when identifying, protecting, and managing cultural heritage and archaeological resources.
- f) The Township will conduct fully informed and meaningful consultation and engagement with, but not necessarily limited to, the Algonquins of Ontario on matters related to land use and project development within the Township.
- g) The Township will work with the County, Provincial ministries, conservation authorities and organizations to identify gaps in ecological protection policies and environmentally sensitive areas.





## 9 Land Division

The division of land can take place by consent (severance), by plan of subdivision, and by plan of condominium. Small scale development generally takes place through the consent process, while large scale development generally takes place through a plan of subdivision or plan of condominium. The method of land division chosen shall be undertaken in accordance with the policies of this Plan.

## 9.1 General Policies

Through the land division process, the Township will ensure that sufficient land is made available to accommodate an appropriate range and mix of housing and employment opportunities, and other land uses that will serve the interests of existing and future residents.

The following general policies shall be used as the underlying framework on which land division practices within the Township will be based.

- a) New lot creation shall be consistent with the policies of the Provincial Policy Statement, shall conform to the Frontenac County Official Plan, and shall conform to this Plan.
- b) The frontage, size and shape of any lot created shall be appropriate for the proposed use and conform to the provisions of the Zoning By-law.
  - a. A minimum 0.8 hectare lot size and a minimum 76 metre frontage on a public road shall be required for non-waterfront lots serviced by individual on-site water and sewage services.
  - b. A minimum 1.0 hectare lot size, a minimum 76 metre frontage on a public road or private road, and a minimum 91 metre frontage on a waterbody shall be required for residential waterfront lots serviced by individual on-site water and sewage services.
  - c. Smaller minimum lot sizes may be considered where supported by a hydrogeological assessment and terrain analysis.
  - d. In considering any minor reduction to lot size, water frontage or road frontage, consideration will be given to ensure there is a sufficient development envelope to accommodate the intended use and appropriate water and sewage services outside the required setback from the highwater mark, all other applicable setbacks, and any other natural features or natural hazard.
  - e. Where lots will be serviced by municipal or communal water and sewage services within a Settlement Area, the lot area should reflect the existing lot fabric of the village or hamlet unless otherwise established in a secondary plan.
  - f. Where lots will be serviced by municipal communal water and sewage services within a Future Secondary Planning Area but outside a Settlement Area, the lot area shall be established in a secondary plan.
- c) Land division is not permitted in the Agricultural designation, except in accordance with the Agricultural Lot Creation Policies of this Plan.
- d) New lots shall be approved only when it has been established that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain a sufficient and

potable water supply, and to permit the installation of an adequate means of sewage disposal. The Township may request that a hydrogeological and terrain analysis study be carried out to determine the cumulative environmental impact of the development within the surrounding area and to protect groundwater quality.

- e) An adequate quantity of potable water and sewage capacity shall be available for each new lot. Applicants shall provide sufficient technical information to demonstrate this to the satisfaction of the applicable review agency, and in accordance with the policies of the Servicing Requirements Section of this Plan.
- e) Where available, development of the new lots will be required to connect to municipal or communal water and sewage services.
- f) No land division shall result in the landlocking of any parcel of land or a situation where the existing or potential ability to develop any parcel of land is significantly undermined by virtue of the resulting limited public road frontage.
- g) No land division shall be permitted where safe vehicular access from the proposed lot to the adjacent public road cannot be provided due to conditions such as limited sight lines, grades or proximity to intersections.
- h) Compatibility and any separation distances required between the proposed land use for the lot and the neighbouring land uses (for example, agriculture, mineral aggregates, waste management, industrial) shall be addressed.
- i) In considering land division applications, regard shall be had to the Cultural Heritage and Archaeological Resources and Rideau Canal sections of the Plan, including requirements with respect to the preservation of the cultural heritage resources of the Rideau Canal and to the identification and preservation of significant archaeological resources.
- j) Where lands are subject to flooding, erosion, or other natural hazards it shall be demonstrated that a development envelope and safe access to the proposed lot is available outside any hazards. The advice of the appropriate conservation authority shall be sought in this regard.
- k) Approval for the creation of new lots on lands that contain environmentally sensitive areas such as natural heritage features and areas shall not be granted unless sufficient lands are available outside the sensitive areas to accommodate the development and associated services. In considering the creation of new lots on lands that contain natural heritage features and areas, the Township shall have regard for limiting disturbance to these features and areas. If an existing lot contains a natural heritage feature and area or a portion of such, the property may only be divided such that the natural heritage feature and area is contained wholly within either the new lot or the lot to be retained, and not split between the two.



- l) New lot creation will not be permitted on a waterbody where the lake has reached its development capacity and no residual capacity exists for that waterbody.
- m) No waterfront lot shall be created adjacent to a narrow waterbody unless the lot has a minimum 150 metres of water frontage in order to ensure safe boating and swimming conditions, to avoid an overdeveloped appearance in a constricted area and to help ensure a reasonable separation between residential uses.
- n) No waterfront lot shall be created adjacent to a shallow waterbody unless the lot has a minimum 150 metres of waterfrontage because shallow waterbodies tend to be more environmentally sensitive and less intensive usage is appropriate.
- o) Each new lot proposed along the waterfront must have at least one suitable location for water access without the need for dredging or removal of emergent or submerged vegetation.
- p) The Township will require dedication of land for road widening, and for forced roads, in accordance with the policies of this Plan in order to ensure the Township has deeded ownership of land on which to improve public roads over time.
- q) The Township shall require dedication of land for parks or cash-in-lieu in accordance with the policies of this Plan.

## 9.2 Plans of Subdivision/ Plans of Condominium

- a) Prior to considering any land division application, the Township shall establish that a plan of subdivision is not necessary for the proper and orderly development of the lands. A plan of subdivision shall normally be required in the following instances:
  - a. more than total of three (3) lots are to be created on a land holding;
  - b. new public roads or extension to an existing road are required;
  - c. an extension to trunk mains for municipal water and/or sewage services is required;
  - d. if the size, shape, location and physical features of the subject land or the number of lots the site is capable of accommodating would be better suited to the more thorough review of the subdivision approval process; or
  - e. where it is necessary to ensure that surrounding lands are developed in a proper and orderly fashion.

- d) Development of land by plan of condominium shall be required when the creation of individual units and common areas within a single lot, is proposed.
- e) The proposed subdivision or condominium shall be at a scale which is compatible with the existing or anticipated scale of development in the area.
- f) Background information shall be provided by the developer to the satisfaction of the Township demonstrating the appropriateness of the location for the plan of subdivision or plan of condominium. This information may include, but not be limited to, drainage studies, traffic impact studies and environmental impact assessment.
- g) The plan of subdivision or plan of condominium shall be adequately serviced with and makes suitable provision for services including, but not limited to, roads, water and sewage, storm sewers, waste collection and disposal, public utilities, fire and police protection, parks, schools, and other community facilities.
- h) The minimum lot size in a plan of subdivision or plan of condominium shall be determined by the completion of a servicing options report and/or a hydrogeological study and terrain analysis.
- i) The supporting hydrogeological study and terrain analysis should account for the inclusion of up to two *Additional Dwelling Units* on each lot or unit.
- j) Stormwater management, lot grading and drainage, and engineering design shall meet Township standards.
- k) Existing public access roads shall have the capability to support the additional traffic loads anticipated from the proposal. Where upgrading and additional maintenance may be required, the Township will assess the financial impact of these additional expenditures and may levy charges or request a contribution from the developer to offset these costs. The subdivision or condominium internal road system shall be accessed from a public road which reflects a reasonable standard of pavement or gravel construction and is maintained year-round.
- l) An internal road system shall be provided which will allow ease of access for emergency vehicles and provide for fire route considerations as necessary. In consultation with the Fire Department, consideration shall be given to the installation of appropriate infrastructure, (i.e., dry hydrant) to ensure there is a sufficient supply of water available for firefighting services within the boundaries of, or in proximity to, the subdivision.
- m) Plans of subdivision or condominium shall be designed to allow for the appropriate integration of the subject lands with the adjacent lands.
- n) As many trees as possible shall be preserved, particularly mature and healthy stands of trees and reforestation shall take place where appropriate.
- o) Topography and/or vegetation shall be maintained and augmented to create an appropriate or desirable environment and buffering may be requested to ensure compatibility with adjacent uses.

