



# Rideau Lakes



## OFFICIAL PLAN Updated February 2023

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## SECTION 1 INTRODUCTION

### 1.1 INTENT

This plan provides the foundation for the municipality's social, environmental and economic prosperity. We believe the key to our future lies in building a resilient community above all else. Resilience within our community will ensure we can adapt, innovate and prosper in a rapidly changing world. At its highest level, this translates to:

- a) A community that benefits from, and shares responsibility for, one of Canada's most unique and diverse ecological and natural landscapes. This is achieved through embracing the principles of balance, evidence based decision making and systems thinking;
- b) A community with an economy that is incrementally growing and well positioned to serve local needs and foresee, excel and adapt to trends, threats and opportunities. This is achieved through targeted support, problem solving through needed regulation, networks, and relationship building; and
- c) A community that is socially inclusive, supportive and knowledgeable with a population that strives for the highest levels of personal and collective wellbeing. This is achieved through constructive community-based dialog, innovation, diversity, strategic planning, volunteerism and good governance.

This plan is intended to empower the municipality and our residents and to ensure that we collectively strive for these goals and find balanced approaches along the way. We must be considerate in our thinking, but also able to act quickly and decisively when the need arises.

Official Plans, as documents prescribed by the Planning Act, contain certain policies that have varying levels of detail that are subject to interpretation. Section 16(1) of the Planning Act requires Official Plans to reflect local goals, objectives and policies that manage growth and development to align and conform with the broader provincial and upper tier municipal policies related to land use. This Plan is meant to be read as a sum of its parts, a collection of policies intended to build resilience, environmental sustainability, flexibility, and community - in its broadest sense – now and in the future.

### 1.2 OUR PROCESS

This plan is founded on the strategic priorities of Infrastructure Planning, Financial Planning and Sustainability, Economic Development, and Village and Hamlet Vitality as identified in the Township's Strategic Plan, *Rideau Lakes - 2015 and Forward*. The plan provides an overview of **General Development Policies**, details specific **Land Use Policies**, outlines **Transportation** objectives and explains policies related to **Implementation and Administration**. This plan also provides schedules associated with **Land Use, Development Constraints, Timber Resources and Hazards, and Sourcewater Protection Areas**.



This plan was developed through a consultative and detailed community conversation. Multiple public meetings, open houses, stakeholder sessions, surveys and discussion papers formed the backbone of this conversation. This Plan is informed by our collective knowledge, ideas, and priorities. Terms used in this Plan are intended to address matters of provincial interest and the definitions of the Provincial Policy Statement (PPS).

This plan is also governed by provincial law, regulations, and provincial interest as expressed through the Provincial Policy Statement 2020 (PPS). Municipal decisions on applications under the Planning Act need to be consistent with provincial policy and in conformity with the Official Plan of the United Counties of Leeds and Grenville. This Plan is responsive to provincial direction, however our community is unique and a mature level of government, which is best suited to identify and respond to local needs and challenges within the broader policy framework.

### 1.3 OUR COMMUNITY

The Township of Rideau Lakes came into being on January 1, 1998, as an amalgamation of the former Townships of North Crosby, South Crosby, Bastard and South Burgess, South Elmsley and the Village of Newboro. Rideau Lakes lies in the northwest corner of the United Counties of Leeds and Grenville, roughly halfway between Kingston and Ottawa. The Township encompasses an area of 710 square kilometres and is geographically the largest municipality in the Counties.

While Rideau Lakes' 2016 Census population was 10,326 permanent residents, this significantly understates the size, extent of development and activity within its borders. As of 2018 there are over 7,600 assessed dwellings in the Municipality. If one includes both seasonal and permanent dwellings, the Township's total population nearly doubles, which is especially evident during the warmer summer months. The large volume of people in temporary accommodations such as campgrounds, resorts, and bed and breakfasts, as well as boaters traversing the Rideau system, pushes the seasonal population even higher. By the end of this Official Plan's planning period in 2031, the Township's population will be approximately 11,220 permanent residents.

**Rideau Lakes is a community of villages.** Primary villages include Chaffey's Lock, Delta, Elgin, Lombardy, Newboro and Portland. As a community, we have over 200 years of collective investment in our villages. These villages play a vital role as the commercial and social hubs of our community.

The primary villages are supported in this role by hamlets, including: Crosby, Forfar, Jones Falls, Morton, Philippsville, and Rideau Ferry. The primary distinction between villages and hamlets is built form and the level of commercial and institutional activity. Hamlets may have some commercial activity and institutional activity, but it is generally limited in scale and diversity. The built form of hamlets is generally linear, with no or limited secondary streets and defined districts.



Cross-road and historic settlements are located throughout the countryside including California, Chantry, Newboyne, Harlem, and Plum Hollow. These settlements form an important part of our cultural heritage through landscape, buildings and architecture, and help us to remember the cyclical nature of community development and change.

All villages and hamlets within the Township are serviced by on-site systems or small communal systems. In the absence of significant technological, regulatory or fiscal innovation, it is unlikely the Township will implement municipally owned and operated water and wastewater systems. This is primarily due to the fiscal sustainability of such a system at the village scale within Ontario's servicing landscape.

The link between services and community resilience and prosperity is of key interest to the Township. The Township undertook a study in 2015-2016 entitled *A Fresh Look: Alternative Servicing Models for Ontario's Villages*. The principles uncovered through this study and the work of others will continue to inform our village renewal programs – and likely play a significant role in defining their success.

**Rideau Lakes is a community of lakes.** Rideau Lakes is blessed with an abundance of lakes, combined with diverse topography and vegetation. The Township possesses over 840 kilometres of shoreline. Our lakes are an environmental and economic treasure that create an abundance of social benefits to our residents and visitors.

The UNESCO World Heritage designated Rideau Canal (also identified as a National Historic Site and Canadian Heritage River) represents a foundational part of our cultural heritage and is a phenomenal asset to our community. Beyond culture, the Rideau Canal forever changed the geography of our lands inundating innumerable hectares, and altering the course of an entire watershed at Morton.

The Rideau Canal, combined with the multitude of inland lakes, defines Rideau Lakes as one of Ontario's preeminent lake and cottage country regions.

Our lakes also play a critical role as a part of our ecological systems. They define and influence local habitat, ecology, diversity, groundwater and climate. The important natural functions of our lakes and waterways must not be set aside in the pursuit of social or economic goals.

**Rideau Lakes is a community of landscape diversity.** The distinct character of the various parts of the Township is established through a number of features including historic development, cultural heritage, physical setting and landscape characteristics, intensity and form of development, architecture, level of services and infrastructure such as roads and park facilities.

Rideau Lakes forms part of a unique and diverse regional landscape called the Frontenac Arch Biosphere. This interface of geology and ecology provides a diversity of landscape





and ecosystem forms and types. The local resulting tapestry of this diversity on the landscape around us forms the background to our lives. It is a major attraction to live in and visit. It is an asset worth conserving, valuing, studying and sharing. It has shaped our past and will shape our future.

**Rideau Lakes is a community of culture and heritage.** Our story and that of our forebears have left a permanent mark on the landscape and in our minds. Much of the Township's cultural heritage is rooted in farming, agriculture and a rural way of life, in addition to recognizing Indigenous communities who inhabited the area. From the National Historic Site in Delta, the Old Stone Mill, to the Red Brick School and the history of 'the Landing', Admiral Kingsmill, and our multi-generational families – culture and heritage runs deep in Rideau Lakes.

Culture and heritage is brought to life by dedicated community champions and organizations. These volunteer driven endeavours are an extremely valuable asset to our community. The collective wisdom and knowledge of our community – our stories, our heartaches and our triumphs are recorded and brought to life by their efforts.

**Rideau Lakes is a community of opportunity.** Our society is increasingly defined by a drive for genuine experiences and people. Our landscapes, villages, attributes, people and heritage are ideally positioned to provide high-quality and engaging tourism experiences and products. Engaging others, locally and globally as we define, branding and promoting exactly what 'Rideau Lakes' is all about, is an important driver of economic success and investment attraction. We are all ambassadors.

Agriculture, especially value added and niche products and services, is another key to our economic prosperity. As trends in food evolve, and climate variability brings change, opportunity and challenges, Rideau Lakes' agricultural assets must be protected, nourished and promoted.

### 1.4 OUR OBJECTIVES

The objectives set forth in this Plan have evolved from the historical development and character of the Township's natural, economic, social and cultural environments. These objectives reflect Council's vision for the Township's development in the coming years and shall be used for guidance in Council's decision-making.

- a) To maintain and, where possible, to improve the quality of the environment, particularly in regard to the health, safety, convenience, accessibility and welfare of seasonal and permanent residents, as well as visitors to the area;
- b) To preserve and enhance the rural, recreational and vacation-oriented flavour of the Township, while providing opportunities for controlled, environmentally-sustainable growth, particularly within the tourism sector;

- c) To preserve and enhance water bodies and their environs by encouraging development and redevelopment which is environmentally-sensitive and which protects, improves or restores water quality and the shoreline environment;
- d) To encourage steady, diversified and balanced economic growth to build a more favourable assessment base and to ensure a reasonable range of employment opportunities to support the retention and return of youth and young adults within the Township;
- e) To ensure that land use designations and related policies foster economic growth and diversification, including opportunities for home-based and tourism-based businesses;
- f) To support and grow existing local businesses and agricultural operations in recognition of the vital and historic role these sectors play in the Township's development;
- g) To provide for the protection of natural resources, such as agricultural lands, woodlands, ground and surface water, mineral aggregates and minerals;
- h) To strengthen the role of settlement areas as local commercial, residential, social, and cultural centres for the Township, as well as to enhance their function in providing services and facilities that cater to tourists, as well as permanent and seasonal residents;
- i) To conserve and protect cultural heritage resources, including historic areas, buildings, sites, landmarks, landscapes and archaeological sites;
- j) To conserve and enhance the natural, cultural, scenic, and historic values of the Rideau Canal as a National Historic Site, Canadian Heritage River and UNESCO World Heritage Site;
- k) To enhance the aesthetic qualities of the built and natural environment;
- l) To encourage the provision of an adequate supply and range of housing types and supporting amenities to satisfy the needs of existing and future residents, including those with special needs;
- m) To develop and maintain sufficient parkland, open space and community facilities to meet the needs of various age and socio-economic groups;
- n) To protect existing land uses from the impacts of incompatible development and to ensure that new or expanding uses are well integrated into existing developed areas;
- o) To promote environmentally-sound development and energy conservation practices through the planning and development approval processes;
- p) To protect significant natural heritage features such as wetlands and areas of natural and scientific interest;
- q) To minimize risks to persons and property arising from natural hazards such as flooding, organic soils, unstable bedrock, wildland fire and steep or unstable slopes;
- r) To ensure that, in reviewing development proposals, adequate attention is paid to human-made hazards such as contaminated sites or abandoned mine sites;
- s) To establish detailed land use policies to be used as the basis for evaluating development proposals, particularly in those instances where such proposals may be in keeping with some land use policies but in conflict with others;



- t) To work with various non-profit organizations and associations, as well as agencies such as Parks Canada and the Conservation Authorities towards common recreational, conservation and tourist-oriented objectives, particularly as they relate to the Rideau Canal Corridor, the trail system and various conservation and public recreational lands;
- u) To conduct planning with an open and transparent process, producing policies which are fair in their distribution of benefits and influences; and
- v) To work with the local public health agency towards common health, built and natural environment, climate change, recreation and access to healthy local food objectives, particularly as they relate to addressing emerging health issues and achieving greater health equity.

