

# TOWNSHIP OF FRONTENAC ISLANDS



# OFFICIAL PLAN

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**Office Consolidation  
October 1, 2024**

## Township of Frontenac Islands Official Plan Amendments

OPA #	Issue or Property	Township Adoption	Approval	OP Section or Schedule
1	Wind farms		MMAH: December 6, 2006	4.14
2	Keyes Quarry, Howe Island	By-Law Number 20-2006; November 16, 2006	MMAH: April 23, 2008	Schedule A
3	Official Plan Update	By-Law Number 28-2011	MMAH: May 28, 2013	Various
4	Private Lane Policies	By-Law Number 2011-28; November 13, 2017	County of Frontenac: February 21, 2018	Various
5	St. Philomena Roman Catholic Church, Howe Island	By-Law Number 05-2018; February 12, 2018	County of Frontenac: April 18, 2018	Schedule A
6	Severance Policies	By-Law Number 15-2018; July 9, 2018	County of Frontenac: April 17, 2019	6.3.3.1.ii
7	Marysville Secondary Plan	By-Law Number 2022-20; September 12, 2022	County of Frontenac: October 19, 2022	Various
8	Provincial Bills 13 & 109	By-Law Number 2023-04; January 9, 2023	County of Frontenac: February 15, 2023	Various

# Contents

1. INTRODUCTION .....	9
1.1. Contents Of Plan .....	9
1.2. Scope Of Plan .....	9
1.2.1. Application .....	9
1.2.2. Planning Period .....	9
1.2.3. Effect on the Public Sector .....	9
1.2.4. Effect on the Private Sector .....	9
1.3. Purpose Of Plan .....	10
1.4. Vision Of The Plan .....	10
2. GOALS AND OBJECTIVES.....	11
2.1. Basis .....	11
2.2. Goals and Objectives .....	15
2.2.1. Infrastructure .....	15
2.2.2. Land and Sustainability Requirements.....	16
2.2.3. Economic Prosperity .....	17
2.2.4. Resources .....	18
2.2.5. Water Quality and Quantity .....	19
2.2.6. Hazards, Natural and Human Made .....	19
2.2.7. Natural and Cultural Heritage Features .....	20
2.2.8. Community Development.....	20
3. COMMUNITY STRUCTURE AND DEVELOPMENT POLICIES .....	22
3.1. Settlement Areas .....	22
3.2. Servicing Strategy.....	22
3.2.1. Background .....	22
3.2.2. Approach.....	23
3.2.3. Water Supply and Sewage Disposal .....	24
3.2.4. Water Supply .....	24
3.2.5. Sewage Disposal.....	27

3.2.6	Protection of Persons and Property .....	30
3.2.7	Waste Management.....	31
3.2.8	Schools .....	31
3.2.9	Development Charges .....	31
3.2.10	Coordination of Services.....	32
3.2.11	Joint Planning with Adjacent Municipalities .....	32
3.3.	Watershed/Subwatershed Studies.....	32
3.3.1	Introduction .....	32
3.3.2	Watershed and Subwatershed Plans.....	32
3.3.3	Source Protection .....	34
3.4	Transportation and Utilities .....	36
3.4.1	Introduction .....	36
3.4.2	Roads.....	36
3.4.3	Ferry Services .....	39
3.4.4	Noise Assessment Studies.....	39
3.4.5	Water Access .....	40
3.4.6	Utilities.....	40
3.4.7	Communication Towers .....	41
3.5	Recreation And Cultural Facilities .....	41
3.5.1	General Policies .....	41
3.6	Secondary Plans .....	43
3.7	Mine Hazards.....	43
3.8	Natural Heritage Features and Areas and Environmental Impact Study .....	44
4.	GENERAL LAND USE POLICIES .....	46
4.1	Land Use Plan - Schedule “A” And Schedule “B” .....	46
4.2	Land Use Boundaries .....	46
4.3	Existing Land Use .....	47
4.4	Community Facilities, Public Uses and Utilities .....	47
4.4.1	General Principles .....	47

4.4.2	Policies.....	48
4.5	Accessory Uses .....	49
4.6	Group Homes .....	49
4.7	Day Nurseries .....	49
4.8	Housing.....	50
4.9	Heritage Resources .....	51
4.10	Bed And Breakfast Operations.....	52
4.11	Home Based Businesses .....	52
4.12	Land Use Compatibility .....	52
4.13	Re-Use of Known or Potentially Contaminated Sites .....	53
4.14	Wind Energy Conversion Systems and Alternative and Renewable Energy Systems.....	54
4.15	Public Access to Water .....	55
5.	LAND USE DESIGNATIONS .....	56
5.1	Agriculture.....	56
5.1.1	General Principles .....	56
5.1.2	Permitted Uses .....	57
5.1.3	Policies.....	57
5.1.4	Special Policy - Agricultural Designation .....	61
5.2	Rural .....	62
5.2.1	General Principles .....	62
5.2.2	Permitted Uses .....	62
5.2.3	Policies.....	63
5.2.4	Shoreland Areas.....	66
5.3	Hazard Land .....	78
5.3.1	General Principles .....	78
5.3.2	Permitted Uses .....	78
5.3.3	Policies.....	79
5.3.4	Shoreline Areas.....	82
5.4	Natural Heritage Features and Areas .....	83

5.4.1	Provincially Significant Wetlands (PSW) .....	84
5.4.2	Habitat of Endangered and Threatened Species and Species at Risk .....	87
5.4.3	Areas of Natural and Scientific Interest (ANSI) .....	88
5.4.4	Woodlands .....	88
5.4.5	Valleylands .....	89
5.4.6	Wildlife Habitat .....	89
5.4.7	Fish Habitat .....	89
5.4.8	Natural Connections/Corridors .....	90
5.5	Village of Marysville Secondary Plan Policies .....	90
5.5.1	Context and Vision .....	90
5.5.2	Goals .....	91
5.5.3	Land Use Plan .....	92
5.5.4	Land Use .....	100
5.5.5	Transportation.....	113
5.5.6	Servicing.....	115
5.5.7	Heritage.....	116
5.5.8	Special Policy Areas .....	116
5.5.9	General Development Policies .....	117
5.5.10	Water Area.....	118
5.5.11	Marina Development .....	118
5.5.12	Interpretation.....	123
5.6	Aggregate and Mineral Resources.....	125
5.6.1	Permitted Uses .....	125
5.6.2	Policies.....	125
5.7	Waste Management .....	128
5.7.1	Uses Permitted .....	128
5.7.2	Development Policies.....	129
5.7.3	Hauled Septage Disposal.....	131
6.	DEVELOPMENT REVIEW .....	132

6.1	General Principles .....	132
6.2	Policies .....	132
6.2.1	General .....	132
6.2.2	Natural Heritage Features and Areas and Hazard Land.....	133
6.2.3	Cultural Heritage Features .....	133
6.2.4	Areas of Archeological Potential .....	133
6.3	Criteria for Assessing Land Division Applications.....	134
6.3.1	General Criteria.....	136
6.3.2	Special Policies Residential Severances Related to Agricultural Activities in the Agriculture Designation.....	141
6.3.3	Special Policies Non-Farm Residential Severances in the Rural Designation 142	
7.	IMPLEMENTATION POLICIES.....	144
7.1	General .....	144
7.2	Zoning By-law / Non-Conforming Uses.....	144
7.3	Minimum Standards of Maintenance and Occupancy By-law .....	146
7.4	Committee of Adjustment.....	146
7.5	Capital Works Program .....	146
7.6	Public Works.....	147
7.7	Holding Provisions .....	147
7.8	Interim Control By-law .....	148
7.9	Temporary Use By-law .....	148
7.10	Cash-In-Lieu of Parking.....	148
7.11	Site Plan Control .....	148
7.12	Community Improvement Policies.....	149
7.13	Municipal Land Acquisition .....	153
7.14	Financial Impact Statements .....	153
7.15	Delegated Authority.....	153
8.	ADMINISTRATION AND INTERPRETATION .....	156
8.1	Plan Adoption .....	156

8.2	Plan Information .....	156
8.3	Plan Review .....	156
8.4	Plan Amendments.....	156
8.5	Interpretation of Plan.....	157
8.6	Technical Amendments .....	158
8.7	Complete Applications.....	159
8.8	Pre-Application Consultation .....	160
9.	DEFINITIONS .....	162

**SCHEDULE “A”**

Land Use

**SCHEDULE "B"**

Natural Heritage Features and Aggregate Reserve

**SCHEDULE "C"**

Private Lane Construction Standards

**SCHEDULES M1 TO M5: Marysville Secondary Plan**

Schedule M1: Existing Village and Expansion Area

Schedule M2: Land Use

Schedule M3: Natural Environment

Schedule M4: Transportation

Schedule M5: Special Policy Areas



# TOWNSHIP OF FRONTENAC ISLANDS OFFICIAL PLAN

## 1. INTRODUCTION

### 1.1. Contents Of Plan

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

### 1.2. Scope Of Plan

#### 1.2.1. Application

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

#### 1.2.2. Planning Period

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

#### 1.2.3. Effect on the Public Sector

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

#### 1.2.4. Effect on the Private Sector

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

### **1.3. Purpose Of Plan**

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

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

### **1.4. Vision Of The Plan**

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

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

## 2. GOALS AND OBJECTIVES

### 2.1. Basis

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

1. A number of important events shaped the communities in the Township. Key events include:
  - early surveys and settlement patterns
  - the good agricultural soils which dominate the Municipality
  - the strategic location of the islands at the head of the St. Lawrence River
  - the nearly total reliance on ferry services for access
  - the creating of recreational properties which appear to be maturing into a demand for permanent occupancy by an aging population taking early retirement
  - the installation of a commercial wind farm and alternative and renewable energy systems
  - conservation of groundwater and surface water resources
2. The current evolving development pattern which continues to evolve based upon external and internal influences. This pattern has been divided into the following categories:
  - Settlement Areas
  - Settlement Areas relying on individual private sewer and water services
  - Shoreline Development (both cottages, permanent)
  - Rural lot development (usually by consent)
  - Resource activities - farming, aggregate and forestry
  - Resource based recreation activities -cottage rental and golf courses
  - Nature Reserves
  - Other uses - including Hazardous uses
3. The two main islands have displayed markedly different growth patterns. Howe Island has shown rapid growth in permanent residential population. Much of this growth appears to be through conversion of existing cottages to permanent occupancy. To sustain this growth new development areas will be required.

Wolfe Island has had very little population growth during the same period. Access differences appear to be the main reason for this historic difference in the growth rate. Based on our analysis (2008), we predict that Frontenac Islands will grow between 2.5% and 3% per year (46 to 56 persons per year) on average and will reach a population between 2,098 and 2,145 by 2011. The rate of growth will almost exclusively result from in-migration from the greater Kingston area and should be closely monitored as part of the five-year comprehensive review of the Official Plan. Population growth rates projected for the 2007 to 2031 period by the Ministry of Finance estimate an increase of 30,000 people across the County of Frontenac (including the City of Kingston) or a net growth rate of 0.82% per annum. The robust rate of growth currently experienced in Frontenac Islands is significantly more than projected for the County as a whole. As indicated, the growth rate is substantially based on in-migration rather than natural growth. Continued growth at this rate will be dependent on the available land supply. The limited job creation and the aging population on the Islands do not otherwise support such rapid growth. To this extent population growth will be dependent on employment generation elsewhere coupled with lifestyle choices of people who are currently employed in the greater Kingston area but who choose to live on the Islands. The rate of growth on the Islands should be carefully monitored through the five-year review. A construction labour force associated with the development of a commercial wind farm has contributed to accelerated growth and commercial activity on Wolfe Island.

4. The range of housing types and densities is limited on the Islands. The predominance of low density single detached dwellings, however, is expected to continue. The current policies permit a broader range of housing types in Marysville including multiple residential housing and seniors housing. Housing policies in the Official Plan should continue to support a range of housing types and densities in Marysville and should establish housing targets to encourage greater diversity in the delivery of new housing. It is suggested that a target of 70 to 80% low density (singles, two-unit housing, converted) 10 to 15% medium density (triplexes and row or town housing) and 10 to 15% high density (apartments) should be established. In addition, the municipality should also establish a target for affordable housing in the order of 20 to 25% of housing starts to ensure that housing is accessible to all socio-economic groups. Most of this residential growth will occur on waterfront areas. There will also be considerable construction on existing lots of record that are currently vacant. There is a twenty-nine year supply of available vacant residential lots based on an average of 17.5 new housing starts per year (1/2 seasonal, 1/2 permanent).

A considerable amount of the vacant residential land is on water. The vacant land supply along the shoreline of each of Howe, Wolfe and Simcoe Island is adequate to accommodate new housing starts on each island for the next twenty years based on a high-end estimate of 15 new housing starts on waterfront lots per year. The land supply in Marysville (of some 90 potential lots) is adequate to meet future needs without any boundary changes due to the abundance of vacant land in the village. Residential intensification will help to achieve over 75% of the projected housing needs in the village.

5. The improvement of Ferry Service to both Islands has dominated municipal discussions. Most recently, the Municipality has decided to explore a fixed link for Howe Island. A decision as to the improvement to the Ferry Service for Wolfe Island will depend on an Environmental Assessment undertaken by the Ministry of Transportation designed to examine and quantify current operational characteristics of the Ferry Service to determine the future transportation needs.
6. There is a sufficient land supply to meet projected growth needs for all land use categories for the foreseeable future. Land use policies in the Plan should ensure that the allocation of the valuable land supply provide for a greater diversity of housing types and densities and provides opportunities for commercial, industrial and institutional growth commensurate with the mixed land use setting in Marysville and the low density rural character of the rural area.
7. Economic prosperity considerations include:
  - planning for infrastructure and land supply
    - o protecting resources for extraction or development (i.e. agriculture, mineral aggregates)
  - creating and marketing tourism related opportunities
    - o development of home based businesses and secondary uses
    - o implementation of initiatives associated with the Integrated Community Sustainability Plan
  - taking advantage of the development of alternative energy systems as a local source of energy to support new development on the Islands and to benefit from revenues through the sale of surplus energy
  - marketing the attributes and amenities of the Islands (e.g. legacy of heritage,
  - quality of life and residential living environment, accessibility to Kingston, Frontenac County and the United States, promoting local food

production/economy and local markets, natural features such as wetlands and wildlife habitat)

- providing for the establishment of industrial uses, particularly those which embrace alternative energy systems and are compatible with surrounding land uses.
8. Agriculture, particularly on Wolfe Island, remains a predominant land use. Farming is under increasing threat by new, non-farm uses, particularly non-farm residents and dramatic changes in the agricultural industry. These uses are making traditional farming less viable and are introducing new types of operations into the area. These operations include large animal containment barns, vast land areas devoted to cash cropping, specialized crop production and a heavy reliance on leased lands.
  9. Natural Heritage Features and Areas within the Municipality warrant protection through measures which are consistent with the Provincial Policy Statement. The ecological function and importance of natural corridors and linkages between natural heritage features and areas shall be recognized.
  10. With recent changes in legislation, the Municipality must adopt more stringent policies for contaminated sites including the rehabilitation of brownfield sites and the hazards they pose.
  11. This Plan was drafted to be consistent with the Provincial Policy Statement issued under Section 3 of the Planning Act R.S.O. 1990.
  12. Living on Frontenac Islands offers a unique but healthy lifestyle. Policies of the Official Plan should reinforce such lifestyles through the promotion of sustainable transportation systems (e.g. walking, cycling, and car pooling). Consideration should be given to a public-transit oriented shuttle service to help reduce the number of passenger vehicles using ferries. The shuttle service and/or car pooling could have priority access to ferry crossings. Telecommuting services should also be promoted to enable residents to live/work/play without leaving the Islands. Transportation services to and from Wolfe Island should be integrated with the Kingston Transit service by providing for park and ride facilities for island commuters.

## **2.2 Goals and Objectives**

### **2.2.1 Infrastructure**

#### Goal

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

#### Objectives

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

located and designated in accordance with Provincial standards and legislation.

6. To protect transportation and infrastructure corridors and facilities.

### **2.2.2 Land and Sustainability Requirements**

#### Goal

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

#### Objectives

1. To encourage growth within existing settlement areas which is contiguous to existing development.
2. To review all new growth areas to determine their suitability and justification relative to the projected land requirements of the Municipality and to conduct an availability review of suitably designated vacant land elsewhere in the settlement area.
3. To review and update the municipal land requirements on a regular basis.
4. To maintain and improve the Municipality's population/employment ratio by encouraging employment uses consistent with the infrastructure and resources of the Municipality.
5. To encourage cost-effective and efficient development, redevelopment, intensification, and revitalization within settlement areas
6. To encourage growth which avoids the need for unnecessary and/or uneconomical expansion of infrastructure, which is appropriate to the type of services which are available and/or planned, and which protects natural and cultural resources, the environment, and public health and safety.
7. To encourage energy efficiency in the design and development of all types of building stock.
8. To encourage less dependence on the automobile through walking, cycling, carpooling, telecommuting and the development of island-based employment (e.g. home based businesses, resource-based development).



9. To design, develop and implement a program for Integrated Community Sustainability which will be reviewed on an ongoing basis.
10. To promote and provide for 'green industries'.
11. To promote and provide for community improvement measures that focus on the adaptive reuse of buildings, recycling of building materials, residential intensification, energy efficient rehabilitation and repair and reduced waste generation.

### **2.2.3 Economic Prosperity**

#### Goal

To promote long term economic prosperity.

#### Objectives

1. To provide infrastructure and public services to accommodate projected growth.
2. To provide/encourage the provision of a supply of land to meet projected growth.
3. To provide an efficient, cost effective, reliable transportation system integrated with all jurisdictions and appropriate for the expected growth.
4. To promote energy and water conservation.
5. To maintain economic diversity and strength.
6. To maintain the long-term availability of all natural resources including agricultural land, aggregate and mineral resources.
7. To plan for facilities such as transportation, waste management systems, and emergency services in a long range, comprehensive manner.
8. To permit and promote local food production and the development of local food markets to serve Islanders and the greater Kingston marketplace.
9. To market the alternative and renewable energy market.

10. To market the attributes and amenities of the Islands (e.g. legacy of heritage, quality of life and residential living environment, accessibility to Kingston, Frontenac County and the United States, natural features such as wetlands and wildlife habitat).
11. To encourage the development of industrial uses, home based businesses and secondary uses.
12. To encourage and promote value-added tourism.

#### **2.2.4 Resources**

##### Goal

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

##### Objectives

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

### **2.2.5 Water Quality and Quantity**

#### Goal

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

#### Objectives

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

### **2.2.6 Hazards, Natural and Human Made**

#### Goal

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

#### Objectives

1. To encourage the completion of flood plain mapping in all areas proposed for development.
2. To require a history of land use as part of any development review process and for those lands with a history of potential or known contamination, proof that the site is not contaminated or that contaminated sites are appropriately remediated such that there will be no adverse effects on future or proposed uses.
3. To identify areas for evaluation adjacent to uses which have the potential to create hazards.

4. To require set backs from shorelines which exhibit erosion potential or in areas of flooding potential.
5. To ensure through the use of rehabilitation measures, that proposed development or land use activities do not create new hazards.

### **2.2.7 Natural and Cultural Heritage Features**

#### Goal

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

#### Objectives

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

### **2.2.8 Community Development**

#### Goal

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

#### Objectives

1. To encourage the review, discussion and potential implementation of projects identified through the Community Development process (i.e. Wolfe Island, A Quality Life Millennium Development Project).
2. To encourage sustainable and well managed growth that accommodates the needs of residents including youth and seniors.

