



# 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>



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# 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 People, 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 People 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*, 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

Planning Statement, as well as implementation of the 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 2024 Provincial Planning Statement such as efficient use of land, provision of housing, and environmental protection. This Plan also conforms to the upper-tier County of Frontenac Official Plan (2016, as amended). It incorporates policies from the applicable Source Water Protection plans that helps 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 at 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, including broad based planning principles and strategic policy approaches, specific land use policies, resource and utility policies, and 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 13, Maps A to I, 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:

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- **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.
- **Step 4:** Identify if any other considerations on **Maps B to G** are applicable to the property, and read the policies in **Sections 5, 6** and/or **7** 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.
- **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, 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) Where lists of permitted uses are provided in designations and policies, such lists reflect the possible range of compatible uses to be considered. These lists have intentionally been generalized, unless otherwise specified in this Plan, leaving a more detailed listing of permitted uses to be determined by the implementing by-law. Accordingly, more specific uses not shown in such lists, but considered by the Township to be similar in nature to the listed uses of this Plan, may be appropriately accommodated within the subject designation through the implementing by-law without the need for an Official Plan Amendment, provided they maintain the intent of this Plan.
- c) It is intended that all numerical 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 and are reflected in the implementing by-law.

- d) Any significant change from the policies contained herein will require an amendment to the Official Plan and implementing 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.
- e) 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.
- f) This Plan utilizes words or terms defined in the 2024 Provincial Planning 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 2024 Provincial Planning Statement, or any subsequent Provincial Planning Statement issued under Section 3 of the *Planning Act*, shall be used as a guide to interpretation.
- g) 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 implementing by-law shall be in conformity with the intent and policies of this Plan.

## 1.4 Transition Policies

The following transition policies shall apply to applications made under the 2003 Township of South Frontenac Official Plan:

- a) The 2003 Township of South Frontenac Official Plan, as amended, will apply to decisions on *Planning Act* applications submitted and deemed complete prior to County approval of this Plan.
- b) Any Official Plan Amendments to the 2003 Official Plan that have cleared appeals prior to County approval of this Plan will be incorporated into this Plan by the Township.

## 1.5 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.

### 1.5.1 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:

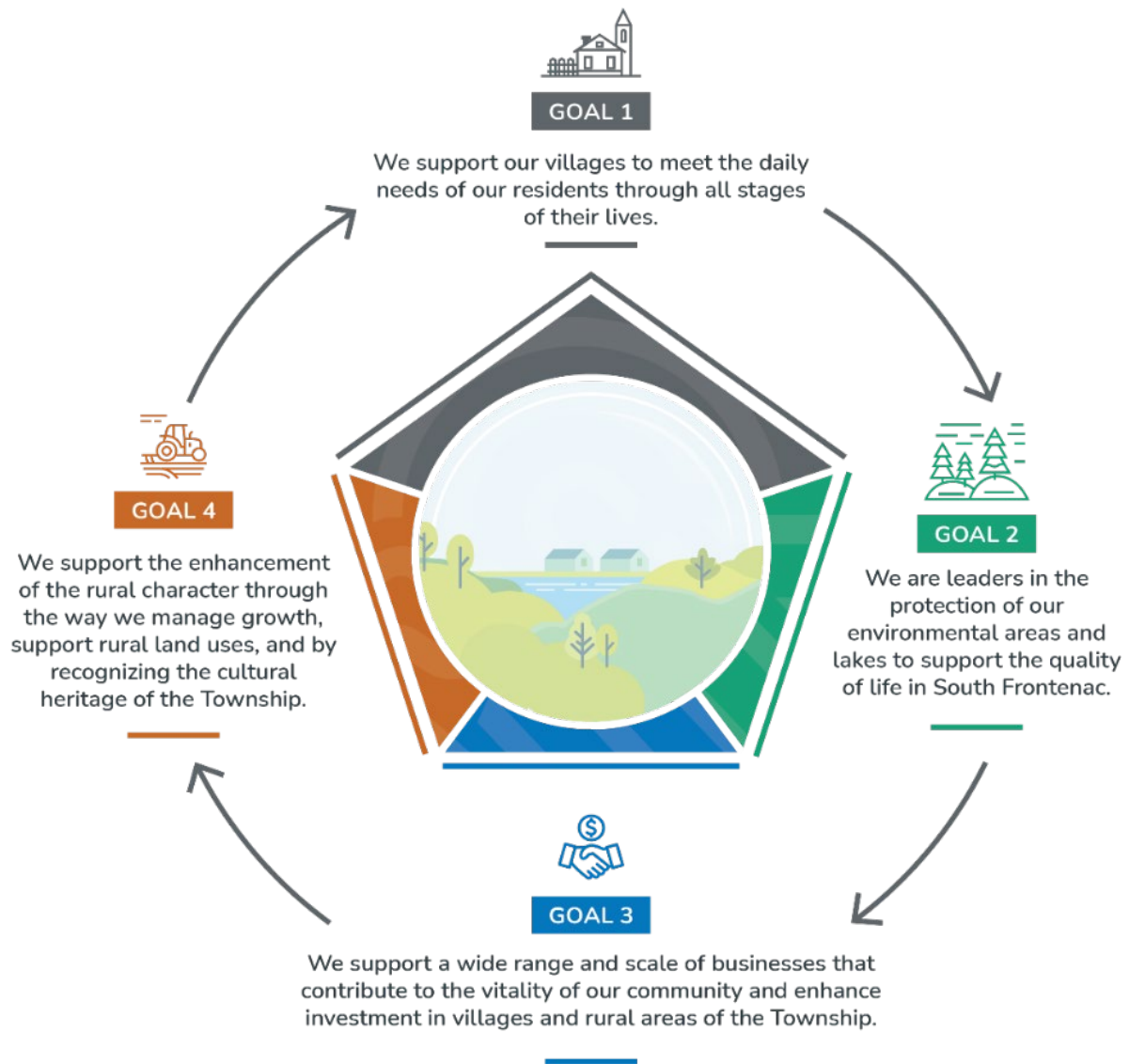
**South Frontenac is a progressive, forward-looking municipality that balances facilitating growth that meets the needs of all our residents with environmental leadership in the protection of our outstanding natural assets to enhance the exceptional lifestyle, rural character, and economic opportunities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

## 1.5.2 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.
- **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.

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## 1.5.3 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.

## 1.6 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 governments) within the Township.

### 1.6.1 Historical Background

The Township of South Frontenac sits within the traditional territories of the Algonquin, Anishinaabe, and Haudenosaunee 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, 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.

### 1.6.2 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 of Indigenous Peoples (UNDRIP), which the Federal and Provincial governments are 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.

### 1.6.2.1 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.
- **Trails:** The Algonquins of Ontario support the development of a recreational trail system throughout the Township.

### 1.6.2.2 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.
- **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.

### 1.6.3 Relationship Building and Accommodating 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.

- **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 conveniently nearby.

### 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, Prime Agricultural Areas, Employment Areas, Settlement Areas, and Environmental Protection Areas. The land use structure is identified on **Map A**. **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's seasonal population will grow to 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 remote work such as work at home) is anticipated to reach approximately 1,620 jobs by mid-2034 and 1,730 by mid-2039. This represents an employment increase of 150 jobs for the 10-year forecast period and 260 jobs for the longer-term forecast period. A substantial percentage of jobs are expected to be home-based businesses, including home industries and home occupations.



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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).

- a) 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.
- b) Settlement Areas shall be the focus areas for growth, forecasted to accommodate approximately 75% of employment growth and approximately 50% of residential growth.
- c) The southern portion of the Township, particularly in and around the Settlement Areas and north-south arterial roads, faces development pressures due to its proximity to Kingston, Highway 401, and employment opportunities. Future Secondary Planning Areas on **Map H** identify where further study is needed to confirm that these areas can accommodate anticipated future growth that fulfills the vision and goals of this Plan.
- d) Policies related to Future Secondary Plan Areas can be found in **Section 10**.
- e) The Rural Lands is forecast to accommodate approximately 20% of the Township's employment growth and 46% of the Township's permanent and seasonal population growth.
- f) 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.
- g) Highway commercial uses that meet the needs of the travelling public, as well as employment uses, should be directed toward Settlement Areas and Future Secondary Planning Areas that are located along arterial roads.
- h) Development shall consider storm water management, environmental impact, and compatibility with surrounding uses.
- i) The upgrading and provision of internet connectivity in the community will be promoted to support growth and development.
- j) Prime Agricultural Areas and Rural Lands on **Map A** will generally be conserved to support value added agricultural production.

- k) 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.

- a) The Township supports the development of housing that serves the needs of all residents.
- b) The Township will ensure there is an adequate supply of land for residential development to meet the growth projections in the Official Plan.
- c) 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.
- d) The Township supports the provision of a range and mix of housing options, beyond the traditional single-detached dwelling, to meet a range of affordability and lifecycle needs through the policy framework and the implementing by-law. For example, boarding houses, congregate living facilities, townhomes, apartment buildings, and *additional residential units*.
- e) The Township will encourage a portion of new residential development, including rental housing, to be affordable.
- f) 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.
- g) 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.

- h) 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.
- i) The Township recognizes the importance of and the need for **additional needs housing** such as long-term care homes, supportive housing establishments, hospices, group homes, and dementia villages, by permitting these uses in residential designated and zoned lands, where appropriate, and in locations with existing or planned infrastructure, amenities and support services.
- j) The implementing 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.
- k) 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.

- a) The Township supports employment growth in all sectors of the economy.
- b) The Township may prepare an Employment Lands Strategy to ensure an adequate supply of designated, serviced, and marketable land to support current and future employment growth, attract businesses, and maintain economic competitiveness.

- c) 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.
- d) 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.
- e) 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.
- f) On lands designated Prime Agricultural Area and Rural Land, 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.
- g) 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. 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 the map in **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 the map in **Appendix D**.

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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:

- a) 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;
- b) Ensure the preservation, promotion, and revitalization of cultural heritage as a tourism resource;
- c) 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;
- d) Encourage the development of year-round tourism opportunities;
- e) 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.
- f) 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;
- g) Support tourism, recreational, heritage, community improvement and economic development studies and programs;
- h) Encourage tourism initiatives such as seasonal festivals and sporting and cultural events that build upon the history of the area;
- i) Encourage local businesses to form business to business networks;
- j) 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.

## Township of South Frontenac Official Plan

- k) 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 Cataraqui Trail, the Rideau Canal, and the Rideau Heritage Route.
- l) 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.
- m) 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.
- n) 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.
- o) 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.
- p) The Township will continue to maintain and enhance public access to waterfronts and provide opportunities for public recreation.
- q) 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.
- r) The Township shall seek opportunities to acquire parkland through dedication and enhance parkland through cash-in-lieu of parkland as conditions of development.
- s) The Township supports the development and maintenance of trails (e.g., K&P, Rideau and Cataraqui Trails), parks, and open spaces.

## 2.5 Age-Inclusive Planning

The Township will apply an age-inclusive perspective in planning to ensure a high quality of life for persons of all ages and abilities. 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 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 persons 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 persons 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 and riparian 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 electric vehicle charging stations where appropriate;
  - viii) 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
  - ix) Implementation of energy efficient building practices.

- c) The Township will seek to develop and implement a Climate Change Action Plan with climate change 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 include mitigation measures to address any adverse effects 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 in the design and construction of development, the 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) All development shall consider the issues of stormwater management/lot grading and drainage, environmental impact, and compatibility with surrounding uses. The scale of development will dictate the level of detail required for technical studies, drawings, etc.