### 1.5 SCOPE

The Official Plan is a legal document but does not, by itself, control or regulate the development of land by private interests. Rather, detailed control and regulation is accomplished primarily through implementation tools such as comprehensive Zoning By-laws and Site Plan Control By-laws.

The Official Plan contains policies which are intended to guide public and private interests in such a way as to ensure the best form of development under the most desirable conditions. In addition, the Official Plan sets out guidelines for the preparation of municipal regulations which implement the Plan, establishes policies to govern both the division and development of land and, finally, identifies public actions which need to be taken to support private development.

### 1.6 PERIOD

This Official Plan is intended to guide the future development of the Township to the year 2031. An Official Plan should be viewed as a living document and it is intended that as conditions change, as new information becomes available, and as our understanding of issues and priorities change, there will be a need to consider, amend and review the Plan in full or in part. Pursuant to Section 26 of the Planning Act, Council shall revise the Plan no less frequently than ten years after it comes into effect as a new Official Plan or every five years thereafter unless the Plan has been replaced by a new Official Plan.

### 1.7 APPLICATION

This Plan applies to the entirety of the Township of Rideau Lakes and represents a major update to the 2004 Official Plan. The 2004 Official Plan replaced the Official Plans of the former Township of North Crosby, the former Township of South Crosby, the former Village of Newboro, the former Township of Bastard and South Burgess and the former Township of South Elmsley.

## SECTION 2 GENERAL DEVELOPMENT POLICIES

### 2.1 INTRODUCTION

The policies of this section deal with development considerations that are generally applicable to various land uses within the Township and should be read in conjunction with the specific land use policies contained in the **Land Use Policies** section of this Plan.

### 2.2 WATERFRONT DEVELOPMENT POLICIES

Historically, the areas of the Township which abut or are adjacent to the Rideau Canal and the Township's many lakes and rivers have attracted tremendous interest as summer recreational areas. Over the years, low density seasonal dwellings evolved in a linear fashion as waterfront areas were discovered by residents of nearby towns and various communities much farther away, such as Ottawa and Toronto, as well as the United States of America.

The cottages that were constructed in the Township's waterfront areas traditionally functioned solely as secondary residences used on a seasonal basis by their owners, whose principal place of residence was located elsewhere. Road access, where available, has generally been by private road. This form of development has a long tradition in Rideau Lakes and many other jurisdictions.

The waterfront areas of the Township are also distinguished by the presence of other long-standing uses that are functionally-related to the water. These include parks, lock stations and a range of tourist commercial uses such as resorts, summer camps, campgrounds and marinas.

In recent years, there have been pressures across cottage country (both in the Township and elsewhere) to use waterfront residential properties on a more intensive, multi-season basis. The reasons for this are related to a broad range of factors including, among others, demographic and lifestyle considerations. The trend has been associated with the improvement and enlargement of existing dwellings and private sewage disposal and water systems, the creation of new lots through the consent process, the construction of increasingly larger new dwellings on existing vacant or new lots and changes in occupancy from secondary or seasonal use to principal or permanent use.

As undeveloped waterfront property becomes increasingly scarce, as existing properties become more intensively used, and as pressures mount to permit higher density development, there is a need to ensure that appropriate Official Plan policies are in place to ensure the protection of the Township's waterfront area's unique physical and environmental character.

While the character of specific waterfront areas varies, some of the key elements of this character are:





- a) The unique and limited land use mix, overall low density of development and distinct form and massing of buildings;
- b) The presence of spectacular vistas and alluring natural landscapes, and the integration of buildings and structures into those landscapes with minimal disturbance;
- c) The private roads which generally provide road access to waterfront properties, as well as the low-volume design of such roads, which is typically dictated by, and adapts to, topography and vegetation;
- d) The important role of the water and shoreline areas in supporting natural heritage features through the provision of habitat for flora, fauna and aquatic life;
- e) The contributions of the water and shoreline areas in terms of cultural heritage, leisure and recreational opportunities, as well as economic and employment benefits in the service sector, resulting from tourism and recreational property development.

Given the importance of maintaining the long term quality and character of water bodies and their environs, the following development policies relating to lake capacity and assessments, water setbacks, water frontage, narrow channels and boat capacity shall apply to all development proposals adjacent to water bodies. Proposals involving the horizontal and/or vertical enlargement of existing buildings and structures situated on waterfront lots shall be consistent with these waterfront development policies having particular regard for the **Waterfront Development Policies for Changes to Non-Complying/Non-Conforming Development** Section of this Plan.

### 2.2.1 Lake Capacity and Assessments

Lake capacity generally refers to how much development can take place along shorelines without impairing water quality.

Lake capacity assessments can be used to determine the maximum allowable development that can occur on a lake without degrading water quality past a defined point, or to predict the expected effect of future development on waterbodies. The assessment differs from a traditional environmental impact assessment or even a lake impact study which is site specific, as a lake capacity assessment is meant to provide a holistic assessment of the lake and the impact that a proposed development may have on a waterbody as a whole. The Township does not currently have a defined method for conducting lake capacity assessments, however the Ministry of Environment, Conservation and Parks, Ministry of Northern Development, Mines, Natural Resources and Forestry, and Ministry of Municipal Affairs and Housing have developed a Lakeshore Capacity Assessment Handbook that should be referred to as a guide for the development of the assessments, in addition to other relevant lake water quality models. A Limnologist or other qualified professional shall prepare such assessment.

Lake impact studies are another method to assess potential lake impacts that may result from a proposed development. These studies are smaller in scale than a lake capacity assessment and are site specific, however are also conducted by a Limnologist or other qualified professional. A lake impact study shall look at historic and existing water quality data from qualified sources for the relevant lake and shall use this information as a baseline to ensure that provincial water quality objectives are met for the lake. Other data that shall be considered includes how many lots are already on the lake, including how many vacant lots of record exist. Site specific data shall include features such as the provision of a detailed development envelope, a soils assessment, and details on the amount of proposed phosphorous loading. The noted data shall be combined with the implementation of best management practices such as storm water management, vegetative buffers, erosion and sediment controls, optimal locating of septic systems and ensuring that all relevant zoning standards related to waterfront development are achieved or exceeded. A lake impact study shall demonstrate no negative impact.

- a) Big Rideau Lake is the only cold water lake in the Township, and it is managed as a lake trout lake by the Ministry of Northern Development, Mines, Natural Resources and Forestry. Based on dissolved oxygen profiles and lake capacity modelling, Big Rideau Lake is classified as moderately sensitive. All other lakes in the Township are warm water lakes. If change in the water quality of any lake is indicated by new scientific evidence accepted by the Township, in consultation with qualified experts, the Township will consider undertaking a lake capacity study for that lake.
- b) For any development proposal that would result in the creation of more than three lots or dwelling units having direct or deeded water access, a lake impact study to assess the effect of development and additional nutrient loadings on lake water quality will be required. A lake impact study shall also be required for any significant development proposal, as determined by the approval authority, for a non-residential use within 300 metres of a lake. The Township may require a lake capacity assessment instead of a lake impact study if it is determined by the Township that the scale and/or impact of the development will be significant. At the discretion of the Township, the assessment may be completed through a partnership between the Township and the developer, however in most cases the cost shall be borne by the applicant. The approval of such proposal shall not be granted where a negative impact on water quality would be the result; and where such impact(s) could not be adequately mitigated.

### 2.2.2 Water Setback

- a) An adequate water setback serves an important function in relation to the protection of the natural and cultural heritage characteristics and water quality of the lakes and rivers of the Township. The intent of a water setback is to prevent the disturbance of the shoreline area as a result of the placement of buildings and structures, including sewage systems, or the removal of the soil

- mantle and natural vegetation. In addition to preserving the natural aesthetic qualities of the shoreline as viewed from the water, an appropriate water setback can reduce phosphorus and other nutrient loads to the lake and, in combination with vegetation, prevent erosion and sedimentation, and improve the habitat of plant, fish and animal species. Development or site alteration such as filling, grading and excavating shall occur a minimum distance of 30 metres from the upper controlled water elevation from lakes on the Rideau Canal Corridor or the normal high water mark of any other water body. The quantitative element of this setback shall be implemented through the comprehensive Zoning By-law, while the qualitative elements shall be addressed through the Site Plan Control process.
- b) Where lake-specific or site-specific conditions suggest that it would be appropriate, the minimum water setback may be increased. Examples of the latter would include sites with steep slopes, limited soil depth, sub-optimal (i.e., very high or very low) soil percolation rates, or limited vegetative cover, sites on narrow channels, or in areas identified as having significant cultural heritage value. Assessing such sites for appropriate setbacks can be determined by the relevant conservation authority applying considerations for water setbacks and best practices derived from the “Rideau Lakes Basin Carrying Capacities and Proposed Shoreline Development Policies report” and the associated “Municipal Site Evaluation Guidelines”, updated in 2015.
  - c) Development or site alteration may be permitted less than 30 metres from a water body in situations where existing lots or existing developments preclude the reasonable possibility of achieving the setback. Any proposal for development or site alteration proposed to occur less than 30 metres from a water body shall be subject to the policies of the **Environmentally Sensitive Development, Fish Habitat and Adjacent Lands**, and **Environmental Impact Assessments** sections of this Plan, as determined by the Township upon review of site-specific conditions and the overall scale of development.
  - d) Water setback requirements shall not apply to permitted encroachments, docks, boathouses, pumphouses and other marine facilities accessory to permitted uses. Depending upon their location in relation to the water, such structures may require permits from approval authorities such as Parks Canada, the Ministry of Northern Development, Mines, Natural Resources and Forestry, and the relevant Conservation Authority in addition to, or instead of, approvals from the Township.
  - e) It is the policy of this Plan that minimum disturbances of native soils and very limited removal of vegetation occur beyond that required for development. Among other tools, tree cutting by-laws and site alteration by-laws as authorized in the *Municipal Act*, as well as Site Plan Control may be utilized by the Township for this purpose.