- p) Landscaping and tree planting shall be incorporated to achieve a welcoming, pedestrian-scale environment, and enhance the appearance of the development and its compatibility with surrounding areas.
- q) Subdivisions and condominiums will be designed with consideration for active transportation and will consider the inclusion of sidewalks and trails that can enhance connections within the transportation network where the Municipality determines it is appropriate.
- r) Plans of subdivision and condominiums shall address issues of energy conservation and sustainability.
- s) Plans of subdivision shall accommodate low and medium to higher density development (e.g. multi-unit) subject to adequate water and sewage services.
- t) Draft approval of plans of subdivision and plans of condominium shall include conditions which must be satisfied prior to final approval of the plan. The developer will be required to meet conditions of draft approval within a specified time-period, failing which, draft plan approval will lapse. Requests for extensions of the lapsing approval will be considered by the Township, provided there has been evidence of progression on fulfilling the conditions of approval by the proponent and that the policies of the Plan have not changed in a manner which would impact the development.
- u) Prior to final approval of a plan of subdivision or plan of condominium, the owner will be required to enter into an agreement with the Township and to file necessary financial securities to ensure that conditions of approval are fulfilled.
- v) In accordance with the provisions of the *Planning Act*, the Township may by by-law deem any part of a registered plan of subdivision not to be a plan of subdivision, provided the plan of subdivision has been registered for 8 years or more.

### 9.2.1 Conservation Design

This Plan anticipates the creation of new housing in the Rural area. Conservation design subdivisions or condominiums is a way to allow that housing while preserving the rural character of the area.

Conservation design subdivisions or condominiums provide clusters of housing on small lots on a portion of the parcel. This design is intended to accommodate a reasonable degree of growth and development by utilizing municipal communal services in order to preserve the community's rural character and natural resources, and to maintain larger areas of land preserved for a variety of uses including small-scale agricultural production, recreation, open space, and conservation. The following policies apply to conservation design development:

- a) Conservation design subdivisions and condominiums will be permitted across the Township where:

- i) residential uses are permitted including lands with waterfrontage, and
  - ii) the landholding is at least 4 hectares in size and capable of supporting at least five (5) single detached dwelling units based on conventional individual on-site water and sewage systems.
- b) The minimum lot area should generally be 0.33 hectares in conservation design developments. Smaller lot sizes may be considered provided that the type of housing is consistent with the rural character of the area.
- c) Conservation design developments shall utilize municipal communal services.
- d) Conservation design subdivisions and condominiums are encouraged to identify a conservation theme or themes. This theme shall be identified at the time of the initial application. Conservation themes may include, but are not limited to, forest stewardship, water quality preservation, farmland preservation, natural habitat restoration, viewshed preservation, or archaeological and historic properties preservation.
- e) A minimum of 50% of the net developable area (i.e. gross area less undevelopable, constrained lands) shall be protected for the feature(s) identified for conservation through the development.
- f) Mechanisms to guarantee that 50% of the lands will be protected from development will include conservation agreements, dedication to land conservation organizations, land trust, or a corporation or trust owned jointly or in common by the owners of the lots, or similar means deemed acceptable to Council.
- g) The protected lands will be required to be rezoned to ensure their continued protection from development.

## 9.3 General Consent Policies

Where a plan of subdivision is not considered necessary for proper development, consent to convey land may be granted provided the following policies, any other relevant policies of this Plan are adhered to.

- a) Consents shall be considered for administrative purposes, such as lot line adjustments, utility easements and conservation easements, having regard to the other relevant policies of this Plan.
- b) Prior to approving any application for consent which would result in the creation of new lot, the long-term development potential of the overall land holding will be considered in order to ensure that additional future development potential of the land is not compromised. If the property has potential as a future subdivision site:

- a. the safest, most convenient access point(s) to the public road system should be retained for possible future use for internal subdivision roads;
  - b. the size of a lot created by consent should be appropriate for the proposed use in order to avoid the inefficient use of land; and
  - c. the lot created by consent should be located in such a way that the future design of a plan of subdivision can be accommodated.
- c) In order to fully assess an application for consent, the Township may require the submission of additional information and studies.
- d) In the Rural designation, a maximum of three (3) lots (exclusive of the retained parcel) may be permitted through the consent process from a lot of record existing on November 25, 2003, where it is demonstrated that a plan of subdivision is not necessary for the orderly development of the land and will not limit such development by plan of subdivision. The lot of record that existed on November 25, 2003 shall be deemed to exclude any portion of the lot that was subject to a consent application that was conditionally approved prior to November 25, 2003, provided that the consent conditions were satisfied and the lot was created in accordance with the decision to approve the consent, regardless of whether the consent lot was conveyed after November 25, 2003.
- e) In the Rural designation, additional consents may be granted to allow limited residential lot creation by way of infilling within existing concentrations of residential development. In the Rural designation, infilling shall refer to situations where the lands under consideration front upon a public road are between two existing rural residential lots (i.e. side lot lines form the boundaries of the area subject to infilling), or an existing residential lot and a natural or humanmade barrier such as a public road, a navigable stream or a railway right-of-way, separated by not more than approximately 100 metres and located on the same side of the road. Infilling shall also refer to situations where waterfront lands under consideration accessed by a private road are between two existing waterfront residential lots.
- f) In the Settlement Area designation, consents may be granted for:
- 1) Infilling built-up areas, and rounding out the boundary of the settlement area
  - 2) Creation of new lots in already developed areas;
  - 3) Lot enlargement, lot boundary adjustments and title correction purposes; and,
  - 4) Assembling land for future development.
- g) In the Settlement Area designation, where the proposed development has the effect of extending the built up area beyond its existing limits, the Township will ensure that new lots are adjacent to or abut the existing limit of the built-up area;
- h) The access to the proposed lots to be severed and retained shall be to the satisfaction of the Township:

- b. Non-waterfront lots must have frontage on an existing, opened and assumed public road which reflects a reasonable standard of pavement or gravel construction and is maintained year-round.
- c. Waterfront residential lots must have frontage on an existing private road or a public road that is developed to the Township's satisfaction in accordance with **Section 7.1**.
- d. The creation of lots through consent shall be discouraged on arterial roads outside of Settlement Areas.
- e. On islands and portions of the mainland only accessible by water, the creation of lots through consent will only be considered where the lot has direct shoreline frontage, and adequate mainland parking and boat-launching facilities are available.
- i) The Township must be satisfied that any lots created by consent can be supplied with such municipal services as fire protection, road maintenance, storm drainage and where applicable, water supply and sewage disposal facilities, such that the provision of services does not adversely affect the Township finances.
- j) For any division of land, the Township may impose conditions to the approval of the consent. A development agreement registered on title relating to the conditions may be required to implement conditions.
- k) Where lands being severed for conservation and open space uses are being transferred into the ownership of not-for-profit conservation agencies (e.g., Nature Conservancy of Canada, Queen's University, Land Conservancy, Land Trusts, Conservation Authorities), any existing dwelling severed from the larger land holding to facilitate the transfer of land for conservation purposes will not count towards the maximum of three consents allowed since November 25, 2003. Confirmation of the transfer of ownership of the majority of the lands into the ownership of the conservation agency shall be required at the time of application through a purchase and sale agreement, or similar documentation.

### 9.3.1 Agricultural Lot Creation Policies

- a) Consents may be permitted on lands designated Agricultural for the following purposes, in accordance with other policies of this Plan:
  - a. To create a farm holding that is generally not less than 35 hectares in area;
  - b. For a lot addition to enlarge a farm parcel to make it a larger, more viable operation;
  - c. Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way;
  - d. Lot adjustments for legal or technical reasons and minor boundary adjustments;



## Draft 3b – July 2024

- e. To sever a dwelling acquired through farm consolidation that is surplus to the needs of the farm operation.
  - f. To create a lot for an agricultural-related use.
- b) Consents to sever a surplus dwelling acquired through farm consolidation are subject to the following:
- a. The lands to be consolidated as part of the farming operation have been purchased by a bona fide farming operator prior to the application for consent or there is a legally binding agreement of purchase and sale.
  - b. The residence surplus to a farming operation must be considered a habitable residential dwelling that meets building code requirements for occupancy,
  - c. The proposed lot containing the dwelling shall have a minimum lot area of 0.8 hectares and a maximum lot area based on:
    - 1) The area required to accommodate the surplus dwelling, accessory residential buildings and structures, existing access, and water and sewage services;
    - 2) Safe and direct access to a public road that is maintained year-round, to the satisfaction of the Township;
    - 3) Compatibility with surrounding established lot fabric;
    - 4) Location within proximity to an existing building cluster; and,
    - 5) Minimization of agricultural land consumption.
  - d. The proposed lot containing the dwelling meets Minimum Distance Separation (MDS) I formulae requirements from any existing livestock facility or anaerobic digester on the remnant parcel.
  - e. The zoning on any remnant parcel of farmland shall be amended to prohibit a dwelling.
  - f. For the purposes of this section:
    - 1) A farm consolidation means the acquisition of additional farm parcels to be operated as one farm operation within the Township and/or in a municipality adjacent to the Township.
    - 2) A bona fide farmer:
      - a) Must own and be the operator of a farming operation on the lands from which the surplus dwelling is proposed to severed;
      - b) Must provide proof of ownership of other farm properties, including proof of a farm business registration number applicable to the properties;
      - c) Must own a residence elsewhere therefore rendering the residence on the subject farm surplus to their needs; and,

- d) May include a limited company sole proprietorship, incorporated company, numbered company, partnership, non-profit, or similar ownership forms, provided they have a farm business registration number.
- c) Consent to create a lot for an agriculture-related use shall have a minimum lot area of 0.8 hectares and a maximum lot area based on:
  - i. The area required to accommodate the use, existing access, and appropriate water and sewage services;
  - ii. Safe and direct access to a public road that is maintained year-round, to the satisfaction of the Township;
  - iii. Compatibility with surrounding established lot fabric;
  - iv. Location within proximity to an existing building cluster; and,
  - v. Minimization of agricultural land consumption.