3. To brand the Municipality as a leader in the design and development of energy conservation systems and their contribution to the reduction of the carbon footprint. Further, to include energy conservation as an integral component of the land use decision making process.
4. To encourage the design and development of public gathering places including local markets, small scale commercial uses, and drop-in facilities.
5. To encourage the development of new industries and home based businesses.
6. To conserve and integrate significant buildings and architectural amenities into the evolving land use pattern.
7. To encourage development that strengthens the tax base of the community and provides for a diversity of commercial, industrial and business opportunities.
8. To conserve the scenic amenities of the archipelago's shorelines and the character of low density development.
9. To encourage development that supports energy efficiency, less dependence on automobiles and more emphasis on walking and cycling.
10. To design with and for nature.

## **3. COMMUNITY STRUCTURE AND DEVELOPMENT POLICIES**

### **3.1 Settlement Areas**

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

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

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

### **3.2 Servicing Strategy**

#### **3.2.1 Background**

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

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

Sufficient funding of capital and operating expenditures is often dependent on the management of both the service and the development/redevelopment that the servicing is required to support. Approval of a form of development/redevelopment that involves higher servicing costs will raise the average servicing costs per unit throughout the

servicing area. In addition, the scheduling of development/redevelopment will affect the timing and need for these services and the cost of providing the service.

### **3.2.2 Approach**

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

1. All legally established land uses should receive basic services in an efficient, safe manner consistent with their needs.
2. Currently deficient services should receive priority for improvement.
3. Servicing standards should be established which will maintain an adequate level of service to all land uses and guide future improvements to areas of existing deficiency on a priority basis. New services in areas of development/redevelopment shall meet minimum servicing standards.
4. Servicing plans should be future oriented reflecting the 20 to 30 year growth potential. All new services should be sized to accommodate anticipated growth during the life of the facility. Provision should be made for future servicing extension in all development plans to avoid reconstructing services through or around existing development.
5. All improvements to services and facilities should be made in an environmentally sensitive manner. The negative implications of development should be identified and addressed prior to development or redevelopment.
6. A “user-fee” approach to the recovery of service related costs should be used where practical. In particular, new development should not result in costs accruing to existing uses or residents without demonstrated benefit nor should new development/redevelopment increase the level of taxation to the rest of the ratepayers unless a municipal-wide benefit can be demonstrated.
7. New growth should be based on a logical extension of existing services and should not result in a need for new services unless they can be demonstrated to be appropriate and financially viable.

8. The provision of services should be coordinated so as to avoid duplication of effort and ensure that the best use of available resources, staff and finances is achieved.
9. The importance of municipal control of servicing and the vital role of volunteer contributions to the provision of services should be acknowledged and accommodated in service delivery plans where possible and appropriate.
10. Long-term capital planning should provide for the maintenance and replacement of capital assets (e.g. community buildings, rolling stock, equipment) and the upgrading or extension of existing services to meet the needs of a growing and changing community.
11. Financial management tools should take advantage of the Development Charges Act for levying charges to new development for improvements and upgrading of municipal services such as transportation (roads, sidewalks, public works facilities), fire services (fire vehicles, fire stations and equipment), recreation and cultural services (parks, playgrounds, recreation facilities, library books and materials).

### **3.2.3 Water Supply and Sewage Disposal**

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

### **3.2.4 Water Supply**

The Municipality does not currently operate any municipal water supplies.

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



necessary to ensure that all new development will have a sufficient supply of good quality ground or surface water.

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

#### **3.2.4.1 Communal Water Supply**

##### **1. New Public Systems**

###### **i. New Development**

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

###### **ii. Reservation of Areas for Extension or New Communal System**

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

###### **iii. Cost of Extension**

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

###### **iv. Administration and Management**

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

#### **3.2.4.2 Private Communal Piped Water Supply**

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

##### **1. Extension of Existing Systems**

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

##### **2. New Private Communal Systems**

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

#### **3.2.4.3 Individual Water Supply**

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

##### **1. Hydrogeologic Assessments**

In areas designated for development such as hamlets and new residential areas an area hydrogeologic assessment should be prepared at the time of designation in order to assess the water supply on an area basis. This assessment should be conducted as part of any Settlement Capacity Study or Secondary Plan and any recommendations of the assessment should be included in the development policy to be applied to this area. The municipality may seek contributions from development interests to cover the cost of this assessment. Alternatively, the municipality may recover the cost

of such an assessment as part of the development charges or other revenue to be collected for the area.

## 2. Hydrogeologic Assessments for Individual Applications

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

## 3. Subdivisions

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

## 4. Severances

The Approval Authority shall, as a condition of granting the consent, require a hydrogeologic assessment or individual well testing for each consent, unless the Approval Authority is satisfied by available information that the lot can achieve a satisfactory supply of good quality water from an available source which will not affect the area's water supply.

## 5. Commercial/Industrial

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

### **3.2.5 Sewage Disposal**

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

### **3.2.5.1 Public Sewage Disposal Systems**

#### **1. New Public Systems**

##### **Designation**

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

### **3.2.5.2 Private Communal Sewage Disposal**

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

#### **1. Extension of Existing Systems**

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

#### **2. New Private Communal Systems**

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

In planning for communal sewage services, Council will ensure that such systems can be sustained by the water resources upon which such services rely; that the system is financially viable and complies with all regulatory requirements; that human health and the natural environment are protected; that there is sufficient reserve sewage system capacity; that water conservation and water use efficiency is promoted; that the design of the system is integrated in land use

planning decisions; that site conditions are suitable for the long-term provision of such services, and that licensed sewage haulers are available for the transport or transfer of sewage.

### **3.2.5.3 Individual Sewage Disposal System**

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

#### **1. Hydrogeologic Assessments**

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

#### **2. Hydrogeologic Assessments for Individual Applications**

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

#### **3. Subdivisions**

A detailed hydrogeologic assessment, including a terrain analysis study and impact assessment, will be required prior to draft approval of a plan of subdivision and approval of any supporting Official Plan

amendment. These studies will confirm the adequacy of the proposed sewage disposal system and maximum allowable density, and will be prepared in accordance with Ministry of the Environment guidelines.

#### 4. Severances

The Approval Authority shall as a condition of granting the consent require a hydrogeologic assessment or an individual site test for each consent, unless the individual can prove to the Approval Authority by reference to available information that development of the lot will not affect the area's water supply.

#### 5. Commercial/Industrial

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

### **3.2.6 Protection of Persons and Property**

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

#### **3.2.6.1 Police Protection**

##### 1. Community Policing

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

##### 2. Review of Development Proposals

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

#### **3.2.6.2 Fire Protection**

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

1. Increased Emphasis on Fire Prevention

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

2. Review of Development Proposals

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

### **3.2.7 Waste Management**

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

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

### **3.2.8 Schools**

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

### **3.2.9 Development Charges**

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

### **3.2.10 Coordination of Services**

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

### **3.2.11 Joint Planning with Adjacent Municipalities**

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

## **3.3. Watershed/Subwatershed Studies**

### **3.3.1 Introduction**

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

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

### **3.3.2 Watershed and Subwatershed Plans**

The municipality shall encourage the preparation of watershed/subwatershed plans as a basis for integrating water management into the planning process. Watershed plans should take a broad ecosystem approach to water, water related natural features, terrestrial resources, fisheries and water dependencies. Subwatershed plans should provide detailed guidance for site-specific water resource planning issues.

#### **3.3.2.1 Approach**

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



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

#### **3.3.2.2 Development Review**

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

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

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

In order to control flooding, ponding, erosion and sedimentation and to protect water quality and aquatic habitat or other natural habitat which depend on water courses and other water bodies for their existence, stormwater management plans shall be required for any new development consisting of more than four lots or for commercial or industrial developments with large amounts of impervious area. Stormwater management will be undertaken in accordance with MOE Guideline "Stormwater Management Planning and Design Manual, 2003."

The municipality shall require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. The municipality shall promote naturalized stormwater management facilities, constructed with gentle slopes. Applications for development shall be required to be supported by a stormwater quality/quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with the Ministry of the Environment's Stormwater Management Planning and Design Manual.

### **3.3.3 Source Protection**

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

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

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

Development and site alteration shall be restricted on or near sensitive ground water features (aquifer recharge areas, discharge areas, springs,

etc.) such that these features and their related hydrological functions will be protected, improved or restored.

## **3.4 Transportation and Utilities**

### **3.4.1 Introduction**

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

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

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

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

### **3.4.2 Roads**

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

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

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

#### **3.4.2.1 Road Classification**

1. Major Roads

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

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

## 2. Local Roads

Local roads are existing or proposed roads of two traffic lanes with a standard right-of-way width of 20 m [66 ft.]. These roads are designed to provide access to abutting properties and generally carry low volumes of traffic. Roads shall be constructed to an acceptable municipal standard acceptable to the Public Roads Manager prior to the approval of development.

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

## 3. Private Lanes

### (a) Private Lane Standards

The road construction standard included in this Plan as Schedule “C” shall be deemed to be the “Township’s standards for new private lanes” for the purposes of Section 5.2.4.1.5.

### (b) Private Lane Assumptions

Council will consider the assumption of a private land as a public road provided that the road is brought up to the Township’s municipal road standard. Prior to the assumption of a private lane as a public road, Council will conduct a financial assessment of the long-term capital and operating costs for servicing the road. This assessment will include an estimate of the annual maintenance costs, repair costs and the long term life cycle replacement costs of assuming the private lane as a public road, and the impact of these costs on the operation of the Township’s roads system. The financial assessment will be carried out by a qualified professional, at the expense of the individual or group petitioning for the private lane to be assumed as a public road. No private lane will be assumed into the Township’s Road system unless Council is satisfied that the annual maintenance or long term capital and operating costs will not place an undue burden on the costs of operating the Township’s road system.

#### **3.4.2.2 Intersection and Crossing Improvements**

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

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

#### **3.4.2.3 Land Acquisition for Road Purposes**

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

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

#### **3.4.2.4 Roadside Tree Plantings**

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

#### **3.4.2.5 Bridge Improvements**

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

### **3.4.3 Ferry Services**

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

Council's policy is to continue to work towards improving transportation linkages between the Islands (e.g. Wolfe Island and Simcoe Island), and between Wolfe Island, and Howe Island respectively, and the mainland. Council will work on an ongoing basis towards the improvement of ferry services and where feasible, the establishment of fixed links.

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

#### **3.4.3.1 Protect Land Base for Alternatives**

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

### **3.4.4 Noise Assessment Studies**

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

require a noise assessment and impact study prior to the approval of the development proposal by the Township Council.

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

### **3.4.5 Water Access**

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

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

### **3.4.6 Utilities**

Existing uses throughout the municipality and any new development rely upon the provision of a number of utilities including telephone, hydro, etc. Many of these utilities are located on municipal rights-of-way. The improvement of these utilities is an on-going process requiring replacement of existing facilities and creation of new sites for utility related functions such as transformer stations, pumping stations, valve stations, etc. In addition the municipality should actively seek to coordinate the siting of these utilities within rights-of-way and the coordination among utilities in order to avoid the unnecessary duplication of rights-of-way or easements. Those uses permitted as public uses are delineated in Section 4.4.

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

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



### **3.4.7 Communication Towers**

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

## **3.5 Recreation And Cultural Facilities**

### **3.5.1 General Policies**

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

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

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

- i. Provision for a variety of trail types and users (e.g. cross country skiing, hiking, jogging, cycling, equestrian, off-road vehicles);
- ii. Accessibility for people with disabilities;
- iii. Construction standards appropriate to the type of trail (e.g. base materials, height and width, signage, safety for users). This includes provision for a paved shoulder for cyclists on the linkage between the ferry terminal in Marysville and the terminal servicing Cape Vincent
- iv. Locations and networks that support or encourage eco-tourism on the islands;
- v. Linkages between key origin and destination points (e.g. ferry terminals to downtown, cross island, lodging and tourist attractions);

between home and school or home and community facilities, Big Sandy Bay);

- vi. Linkages or components that provide access to and can be integrated with natural features such as woodlands, wetlands, wildlife corridors, heritage features.
8. Council will work with the community on each island in developing a trails master plan.
9. The Municipality shall acquire parkland in order to increase the parkland provision ratios as appropriate.

### **3.6 Secondary Plans**

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

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

### **3.7 Mine Hazards**

In reviewing any planning applications and/or development proposals within 1 km [0.6 miles] of an identified mine hazard, Council shall consult with the Ministry of Northern Development Mines and Forestry with respect to the status of the mine hazard as recorded in the “Abandoned Mine Inventory System” (as updated from time to time) determine whether a mine hazard exists. If a mine hazard exists, the applicant shall be responsible for ensuring that any hazards are satisfactorily rehabilitated or mitigated such that the hazard is removed and that the property is now safe for the proposed development. Council may require proof by way of a technical study undertaken by a qualified professional that the hazard has been rehabilitated or removed.

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

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

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

Council will require an EIS for development and site alterations proposed on lands adjacent to a designated Provincially Significant Wetland significant habitat of endangered species and threatened species and in or on adjacent lands to fish habitat, significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest. The EIS will identify and evaluate any impacts and address how anticipated impacts will be mitigated through the planning and/or development approvals process. The components of an EIS will be tailored to the scale of the proposed development and the scale of the anticipated impacts. An EIS must be prepared by a qualified individual. An EIS shall be conducted prior to the approval of a development (e.g. an EIS shall not be carried out as a condition of approval). Submission of a completed EIS does not guarantee approval. The Municipality shall rely principally on peer review for the review of these studies. The applicant will be required to bear the costs of any EIS and peer review. See also Section 5.4 of this Plan.

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

- a. a description (including a map) of the study area and landscape context (including natural features and areas, and ecological functions);
- b. a description of the development proposal;
- c. date of field visits must be noted;
- d. identification of the features (including their significance) and functions likely to be effected by the development proposal;

- e. species lists of flora and fauna recorded for the site;
- f. assessment of the potential impacts of the proposed development on natural features or areas and on their ecological functions for which they have been identified;
- g. identification of mitigation requirements and monitoring requirements;
- h. quantification of residual impacts (those that cannot be mitigated) if any;
- i. recommendations on how to implement mitigative measures;
- j. concluding recommendations

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

## **4. GENERAL LAND USE POLICIES**

### **4.1 Land Use Plan - Schedule “A” And Schedule “B”**

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

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

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

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

### **4.2 Land Use Boundaries**

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

### **4.3 Existing Land Use**

1. Use of land, buildings or structures which lawfully existed on the date of the approval of this plan and are not recognized by this Plan may be recognized in the implementing Zoning By-law and minor extensions or enlargements may be permitted.
2. This Plan is not intended to necessarily prevent the continuation, expansion or enlargement of existing uses which legally existed at the date of adoption of this Plan. The Municipality may allow for the continuation, expansion or enlargement of such existing uses.
3. Prior to amending the implementing Zoning By-law to permit the continuation, expansion or enlargement of any legal non-conforming use the Municipality shall have regard to the following matters:
  - i. That the proposed extension or enlargement of the established use will not adversely affect the general intent and purpose of the Plan;
  - ii. That the proposed extension or enlargement is too large when compared to the size of the existing use;
  - iii. That the proposed extension or enlargement is compatible with surrounding uses; and
  - iv. That site planning and design are such as to minimize the effect of the proposed extension or enlargement on adjacent conforming uses, and where necessary, appropriate spatial separation, buffer planting, screening and/or fencing are provided;
  - v. That the appropriate agencies having an interest in the use have been consulted; and
  - vi. That other approvals/permits (i.e.: construction permits, fill permits, Certificates of Approval etc.) have been or can be obtained from the approval authority.

### **4.4 Community Facilities, Public Uses and Utilities**

#### **4.4.1 General Principles**

It shall be the policy of this Plan to permit the development and use of lands within any designation for the purpose of community facilities, public parks and playgrounds. These uses, however, shall generally be discouraged in Natural Heritage Features and Areas shown on Schedule "B: and prohibited in Provincially Significant Wetlands, the Significant Habitat of Endangered and Threatened Species, Hazard Land and in the Agricultural designation.

Public Utilities and uses as required to service area residents which are normally provided by the Municipality or any public authority or utility including any department or ministry of the Government of Canada or Ontario, Ontario Hydro or its successor or any telephone or communication utility or natural gas distribution company shall be permitted in any designation in this Plan.

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

#### **4.4.2 Policies**

1. It shall be the policy of this Plan that uses such as maintenance yards and public works depots, or other similar uses and activities shall require an Amendment to the implementing Zoning By-law.
2. It shall be the policy of this Plan that public uses and utilities such as telephone lines and switching stations, and community facility uses such as public parks, schools, libraries, museums, a municipal administration complex, cemeteries, churches, fire halls, police stations or other similar public uses and utilities and community facilities are permitted within any land use designation save and except as specifically provided in the Provincially Significant Wetland,, Natural Heritage Features and Areas, Hazard Land and Aggregate and Mineral Resources designation. Notwithstanding the above permission, the above listed uses may only be permitted in the Agricultural, Hazard Land and Wetland designations and Aggregate and Mineral Resources designation. Where land use compatibility issues have been addressed.
3. All existing electric power facilities and the development of any undertakings of Ontario Hydro or its successors are permitted in all land use designations without amendment to this Plan provided that the planning of all such facilities is carried out in accordance with the provisions of the Environmental Assessment Act, including regulations made under that Act, and any other relevant statutes. Prior to carrying out or authorizing any undertaking that will directly affect the Municipality, Ontario Hydro shall consult with the Municipality and have regard for the policies of this Plan.



This policy shall not apply to buildings or land used for executive, administrative or retail purposes, or held under lease or license from Ontario Hydro.

4. Where community facility use or a public use or utility is permitted regard shall be had for the nature of existing uses on adjacent lands and the massing and designs of the public use relative thereto. Wherever practical, buffer planting and screening may be required to ensure compatibility with adjacent land uses.

#### **4.5 Accessory Uses**

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

#### **4.6 Group Homes**

1. General

Group homes shall be permitted in all designations that permit residential.

A group home shall be defined as a residence licensed or funded under a federal or provincial statute for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well being. A group home shall be licensed and/or approved for funding under provincial statutes and in compliance with municipal by-laws. (Note: as defined under Section 163 of the Municipal Act)

2. Licensing of Group Homes:

Once an implementing zoning by-law is in effect, the Municipality may pass a by-law pursuant to Section 163 of the Municipal Act 2001, S.O. 2001, as amended, requiring the licensing of group homes within the Municipality.

#### **4.7 Day Nurseries**

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

shall be provided in accordance with the Day Nurseries Act, as amended from time to time.

## **4.8 Housing**

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

1. Provision for the varying needs and lifestyles of the residents by a variety of living accommodations and support services and facilities.
2. Minimization of potential conflicts between various housing forms and between residential and non-residential uses.
3. Provision of sufficient housing to meet the needs of the community in accordance with the objectives of the Provincial Policy Statement. In this regard Council shall:
  - i. Maintain at all times a minimum 10 year supply of lands designated for residential development or available through residential intensification and redevelopment;
  - ii. Maintain at all times a minimum three year supply of lands zoned for residential development;
  - iii. Encourage the provision for affordable housing, for example, by providing for more affordable lots (e.g. inland v. shoreline lots) and by working with the City of Kingston as the Consolidated Municipal Service Manager in establishing and implementing targets for affordable housing;
  - iv. Target 25% of an estimated supply of 516 vacant residential lots for residential intensification and 75% in the Marysville and maintain an adequate supply of land zoned for residential development to facilitate residential intensification and redevelopment
  - v. Ensure that zoning and site development standards provide for cost-efficient residential development;
  - vi. Adopt a reduced processing time-frame for residential applications where appropriate; and
  - vii. Prepare a Municipal Housing Statement when Council determines such a study is required.