### 2.2.3 Water Frontage

- a) As a general rule, the minimum water frontage for any new waterfront lot shall be 60 metres. This requirement may be increased where lake-specific or site-specific conditions suggest that it would be appropriate and shall be implemented through the Zoning By-law. Any newly created lot that does not meet the minimum 60 metre water frontage requirement shall be accompanied by an appropriately increased water setback or other environmental net gains that is implemented through the Zoning By-Law, Site Plan Control or other appropriate mechanism.
- b) Where the creation of more than three non-waterfront lots from a waterfront land holding is proposed, a user-in-common deeded waterfront parcel of land shall generally be provided, such parcel to have a minimum water frontage of 15 metres per non-waterfront lot, or as otherwise determined by the Township and Parks Canada when the waterfront parcel is located along the Rideau Canal. Preference shall be given to those user-in-common deeded waterfront parcels of land that are managed by an applicable Condominium Corporation or other resident association as deemed appropriate by the Township.
- c) Water frontage requirements of this section shall be applied on a per dwelling unit basis for any multi unit dwelling development proposals.

### 2.2.4 Narrow Channels

The confined nature of narrow channels and approaches to lockstations can result in safety and compatibility issues for boaters and landowners in addition to shoreline erosion and degradation of natural heritage features. A narrow channel is defined as a waterbody where the distance from shore to shore is 150 metres or less. Given the importance of ensuring public safety, the development of structures such as marine facilities will not be permitted in a narrow channel or an entrance to a lockstation where a hazard to navigation would result, as identified by the approval authority or Parks Canada, as applicable.

New lot creation on narrow channels will be permitted in accordance with the following:

- a) Where the distance of the narrow channel from shore to shore is 90 metres or greater, a minimum shoreline frontage of 90 metres is required.
- b) Where the distance of the narrow channel from shore to shore is less than 90 metres, a minimum shoreline frontage of 120 metres will be required.

### 2.2.5 Boat Capacity

While the Rideau Canal and the Township's inland lakes do not experience boat capacity issues at this time, there are localized areas such as narrow channels, near existing marinas and in the vicinity of lockstations, where there is potential for boater conflicts. Proponents of large-scale water-oriented development projects will be required to consult with the approval authority and if applicable, Parks Canada during the preparation of a



concept to assess the effect of development on safe and enjoyable navigation of the Rideau Canal and inland lakes.

### 2.2.6 Waterfront Development Policies for Changes to Non-Complying/Non-Conforming Development

The Township recognizes that there are numerous dwellings and accessory structures which do not comply with the zone provisions set out under the existing comprehensive Zoning By-law. These older buildings and structures are recognized as being non-complying as they are related to current performance standards (e.g., water setbacks, lot coverage and floor space index provisions, shoreline area occupancy, etc.). The Township anticipates that many land owners will seek to repair, renovate, reconstruct and/or enlarge these structures over time. To guide such activities the Township has established a series of Waterfront Development Policies which shall be consulted prior to the submission of a planning application involving development on the water. The policies set out in this regard include:

- a) The ability to repair, restore or rebuild an existing legal non-complying building or structure provided there are no increases to height, size, volume or extent of non-conformity or non-compliance of the use, building or structure, except as is required in order to comply with provincial or federal requirements;
- b) Enlargement of a non-complying building or structure shall involve efforts to maximize the water setback, having regard for the physical constraints of the lot. Where existing water setback deficiencies exist, proposals shall not further reduce such deficiencies. In addition, efforts shall be made to minimize the impact of new construction on the natural aesthetic and environmental qualities of the shoreline area. Regard shall be had for the **Water Setback** provisions of this Plan;
- c) The replacement of existing septic systems, or the installation of new systems, shall maximize the water setback, having regard for the physical constraints of the lot. The incorporation of tertiary treatment systems and other technologies shall be explored when proposing development on waterfront lots which are physically constrained and/or situated in close proximity to sensitive natural heritage features or water resources. The Township may require specialized studies or reports from licensed septic installers to identify all system-related options available to private land owners;
- d) Existing septic systems which are identified as being non-compliant with the requirements of the Township's Zoning By-law and/or the Ontario Building Code (OBC), may require replacement or upgrades when reviewed in conjunction with proposals to repair, renovate, reconstruct, or enlarge non-complying dwellings. Through its review of planning applications, the Township may require proof that an existing septic system is functioning properly. Additional information may be required to ensure the system is adequately sized and configured to comply with the requirements of the OBC;



- e) Projects involving the reconstruction or enlargement of non-complying buildings or structures shall incorporate measures to establish a 30 metre strip of unaltered, naturalized land abutting the shoreline, with provisions for a modest shoreline access path through this area. Commonly referred to as a “ribbon of life”, this naturalized buffer will help to achieve conformity with the Plan’s broader **Waterfront Development** and **Environmentally-Sensitive Development** policies. Notwithstanding the foregoing policy, where there is development within the 30 metre area as a result of existing legal development on an existing lot, a Planning Act approval for new development, or for marine facilities and limited structures that are permitted as of right in the Zoning By-Law, the remaining area within 30 metres of the water shall be unaltered and naturalized where possible;
- f) The reconstruction or enlargement of non-complying buildings or structures shall not negatively alter existing drainage patterns thereby directing runoff into nearby waterbodies and/or neighbouring properties. Proposals affecting waterfront lands shall incorporate mitigation measures such as: eaves-troughing, vegetated buffers, and other features used to control runoff, improve water quality, and prevent off-site drainage. A drainage plan illustrating proposed cut and fill locations, landscaping elements, and other items may be required in support of development proposals on the water. In reviewing drainage plans, regard shall be had for the **Water Resources and Waste Water Treatment** policies of this Plan; and
- g) Planning applications involving proposals to enlarge a non-complying building or structure shall reflect efforts to reduce the amount of structural coverage within the immediate shoreline area (i.e., 3m strip of land abutting the shoreline) and within that portion of land falling within 30m of a waterbody. Proposals which may result in excess structural coverage shall explore options to offset environmental and aesthetic impacts by removing, downsizing, or relocating buildings or structures which have deficient water setbacks. Environmental net gains shall be considered for planning proposals on waterfront properties.

The Township shall use the above-noted Waterfront Development Policies for guidance during the review of planning applications associated with non-complying buildings or structures situated on waterfront lands. In implementing these policies, the Township may require guarantees, such as development agreements, to ensure compliance with the conditions of an approved planning application. Land owners are encouraged to proactively incorporate measures that illustrate conformity with these policies to facilitate the review of their development proposals.

### 2.2.7 Further Preservation of Waterfront Areas

Various land use and general development policies of this Plan support the protection, improvement and restoration of waterfront areas and include policies that are aimed specifically at those areas. By way of example, particular regard shall be had to the following sections of the Plan:



- a) **Road Access** and **Private Roads** sections of the Plan, for special policies that provide continuing recognition of, and support to, waterfront development with private road access;
- b) **Environmentally-Sensitive Development** section for policies to encourage development that fits into the existing natural and built environments, including minimizing disturbance to the natural environment adjacent to shorelines of water bodies;
- c) **Fish Habitat and Adjacent Lands** section, which sets out policies for the protection of water bodies as a vital component of natural ecosystems;
- d) **Cultural Heritage, Rideau Canal and Archaeological Resources** section, which speaks to the special cultural heritage significance of areas on or near water bodies in terms of the scenic vistas and landscapes that have resulted from the interplay between the built and natural environments. This section also underscores the importance of waterfront areas to our understanding of the history of Indigenous communities, the early settlement of the Township and construction of the Rideau Canal system.
- e) **Natural Hazards Features** section, which identifies potential flooding, unstable bedrock, organic soils, wildland fire and steep slope concerns that can pose risks to persons and property within waterfront areas.
- f) **Water Resources and Waste Water Treatment** section, which focuses on policies to protect surface waters, including the management of storm water to ensure that water bodies are not negatively affected by the scale, density or physical form of development;
- g) **Consent Policies** section of this Plan, which provides special policies facilitating limited lot creation in waterfront areas, including waterfront areas with private road access;
- h) **Site Plan Control** section which, in an attempt to more closely regulate the qualitative elements of waterfront development, extends site plan control requirements to all forms of development, including single dwellings where development is proposed adjacent to a water body.

The Zoning By-law that implements this Plan shall include special zones and provisions to address specific waterfront policy concerns of this and other relevant sections of the Plan.

### 2.3 ECONOMIC POLICY

Currently, residential assessment accounts for over 95% of the Township's assessment base. Council intends to redouble its efforts to promote the Township's non-residential development potential, with the intent of increasing this component of the assessment base. The aim of such efforts are, of course, to strengthen the Municipality's financial position, reduce the residential property tax burden, provide enhanced employment opportunities for residents and increased local access to a wider range of goods and services.



If required, Council may deem applications for further significant residential development as premature until such time as it is satisfied that it has the financial resources to continue to supply needed municipal services and community facilities. Where Council has concerns in this regard, it may request the proponents of proposed developments to undertake studies which examine these issues to Council's satisfaction.

The Township intends to utilize Development Charges in accordance with its Development Charges By-law. The application of Development Charges is recognized as a key financial tool to ensure that most of the costs for meeting the service demands arising from growth are paid for by the new development. Applying Development Charges facilitates maintenance of current levels of service for all taxpayers and can limit undue upward pressure on the existing tax base. This, in turn, assists with the financial sustainability of the Township and it is anticipated that the use of Development Charges will continue during the term of this Plan.

Internet and cell phone connectivity has become an essential service for residents, businesses and tourists visiting the Township. It is particularly important in facilitating new business development, which commonly occurs through home-based businesses throughout the Township. In many locations in the Township these services are difficult to access or are unreliable, have slow performance and/or can be costly to acquire and operate. The Township will work with service providers and other government regulators to improve access to, and affordability of these vital communications services.

Pursuant to the provisions of the Municipal Act and subject to the Township's financial and other resources, the Township will endeavour to assist persons, groups and bodies who are undertaking projects or programs in accordance with the policies of this section, by doing the following:

- Making grants, loans and loan guarantees;
- Granting land, or selling or leasing land at nominal cost;
- Providing small business counselling services;
- Participating in small business programs administered by the Province of Ontario;
- Incorporating a community development corporation for the purpose of promoting community economic development through strategic planning and increasing self-reliance, investments and job creation;
- Taking such other initiatives as are authorized by the *Municipal Act*.
- Consider waiving or refunding part or all of various municipal fees, such as those related to planning applications, building and demolition permits and parkland dedication, in the context of tourism-enhancing projects, particularly where undertaken by not-for-profit organizations.