# 10 Secondary Plans

Secondary Plans establish more detailed policies related to defined areas that are context specific or context sensitive. They are intended to guide growth and change in these defined areas, while maintaining or adapting the overall planning intentions of the Official Plan.

Future Secondary Planning Areas are identified on **Map H**. These Future Secondary Planning Areas generally extend one kilometre from settlement area boundaries. They include lands between settlement areas along connecting roads. They exclude lands in the Agricultural designation and Provincially Significant Wetlands. The area extends south along Perth Road and Battersea Road due to the proximity to Glenburnie and the boundary with the City of Kingston. Secondary plans are needed to guide growth and change in these areas due to rising development pressures.

- a. The Township will initiate and lead secondary plan studies for Settlement Areas and Future Secondary Planning Areas to identify areas with suitable water quantity and quality to support development on municipal communal services.
- b. Secondary plans may be required in any or all areas of the Township including Settlement Areas, Rural Areas, or any other area as is considered necessary.
- c. A secondary plan shall be required prior to other approvals where a proposed development is equivalent in scale and density to existing settlement areas in the Township.
- d. The preparation of secondary plans shall be guided by the intent and purpose of this Plan and shall be developed having regard for:
  - a) Surrounding land uses;
  - b) Environmental constraints and impacts;
  - c) The physical suitability of the land in relation to the servicing approach;
  - d) Public utilities;
  - e) Schools, parks, and other community facility uses;
  - f) The major road systems particularly as they relate to accessibility and safety;
  - and,
  - g) Housing types and projected populations.
- e. A secondary plan shall provide:

- a) The location of major land uses;
- b) Transportation patterns;
- c) Detailed servicing policies for the development area, as well as existing uses (e.g. main street, commercial, residential), potential for intensification, and any expansion of the settlement area boundary; and,
- d) Assurance to the environmental integrity of new development, particularly as it relates to the potential impacts on the quality and quantity of water (area ground and surface water supplies).



# 11 Implementation

This section addresses how the Official Plan will be implemented through various Township procedures and by-laws, and coordination with other agencies. Requirements for various development processes and development applications are also explained in this section.

## 11.1 Amendments to the Plan

- a) Any amendment to this Plan must:
  - a) be consistent with the Provincial Policy Statement;
  - b) be consistent with any provincial plan in effect for the Township;
  - c) be in conformity with the County of Frontenac Official Plan; and
  - d) not conflict with other policies of the Official Plan.
- b) When amendments are made to the Official Plan, appropriate amendments may also be required to the implementing By-law.
- c) Minor corrections to this Plan are permitted if the proposed change is of a technical or an administrative nature undertaken for the purpose of correcting formatting (e.g., text font, boldface, italics, capitalization, etc.), spelling or grammar errors, page numbers or section numbers, headings, section cross-references, or any other minor technical errors that do not impact the interpretation of policy. An Official Plan amendment will not be necessary for the purpose of preparing an Official Plan consolidation of amendments.

## 11.2 Monitoring

- a) This Plan shall be reviewed no later than ten years following its date of approval.
- b) The Township may complete a review that includes a *comprehensive review* of the Official Plan which takes place every five years following the initial ten-year period, should it be deemed to be warranted.
- c) The Township will monitor the Plan at regular intervals to determine if the objectives of the Plan are being met as it relates to estimated population growth, new housing created, affordable housing created, and estimated jobs created in each major economic sector. If any of the assumptions on which this Plan is based were to change substantially, a partial or complete review of the Plan may be undertaken at that time in order to determine whether the policies of the Plan are still appropriate.
- d) In accordance with the *Planning Act*, as part of this review, the Township will hold a special public meeting to discuss the need for revisions to the Official Plan. If changes are warranted, appropriate amendments will be made following the review.



## 11.3 Construction of Public Works

The Township may undertake public works for the purpose of implementing this Plan. No public works shall be undertaken that do not conform to the intent and purpose of the Plan.

## 11.4 Land Acquisition

The Township may acquire and hold land within the Township for the purpose of development that implements this Official Plan. The Township may also sell, lease, or otherwise dispose of such land when no longer required in accordance with the *Municipal Act* and other relevant provisions of this Plan.

## 11.5 Zoning By-law

Following approval of the Official Plan, the Township shall enact new and/or updated Zoning By-law provisions to implement the Plan. As set out in Section 34 of the *Planning Act*, the Zoning By-law will regulate the use of land, the erection and use of buildings and structures, yard requirements, setbacks, parking and loading space requirements and other such matters.

## 11.6 Holding Provisions

Pursuant to Section 36 of the *Planning Act*, the Township may utilize holding provisions in conjunction with the Zoning By-law. Holding provisions consist of holding “h” symbols placed over individual properties or holding “h” overlays placed over geographic areas.

It is intended that holding provisions shall be implemented by means of the implementing Zoning By-law. The Zoning By-law shall specify the uses of land permitted and any regulations applying to the land during the time for which the holding provisions are in place. Conditions or criteria that are to be satisfied before the holding provisions can be removed shall be clearly stated in the Zoning By-law. When the requirements are met to the satisfaction of the Township, the holding provision may be removed by the Township in accordance with the provisions of the *Planning Act*.

Such conditions include but are not limited to entering into a subdivision/condominium/site plan agreement with the Township, undertaking certain studies, required infrastructure improvements, or meeting financial obligations.

The Township may use holding provisions in a Zoning By-law to meet the following objectives:

1. To assist in the phasing of development and/or redevelopment;
2. To co-ordinate development and/or redevelopment with the provision of municipal communal water and sewage, storm sewer and other services;
3. To control development and/or redevelopment which may necessitate special design considerations;
4. To forestall development and/or redevelopment until such time that stated planning related criteria can be satisfied.
5. To aid in the selection of sites or areas that may be subject to holding provisions, the following locational criteria are identified:
  - i) lands in a built-up area which are undeveloped;
  - ii) lands which are unserviced;
  - iii) lands which do not have adequate access or frontage onto a public roadway;
  - iv) lands which are adjacent to hazardous, noxious, temporary or otherwise undesirable uses or activities; and
  - v) lands which are near or fronting onto public roads which are subject to hazardous conditions or are inadequate to handle current traffic volumes.

## 11.7 Temporary Use By-laws

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

The following criteria shall apply where a Temporary Use By-law is used in the implementation of the Official Plan:

1. Temporary Use By-laws may be passed to permit uses which do not conform to the Official Plan and/or Zoning By-law provided the temporary use will not affect the ability of the land to be used for the purposes intended in the Official Plan and Zoning By-law,
2. The proposed use shall be compatible or can be made compatible with the surrounding land uses,
3. Required services shall be adequate for the proposed use,
4. Access and parking are appropriate for the proposed use,
5. The proposed use is of a temporary nature and will not require any major construction or extensive capital investment on the part of the owner or that the owner will not experience undue hardship in reverting the original use upon termination of the temporary provisions.

## 11.8 Interim Control By-laws

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

## 11.9 Other By-laws

The Township may pass by-laws under the authority of the *Municipal Act* or any other Act may implement the policies of this Plan. For instance, By-laws dealing with the regulation of derelict motor vehicles, wrecking yards, trailers or signs may be passed by the Township where considered appropriate. Any such By-law shall conform to this Plan.

### 11.9.1 Safe Properties and Property Standards

The Township may adopt a Property Standards By-law as provided for under the *Building Code Act* with the objective of maintaining buildings, structures, and properties in the Township in a good state of repair. The By-Law may be reviewed from time-to-time with respect to the standards for maintenance of buildings and without limiting the foregoing, shall include consideration for:

- a) The maintenance of yards and accessory buildings;
- b) The maintenance of residential and non-residential buildings and structures;

- c) Occupancy standards;
- d) Notices and orders; and,
- e) Administration and enforcement measures.