- f) 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.
- g) 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.
- h) Transportation impacts will be scoped and assessed for all development including issues of traffic generation, vehicular and pedestrian movement, access, and parking.
- i) Environmental remediation of brownfield sites will be encouraged so that they can be redeveloped.
- j) 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-Inclusive community planning.

## 3.2 Additional Residential Units

- a) *Additional residential units*, also known as accessory apartments, basement apartments, and in-law suites, are encouraged as a means of providing affordable and diverse housing options in the Township.
- b) A maximum of two *additional residential units* are permitted on lands where a single detached dwelling, semi-detached dwelling, or townhouse is the principal use permitted in the Prime Agricultural Area, Settlement Area and Rural Land designations on **Map A**, provided that:

## Township of South Frontenac Official Plan

- i. The *additional residential unit* is not located in a flood plain or other hazard lands;
  - ii. 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;
  - iii. It is demonstrated the lot is sized such that all dwelling units are able to be serviced for water and sewage by the type of servicing (individual on-site, private communal or municipal) available in the area, to the satisfaction of the Township;
  - iv. No more than one *additional residential unit* is in a detached accessory structure to the principal dwelling;
  - v. The *additional residential unit* is designed and located in such a manner to complement the residential character of the property and of the surrounding neighbourhood;
  - vi. The *additional residential unit* complies with the Minimum Distance Separation Formulae;
  - vii. A detached *additional residential unit* is located in proximity to the principal dwelling to minimize the development footprint on the property and to support shared road access, waste collection, water and sewage services, and hydro connections;
  - viii. A *garden suite* does not exist on the same lot in the case of a detached *additional residential unit*;
  - ix. Parking for the *additional residential unit* is provided in accordance with the provisions of the implementing by-law; and
  - x. The *additional residential unit* is addressed in accordance with the Township's civic addressing by-law.
- c) In addition to (b), a detached *additional residential unit* in the Prime Agricultural Area designation shall:
- i. be compatible with, and not hinder, surrounding agricultural operations;

- ii. be of limited scale and be located in close proximity to the principal dwelling or farm building cluster; and
  - iii. Minimize land taken out of agricultural production.
- d) *Additional residential units* are not generally permitted in Waterfront Areas to protect sensitive waterfront areas and lake ecosystems from intensified use and from nutrient loading from sewage systems.
- e) The implementing by-law will control the location of *additional residential units* relative to waterbodies, and control *additional residential units* based on servicing constraints related to water and sewage. The implementing by-law will also establish appropriate provisions and standards.

### 3.3 Garden Suites

*Garden suites* are a temporary housing option. A *garden suite* is not an *additional residential unit*. 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.

- a. A maximum of one *garden suite* is permitted on lands where a single detached dwelling or semi-detached dwelling is the principal use permitted in the Prime Agricultural Area, Settlement Area and Rural Land 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. The *garden suite* is not located within 150 metres of the highwater mark of a lake or river, or 300 metres in the case of an at-capacity lake trout lake, to protect sensitive waterfront areas and lake ecosystems from intensified use and from nutrient loading from sewage systems;
  - iii. The *garden suite* is not located in a flood plain or other hazard lands;
  - iv. 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;

- v. It is demonstrated that the lot is sized such that all dwelling units are able to be serviced for water and sewage by the type of servicing (individual on-site, private communal, or municipal) available in the area, to the satisfaction of the Township;
  - vi. A detached *additional residential unit* does not exist on the same lot;
  - vii. The *garden suite* is located in such a manner to complement the residential character of the property and of the surrounding neighbourhood;
  - viii. The *garden suite* is located in proximity to the principal dwelling to minimize the development footprint on the property and to support shared road access, waste collection, water and sewage services, and hydro connections;
  - ix. Parking for the *garden suite* is provided in accordance with the provisions of the implementing by-law; and
  - x. The *garden suite* is addressed in accordance with the Township's civic addressing by-law.
- 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*.

### 3.4 Group Homes

Council recognizes the varied needs of individuals that can be met by group homes. 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.

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 and that is maintained year-round. For a private road, the Township will require documentation demonstrating how year-round maintenance is provided.
- b) 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*.

### 3.5 Home-Based Businesses

Changing patterns of employment in recent years, together with improvements in rural cellular/broadband technology, mean 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 are legal privately-operated businesses within a residential dwelling or an accessory building. They 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 providing 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) Home occupations are permitted within the Settlement Area, Prime Agricultural Area and Rural Land designations of this Plan.
- b) Home occupations **will** 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.

- c) Bed and breakfast establishments are encouraged as a form of tourist/traveller accommodation within private homes.
- d) The implementing by-law shall establish appropriate provisions and standards for home occupations.
- e) 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 Prime Agricultural Area, Rural Land 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 implementing by-law shall establish appropriate provisions and standards for home industries.

## 3.6 Compatibility and Built Form

The Township contains many different types of land uses. Land use designations and the implementing 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 it may be different than existing development, is complementary or enhances an established community or area and coexists with existing development without causing undue adverse effects 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 avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects 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 implementing by-law;
  - iii) Lighting: The potential for light spill over or glare onto adjacent light sensitive areas or the night sky must be minimized;
  - iv) Noise and air quality: The development should be located and designed to minimize the potential for significant adverse effects 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 implementing 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 allowing 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 adverse effects.
- 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 influence areas and minimum separation distances will be determined on a case specific basis in accordance with Provincial guidelines such as the D-Series Guidelines, and minimum separation distances shall be established in the implementing by-law.
- h) Such studies shall be prepared by a qualified professional 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.

## 3.7 Existing Land Uses, Buildings and Structures

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 Prime Agricultural Areas, Rural Lands and Employment Areas.
- b) Cannabis production and testing facilities located in Prime Agricultural Areas will be located on the least productive land/soils.
- c) 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.
- d) The establishment of cannabis production and testing facilities may be permitted through site-specific amendment through the implementing by-law.
- e) 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.
- f) Cannabis production and testing facilities are subject to site plan control and shall address matters such as noise, odour, lighting, traffic, servicing, stormwater, drainage, buffering, and landscaping.
- g) 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.
- h) 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.

## 3.8 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.

### 3.8.1 General Policies

- a) The following range of community facility uses and open space uses shall be permitted in the Rural Land and Settlement Area designations:
  - i) Public, separate, and private schools;
  - ii) Child-care facilities;
  - iii) Places of worship;
  - iv) Municipal government facilities;
  - v) Community centres;
  - vi) Libraries;
  - vii) Public or private clubs or association halls;
  - viii) Cemeteries;
  - ix) Additional needs housing;
  - x) Hospitals;
  - xi) Public parks;
  - xii) Community gardens;
  - xiii) Public Boat Ramps;
  - xiv) Other community-oriented uses;
  - xv) Conservation uses; and

- xvi) Recreational uses including public and private parks, passive and active recreational activities, picnic areas, recreational trails, golf courses, and other similar open space activities.
- b) The following open space uses shall also be permitted in the Rural Land designation:
  - i) Forestry uses;
  - ii) Wood lots
- 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, signage, landscaping, buffering, open space areas, and lighting).
- d) Community facility uses should be integrated effectively with the surrounding area.
- e) 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/or the location of a berm or fence.
- f) 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.
- g) 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.
- h) Community facility and open space uses shall be zoned in a separate category in the implementing by-law.

### **3.8.2 Parks, Trails, and Recreation 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 Prime Agricultural Area and Environmental Protection designations, only trails and conservation/open space parks will be permitted.
- b) The Township shall ensure development within existing parks and trails is 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 of all ages and abilities to reach amenities and facilities shall be provided where possible, in accordance with the *Accessibility for Ontarians with Disabilities Act*.
- f) When development is proposed 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.
- h) Parkland dedication through planning applications and development will be done in accordance with the policies of **Section 11**.

## 3.9 Minimum Distance Separation Formulae

- a) Minimum Distance Separation shall be applied in accordance with the Provincial Minimum Distance Separation guidelines, 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 prevent land use conflicts and minimize nuisance complaints from 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 implementing 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.

## 3.10 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.

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This section contains policies that intend to protect the Township's sensitive waterfront areas and lake ecosystems. Waterfront areas are generally all lands within 150 metres of a waterbody shown on **Map A**. Lands and land uses that are more than 150 metres from shore but which are physically or functionally related to the Waterfront Areas shall be considered to be part of the Waterfront Area. All lands that are less than 150 metres from shore but which do not physically or functionally relate to the Waterfront Areas are not considered to be part of a Waterfront Area.

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 shorelines, and to increase their resilience in the face of climate change.
- b) The Township will consult with the Conservation Authority and any appropriate Federal or Provincial ministry 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) Shoreline setbacks for new development will be based on the findings of a site-specific study using tools such as the Assessment of Municipal Site Evaluation Guidelines for Waterfront Development in Eastern Ontario's Lake Country (Hutchinson Environmental Sciences Ltd., April 2014) in order to maximize the protection of water quality. Setbacks greater than 30 metres shall be recognized in the implementing by-law.
- 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) Reductions to the required minimum 30 metre setback from the highwater mark may be considered where it is not physically possible to meet this requirement.



Where it is not physically possible to meet the setback, then the building or structure shall be constructed as far back as possible from the highwater mark, and the amount of structural coverage within that area shall be minimized.

- h) Proposals to renovate, reconstruct and/or enlarge existing buildings or structures within 30 metres of the highwater mark of a waterbody will be evaluated through the policies outlined in **Section 3.11**.
- 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 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.

## 3.11 Existing Land Uses, Buildings and Structures

There are a number of existing land uses, buildings and structures within the Township that do not conform to the Zoning By-law. A non-conforming land use is a use that

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-conforming building or structure does not meet one or more zoning performance standards (such as those relating to yards).

- a) Non-conforming buildings and 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 appropriate Federal or Provincial ministry and/or Conservation Authority.
- b) In certain instances, it may be desirable to permit changes to non-conforming uses, and to permit expansions, or enlargements to non-conforming buildings and structures. Applications submitted under Section 45(2) of the *Planning Act* shall only be considered where the use was:
  - i) Legally established prior to the passing of the Zoning By-law which prohibited it;
  - ii) Continuous in nature since the use's establishment; and,
  - iii) Located on lands owned and used in connection with the use on the day the Zoning By-law was passed.
- c) The appropriateness and impact of the proposed development will be assessed against the following criteria:
  - i) Any proposed change of use or extension or enlargement would not exacerbate the non-conformity of the use;
  - ii) Any proposed extension or enlargement would be consistent with the scale and massing of development on neighbouring properties;
  - iii) 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;
  - iv) 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 mitigating adverse effects caused by

- matters such as outside storage, lighting, advertising signs or other aspects of the proposed development;
- v) Traffic and parking conditions on-site and in the vicinity will not be adversely effected 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;
  - vi) Adequate off-street parking and loading facilities will be provided; and
  - vii) Services such as storm water drainage, roads and private sewer and water services are adequately sized and configured to comply with applicable standards.
- d) Any proposed change in use, expansion, or enlargement of a legally non-conforming use located within 30 metres of the highwater 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 highwater mark of a waterbody. A shoreline naturalization planting plan may be required in order to ensure the protection and enhancement of the waterfront area;
  - ii) Disturbed areas will be minimized within the first 30 metres from the highwater 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 or structure reflect efforts to maximize the setback from the highwater mark;
  - v) Proposals to enlarge a non-conforming building or structure 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;

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- 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 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.
- e) A lot grading and drainage plan may be required for any proposed change in use, expansion, or enlargement of a legally non-conforming use or structure.