Economic growth in the Township is most likely to succeed if it builds upon the existing strengths and economic base of the community. The main drivers of economic growth in the Township utilize our existing natural assets through promoting the Township as a



**Recreational and Tourism Destination**, as well as through supporting **Agri-Tourism** initiatives. Economic growth in the Township is also directly related to **Village and Hamlet Vitality**. The policies within the following sections shall be read in conjunction with the Township's Strategic Plan, *Rideau Lakes – 2015 and Forward*, which notes Economic Development and Village and Hamlet Vitality as two of the four main priorities of the Township.

### 2.3.1 A Recreational & Tourism Destination

Rideau Lakes is a long-established recreational and vacation destination. In recognition of existing and potential tourism opportunities, Council shall seek to foster the growth of the Township as a recreational and vacation hub for the mutual benefit of both residents and visitors to the area. As a result of the recreational component of this section, the policies in this section should be considered in conjunction with the provisions of Section 2.10 pertaining to parks, trails and recreation, and Section 2.11 regarding crown and conservation lands. In particular, Council shall endeavour to do the following:

- a) Encourage and work with government bodies, boards, commissions, committees, business organizations, private investors and non-profit groups and associations with an interest in tourism in Rideau Lakes, to expand and market the Township as a vacation and recreation destination. Numerous organizations such as the United Counties of Leeds and Grenville, Parks Canada, the Conservation Authorities, various provincial Ministries as well as business, ratepayer, lake, sporting, conservation and other associations, play a direct or indirect role in supporting tourism and recreational objectives and are the Township's partners in this common interest;
- b) Build upon the key recreational and tourism foundations - the Rideau Canal and extensive lake system, the Trans Canada and other trail systems and various conservation and public park facilities provided the environmental health of the recreational and tourism assets are not compromised. Additionally, the Township will support policies and initiatives to foster growth in the provision of tourist accommodation, restaurant facilities and service and retail facilities oriented to seasonal residents and the vacationing or travelling public;
- c) Support and encourage the development of linkages for all modes of transportation, including walking, cycling, and passive boating, between recreational trails, settlement areas, community gardens, grocery stores, local markets, tourist attractions, points of interest and areas of scenic or environmental interest, both within and outside the Township;
- d) Undertake and support tourism, recreational, heritage, community improvement and economic development studies and programs and actively promote the Township's opportunities as a multi-season recreational and vacation centre. A particular focus during this planning period will be to work with the Township's private and public sector tourism partners to encourage destinations, events, and tourist attractions in all seasons and to change the



- perception and focus of the Township as primarily a summer season destination;
- e) Encourage tourism initiatives such as seasonal festivals and sporting and cultural events that build upon the rich Rideau Canal based history of the area;
  - f) Support local business persons seeking to form business to business networks.
  - g) Recognize that tourism, particularly when oriented to enjoyment of open space and natural resource areas, may be enhanced through local and regional collaboration. When opportunities or specific initiatives are identified in recreation or tourism strategic plans or studies, or in cost-effective proposals for public-private collaboration, Council will consider their implementation through partnership agreements or comparable arrangements;
  - h) Recognize that there are planning issues and concerns that cross municipal boundaries and require a coordinated approach among municipalities and other orders of government with respect to planning matters. There are segments of the Trans Canada Trail (The Cataraqui Trail) and a regional trail (The Rideau Trail) as well as potential routes for two additional regional trails that extend through the Township. The UNESCO recognized Rideau Canal System also encompasses waterways in the Township. Similarly, the Rideau Heritage Route, a travel and tourism supporting road network, includes roads within the Township. These features and other trail, travel and outdoor recreation resources establish, and lead to, shared tourism and recreational interests between Rideau Lakes Township and adjacent municipalities. The Township will co-ordinate and partner with neighbouring municipalities and other levels of government in protecting the function and long term development potential of these open space and travel networks in implementing this Plan; and
  - i) The Province recognizes that a component of healthy and viable rural areas is to provide “opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets” (PPS 2020). Cultural heritage resources encompass built heritage resources, heritage landscapes and archaeological resources. The Rideau Canal is a UNESCO recognized World Heritage Site and has a long established link to tourism activities in Rideau Lakes Township. Through the implementation of this Plan, the Township will ensure the preservation, promotion and revitalization of Cultural Heritage Resources as a tourism resource is addressed.

### 2.3.1.1 Eco-Tourism

Eco-tourism is typically described as responsible travel to areas with natural heritage resources which involves sustainable management of tourism impacts on the resources and opportunities for learning or enhancing environmental, cultural, and natural resource awareness and respect while providing opportunities for financial benefits to the local economy and natural area conservation efforts. The following eco-tourism policies will be considered:



- a) Rideau Lakes Township has and shares natural heritage resource areas that are, or have potential to be, of interest, as destinations for eco-tourism experiences. The Township will coordinate and collaborate with other municipalities, other government agencies, Indigenous communities, and other stakeholders when interest is expressed in developing a regional eco-tourism strategy.
- b) In undertaking planning approvals processes, particularly in or adjacent to natural or cultural heritage resource areas, the potential impact on, or opportunity to develop, eco-tourism capacity will be considered.
- c) Uses supporting or developing eco-tourism capacity, such as environmental stewardship camps or learning centres, cultural awareness programs, outfitting or guiding services, or eco-tourism training centres will be considered in rural areas where adherence to and implementation of eco-tourism principles is clearly demonstrated.
- d) Through community improvement plans, implementation of an eco-tourism strategy, and / or in partnership with other agencies and organizations, the Township will support the development of eco-tourism initiatives, and the placement of associated way-finding signage, information kiosks or educational plaques, on Township lands. Township managed meeting facilities will be promoted for service providers or groups holding educational, and cultural awareness programs.

In keeping with eco-tourism principles, the Township will encourage access to natural heritage resource areas by active transportation modes and will promote and develop suitably located parking areas, washrooms, bicycle parking facilities and will direct tourism accommodation to primarily locate in settlement areas and locations well removed from ecologically sensitive natural resource areas.

### 2.3.1.2 Agri-Tourism

Agri-tourism generally means those farm-related tourism uses, including limited accommodation, that promote the enjoyment, education or activities related to the farm operation. Agri-tourism uses are a type of permitted on-farm diversified use further described in Section 3.2.2 of this Plan. The Township will support agri-tourism opportunities by:

- a) Permitting on-farm limited accommodation facilities to enable farm-life experience tourism, or training centres for specialized, sustainable, or innovative farming practices. Ancillary shops for goods produced on the farm such as sewing or knitting crafts, artisan works, or custom made articles will also be permitted; and
- b) Permitting value added agri-businesses utilizing on-farm or local crops which may include retail outlets attractive to the tourist trade, such as wineries and craft breweries, maple producers, bakeries and local food serving eateries.

### 2.3.1.3 Village and Hamlet Vitality

The Township's Strategic Plan, *Rideau Lakes – 2015 and Forward*, states that “Villages and hamlets will remain the hub of rural life by offering services and housing that reflect local needs and priorities. We will identify and build on each centre's unique opportunities and revitalize our villages and hamlets through resident engagement, targeted programs, investments, and policy”. While the Township, including all settlement areas, remains without municipal water and sewer services, which can hinder density, diversity and flexibility of uses, these areas have unique opportunities and strengths which must be promoted through relevant policies in this Plan. The Township will encourage village and hamlet vitality by:

- a) Ensuring that the provisions of **Section 2.7 Community Improvement**, are adhered to, which may include expanding the current Community Improvement Programs in the Township to all settlement areas;
- b) Encouraging rehabilitation and public and private investments that build on the assets specific to each settlement areas;
- c) Supporting community branding and streetscape enhancement;
- d) Implementing and further researching sustainable and innovative servicing models, such as decentralized systems, as further described in **Section 2.21 Water Resources and Waste Water Treatment**;
- e) Encouraging the development of healthy, mixed use communities that can support the core functions traditionally associated with settlement areas for residents, while indirectly supporting the needs of visitors;
- f) Utilizing provisions of the Development Charges Act and the Municipal Act which allow the Township to exempt certain areas, such as settlement areas, from the application of a development charges by-law in order to stimulate private sector tourism investment.
- g) Supporting the development of innovative tourism initiatives such as taste trails, artisan tours, or self-guided travel and the placement of associated way-finding signage, information kiosks, or associated infrastructure in appropriate locations on Township lands. This may be encouraged through community improvement plans, implementation of a tourism strategy, and / or in partnership with other agencies and organizations.
- h) Permitting ‘Pop-Up Businesses’, particularly those oriented to serving the travelling public, facilitating active transportation or seasonal retail or service needs. These businesses can complement the Township's commercial base and can serve as a lower-cost approach to business start-up for emerging entrepreneurs. Pop up businesses will be encouraged in the commercial areas and along the main streets of settlement areas and in rural areas in association with festivals and seasonal events, or tourism accommodations, farmers markets, public parks or access areas for active transportation corridors. The specific regulation of pop-up businesses is anticipated to occur through zoning provisions, permit or licencing by-laws, or temporary site occupancy





agreements, however they are understood to be temporary in nature and the location occupied and typically encompass uses such as:

- i. Booths and stands at festivals
- ii. Short-term stores for a specific season or time period
- iii. Displays of items for sale inside another business, mall or commercial out-door space
- iv. Mobile food vendors, retail outlets, or service providers
- v. Vendors at a farmers market
- vi. Bike or scooter rental stands during the summer.

### 2.4 HOUSING POLICY

The Township is committed to providing a range of housing options for all residents which include attached or detached single dwelling units, tiny dwellings, garden suites, additional residential units, and multiple residential units.

Rural settlement areas are recognized in this Plan as those areas within the Settlement Areas designation where growth and development shall be focused. Development of multi-unit housing, residential intensification, and affordable housing will be directed to this designation, to provide the greatest opportunity for a broad range of housing forms, types and tenures in proximity to employment opportunities, and community services and facilities. Other low density and locally appropriate housing can be accommodated in the Rural designation.

Policies have been included in this Plan to ensure that:

- a) There is at least a fifteen year supply of land designated and available for future residential development;
- b) A variety of housing options are accommodated to meet the needs of present and future residents from a broad range of demographics and special needs, subject to the limitations imposed by servicing and environmental considerations; and
- c) The provision of new housing is encouraged to take place in the more built-up areas of the Township, such as settlement areas.

The Township intends to monitor the residential land supply and the type and density of housing approved and constructed pursuant to this Plan.