### 11.9.2 Shoreline Protection By-law

The Township may establish a Shoreline Protection By-law under the *Municipal Act* to control or prevent the degradation of shoreline areas which could be caused by the removal of trees and vegetation or the disturbance of native soils.

## 11.10 Delegation of Authority

- a) Council may delegate its authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the *Planning Act*, the *Municipal Act*, and the *Ontario Heritage Act*.
- b) Council may, by by-law, delegate its authority for various approval or advisory functions to:
  - a) A committee of council; or,
  - b) An individual who is an officer, employee, or agent of the municipality.
- c) The delegation of applications under the *Planning Act* does not alter any notice or public meeting requirements or limit appeal rights. It also does not change the requirements under the *Planning Act* for land use planning decisions to be consistent with the Provincial Policy Statement and to conform or not conflict with provincial plans or the County of Frontenac Official Plan.
- d) In receiving and reviewing a planning application, a committee of Council or an appointed officer, employee, or agent, which has been delegated authority, will provide information to the public and host required public meetings in accordance with the *Planning Act*. Consultation with the applicable Conservation Authority, the County of Frontenac, Parks Canada, provincial Ministries, Indigenous communities, and other applicable agencies will be completed.
- e) Council may delegate its authority for planning applications, by by-law, as follows:
  - a) Consents (Land Severances);
  - b) Validation Certificates; and,
  - c) Minor Zoning By-Law Amendments including:
    - i) A by-law to remove a holding symbol under Section 36 of the *Planning Act* where the conditions to remove the holding symbol have been met and any required agreements have been executed.

- ii) A by-law to permit a temporary use under Section 39 of the *Planning Act*.

# 11.11 Committee of Adjustment

A Committee of Adjustment has been appointed by Council to make decisions on the following types of applications:

- a. a minor variance to the zoning by-law
- b. the extension or enlargement of a legal non-conforming use
- c. to allow a change in the use of land or buildings from one legal non-conforming use for a purpose that is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law
- d. a consent for land division

## 11.11.1 Minor Variance Decisions

- a) The Committee of Adjustment may grant a minor variance from provisions of a zoning by-law, if the Committee is satisfied that:
  - i) That the general intent and purpose of the Official Plan are maintained;
  - ii) That the general intent and purpose of the Zoning By-law are maintained;
  - iii) The variance is desirable for the appropriate development or use of the land, building, or structure; and
  - iv) The variance is minor in nature.
- b) The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance, including a development agreement or site plan approval where required in this Plan, any reasonable requirements, recommendations of Township departments or the submission of studies.
- c) In considering whether an application for a minor variance is desirable for the appropriate development or use of the land, building, or structure, the Committee of Adjustment shall have regard for, but will not necessarily be limited to, the following:
  - i) The proposed development meets the intent of all applicable policies of this Plan;
  - ii) The conformity of the proposal to any design guidelines or other by-laws which implement the Plan;
  - iii) The proposed development shall be compatible with surrounding uses, buildings, or structures, and development standards associated with adjacent properties, and if

- necessary, shall incorporate means of mitigating adverse effects on abutting land uses to ensure compatibility;
- iv) The ability of the site to function in an appropriate manner in terms of site servicing, access, parking for vehicles and bicycles, or any other matter and means of improving such function, including considerations for universal accessibility; and,
  - v) Whether the application and the cumulative impact of the proposed variances would be more appropriately addressed through a Zoning By-law Amendment.
- d) In considering whether a proposed variance is minor, the Committee of Adjustment shall have regard for, but will not necessarily be limited to, the following:
- i) Technical or physical reasons for not complying with the Zoning By-law;
  - ii) Size or comparison in size;
  - iii) If it is too large or too important to be consider minor;
  - iv) If it is rounding out development in the area, or if it is extending non-complying development; and,
  - v) Impact on adjacent properties and the general surrounding area.



## 11.12 Dedication and Tenure of Land for Parks and Conservation

- a) In accordance with the Township's Parkland Dedication By-law the Township will require parkland dedication or cash-in-lieu of parkland.
- b) In considering lot creation by plan of subdivision or consent application, or unit creation condominium, the Township may require the applicant to dedicate up to 5% of the land to the provision of public open space for residential or institutional developments. The Township may require that the applicant dedicate 2% of the land for commercial or industrial developments to the provision of public open space.
- c) The Township may, as a condition of site plan control approval, require the applicant to dedicate up to 5% of the land to the provision of public open space for residential or institutional developments. The Township may require that the applicant dedicate 2% of the land for commercial or industrial developments to the provision of public open space.
- d) At the discretion of Council, this dedication may take the form of land or payment in lieu, pursuant to Section 51.1 of the *Planning Act*.
- e) Outside of the parkland dedication provisions of the *Planning Act*, the Township encourages the use of innovative forms of tenure and ownership including conservation easements, property acquisition by a local land trust, and/or local conservation authority and the use of available tax incentive programs to ensure long term conservation of unique or important natural environmental properties within South Frontenac. When consents are pursued that have the effect of facilitating the transfer of land into the ownership of a not-for-profit conservation agency, Council shall not require dedication of land, or payment of cash-in-lieu of parkland, provided the long-term intent is conservation of unique or important natural environment features.

## 11.13 Cash-in-lieu of Parking Facilities

The Township may establish a by-law to permit Council to enter into an agreement with an owner of land to exempt the owner from the off-street parking requirements of the Zoning By-law, and to require monetary payment to the Township as consideration for granting the exemption.

## 11.14 Site Plan Control

Site Plan Control ensures that development in the Township is undertaken in accordance with the Township's Official Plan, Zoning By-laws, other applicable Township By-laws, Provincial policies and regulations, and Township Standards. Site Plan Control has the effect of protecting both public and private interests in relation to proposed new developments. It is also used to mitigate or eliminate negative impacts on adjacent land uses and ensures that certain features of a development are maintained into the future.

- A) Pursuant to Section 41 of the *Planning Act*, the Township establishes the entire municipality as a Site Plan Control area. The Township shall establish a Site Plan Control by-law to regulate development under Section 41 of the *Planning Act*.
- B) The Township may, as a condition of site plan approval, require the dedication of land for the widening of any street or for improvements to an intersection to the width set out in **Section 7.1**. The conveyance shall apply to the full frontage of the property wherever a deficiency exists.

## 11.15 Part Lot Control By-law

In accordance with the *Planning Act*, part lot control has the effect of preventing the division of land in a registered plan of subdivision, other than that allowed for in the approved plan of subdivision, without further approvals. The part lot control provisions of the *Planning Act* allow a municipality to pass by-laws to remove part lot control from all or any part of a registered plan of subdivision. Such a by-law has the effect of allowing the conveyance of a portion of a lot without requiring the approval of the land division committee.

- a. The Township may pass by-laws to exempt all, or parts of registered plans of subdivision from part-lot control.
- b. Part Lot Control By-laws may be repealed or amended by the Township.

## 11.16 Community Improvement Plans

The Township recognizes the importance of supporting and encouraging economic investment to realize the community vision and alignment with Township strategic planning objectives. To

that end, the Township has the ability, as provided through Section 28 of the *Planning Act* to provide financial incentives to achieve certain social and community goals.

- a) The Township may designate a Community Improvement Plan Project Area based on the provisions allowed through the *Planning Act*, with particular attention to social and community economic development reasons amongst others.
- b) A CIP will be implemented through the passage of a by-law designating a Community Improvement Project Area and through the preparation of a Community Improvement Plan that sets out the goals of the program and establishes financial incentives to direct investment that is in keeping with key strategic priorities.
- c) A Community Improvement Plan may provide direction, guidelines, and a strategy for any or all of the following:
  - i) Further studies or review as necessary for Community Improvement Plans;
  - ii) Promotion and facilitation of the renewal of contaminated sites or brownfield sites in community improvement planning; and,
  - iii) Other municipal actions, programs, or investments for the purpose of strengthening and enhancing neighbourhood stability, health and safety, stimulating production of a variety of housing types, facilitating local economic growth, improving social and environmental conditions or promotion of cultural development.

## 11.17 Community Planning Permit System

The Township may implement a Community Planning Permit System (CPPS) as a planning tool to streamline the development approvals process. This CPPS is a land use planning tool that combines zoning, site plan control, site alteration, and minor variance processes into one application and approval process, pursuant to the *Planning Act*. When the Township develops a CPPS, comprehensive policies shall be established by amendment to this Plan to:

- a) Identify the area that is to be a Community Planning Permit area and subject to the Community Planning Permit By-law;
- b) Set out the scope of the authority that may be delegated and limitations on the delegation, if Council intends to delegate authority under the Community Planning Permit By-law;
- c) Contain a statement of the goals, objective, and policies in proposing a Community Planning Permit System for the area;

- d) Set out the types of criteria that may be included in the Community Planning Permit By-law for determining whether any class of development or any use of land may be permitted by Community Planning Permit; and,
- e) Set out the types of conditions that may be included in the Community Planning Permit By-law.