# 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 the 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 Prime Agricultural Areas

South Frontenac has a high concentration of farm operations and of prime agricultural land. 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 blocks 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 Prime Agricultural Area 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. Prime Agricultural Area designated lands are shown on **Map A**.

## 4.1.1 General Policies

- a) In the Prime Agricultural Area Designation, permitted uses and activities are:
  - i) Agricultural uses, including on-farm diversified uses and farm worker housing;
  - ii) Agriculture-related uses;
  - iii) Residential uses, including *additional residential 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 by-law.
- c) Lands designated Prime Agricultural Area shall be zoned in appropriate classifications in the implementing 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.
- f) Council supports nutrient management planning as a means to protect water quality.
- g) Lot creation in Prime Agricultural Areas shall only be permitted in accordance with **Section 9.3.4.**
- h) *Additional residential units* in Prime Agricultural Areas shall comply with **Section 3.2.**
- i) Non-agricultural land uses, 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.
- j) 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.

- k) An application for non-agricultural development in Prime Agricultural Areas 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.
- l) 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).
- m) 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 by-law.
- n) Development shall be serviced with adequate water and sewage services, and stormwater management to the satisfaction of the Township.

### 4.1.2 Agriculture-related Uses and On-Farm Diversified Uses

- a) 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 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.
  - iv) Agriculture-related and on-farm diversified uses are encouraged to be located on the least productive soils, and where possible, located in proximity to clusters of other structures on the subject property.
- b) 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.
- c) 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.



- d) Ground-mounted solar facilities are permitted, only as on-farm diversified uses.
- e) On-farm diversified uses located on a farm that are secondary to the principal agricultural use, including agri-tourism uses (e.g., corn maze, u-pick, Community Supported Agriculture (CSA) market gardens, seasonal tours), home occupations, home industries and bed and breakfast establishments and farm produce stands may be permitted in the implementing by-law.
- f) Site Plan Control shall apply to agriculture-related uses and on-farm diversified uses in accordance with the Township's Site Plan Control By-Law.

## 4.2 Rural Lands

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 Lands are designated on **Map A**.

### 4.2.1 General Policies

- a) The amount and type of development on Rural Lands shall be consistent with maintaining its rural character, natural heritage, and cultural landscape.
- b) The Township shall, through this Plan, preserve the character of Rural Lands 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 that impacts the accessibility or viability of renewable and non-renewable resources.
- e) 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.

- f) The Township shall encourage the establishment of diversified tourism opportunities that are ecologically sustainable and promote natural resources.
- g) The Township shall, through implementing this Plan, promote the development of commercial, recreational, and industrial uses that are appropriate for Rural Lands and are sustainable based on the appropriate and available water and sewage services, in accordance with **Section 7.4**.
- h) The Township shall allow for residential development where site conditions are suitable for the provision of appropriate sewage and water services, and on lands that are not constrained or protected for their resource value, where appropriate.
- i) The Rural Land designation includes many different land uses. The range of land uses that are permitted within the Rural Land 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.

### 4.2.2 Agricultural Uses

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

- a) The Rural Land 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 Prime Agricultural Area **Section 4.1** shall apply to agricultural uses, on-farm diversified uses, and agriculture-related uses within the Rural Land designation, where applicable.

- c) Minimum Distance Separation formulae shall apply to all land uses in the Rural Land designation in accordance with **Section 3.9**.
- d) Rural agricultural uses may be zoned in a separate category in the implementing by-law.

### 4.2.3 Residential Uses

It is the intent of this Plan that the Settlement Areas be the focus of residential growth over the long term. Low density residential development that respects the rural character and natural resources of Rural Lands may be permitted.

#### 4.2.3.1 Permitted Uses

- a) The following range of residential uses shall be permitted:
  - i) Single detached dwellings
  - ii) Semi-detached or duplex dwellings
  - iii) Triplex dwellings
  - iv) Group homes
  - v) Additional residential units
  - vi) Mobile home parks
- b) Accessory home-based businesses may be permitted in accordance with the general development policies in **Section 3**.

#### 4.2.3.2 General Policies

- a) 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;

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- 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.
- b) Residential development shall comply with **Section 3.10 – Waterfront Development** policies of this Plan, where applicable.
- c) 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.
- d) Mobile home parks shall be permitted in the Rural Land designation, in accordance with the following policies:
- i) Mobile home parks shall be serviced by municipal water and sewage services in accordance with **Section 7.4**;
  - ii) 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;
  - iii) Accessory uses such as a management office, a convenience store, and recreational facilities for the use of the residents shall be permitted.
  - iv) Land used or proposed for a mobile home park shall be placed in a separate category in the implementing 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,
  - v) All lands used for mobile home parks are subject to site plan control.
- e) 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. These limited service residential properties will be recognized separately in the implementing by-law.

- f) 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:
  - i) 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;
  - ii) Access to the island or the remote area 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;
  - iii) 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;
  - iv) There is a suitable location at the island or remote area for docking and access that would not negatively impact the shoreline and riparian area; and
  - v) 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.
- g) Existing vacant *back lots* on private roads may be developed provided that the access and servicing policies of this Plan are satisfied.
- h) The creation of a new *back lot* shall not be permitted through the consent process.

### 4.2.4 Commercial Uses

Rural Lands are an important area for the Township in terms of commercial uses.

#### 4.2.4.1 Permitted Uses

- a) The commercial uses permitted in the Rural Lands designation include 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) A residential use may be permitted as an accessory use to a rural commercial use.

### 4.2.4.2 General Policies

- a) 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, open space areas, accessory buildings and structures, lighting, and access to the rear of the lot).
- b) 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.

- c) 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.
- d) Rural commercial uses will be zoned in separate categories in the implementing by-law. The implementing by-law will also establish appropriate provisions and standards for rural commercial uses.
- e) 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.
- f) Site plan control shall apply to rural commercial uses, in accordance with the Township's Site Plan Control By-Law.

### 4.2.4.3 Tourist Commercial Uses

In addition to the policies above, the following policies apply to Tourist Commercial uses within the Rural Land 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 accommodations, 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 by-law. The implementing 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 by-law will identify specific density, lot

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coverage and open space provisions, among others, to these uses in order to mitigate these concerns.

- 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) New waterfront tourist commercial uses, buildings and structures shall be setback a minimum of 50 metres from the highwater mark of a waterbody to protect sensitive waterfront areas and lake ecosystems from intensified use.
- h) Reductions to the required minimum 50 metre setback from the highwater mark where it is not physically possible or environmentally desirable to meet this requirement may be considered without amendment to this Plan.
- i) Any new tourist commercial use shall front onto and gain direct access from a public road, constructed to Township standards, and which is maintained year-round by the Township.
- j) 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.
- k) Buildings and/or campsites should have sufficient area and frontage along an internal road to avoid overcrowding and to ensure minimal environmental impact.
- l) 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.
- m) 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.



- n) 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.

### 4.2.5 Industrial Uses

Rural Lands offer opportunities for limited industrial uses.

#### 4.2.5.1 Permitted Uses

- a) Non-water intensive industrial uses are permitted in the Rural Land 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 neighbouring uses.

#### 4.2.5.2 General Policies

- a) 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, open space areas, accessory buildings and structures, lighting, and access to the rear of the lot).
- b) 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.

- c) 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.
- d) Rural industrial uses will be zoned in a separate category in the implementing by-law. The implementing by-law will also establish appropriate provisions and standards for rural industrial uses.
- e) Industrial uses shall be directed away from residential uses and other sensitive uses.
- f) Where industrial uses would be 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) Industrial uses shall be compatible with neighbouring sensitive land uses through the application of the Provincial D-series Land Use Compatibility Guidelines and Environmental Noise Guidelines (NPC-300), and employ the appropriate separation distances and/or mitigative measures to reduce the potential of land use conflict.
- h) Studies will be required to determine whether adequate services, such as water and sewage systems and fire protection, could be provided to support industrial development.
- i) Site plan control shall apply to industrial uses, in accordance with the Township's Site Plan Control By-Law.

### 4.3 Settlement Areas

The Township contains several villages and hamlets, each with their own important history and identity. It is the intent 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 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.

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 General Policies

- a) The Township will:
  - i) Ensure that sufficient lands are available to direct the majority of industrial, commercial, institutional and residential growth into Settlement Areas;
  - ii) Promote development using appropriate water and sewage service options;
  - iii) Promote a full range and mix of housing types and densities to meet the needs of all Township residents;
  - iv) Ensure compatibility between uses within Settlement Areas; and
  - v) 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.
- b) The following types of land uses are permitted in Settlement Areas, and will be regulated further by the implementing by-law:
  - i) a range of residential uses;

- 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) Municipal 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 services are not available.
- d) Development in Sydenham shall connect to the existing municipal water services where available, and any existing private well servicing the property shall be decommissioned.
- e) The development of transit-supportive communities is encouraged 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 transit-supportive uses such as schools, businesses, social services, and health facilities within Settlement Areas.

### 4.3.2 New Settlement Areas & Settlement Area Boundaries

- a) The Township may identify new settlement areas or adjust existing settlement area boundaries to better reflect desired locations for population growth and development after completing secondary plan studies for the Settlement Areas (Maps A and B) and Future Secondary Planning Areas (Map H).
- b) In identifying a new Settlement Area or allowing a Settlement Area boundary expansion, the Township shall consider the following:
- i) the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
  - ii) If there is sufficient capacity in existing or planned infrastructure and public service facilities;

- iii) An assessment of water and sewage servicing alternatives, capacities and allocations, and the associated financial feasibilities (e.g. capital and operating costs);
- iv) 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;
- v) 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;
- vi) The evaluation of locations that avoid waterbodies, natural heritage areas and features, natural hazards, human-made hazards, mineral and aggregate resources, cultural heritage and archaeological resources, and where avoidance is not possible, minimized and mitigated to the extent feasible as determined through appropriate assessments;
- vii) The evaluation of alternative locations that avoid prime agricultural areas, and where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- viii) Whether the new or expanded settlement area complies with the Minimum Distance Separation formulae;
- ix) Where impacts on the agricultural system are unavoidable, they must be minimized and mitigated to the greatest extent feasible, as determined through an agricultural impact assessment or equivalent analysis; and
- x) the new or expanded settlement area provides for the phased progression of development.

### 4.3.3 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 redevelopment of underutilized lots within previously developed areas (e.g. introducing new housing options),
- Infill development, including lot creation,
- Establishing *additional residential 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.

### 4.3.4 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 (i.e. apartment buildings)
- vi) single detached dwellings converted to multiple unit dwellings
- vii) Group homes
- viii) *Additional residential 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 compatible with surrounding uses per **Section 3**.

#### 4.3.4.1 Development Criteria for Residential Conversions

- a) Existing single detached dwellings may be converted into multiple self-contained dwelling units.
- b) The implementing by-law shall include criteria for establishing eligibility for conversions.
- c) 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.
- d) 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.
- e) Adequate buffering and screening shall be provided between the converted dwellings' parking areas and adjacent uses, particularly adjacent residential uses and other sensitive uses.
- f) Adequate off-street parking shall be provided.
- g) Converted dwellings shall be zoned in separate categories in the implementing by-law.

#### 4.3.4.2 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 within previously developed areas.
- b) It shall be demonstrated that the multiple unit dwelling will not create a traffic hazard.
- 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**.
- e) The lot size shall be adequate for the proposed use (e.g., to allow for appropriate water and sewage services, access, parking and loading, landscaping and buffering, privacy or open space areas).