#### 2.4.1 Affordable Housing

The United Counties of Leeds and Grenville Housing and Homelessness Plan 2014 – 2024 has demonstrated that there is a lack of affordable housing throughout the Counties, inclusive of the Township of Rideau Lakes. Affordable housing is critical to seniors, particularly those trying to age with dignity within their communities. It is also a critical form of housing for single person households. An adequate supply of affordable housing

has the potential to attract young people and families into the Township to uphold the local workforce and may also enable the Township to retain people in this demographic who may otherwise move for lack of housing options.

During the term of this Plan the Township will attempt to meet the United Counties of Leeds and Grenville target of 25% of new housing being affordable. In a given year the residential development may meet, exceed or fall short of the 25% target and therefore, to achieve a more realistic picture of the progress made in achieving this target, an average over a five-year period shall be used to meet affordable housing objectives. In this regard the Township may collaborate with the Counties to develop an affordable housing strategy and will implement the United Counties of Leeds and Grenville Housing and Homelessness Plan 2014 – 2024.

The Township will seek to enhance the inventory of affordable housing by facilitating the creation of rental units, additional residential units and multiple residential development through adhering to the following policies:

- a) Within the Settlement Areas designation, additional residential units and development of “tiny dwelling” projects will be encouraged;
- b) Subject to the provisions of Section 5.2 of this Plan, the design of subdivisions in areas appropriate for residential intensification should consider the implementation of additional residential units, and larger subdivisions will be encouraged to include at least one site for multiple dwelling unit development or more intense forms of development;
- c) Within the Settlement Areas, on publicly maintained roads, where on-street parking is permitted, consideration will be given to reduce the parking requirement to one parking space for each dwelling unit;
- d) Within the Settlement Areas, amendments to the Zoning By-law to permit affordable age-friendly multi-unit residential development that is responsive to local and regional demographic changes will be encouraged;
- e) The Township may develop community improvement plans or provide for relief from all or a portion of development charges and other fees for projects that include affordable dwelling units and rental dwelling units in situations where the maintenance of affordability is assured through the sponsorship of, and binding agreement with, another government agency;
- f) The Township will consider establishing zoning categories and standards that would permit multiple-residential development and to identify appropriate locations to apply such zoning;
- g) The Township will support the renewal, intensification, or creation of affordable housing projects by public agencies, and non-profit housing providers, including communal and cooperative housing, and collaborative housing projects;
- h) The Township may consider the use of inclusionary zoning as a tool to achieve affordable housing objectives;



- i) The Township will endeavor to have all multiple unit development assist with meeting the affordability goals for new housing stock contained in this Plan; and
- j) The Township will encourage all additional residential units and multiple unit development to meet the affordability goal for new housing stock.

### 2.4.2 Aging in Place

As recognized in Ontario's 2017 *Action Plan for Seniors* the fastest expanding age category in the Province consists of people 65 years of age and over (seniors). This is not a situation unique to the Province or even Canada. The Township is experiencing this increase in the proportion of its population over the age of 65 and therefore the intent of this plan is to ensure the provision of adequate housing and services for all residents with particular emphasis on the housing needs of seniors.

Aging in Place is a term that is widely used to encompass the community response, and measures taken, to address the housing preference of our senior citizens, which is to allow them to remain in their own home and live independently as long as possible. This is additionally necessary in rural communities where alternative housing options are less available. The Township of Rideau Lakes will endeavor to support the concept of Aging in Place by ensuring:

- a) public walkways and sidewalks are designed for accessibility, which shall also include outdoor seating areas, and maintained in an even, unobstructed condition;
- b) there is clear wayfinding signage identifying the location of accessible parking and public bathrooms;
- c) collaboration between public, private, non-profit and volunteer transportation service providers to establish and/or maintain transportation services that will enable older citizens occupying independent housing to access critical services;
- d) within public parking areas and during the review of relevant planning applications that there be an appropriate number and suitably located accessible parking spaces, as well as accessible building entry locations;
- e) collaboration with the United Counties of Leeds and Grenville to ensure an equitable share of publicly-owned and publicly assisted housing is provided within the Township;
- f) the consideration of secondary units both as seniors housing options and as a means to make occupied housing more affordable for seniors as the principal land owner;
- g) that in considering planning applications for new multi-residential development, there will be encouragement of inclusion of units that are designed to be accessible and scaled to the needs of older persons;



- h) new, larger residential developments are supported to be designed as “whole life” communities providing a full range of housing options for seniors from independent living, to assisted living, to health-care supported living;
- i) promotion of grants and other financial tools established by other levels of government from time to time that directly support housing affordability for older persons or assist with the cost of home improvements to facilitate aging in place. If necessary, and/or feasible the Township will partner with other levels of government in the provision of such programs;
- j) support for the repurposing of larger public or institutional buildings for multi-purpose use, including seniors meeting spaces, exercise and physical training space, arts and crafts learning or studio space, social service, library, and public health satellite sites, temporary or occasional food banks or pop-up markets;

### 2.4.3 Garden Suites

Garden suites are single dwellings that are designed to be portable in nature and ancillary to a principal residential dwelling. Garden suites are intended as temporary housing for those who are generally capable of living independently but who, by virtue of their age or a disability require the support of others to live on their own. The portable nature of a garden suite is to be further defined in the implementing Zoning By-law.

This Plan shall allow the establishment of a garden suite on any lot upon which a single dwelling is a permitted use pursuant to the Zoning By-law that implements the Plan. Zoning to accommodate garden suites may be established through a temporary amendment to the Township’s Zoning By-law to allow a garden suite on a site-specific basis for a period no greater than 20 years from the passing of the By-law.

In zoning for garden suites, the Township shall give consideration to appropriate planning criteria, such as:

- a) The compatibility of a garden suite with other permitted uses of the zone in which it is to be located, as well as compatibility with existing uses in the area;
- b) The suitability of the lot, having regard to its size, shape and other relevant characteristics; and
- c) The ability of the garden suite to meet zone requirements for such matters as lot coverage, required yards, parking, etc.

The Township may utilize the site plan control process to control development details such as the siting of buildings, structures, sewage and water services, facilities and amenities associated with a garden suite.

Zoning for a garden suite shall be conditional upon the owner of the land entering into an agreement with the Township dealing with such matters related to the temporary use of the garden suite as considered necessary and advisable, including, but not limited to:

- a) The installation, maintenance and removal of the garden suite;
- b) The period of occupancy of the garden suite by any of the persons named in the agreement; and
- c) The monetary or other form of security that the Township may require for actual or potential costs to the Township related to the garden suite.

It is the intent of this Plan that a garden suite shall be removed from a lot at such time as it is no longer required to accommodate the occupant for which it was originally erected.

### 2.4.4 Additional Residential Units

An additional residential unit is defined as a self-contained residential unit with a private kitchen, bathroom facilities and sleeping areas within a primary dwelling and within structures ancillary to a primary dwelling (e.g., above garages). The following policies shall apply to the establishment of an additional residential unit:

- a) Additional Residential Units will be accommodated by the Zoning By-law within zone categories permitting a detached dwelling or semi-detached dwelling as a primary use;
- b) Additional Residential Units may be permitted within, and ancillary to, a detached dwelling, semi-detached dwelling or rowhouse dwelling;
- c) Additional Residential Units shall clearly be ancillary to the principal residence and specific limits as the maximum floor area permitted or size relative to the primary residence will be established in the Zoning By-law. For further clarification an additional residential unit shall be smaller than the principal dwelling and should share one or more of the following elements with the principal dwelling: water supply, waste water system, road entrance (these elements will also be addressed more specifically in the Zoning By-law);
- d) Additional Residential Units shall be identified in the Site Plan Control By-law as a use subject to the provisions of the By-law;
- e) Additional Residential Units shall only be permitted on lots that have appropriate frontage and an entrance directly onto a publicly maintained road;
- f) Additional Residential Units will be permitted only where a property is demonstrated to have an adequate supply of potable water and sufficient land area for the required waste water service; and
- g) Generally Additional Residential Units will only be permitted as-of-right by the Zoning By-law on lots that comply with the minimum lot area and minimum lot frontage requirement of the By-law.

### 2.4.5 Tiny Dwellings

An innovative approach to facilitating affordable dwelling units is a housing form commonly referred to as the “Tiny Dwelling”. Tiny Dwellings can be a viable alternative to the traditional, low density housing form common to rural and rural settlement areas. A





Tiny Dwelling is a dwelling that is smaller than the traditional dwelling size and contains a washroom, sanitation facilities, a kitchen and a sleeping area. A Tiny Dwelling does not include mobile homes, park model trailers, recreational vehicles or camping trailers. Tiny Dwellings are traditionally pre-fabricated structures and shall generally be built on a foundation that is affixed to the ground.

In the interest of supporting compact, affordable, environmentally sustainable development, and housing scaled to household need, the Township will permit Tiny Dwelling development as a primary or secondary dwelling subject to the following:

- a) A residential use shall be a principal permitted use in the applicable category under the Township's Zoning By-law;
- b) The minimum lot area and frontage provisions of the Zoning By-law shall be respected for new lot creations and will not be substantively decreased regardless of dwelling size;
- c) The Township will encourage the development of Tiny Dwellings on existing non-complying lots that are deficient in the lot size requirements outlined in the Zoning By-law;
- d) The Zoning By-law shall include provisions to ensure that Tiny Dwellings have the appearance and function of permanent residential dwellings, and will provide specifications in regard to the permitted size of a Tiny Dwelling;
- e) Clusters of Tiny Dwellings (i.e., more than two) may be permitted on one lot by Zoning By-law amendment within the **Settlement Areas** and **Rural** designated lands and will be subject to Site Plan Control. Council shall be satisfied that the site has an adequate potable water supply and waste water management system for the number of units proposed and will comply with any supporting technical water supply, waste water management, drainage and storm-water management plans or engineering documentation under which a subdivision, condominium, multi-residential zoning or site plan approval has been approved or is being considered. The density of units will not typically exceed 9 per hectare;
- f) The Zoning By-law will generally require one parking space per Tiny Dwelling;
- g) Where Tiny Dwelling cluster development is proposed, the Zoning By-law may stipulate a minimum separation distance between individual dwelling units;
- h) Tiny Dwellings shall be subject to the minimum yard and setback provisions of the Zoning By-law applicable to a principal residential dwelling; and
- i) All development of Tiny Dwellings shall adhere to the **Waterfront Development Policies** section of this Plan.

### 2.4.6 Group Homes

A Group Home is a residence 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. Group Homes permit residents a degree of independent



living in a residential setting that ensures that their specific needs are provided for. Group Homes shall generally be licensed or approved under Provincial Statute and shall be in compliance with Municipal by-laws. Group Homes shall be permitted in any land use designation that permits residential dwellings.