## 11.18 Pre-Application Consultation

- a) Pre-application consultation is required for all planning applications where the Township is the approval authority. The Township may structure the pre-application consultation process to include multiple stages, where warranted, based on the complexity of the proposal and the type of application. Details regarding the process will be included in a pre-application consultation by-law.
- b) The Township may establish pre-application consultation fees to cover staff time to review and assess application information and technical studies prior to declaring an application complete.
- c) The Township may require a proponent to hold a public open house as part of the pre-application consultation process, prior to any statutory public meetings required by the *Planning Act*. The open houses will be held for large or complex applications and will be at the discretion of the municipality.
- d) Where applications require the approval of the County of Frontenac (i.e., Official Plan Amendments), the County will be involved in pre-application consultation and will assist the Township in determining the requirements of a complete application. The County will be engaged early in this process to assist in ensuring any concerns or issues the approval authority may have can be addressed early in the application process.

## 11.19 Complete Application Requirements

- a) The submission of a complete application may include, but not be limited to, the completion of any applicable municipal forms, the payment of all required fees, the submission of studies, reports and drawings, and technical comments on studies, reports and drawings by all relevant departments, agencies, ministries, or third-party peer reviewers.

- b) In situations where the Township acts as the planning approval authority, the Township shall request additional information and material that it needs when considering development proposals or *Planning Act* applications. Such information that may be required to deem an application complete may include but is not limited to any of the following:
- i. Arborist report
  - ii. Concept Plan/Plot Plan/Survey Sketch showing the ultimate use of land;
  - iii. Assessment of Adequacy of Public Services/Conceptual Site Servicing Study;
  - iv. Servicing Options Report;
  - v. Hydrogeological and Terrain Analysis;
  - vi. Erosion and Sediment Control Plan;
  - vii. Geotechnical Study/Slope Stability Assessment;
  - viii. Floodplain Management Study
  - ix. Impact Assessment of Adjacent Waste Disposal / Former Landfill Site (i.e. D-4 MECP Guideline study);
  - x. Noise/Vibration Study (i.e., D-6 MECP Guideline study, NPC-300 study);
  - xi. Transportation Impact Study or Brief or Community Traffic Study;
  - xii. Cultural Heritage Impact Statement;
  - xiii. Minimum Distance Separation Formulae;
  - xiv. Planning Justification;
  - xv. Environmental Impact Assessment;
  - xvi. Agricultural Impact Assessment;
  - xvii. Lake Impact Assessment;
  - xviii. Mineral Aggregate Impact Assessment;
  - xix. Agrology and Soil Capability Study;
  - xx. Phase 1 Environmental Site Assessment (ESA);
  - xxi. Phase 2 Environmental Site Assessment (ESA);
  - xxii. Record of Site Condition;
  - xxiii. Amendment to the regional Source Protection Plan;
  - xxiv. Reasonable Use Study;
  - xxv. Groundwater Impact Assessment;
  - xxvi. Stormwater Management Plan;
  - xxvii. Archaeological Resource Assessment;
  - xxviii. Tree Preservation and Protection Plan;
  - xxix. Assessment of Landform Feature;
  - xxx. Mine Hazard Study / Abandoned Pit or Quarry;
  - xxxi. Hydrologic and Hydraulic Study;
  - xxxii. Shoreline Planting Plan;

- xxxiii. Public Consultation Strategy;
  - xxxiv. Three dimensional building mass model
  - xxxv. Landscaping plan
  - xxxvi. Lot grading and drainage plan
  - xxxvii. Parking and/or loading study
  - xxxviii. Wildland fire risk assessment
  - xxxix. Tree inventory
    - xl. Ecological site assessment
    - xli. Statement of achievement of the Site Plan Control requirements of this Plan; and/or,
    - xlii. Any other studies required by the Township that are not reflected in the above list.
- d) Any additional studies or information that is required as part of a complete application under the *Planning Act* will be at the discretion of the municipality, to ensure that all the relevant and required information pertaining to a development application is available to enable Council or its designated approval authorities to make informed decisions within the prescribed time periods. It also ensures that the public and other stakeholders have access to all relevant information early in the planning process.
- e) Studies shall meet any terms of reference or requirements established by the Township or appropriate approval authority through the pre-consultation with the Township.
- f) All required reports and technical studies will be carried out by qualified persons retained by and at the expense of the proponent. The Township may require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the Township at the proponent's expense.





# 12 Site-Specific Policy Areas

This section sets out site specific approvals which had not been fully developed at the time this Plan was prepared. The sites described below are identified on **Map A**.

## **1. Part Lot 38, Concession VII, Storrington District – 2965 Battersea Road, McGarvey Stone House**

The site shown on Map A as Area 1 may be used for a multiple unit residential building containing not more than six dwelling units.

## **2. Part Lot 25, Concession VII, Storrington District – Collins Lake Estate**

The site shown on Map A as Area 2 shall have permitted highway commercial uses shall be limited to daycare facilities, personal service shops, professional offices, grocery stores and retail stores.

## **3. Part Lot 1, Concession XII, Bedford District – Buck Lake**

The site shown on Map A as Area 3 shall have a minimum lot area of 92.9 sq. metres (1,000 sq. feet). The use of these lands shall be limited to boat docking facilities only. Docking facilities shall be limited to 25 spaces, 20 of which shall be made available to property-owners on Porcupine and Buck Islands. No further severances shall be permitted and, except for the docking structure, the remainder of the lands shall be maintained in a natural vegetative state. Maintenance of the docking facilities shall be undertaken in an environmentally sensitive manner.

## **4. Special Lot Waterfrontage Criteria (Pt. Lots 24 and 25, Concession X, Storrington District)**

The site shown on Map A as Area 4 shall not be permitted any consents for lot creation.

## **5. Pt. Lots 27, 28 and 29, Concession XI, Bedford District – Timmerman Island**

The site shown on Map A as Area 5 may be permitted up to seven single detached dwellings, provided the following policies and all other relevant policies of this Official Plan are met:

- The property must have sufficient private mainland parking and boat docking/launching facilities to service the number of persons and single detached dwellings proposed without placing demands on existing public access facilities;
- The lands will be placed in a separate category in the Zoning By-law. The location of the dwellings must meet the setbacks and other lot criteria of the Zoning By-law such that lot division could take place in the future if desirable;
- These lands are proposed for site plan control. The required site plan will be in sufficient detail to permit it to be adapted for use as an application for a registered plan of subdivision. The development will be by a plan of subdivision, thereby ensuring that the land and the development shown on it will be capable of being subdivided in accordance with the policies of the Official Plan and the requirements of the *Planning*

*Act.* The site plan shall be registered against the lands. These policies are intended to allow development on the lands described only and they are not intended to be used to evade the normal consent or subdivision process.

### **6. Pt Block K, Plan 50, Loughborough District – Closed Sydenham Waste Site**

The site shown on Map A as Area 5 is a closed waste site within lands owned by the Township adjacent to Sydenham Lake, in the area of the Point Park, according to Ministry of Environment, Conservation and Parks (MECP) records. This landfill operated through the 1970s and 1980s and is understood to be limited in area. There is no associated area of influence around this facility as the majority of surrounding lands are owned by the Township. The Township will work with MECP to determine the boundaries of the closed landfill. The Township will undertake a review and testing, if necessary, to determine if the landfill remains any risk to future development.

# 13 Definitions

This section of the Plan provides additional information on how to interpret legislative references.

The Provincial Policy Statement, 2020, includes definitions of numerous terms used in its policies (i.e., “development”, “sensitive land uses”, “adjacent uses”, etc.). Those definitions will apply when reading this Plan, where those terms are used. Where a definition is required for clarification of a term used in this Plan that is not defined in the Provincial Policy Statement, or where the definition differs from the Provincial Policy Statement for the purposes of this Plan, the definitions found in this section shall be referenced.

**Additional dwelling unit:** means a self-contained residential unit with its own kitchen, bathroom facilities, and sleeping areas within a principal dwelling or within a structure accessory to a principal dwelling and located on the same lot.

**Back lot:** means a lot that does not have frontage on a waterbody and that is physically separated from the shoreline by a legally conveyable parcel of land and a private road.