- viii. Allow the use of a second residential unit by authorizing the use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the house contains a residential unit, and; allow the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the house contains a single residential unit.

## **4.9 Heritage Resources**

### **1. Definition:**

Heritage Resources means significant built heritage resources, significant cultural heritage landscapes, significant archaeological resources and areas of archaeological potential (see definitions).

### **2. General:**

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

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

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

- i. establish a Municipal Heritage Committee; and
- ii. conserve, protect and enhance heritage features through the designation of individual properties and districts

### **3. Archaeological Sites:**

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

#### 4. Unmarked Burial Sites

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

#### 5. Development on Lands Adjacent to a Protected Heritage Property

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

### **4.10 Bed And Breakfast Operations**

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

### **4.11 Home Based Businesses**

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

### **4.12 Land Use Compatibility**

A new use shall only be developed or redeveloped adjacent to an existing use or in an area designated for development where the new use will be compatible with the existing uses and the proposed uses in terms of such matters as noise, vibration, fumes, heat radiation, smoke, dust, odours, or other offensive characteristics. In considering an Official Plan amendment or a Zoning By-law amendment or a minor variance, the Approval Authority may require an appraisal of compatibility to identify potential impacts and assess their implications on surrounding uses. In order to

maintain land use compatibility, the Ministry of the Environment's guidelines will be applied. The assessment should include an evaluation of remedial actions proposed to address the implications identified. Specific study requirements for proposed development will be detailed in Section 5, under the appropriate designation

#### **4.13 Re-Use of Known or Potentially Contaminated Sites**

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

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

The development or redevelopment of potentially contaminated sites shall be assessed and remediated in a manner consistent with the Environmental Protection Act and relevant regulations, and the relevant MOE guidelines and procedures.

Sites known or suspected to have soils contaminated with residues of current or previous industrial or commercial land uses must have the environmental condition of the site assessed. When managing development on potentially contaminated sites, a Record of Site Condition (RSC) either prior to the development approval, at the time of release of conditions of approval, or at the time of issuance of building permits, as required or stipulated by the municipality must be received.

When considering applications for development which include sites suspected or known to be contaminated, the municipality will require at its discretion a Phase I ESA be undertaken by the applicant in accordance with Ontario Regulation 153/04 as amended. If recommended by a Phase I ESA or mandated under Regulation 153/04, a Phase II ESA must be undertaken by the applicant in accordance with Ontario Regulation 153/04. This would require sampling and analysis of the site to confirm and

delineate the presence or absence of contamination suspected by the Phase I ESA report.

As a condition of approval, the municipality will require that remediation, where required, is undertaken to appropriate standards of the MOE, as specified in Ontario Regulation 153/04 and in the guideline Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act, or other regulatory requirements of the MOE, as amended from time to time.

Mandatory filing of a Record of Site Condition in the Registry, by a qualified person, as defined in O. Reg. 153/04, as amended, is required for a change in use of a property from industrial or commercial to residential or parkland, as defined in the regulation, and will be acknowledged by the Ministry of the Environment. A site clean-up plan may be required and the site may need to be cleaned-up in accordance with the O. Reg. 153/04, as amended and with MOE guideline Records of Site Condition – A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition, dated October 2004, or associated guidelines.

A Record of Site Condition may, at the municipality's discretion, be a required condition of approval under this Plan. In addition to changes of use prescribed by the Environmental Protection Act as uses for which a Record of Site Condition is mandatory (a change of use to a more sensitive land use), the municipality may require a RSC to be filed where the application does not involve a change of use to a more sensitive land use as defined in the Environmental Protection Act. This requirement is to ensure, to the municipality's satisfaction, that any remediation, or risk assessment and risk management, necessary to permit the intended use is to the satisfaction of the MOE.

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

The intent of this Plan is to encourage the development of renewable energy systems and alternative energy systems (i.e. renewable resources of wind, water, solar, etc.) in conjunction with ensuring that measures are taken to improve air quality. A renewable energy generation facility, a renewable energy project, a renewable energy testing facility or a renewable energy testing project, as defined in subsection 1 (1) of the Planning Act is exempt from the provisions of the Planning Act except as set out in subsection 62.0.2 of the Act. Council will encourage a consultative process in the installation of renewable energy systems. Development of renewable energy systems will be encouraged to have regard to safe access to a lot, setbacks that are consistent with zoning standards, adequate lot size, access to and conservation of other natural resources (i.e. agricultural land, minerals, mineral aggregates and natural heritage features and areas) and visual compatibility with surrounding land uses.

All alternative and renewable energy systems are subject to the Green Energy Act

#### **4.15 Public Access to Water**

The policy of the Municipality shall be to retain unopened road allowances leading to water in public ownership where there is no alternative public access point.

## **5. LAND USE DESIGNATIONS**

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

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

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

### **5.1 Agriculture**

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

#### **5.1.1 General Principles**

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



### **5.1.2 Permitted Uses**

The predominant use of land within those areas designated as Agriculture may be agriculture and farm related uses inclusive of associated residential dwellings. It is the intent of this Plan that agricultural uses being the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time labour when the size and nature of the operation requires additional employment; agriculture-related uses being those farm related commercial and farm related industrial uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation; and secondary uses such as bed and breakfast establishments, home occupations and professional offices in residences be permitted upon Agriculture designated lands.

Other uses permitted shall include conservation, forestry, reforestation, and related low intensity outdoor recreational uses such as hiking and cross country ski trails.

### **5.1.3 Policies**

1. It shall be the policy of this Plan to prevent the development of non-farm related uses within the Agriculture designation and to prevent scattered development leading to the unnecessary fragmentation of farmland, non-farm related uses shall be directed to locate within or adjacent to hamlets or areas designated for such purposes
2. All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.
3. A farmer may be permitted to establish a second dwelling house on a farm, provided that such dwelling unit is to be occupied by persons engaged on a full time basis on such farm and who significantly assists in the day to day operation of the farm. It shall further be the policy of this Plan that no land severance will be granted for such farm related dwelling.

4. Notwithstanding any other provision of this Plan to the contrary, within the Agriculture designation, limited agricultural service and supply industries such as a farm implement dealer, a feed mill or seed cleaning plant, an agricultural produce warehouse, an abattoir or other similar agri-business may be permitted without an amendment to this Plan. Such uses shall generally be encouraged to consolidate into groups within or adjacent to existing communities or in areas of marginal agricultural value. Regard shall be had to the following matters in reviewing applications for the development of such uses:
  - i. The compatibility of the proposed use with surrounding land uses;
  - ii. The siting and design of the proposal so as to ensure the provision of adequate off-street parking and loading facilities, appropriate setbacks, landscaping and buffering and that any lighting or signs are arranged so as to blend in with the character of adjacent uses;
  - iii. Such development shall comply with the provisions of the Minimum Distance Separation Formulae; and,
  - iv. The requirement for the use to be in close proximity to farming operations.
  - v. Compliance with Policy 2.3.5.1 of the Provincial Policy Statement.

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

5. Existing lots of a size too small to be viable agricultural units shall be encouraged to consolidate with adjacent farm properties.
6. If utility and transportation corridors intrude on Agriculture areas, Council shall attempt, wherever possible, to ensure the continuation of the existing networks while minimizing the disruption on farm units and households, and ensuring the continuity of the agricultural community as a whole.
7. The establishment of new non-farm related development will generally be discouraged throughout the Agriculture designation. Lot creation in prime agricultural areas is discouraged and may only be permitted for:

- i. Agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- ii. Agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- iii. A residence surplus to a farming operation as a result of farm consolidation provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
- iv. Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons. (See also Section 6.3.1 1 to 6, 8 to 18, 20 to 21)

8. A Secondary Use may be permitted on a farm property as part of the farm unit. Secondary Farm Occupations are intended to provide the farm family with a secondary or supplementary means of income. The uses permitted are to be small scale in nature and they must be clearly secondary to the principal use of the farm property for farming purposes. Before a Secondary Farm Occupation use will be permitted, it must satisfy all of the following criteria:
  - i. A Secondary Use can be conducted only by farm family members residing on the farm property in question and who are physically involved in conducting the farm operation on a day-to-day basis.
  - ii. The types of uses permitted as Secondary Uses shall be limited to those involved in the manufacture or fabrication of goods (i.e. farm gates, hay bale elevators, animal feeders), uses considered to be trade occupations (i.e. electrician, plumber, carpenter, welder), uses that complement the normal farming practices or use available farm facilities (i.e. storage, farm tours, farm related attractions) and those

occupations which are primarily and directly related to agriculture and farming.

- iii. The use proposed must be clearly secondary and incidental to the principal use of farming on the subject property; it must be such that the activity does not result in the loss of good and/or productive farmland; it cannot occupy building area that is necessary for or essential to the ongoing farm operation; and, it must in no way impede or interfere with the ability of the farmer to conduct his/her farming operation.
- iv. All Secondary Uses shall be conducted inside of buildings and/or structures. The combined floor area of all buildings or structures, or parts thereof that are used for the Secondary Use not exceed 186 m<sup>2</sup> [2,002.1 ft.<sup>2</sup>].
- v. All buildings and structures used in connection with a Secondary Use must be designed in such a manner that they can be converted/reverted to a farming use that is appropriate for the farm property in question at such time that the Secondary Use ceases to exist. Further, all buildings and structures used in connection with the Secondary Use must be located in proximity to the principal farm buildings (i.e. farm dwelling and barns).
- vi. A Secondary Use must be operated as part of the farm unit and must cease if the farm operation is discontinued. Secondary Uses shall not be permitted as separate or independent uses from the farm operation. Any proposal to separate or sever a Secondary Use from a farm property shall not be permitted.
- vii. The use must be such that it does not generate vehicular traffic beyond that which is normally associated with a farming activity on a farm unit. Vehicular access to the use will be by a driveway which serves the farm unit. A separate access driveway serving a Secondary Use shall not be permitted.
- viii. Secondary Uses shall not be placed in a separate zone category in the implementing Zoning By-law, but rather shall be considered as a permitted use in the Agriculture Zones established in the Zoning By-

law. The Zoning By-law will establish provisions for Secondary Uses that are consistent with the criteria contained in this Section.

9. Notwithstanding any other provision to this Plan to the contrary, Agriculture designation shall not serve to preclude the issuance of building permits on existing legal lots of record for residential purposes provided such lot complies with the provisions of the implementing Zoning By-law and can comply with the Minimum Distance Separation Formulae.
  
10. Where lands are designated as Agriculture on Schedule "A", landowners shall be encouraged to recognize the forest resource as an integral part of their total agricultural operation, both as a source of income from various forest products, and as an important agent in providing essential soil and water conservation benefits. In this respect landowners will be encouraged to:
  - i. Manage forest resources in accordance with proper forest management practices, in consultation with the Ministry of Natural Resources and the Conservation Authority;
  - ii. Retain existing tree cover, insofar as it is practical;
  - iii. As appropriate, maintain and establish tree and shrub cover on low agriculture capability soils, and in hazardous areas such as steep slopes, major drainage swales, and flood prone areas, in order to reduce runoff rates and minimize soil erosion;
  - iv. Encourage the retention and establishment of windbreaks to reduce wind erosion; and,
  - v. Encourage reforestation on non-productive farmland.

The implementing Zoning By-law shall establish an appropriate Zone(s) with standards and controls to implement the policies established for the Agriculture designation.

#### **5.1.4 Special Policy - Agricultural Designation**

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

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

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

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

## **5.2 Rural**

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

### **5.2.1 General Principles**

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

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

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

### **5.2.2 Permitted Uses**

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

are permitted provided they are compatible with adjacent land uses. The development of new waterfront limited service residential lots on private lands shall be permitted in accordance with the Shoreland Area policies of the Rural designation.

### **5.2.3 Policies**

1. It shall be the policy of this Plan to discourage the development of non-farm related uses within the Rural designation and to prevent scattered development leading to the unnecessary fragmentation of farmland. Separate policies are provided for the Shoreland Areas within the Rural designation in Section 5.2.4 of this Plan.
2. All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.
3. The municipality may pass by-laws to define and regulate the establishment and expansion of intensive livestock operations (as defined in Section 9 of this Plan). In this regard the municipality may pass by-laws to require Nutrient Management Plans. Such development may be subject to Site Plan Control in accordance with Section 41 of the Planning Act, R.S.O. 1990.
4. A farmer may be permitted to establish a second dwelling house on a farm, provided that such dwelling unit is to be occupied by persons engaged on a full time basis on such farm and who significantly assist in the day to day operation of the farm. It shall further be the policy of this Plan that no land severance will be granted for such farm related dwelling.
5. Notwithstanding any other provision of this Plan to the contrary, within the Rural designation, limited agricultural service and supply industries such as a farm implement dealer, a feed mill or seed cleaning plant, an agricultural produce warehouse, an abattoir or other similar agri-business may be permitted without an amendment to this Plan.

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

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

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

6. Existing lots of a size too small to be viable agricultural units shall be encouraged to consolidate with adjacent farm properties.
7. If utility and transportation corridors intrude on Rural areas, Council shall attempt, wherever possible, to ensure the continuation of the existing networks while minimizing the disruption of farm units and households, and ensuring the continuity of the agricultural community as a whole.
8. The establishment of new non-farm related development will generally be discouraged throughout the Rural designation. Limited non-farm development however, will be permitted on lots created by a consent to a land severance by the Approval Authority in accordance with the policies contained in Section 6.3.3. Special Policies Non-Farm Residential Severances in the Rural Designation.
9. Existing non-farm residential development may be appropriately zoned in the implementing Zoning By-law where a node or cluster of such uses exists. Where such development has been zoned, infilling of residential uses may be permitted in accordance with the policies of Section 6.3 hereof. The expansion of the nodes or clusters of non-farm residential development shall generally be discouraged.
10. Secondary Uses are permitted within this designation in accordance with the criteria outlined in Section 5.1.3.10. of this Plan.



11. Notwithstanding any other provision of this Plan to the contrary, the Rural designation shall not serve to preclude the issuance of building permits on existing legal lots of record for residential purposes provided such lot complies with the provisions of the implementing Zoning By-law and can achieve the Minimum Distance Separation Formulae.
12. Where lands are designated as Rural on Schedule “A”, landowners shall be encouraged to recognize the forest resource as an integral part of their total agricultural operation, both as a source of income from various forest products, and as an important agent in providing essential soil and water conservation benefits. In this respect landowners will be encouraged to:
  - i. manage forest resources in accordance with proper forest management practices, in consultation with the Ministry of Natural Resources and the Conservation Authority;
  - ii. retain existing tree cover, insofar as it is practical;
  - iii. as appropriate, maintain and establish tree and shrub cover on low agriculture capability soils, and in hazardous areas such as steep slopes, major drainage swales, and flood prone areas, in order to reduce runoff rates and minimize soil erosion;
  - iv. encourage the retention and establishment of windbreaks to reduce wind erosion; and,
  - v. encourage reforestation on non-productive farmland or encourage the development of grassland habitat and the use of such habitat by grassland nesting birds.
13. While golf courses are a permitted use in the Rural Designation, the development of such facilities poses challenges for the Municipality. In addition to being subject to Site Plan Control, all golf course applications shall be accompanied by supporting documentation pertaining to water supply and sewage disposal, traffic, parking, nutrient and pesticide management and compatibility with surrounding land uses. Golf courses shall be placed in a separate zone in the implementing zoning by-law.
14. Development in areas with close proximity to lands designated Aggregate, must comply with the requirements of Section 5.6.2.1 ii of this Plan.

15. The implementing Zoning By-law shall establish an appropriate Zone (s) with standards and controls to implement the policies established for the Rural designation.

#### **5.2.4 Shoreland Areas**

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

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

For new lot creation in shoreland areas, development, including the septic system tile bed, must be set back a minimum of 30 metres from the high water mark of the lake with non-disturbance of the native soils and very limited removal of shoreline vegetation; also:

- a) location of the septic system tile field as far back as possible from the waterbody;
- b) storm water management will be via infiltration galleries, grassed swales and ditches and other best management practices;
- c) large development proposals (i.e. greater than 5 lots, resort/condominium development) must be supported with a site evaluation report in consultation with the Ministry of the Environment. This is to ensure water quality protection. The study should take into consideration the existing water quality of the water body, surface water run-off, impact and loadings of phosphorous from septic systems, type of soils, stormwater management and nature of vegetation.

For existing lots of record, new development shall be set back 30 metres if possible, otherwise as far back as the lot permits.

The requirements of Section 5.3 Hazard Land and Section 5.4 Natural Heritage Features and Areas also apply and increased setbacks may be required.

#### **5.2.4.1 Policy**

1. The shoreland area shall be protected from development that would compromise its environmental and ecological integrity. Residential and commercial development should be sensitively designed and located to enhance and protect the shoreline resources and should avoid crowding of buildings, the removal of earth and vegetation and the pollution of surface and subsurface waters.
2. Any land to be developed in the shoreland area must meet the requirements of the Minimum Distance Separation Formulae, as amended from time to time.
3. Development should not necessitate the undue extension of municipal services such as the upgrading of private rights-of-way to municipal standards or the provision of a municipal water system to correct an environmental problem caused by the cumulative effect of development.
4. Dwellings occupied on a permanent basis in the shoreland area should not contribute singularly or with other uses to demands for services which are not feasible or economic to provide, improve or maintain.
5. Limited service residential development is generally located in the "Rural Area" (Shoreland Areas) of the Township on a body of water or a natural watercourse, where the primary means of access is from a private lane. The development of new "waterfront limited service residential lots" on private lanes shall be considered for approval based on the Private Lane policies of this plan.

##### **a. Seasonal vs. Permanent Residential Screening Policy**

Prior to the review of an application for new lot development that would result in the infilling or minor extension of an existing private lane, an assessment of permanent and seasonal residential land use should be completed for the entire lane.