#### 4.3.5 Commercial Uses

- a) Commercial development should be of a scale catering to the residents of and tourists to the Settlement Areas and surrounding rural area.
- b) 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 vehicle 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.
- c) Commercial uses will be further defined and will be zoned in a separate category in the implementing by-law. The implementing by-law will also establish appropriate provisions and standards for commercial uses.
- d) Commercial uses should be located on major roads, and, where appropriate, are encouraged to locate in proximity to existing commercial uses to foster the development of commercial cores.



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- e) Where commercial uses are located adjacent to residential or other sensitive land uses, commercial uses should complement and serve the needs of adjacent residential uses. Provisions may be made for increased setbacks, buffering or screening to ensure compatibility and to avoid land use conflicts.
- f) Commercial uses shall be developed in a compact form to maximize use of land and to minimize intrusion into residential areas.
  - i) New commercial development shall be oriented to the street, where possible, and shall incorporate attractive streetscaping elements, such as landscaping, signage, decorative lighting, and pedestrian connections for access between public streets, parking areas, and building entrances, as determined in consultation with the Township.
  - ii) Minimum and maximum front yard setbacks may be specified in the implementing by-law to support walkability and built form.
- 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, open space areas, accessory buildings and structures, lighting, 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 implementing 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).
- o) Site plan control shall apply to commercial uses, in accordance with the Township's Site Plan Control By-Law.

### 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 by-law. The implementing by-law will also establish appropriate provisions and standards for industrial 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, open space areas, accessory buildings and structures, lighting, 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 the Provincial D-series **Land Use Compatibility** guidelines and **Environmental Noise Guidelines** (NPC-300) 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, in accordance with the Township's **Site Plan Control By-Law**.

### 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**.

Lands identified as Employment Areas in this Plan are intended to accommodate a range of business and economic activities to meet the long-term needs of the Township.

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 and so encouraging employment uses that are wholly within enclosed buildings along this frontage and directing uses that do not benefit from visibility and/or which require outdoor storage to the interior of Employment Areas.
- e) Requiring flexible and adaptable Employment Areas that include street patterns and building design and siting that allow for redevelopment and intensification.
- f) Limiting and/or mitigating land use incompatibilities where necessary to protect public and environmental health and safety.
- g) Ensuring development within Employment Areas is designed to minimize surface parking, maximize walkability, and provide for a mix of amenities and open space.
- h) Prioritizing the provision of municipal water and sewage services in Employment Areas to accommodate more intensive and higher order employment uses.

- i) Ensuring Employment Areas are serviced with leading edge telecommunication services to attract knowledge-based industries.
- j) Development of Employment Areas shall be subject to a secondary plan.
- k) Lands may be removed from Employment Areas only where it has been demonstrated that:
  - i) There is an identified need for the removal and the land is not required for employment area uses over the long term;
  - ii) The proposed uses would not negatively impact the overall viability of the employment area by:
    - 1) Avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses;
    - 2) Maintaining access to major goods movement facilities and corridors;
  - iii) Existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and
  - iv) There are sufficient employment lands to accommodate projected employment growth to the horizon of this 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. The intent of the policies in this section is to protect environmentally sensitive areas from incompatible development. The Township recognizes that permanent protection from development and enhancement of natural areas will provide essential climate mitigation services, including water storage and filtration, carbon storage, cleaner air and habitats, plus many other benefits.

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**.

- a) The Environmental Protection designation applies to all wetlands, watercourses and lakes shown on **Map A**.

- b) The boundaries of the Environmental Protection designation were based on Provincial mapping. When additional information or mapping becomes available on these features, this Official Plan and the implementing by-law shall be amended accordingly.
- c) Environmental Protection areas shall be zoned in a separate classification in the implementing by-law.
- d) The Environmental Protection designation and/or the implementing zoning shall be applied to other natural heritage features or natural hazard features that warrant this level of protection, as determined through site-specific or regional assessment, in accordance with this Plan.
- e) The following uses are permitted in the Environmental Protection designation:
  - i) Open space, conservation or flood protection uses
  - ii) Passive recreational or educational activities excluding buildings
  - iii) Docks
  - iv) Small watercraft access areas
- f) 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.
- g) 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.
- h) Minimum building setbacks from the Environmental Protection designation will be established in the implementing by-law.

## 4.6 Mineral Aggregate

The planned function for the Township's mineral aggregate areas is primarily commercial resource extraction. The intent of the policies in this section is to 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 Province, 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:
  - i) Pit and quarry operations licensed under the *Aggregate Resources Act*;
  - ii) A wayside pit or quarry;
  - iii) Uses associated with or accessory to the pit or quarry operation including crushing facilities, stockpiles, and screening operations;
  - iv) Aggregate recycling facilities;
  - v) Concrete batching plants;
  - vi) Aggregate transfer stations;
  - vii) Activities and operations associated with the progressive rehabilitation of the lands;
  - viii) 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
  - ix) Existing uses.

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- d) Other land uses may be permitted subject to the policies in this section, and in accordance with the applicable land use policies of the Rural Land designation.
- e) Mineral aggregate areas will be zoned separately in the implementing by-law.
- f) A new asphalt plant or production of secondary related products in conjunction with a mineral aggregate operation, shall require a Zoning By-law amendment.
- g) Development of new sensitive land uses is not permitted in sand and gravel resource areas or bedrock resource areas, on lands within 300 metres of sand and gravel resource areas or on lands 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:
  - i) The creation of new lots
  - ii) Rezoning to permit dwellings, community facilities, commercial operations
- h) Development of new sensitive land uses is not permitted on lands within 300 metres of a licensed sand and gravel pit or within 500 metres of a licensed bedrock quarry unless 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.
- i) In considering the development of new sensitive land uses, it must be demonstrated that:
  - i) Resource use would not be feasible; or
  - ii) The proposed land uses, or development serves a greater long-term public interest; and,
  - iii) 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.
- j) Development in or on lands adjacent to unconstrained areas of mineral aggregate deposits, shall be located and buffered sufficiently to ensure that the extraction is



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not limited and that the development is not affected by the noise, vibration, dust or other health and public safety issues that are related to the extractive activity.

- k) The Township may permit development on a vacant 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 the approval of this Official Plan,
  - ii) The use is permitted in the implementing 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.
- l) In considering an amendment to the Official Plan and/the implementing by-law for the establishment of a new pit or quarry or the expansion of an existing pit or quarry, the Township will consider:
  - i) The location, nature, extent and economic potential of the mineral aggregate deposit;
  - ii) The nature and location of adjacent land uses and the effect the pit and quarry operation could have on:
    - Natural heritage features,
    - Agricultural resources and activities,
    - Existing sensitive land uses,
    - The groundwater recharge functions on the site and in the immediate area,
    - Cultural heritage and archaeological resources in the area,
    - Surface water features in the area, and nearby wells and surface intakes used for drinking water purposes.
  - iii) The capability of the existing road network to service the proposed operation;
  - iv) The effect of the noise, odour, dust and vibration generated by the use and the use of haul routes on adjacent land uses, and

- v) How the impacts of the proposed pit or quarry will be mitigated in order to lessen the impacts.
- m) 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.
- n) 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 effect existing uses in the area.
- o) 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.
- p) 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.
- q) In prime agricultural areas, on prime agricultural land, the site shall be rehabilitated back to an agricultural condition. Complete rehabilitation to an agricultural condition is not required if:
  - i) the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
  - ii) agricultural rehabilitation in remaining areas is maximized.
- r) Where an aggregate operation has been rehabilitated and the license surrendered, the lands may be redesignated for an appropriate land use.
- s) The Township will encourage comprehensive rehabilitation planning where there is a concentration of mineral aggregate operations.

### 4.6.1 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 has been issued by the Province under the authority of the *Aggregate Resources Act*.

### 4.6.2 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 Province and must meet the minimum separation distance required; and,
  - iii) Where the site used for a portable asphalt plant is on Class 1 to 3 soils within the Prime Agricultural Area designation, the site should be rehabilitated with substantially the same area and soil capability in order for agricultural activities to be restored.

## 4.7 Mining

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

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 may 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.

- a) The following uses are permitted in the Mining designation:
  - i) mining and mining-related uses,
  - ii) pits and quarries and related uses
  - iii) A forestry, agricultural, conservation or passive recreation use provided they do not preclude or hinder future extraction of the resource
  - iv) Existing uses
- 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:
  - i) The resource use would not be feasible; or
  - ii) The proposed land use or development serves a greater long term public interest; and
  - iii) 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:
  - i) The location, nature, extent and economic potential of the mineral deposit;

- ii) The nature and location of adjacent land uses and the effect the mining operation could have on:
    - Natural heritage features,
    - Agricultural resources and activities,
    - Existing Sensitive Land Uses,
    - The groundwater recharge functions on the site and in the immediate area,
    - Cultural heritage and archaeological resources in the area,
    - Surface water features in the area, and nearby wells and surface intakes used for drinking water purposes.
  - iii) The capability of the existing road network to service the proposed location;
  - iv) The effect of the noise, odour, dust and vibration generated by the use and the use of haul routes on adjacent land uses; and
  - v) 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 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 mineral 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, and/or treatment. Waste management facilities and their adjacent influence areas are designated on **Map A**.

- a) The following uses are permitted in the Waste Management designation:

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

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- iii) The requirements of all applicable legislation, including the *Environmental Protection Act* and the *Environmental Assessment Act* have been fulfilled;
  - iv) The site is physically suited to the proposed use particularly with regard to topography, relief, landforms, soils and surface and ground water characteristics;
  - v) The public road system is adequate to serve the site; and,
  - vi) Adequate and appropriate buffering and landscaping are provided; and
  - vii) 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.
- g) Waste Management uses shall be zoned in a separate category in the implementing by-law.
- h) 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.
- i) 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 Province.
- j) 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**.
- k) Where a proposal to redevelop a former waste disposal site does not require approval from the Province under the *Environmental Protection Act*, the Township may still require the proponent to provide studies or reports by qualified professionals to confirm that there will be no adverse effects from the former use on the proposed development. Where recommended by the reports, measures to mitigate any adverse effects will be required as a condition of development.
- l) Where a new sensitive land use is proposed within the former influence area of a closed waste disposal site, the Township may require the proponent to provide studies or reports by qualified professionals to confirm that there will be no

adverse effects from the closed waste disposal site on the proposed development. Where recommended by the reports, measures to mitigate any adverse effects will be required as a condition of development.

- m) No development shall be permitted within 30 metres of the fill area of an active waste disposal facility or area.
- n) Development shall not be permitted within the 500 metre influence area around lands designated or zoned for waste management use.
- o) The influence area and separation distance between a sensitive land use and the boundaries of any site designated or zoned Waste Management may be altered in accordance with the Provincial D-Series Guidelines and/or to reflect site-specific conditions without amendment to this Plan, subject to studies or reports prepared by a qualified professional that demonstrates that the proposed development, particularly a sensitive land use, will not be adversely effected by the waste disposal facility (e.g., leachate, methane gas, rodents, vermin, odours, fire etc.). Where recommended by the reports, measures to mitigate any adverse effects will be required as a condition of development.
- p) Minimum separation distances shall be established in the implementing by-law.



# 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 the 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.

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.

### 5.1.1 General Policies

- a) 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 Frontenac Arch Biosphere Region, large scale parks and conservation areas within the Township are shown on the map in **Appendix D**. **Map C** is to be used as an overlay to **Map A - Land Use Plan**.
- b) The Township supports the County's work to update the County-wide Natural Heritage Study and will participate in the process.
- c) 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.