**Co-housing:** means a dwelling unit that combines the autonomy of compact self-contained private dwellings with the benefits of shared, spacious community amenities that typically include a large dining room, kitchen, recreation spaces, meeting rooms, etc.

**Comprehensive review:** means

- a) With respect to settlement areas, settlement area boundaries, and conversion of employment areas, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
  - i) Is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
  - ii) Utilizes opportunities to accommodate projected growth or development through intensification and redevelopment; and considers physical constraints to accommodating the proposed development within existing Settlement Area boundaries;



- iii) Is integrated with planning for infrastructure and public service facilities, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
  - iv) Confirms sufficient water quality, quantity, and assimilative capacity of receiving water are available to accommodate the proposed development;
  - v) Confirms that sewage and water services can be provided in accordance with sewage, water, and stormwater policies; and,
  - vi) Considers cross-jurisdictional issues.
- b) with regards to territory without municipal organization, means a review undertaken by a planning authority or comparable body which:
- i) Addresses long-term population projections, infrastructure requirements and related matters;
  - ii) Confirms that the lands to be developed do not comprise specialty crop areas in accordance with prime agricultural area policies; and,
  - iii) Considers cross-jurisdictional issues. In undertaking a comprehensive review, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

Flex housing: means the floor plan and layout of a dwelling unit has built-in features that allow the available space/use to be easily change, as needed.

Garden suite: means a one-unit detached residential structure containing bathroom and kitchen facilities that is accessory to an existing residential structure, and that is designed to be portable.

Modular home: means a home that has been built indoors – basically, inside a home-building factory. Once complete, the modules (or components of these homes) are transported by truck to their new location and assembled by highly qualified tradesmen onto the already poured foundation.

Self-determination: The right of Aboriginal communities to freely determine their political condition and pursue their form of economic, social, and cultural development with their traditional and treaty territories.

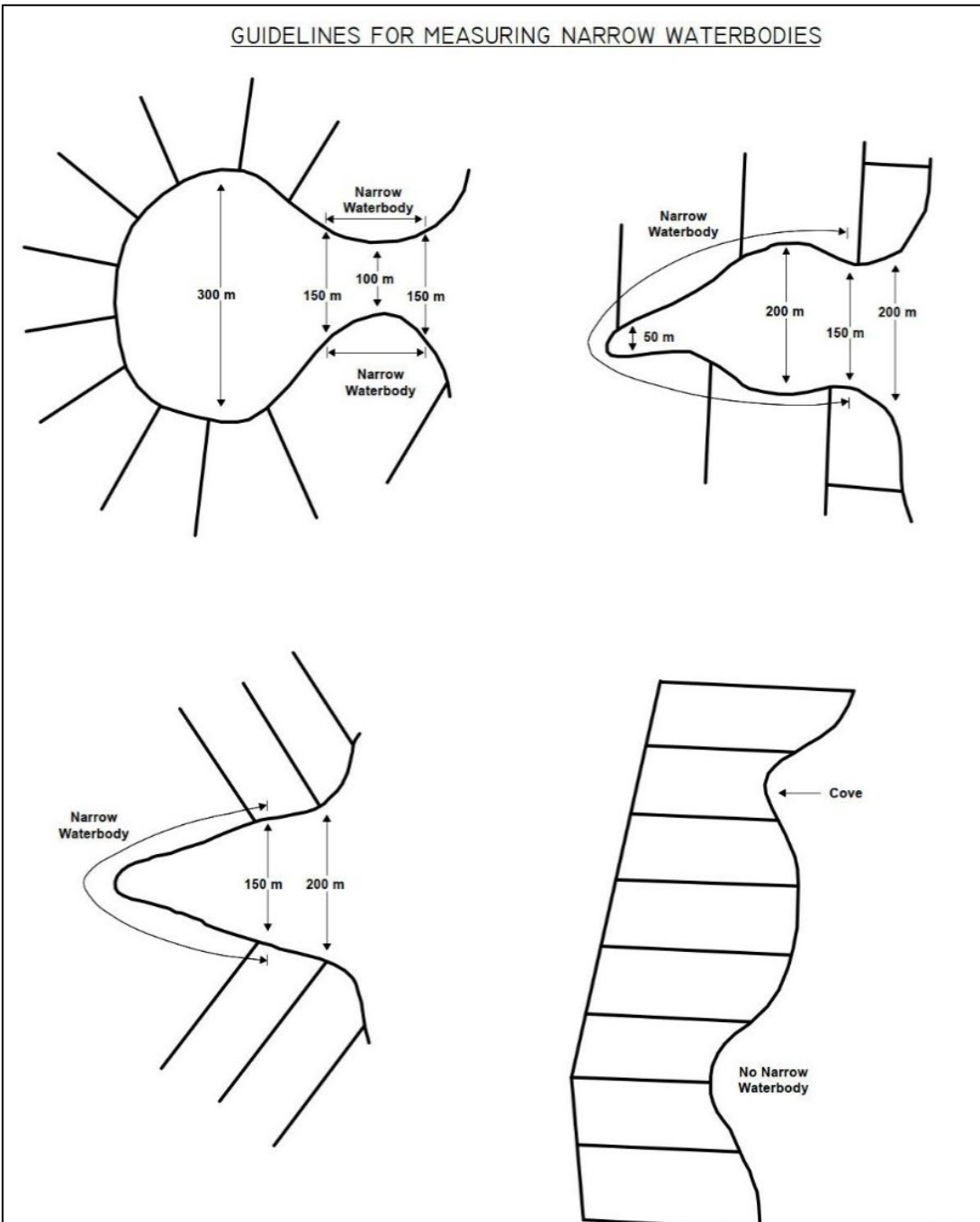
Waterbody, narrow: means an area where the maximum general distance from shoreline to shoreline is 150 metres for a lake. Guidelines for measuring narrow waterbodies are included in **Figure 1** to this Plan.

Waterbody, shallow: means an area where the water is less than 3 metres deep, 30 metres offshore at low water.