Where a majority of existing development on a private lane is determined to be permanent residential, or where the private lane is located in an area where conversion rates will likely result in a majority of permanent residential development in the future, no new lot development in the form of limited infilling or minor extensions shall be permitted unless:

- i. The private lane is constructed to the Private Lane Construction Standards set out in Schedule “C” to this Plan.
- ii. The existing private lane is developed within a common element condominium pursuant to the Condominium Act, 1998, as amended, and connects directly to an existing public road.

b. Infilling

Where a majority of existing development on a private lane is seasonal residential, severances for new “infill” lots may be permitted along existing private lanes, provided that the condition of the lane abutting the new lot(s) is improved to the Private Lane Construction Standards set out in Schedule “C” to this Plan. In addition, the whole of the lane travelled on to reach the new proposed lot(s) will be required to be improved to a minimum standard to allow accessibility to the new lot(s) by emergency service vehicles.

c. Private Lane Extensions

New lot development on “extensions” of existing private lanes may be permitted in accordance with the Category “A” or Category “B” policies for private lane extensions. The determination of whether the Category “A” or “B” policies apply to a given private lane extension shall be based upon an assessment of the overall future development potential of the private lane extension. The Category “A” private lane policies apply where an assessment of the development potential of the private lane concludes that minor extension of one (1), two (2) or three (3) new lots will complete the development potential of the private lane. The Category “B” private lane policies will apply where an assessment of the development potential of the private lane concludes that four (4) or more lots may be created from the

private lane extension. Where a private lane has been assessed as having potential for extension for four (4) or more lots, the Category “A” policies will not apply.

i. Category “A” (Minor) Private Lane Extensions

1. Severances for one (1) or two (2) new lots on an extension to an existing private lane that would complete the development potential of the lane may be permitted provided that the extension is designed and constructed in accordance with the Private Lane Construction Standards set out in Schedule “C” to this Plan. In addition, the whole of the existing lane travelled to reach the proposed new lot(s) will be required to be constructed to a standard that would allow accessibility to the new lot(s) by emergency vehicles.
2. Severances for a private land extension resulting in the creation of three (3) new lots completing the development potential of the lane may be permitted provided that the private lane extension and the whole of the existing lane travelled to reach the new proposed lots will be required to be improved to the Private Lane Construction Standards set out in Schedule “C” to this Plan.
3. The new lane may only be constructed to the point of access to the last lot on the lane rather than along the full lot frontage for the lot, as required by the implementing zoning by-law.
4. Notwithstanding the maximum number of land severances per holding permitted in Section 5.2.4.2.10 up to three (3) new limited service residential lots may be permitted per private lane, provided that the creation of the proposed lots completes the development potential of the private lane.

ii. Category “B” (Major) Private Lane Extensions

1. New development on extensions of private lanes having the potential for the creation of four (4) or more limited service residential lots may be created by a plan of subdivision or condominium, where the private lane shall be created as a common element condominium and managed by a condominium corporation.
2. The private lane extension for the proposed lots and the whole of the existing lane travelled on to reach the new proposed lots will be required to be improved to the Private Lane Construction Standards set out in Schedule “C” to this Plan or such other standard deemed appropriate by the Township.
3. The owner of the existing private lane and all persons having existing right-of-way (including unregistered rights of way that have been legally obtained over time through actual usage) over the existing private lane will have to consent to the creation of the condominium. If this requirement cannot be fulfilled, then a major extension of an existing private lane cannot be granted.

d. New Private Lanes

Lot development on new private lanes may be permitted by severance, or by a registered plan of condominium, provided that the new private lane intersects with an existing public road, and is designed and constructed in accordance with the Private Lane Construction Standards set out in Schedule “C” to this Plan and provided that the entire lane is governed by a condominium agreement.

e. Private Lane Condition of Severance or Condominium Approval

As a condition of severance or condominium approval for all waterfront limited service residential lots, the owner of the subject property shall enter into an agreement with the township to construct the private lane to the Private Lane Construction Standards set out in Schedule “C” to this Plan or such other standards which are determined to be appropriate for emergency

service delivery. The agreement shall be registered against the title to the lots and include provisions acknowledging:

- i. The Township does not maintain or repair the private lane.
- ii. The Township does not provide municipal services normally associated with public roads.
- iii. The owners are responsible for all costs necessary to maintain the private lane.
- iv. The Township is not responsible for any loss or damage created by the owner's failure to maintain the private lane.
- v. The owners agree to indemnify the Township for any loss or damage.

6. Tourist commercial uses in the shoreland area are an important component of the Municipality's current and future economy. These uses should be operated in a manner that is compatible with surrounding land uses and the environment.

Proposals for resort development to create 'destination' resorts are encouraged and may include tenured forms of development such as condominiums, fractional ownership and time-share. Such resorts shall provide a variety of activities, facilities and types of accommodation within a single development. The building form shall be ground-oriented (i.e. shall not exceed three storeys in height) and in the design and development of such facilities shall take into consideration the following criteria:

- i. The building or development envelope shall not exceed 25% of the lot area such that the balance of the lot is maintained in a natural state or enhanced through landscaping and the preservation of the shoreline;
- ii. All buildings and sewage disposal services shall be set back a minimum of 30 m from the high water mark;
- iii. 'green design' shall be considered to ensure that energy conservation is optimized;

- iv. The location of any buildings shall not obscure scenic vistas of the water or of adjacent shoreline land uses;
  - v. The density of any residential units shall not exceed three units per hectare;
  - vi. At least 60% of the shoreline shall be retained or planted in vegetative cover;
  - vii. Sewage and water services shall comply with the relevant policies of Sections 3.2.3, 3.2.4, 3.2.5 and 5.2.4.2.1 of this Plan;
  - viii. The development shall be integrated so as to be compatible with surrounding shoreland development;
  - ix. The development shall have access to a public road, while the internal road system shall be designed and constructed for emergency vehicle access to the satisfaction of Council and emergency service providers.
7. The provision of adequate public access to water in the shoreland area designation shall be ensured.
8. Where it is deemed necessary by the Municipality, all applications for development and site alteration within 30 m [98.4 ft.] of the high water mark or within an area susceptible to flooding must be accompanied by a Stormwater Management Plan and Erosion and Siltation Control Plan using best management practices.
9. Wherever possible, a natural vegetative buffer strip or riparian zone of 30 m [98.4 ft] shall be maintained adjacent to the high water mark to filter pollutants from run-off. Within this buffer area, the clear cutting of trees and disturbances to the soil mantle will be discouraged. Any cutting of vegetation to create a view of the water shall respect the aesthetic and ecological character of the shoreline and should not create erosion problems.



10. All development within Shoreland Areas shall meet the requirements of Section 5.3 Hazard Land and 5.4 Natural Heritage Features and Areas of this Plan.
11. Lands within the Rural designation and subject to the Shoreland Area policies will be placed in a separate Zoning category(ies) in the implementing Zoning By-law.

#### **5.2.4.2 Shoreline Residential Use**

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

- v. seasonally operated tent, trailer and recreational vehicle parks and accessory facilities such as docks and convenience stores catering to the day-to-day needs of tourists;
  - vi. open space uses including outdoor recreational uses and areas, public docking and launching facilities, picnic and viewing areas.
  - vii. Recreational vehicles and trailers shall only be permitted in areas zoned for such uses.
3. The shoreland area residential subdivisions shall be designed to avoid the complete development of the shoreline with a single or multiple row of lots. A comprehensive design of large areas shall be encouraged, ensuring the maximum access and use of water frontage. As well, locations least likely to block or interrupt scenic vistas as viewed from public roadways and the water shall be preferred for development.
  4. Where the shoreland area is considered by the municipality to be unsuitable for clustering, linear development consisting of individual dwellings situated between the shoreline and a public road may be permitted.
  5. Access for new residential and commercial development in the shoreland area shall only be by a publicly maintained assumed year-round road. Limited development on existing lots of record and infilling lots or new lots created by severances as infill to existing development may be permitted on an existing private right-of-way provided that the existing private road complies with the criteria of Section 3.4.2.1 and has the capacity for additional traffic, and that the municipality rezones the property to a limited services residential zone.
  6. The use of shared driveways is encouraged in the shoreland area in order to reduce the number of private, individual entrance requirements.
  7. Where the shoreland area has been developed in a linear fashion, the land on the other side of this linear row of development may be

developed with limited residential uses, in keeping with the consent policies of the Rural designation.

8. Commercial uses will be permitted on those parcels which are large enough to accommodate buildings, parking, water and sewage services and landscaping. Adequate and safe access to a maintained public road shall be provided. Traffic associated with the commercial use shall not pose a safety hazard. Where appropriate, safe and adequate boat access and swimming areas shall be provided.
9. Tent trailer and recreational vehicle parks shall be located on waterfront property, wherever possible and shall comply with Section 5.2.4.4 of this Plan.
10. Consents for limited residential, commercial and industrial development may be permitted provided that no more than a total of 3 lots are created and the lots (severed and retained) are of a size and configuration that would not lend themselves to further subdivision;
11. Filling of the shoreland area may be permitted for the development of boat houses, docks, replacing eroded land and shore wells, and shore protection works, and may require the approval of the Ministry of Natural Resources and/or the Department of Fisheries and Oceans or their designates. Appropriate approvals should be obtained proper to the undertaking of any of these works, and such works must be supported by the appropriate technical study. Fill shall not be permitted for the purpose of creating new developable space along the shoreline or artificially increasing the surface area of a shoreline private property;
12. Wherever possible, communal as opposed to individual docking facilities will be encouraged in the shoreland area development, in order to reduce the disturbance caused to the bed of the water body and the visual obstructions along the shoreline. Where a communal docking facility is to be provided, it shall be located an appropriate distance from the nearest dwelling;

### 5.2.4.3 Commercial Development

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

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

#### **5.2.4.4 Tent, Trailer and Recreational Vehicle Parks**

1. The uses permitted shall be limited to seasonally operated tent and trailer parks for tents, trailers and recreational vehicles and accessory facilities such as docks and convenience stores catering to the day-to-day needs of tourists;
2. Seasonal establishments must have Approval for their water works as required under the Health Promotion and Protection Act and approval from the local Health Unit for their subsurface sewage disposal system. Currently, subsurface sewage disposal systems with a daily capacity in excess of 10,000 liters [2,200 gal.] per day require Ministry of Environment approval;
3. Tent, trailer and recreational vehicle parks shall conform to the provisions of the local municipality's Trailer By-law passed under the authority of the Municipal Act:
4. The establishment of new tent, trailer and recreational vehicle parks and the expansion of existing parks shall proceed subject to the approval of a zoning by-law amendment and to site plan control.
5. Tent, trailer and recreational vehicle park shall be large enough to support the proposed number of campsites, accessory uses and open space areas but shall be not less than 4 ha. [9.88 ac.] in area;
6. The area of each campsite shall be adequate to provide for site accessibility and comfortable living space but shall generally be not less than 200 m<sup>2</sup> [2,152 ft<sup>2</sup>] for each site.

7. A tent, trailer and recreational vehicle park located on waterfront property shall provide a waterfront park adequate to meet the needs of the proposed number of campsites but shall generally provide not less than 1.5 m [4.92 ft.] of waterfront for each site.
8. Roads within a proposed tent, trailer and recreational vehicle park shall provide for the safe and adequate movement of vehicular and pedestrian traffic. Access to parking areas shall be limited and designed to minimize danger to vehicular and pedestrian traffic. Adequate on-site parking shall be provided.
9. A new tent, trailer or recreational vehicle park shall be adequately separated and buffered from residential uses, generally being located no closer than 120 m [393.7 ft.] to an existing residential zone.
10. Overall density within a tent, trailer and recreational vehicle park shall not exceed 30 sites per hectare.

### **5.3 Hazard Land**

The policies for areas subject to natural or human-made hazards are as follows. Known areas are identified on Schedule "A"; however, other hazardous lands may exist and will require site-specific investigation at the time of a proposed development in order to ensure consistency with the following policies.

#### **5.3.1 General Principles**

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

#### **5.3.2 Permitted Uses**

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

Permitted uses may include agricultural uses, public or private parks, outdoor recreation, education and interpretive activities provided that such activities do not negatively impact the features or functions for which the area has been identified. Proponents will be required to ensure that harmful site alteration, disruption or destruction of fish habitat will not result from a

proposed undertaking without the written authority of the Department of Fisheries and Oceans, or their designate. Wildlife, fish, fowl and water quality management uses, flood control structures and works, and erosion control structures and works may also be permitted. Approval for these and/or other activities may also require prior approval from the Ministry of Natural Resources in accordance with the Lakes and Rivers Improvement Act and the Public Lands Act.

### **5.3.3 Policies**

1. The Hazard Land designation shall be used primarily for the preservation and conservation of the natural landscape and environment. Such areas shall be managed in a manner as to complement adjacent land uses and to protect such uses from any physical hazards and their potential effects.
2. The erection of buildings and structures or the placing or removal of fill of any kind whether originating on the site or elsewhere, shall be prohibited within an Hazard Land designation, except where non-habitable buildings or structures are intended for flood or erosion control, landscape stabilization or essential utilities (not including utilities required by essential emergency services, such as electrical substations), and as permitted under Section 5.2.4.2.11 of this Plan, provided further that such works are in accordance with all related regulations, and receive the approval of the appropriate approval authority, and are supported by a technical study and designs prepared by a qualified individual, which demonstrates that existing hazards are not aggravated and new hazards are not created; that vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; that demonstrates how works will be carried out in accordance to floodproofing standards, protection works standards, and access standards; and that no adverse environmental impacts will result, to the satisfaction of the Township.
3. The boundaries of the Hazard Land designation are shown in a conceptual manner on Schedule "A", and does not include the boundaries of all Hazard Lands. The extent and exact location of the boundaries of the Hazard Land designation shall be delineated in the implementing Zoning By-law in consultation with Ministry of Natural Resources. For the purpose of this policy, the flood plain shall be defined as the Regulatory Flood Plain. Shoreline flooding hazard limit shall be defined as any lands at or below the flood elevation of 76.0 m GSC plus a 15 m allowance for wave uprush and other applicable setbacks for other water related hazards. Dynamic beach

hazard limit shall be defined as the shoreline flooding hazard limit plus dynamic beach allowance of 30 m. In the absence of such detailed mapping, Council may request the proponent to undertake studies completed by a qualified professional to confirm and map the location of the Hazard Land, to the satisfaction of the Township, and will seek the technical assistance of the Ministry of Natural Resources

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

4. Whenever any flood control or other similar works are undertaken which result in significant changes to the boundaries of a Hazard Land designation, such changes shall be incorporated on Schedule "A".
5. It shall be the policy of this Plan to impose building setbacks from the Hazard Land boundary in the implementing Zoning By-law in relation to the extent and severity of the existing or potential hazard. Where property includes areas where a hazard is known or suspected to exist, Council should ensure that they are satisfied that a proposed development will not be effected by a hazard and that the proposal is designed in such a way as to avoid the hazard or engineered to withstand the hazard (where appropriate and only as permitted in Section 5.3.3.2). Council may require the submission of supporting technical studies and designs prepared by a qualified individual.
6. Where recreation or conservation projects are designed for public or private use, adequate automobile parking areas shall be established, and, access points to such parking areas shall be designed in such a manner so as to minimize the danger of both pedestrian and vehicular traffic and shall ensure that vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies. The design of such parking areas shall also be cognizant of the sensitivity of the environmental feature, as well as demonstrates that existing hazards are not aggravated and new hazards are not created, and demonstrates how works will be carried out in accordance to floodproofing standards, protection works standards, and access standards, and that no adverse environmental impacts will result.



7. Where any land designated as Hazard Land is held under private ownership, this Plan shall not be construed as implying neither that such areas are free and open to the general public nor that the lands will be purchased by the municipality or other public agency.
8. It shall be the policy of this Plan that in considering an application for the redesignation of lands designated as a Hazard Land for any other purpose, the applicant and Council, shall have due regard to the following matters:
  - i. The environmental significance of the sensitivity of the feature;
  - ii. The potential impact of any proposed development on the Hazard Land;
  - iii. The existing environmental and/or physical hazards and any new hazards which may result from the proposal;
  - iv. The proposed methods by which these impacts may be mitigated in a manner consistent with accepted engineering techniques and resource management practices;
  - v. The appropriateness of the proposed designation in light of the policies for that designation and the community structure and development policies; and,
  - vi. The policies contained in Section 5.4 shall be complied with.

It shall be a general policy of Council not to redesignate and permit a development which may impact negatively on a sensitive environmental feature. However, where appropriate design by a qualified professional can be shown to overcome potential environmental hazards, consideration may be given to a redesignation under the following circumstances: that existing hazards are not aggravated and new hazards are not created; that vehicles and pedestrians have a way of safely entering and exiting the area; and demonstration that the development will be carried out in accordance with floodproofing standards, protection works standards, and access standards, and that no adverse environmental impacts will result.

### 5.3.4 Shoreline Areas

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

1. The stability of the shoreline, the potential for flooding and wave uprush and dynamic beaches are natural hazards which must be addressed prior to the approval of development. Development along the shoreline must consider the environmentally sensitive nature of this feature.
2. A horizontal shoreline setback for construction of buildings will be 30 m [98.4 ft.] from the St. Lawrence flood elevation of 76.0 m Geodetic Survey of Canada [249.3 ft.] plus 30 m [98.4 ft] from the dynamic beach hazard (where applicable) and 6m [19.7 ft] from the top of stable slope (where applicable), with the exception of marine facilities and those uses requiring direct access to the shoreline which demonstrates that existing hazards are not aggravated and new hazards are not created, that vehicles and pedestrians have a way of safely entering and exiting the area, and demonstrates how works will be carried out in accordance to floodproofing standards, protection works standards, and access standards, and that no adverse environmental impacts will result.
3. Where the above setback cannot be accommodated (such as where the placement of an existing road will not allow such a setback) the distance may be reduced to 15 m [49.2 ft.] from the St. Lawrence flood elevation of 76.0 m Geodetic Survey of Canada (GSC) provided buildings are not in the floodplain shoreline flooding hazard or other Hazard area and subject to approval of a variance to the implementing Zoning By-law and to Site Plan approval. Residential infill (between two existing residential dwelling units not greater than 30 m [98.4 ft.] apart measured along the shoreline) structures may be setback from the high water mark such that they are in keeping with the established building line for the area and provided the setback is not less than 15 m [49.2 ft.] from the St. Lawrence flood elevation of 76.0 m Geodetic Survey of Canada (GSC) and that such uses will not be located within the flood plain shoreline flooding hazard or other hazard area.

4. Where there is concern as to the appropriate setback, Council may request a professional opinion as to the shoreline stability or extent of hazard lands, and the appropriate setback.

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

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

#### **5.4 Natural Heritage Features and Areas**

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

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

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

Over time, Council may undertake the preparation of a comprehensive study of natural heritage features and areas utilizing information derived from the Wolfe Island Wind Project, the Integrated Community Sustainability Plan, the Ministry of Natural Resources and other sources. The study may undertake to identify natural heritage features which contribute and support the bio-diversity, ecological functions and linkages which make up the natural heritage system on the Islands. Features of

importance include wetlands, woodlands, valleylands, fish habitat, wildlife habitat, threatened, vulnerable and species of concern and areas of natural and scientific interest. The study may serve to identify features which are provincially, regionally or locally significant and to develop strategies to protect and enhance habitat and biological diversity of the natural heritage system.

#### **5.4.1 Provincially Significant Wetlands (PSW)**

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

##### **5.4.1.1 General Principles**

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

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

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

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

#### **5.4.1.2 Permitted Uses**

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

#### **5.4.1.3 Prohibited Uses – Wetland**

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

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

#### **5.4.1.4 Policies**

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

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

3. Any changes to the boundaries or status of Provincially Significant Wetlands will require the approval of the Ministry of Natural Resources.

#### **5.4.1.5 Adjacent Lands**

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

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

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

#### **5.4.1.6 Special Policy - Big Sandy Bay**

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

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

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

development and/or site alterations are proposed within 120 m [393.7] of significant habitat of threatened and endangered species.

#### **5.4.3 Areas of Natural and Scientific Interest (ANSI)**

ANSIs are areas of land and water containing natural landscapes or features which have been identified as having values related to protection, appreciation, and scientific study or education. These areas have been identified, mapped, and ranked by the Ministry of Natural Resources. The boundaries of the ANSIs have been shown in Schedule "B". Development and/or site alteration may be permitted within an ANSI subject to the following policy.

1. Applications for development and/or site alteration within an ANSI or within 50 m [164 ft.] of an Earth Science ANSI or within 120 m [394 ft.] of a Life Science ANSI must be accompanied by an Environmental Impact Study prepared in accordance with Section 3.8 of the Official Plan.
2. Changes to the boundaries of an ANSI require the approval of the Ministry of Natural Resources.

#### **5.4.4 Woodlands**

Significant woodlands have not yet been identified. Council intends to identify significant woodlands and incorporate them and appropriate policies into the Official Plan as part of the next update of the Plan. In the interim, Council will support the maintenance of forested areas for wildlife habitat and the sustainable forest management activities carried out by individual landowners, including the establishment of new plantation, the tending of existing plantations and woodlots, timber harvesting, pest control, the establishment of windbreaks and fence rows, and forest research. Council may request the proponent of a development to undertake studies completed by a qualified professional to confirm the presence/absence of significant woodlands, to determine if the proposed development and/or site alteration within or adjacent to (within 120 m of) the significant woodlands will result in negative impact(s) on the natural feature or its ecological functions, and to recommend appropriate mitigative measures, to the satisfaction of the Township.