### 2.5 EDUCATIONAL FACILITIES

It is the intention of the Township to work closely with the relevant Boards of Education in determining the need and location for future educational facilities, and in integrating educational facilities with the Township's other community facilities. The Township shall also encourage co-location of community hubs with educational facilities. Where development applications could significantly affect present or future educational facilities, the school boards will be consulted. It is also the intention of this Plan to promote and encourage non-board based educational facilities which focus on utilizing the environmental, recreational and agricultural opportunities within the Township.

### 2.6 ENVIRONMENTALLY-SENSITIVE DEVELOPMENT

Rideau Lakes possesses many areas which are special or unique. Some of these areas are of value because of the natural environment while others are special in relation to built form. It shall be a policy of this Plan that development be undertaken in a manner which is sympathetic and complementary to the natural and built contextual environment in which it is to occur. Development shall, to the extent possible, be designed so as to maintain, fit into and take advantage of the natural, scenic and historic character of individual sites and their environs. Some of the strategies to achieve this objective in the context of site planning, lot design, road layout and construction include:

- a) Massing of buildings and structures so as not to dominate the natural landscape, particularly in areas of high potential impact such as the Rideau Canal, narrow waterways or areas with scenic vistas. Similarly, in areas such as settlement areas or in the vicinity of lock stations where the preservation of the heritage value of the built environment is a dominant concern, development should complement the character of existing buildings, structures and the surrounding landscape. Where appropriate, the Township shall circulate development applications to Parks Canada and/or the Municipal Heritage Advisory Committee (MHAC);
- b) Retaining as much natural vegetation as possible, as well as reinstating vegetative buffers that are disturbed or destroyed, particularly where they abut shorelines, wetlands, ANSIs, roads, or adjacent sensitive land uses. Priority shall be given to the use of native species of vegetation;
- c) Maintaining a minimum 30 metre strip of substantially undisturbed and naturally-vegetated area abutting the length of the shoreline on waterfront properties, subject to limited allowance for water-related structures such as marine facilities and pump houses, and in accordance with the policies of Section 2.2. The strip will form part of the 30 metre minimum water setback



- required pursuant to the Waterfront Development Policies section of this Plan and is intended to ensure the protection of the most environmentally-sensitive portion of the setback area. Parks Canada and the relevant Conservation Authority shall be circulated development applications, as applicable;
- d) Through the site plan process, ensuring wherever possible that buildings and structures along the shoreline, including marine facilities, do not generally occupy more than 25% of the water frontage of any lot, provided that this provision shall not apply to public uses, resorts or marina facilities and similar uses that require a functional relationship to the water;
  - e) Preserving natural land forms and contours, particularly when undertaking grading or site alteration;
  - f) Attempting to implement a “dark skies” policy, where practical, in relation to lighting on public roads, parks and on private property, in order to minimize light pollution and spill-over;
  - g) Selecting storm water management approaches that maximize natural infiltration and minimize runoff, both during and after construction. The relevant Conservation Authority shall be consulted;
  - h) Encouraging development applications which include partial or whole remediation of a contaminated site.

The foregoing shall be implemented through the capital works program, the planning application process, appropriate zoning and other by-laws, as well as site plan, subdivision and other agreements.

It is recognized that other elements such as architectural style and building cladding and colour are important components in the design of development that is sensitive to and reinforces the contextual environment. To the extent that the legislation provides for controls such as those pursuant to the *Ontario Heritage Act*, as well as through the Township’s support for the development and distribution of appropriate design guidelines by relevant agencies and organizations, the Township will endeavour to encourage development that complements its surroundings.

The Township shall encourage property owners to consult with Parks Canada and the relevant Conservation Authority, as applicable, prior to filing planning applications in order that the principles of environmentally-sensitive development may be incorporated into development proposals at an early stage in the planning process.

### 2.7 COMMUNITY IMPROVEMENT

It is Council’s goal to maintain, rehabilitate and upgrade the physical environment in order to enhance the Township as an attractive place in which to live and work in, as well as visit as a tourist or business traveller.

In order to achieve this goal, it is Council’s intention to implement a program of community improvements, as defined in the *Planning Act*, by:

- Establishing and maintaining the physical infrastructure which is necessary and appropriate for the various areas and land uses, including storm drainage, roads, active transportation routes, lighting, community facilities, etc.;
- Encouraging property owners to take pride in the appearance of their own property and Township lands in general.

### 2.7.1 Community Improvement Objectives

In order to achieve the community improvement objectives, Council intends to use a variety of implementation techniques and to choose the appropriate technique(s) for each improvement initiative. Such techniques may include, but are not limited to, the following:

- a) Preparation and adoption of community improvement plans;
- b) Designation of community improvement project areas by by-law;
- c) Application to the appropriate government agencies for funds to support the Township's programs;
- d) Municipal acquisition of land within the community improvement project area(s) and the clearing, grading or preparing of the land for community improvement;
- e) Enforcement of by-laws dealing with property maintenance and enforcing the Township's policies for property standards;
- f) Encouraging private sector rehabilitation by providing residents and the business community with information on available government subsidies and programs;
- g) Entering into public-private partnerships in order to realize the development of community improvement initiatives;
- h) Providing the framework for more flexible planning decisions by establishing zoning regulations which encourage both residential and commercial infill and a broad range of land uses within Settlement Areas;
- i) Considering requiring a Community Infrastructure Assessment in conjunction with the review of proposals for significant commercial or industrial developments. The assessment should evaluate the current availability, need to upgrade, or potential to provide or collaborate with public agencies to provide, relevant community infrastructure including:
  - water supply and waste water management facilities;
  - storm water infrastructure, particularly where new Low Impact Development best practices are introduced;
  - emergency services;
  - road capacity and condition;
  - on-street or off-street public parking spaces;
  - utility services and use optimization;
  - waste management services;
  - active transportation supportive features and links;



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- community gathering spaces or access to – library, community centre, post-office, grocery store, park improvements or outdoor recreation areas;
- transportation and accessibility access.

### 2.7.2 Settlement Areas

In settlement areas, the Township will foster improvements by:

- a) Striving for an equitable distribution of social amenities to serve various parts of the Township in facilities which are well maintained, well located, and easily accessible;
- b) Ensuring the maintenance of the existing housing stock and encouraging the rehabilitation, renovation and repair of older dwellings;
- c) Maintaining attractive streetscapes and public spaces with the necessary physical attributes to create pleasant, easily accessible local service areas;
- d) Providing incentives to foster a healthy local economy for area business persons;
- e) Ensuring that proposed changes (additions, alterations, etc.) to existing businesses generally enhance the area and are compatible with adjacent land uses;
- f) Encouraging the participation of the private sector in community improvement initiatives by involving local merchants, business persons, residents, and civic leaders;
- g) Ensuring that the undertaking of specific community improvement projects does not unduly burden the financial capability of the Township;
- h) Ensuring that when undertaking community improvement projects due regard is given to compatibility with neighbouring land uses;
- i) Encouraging, developing or promoting innovative solutions and use of contemporary technological practices to resolve constraints and/or enhance water supply and waste water management;
- j) Establishing and supporting programs for the rehabilitation and reuse of contaminated sites including assistance for the completion of environmental site assessments or environmental remediation, with particular focus on projects oriented to re-establishing employment uses or meeting community needs;
- k) Supporting new affordable housing projects, especially those which are designed for addressing the needs of various vulnerable populations;
- l) Dealing with storm water sustainably and implementing Low Impact Development (LID) best practices.

### 2.7.3 Community Improvement Policy Areas

The entire area of the Corporation of the Township of Rideau Lakes shall be the Community Improvement Policy Area of the Township. This approach will facilitate



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Council supporting Community Improvement both in the historical settlement areas of the Township and in the rural and waterfront areas where land uses oriented to or reliant upon, the natural resources of the Township have historically flourished.

Council will undertake various improvement programs within the Policy Area, as financial resources permit and as local support of residents and the business community dictate.

### 2.7.3.1 Priority Areas

The areas designated as Settlement Areas on the schedules to this Plan shall be identified as the Community Improvement Priority Areas and will be identified on the basis of an evaluation of available municipal services and community facilities using the criteria which follow. The priority areas require improvements with respect to some or all of the following matters:

- The availability and/or adequacy of municipal services, including storm drainage, sanitary sewage, water services, roads and lighting;
- The availability and/or adequacy of parks and recreation facilities within Settlement Areas and for the Township as a whole;
- Compatibility of neighbouring land uses;
- Physical amenities, including buffering between incompatible land uses, and streetscaping elements within Settlement Areas, and provisions to facilitate active transportation;
- The condition of the existing building stock.

The following considerations shall be taken into account in determining specific high priority areas for community improvement:

- a) The level of deterioration of municipal infrastructure or opportunities to improve or enhance infrastructure;
- b) The function of the Settlement Area to the Township in terms of serving local shopping, employment and social and cultural needs;
- c) The existing or potential significance of the Settlement Area in relation to serving tourism-based economic development objectives;
- d) Restoration, rehabilitation and potentially designation of heritage buildings in conjunction with their modification or upgrading for adaptive reuse or repurposing;
- e) Remediation and repurposing of brown-field sites;
- f) Potential to create or enhance community accessibility in public and private spaces; and
- g) The need for affordable housing as it relates to the Township's affordable housing targets.

### 2.7.3.2 Secondary Areas

Council may establish Community Improvement Plans and programs in areas designated as **Rural and Agriculture**, including shoreline areas, to promote:

- Installation of renewable energy technology;
- Sustainable waterfront development;
- Diversification of on-farm and rural resource-based businesses, particularly uses creating value-added products from locally sourced materials and crops;
- Agri-tourism;
- Active transportation tourism;
- Commercial and employment use diversification that is sustainable and will not negatively impact the character and potential of the Township's cottage and outdoor recreation resource base;
- Restoration and repurposing of heritage buildings and/or brown-field sites for the above purposes, or to address rural service needs.

## 2.8 ACCESSORY USES

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory or essential to that use shall also be permitted.

Certain structures, such as docks, boathouses and other marine facilities may be permitted subject to permit requirements of approval authorities such as Parks Canada, the Ministry of Northern Development, Mines, Natural Resources and Forestry, and the relevant Conservation Authority. Such accessory structures shall be designed and located in a manner which addresses the provisions of the Environmentally-Sensitive Development section of this Plan and the provisions of the Zoning By-Law, as well as matters such as non-interference with navigation, fish and wildlife habitat, the natural flow of the water, potential damage from water levels and ice, narrow water body constraints, access from land and water and privacy impacts associated with projecting property lines into the water. Where structures extend beyond the high water mark so that they are located partly or entirely in the beds of water bodies, they shall be constructed and maintained in accordance with the regulations and conditions of the Federal or Provincial authority having jurisdiction. For clarification purposes, Parks Canada is an approval authority for permitting shoreline and in-water works on the Rideau Canal system under the federal Historic Canals Regulations, and the Ministry of Northern Development, Mines, Natural Resources and Forestry is an approval authority for shoreline and in water works under the Public Lands Act, and Conservation Authorities are approval authorities within their Section 28 regulations administered under the Conservation Authorities Act.