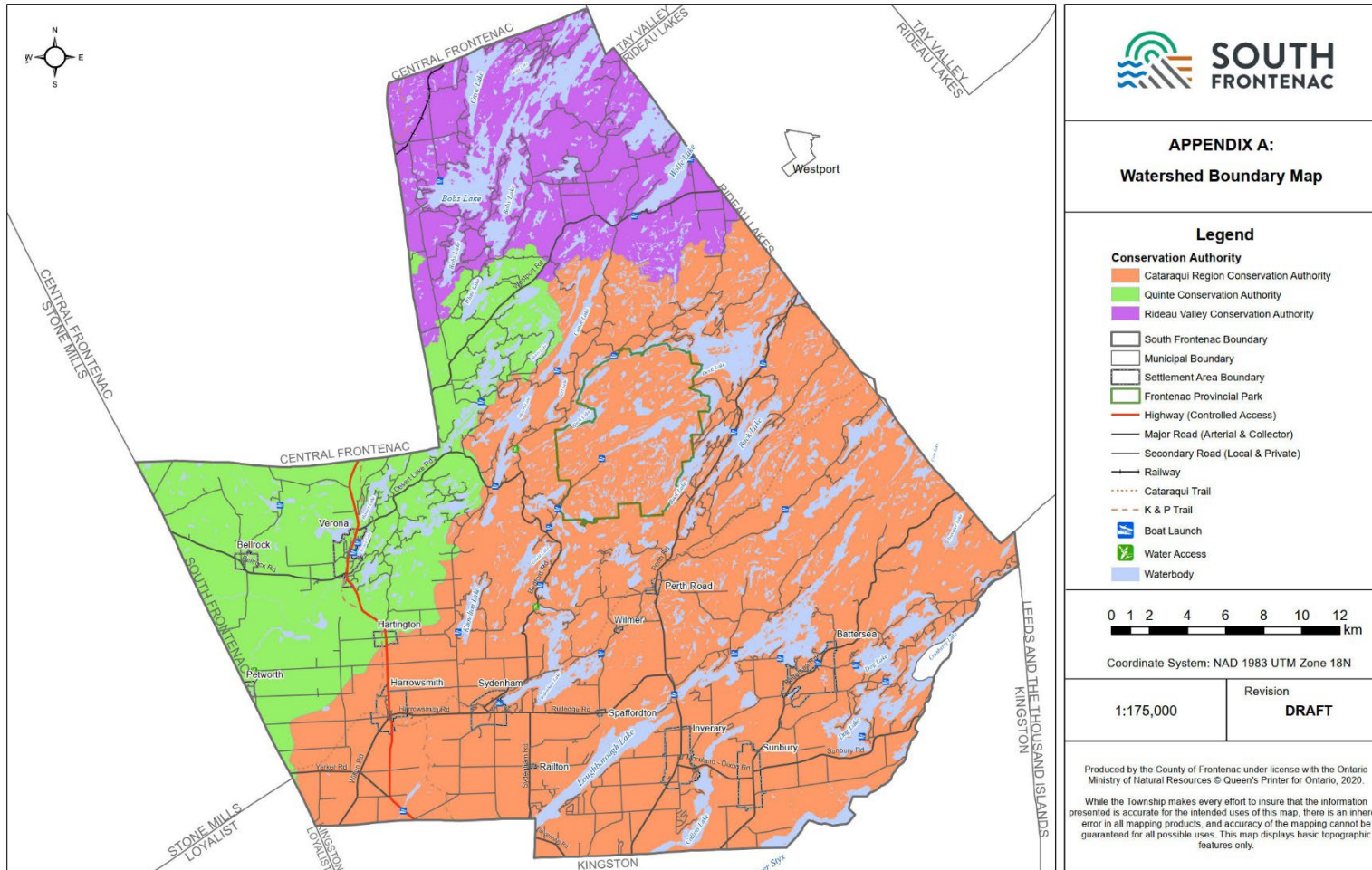
# Figures and Appendices



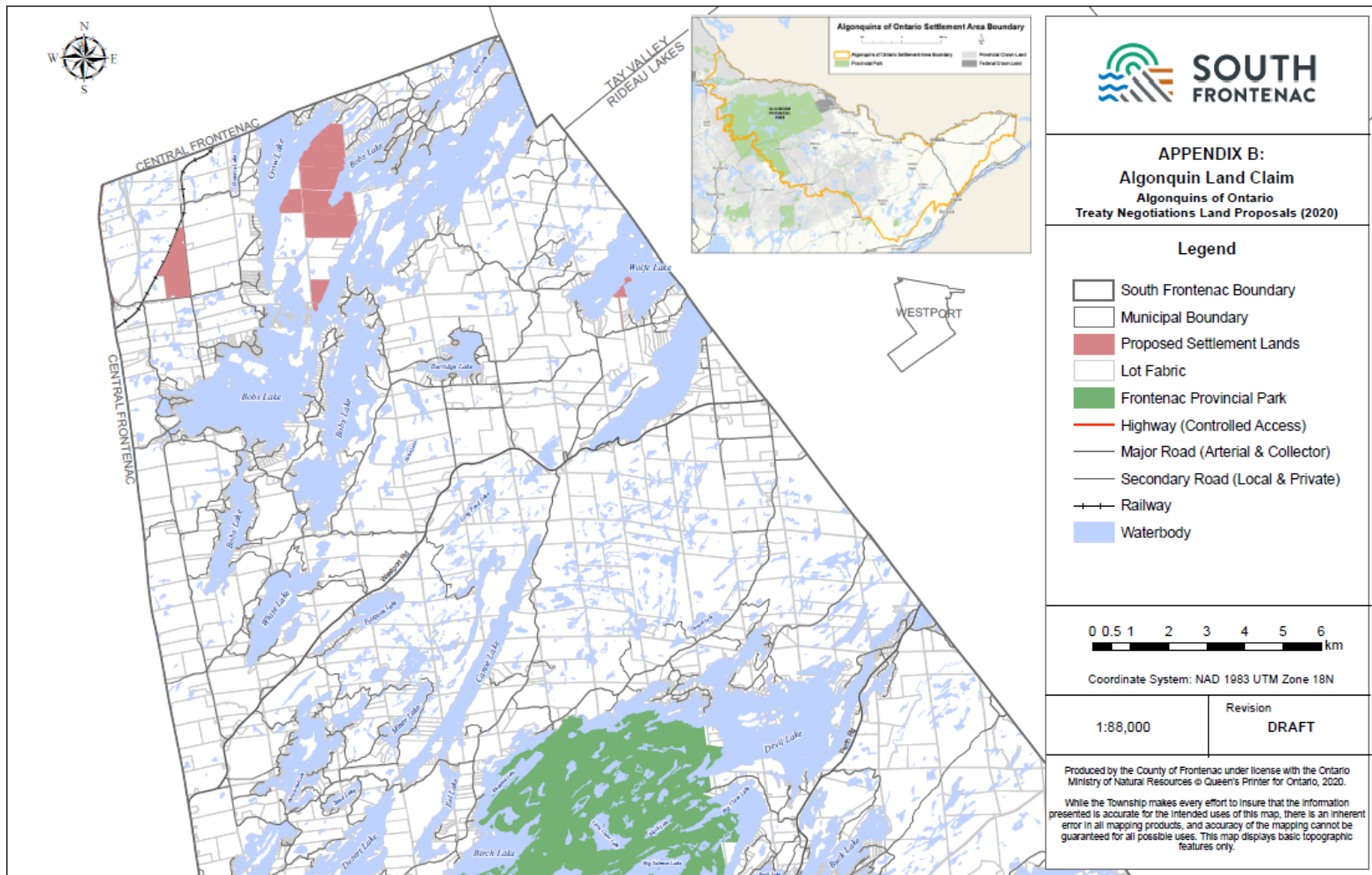
# Figure 1 – Guidelines for Measuring Narrow Waterbodies