Development and site alteration shall not be permitted in significant woodlands and/or within adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.



#### **5.4.5 Valleylands**

Significant valleylands have not yet been identified. It is Council's intention that significant valleylands will be identified before the next major review and update Official Plan. Council may request the proponent of a development to undertake studies completed by a qualified professional to confirm the presence/absence of significant valleylands, to determine if the proposed development and/or site alteration within or adjacent to (within 120 m of) the significant valleylands will result in negative impact(s) on the natural feature or its ecological functions, and to recommend appropriate mitigative measures, to the satisfaction of the Township.

Development and site alteration shall not be permitted in significant valleylands and/or within adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

#### **5.4.6 Wildlife Habitat**

Significant wildlife habitat has not been identified. It is Council's intention to identify areas of significant wildlife habitat during the next major update of the Official Plan. Council may request the proponent of a development to undertake studies completed by a qualified professional to confirm the presence/absence of significant wildlife habitat, to determine if the proposed development and/or site alteration within or adjacent to (within 120 m of) the significant wildlife habitat will result in negative impact(s) on the natural feature or its ecological functions, and to recommend appropriate mitigative measures, to the satisfaction of the Township.

Development and site alteration shall not be permitted in significant wildlife habitat and/or within adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions

#### **5.4.7 Fish Habitat**

All shoreline areas and watercourses have the potential to be fish habitat. An Environmental Impact Study prepared in accordance with Section 3.8 of the Official Plan must be submitted with any development or site alteration proposed within 120 m [394 ft.] of the high water mark or for development which has the potential to negatively impact fish or fish habitat. The Municipality may use a scoped assessment in establishing the requirements for a study. Approvals from senior levels of government will apply as warranted

#### **5.4.8 Natural Connections/Corridors**

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

### **5.5 Village of Marysville Secondary Plan Policies**

#### **5.5.1 Context and Vision**

The Village of Marysville represents the Township's only Settlement Area and is situated adjacent to the St. Lawrence River on Wolfe Island. Access to Marysville is provided by a provincial ferry system, with docks in Marysville and Dawson's Point on Wolfe Island and a dock in Kingston on the opposite side of the river. The province has expanded the ferry system through the creation of a new, larger boat. It is expected that by 2023 the ferry will dock exclusively in the village. The additional capacity created through the new ferry, as well as the potential for seasonal two-ferry operation, has led the County of Frontenac (County) to prepare updated population projections for the Township, as well as both Wolfe Island and Marysville in particular. The updated population projections for Marysville anticipate more than 300 new residents through to the year 2047.

The village is important to the social, economic, and cultural life of Wolfe Island. The village includes the commercial main street, Town Hall, Post Office, public library, medical centre, community centre and playing grounds. The village also includes two elementary schools, and stable and new residential growth is necessary for their continued operation. The arrival of a new ferry and permanent docking in the village allows residents and visitors to walk on and off the ferry and reduce vehicle demand, and by allowing new housing in and around the village there will an opportunity for more walkon passengers.

The purpose of the Marysville Secondary Plan is to guide the detailed planning and development anticipated within the village through to the year 2047, consistent with the Community's vision and the anticipated increase in population. The Plan is intended to integrate new development with the existing village development and the surrounding rural area, through the development of an "Expansion Area" that is planned to accommodate most of the community's growth. The Expansion Area, which encompasses approximately 36 hectares (89 acres) is generally located to the south of

the existing village. Schedule 'M1' illustrates the secondary plan boundary including the Expansion Area.

New development in Marysville is proposed to be developed primarily for residential land uses with an integrated parks and open space system. Some local commercial uses may also be considered. It is anticipated, that due to existing servicing constraints in the village, that new development will constitute the majority of the planned growth, and that the new development will proceed on the basis of communal water and sanitary sewer systems. It is expected that properties within the existing village will remain on individual water and sewer services for at least the short term.

Accordingly, it is the vision of these Secondary Plan policies that:

Marysville shall retain its small town, unique village character and provide an attractive, high-quality, safe, sustainable, interconnected, and pedestrian-friendly community for existing and future residents of all ages and abilities to enjoy. New development will be integrated with the existing village, through thoughtful design and a road pattern that enables continued connectivity.

### **5.5.2 Goals**

The goals of the Secondary Plan are:

- a. Develop a land use framework and guiding policies that will implement the vision.
- b. Determine the appropriate location and housing yield/mix for the Marysville Village Expansion Area,
- c. Provide land use and general village design policies to guide the development of the community.
- d. To encourage the development of a range and mix of housing types.
- e. To encourage development of accessible and affordable housing that remain consistent with the village character.
- f. To encourage and promote best practices in environmental design and energy conservation.
- g. Provide a framework for development that is pedestrian-oriented and incorporates parks, open spaces and trails and provides linkages to the waterfront, wherever possible.
- h. To promote active transportation by providing connectivity for pedestrians and cyclists to the Village Core and elementary schools and by encouraging the inclusion of pedestrian and cycling infrastructure on key existing streets, wherever possible.

- i. To ensure the orderly development of the Expansion Area by providing a development phasing strategy for the logical development of the community and related servicing infrastructure.
- j. To ensure orderly development of the Expansion Area by providing direction and guidance to the review and approval of development applications.
- k. To ensure continuity of neighbourhoods by developing the Expansion Area in a staged manner through a series of development blocks.
- l. To integrate the future neighbourhoods in the Village Expansion Area with the existing village, through road linkages and pedestrian and bicycle path networks.
- m. To provide a range of housing types and densities, including affordable housing, to meet the needs of existing and future residents.
- n. To protect views of Lake Ontario from streets and parks along Main Street and the new residential areas.

### **5.5.3 Land Use Plan**

The Land Use Plan for the community is illustrated on Schedule 'M2' – Land Use which sets out the overall structure for the Village, including within the existing Settlement Area and the Expansion Area. The Land Use Plan for the community is based on the design principles identified in Section 5.5.3.2 and provides a framework for incorporating the Expansion Area with the existing village, as well as providing some land use policies to encourage a more diverse mix of uses within the Village Core.

Marysville is identified as a Settlement Area in the County Official Plan and is designated 'Village' in the Township of Frontenac Islands Official Plan. The Expansion Area lands will be developed as a primarily low and medium density residential neighbourhood, with the intent of utilizing existing institutional and commercial land uses within the village to support the new growth. The gross density target for new residential developments in the Expansion Area is a range of 10-18 units per hectare (4-7 units per acre), ultimately dependent upon the available servicing infrastructure and housing type. Given the existing servicing constraints within the village there is limited opportunity for infill to accommodate planned growth. As a result, it is anticipated that the Expansion Area will accommodate the vast majority of the new growth, while the existing Village Core will evolve over time to provide supporting uses (commercial, institutional, and recreational) for both existing and new growth.

### **5.5.3.1 Land Use Designations**

Lands within the Village Designation and Secondary Plan Area are further designated one, or more, of the following land use categories as depicted on Schedule 'M2':

- a. Village Residential;
- b. Village Expansion Area;
- c. Village Core;
- d. Institutional; and
- e. Open Space.

These land use designations for the Secondary Plan are intended to complement, and refine, the broader land use designations provided in the Township Official Plan. In most cases, the land use policies and permissions described in the Secondary Plan are more detailed than those provided for within the Official Plan. Where there are inconsistencies between a particular policy in the Official Plan and the Secondary Plan, the policies of the Secondary Plan shall prevail.

### **5.5.3.2 Community Design**

Marysville has a unique character, reflected both in the development pattern, the influence of the river and ferry, and in the fabric of the streets, open spaces and built form. It is important for the community's present and future, to protect and enhance that character, as new development pressures evolve and as the new expanded ferry and terminal develop. In order to achieve the desired vision, new development within the existing village and the Expansion Area will be guided by Village Design Standards. The Township will prepare and adopt the design standards, including the Expansion Area, which will provide enhanced guidance for the physical design of public and private development in the village to preserve the existing character, introduce new elements that are compatible, and ensure that the Expansion Area is developed in an attractive, high-quality, safe, sustainable, interconnected, and pedestrian-friendly manner.

The Secondary Plan is based on neighbourhood village design principles, aimed at establishing a complete community. The principles and policies are to be considered when evaluating

development applications within Marysville, and when the Township prepares the implementing Village Design Standards.

## **1. Design Principles**

Development in Marysville shall be consistent with the following principles:

- a. Provide housing choice with designs that reflect and are compatible with the existing village character;
- b. Provide a neighbourhood design concept within the Expansion Area that considers safety and mitigates impacts of nearby natural and human-made physical features (wetlands, wind turbines and agricultural uses);
- c. Develop a neighbourhood within the Expansion Area that emphasizes, promotes, and encourages social interaction, active streetscapes and overall walkability;
- d. Establish an open space system within the village of integrated and connected public spaces including parks, trails, recreational facilities and natural features;
- e. Develop a well-connected network and hierarchy of streets, paths and active transportation trails that enhance connectivity around the village, including the Expansion Area while safely accommodating various modes of transportation, including walking, cycling, and automobiles;
- f. Locate and design parks and recreation spaces that will serve all age groups and physical abilities throughout the neighbourhood and connect them with an integrated active transportation system;
- g. Promote compatibility of building scale and form between new and existing adjacent development;
- h. Create focal points and activity nodes within the Village Core to enhance wayfinding and establish an identifiable community structure that recognizes the importance of the

ferry terminal and that is accessible and informative for tourists;

- i. Promote sustainable design throughout the built environment to promote efficient use of energy, land, and infrastructure through conservation and energy-saving practices and systems; and
- j. Establish gateways to the village area to emphasize Marysville's identity.

## **2. Village Design Policies**

- 1. Unless otherwise determined by the Township, proposed development requiring a planning application shall address the Village Design Policies of this Plan and, where appropriate, policies within the Township of Frontenac Islands' Official Plan and Township Village Design Standards.
- 2. A Design Brief that demonstrates how any proposed future development application (plan of subdivision, plan of condominium or any development subject to Site Plan Control) meets the direction of the Village Design principles and policies of this Secondary Plan, may be required in support of any such application. To the extent that Village Design Standards for Marysville are approved by Council, the Design Brief shall also demonstrate general compliance with the Standards.
- 3. Development within the Secondary Plan area, including but not limited to areas of public use, shall be designed in accordance with the Accessibility for Ontarians with Disabilities Act, and other applicable Provincial legislation and the County's Integrated Accessibility Standards Regulation.
- 4. Streetscapes throughout the Marysville Village Area and Expansion Area are important components of the public realm. Streetscapes will be designed to enhance community

character and sense of place and in recognition that Marysville is a four-season community.

5. Residential streetscapes shall be designed to ensure the provision of sufficient on-street parking through creative design solutions such as varying housing types, driveway locations and lotting patterns.
6. Development throughout the Marysville Village Area shall be encouraged to respond to and enhance the community's existing unique identity and sense of place through the use of various means, including building typologies, architectural design treatments, building materials, decorative lighting, decorative street signs, boulevard treatments, gateway features and landscaping elements. The Township shall consider the inclusion of Indigenous designed, inclusive language, where appropriate, for public signage.
7. Throughout Marysville, buildings shall be designed to form a well-defined and continuous street edge with subtle variations in height and setbacks and high-quality architectural features. Buildings shall be located close to the street such that social interaction is encouraged and facilitated throughout the community. Garages will not dominate the streetscape.
8. Low-rise buildings (2-3 storeys) will be required and achieved through siting and orientation of a building on a lot (or vacant land unit) and the distribution of building massing. Consideration of building materials and architectural design shall have regard for maintaining a form of development that is compatible with and complementary to the existing village character.
9. Decorative lighting, street signage and entrance features that enhance the character of Marysville and that assist in wayfinding are encouraged.
10. Buildings on corner lots (or vacant land condominium units) should articulate facades on both street frontages.



11. Buildings at terminating vistas will be encouraged to be designed as focal points, with architectural innovation and quality village design that reflects the community character. Enhanced landscaping will be encouraged in these areas.
12. Dwellings located on lots in visually prominent locations are considered priority lot dwellings. Priority lots include those lots on corners, at 'T'- intersections, or directly adjacent to open spaces, parks, trails, or other key public area. Priority lot dwellings shall be identified as such on plans of subdivision or condominium and the treatment of priority lots shall be described in the Design Brief to be submitted in support of a development application. For the purposes of the foregoing, a vacant land condominium unit shall be considered a lot.
13. Stormwater management facilities shall be integrated into the design of the community as an open space amenity and shall include trails, where desirable, as determined by the Township.

### **3. General Expansion Area Policies – Tying the New Area into the Fabric of the Existing Village**

In association with the Village Design Policies in Section 5.5.3.2.b, the following policies are intended to direct the form of new neighbourhood development within the Village Expansion Area:

1. The lands within the Expansion Area shall be developed and designed so that they 'knit' into the historic village fabric. In other words, the neighbourhoods and the street systems created in the Expansion Area shall not be 'suburban' in nature but follow the character of the existing Village. Further, housing development shall proceed in neighbourhood blocks versus random development of lots with little or no continuity.
2. Streets and Lanes shall provide sufficient access for pedestrians, bicycles, and vehicles. The general design of the street/lane shall be:
  - a. Defined by the volume and type of its users; and

- b. 'blend' in with the existing street pattern and 'feel' of the existing village street system. Specifically, the road system and linkages of the new residential area shall be designed so that they are integrated into the existing village, rather than becoming a dissimilar and separate area within the settlement area boundaries.
3. Housing development shall encourage social interaction through lot development similar to the existing village including:
  - a. similar lot frontages.
  - b. use of front porches and balconies.
  - c. primary access to the front of residential buildings.
  - d. restricted types of fencing that reflect a rural community and is consistent with the existing village (e.g., split rail, hedges, chain link) with limited fence height.
4. Views of paved areas shall be minimized by the provision of street landscaping, parking structures/areas in the rear of buildings, shared driveways, and by siting residential buildings to the street frontage areas.'
5. Trail/Bicycle Path – the new neighbourhood shall have a continuous trail/bicycle path that can be linked to open space areas and community areas (such as the adjacent Community Centre grounds) and connect to other future links that are developed in the village and other parts of Wolfe Island such as the future Frontenac K&P Trail and the Wolfe Island Canal area.
6. Street Connections – streets created in the neighbourhoods of the Expansion Area immediately south of the existing Village shall connect into the existing local road fabric as identified on Schedule 'M4' (Transportation). In order to maintain the character of the street system in the village, the

new streets shall only be for active transportation use and not for vehicular use.

7. Staging and Phasing Plan – development shall be staged to provide for the coordinated and orderly extension of the Village Expansion Area and to ensure the most efficient and economical use of proposed infrastructure. Development will generally follow a west to east (i.e., Division Street to 7th Line Road) pattern from the existing village on the north side of the “By-Pass Road”. No new neighbourhood development shall take place on the southern portion of the ‘By-Pass Road’ until 50 percent of the lands between the existing village and the ‘By-Pass Road’ have received draft subdivision or condominium approval. The Township may consider deviations from the Phasing Plan without amendment to the Secondary Plan, with appropriate justification. Deviations from the Phasing Plan shall require the approval of Council.

#### **4. Sustainability**

1. The Township will promote development that strives to conserve energy and achieve sustainability objectives by encouraging, supporting and, where appropriate, requiring:
  - a. Compact development and efficient built form, with due consideration to site context and the village character;
  - b. Environmentally responsible design and construction practices;
  - c. The integration, protection and enhancement of natural features and landscapes into building and site design; and,
  - d. The reduction of resource consumption associated with development.
2. The Township will promote ‘green infrastructure’ (e.g., parklands, stormwater management systems, street trees,

natural channels, permeable surfaces, green roofs) as part of any infrastructure needs for new development in the village.

3. New infrastructure shall be provided in an efficient manner that prepares the community for the impacts of a changing climate.

## **5.5.4 Land Use**

### **5.5.4.1 General Policies**

1. The Marysville Village Area and Expansion Area is planned to accommodate the County's Growth Projections of approximately 157 residential dwelling units through to the year 2047.
2. Residential lands within the Expansion Area will be planned to accommodate low and medium density residential uses, which shall generally include single detached, semidetached, townhouse dwellings, apartment dwellings, and housing geared to seniors (e.g., assisted living facilities). Complementary uses including public recreational uses, institutional uses and group homes will also be permitted, in certain locations, which shall be further identified through the Zoning By-law. In particular, the location of the Division Street extension and the planned By-Pass Road, as well as the proximity of the existing seniors' apartment building, provides opportunity for future multi-unit development close the Village Core, parks, and schools. Local commercial uses may also be permitted in order to serve the new residential community (e.g., ground floor of an apartment dwelling, corner store, etc.).
3. The Township shall retain ownership of their existing lands along and leading to the waterfront. Where opportunities exist or become available to expand public access to and enjoyment of the waterfront, Township Council shall pursue such opportunities. All Township owned lands along the waterfront shall be designated Open Space.
4. All new development within the Expansion Area shall be serviced by a public municipal water and sanitary sewer system, or by a communal system (or systems), to the satisfaction of the Township. Applicants proposing new development within the Expansion Area on

communal water and/or sanitary sewer systems are directed to the County of Frontenac's Communal Services Study (2019) and are encouraged to apply the principles contained therein, where applicable and appropriate.

5. To ensure that Marysville is accessible to all, the community will be planned, designed, and zoned to facilitate a variety of housing types with a general low-rise character and built form.
6. Specific regulations concerning lot frontages, setbacks, height, and minimum lot sizes shall be contained within the implementing Zoning By-law.
7. Final lot sizes shall have regard for the method and capability of the proposed servicing system. Any form of servicing shall meet the requirements of the Ministry of Environment, Conservation and Parks (or its successor) and those government agencies having jurisdiction. Development on private, individual water and sanitary systems is prohibited within the Expansion Area.
8. It is recognized that development within the existing village is serviced by individual private systems. Until such time as the existing Village Area is provided with municipal and/or private communal systems, the use of private systems for existing development shall be permitted. Where new development is proposed within the existing Village Area, the Township shall require the submission of supporting studies, prepared by qualified professionals that demonstrate compatibility with provincial and municipal policies, and that demonstrates such individual private systems are both viable and will not negatively impact existing systems on other properties. For the purposes of the preceding, new development shall mean the creation of new lots or dwelling units, or the expansion of non-residential buildings requiring additional fixtures.
9. All development shall front onto a Public Street, or a Private Condominium Road that has access to a Public Street. For development that contains three or more lots or for which a new municipal road is required, a draft plan of subdivision application shall be required. For development on a Private Condominium Road, a Vacant Land Condominium or Common Elements Condominium application shall be required.

#### **5.5.4.2 Low Density Residential (Village Expansion Area)**

1. Low Density Residential uses are permitted in the Village Expansion Area and are intended to accommodate the development of low-rise residential dwellings. While the predominant land use within a Low-Density Residential area will be residential, complementary non-residential land uses may also be permitted to locate within these areas provided they are compatible with the residential uses, and do not impact the ability of the lands to achieve the vision and policies of this Plan and the County and Township's planned growth.
2. Details regarding the exact location of Low Density Residential uses are to be outlined in a concept plan to be submitted by a developer or property owner to the Township, prior to applying for planning approvals.
3. Low Density Residential lands may be zoned to permit the following residential uses:
  - a. Single detached dwellings;
  - b. Semi-detached dwellings; and
  - c. Duplex dwellings.
4. In addition to permitted residential uses in Section 5.5.4.2.2, the following complementary uses shall also be permitted, subject to applicable policies of the Township of Frontenac Islands Official Plan and the regulations contained in the Zoning By-law:
  - a. Home Occupations;
  - b. Public Uses;
  - c. Parks and other Open Space;
  - d. Bed and Breakfast Establishments;
  - e. Day Care Facilities;
  - f. Places of Worship;
  - g. Public Schools; and
  - h. Local Commercial uses.
5. Low Density Residential uses shall be planned to achieve a minimum density of 10 units per net hectare. The Zoning By-law shall contain regulations for minimum lot area and lot frontage, to ensure that the development pattern makes efficient use of infrastructure, while

maintaining a complementary relationship with the existing development pattern in the Village.