### 5.1.2 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.

### 5.1.3 Fish Habitat

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

- a) 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.
- c) 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**.

## 5.1.4 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 official Provincial Species at Risk in Ontario list, as updated and amended from time to time.

If at any time, species at risk that are listed under the ESA is encountered, work must stop immediately and the Province 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 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 habitat 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 *Endangered Species Act*.

### 5.1.5 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**.

## 5.1.6 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 of the feature, scientific study, and/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**.

## 5.1.7 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**.

## 5.1.8 Significant Valleylands

- a) Criteria for determining significance of any valleylands shall be in accordance with the Natural Heritage Reference Manual until such time that the County Natural Heritage Study is completed.
- b) Where a significant valleyland 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 valleyland unless it has been demonstrated that there will be no negative impacts on the valleyland or on its ecological functions.
- d) 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.
- e) 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**.

## 5.1.9 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 the development review process. These lands may be zoned or designated as Environmental Protection through future amendments to this Plan.

## 5.1.10 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 the 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.

### 5.1.11 Implementation Measures

- a) The Township may use community planning permits, 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 landowners are encouraged to recognize forest resources and to:
  - i) manage all woodlands in accordance with good forest management practices;

- ii) 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;
- iii) establish and retain windbreaks to reduce wind erosion; and,
- iv) 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 collaborates with 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) Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:
  - i) An institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools,

- ii) an essential emergency services such as those provided by fire, police, ambulance stations, and electrical substations, or
  - iii) uses associated with the disposal, manufacture, treatment, or storage of hazardous substances shall not be permitted.
- e) Except where prohibited, development and site alteration may be permitted on in those portions of hazardous lands and hazardous sites 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) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies;
  - iii) New hazards are not created, and existing hazards are not aggravated; and
  - iv) No adverse environmental impacts will result.
- f) 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 Hazard 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.

### 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 and/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 Federal or Provincial ministry and 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) 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.
- d) 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.

### 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. There are no unstable soil maps for the Township. 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.

- a) 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.

### 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. Conservation Authorities and the Province have the most accurate current mapping of karst topography in the Township.

- a) 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.

- b) 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 Province has identified areas that have potential for wildland fire. Classification of wildland fire risk in the Township is shown on **Map G**.

- a) Development shall generally be directed to areas outside lands that are unsafe for development due to the presence of hazardous forest types of wildland fire, specifically forest types assessed as being associated with the risk of high to extreme wildland fire.
- b) Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.
- c) Any 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, and fuel and chemical spills.

It is the intent of the Township 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 (Ontario Regulation 153/04) and Provincial guidelines.
- b) Contaminated sites may be placed in a holding zone in the implementing by-law, to be removed when a Record of Site Condition is filed in the Environmental Site Registry.

### 5.2.2.2 Abandoned Mines, Pits and Quarries

There are a number of abandoned exploration trenches, mine sites and mineral resource operations in the Township. There are also abandoned pits and quarries. 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 Province 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 appropriate Provincial ministry for any development within one kilometre of an identified abandoned mine site identified on **Map D** and to undertake any remediation measures as legislated under the *Mining Act*. Development on an abandoned mine site, or on lands adjacent to an abandoned mine site, 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 health and safety concerns, identify rehabilitation measures, and identify required mitigation measures.
- b) Where the Province 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, or adjacent to, lands affected by mine hazards, former mineral mining operations, or former pits and quarries 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 recreational or water quality capacity of a lake to accommodate development and not contribute negatively to the aquatic environment.

It may be necessary to protect lakes and their aquatic ecosystems by limiting development that would contribute to enhanced nutrient inputs or negative impact associated with erosion. This Plan recognizes that the following factors may limit the development capacity on lakes:

- a) Surface capacity for recreation; and
- b) Water quality.

### 5.3.2 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 waterfront



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 waterfront 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) The Township may use community planning permits, zoning, site plan control and development agreements as measures to implement recommendations or results of a boating capacity study.
- 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.

### 5.3.3 Lake Trophic 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 waterfront 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 waterfront areas within the Township.

A lake impact study is another method to assess potential lake impacts that may result from a proposed development. These studies are smaller in scale than a lake capacity assessment and are site specific. A lake impact study looks at historic and existing water quality data from qualified sources for the relevant lake and uses this information as a baseline to ensure that provincial water quality objectives are met for the lake. Other data that is considered includes how many lots are already on the lake, including

how many vacant lots of record exist. Site specific data includes features such as the provision of a detailed development envelope, a soils assessment, and details on the amount of proposed phosphorous loading. The data is be combined with the implementation of best management practices such as storm water management, vegetative buffers, erosion and sediment controls, optimal locating of sewage systems and ensuring that all relevant zoning standards related to waterfront development are achieved or exceeded.

- 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 Province, lake associations, and conservation authorities for all lakes.
- b) 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, when reviewing the policies of this Plan.
- c) Development will not be permitted where a negative impact on water quality would be the result, and where such impact(s) could not be adequately mitigated.
- d) Development shall be designed to enhance and protect the sensitive nature of the waterfront area and water quality in accordance with **Section 3.10**.
- e) A lake impact study will be required to assess the effect of development and additional nutrient loadings on surface water quality for:
  - i) any development proposal that would result in the creation of more than three lots or dwelling units having direct or deeded water access.
  - ii) any major development proposal, as determined by the Township, for a non-residential use within 300 metres of a waterbody.
- f) The Township may require a lakeshore capacity assessment instead of a lake impact study if it is determined by the Township that the scale and/or impact of the development will be significant.
- g) The lake impact study or lakeshore capacity assessment will be undertaken by a limnologist or other qualified professional retained by the proponent of the development and/or site alteration.

## 5.3.4 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 of the planet and atmosphere alters temperature patterns in lakes 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 increased mortality.

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**.

- a) 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).
- b) Existing development rights are recognized on at-capacity lake trout lakes. New development shall not be permitted unless unique or special circumstances allow the development to occur. Prior to the approval of the development proposal within 300 m of the at-capacity lake trout lake, detailed studies will be required to demonstrate that the physical features, design and siting of the development will not have an adverse impact upon the quality of the lake and related lake trout habitat. The Province shall be consulted in these circumstances.
- c) Development involving the creation of a new lot, *additional residential units*, or a *non-residential land use* is prohibited within 300 metres of an at-capacity lake trout lake except where one or more of the following applies:

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- i) There is a need to separate existing, habitable dwellings each having individual on-site water and sewage services, provided that the land use would not change, and the lots conform to the Land Division policies of this Plan.
- ii) If the proposed development is a non-residential use, it includes appropriate stormwater management design and it does not involve or require any new individual on-site or communal sewage disposal systems, or expansion of existing systems.
- iii) The leaching or disposal bed for a sewage system on each new lot will be located:
  - Is at least 300 metres from the highwater mark of the lake or a connected bay; or
  - Such that they would drain into the drainage basin of another waterbody, which is not at-capacity.
- d) Land uses that represent a significant phosphorus loading to an at-capacity lake trout lake, such as a golf course, shall be prohibited.
- e) A residential lot of record within 300 metres of an at-capacity lake trout lake, or its tributaries, may be developed for a single detached dwelling in accordance with the applicable policies of this Plan.
- f) For redevelopment of non-residential properties within 300 metres of an at-capacity lake trout lake, or a connected bay, 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, a lake impact study shall be completed to the satisfaction of the Township and the Province. The study 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 waterbody. Township staff shall consult with the appropriate Provincial ministry staff to determine the appropriate scope and terms of reference for any such study on an at-capacity lake trout lake.

### 5.3.5 Lake Management Plans

A Lake Management Plan (LMP) is an approach by a lake association to identify and protect the physical, environmental and social 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.

- a) The Township endorses the development of LMPs by lake associations, particularly those lakes that may be experiencing development pressure.
- b) This Plan may be amended to include policies that identify Lake Management Plans that have been completed.

### 5.3.6 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 ministries;

- 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.

### 5.3.7 Stormwater Management

Stormwater management is required to control flooding, erosion and sedimentation and to enhance water quality, aquatic habitat and groundwater recharge. It has implications for human health and well-being, local economies, and the natural environment.

- a) Stormwater management techniques must be used in the design and construction of all development to control both the quantity and quality of stormwater runoff.
- b) Development proposals are to be accompanied by stormwater management plans and lot grading and drainage plans where required by the Township and/or Conservation Authority.
- c) Stormwater management plans shall align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.
- d) Development shall incorporate methods of stormwater management in accordance with the standards of the Province, the Township and the Conservation Authority.
- e) Approaches to storm water management that encourages re-absorption of surface water into the ground will be encouraged.
- f) Where possible, the natural undisturbed soil layer, 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.
- g) Low impact development and green infrastructure are encouraged approaches to address stormwater management.
- h) 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.
- i) 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.

### 5.3.8 Drinking Water Source 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.

### 5.3.8.1 General Policies

- a) The Township will conform or have regard to the policies of the Cataraqui Source Protection Plan, Mississippi-Rideau Source Protection Plan, and Quinte Source Protection Plans, as appropriate.
- b) The Township may implement alternative protection measures within vulnerable areas where the vulnerability score is eight or greater including, but not limited to, land acquisition, conservation easements, conditions of development, and landowner partnership programs.
- c) Prior to establishing a new municipal drinking water well, the Township shall participate in the Source Protection Plan amendment process as required by the *Clean Water Act, 2006*.
- d) In the event of conflict between long-term protection of drinking water sources and other considerations; drinking water protection shall take priority.
- e) Monitoring and reporting by the Township will be consistent with requirements and / or recommendations in the Source Protection Plans and, in a format specified by the Source Protection Authorities.
- f) 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.

### 5.3.8.2 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 waterfront 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 Dense non-aqueous phase liquids (DNAPLs), organic solvents, commercial fertilizers, liquid fuel, pesticides, sewage, and road salt) where they would constitute a moderate or low drinking water threat may be subject to the implementation of risk management measures to protect the drinking water supply.
- 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 implementing by-law will prohibit land uses that involve activities that constitute significant drinking water threats in the Intake Protection Zones. The implementing by-law will also define restricted land uses within the Intake Protection Zones that must be screened by the Risk Management Official (RMO) to ensure that any *Clean Water Act* prohibition or risk management plan requirements are met prior to processing a *Planning Act*, *Condominium Act* or building permit application.

## 6 Our Cultural Heritage

The intent of this Plan is to conserve protected heritage properties, including built heritage resources and cultural heritage landscapes, and archaeological resources. Buildings, structures, monuments, artifacts of value or interest, spaces, views and archaeological sites are examples of these resources. This section contains policies that intend to conserve these resources, and to foster collaborative relationships with Aboriginal groups. The general locations of known cemeteries and burial sites are indicated on **Map I**.

### 6.1 General Policies

- a) The Township supports the conservation of protected heritage properties, including built heritage resources and cultural heritage landscapes, and archaeological 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.

## 6.2 Protected Heritage Properties

- a) The Township will maintain a register of built heritage resources that are considered significant and have been publicly identified by one or more of the following means:
  - i) designated under the *Ontario Heritage Act*
  - ii) protected by a heritage conservation easement entered into under the *Ontario Heritage Act*;
  - iii) designated by the National Historic Sites and Monuments Board as a National Historic Site or National Park;
  - iv) identified as a UNESCO World Heritage Site;
  - v) identified by the Province of Ontario;
  - vi) identified by the Federal Heritage Building Review Office as a Classified or Recognized Federal Heritage Building, or listed under the Historic Railway Station Protection Act or the Historic Lighthouse Protection Act; and/or,
  - vii) endorsed by Council as having cultural heritage value or interest based on evaluation criteria established by the Province in Ontario Regulation 9/06.
- b) 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*.
- c) 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.
- d) Development and site alteration on or adjacent to a 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.