No boathouse or other marine structure shall contain a dwelling unit or any facilities for human habitation.

Where a non-residential use is permitted as a principal use by the implementing Zoning By-law, permitted accessory uses may include a dwelling which is accessory to such non-residential use.

In addition to the generality of the foregoing, the following specific policies shall apply to uses which are accessory to a principal residential use.

### **2.8.1 Home-Based Businesses**

Home-based businesses are small-scale economic activities conducted on the site of a residential dwelling by the occupants. It is recognized that home-based businesses play an important function in the provision of local employment opportunities to Township residents.

It is the policy of this Plan to permit home-based businesses wherever residential dwellings are permitted. The type and scale of home-based businesses shall be appropriately regulated in the implementing Zoning By-law to ensure that such uses are clearly ancillary to the main residential use, do not detract from the residential character of the property on which they are located, and are compatible with surrounding uses. To this end, the implementing Zoning By-law may restrict home-based businesses by ensuring that only those uses with which there is no associated noise, odour, smoke, significant outdoor display or other potential nuisances shall be permitted. Traffic, parking, heavy vehicle storage and operation and road access may also be regulated, having particular regard to Provincial highway access and potential functional and safety impacts.

Private home daycare facilities shall be permitted as a home-based business.

### **2.8.2 Bed and Breakfast Establishments**

Bed and breakfast establishments are small-scale temporary lodging facilities typically conducted within the operator's residence. Bed and breakfasts are an important component of the Township's tourism support strategy.

It is the policy of this Plan to generally permit a bed and breakfast use within a single-detached dwelling provided that the physical character of the dwelling is not substantially altered.

In the rural or agriculture designation, a bed and breakfast use shall only be permitted in a single-detached dwelling which is permitted as a principal use in the zone in which the dwelling is located, pursuant to the implementing Zoning By-law. In the settlement area designation, a bed and breakfast use shall be additionally permitted within a semi-detached dwelling, or a commercial or institutional property where an accessory dwelling or dwelling unit is permitted, provided all other requirements pertaining to bed and breakfast establishments in the Official Plan and Zoning By-Law are met.

### 2.9 PUBLIC AND INSTITUTIONAL USES

Except as provided elsewhere in this Plan, public utilities and other public, community, institutional or quasi-institutional uses which provide services such as education, government, hospitals, protection to persons or property, electricity, roads, airports, railways, wired and wireless telephone, telecommunications, gas, cable, but excluding waste disposal, to the general public shall be permitted in all land use designations on the Schedules provided that:

- a) Such use is necessary in the area, that it can be made compatible with its surroundings, and that adequate measures are taken to ensure that proposed sensitive land uses such as residences, day care centres and educational and health facilities satisfy the policies of the Land Use Compatibility section of this Plan;
- b) Such use shall not be permitted within the significant portions of the habitat of endangered or threatened species, except in accordance with Provincial and Federal requirements;
- c) Such use shall not be permitted within the Agricultural designation except where there is a demonstrated need for additional land to be designated to accommodate the proposed use and no reasonable alternative location exists either outside the designation or within the designation but on lands having a lower Canada Land Inventory soil capability rating;
- d) The general intent of the policies of this Plan, as well as its Site Plan Control requirements, shall be satisfied;
- e) The requirements of applicable legislation such as the Environmental Assessment Act shall be satisfied;
- f) Development and site alteration shall not be permitted in any areas which are designated Natural Heritage A. Development and site alteration may be permitted within the Natural Heritage B and C designations subject to the provisions of the Environmental Impact Assessments section of this Plan;
- g) Development and site alteration shall only be permitted in the Natural Hazard designation in consultation with the relevant Conservation Authority;
- h) These uses shall be encouraged to locate within or near lands designated Settlement Areas, except where the characteristics of such uses would clearly be incompatible with surrounding land uses.

Notwithstanding the power of Federal, Provincial and County agencies or local Boards as defined in the *Ontario Planning Act* to undertake public works by authority granted under other statutes, Council shall endeavour to ensure that such development will follow the general intent of this Plan and will be compatible with the type, quality and character of the development in the area in which it is proposed.



### 2.10 PARKS, TRAILS AND RECREATIONAL FACILITIES

Parks, trails and recreational facilities shall generally be permitted in all land use designations. Where active parks or active recreational facilities are proposed within the Agricultural designation, however, they shall only be permitted if there is a demonstrated need for additional land to be designated to accommodate the proposed use and no reasonable alternative location exists either outside the designation or within the designation but on lands having a lower Canada Land Inventory soil capability rating.

It is the Township's intention to provide park and recreation facilities on a basis consistent with the needs of the Municipality and to cooperate with public, quasi-public and private interests in the provision of parks, trails and recreational facilities.

The Township may request the dedication of parkland or cash-in-lieu thereof as a condition of the approval of planning applications, pursuant to the provisions of the *Planning Act*.

In the development of parks, trails and recreational facilities, adequate bicycle and vehicle parking areas shall be provided and facilities such as ramps and walkways to enable persons with mobility challenges to reach amenities and facilities shall be provided where possible.

In reviewing development applications for lands abutting or adjacent to parks, trails and recreational facilities, the approval authority shall have regard to proposed land uses and their physical relationship. The Township shall encourage uses that are complementary and shall attempt to ensure that site layout and design is appropriate to the preservation and enhancement of the park, trail or recreational facility. Parks Canada and the relevant Conservation Authority shall be consulted, as appropriate.

The Township recognizes that access to public open space and outdoor recreation opportunities contributes to the physical, social and mental well being of all residents and visitors. Therefore, the Township, in conjunction with citizens, supporting businesses, other government partners, and non-government agencies will:

- Provide, maintain and acquire land to enable and enhance public access to open space areas for travel and recreational purposes and sustainable enjoyment of nature.
- Develop facilities and/or coordinate with other agencies and service providers to encourage and support active and passive uses of publicly owned or publicly accessible open space areas.
- Take an active role, or collaborate with other providers to, enable the safe, responsible, and sustainable use of, and linkages between, existing publicly owned or publicly accessible lands including, parks, trails, boat launch and water access points, and vacant lands in Township ownership.



### 2.10.1 Active Transportation

Active Transportation is generally defined as “Human-powered transport” i.e., travel by person(s) using human muscle power such as walking, running, cycling, using a wheelchair, roller blading, skateboarding, paddling and rowing.

The vision for trails, as set out in the Township’s Trail Strategy (2019), is to: “foster a multi-purpose and integrated trail network that enables a variety of uses and users, enhances user safety and experience, and leverages recreational and economic opportunities for residents, businesses and visitors.” The Trail Strategy shall be a reference document that will be considered and consulted in the implementation of this Plan.

The Township currently benefits from an established hierarchy of active transportation facilities including: County and regional trail networks, nature trails established by public and volunteer (non-profit) agencies, canoe and kayak routes and neighbourhood and village pedestrian, and cycling networks that are predominantly established by the Township.

Given the acknowledged health, community building, environmental, tourism and general economic benefits of active transportation, one intent of this Plan is to support the creation, access to, use of, and links between the active transportation facilities and corridors within the Township.

When undertaking planning approvals, the Township will encourage the provision of land and facilities adjacent to or linking to the trail network and active transportation corridors. Active Transportation linkages are also encouraged within and between settlement areas, large commercial uses, public recreational amenities, and other major destinations in the Township. Where Council has approved or adopted a specific trail, transportation or economic development strategy that includes specific objectives for development or enhancement of the trail network and/or an active transportation corridor, measures to achieve such objectives may be imposed through planning approval conditions as set out in Section 5 of this Plan.

The Township will encourage and support active transportation by:

- a) Considering as a condition of subdivision, consent or site plan approvals, the dedication of land, by public ownership, easement or partnership agreement for: pedestrian and cycling pathways, bicycle parking and vehicle parking adjacent to active transportation corridors, or to facilitate access to, or enhancement of, such corridors;
- b) Preparing design guidelines, community improvement programs, zoning standards, or conditions of development approval within the commercial and main street districts of settlement areas for streetscape design and components that foster and favour a safe pedestrian environment and accessibility through:

- provision of street furniture, accessibility features, bicycle racks, and landscape elements that provide shade, shelter or a pedestrian aesthetic, and pedestrian-scaled street or sidewalk lighting. Zoning standards, design guidelines, and site plan standards will ensure building facades are human-scaled and are consistent with the established streetscape;
- c) Collaborating with other government jurisdictions and non-government agencies to encourage the identification, creation, and use of paddling routes. This will include linkages to trail network(s), support services, accommodations, and destinations for visitors and residents participating in water-oriented active transportation activities. The Township will support the placement of way-finding signage, creation, improvement and maintenance of water access / paddling launch areas, and associated parking facilities, washrooms, dining shelters and other amenities.

### 2.11 CROWN AND CONSERVATION LANDS

Crown and conservation lands include lands under Federal jurisdiction and managed by Parks Canada, those under Provincial jurisdiction and managed by the Ministry of Northern Development, Mines, Natural Resources and Forestry, and those managed by Conservation Authorities. In addition, some conservation lands are owned or managed by non-profit organizations. Crown and conservation lands are of major importance to the Township for their value as natural and cultural heritage resources, as well as recreational and tourist resources that generate significant economic benefits.

Where a change to either the type or intensity of land use on crown or conservation lands is contemplated, Parks Canada, the Ministry of Northern Development, Mines, Natural Resources and Forestry, the relevant Conservation Authority or other organization, as applicable, are encouraged to consult with the Township prior to such change occurring. Similarly, where any consideration to the possibility of disposing of significant holdings of crown or conservation lands is given, consultation with the Township at the outset is expected.

Where development or site alteration is proposed adjacent to crown or conservation lands, including those areas owned and managed by non-profit organizations, the Township shall consult with Parks Canada, the Ministry of Northern Development, Mines, Natural Resources and Forestry or the relevant Conservation Authority, as applicable.

### 2.12 WAYSIDE PITS, WAYSIDE QUARRIES AND PORTABLE PLANTS

A wayside pit or wayside quarry is a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction or maintenance.

A portable plant is an asphalt or concrete plant which is not of permanent construction, but which is to be dismantled at the completion of a construction project and moved to another location at the conclusion of the project for which it was constructed.