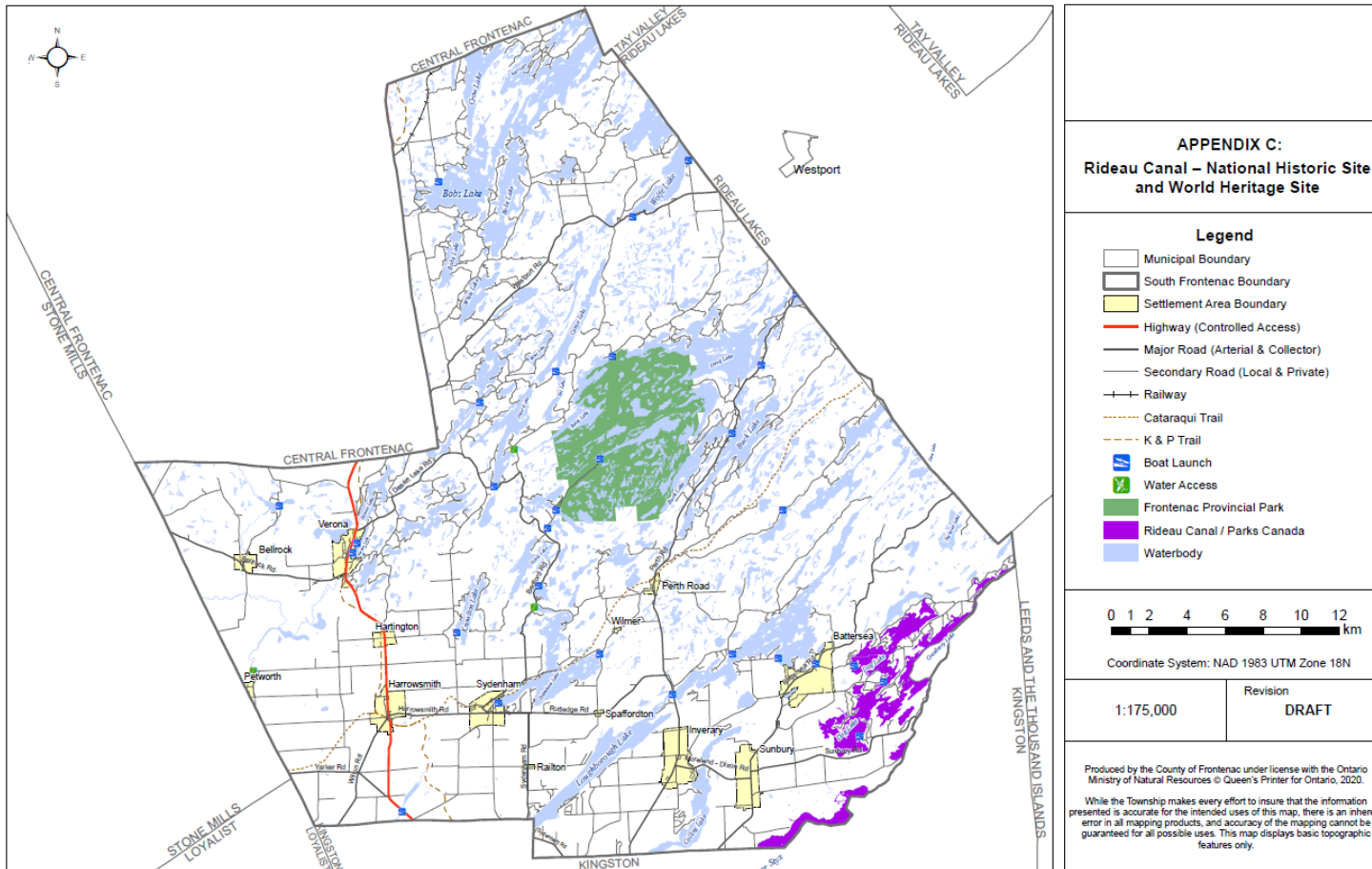
# Appendix A – Watershed Boundary Map



# Appendix B – Algonquin Land Claim

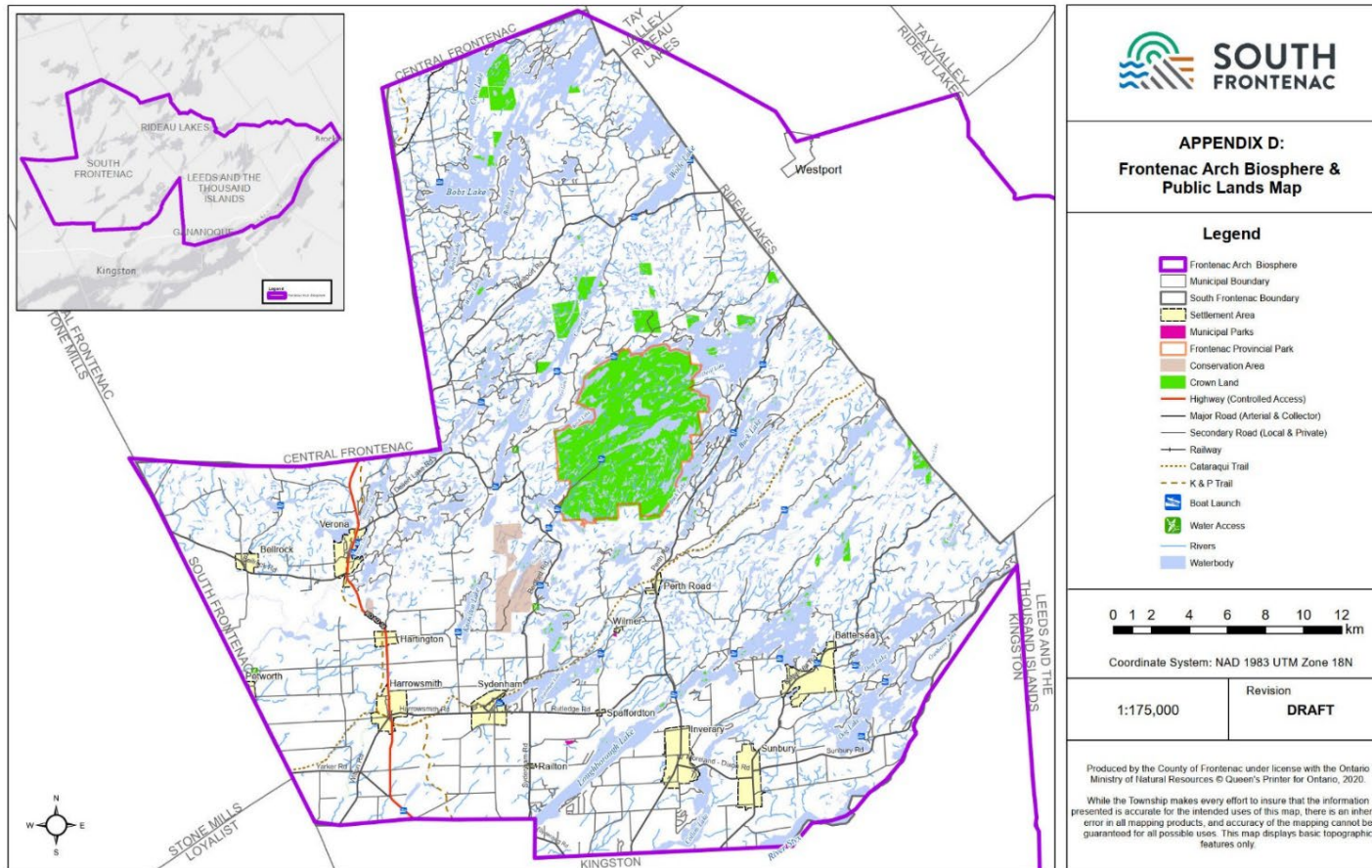


# Appendix C – Rideau Canal National Historic Site and World Heritage Site

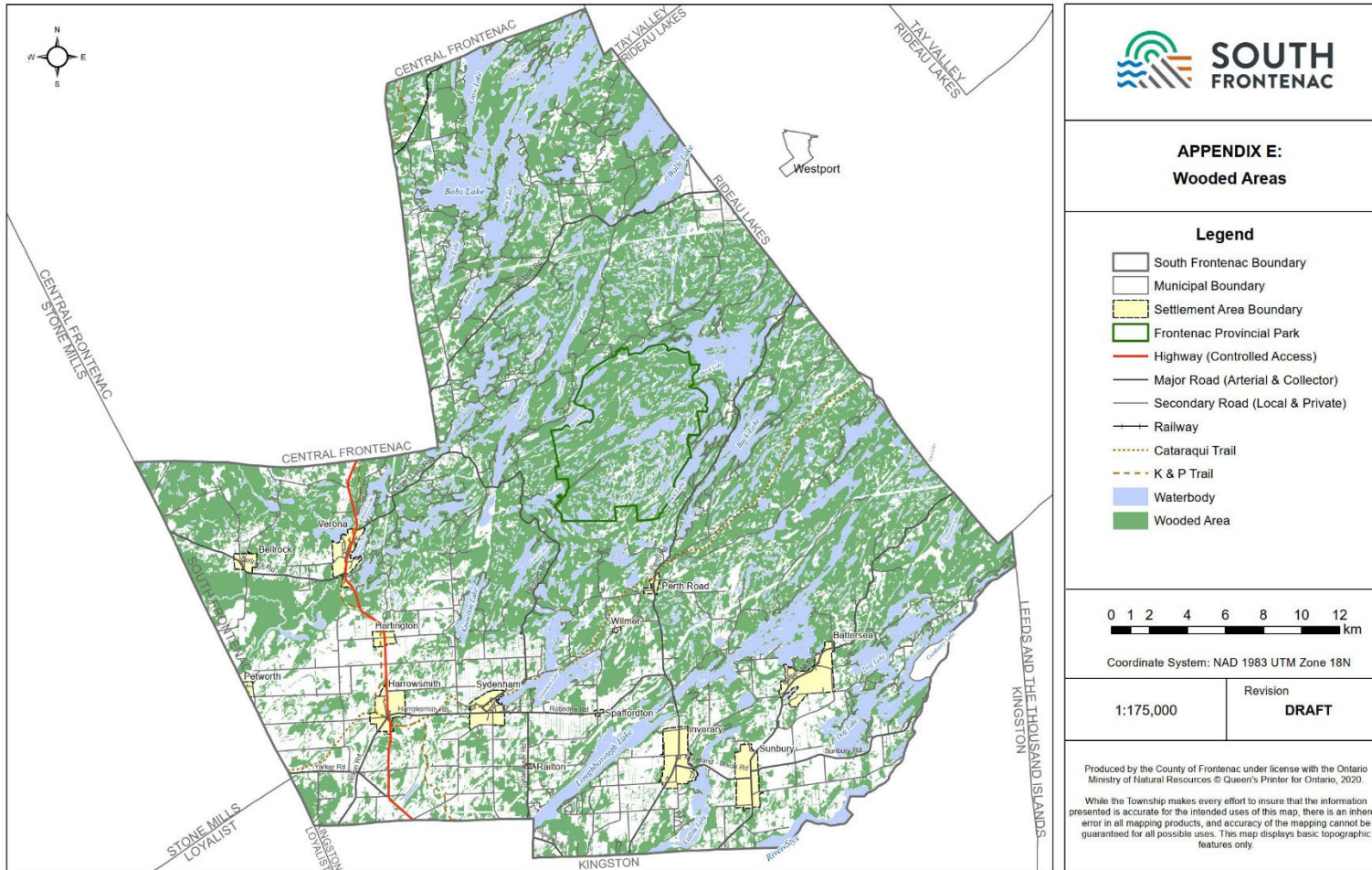




# Appendix D – Frontenac Arch Biosphere Region & Public Lands Map



# Appendix E – Wooded Areas





THE MAPS AND APPENDICES OF THIS OFFICIAL PLAN ARE PUBLISHED SEPARATELY FROM THIS DOCUMENT FOR THE PURPOSE OF PUBLIC CONSULTATION AND ARE AVAILABLE FOR REVIEW ON (WEBSITE)

THE FINAL VERSION OF THIS OFFICIAL PLAN WILL CONSOLIDATE ALL MAPS AND APPENDICES INTO THE BODY OF THIS DOCUMENT.