- e) 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. Mitigation 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.
- f) Where significant cultural heritage landscapes are identified, they may be designated pursuant to the *Ontario Heritage Act*.
- g) The Township may use parkland dedication provisions to secure a cultural heritage landscape.

### 6.2.1 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:
  - i) Alter the size, shape and/or configuration of the Rideau Canal; and,
  - ii) 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) 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, where deemed appropriate, such as along narrow channels, and in consultation with Parks Canada.
- g) New buildings and structures 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 professional 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.

## 6.3 Archeological 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 supports the development of an archaeological management plan to conserve and manage archaeological resources and to provide direction in determining areas of archaeological potential requiring assessment. The Township may work collaboratively with the County to undertake a regional archaeological management plan.
- c) 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.
- d) An archaeological assessment is required for development and site alteration proposed adjacent to a known cemetery or burial site.
- e) The Township shall require an applicant to undertake an archaeological assessment of lands identified as having archaeological potential 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.
- f) The Township will keep confidential the existence and location of archaeological sites to protect against vandalism, disturbance, and the inappropriate removal of resources.
- g) The Township may consider preserving identified significant archaeological sites through the implementing by-law.
- h) The Township shall contact the appropriate Provincial ministries and the Ontario Provincial Police 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.

## 6.4 Engaging with Aboriginal Communities on Cultural and Archeological Heritage

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. 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 Algonquins of Ontario regard all cultural heritage sites – from sacred burials to everyday stone tool workshop sites – to be of importance and worthy of investigation and protection.

- a) The Township shall engage with Aboriginal communities including the Algonquins of Ontario on matters that affect Aboriginal history and culture.
- b) The Township shall engage early with Aboriginal communities including the Algonquins of Ontario and ensure their interests are considered when identifying, protecting, and managing archaeological resources, built heritage resources and cultural heritage landscapes.
- c) Aboriginal communities including the Algonquins of Ontario will be consulted when development on culturally significant lands is planned or where archaeological

assessments are required. This includes 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 or other aboriginal liaisons during Stages 2 through Stage 4, and possibly Stage 1 if a site visit is planned.

- d) 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.



# 7 Making it Work: Infrastructure and Services

The intent of this Plan is to guide the development of roads, active transportation facilities, 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 Road

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.

- a) 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.
- b) 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.

- a) New collector roads shall be located in accordance with all applicable policies of this Plan.
- b) New collector roads shall be designed and constructed to municipal standards prior to their assumption by the Township. The design and construction of the roads shall be overseen, confirmed, and stamped by a qualified engineer.
- c) 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.

- a) 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.
- b) New local roads and extensions of local roads shall be located in accordance with all applicable policies of this Plan.
- c) 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 design and construction of the roads shall be overseen, confirmed, and stamped by a qualified engineer.
- d) 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.

- a) 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.
- b) The Township is under no obligation to provide access to properties taking access from a seasonal road.
- c) Development is not generally permitted on a seasonal road. Lots with frontage on and/or accessed by seasonal roads may be zoned in a separate category in the implementing by-law to restrict land uses.

- d) 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.
- e) 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.

- a) 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.

- a) 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:
  - i) sell all, or a portion of an unopened road allowance or
  - ii) 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.
- b) 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 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:
  - i) 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
  - 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.
- 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) Where lot creation is permitted on a new private road by the Land Division policies of this Plan, the new private road shall:
  - i) Intersect with an existing public road which reflects a reasonable standard of pavement or gravel construction and is maintained year round by the municipality;
  - ii) Meet the Township's Private Road Construction Standards as updated from time to time. The design and construction of the private road shall be overseen, confirmed, and stamped by a qualified professional engineer to the satisfaction of the Township; and
  - iii) Be governed by a condominium agreement, in order to establish the ownership and maintenance of the road among all 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) No new waterfront lot creation shall be permitted on existing private roads or on minor extensions of 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 and any minor extensions are developed within a common element condominium pursuant to the *Condominium Act*, as amended, and connects directly to an existing public road.
- c) 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.

- d) 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.
- e) Council may consider a request to assume a private road in accordance with Township policy.

### 7.1.6 Active Transportation

The Township seeks to provide pedestrian and bicycle-friendly environments to encourage active transportation throughout the Township for residents and tourists of all ages and abilities. This includes providing linkages between settlement areas and the rural area, as well as access to the natural environment, public open space areas, and community facilities. The intent is to encourage increased use of active transportation in the Township as a viable alternative to automobile use and to foster a healthy community.

- a) The Township shall support the development of a well-connected network of active transportation facilities both within the Township and in the broader context, to

increase the range of healthy and accessible transportation and recreation options available to residents of all ages and abilities.

- b) New development or redevelopment shall be encouraged to consider street connectivity and connectivity of active transportation infrastructure, in coordination with the Township.
- c) The Township will consider as a condition of subdivision, consent, condominium or site plan approvals, the dedication of land, by public ownership, easement or partnership agreement for pedestrian and cycling pathways, bicycle parking and vehicle parking adjacent to active transportation corridors, or to facilitate access to, or enhancement of, such corridors.
- d) The Township shall encourage improved pedestrian environments within the settlement areas with an emphasis on streetscaping, including the consideration of accessible sidewalks, pedestrian-oriented commercial development along main streets, building design that provides shelter, pedestrian-scaled lighting, street furniture, bicycle racks, and landscaping.

## 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 off-street/on-site parking must be provided in accordance with the provisions of the implementing 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 permitting 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 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.

## 7.4 Water and Sewage Services

Provincial policy recognizes three types of water and sewage services:

- Municipal services;
- Private communal services; and
- Individual on-site services.

At the time this Plan was adopted, Sydenham Settlement Area offered partial servicing in the form of centralized municipal water services. All other Settlement Areas rely on individual on-site water services and sewage services to facilitate development. Rural Lands and Prime Agricultural Areas also rely on individual on-site water services and sewage services.

### 7.4.1 Municipal Services

The Provincial Planning 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. Centralized servicing systems serve entire communities, while decentralized servicing systems serve clusters of residences, businesses and other uses.

#### 7.4.1.1 General Policies

- 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 individual on-site services shall be decommissioned.
- b) Development within the Settlement Areas will only be approved if sufficient capacity within the available municipal water and sewage 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, or connection to, 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.

### 7.4.1.2 Decentralized 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 decentralized municipal water and sewage services within South Frontenac, and across the County as a whole. The Frontenac Municipal Services Corporation was incorporated in November 2023.

Decentralized municipal water and sewage services are intended:

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- 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 subdivisions in the Rural Lands;
- 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 within the Rural Lands is environmentally responsible and conserves land and important natural resources.
  - i) Development on decentralized municipal 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 decentralized municipal services. These developments shall be implemented through plans of subdivision, plans of condominium, and/or site plan control as appropriate.
  - ii) Development on decentralized municipal water and sewage services should be directed in or near Settlement Areas where community services and amenities are available to support increased population.
  - iii) Where new multi lot and multi-unit development is proposed within a Future Secondary Planning Area as identified on Map H before the secondary plan is prepared, the development may be required to use decentralized municipal water and sewage services, depending on the nature, scale, and density of the development.

- iv) Where development is proposed adjacent to a Settlement Area, the Township and proponent may negotiate the inclusion of some of the existing Settlement Area lands in the Environmental Assessment for water and sewage servicing through the pre-application consultation process.
- i) The Township shall encourage decentralized municipal water and sewage services as an alternative to individual on-site wells and sewage systems elsewhere in the Township, where it is deemed appropriate by the Township.
- j) Decentralized municipal water and sewage services shall be the primary servicing method for new large scale commercial development and industrial/business parks.
- k) Large scale, high density, and mixed-use development located outside of Settlement Areas and the Future Secondary Planning Areas is not permitted as it is inconsistent with the policy priorities of this Plan that direct growth to Settlement Areas.
- l) Development proposals utilizing the conservation design subdivision concept and decentralized municipal services may be permitted outside of Settlement Areas where residential uses are permitted, and in accordance with Chapter 9 of this Plan.

### 7.4.2 Private Communal Services

- a) Private communal services may be permitted for recreational, commercial, institutional, and industrial uses, and for multi-lot/multi-use development, in accordance with all applicable regulations.

### 7.4.3 Partial Services

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

- a) Partial services shall only be permitted in the following circumstances:

- i) Where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development;
  - ii) 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; or
  - iii) within Settlement Areas where new development will be serviced by individual on-site water services in combination with municipal sewage services or private communal sewage services.
- b) Any development in areas where partial services are provided, including in the Sydenham Settlement Area, must connect to the available municipal water or sewage service and properly decommission the related individual on-site service on the property.
  - c) The Township may consider establishing a program to assist property owners to decommission wells in an area where partial municipal water services are provided, to reduce the potential of cross-connections within the municipal drinking water system.
  - d) 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.
  - e) A partially serviced Settlement Area may only expand on municipal water and sewage services.

## 7.4.4 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 **Maps A and B**, these services may be used for infilling and minor rounding out of existing development. Preference will be to connect to municipal 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 Provincial 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.

## 7.5 Public Utilities and Communications Facilities

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.

- a) 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.
- b) 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 Prime Agricultural Area 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.
- c) The Township acknowledges development of energy supply including electricity generation facilities and transmission and distribution systems, energy storage systems, renewable energy systems, and alternative energy systems may be 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.
- d) 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.
- e) 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.
- f) Municipal review of non-municipal 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.

- g) 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.

## 7.6 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) Private renewable energy systems may be permitted subject to a zoning by-law amendment, where proponents can demonstrate it is feasible to develop such projects in accordance with this Plan, and with Provincial and Federal requirements.
- b) Renewable energy uses such as wind, solar and biomass energy facilities will be developed in accordance with applicable Federal and Provincial 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.
- d) Nothing in this section shall restrict the installation or operation of a *small-scale renewable energy system* that is mounted directly to a dwelling or other structure, or a self-supporting pole or tower.

## 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.

Consultation is intended to foster communication, education of issues, and conflict resolution early in the planning process. The Township recognizes that public consultation is a key component of the planning process.

- a) All *Planning Act* applications shall adhere to the prescribed measures for public consultation strategies, public meetings, and notification procedures in accordance with the *Planning Act* and associated regulations. In some instances, public consultation required by the Township may exceed these requirements as deemed appropriate and as outlined in this Plan.
- b) The Township shall use a variety of communication methods to seek input on planning matters and to provide information to the public. Depending on the issues, and in accordance with the *Planning Act* and associated regulations, the Township shall choose the most appropriate method of communication, which may include any or all of the following:
  - i) Personal service or prepaid first class mail;
  - ii) Newsletters;
  - iii) E-mail;
  - iv) Public notice signs;
  - v) Surveys, electronic or mail-out;

- vi) Neighbourhood Open Houses and/or Public Information Centres;
  - vii) Neighbourhood Working Groups or Focus Groups;
  - viii) Information meetings;
  - ix) Statutory public meetings;
  - x) Township website or internet engagement platforms; and/or;
  - xi) Any other methods as deemed necessary by the Township and established by amendment to this Plan.
- c) 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 statutory public meeting.
- d) 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, to provide the community with additional information regarding the proposal, such as technical studies and to provide opportunities for conflict resolution.
- e) The Township may establish alternative public consultation measures to notify prescribed persons and public bodies of proposed development as corporate policies adopted by by-law outside of this Plan, provided the by-law is approved by Council with appropriate public input. Council may delegate its authority to administer these procedures to an appointed Committee, officer, or employee identified by by-law.