6. The building height in the Low-Density Residential area shall generally be two storeys. The Zoning By-law shall include regulations regarding the maximum permitted height in metres.
7. The minimum required separation of development within the Low-Density Residential area from the wind turbines on Wolfe Island shall be specified within the Zoning Bylaw.
8. Low Density Residential lots or vacant land units shall be required to connect to a municipal water and sanitary sewer system, or a communal system to the satisfaction of the Township, County and/or any other senior level of government, as applicable.

#### **5.5.4.3 Medium Density Residential (Village Expansion Area)**

1. The Medium Density Residential area is intended to accommodate the development of low-rise residential land uses, with a greater density, within the Marysville Expansion Area. The Medium Density Residential area shall generally allow for additional opportunities in housing choice and building design that differ from the Low-Density Residential area.
2. Details regarding the exact location of Medium Density Residential uses are to be outlined in a concept plan to be submitted by a developer or property owner to the Township, prior to applying for planning approvals.
3. The Township will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a medium density-built form, provided that appropriate consideration is given to the Village Design Policies of this Plan and the Townships' Village Design Standards, when developed and approved by Council.
4. Lands identified as Medium Density Residential may include Low Density Residential uses set out in Section 5.5.4.2 of the Plan, as well as the following additional residential uses:

- a. Townhomes;
  - b. Apartment Houses; and
  - c. Assisted Living Facilities.
5. The Township may consider other forms of medium density housing, on a site specific basis, subject to an Amendment to the Zoning By-law with appropriate justification and consideration of the surrounding land uses, density, built form and ability to provide services in a financially feasible manner.
  6. Medium Density Residential uses shall be planned to achieve a minimum density of 16 units per net hectare.
  7. The building height in the Medium Density Residential area should generally be three (3) storeys. The Zoning By-law shall include regulations regarding the maximum permitted height in metres.
  8. The minimum required separation of development within the Medium Density Residential area from the wind turbines on Wolfe Island shall be specified within the Zoning By-law.
  9. Lots or vacant land units within the Medium Density Residential area shall be required to connect to a municipal water and sanitary sewer system, or a private communal system.
  10. The Zoning By-law shall establish minimum lot area and lot frontage requirements to ensure compatibility with surrounding development and the existing village character, while achieving the density objectives of this Plan. Such requirements shall also apply to vacant land units within a plan of condominium.
  11. Medium Density Residential development shall be subject to Site Plan Control. The Township shall consider the Village Design Policies of this Plan and the Village Design Standards, when approved, when considering Site Plan applications.



#### 5.5.4.4 Village Core

1. The Village Core designation shall generally apply to the existing commercial centre of Marysville, as identified on Schedule 'M2' (Land Use). The village Main Street is a beloved destination for village residents and many others across the Island, due to its unique collection of stores, restaurants, services, community centre and playing grounds, and proximity to the waterfront. The unique and cherished character and identity of Main Street is defined principally by low scale commercial and residential buildings, views of the St. Lawrence River (including from street ends), together with a diverse mix of stores, restaurants, residences, and institutional uses such as the Town Hall and Post Office. This Secondary Plan recognizes that there is a desire by the community to maintain and enhance the diverse and eclectic look and feel of the village, and to ensure a safe, comfortable, and convenient environment for all modes of travel within and through the Village Core.
2. The Village Core designation is intended to preserve and concentrate the Township's commercial uses within the most accessible area, closest to the ferry and main transportation routes. The Village Core designation shall remain flexible and responsive to land use changes and will permit a broader range of residential and commercial uses which are compatible with the surrounding area and that are intended to meet the day-to-day or week-to-week needs of the community.
3. It is recognized that the Village Core is currently serviced by private, individual water and sanitary sewer systems. This servicing infrastructure limits the ability for lands to intensify, or for land uses to change where additional servicing impacts result.
4. While the current servicing of the Village Core limits its development potential, it is the intent of the Secondary Plan to create a land use and policy framework that will allow the Village Core to evolve over time as advances and/or improvements in the servicing infrastructure are realized.
5. Subject to available servicing, new commercial buildings, and new mixed-use buildings, with commercial uses on the ground floor, and dwelling units above the ground floor, shall be permitted. Building

height shall be limited to approximately two storeys to ensure the continued low scale character of the area.

6. Subject to the appropriate demonstration of available services, to the satisfaction of the Township, lands designated Village Core may be zoned to permit a variety of commercial and residential uses including the following:
  - a. Retail store;
  - b. Offices;
  - c. Medical Clinics;
  - d. Home Based Business;
  - e. Restaurants;
  - f. Bakery;
  - g. Café;
  - h. Hotel;
  - i. Bed and Breakfast Establishment;
  - j. Dwelling Units above the First Storey;
  - k. Government Use;
  - l. Museum; and
  - m. Marina.
7. The performance standards in the Zoning By-law for the Village Core designation shall be flexible to recognize the historic built form and the proximity of buildings to the street. Parking standards for individual lots shall be lower than within other land use designations.
8. New driveway accesses to Main Street shall be discouraged.
9. In addition to the general Village Design Policies of this Plan, the Village Core shall be subject to more detailed and specific Village Design direction in the Township's Village Design Standards. The importance of the Village Core to the community shall be reflected in its design, with an emphasis on:
  - a. The Public Realm, including the space between the building face and the travelled portion of any public street with the objective of creating a consistent streetscape that is inviting to pedestrians and that emphasizes walking and cycling over the parking of vehicles;

- b. Wayfinding and a uniform approach to signage that fosters awareness of key destinations, including the Ferry Terminal, Tourism Information, the Municipal Office, local businesses and Public Parking;
  - c. Private signage that establishes a consistent visual appearance designed to enhance the Village Core;
  - d. Street lighting that combines safety, visibility and that is distinguished from street lighting in other parts of Marysville;
  - e. Building design that ensures entrances face Main Street wherever possible and that requires corner lots to address both streets with active uses on the ground floor;
  - f. Improved public access to the waterfront.
10. Industrial Uses, where permitted on Wolfe Island, shall be encouraged to locate outside of the Village Core.
11. Development within the Village Core designation shall be subject to Site Plan Control, as per the Township's Site Plan Control By-Law. Development shall be evaluated in consideration of the Village Design policies of this Plan, and the Township's Village Design Standards, including the specific Standards for the Village Core.
12. The Township may require the submission of a Design Brief with any Zoning By-law Amendment, or Site Plan application for new development, or the significant expansion of existing development, within the Village Core.

#### **5.5.4.5 Institutional**

- 1. The Institutional designation is intended to recognize the village's existing institutional uses and to encourage their retention, given their importance to the development of Marysville as a complete community. Any new Institutional uses proposed within Marysville shall be so designated.

2. Institutional uses shall generally consist of the following:
  - a. Places of Worship;
  - b. Elementary Schools;
  - c. Municipal Uses;
  - d. Library;
  - e. Community and/or Recreation Building;
  - f. Cemetery; and
  - g. Emergency Services.
3. Residential uses are not permitted within the Institutional designation.
4. Lands designated Institutional shall be zoned accordingly. The Zoning By-law may further refine the list of permitted uses and identify any prohibited uses. Applications that propose a change in use shall require an Amendment to the Secondary Plan and the Zoning By-law, with appropriate justification.
5. The Zoning By-law shall regulate the height of buildings within the Institutional designation, while recognizing some of the unique building components that are not associated with other land uses.
6. Expansions to existing Institutional uses shall be permitted, subject to:
  - a. Demonstration of compatibility with adjacent land uses;
  - b. Availability of servicing; and
  - c. Village Design considerations, including pedestrian accessibility.
7. In consideration of an expansion to an existing Institutional use, or the development of a new Institutional use, the Township may require the submission of supporting studies as part of a planning application.
8. Institutional uses shall be subject to Site Plan Control. Notwithstanding the foregoing, Council may consider waiving the requirement for Site Plan Control for specific institutional uses, where there are other processes and or permits required that afford sufficient review and consideration of the development of the site. Requests to Council to waive the requirement for Site Plan Control shall be submitted, in writing, to the Township.

9. The minimum required separation of development within the Institutional designation from the wind turbines on Wolfe Island shall be specified within the Zoning By-law.
10. As part of the review, redevelopment, and expansion or as part of new community public spaces, the Township shall consider the inclusion and incorporation of Indigenous cultural components into those spaces.

#### **5.5.4.6 Village Residential**

1. This Plan recognizes the existing residential development within the village and the unique development pattern that has evolved over time. Lands outside of the Village Core and Expansion Area are generally identified in this Plan as “Village Residential” unless another land use designation applies.
2. The Village Residential designation is intended to distinguish the existing residential uses from those planned within the Expansion Area. Lands within the Village Residential designation have historically developed on private, individual water and sanitary sewer services. While the Township may consider the development of a municipal water and sanitary sewer system (or multiple communal systems), lands within the Village Residential designation are expected to continue to be serviced privately in the short to medium term.
3. It is anticipated that the Village Residential designation will accommodate a very limited component of Marysville’s planned growth, due to servicing restrictions and the lack of available, vacant land.
4. New development, including lot creation, on private individual services is discouraged. The expansion of existing dwellings shall be permitted, provided that adequate servicing can continue to be provided. The Township may require reports and/or studies in support of any development that proposes an expansion to an existing use and/or building. Such reports are to be prepared by a qualified professional(s), to the satisfaction of the Township.

5. The Township will consider, through its regular budget deliberations, enhancements to the existing streets within the Village Residential designation, with the objective of improving safe pedestrian connections to key destinations, including:
  - a. The Village Core;
  - b. The Ferry Terminal;
  - c. The Public and Separate Elementary Schools;
  - d. Township owned and operated parks and recreation areas;
  - e. Public Trails; and
  - f. The Waterfront.

The enhancements shall include, but are not limited to, the provision of sidewalks on at least one side of the street, the inclusion of stormwater management infrastructure and street lighting.

6. The land uses that legally existed on the day before the approval of the Secondary Plan shall continue to be permitted. Generally, the permitted uses within the Village Residential designation shall be low density residential uses, the majority of which shall be single detached dwellings. The Zoning By-law shall further define the permitted uses within the Village Residential designation and shall contain the related performance standards for lot area and frontage.
7. Should the Township develop a municipal water and sanitary sewer system for the existing village, Council shall review the policies of the Village Residential designation to provide further guidance regarding its development potential, land uses, performance standards and other related policies.
8. The minimum required separation of development within the Village Residential designation from the wind turbines on Wolfe Island shall be specified within the Zoning By-law.

#### **5.5.4.7 Natural Environment**

1. The Natural Environment within Marysville forms a key component of the community. The preservation of the community's natural heritage features and their related functions shall be a goal of Council.
2. Where development is proposed adjacent to, or within, lands that have environmental features such as wetlands, ponds, or other such features, the boundary of the natural features shall be delineated

more precisely through an Environmental Impact Study, or other appropriate study deemed acceptable by the Township.

3. The Secondary Plan identifies “unevaluated wetlands” on Schedule ‘M3’. Where development is proposed within 30 metres of an “unevaluated wetland”, the Township may require the submission of an Environmental Impact Study to assess the impact of the development on the feature and to recommend any mitigation measures, if required. The Township and applicant shall determine the Terms of Reference for the Study.
4. Where the Study recommends a naturalized buffer between the feature and the development, the buffer shall be used for protection and mitigation, to improve the ecological integrity of the natural feature and/or system.
5. To ensure the integrity and function of the buffer is realized, the Township may require the preparation and submission of a Naturalization Plan and/or Strategy as a condition of development.
6. The Township shall consider the location of any public trail system, so as to minimize disturbance to the ecological features on lands identified as Natural Environment. Public trails shall be permitted within buffers, subject to the width of the buffer and other constraints that may impact the safe delineation of a trail system.
7. Where natural features are identified as “unevaluated” on lands owned by the Township, Council shall work with the County to evaluate the natural features. Where the feature has been evaluated by Council, the County or through an Environmental Impact Study, an amendment to this Plan is not required to refine the boundary of the feature. Such features, once evaluated, shall be considered part of the Natural Environment and any labels identifying the feature as “unevaluated” shall be removed, unless the Township determines that the feature does not form part of the Natural Environment, in which case, Council shall amend the related Secondary Plan schedule as part of a general amendment to the Official Plan, or through the regular review and update of the Secondary Plan.

#### **5.5.4.8 Open Space**

1. Lands designated Open Space include lands intended for public recreational use and lands that form part of the open space system, but which provide another function (e.g., stormwater management ponds).
2. Open Space lands are identified on Schedule 'M2'. It is expected that over the life of this Plan, additional Open Space lands will be created and/or acquired by the Township. If the Township acquires additional Open Space lands through other means, the Secondary Plan shall be updated as part of the regular review of its policies and Schedules.
3. The Township shall seek opportunities to provide additional open space lands, and to provide connections to the existing open space lands within the village.
4. It shall be a goal of Council to pursue public access to the waterfront within the village, to afford all residents access to this special public amenity and to preserve access when acquired. As part of public access to the waterfront, the Township shall consider opportunities to create a public trail system parallel to the waterfront and Main Street. The Township is encouraged to consult with the Indigenous community when considering the development of new public access to the shoreline so that Indigenous community members have an opportunity to fully participate in the process.
5. The Township shall utilize the provisions of the Planning Act, or other applicable legislation, to acquire parkland through development applications. In the event that the Township does not require parkland through a development application, as solely determined by the Township, cash-in-lieu of parkland shall be accepted.
6. New parks, trails and other active transportation pathways shall be strategically located and linked to the broader trail system and other key destinations.
7. Parks shall be easily accessible to all residents of Marysville and shall be designed to provide activities for a variety of age groups. Notwithstanding the preceding, the Township shall view the collective



park system as working towards providing a variety of uses and activities, rather than each individual park.

8. The Township encourages the integration of stormwater management facilities as part of the open space system, including providing pathways and/or trails that link with other trails or open space lands in public ownership. Wherever feasible and appropriate, such lands shall be designed to provide a park-like setting or the character of a natural wetland and, where appropriate, may be adjacent to public parks. However, stormwater management facilities shall not be accepted as parkland under the provisions of the Township Official Plan and the Planning Act.
9. Where stormwater management facilities are to remain in private ownership, the Township shall consider if an easement over the facility's pathway is desirable and will serve the broader public interest.
10. Parks shall be located with access to and frontage upon a municipal road.
11. The development of condominium applications that include a private road may contain private outdoor amenity space. However private amenity space shall not be considered a substitute for public parkland and the Township shall encourage the integration of condominiums with the community to foster social interaction amongst the residents of Marysville.

#### **5.5.5 Transportation**

1. Schedule 'M4' – Transportation identifies a series of existing and proposed roads within the Secondary Plan Area. It is the intent of this Plan to provide a hierarchy of roads, with different functions, as follows:
  - a. Arterial Road;
  - b. Collector Road;
  - c. Local Road; and
  - d. Private Condominium Road.

2. Arterial Roads are intended to carry higher volumes of traffic within and beyond the Village of Marysville. Access to Arterial Roads shall be limited - new driveways and connections with Local Roads is discouraged. Within the village, the Township shall explore opportunities to include sidewalks on both sides of the Road and dedicated cycling infrastructure within the Road, or on paved shoulders.
3. Collector Roads are intended to carry larger volumes of traffic, from Local Roads and Private Condominium Roads to Arterial Roads and other key destinations. Collector Roads shall be designed to accommodate all modes of transportation, including sidewalks on both sides of the street and provision for cycling lanes on both sides of the street. Collector Roads shall generally have a minimum width of 20 metres. The Township shall restrict driveway and new Local Road connections to Collector Roads to preserve their function.
4. Local Roads are intended to provide direct access to individual properties, and to provide a connection to the broader transportation system. Local Roads shall be designed to accommodate all modes of transportation, including sidewalks on at least one side of the street. Cycling lanes are encouraged wherever possible.
5. Private Condominium Roads are intended to provide an alternate means of access to individual buildings and/or units within a condominium development where a Local Road is not feasible. Private Condominium Roads will not be assumed or maintained by the Township. Private Condominium Roads shall be designed to a Local Road standard, however the Township may accept a lesser width, provided the road is not less than 12 metres and the Township is satisfied that emergency vehicles can safely access the units/buildings within the condominium. Sidewalks shall be provided on at least one side of a Private Condominium Road and shall connect with a Local Road or Collector Road unless otherwise determined by the Township.
6. Schedule 'M4' identifies a new Collector Road, to be constructed and assumed by the Township. The new Collector Road will provide an alternate connection between Highway 95 and 7th Line Road. The intent of the new Collector Road is to reduce the traffic impacts on Main Street, allowing Main Street to evolve over time into a more pedestrian friendly street.

### **5.5.6 Servicing**

1. It is recognized that the Village Residential and Village Core designations are currently serviced by private, individual water and wastewater systems. It is not the intent of this Plan to require that such systems be replaced with a public or communal system in the short term. However, in recognition of the development/growth constraints associated with the private systems, the Township shall consider opportunities to work with senior levels of government to fund the development of municipal and/or communal systems, with appropriate consideration of the financial impacts on existing property owners and the economic and physical feasibility of creating such systems.
2. All development within the Village Expansion Area shall be serviced with private communal water and sanitary sewer systems. Should the Township develop a public, municipal water and/or sanitary sewer system, any application for development within the Village Expansion Area shall connect to the municipal system, provided the municipal system has capacity, as determined by the Township.
3. Development within the Village Expansion Area shall be prohibited on private individual systems. Existing development within the Village Residential and Village Core designations may continue to utilize private, individual systems. New lot creation or the significant expansion of existing buildings on private individual systems is discouraged. The Township may consider development on private individual systems within the Village Residential and Village Core designations, provided the applicant demonstrates that such systems are feasible and that they will not negatively impact surrounding properties and their associated systems. Furthermore, the Township shall require, as a condition of any development application, an agreement between the owner and the Township, registered on title, obligating the owner to connect to a municipal or communal system, if and when developed by the Township.
4. The Township, when evaluating applications within the Village Expansion Area, shall require the proponent to demonstrate that stormwater has been appropriately managed, and will require the submission and acceptance of related Studies, Report and Plans, to their satisfaction.

### **5.5.7 Heritage**

1. The policies in Section 4.9 of the Township Official Plan shall apply to the Secondary Plan.
2. Council shall consider, through its evaluation of the existing or future Community Improvement Plan, measures to promote heritage preservation.
3. Future development shall conserve and integrate any designated heritage resources into the development plans, with appropriate consideration to the resource, as demonstrated through a Heritage Impact Assessment.