## 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.

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- 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 Planning Statement.
  - ii) Consider their interests when identifying, protecting, and managing **natural heritage**, cultural heritage, and archaeological resources.
  - iii) to identify gaps in ecological protection policies and environmentally sensitive areas.
- 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.

## 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 Planning 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, water and sewage services, and location, and shall conform to the provisions of the implementing by-law.
  - i) 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.
  - ii) 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.
  - iii) Notwithstanding b. above, a waterfront lot created adjacent to a *narrow waterbody* shall have a minimum 150 metres of water frontage in order to

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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.

- iv) Notwithstanding b. above, a waterfront lot created adjacent to a *shallow waterbody* shall have a minimum 150 metres of waterfrontage because shallow waterbodies tend to be more environmentally sensitive and less intensive usage is appropriate.
- v) Reductions in lot size, water frontage or lot frontage may be varied without amendment to this Plan, provided that the intent of applicable Official Plan policies are met, and the reduction is recognized through an appropriate planning process, such as a minor variance or zoning by-law amendment.
- vi) In considering reductions to lot size, water frontage or lot frontage, consideration will be given to ensuring 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.
- vii) Within a Settlement Area, the lot size of lots that will be serviced by municipal water and sewage services should reflect the existing lot fabric of the village or hamlet unless otherwise established in a secondary plan.
- viii) Within a Future Secondary Planning Area but outside a Settlement Area, the lot size of lots that will be serviced by municipal water and sewage services shall be established through the secondary planning process.
- c) Land division is not permitted in the Prime Agricultural Area designation, except in accordance with the Agricultural Lot Creation Policies of this Plan.
- d) Land division is not permitted within 300 meters of an at-capacity lake trout lake, except in accordance with the policies of **Section 5.3.2**.
- e) 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 and to permit the installation of an adequate means of sewage disposal.
- f) 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 **Section 7.4**.

- g) Where available, development of the new lots will be required to connect to municipal water and sewage services.
- h) No land division shall result in the landlocking of any parcel of land and/or in a situation where the existing or potential ability to develop any parcel of land is significantly undermined by virtue of limited public road frontage.
- i) 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.
- j) 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.
- k) In considering land division applications, regard shall be had to the Cultural Heritage policies in **Section 6**, 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.
- l) On lands that contain or abut a waterbody or watercourse, it shall be demonstrated that there is a sufficient development envelope on the proposed lot to accommodate the intended use and appropriate water and sewage services outside the required setback from the highwater mark and all other applicable setbacks.
- m) 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.
- n) 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.

- 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

### 9.2.1 General Policies

- a) Prior to considering any land division application, the Township shall establish whether a plan of subdivision is necessary for the proper and orderly development of the lands. A plan of subdivision shall normally be required in the following instances:
  - i) More than total of three (3) new lots are to be created on a land holding;
  - ii) New public roads or an extension to an existing road are required;
  - iii) An extension to trunk mains for municipal water and/or sewage services is required; or
  - iv) 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.
- b) 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.



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- c) The proposed subdivision or condominium shall be at a scale which is compatible with the existing or anticipated scale of development in the area.
- d) 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, servicing studies, traffic impact studies and environmental impact assessment.
- e) 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.
- f) 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.
- g) The supporting servicing options report and/or hydrogeological study and terrain analysis should account for the inclusion of up to two *additional residential units* on each residential lot or unit.
- h) Stormwater management, lot grading and drainage, and engineering design shall meet Township standards.
- i) 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.
- j) 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.

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- k) Plans of subdivision or plans of condominium shall be designed to allow for the appropriate integration of the subject lands with the adjacent lands, such as compatibility with existing development, pedestrian connections to parks, and future road connections.
- l) As many trees as possible shall be preserved, particularly mature and healthy stands of trees, and reforestation shall take place where appropriate.
- m) Topography and/or vegetation shall be maintained and augmented to create an appropriate or desirable environment and buffering may be required to ensure compatibility with adjacent uses.
- n) 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.
- o) Subdivisions and condominiums will be designed with consideration for active transportation and will include sidewalks and trails that can enhance connections within the transportation network where the Municipality determines it is appropriate.
- p) Plans of subdivision and plans of condominium shall address issues of energy conservation and sustainability.
- q) Plans of subdivision shall accommodate low and medium to higher density development (e.g. multi-unit) subject to adequate water and sewage services.
- r) 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.
- s) 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.

- t) 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.

## 9.2.2 Conservation Design

This Plan anticipates the creation of new housing in the Rural Lands. Conservation design subdivisions or condominiums are 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 water and sewage 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 water and sewage services in accordance with the policies of this Plan.
- 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 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.

### **9.3.1 General Policies**

- 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 a 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:
  - i) the safest, most convenient access point(s) to the public road system should be retained for possible future use for internal subdivision roads;
  - ii) 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
  - iii) the lot created by consent should be located in such a way that the future design of a plan of subdivision can be accommodated.

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- c) In order to fully assess an application for consent, the Township may require the submission of additional information and studies.
- d) The creation of a new *back lot* shall not be permitted through the consent process.
- e) The severance of a parcel of land including an *additional residential unit* may only be permitted subject to all other policies of this Plan.
- f) The access to the proposed lots to be severed and retained shall be to the satisfaction of the Township:
  - i) Non-waterfront lots must have frontage on an opened and assumed public road which reflects a reasonable standard of pavement or gravel construction and is maintained year-round.
  - ii) Waterfront residential lots must have frontage on an opened and assumed public road which reflects a reasonable standard of pavement or gravel construction and is maintained year-round, or a private road that is developed to the Township's satisfaction in accordance with **Section 7.1**.
  - iii) The creation of lots through consent shall be discouraged on arterial roads outside of Settlement Areas to protect the current and projected long term transportation needs for the corridors.
  - iv) 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 deeded mainland vehicle parking and boat docking facilities are available.
- g) 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.
- h) For any division of land, the Township may impose conditions to the approval of the consent. A development agreement registered on title may be required to implement recommendations of professional staff, external agencies, and technical studies.
- i) Where lands being severed for conservation and open space uses are being transferred into the ownership of not-for-profit conservation agencies, 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.

### **9.3.2 Rural Lot Creation Policies**

- a) In the Rural Lands designation, a maximum of three (3) new lots (exclusive of the retained parcel) may be permitted through the consent process from a lot of record as it existed 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.
- b) In the Rural Lands designation, additional consents may be granted to allow residential lot creation by way of infilling within existing concentrations of residential development. In the Rural Lands designation, infilling shall refer to situations where the lands under consideration front upon a public road and 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.

### **9.3.3 Settlement Area Lot Creation Policies**

- a) In the Settlement Area designation, consents may be granted for:
  - i) Infilling built-up areas, and rounding out the boundary of the settlement area

- ii) Creation of new lots in already developed areas;
  - iii) Lot enlargement, lot boundary adjustments and title correction purposes; and,
  - iv) Assembling land for future development.
- b) 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.

### 9.3.4 Agricultural Lot Creation Policies

- a) Consents may only be permitted on lands designated Prime Agricultural Area for the following purposes, in accordance with other policies of this Plan:
- i) To create a farm holding where both the severed and retained lots are large enough to support a farm operation. The minimum lot size shall be established in the implementing by-law;
  - ii) For a lot addition to enlarge a farm parcel to make it a larger, more viable operation;
  - iii) Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way;
  - iv) Lot adjustments for legal or technical reasons and minor boundary adjustments;
  - v) One new residential lot per farm consolidation for a residence surplus to an agricultural operation;
  - vi) To create a lot for an agricultural-related use.
- b) Consents to sever a residential lot for a residence, including any associated *additional residential units*, surplus to an agricultural operation resulting from a farm consolidation are subject to the following:
- i) 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.

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- ii) The residence surplus to a farming operation must be considered a habitable residential dwelling that meets building code requirements for occupancy.
- iii) 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, **any associated additional residential units**, 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.
  - 6) 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.
  - 7) The zoning on any remnant parcel of farmland shall be amended to prohibit a dwelling **and additional residential units**.
- c) For the purposes of this section:
  - i) 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.
  - ii) A bona fide farmer:
    - 1) Must own and be the operator of a farming operation on the lands from which the surplus dwelling is proposed to severed;
    - 2) Must provide proof of ownership of other farm properties, including proof of a farm business registration number applicable to the properties;



- 3) Must own a residence elsewhere therefore rendering the residence on the subject farm surplus to their needs; and,
  - 4) 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.
- d) 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 to address specific land use and development issues in particular areas that required more consideration. Secondary Plans may be adopted for areas such as Settlement Areas, Employment Areas, large tracts of undeveloped land on Rural Lands, areas that are multi-faceted and complex, and areas planned to undergo fundamental changes in terms of planned function or land use pattern.

## 10.1 General Policies

- a) The preparation of secondary plans shall be guided by the intent and purpose of this Plan and shall be developed having regard for:
- Surrounding land uses;
  - Environmental constraints and impacts;
  - The physical suitability of the land in relation to the servicing approach;
  - Public utilities;
  - Schools, parks, and other community facility uses;
  - The major road systems particularly as they relate to accessibility and safety;
  - Housing types and forecasted populations; and
  - Forecasted employment growth.
- b) A secondary plan will address and coordinate matters such as:
- definition of the boundaries of the study area
  - type and location of proposed land uses, including parks and open spaces, schools and community facilities, commercial areas, and employment areas
  - assigning a mix of residential and/or non-residential land uses

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- density of development
- land ownership pattern
- road design including the location of arterial and collector roads
- traffic impacts and improvements required to accommodate new development and active transportation
- subdivision of land
- protecting the natural heritage system
- protecting cultural heritage resources
- identifying and protecting prime agricultural land
- stormwater management
- timing and staging of proposed development
- appropriateness of intensification initiatives
- avoiding natural hazards
- providing public service facilities including libraries, recreation, fire protection and education facilities
- improving accessibility for persons with disabilities
- climate change mitigation and adaptation strategies
- integration with adjacent established land uses
- detailed servicing policies for the development area, as well as for existing uses (e.g. main street, commercial, residential), including potential for intensification and any expansion of the settlement area boundary;
- ensuring that new development will have no negative impacts or adverse effects on the quality and quantity of water (i.e., groundwater and surface water supplies).
- strategies for implementation

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- c) Secondary plans may contemplate permitting a wider range of residential uses including townhouses and multiple unit dwellings within Rural Lands.
- d) Secondary plans will be prepared, presented for public consultation, and adopted in the same manner as an Official Plan Amendment, and will form part of **Section 10**. Secondary plans are to be read in conjunction with the rest of Official Plan. Secondary plans should be sufficiently flexible to permit minor deviations or adjustments in land use boundaries, road alignments, and density provided the general intent of both this Plan and the secondary plan are maintained. However, where there is discrepancy between the Official Plan and secondary plan policies, the more detailed policies of the secondary plan shall take precedence.
- e) Where the Township is leading the secondary plan process, a terms of reference specific to the area intended for the secondary plan will be prepared prior to the initiation of the secondary plan.
- f) The Township may require development proponents to prepare a secondary plan before new development is permitted in any and all areas including Settlement Areas, Rural Lands and Future Secondary Planning Areas, in accordance with this Plan.
- g) Any privately initiated secondary plan shall require Township approval of a terms of reference prior to the initiation of the secondary plan process. The terms of reference should identify all required supporting studies and reports, and how the plan will adhere to Official Plan policies. All municipal fees and expenses related to a privately-initiated secondary plan shall be the responsibility of the proponent.
- h) The priority locations for the development of secondary plans shall be in Settlement Areas and Employment Areas shown on Maps A and **B**, and in Future Secondary Planning Areas shown on **Map H**.
- i) Industrial uses will be further defined and will be zoned in a separate category in the implementing by-law. The implementing by-law will also establish appropriate provisions and standards for industrial uses.

## 10.2 Future Secondary Planning Areas

Future Secondary Planning Areas shown on **Map H** identify where further study is needed to confirm that these areas can accommodate anticipated future growth on municipal water and sewage services, and where secondary planning is required to direct growth and guide change in these areas. Future Secondary Planning Areas generally extend one kilometre from settlement area boundaries, and they include lands between Settlement Areas along connecting roads to capture potential future expansion areas and Employment Areas. They exclude lands in the Prime Agricultural Area designation and Provincially Significant Wetlands, as they are not available for development. Two of the Future Secondary Planning Areas extend south along Perth Road and Battersea Road toward Glenburnie and the boundary with the City of Kingston.

- a) The Township will initiate and lead groundwater studies for Future Secondary Planning Areas to identify areas with suitable water quantity and quality to support development on municipal communal services.
- b) Until such time as a required secondary plan is approved for Future Secondary Planning Area, the Township may permit limited land division and/or development, and conservation design subdivisions, provided such development conforms with this Plan and does not compromise or predetermine the outcome of the secondary plan, to the satisfaction of the Township.
- c) Existing development is recognized and existing uses are permitted to continue in the Future Secondary Planning Areas.
- d) Future Secondary Plan Areas shall be placed in an appropriate category in the implementing by-law in order to control the amount and scale of development until such time as a secondary plan is complete.

# 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:
  - i) be consistent with the Provincial Planning Statement;
  - ii) be consistent with any Provincial plan in effect for the Township;
  - iii) be in conformity with the County of Frontenac Official Plan; and
  - iv) not conflict with other policies and the general intent of this 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.
- d) 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

- a) 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.

- b) Subject to Section 24 of the *Planning Act*, no zoning by-law shall be passed unless it is in conformity with this Plan.
- c) The zoning by-law will include provisions for the potential development of lots legally existing at the time of passage of the zoning bylaw that do not conform to the size or other requirements of the zoning by-law.
- d) It is not the intent of this Plan to unnecessarily prevent the continuation, expansion or enlargement of existing uses which do not conform with the land use designations or related policies of this Plan and thereby create situations of unnecessary hardship.
  - i) Council may, where deemed advisable, zone those uses legally existing at the date of adoption of the Official Plan and/or legally existing prior to the adoption of an implementing zoning by-law, so as to recognize the use existing, provided this does not result in an increased adverse effect on the use of adjacent lands.
  - ii) In certain circumstances, it may be desirable to grant the extension or enlargement of a non-conforming use as provided by the *Planning Act* and by this Plan.
- e) Council may, in conjunction with a zoning by-law passed pursuant to Section 34 of the *Planning Act*, impose one or more prescribed conditions on the use, erection or location of buildings or structures, and may require an owner of land to which the by-law applies to enter into an agreement with the Township relating to the condition(s). This agreement may be registered against the lands to which it applies, and the Township may enforce the agreement against the owner and any and all subsequent owners of the land.

## 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.

- a) The Township may use holding provisions in a Zoning By-law to meet the following objectives:
  - i) To assist in the phasing of development and/or redevelopment;
  - ii) To co-ordinate development and/or redevelopment with the provision of municipal communal water and sewage, storm sewer and other services;
  - iii) To control development and/or redevelopment which may necessitate special design considerations;
  - iv) To delay or phase development and/or redevelopment until such time that stated planning related criteria can be satisfied.
- b) To aid in the selection of sites or areas that may be subject to holding provisions, the following locational criteria are identified:
  - i) i) lands in a built-up area which are undeveloped;
  - ii) ii) lands which are unserviced;
  - iii) iii) lands which do not have adequate access or frontage onto a public roadway;
  - iv) iv) lands which may be contaminated and/or are adjacent to hazardous, noxious, temporary or otherwise undesirable uses or activities; and
  - v) 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.

- a) 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.
- b) A Temporary Use By-law may be extended by by-law for further periods of not more than three years each.
- c) Upon the expiry of a Temporary Use By-law, the use authorized by the by-law shall cease, unless extended by by-law.
- d) The following criteria shall be evaluated for applications for temporary uses:
  - i) The proposed use shall be compatible or can be made compatible with the surrounding land uses,
  - ii) Required services shall be adequate for the proposed use,
  - iii) Access and parking are appropriate for the proposed use,
  - iv) The difficulty involved in terminating the proposed use when the authorizing by-law expires; and
  - v) The difficulty in restoring the subject lands, buildings and structures to either their initial state or an improved state.

## 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 be extended for a maximum of one additional year.

## 11.9 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.

## 11.10 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.

### 11.10.1 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 properties 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.

## 11.10.2 Shoreline Protection By-law

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

## 11.10.3 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 implementing by-law, and to require monetary payment to the Township as consideration for granting the exemption.

# 11.11 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:
  - i) A committee of council; or,
  - ii) 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 Planning 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:
  - i) Consents (Land Severances);
  - ii) Validation Certificates; and,
  - iii) Minor Zoning By-Law Amendments including:
  - iv) 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.
  - v) A by-law to permit a temporary use under Section 39 of the *Planning Act*.

## 11.12 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, buildings or structures 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.

## 11.12.1 Minor Variance

- 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 is maintained;
  - ii) That the general intent and purpose of the Zoning By-law is 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 considered minor;
  - iv) If it is rounding out development in the area; and,
  - v) Impact on adjacent properties and the general surrounding area.

## 11.12.2 Permission to Change, Extend or Enlarge a Non-Conforming Use

- a) The Committee of Adjustment may grant a permission to change, extend or enlarge a legal non-conforming use, if the Committee is satisfied that:
  - i) the application is desirable for appropriate development of the subject property; and
  - ii) the application will result in undue adverse impacts on the surrounding properties and neighbourhood.
- b) Proposals to change, extend or enlarge a non-conforming use will be reviewed against all applicable policies of this Plan, including, but not limited to, those in **Section 3.11**.
  - i) 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 and by the Township's Site Plan Control By-Law, and any reasonable requirements or recommendations of Township departments or the findings of applicable studies or plans.

## 11.12.3 Consents

- a) All decisions made regarding applications for consent shall consider the land division policies of **Section 9** and all other applicable policies of this Plan.

## 11.13 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) Where development is proposed on a site, part of which has physical or natural hazards, then such land shall not necessarily be acceptable as part of the required parkland dedication under the *Planning Act*. All lands dedicated to the Township shall be conveyed in a physical condition that is acceptable to the Township.
- f) 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.

## 11.14 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 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 community improvement policies of this Plan are enabling policies under the *Planning Act*. The Community Improvement Area applies to all lands within the municipal boundary. It is the intent of Council that the Community Improvement Area may be designated, in whole or in part, by by-law, as one or more defined community improvement project areas for which detailed community improvement plans will be prepared.
- b) Community improvement plans are created for various situations where there is an identified community need. Therefore, the designation of a community improvement project area, and the creation of a community improvement plan, will be entirely at the discretion of Council.
- c) The provision of financial assistance in a community improvement plan will be entirely at the discretion of Council. The Township shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the Township.

## 11.16 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.

## 11.17 Pre-application Consultation

- a) Pre-application consultation **may be** 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.

## 11.18 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 to thoroughly assess 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 Study;
- xviii) Lakeshore Capacity Assessment;
- xix) Mineral Aggregate Impact Assessment;
- xx) Agrology and Soil Capability Study;
- xxi) Phase 1 Environmental Site Assessment (ESA);
- xxii) Phase 2 Environmental Site Assessment (ESA);
- xxiii) Record of Site Condition;
- xxiv) Amendment to the regional Source Protection Plan;
- xxv) Reasonable Use Study;
- xxvi) Groundwater Impact Assessment;
- xxvii) Stormwater Management Plan;
- xxviii) Archaeological Resource Assessment;
- xxix) Tree Preservation and Protection Plan;
- xxx) Assessment of Landform Feature;
- xxxi) Mine Hazard Study / Abandoned Pit or Quarry;
- xxxii) Hydrologic and Hydraulic Study;
- xxxiii) Shoreline Planting Plan;
- xxxiv) Public Consultation Strategy;
- xxxv) Three dimensional building mass model
- xxxvi) Landscaping plan

- xxxvii) Lot grading and drainage plan
  - xxxviii) Parking and/or loading study
  - xxxix) Wildland fire risk assessment
  - xl) Tree inventory
  - xli) Ecological site assessment
  - xl ii) Land use compatibility study
  - xl iii) Statement of achievement of the Site Plan Control requirements of this Plan; and/or,
  - xl iv) Any other studies required by the Township that are not reflected in the above list.
- c) 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.
- d) Studies shall meet any terms of reference or requirements established by the Township or appropriate approval authority through the pre-application consultation process with the Township.
- e) All required reports and technical studies will be carried out by qualified professional 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 from previous Official Plans, and which had not been fully developed at the time this Plan was prepared. The sites described below are identified on **Map A**.

- a) **Part Lot 38, Concession VII, Storrington District – 2965 Battersea Road, McGarvey Stone House**
  - i) The site shown on Map A as Area 1 in the Rural Lands designation may be used for a multiple unit residential building containing not more than six dwelling units.
- b) **Part Lot 25, Concession VII, Storrington District – Collins Lake Estate**
  - i) The site shown on Map A as Area 2 in the Rural Lands designation, may be used for highway commercial uses. Such highway commercial uses shall be limited to daycare facilities, personal service shops, professional offices, grocery stores and retail stores.
- c) **Part Lot 1, Concession XII, Bedford District – Buck Lake**
  - i) The site shown on Map A as Area 3 in the Rural Lands designation 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.
- d) **Special Lot Waterfrontage Criteria (Pt. Lots 24 and 25, Concession X, Storrington District)**

- i) The site shown on Map A as Area 4 in the Rural Lands designation shall not be permitted any consents for lot creation.

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

- i) The site shown on Map A as Area 5 in the Rural Lands designation 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;

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.

f) **Pt Block K, Plan 50, Loughborough District – Closed Sydenham Waste Site**

- i) The site shown on Map A as Area 5 in the Settlement Area designation is a closed waste site within lands owned by the Township adjacent to Sydenham Lake, in the area of the Point Park, according to Provincial 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 the Province 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 Planning Statement, 2024, includes definitions of numerous terms used in its policies (i.e., “development”, “sensitive land uses”, “adjacent lands”, 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 Planning Statement, or where the definition differs from the Provincial Planning Statement for the purposes of this Plan, the definitions found in this section shall be referenced.

**Additional residential 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.

**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 to the Ontario Building Code, 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 qualified trades people onto the already poured foundation.

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

**Small-scale renewable energy system:** means a renewable energy system which produces electricity primarily for domestic, on-site consumption, and which may include a limited sale of electricity to the transmission grid.

**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.