### **5.5.8 Special Policy Areas**

1. Within the Secondary Plan Area, several specific sites are identified as “Special Policy Areas (SPA)” (Schedule ‘M5’). These areas include:
  - a. Lands formerly known as Plan 65, located east of the Township’s recreation area and west of 7th Line. These lands are identified as Special Policy Area 1 (SPA 1).
2. Special Policy Area 1
  - a. Lands identified as Special Policy Area 1 (SPA 1), while located within the Village Settlement Area Boundary, shall be restricted to the uses that existed on the day prior to the approval of this Secondary Plan. The Zoning By-law shall include a Holding (H) provision, implementing the Secondary Plan policies, and limiting development to that which existed prior to the passing of the By-law and approval of the Secondary Plan.
  - b. Prior to the development of lands within SPA 1, an application to amend the Secondary Plan shall be required. The Township shall identify any and all supporting documents, reports and studies required to consider the development of the lands, including, but not limited to the following:
    - i. An Environmental Impact Study that evaluates all the features on or adjacent to the lands and recommends mitigation measures, as appropriate. The Township shall approve the Terms of Reference prior to the commencement of the Study;

- ii. A Stormwater Management Report, prepared by a qualified professional, including a Grading and Drainage Plan;
  - iii. A Servicing Report, prepared by a qualified professional that demonstrates how the lands can be serviced by a private communal water and sanitary sewer system, or, that the development can connect to an existing municipal water and sanitary sewer system. Development of the lands with private, individual water and sanitary sewer systems shall not be permitted; and
  - iv. A Planning Justification Report, prepared by a qualified professional that recommends an appropriate development for the lands and how the development conforms to the policies of the Secondary Plan and the Township Official Plan.
- c. The Reports, Plans and Studies shall be identified in the By-law as requirements to be satisfied prior to the lifting of the Holding provision.

#### **5.5.9 General Development Policies**

1. This Secondary Plan will guide the Township in their consideration of development applications governed by the Planning Act. In this regard, all of the relevant policies in Section 7 of the Township Official Plan shall apply.
2. All commercial and multiple residential development shall be subject to Site Plan Control and shall require the submission of a Village Design Brief in compliance with the Township's Village Design Standards.
3. All development that is subject to Site Plan Control shall require the submission of a Village Design Brief, unless otherwise directed by the Township.
4. Development shall proceed on the basis of full municipal services, or private communal services, unless otherwise permitted in this Plan

5. The naming of any public streets or private condominium roads shall be to the satisfaction of the Township and shall use a common theme, reflective of the heritage of Wolfe Island.

#### **5.5.10 Water Area**

1. The Water Area designation for the Marysville Secondary Plan can be considered to be a portion of those water areas of St. Lawrence River which are located within the Township's municipal boundaries. The Water Area is recognized as a significant natural environmental resource.
2. For the purposes of this Plan the Water Area shall be considered to be the area from the east and west boundaries of the Secondary Plan area extending approximately 150 metres (500 feet) northerly from the shoreline beyond the Secondary Plan boundary. The Secondary Plan recognizes that the waterfront and water area may be substantially affected by changes in or evolution of land-based activities in the village.
3. The St. Lawrence River is an important village resource, both for micro-climate effects and visual amenity. It also has the potential to become the primary source of potable water. It provides opportunities for water-related leisure activities, boating, and ferry services.
4. Permitted Water Area uses include water-oriented public and private recreation and leisure activities, transportation services including navigation aids, and commercial, tourist commercial, and industrial and service marine vessel activities related to the operation of the Wolfe Island ferry service not requiring the use of buildings or structures. Public uses shall also be a permitted use, including water and sanitary sewage facilities that may be needed for the development of communal service systems.
5. Prohibited Uses shall include residential, commercial, industrial, institutional uses and activities requiring the construction of buildings and structures in the Water Area.

#### **5.5.11 Marina Development**

The Township does not currently own or operate a public marina within Marysville. Transportation to and from the village can be utilized by the provincial ferry system.

Passenger boats that are travelling near or to the island have limited options for docking. Currently, there are privately held docks with multiple moorings, typically associated with commercial businesses or boat related private clubs. Council has expressed concerns regarding the potential negative impacts of offshore moorings, particularly related to safety and potential property damage if said boats are pushed onshore within the Township.

While the regulation of boat travel in the St. Lawrence River is regulated by senior levels of government, the Township may pursue the development of a public marina, to make docking within a controlled environment appealing to boaters, such that the incidence of offshore moorings, and their potential negative impacts are minimized or eliminated.

It is recognized that the Township does not currently have sufficient land within Marysville in which to locate a suitably sized public marina. The following policies are intended to provide guidance in terms of the future acquisition and development of a public marina:

1. The Township shall endeavor to retain ownership of its existing land holdings along the waterfront, including any unopened, or opened road allowances.
2. The Township shall monitor the availability of lands along the waterfront, within Marysville and shall consider the future purchase of additional lands, if the size, location, and orientation align with Council objectives.
3. Where the development of lands with frontage on the river occurs, the Township shall utilize the provisions of the Planning Act, as appropriate, for the acquisition of lands for the future use of a marina and/or associated public space. Preference shall be given to the acquisition of lands which meet the below marina siting criteria.
4. In determining the preferred location for a future marina, the Township shall consider the following siting criteria:
  - a. Location of Marina
    - i. The marina should be naturally protected from potential storms and wake waves.
    - ii. If the marina cannot be naturally protected from storms and wake waves, the Township shall consider the cost of an

effective breakwater wall in determining the location for a public marina.

b. Water Access

- i. The location of the marina should enable the safe movement in and out of the docking area and not interfere with the operation of the Wolfe Island ferry or ferry dock.
- ii. The depth of the water should be considered and locations that do not require dredging, or significant dredging shall be preferred.

c. Environment

- i. The location of any future marina shall consider the natural environment, including the Provincially Significant Wetland east of the Village, and any impact that the marina and the related activities may have. The Township shall properly evaluate the environmental impacts, if any.
- ii. The development of a marina shall consider the natural landscape through its design and will endeavour to be compatible with the visual and natural features.

d. Village Core

- i. The Township shall consider the commercial businesses within the Village Core when determining the location for a marina, with the particular goal of having a positive economic impact on all businesses.
- ii. Where existing private marinas are located within the Village Core, the Township shall work with private property owners so that both marinas can co-exist and complement one another.
- iii. In the event that a privately operated marina meets all the criteria established by the Township for locating a marina within Marysville, Council shall explore opportunities for co-locating a public marina with a private marina, or entering into public-private partnerships, to make efficient use of limited waterfront land resources. The Township shall consider expansions to existing marinas as part of such partnerships.



- e. Phasing and Demand
  - i. The Township shall investigate the demand for a public marina and shall phase their resources according to the existing or projected demand.
  - ii. Through consultation with the community and evaluation of boating during the peak season, the Township shall determine the size of boats likely to use the marina and will consider that information in the ultimate design and location of the marina.
- f. Components of the Marina
  - i. If the Marina is located within the Village Core, the Township shall consider whether complementary or ancillary uses (operated by a third party, as needed) are appropriate and desirable. The goal of such complementary or ancillary uses shall be to enhance the concentration of community serving uses within the Village Core, not to negatively impact existing commercial businesses.
  - ii. To ensure that residents of Wolfe Island have access to their boats, the Township shall consider appropriate pedestrian and vehicular connections to the marina, when evaluating appropriate locations.
  - iii. The Township may provide onsite parking; however the provision of parking shall not detract from other components, or the natural environment. In the event the marina location is not capable of providing sufficient onsite parking, the Township shall explore off-site locations within a suitable radius and shall use appropriate signage to direct visitors and residents between the parking and the marina.
  - iv. The Township shall consider the need for four-season storage of boats at the marina. If the waterfront location cannot accommodate the storage of boats, the Township shall investigate opportunities for off-site storage and will consider such uses as part of their review of the Official Plan and Zoning By-law. Storage of boats is not required to be located within the Village and unless included as part of the marina

operation, should be directed to appropriate areas outside of the Village.

g. Infrastructure and Municipal Services

i. The marina shall be required to have access to a municipal road.

ii. When selecting the location for the marina, the Township shall consider the availability of municipal or communal services. If neither are available, the Township shall evaluate the feasibility of private services in accordance with this Plan, the Township Official Plan and any applicable Provincial Plans or Policies.

5. The Township shall consider all relevant provincial and federal regulations when considering marina locations and shall follow any mandated process when proposing a marina along the shoreline.

6. Where the Township determines that no location within the boundary of the Village of Marysville (Settlement Area Boundary) is either appropriate, or likely to become available in the short to medium term, the Township shall consider the following alternatives:

a. Co-locating with an existing marina, as described in Section 5.5.11.4 of this Plan;

b. Exploring sheltered locations outside of the Village Boundary, on the north side of the island. Preference should be given to locations that abut or have ready access to Road 96;

c. Consulting with the Province regarding the potential to create a marina at Dawson's Point.

d. The Township may develop a Marina within the Settlement Area Boundary without an Amendment to this Plan if the Marina is located within the Village Core designation.

## **5.5.12 Interpretation**

### **5.5.12.1 Non-Conforming Land Use**

1. Any land use legally existing on the date of approval of this plan that does not conform with the land use designations as shown on this plan, or the policies related thereto, should as a general rule, cease to exist in the long term.
2. Any land use that does not comply with the provisions of the Zoning By-law should, as a general rule, cease to exist in the long term.

### **5.5.12.2 Amendments to the Plan**

1. Applications for development which do not align with the policies or land use schedule of this Plan shall require an Official Plan Amendment. Amendments to the Plan shall be subject to the policies of the Official Plan and shall require a planning justification report, along with any other supporting studies identified through the pre-application consultation process.
2. The Township will update its Zoning By-law to ensure that the land uses and design policies for this Secondary Plan are reflected in the Township's Zoning By-law.
3. Applications for development within the Secondary Plan Area shall be subject to the policies of this Plan and the Official Plan (where applicable). Amendments to the Zoning By-law shall be subject to the policies of this Plan and the Official Plan and shall require a planning justification report, along with any other supporting studies identified through the pre-consultation process.

### **5.5.12.3 Future Development Applications**

1. The review and approval of future development applications will be based on the Secondary Plan. Applications will be reviewed for conformity and consistency with the Secondary Plan, and other guiding documents.

2. Before submitting a development application, applicants must attend a preapplication consultation meeting, in accordance with the policies of Section 8.7 of the Official Plan.

#### **5.5.12.4 Monitoring**

1. The Township will prepare a monitoring program to track the implementation of the Secondary Plan and report on the progress of its implementation. The monitoring program should identify development statistics for residential development to ensure the projected growth can be achieved.
2. The Township will comprehensively review the policies of this Secondary Plan at the 5-year review of the Township's Official Plan. Depending on the outcomes of the review, the Township may decide to update the Plan.

#### **5.5.12.5 Interpretation**

1. In the event of a conflict between the Official Plan and the Secondary Plan, the policies of the Secondary Plan shall prevail.
2. Where the general intent of this Secondary Plan is maintained to the satisfaction of the Township, minor boundary adjustments will not require an amendment to this Secondary Plan.
3. The use of "shall", "will", or "must" in the policies of this plan indicates a mandatory requirement, whereas the use of "should", "would", "may" indicates that a statement is advisory, not binding, and that details need to be resolved in the implementation of this Plan. Where the same topic is addressed in more than one part, sections and policies are cross-referred.

## **5.6 Aggregate and Mineral Resources**

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

### **5.6.1 Permitted Uses**

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

Lands designated Aggregate and Mineral Resources on Schedule “A” shall be generally reserved and used for the purpose of aggregate or mineral extraction and related uses described above, except that it shall be a policy of this Plan to require the implementing Zoning By-law to recognize all existing uses.

### **5.6.2 Policies**

1. An amendment to this Plan shall be required where new aggregate extraction operations are proposed in areas not designated Aggregate and Mineral Resources. The following matters shall be considered by Council before a decision is made to amend the Official Plan to permit a new aggregate resource operation or to the Implementing Zoning By-law to allow for the major expansion to an existing operation:
  - i. In order to preserve the scenic beauty and amenity of the area, extractive operations will generally be restricted to areas which can be screened from public view;
  - ii. It shall be the policy of the plan that the township, when considering a new or major expansion to a pit or quarry proposal, will have regard to the existing adjacent land use that might be affected by a pit or quarry operation. This regard or consideration may be reflected in appropriate setbacks and/or other mitigative techniques (e.g. screening, berms, location of machinery, and timing of operation etc.) Which may be established as conditions on the license or site plan under the Aggregate Resources Act or a

- predecessor thereof, at the time of licensing. Any setback and/or mitigative techniques being established should depend on a site by site review and in light of other policies in this section;
- iii. The Ministry of the Environment considers the area of influence to be 500 m [1,640 ft.] for a quarry, 300 m [984.2 ft.] for a pit below the water table and 150 m [492.1 ft.] for a pit above the water table. This influence area is considered to have the most impact on sensitive land uses from the pit or quarry operation. Environmental studies should be required to assess the impact if development occurs within this influence area. This influence area should be applied reciprocally to new sensitive land uses encroaching upon an existing extraction operation or lands committed for future extraction;
  - iv. On good agricultural land, i.e.: areas which have soil Classes 1,2, or 3 as defined in the Canada Land Inventory of Soil Capability for Agriculture, or which are specialty crop soils, or which are lands currently supporting viable agricultural activities, aggregate extraction may occur provided agricultural rehabilitation of the site is progressively carried out and substantially the same acreage and average soil capability for agriculture are restored;
  - v. Haulage routes and the traffic generated by the extractive operation;
  - vi. The phasing of extraction so as to avoid large areas of open unrehabilitated extraction;
  - vii. Such other matters as deemed necessary by Council, which may include the provision of a hydro geological report specific to the proposal.
2. An application for an amendment to this Plan to permit the establishment of an aggregate extraction operation or the major expansion of an existing operation shall be accompanied by the detailed site development plan. Site Plans and reports as required by Section 7 of the Aggregate Resources Act shall be acceptable for the purpose of this section.

3. All pit and quarry uses must satisfy the requirements of the Ministry of the Environment as to water supply and disposal of liquid wastes, and all emission into the air or land including noise, vibration and dust. Pumping and dewatering will not be permitted in any pit or quarry unless approval is obtained from the Ministry of the Environment.
4. All pit and quarry uses shall satisfy the requirement of the Aggregate Resources Act as to licensing and regulation.
5. The construction of buildings and changes of land use which are deemed to be incompatible with future aggregate extraction in and adjacent to areas identified as Aggregate Reserve on Schedule 'B', will be discouraged to protect such resources for development at some future time. It is recognized by this Plan, however, that extraction may not be feasible or advisable in all areas identified as Aggregate Reserve. The municipality, in consultation with the Ministry of Natural Resources and the Ministry of Northern Development Mines, and Forestry may permit non-aggregate land uses or developments in areas designated for Aggregate Reserve under carefully considered circumstances where it can be shown that:
  - i. Extraction would not be feasible; or
  - ii. The proposed land use or development serves a greater long term interest of the general public than does aggregate extraction; or
  - iii. The proposed land use or development would not significantly preclude or hinder future extraction.

Where non-aggregate land uses or development are permitted within areas identified Aggregate Reserve, the subject parcel of land shall be deemed to fall under the Schedule 'A' designation and the appropriate policies shall apply.

6. The boundaries of the lands designated as Aggregate and Mineral Resources on Schedule "A" shall not be used as guides for development. An amendment to this plan will not be required for minor changes to the Aggregate and Mineral Resources boundaries, which are deemed to be suitable by Council after consultation with the Ministry of Natural Resources and/or the Ministry of Northern Development and Mines.

Where such changes occur the new land use designation to be applied shall be either the abutting designation or the Rural designation.

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

## **5.7 Waste Management**

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

### **5.7.1 Uses Permitted**

The uses permitted shall include solid waste (garbage) transfer stations, waste diversion facilities (such as recycling depots and composting



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

Wrecking Yards are prohibited in the Municipality.

No use shall be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be so used unless the approval of the Minister of Environment for the proposed use has been given.

#### **5.7.2 Development Policies**

1. Applications for new "Waste Management" development proposals shall be considered with regard to the following concerns:
  - i. The physical suitability of the site for the proposed use;
  - ii. The compatibility of the proposed use with surrounding land uses;
  - iii. The ability of roads accessing the proposed Waste Management site to carry traffic volumes projected to be generated by the proposed development, and the suitability of the proposed access points to the maintenance of a constant traffic flow pattern.
2. Any new solid waste (garbage) transfer station, or solid waste landfill site shall front on an assumed public road which is currently maintained on a year-round basis.
3. Waste Management uses shall not be located within 500 m [1,640 ft.] to any established or approved residential or commercial type use without an assessment of impact prepared satisfactory to the Municipality.
4. Former solid waste landfill sites or solid waste (garbage) transfer stations shall be indicated as such on the attached Schedule "A" of this Plan and shall be zoned in a Holding zone classification in the Implementing Zoning

By-law. These sites are designated for information purposes, and may be utilized for any non-residential land use permitted in the land use designation which underlies the “assessment area” designation, without an Official Plan Amendment, provided the Municipality is satisfied that the following concerns have been dealt with (Ministry of the Environment Guidelines should be used in the preparation of technical studies addressing potential impacts/concerns):

- i. The development satisfies the provisions of the Environmental Protection Act, R.S.O. 1980;
  - ii. Studies have been carried out to the satisfaction of the municipality that show that the development is compatible and can safely take place;
  - iii. The Municipality shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
  - iv. Studies of gas, leachate and hydro geology, shall be carried out by a qualified engineer;
  - v. The municipality shall be satisfied with the required studies with respect to any matter regarding structural stability, safety and integrity of any and all structures;
  - vi. Notwithstanding the land use designations on Schedule “A” residential development will not be allowed to proceed on areas identified by subsections (2) and (4) above, which contain organic and chemical wastes. When the above described concerns have been satisfied, a former solid waste landfill site or solid waste (garbage) transfer station shall be rezoned in an appropriate zone classification reflecting the proposed use of the property
5. All new Waste Management sites shall be zoned in a separate category or categories in the implementing Zoning By-law, which will contain appropriate standards and controls to implement the policies established in this designation. In the case of waste management uses requiring licensing by the Ministry of the Environment, the area to be zoned shall correspond precisely to the licensed area.

### **5.7.3 Hauled Septage Disposal**

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

## **6. DEVELOPMENT REVIEW**

### **6.1 General Principles**

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

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

### **6.2 Policies**

#### **6.2.1 General**

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

addresses the nature of concerns and the anticipated response to these concerns.

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

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

### **6.2.3 Cultural Heritage Features**

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

### **6.2.4 Areas of Archeological Potential**

1. Areas of Archeological Potential means areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Council recognizes that, within the boundaries of the Township, there may be marine archaeological remains from the pre-historic period through the modern era up to the last 50 years. The remains may currently be under water or were, at one time, under water but are no longer submerged. Council may require a marine archaeological assessment to be conducted by a licensed marine archaeologist pursuant to the Ontario Heritage Act if partially or fully submerged marine features such as ships, boats, vessels,

artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value are identified and impacted by shoreline and waterfront development.

2. Development and site alteration may be permitted on lands containing archeological resources or areas of archeological potential if significant archeological resources have been conserved by removal and documentation, or preservation on site. Where significant archeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site will be permitted.
3. Council will require an archeological assessment or survey by archeologist licensed under the Ontario Heritage Act, in areas where there are known archeological resources and/or areas exhibiting archaeological potential. Any significant archaeological resource identified through assessment may be preserved on site, to ensure that the integrity of the resource is maintained and/or may be systematically removed through excavation by a licensed archaeologist. Council may maintain the integrity of archaeological resources by adopting zoning by-laws under Section 34 of the Planning Act, to prohibit any land-use activities or the erection of buildings or structures on land which is a site of significant archaeological resource. Council shall consult appropriate government agencies, including the Ministry of Culture (MCL) and the Ministry of Consumer Services when an identified marked or unmarked cemetery is affected by land use development. The provisions under the Ontario Heritage Act and the Cemeteries Act shall apply where appropriate

### **6.3 Criteria for Assessing Land Division Applications**

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

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

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

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

1. Future development options will not be limited, restricted or eliminated;
2. Existing municipal services are adequate for the proposed development and will not require extension;
3. Safe access to a publicly maintained road is available;
4. Natural heritage features will not be negatively impacted;
5. The proposed development will meet the MDS requirements for proximity to a livestock facility;
6. No aggregate reserves are within 500 m [1,640 ft.] of the proposed development;
7. The proposed development is not subject to any natural hazard;
8. Development, including the septic system tile bed, shall be set back a minimum of 30 m from the high water mark of a waterbody or watercourse; and
9. All other policies of the Official Plan can be met.

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

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

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

### **6.3.1 General Criteria**

#### **1. Assessment of Application**

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

#### **2. Economic Considerations**

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

#### **3. Compatibility With Adjacent Land Uses**

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

#### **4. Frontage on Public Street or Private Road**

A consent should only be granted where the proposed lot fronts directly upon an improved public street which is maintained year round and which is of a reasonable standard of construction. In this regard a report may be requested by the Approval Authority from the appropriate agency. In the case of development on Private Lanes, the policies of Section 5.2.4.1.5 shall apply.

#### **5. Traffic Hazard**

A consent to a land severance should not be granted where, due to the development of the proposed lot, a traffic hazard would be created or serve to further an existing traffic hazard as a result of limited sight lines, curves or grades. The Approval Authority should also have regard to the grade of



the driveways as it approaches or intersects with the public street. The Approval Authority will not approve a consent, if the effect of its approval will create a dangerous situation for the ingress/egress of vehicles or aggravate any drainage issues which may arise.

#### 6. Extension of Development

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

#### 7. Infilling

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

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

#### 8. Site Plan Requirement

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

per the provisions of Section 41 of the Planning Act, R.S.O. 1990, between the applicant and the municipality. Such agreements shall be registered against the title of the subject lands.

#### 9. Compliance with Agreements

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

#### 10. Services and Utilities

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

#### 11. Access to Major Roads

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

#### 12. Hazardous Conditions and Environmentally Sensitive Areas

Applications for consent will be subject to the policy requirements of Section 5.3 and 5.4 of this Plan. Where it is evident that a lot for which a consent is proposed is susceptible to a hazard or is in or adjacent to a natural heritage feature, the consent should be denied unless it has been clearly established to the satisfaction of the approval authority that the proposed use or the natural heritage feature or the hazard would not be detrimentally affected/aggravated. The consideration of any proposed consent on lands where these conditions are present shall take into

account among other things, the Provincial Policy Statement and the policies of this Plan. Such proposals must be supported by the appropriate technical studies identified in Section 5.3 and/or 5.4 of this Plan.

### 13. Dedications

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

### 14. Minimum Distance Separation Formulae, Public Health Act and Other Guidelines

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

### 15. Lot Area Requirements

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

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

Hydrogeologist's report may be imposed by the Approval Authority as a condition of approval.

#### 16. Land Use Compatibility

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

#### 17. Waste Disposal

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

#### 18. Aggregate and Mineral Reserve Areas

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

#### 19. Significant Natural Features and Cultural Heritage Features

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

#### 20. Conformity to Zoning By-law

No lot shall be created which does not comply with the minimum requirements of the Zoning By-law. The Approval Authority shall require, as a condition of severance, the zoning of the severed parcel to an

appropriate zone category. Any non-conforming, non-complying aspects of the retained parcel should be documented in the consent decision.

## 21. Conditions of Approval

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

- i. The payment of development charges to the municipality to cover the costs of additional municipal services to be provided as may be deemed necessary by Council.
- ii. The dedication of land to the municipality for park purposes, and/or, as an alternative, the payment of cash-in-lieu of such dedication as may be accepted by the municipality.
- iii. The limitation of time for the fulfillment of the conditions of approval prior to lapsing of the consent.
- iv. The submission of a registered reference plan to the Approval Authority prior to the consent being finalized; and
- v. The preparation of a Site Plan under Section 41 of the Planning Act, R.S.O. 1990 if required.

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

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

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

3. A residence surplus to a farming operation as a result of farm consolidation provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
4. Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
5. Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons. (See also Section 6.3.2.1 to 6, 8 to 18, 20 to 21)

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

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

1. A consent to a land severance may be granted to allow the establishment of a new non-farm single dwelling where such lands satisfy the following criteria:
  - i. The land is deemed to be poor agricultural land, which is defined as being Class 5 to 7 soils as shown on the Ministry’s Agricultural Capability Mapping, and is not suited to an agricultural or agricultural related use.
  - ii. No more than 4 severances shall be granted from any lot as it existed on January 1, 1985, excluding lands on Howe Island which shall be limited to 3 severances.
  - iii. The effect of such a severance does not interfere with or restrict the viability of adjoining farm activities or other adjacent land uses.

2. A consent to a land severance shall not be granted where the lands are located within an area identified as an Aggregate Reserve area on Schedule "B".
3. Notwithstanding the provisions of paragraphs (1) and (2) hereof to the contrary, a consent to a land severance may be granted by the Approval Authority if the effect of such a severance is to allow infilling. For the purposes of this section, infilling shall refer to situations where two or more non-farm residential dwellings located on the same side of a public road or street are separated by not more than approximately 100 m [328 ft.] The proposed lot must achieve the provisions of the Minimum Distance Separation Formulae.
4. Lot area and frontage for lots created for non-farm residential uses shall be of an appropriate size and dimension so as to not restrict existing and possible future use of the retained parcel.
5. Farm related severances are permitted in the Rural designation. The Approval Authority shall follow the policies as outlined in Sections 6.3 and 6.4 of this Plan.

## **7. IMPLEMENTATION POLICIES**

### **7.1 General**

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

### **7.2 Zoning By-law / Non-Conforming Uses**

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

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



- iii. In considering an application for an amendment to the implementing Zoning By-law in accordance with the provision of Section 34(10) of the Planning Act, R.S.O., 1990, as amended, the Municipality shall consider the intent and purpose of this Plan with a view to the feasibility and desirability of municipal acquisition of the lands and the possibility of holding, selling, leasing or redeveloping the property in accordance with the provisions of this Plan. Consideration should also be given to the possible relocation of the legal non-conforming use to a designated or zoned location where it would be allowed to continue, expand and enlarge adjacent to similar and compatible uses and in accordance with the intent of this Plan.
  
- iv. Where an application for an amendment to the implementing Zoning By-law is made in accordance with the provisions of Section 34(10) of the Planning Act, R.S.O. 1990, as amended, to allow for the continuation, expansion or enlargement of any land, building or structure for a purpose which legally existed as of the date of the adoption of this Plan but which is not recognized in this Plan nor the implementing Zoning By-law, the Municipality shall have regard for the following matters prior to enactment of an amendment to the implementing By-law:
  - a. The proposed extension or enlargement of the established use will not adversely affect the implementation of the policies of this Plan and that the general intent and purpose of the Plan is maintained;
  - b. The proposed extension or enlargement is in proportion to the size of the use as it existed at the date of the enactment of the implementing Zoning By-law;
  - c. The proposed extension or enlargement is compatible with surrounding uses in terms of noise, vibration, fumes, heat radiation, smoke, dust, odours, or other similar offensive characteristics;
  - d. Site planning and design are such as to minimize the effect of the proposed extension or enlargement on adjacent conforming uses, and, where necessary, adequate spatial separation, buffer planting, screening and fencing are provided so as to afford adjacent conforming uses a degree of protection from any offensive characteristics; and,

- e. The use will not result in increased traffic volumes through residential areas that adequate off-street parking and loading facilities are available, and that ingress and egress points to and from the site are designed in such a manner as to minimize the danger to both vehicular traffic and pedestrian movements.
- v. The Municipality shall notify all property owners within the area affected by an application made in accordance with Section 34(10) of the Planning Act, R.S.O. 1990, as amended in order to solicit their views as to the extension or enlargement of such existing uses.
- vi. The Municipality shall not pass an amendment to the implementing Zoning By-law pursuant to the provisions of Section 34(10) of the Planning Act, R.S.O. 1990, as amended, until it is satisfied that such extension or enlargement will not have any adverse effects on adjacent land uses nor the implementation of this Plan.

### **7.3 Minimum Standards of Maintenance and Occupancy By-law**

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

### **7.4 Committee of Adjustment**

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

### **7.5 Capital Works Program**

It is intended that the Municipality may prepare a capital works program in conformity with the proposals and policies of this Plan, in order to assess its immediate and long-

term requirements and plan its major expenditures within its financial resources. The program should be revised and upgraded annually.

## **7.6 Public Works**

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

## **7.7 Holding Provisions**

1. The Municipality may, in a By-law passed pursuant to the provisions of Section 36 of the Planning Act, R.S.O. 1990, as amended, zone lands for their intended use while at the same time imposing a holding provision by the use of the Holding “H” symbol. This allows a municipality to plan for future development of land while delaying the actual development until such time as deemed appropriate. The use of holding provisions shall be in accordance with one or more of the following criteria:
  - i. To prevent or limit the use of land in order to achieve orderly phased development;
  - ii. To ensure that the servicing and design criteria established by the Municipality have been met and any required special studies completed prior to removing the holding symbol;
  - iii. To allow for the implementation of special design features in specific locations or developments;
  - iv. Where development is to occur by registered Plan of Subdivision;
  - v. To ensure that all conditions of development including financial requirements and agreements in accordance with the provisions of this Plan and/or the Planning Act, R.S.O. 1990, as amended, have been complied with.
2. In accordance with the provisions contained within Section 36 of the Planning Act, R.S.O.1990, as amended, the Municipality may pass an amending By-law to remove the holding symbol and permit development to proceed in accordance with the zoning category assigned. Prior to adopting a By-law to remove the holding symbol, the Municipality shall be assured that the proposed development is orderly and timely, that all the necessary agreements have been registered on title according to the provisions of this Plan, and as may be

applicable, the conditions of draft plan approval have been complied with and any required special studies completed.

## **7.8 Interim Control By-law**

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

## **7.9 Temporary Use By-law**

The Municipality may authorize the use of land or buildings for a temporary use for renewable periods of up to three years, subject to the requirements of Section 39 of the Planning Act, R.S.O. 1990, as amended. In the case of a by-law authorizing the temporary use of a garden suite, the by-law shall define the area to which it applies and specify the period of time for which the authorization shall be in effect, which shall not exceed 20 years from the day of the passing of the by-law.

## **7.10 Cash-In-Lieu of Parking**

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

## **7.11 Site Plan Control**

1. In accordance with Section 41(2) of the Planning Act, R.S.O. 1990, as amended, the entire Corporation of the Township of Frontenac Islands is designated as a Site Plan Control Area. Site plan control provides detailed control of the development of a particular site. Under this provision, Council may require a site plan agreement with a developer outlining details such as parking areas, elevations and grades, landscaping and buffering, storage of wastes, lighting, entrance and exits, road widening, exterior design and character and sustainable design elements (e.g. such as vegetation materials, street furniture, waste and recycling and bicycle parking) and services (water supply and sewage disposal services).
2. A By-law passed in accordance with Section 41(3) of the Planning Act, R.S.O. 1990, as amended, shall exempt the following from the requirements of Site Plan Control; namely:
  - i. All farm buildings except those buildings and structures used for the sale of agricultural goods or agricultural related goods and services which are

made available to the general public at the site and intensive livestock housing as defined in Section 9 including manure handling facilities; and,

- ii. All structures and buildings accessory to and incidental to the above mentioned farm buildings.
3. In the case of single detached residential dwellings the Municipality may limit the extent of the site plan and the agreement. Council may also delegate the approval of routine site plans to its building officials. Where a Building Official determines that a more complex site plan is warranted the Building Official may refer the site plan and its approval to Council.
4. Land dedications for road widening purposes may be required as a condition of site plan approval in accordance with Section 3.4.2.3 of this Plan.
5. It shall further be the policy of this Plan that Council may require the owner to enter into one or more agreements as a condition to the approval of certain plans and drawings in accordance with the provisions of Section 41(7) of the Planning Act, R.S.O. 1990, as amended.
6. Council may require a site plan agreement for the construction, erection, placing or extension of buildings or structures in association with a pit or quarry. For purposes of site plan control, Council shall generally accept a site plan prepared in accordance with the requirements of the Aggregate Resources Act, 1989, modified as necessary as a site plan within the meaning of this Official Plan.
7. Council and any applicable agency may require a site plan agreement for a development proposal such as a marina which is to occur on the bed of water bodies and other federal lands.
8. Wherever deemed appropriate in accordance with Section 5.4 of this Plan, Council may require a site plan agreement for a development proposal in order to provide for mitigative measures to protect Significant Natural Heritage Features or Wetlands.

## **7.12 Community Improvement Policies**

1. In the future, the Municipality's community improvement development will be directed toward the following goals:

- i. To create a community that satisfies the social, physical or psychological needs of people;
  - ii. To stabilize and enhance existing development by providing a safe, convenient and attractive environment for residents; and
  - iii. To provide for and encourage the ongoing maintenance, improvement, rehabilitation and renewal of the Municipality's residential, commercial and industrial areas.
2. To achieve the goals outlined above, several objectives have been formulated. The objectives are:
- i. To encourage the maintenance and improvement of the existing housing stock in a safe and attractive form and in compliance with the provisions of the Maintenance and Occupancy Standards By-law;
  - ii. To encourage the provision, maintenance and upgrading of the physical infrastructure and public services and utilities;
  - iii. To ensure that the population is served by an adequate provision of community and recreational facilities;
  - iv. To alleviate or eliminate any problem resulting from existing incompatible land uses with the Municipality;
  - v. To preserve historically significant buildings and cultural heritage resources;
  - vi. To provide a framework to guide the expenditure of public and/or private funds on community improvement activities;
  - vii. To provide land for low and moderate income housing.
  - viii. To provide for the rehabilitation of brownfields;
  - ix. To encourage renovations and upgrades for homes and businesses that utilizes sustainable technologies (e.g. energy efficiency, low flow plumbing fixtures, recycled building materials).

### 3. Criteria for the Selection of Community Improvement Policy Areas

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

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

Based on the criteria specified in Section 7.12.3, a number of Community Improvement Project Areas may be identified.. For the purposes of this Plan, all of the Township of Frontenac Islands shall be considered a Community Improvement Area and any part thereof may by by-law be designated a Community Improvement Project Area.

#### 4. Implementation

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

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



### **7.13 Municipal Land Acquisition**

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

### **7.14 Financial Impact Statements**

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

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

### **7.15 Delegated Authority**

1. The Township 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.

2. The Township may, by by-law, delegate its authority for various approval or advisory functions to:
  - a. A committee of council; or
  - b. An individual who is an officer, employee, or agent of the municipality.
3. The delegation of applications under the Planning Act does not alter any notice or public meeting requirements or limit appeal rights. It also does not change the requirements under the Planning Act for land use planning decisions to be consistent with the Provincial Policy Statement and to conform or not conflict with provincial plans or the County of Frontenac Official Plan.
4. 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 public commenting agencies will be completed.
5. Under Section 41(2) of the Planning Act, Council has the authority to put a site plan control by-law in effect for certain lands and types of development within the Township. Section 41(4) of the Planning Act delegates the authority to make decisions on site plan control applications to an officer, employee, or agent of the municipality as an authorized person.
6. Further to Section 7.15.5, the Township may delegate its authority for additional types of planning applications, by by-law, as follows:
  - a. Consents (Land Severances), including new lot creation, lot additions, and easements
  - b. Validation Certificates
  - c. Minor Zoning By-Law Amendments including
    - i. A by-law to remove a holding symbol under Section 36 of the Planning Act where the conditions to remove the holding symbol

have been met and any required agreements have been executed.

- ii. A by-law to permit a temporary use under Section 39 of the Planning Act.
- iii. Zoning By-Law Amendments that are required as a condition of approval of a provisional consent application that received no objections from the public and technical agencies during the required circulation period.

## **8. ADMINISTRATION AND INTERPRETATION**

### **8.1 Plan Adoption**

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

### **8.2 Plan Information**

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

### **8.3 Plan Review**

#### **1. Continuing Review:**

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

#### **2. 5-Year Review:**

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

### **8.4 Plan Amendments**

#### **1. Conditions for Amendment**

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

## 2. Notification Procedures

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

## 3. Public Meetings

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

## 4. Notice of Meetings

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

## 5. Record of Meetings

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

## 6. Notice of Approval

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

# **8.5 Interpretation of Plan**

## 1. Quantities

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

## 2. Agency Names and Responsibilities

From time to time, the names of various government agencies may change. In addition, responsibilities may shift from agency to agency. The names of the various agencies responsible for the many programs, regulations and

approvals are given in this Plan as of the date of adaption of this Plan. It is not intended to amend this Plan each time a name change or function shift occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, or to their successors, as conditions dictate.

### 3. Legislation

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

### 4. Definitions

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

## **8.6 Technical Amendments**

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

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

## 8.7 Complete Applications

1. 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.
  
2. Applications for development involving an approval under the Planning Act shall be reviewed for completeness. The municipality/approval authority will not consider an application complete or may refuse an application where studies or other information required by this Plan or the Planning Act are not submitted as part of the application. These studies or information may include, but are not limited to:
  - a. A capacity calculation or analysis of public service facilities
  - b. A water and sewer servicing capacity study
  - c. A water supply assessment report
  - d. A servicing options report
  - e. An off-site septage haulage report
  - f. A hydrogeological study and terrain analysis
  - g. A drainage and/or stormwater management report
  - h. A minimum separation distance calculation for an industry, mineral mining operation, waste management facility, pit or quarry
  - i. A resource impact report for development in proximity to a waste management facility, industrial use or mineral/mineral aggregate use including an assessment of impacts within an influence area
  - j. A transportation transit, parking or traffic study
  - k. A noise and/or vibration study
  - l. A Minimum Distance Separation Formulae I and II calculation
  - m. An environmental impact assessment (EIS) for a natural heritage feature or area or Ecological Site assessment for the purpose of determining the presence/absence of endangered or threatened species and/or their habitat
  - n. A source protection study including a groundwater impact and/or surface water impact study
  - o. A flood plain, flood proofing, protection works, restoration report
  - p. An organic or unstable soils report
  - q. An aggregate resource evaluation report to assess the residual economic value of aggregates
  - r. A geotechnical study for unstable slopes

- s. An Environmental Site Assessment Report for a contaminated site and a record of site condition
  - t. A cost-benefit study and/or justification report for a private road
  - u. A heritage impact statement and/or archeological assessment report
  - v. A mining hazard report and/or rehabilitation assessment study including a monitoring report
  - w. A renewable or alternative energy report for a solar, biomass, geothermal, passive, hydro or wind energy facility
  - x. A market study
  - y. Any other studies required by the Township that are not reflected in the above list.
3. The above studies may be in addition to other requirements set out in Ontario Regulations 543/06, 544/06, 545/06 or 547/06 under the Planning Act.
  4. Council/the approval authority may refuse to accept an application as complete in the absence of required studies in support of an application for approval under the Planning Act

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

5. 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.
6. All required reports and technical studies will be carried out by qualified persons retained by and at the expense of the proponent. The Township may require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the Township at the proponent's expense.

## **8.8 Pre-Application Consultation**

1. Pre-application consultation is required for all planning applications where the Township is the approval authority. The Township may structure the pre-application consultation process to include multiple stages, where warranted,



based on the complexity of the proposal and the type of application. Details regarding the process will be included in a pre-application consultation by-law.

2. 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.
3. 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.
4. 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.

## **9. DEFINITIONS**

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

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