Wayside pits, wayside quarries and portable plants used on public authority contracts are permitted throughout the Township without amendments to the Plan or the Zoning By-law or development permits under the *Planning Act*, except in those areas designated as Natural Heritage A, Natural Heritage B, Natural Heritage C, Natural Hazard or Settlement Areas, or other areas characterized by concentrated existing development or environmental sensitivity that is incompatible with extraction and associated activities.

Lands used for the purposes of wayside pits, wayside quarries and portable plants shall be rehabilitated upon the completion of the project for which they were required. In the case of lands designated as Agriculture, this shall include restoration to substantially the same soil capability for agricultural purposes as existed prior to the establishment of the wayside pit, wayside quarry or portable plant use.

### 2.13 USES NOT CONTEMPLATED BY PLAN

It shall be a policy of this Plan that any proposed new development which would introduce a land use, different from those uses described in this Plan in terms of scale, purpose or nature, and neither envisioned nor contemplated by Council, shall be subject to detailed land use and environmental impact assessments, and any other studies deemed necessary by Council. Such studies will be conducted at the proponent's expense. The intent of this policy is to place the onus on the proponent to demonstrate that the introduction of a new use into the community would not be to the detriment of the Township's economic, social, cultural, environmental and financial base, would not have an adverse impact on municipal services, and would not require additional municipal or community services.

In addition, Council will encourage the proponent of such a use to consult informally with the public to provide information concerning the proposed development, as well as to obtain public input, prior to the submission of a formal application.

Any new use not contemplated by this Plan shall only be permitted through an Official Plan amendment.

### 2.14 EXISTING LAND USES, BUILDINGS, AND STRUCTURES

There are a number of existing land uses which are non-conforming or non-complying. A non-conforming land use is a use which is not included as a permitted use for the zone in which the use is located, pursuant to the Zoning By-law that implements this Plan. A non-complying use is a use which is included in the permitted uses for the zone in which the use is located, pursuant to the Zoning By-law that implements this Plan, but which does

not meet one or more performance standards of the zone such as those relating to yards or water setback.

### 2.14.1 Changes to Non-Conforming Uses involving Extensions or Enlargements

Any land use which is non-conforming and any non-complying use should cease to exist in the long term. In special instances, however, it may be desirable to permit changes to non-conforming uses or extensions or enlargements of non-complying uses in order to avoid unnecessary hardship.

Committee of Adjustment applications submitted under Section 45(2) of the Planning Act shall only be considered where the use was:

- Legally established prior to the adoption of the Zoning By-law which rendered it non-conforming;
- Continuous in nature since the use's establishment; and,
- Located on lands owned and used in connection with the use on the day the Zoning By-law was passed.

Additionally, Section 45(2) applications for enlargements or extensions of non-conforming uses, buildings or structures can only be considered where the extension or enlargement can be clearly defined in terms of size (building footprint), volume (above or sub-grade massing), and height.

In considering applications and assessing the appropriateness and impact of the proposed development, the following criteria shall be applied:

- a) Any proposed change of use or extension or enlargement of the existing non-conforming use shall not aggravate the situation created by the existence of the use;
- b) Any proposed extension or enlargement shall be in an appropriate proportion to the existing size of the non-conforming use;
- c) Any proposed extension or enlargement shall be keeping with the scale and massing of surrounding development and neighbouring properties and shall generally maintain the overall scale and massing of the existing building(s) proposed to be extended or enlarged;
- d) The impact of the proposed change of use and/or the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting, traffic generation, visual impacts and other nuisances. Applications which would create or aggravate land use incompatibilities shall not be approved;
- e) Neighbouring uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by matters such as outside storage, lighting, advertising signs;

- f) Traffic and parking conditions on-site and in the vicinity will not be adversely impacted by the proposal and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and by improvement of sight lines especially in proximity to intersections;
- g) Adequate provisions have been or will be made for off-street parking and loading facilities;
- h) Services such as storm drainage, roads and private sewer and water services are adequate or can be made adequate;
- i) When considering applications on or adjacent to the waterfront, the following additional criteria shall be applied:
  - i. The proposed extension or enlargement is located no closer to the waterfront than the existing non-complying use, building or structure and maximizes the water setback;
  - ii. The proposed extension or enlargement does not result in undue adverse impacts on adjacent properties;
  - iii. The proposed extension or enlargement does not result in adverse visual impacts as seen from the water and/or adjacent properties;
  - iv. The proposed extension or enlargement will result in environmental net gains through measures such as decreasing the amount of impervious surfaces, controlling the quality and quantity of runoff and/or enhancing riparian vegetation;
  - v. The proposed extension or enlargement is located outside of natural hazards (including the extent of flooding and erosion hazards); is set back from the hazard and is in a location that reduces its environmental impact as required in consultation with the relevant conservation authority; and safe access (ingress and egress) is provided;
  - vi. The proposed extension or enlargement does not remove the ability for a future complying septic system to be located on the property away from sensitive environmental features;
  - vii. The proposed extension or enlargement does not create further non-complying standards related to lot intensity (i.e. FSI and lot coverage) or massing (i.e. height);
  - viii. The proposed extension or enlargement will not result in any negative impacts towards relevant environmental features. The Township may require the applicant to submit an Environmental Impact Assessment completed by a qualified professional in order to ensure there are no negative impacts that cannot be mitigated; and
  - ix. The proposed extension or enlargement will be assessed on its ability to mitigate negative cumulative impacts through design measures that consider the topography, soil, drainage, vegetation and waterbody sensitivity at or near the site.





### 2.15 ROAD ACCESS

A year-round, publicly-maintained road represents the optimal means of providing access to properties from the perspective of convenience, safety and general welfare of users. The Township views public road access as the preferred form of access to properties and it will normally be required in order for development to proceed.

Some isolated non-waterfront uses related to agriculture, forestry, conservation and mineral resource exploration have historically obtained access by private roads. Agriculture, forestry, mineral resource and conservation uses not having an accessory dwelling or any building or significant structure to which the public has access may continue to be developed on the basis of private road or water access.

Notwithstanding the Township's preference for public road access, there is a long-standing, widespread tradition of waterfront development occurring with access by private road. Additionally, some island and remote waterfront properties have been developed on the basis of water access only. A limited amount of future waterfront development in existing waterfront areas is permitted to occur with access by private road or water, subject to the policies as set out in this section and, in accordance with the **Private Roads** and **Consent Policies** sections of the Plan:

- a) Such development shall occur either within, or as an extension to, an existing waterfront area;
- b) The Township is committed to maintaining its current "best efforts" policy with respect to existing and new waterfront development on private roads. Where access to dwellings is provided by private roads, municipal services such as snow ploughing, or road maintenance and improvement are neither available nor the responsibility of the Township. In some cases, other public services such as school bussing and protection to persons/property from services including police, fire and ambulance may be unavailable or limited in nature, due to private road-related physical constraints over which the Township has no control. Constraints such as substandard private road right-of-way or platform width, geometry or alignment issues, steep grades, drainage inadequacies, load limitations, overhanging vegetation, lack of a stable surface treatment or a simple failure by property owners to undertake adequate routine maintenance and snow removal all contribute to a potential inability of the Township to provide various services, despite its best efforts to do so. In short, the Township has no control over private roads and shall not assume any liability where development occurs on private roads;
- c) Sometimes, the expectations of property owners with respect to such matters as roads and services are directly related to the level of investment in the property and the intensity of use to which properties are put. The Township seeks to do what it can to foster a realistic understanding of the limitations to services and road maintenance and improvement for properties with access by private roads. The Township may, at its discretion, provide input to property



- owners responsible for private roads with respect to accessibility issues and potential areas of road improvement;
- d) Where waterfront residential dwellings secure their vehicular access by private roads, it is of considerable importance that property owners recognize their individual and collective responsibilities with respect to undertaking adequate maintenance and improvement of such roads. The Township encourages property owners to formalize policies and processes for such activities, and to develop both ongoing maintenance and long term improvement plans that are consistent with evolving local traffic and dwelling use/occupancy trends. In this way, they may be able to mitigate some of the limitations on services that are typically associated with properties located on private roads;
  - e) The Township shall recognize the limitations to services within waterfront residential areas accessed by water or private roads through the mechanism of an appropriate Residential zone in the Zoning By-law which implements this Plan. Additionally, the Township may employ appropriate municipal agreements which may be registered on title; and
  - f) Development and site alteration will not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flood hazards and erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard, in accordance with the Natural Hazard section of the Plan.

### 2.16 LAND USE COMPATIBILITY

#### 2.16.1 Development Adjacent to Mineral Resource Designations or Operations

It is a policy of this Plan that existing or potential mineral aggregate and mining operations will be protected from activities that would preclude or hinder their establishment, expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. For this reason, the development of sensitive land uses such as residences, day care centres and educational and health facilities within the influence area of existing pits and quarries and lands that are designated Mineral Resource shall be permitted only if it can be demonstrated that all issues relating to public health, public safety and environmental impacts can be addressed through setbacks or other mitigation measures without precluding the use of, or access to, the mineral resource.

For policy purposes, the influence area in relation to pits is 300 metres. The influence area in relation to quarries is 500 metres. The influence area in relation to lands designated Mineral Resource on the basis of mineral aggregate resources is 300 metres or 500 metres, depending on whether the aggregate is likely to be extracted from a pit or a quarry, respectively. Non-agricultural development that is located outside of a settlement area designation which would preclude or hinder the establishment of new mineral aggregate resource operations or access to the resources will only be permitted if:



- a) Resource use would not be feasible; or
- b) The proposed land uses or development serves a greater long term public interest; and
- c) Issues of public health, public safety and environmental impact are addressed.

Land use compatibility studies shall be required in relation to any proposal to develop lands with sensitive land uses within the influence area of an existing pit or quarry and lands that are designated Mineral Resource on the basis of mineral aggregate resources.

### **2.16.2 Development Where Agricultural and Non-Agricultural Uses are Adjacent**

It is a policy of this Plan to address land use compatibility issues related to non-agricultural and agricultural uses through the application of the Minimum Distance Separation I (MDSI) and Minimum Distance Separation II (MDSII) formulae, as may be amended from time to time, to new non-agricultural uses and agricultural uses, respectively. The MDSI and MDSII formulae shall be applied to both Rural and Agriculture designations.

### **2.16.3 Development Adjacent to Waste Disposal Sites and Sewage Treatment Facilities**

The approximate locations of all known waste disposal sites and sewage treatment facilities are identified on the Schedules to this Plan.

Waste disposal sites, have the potential to generate impacts on the surrounding area related to such issues as air and water quality, aesthetics, noise and traffic. For policy purposes, the influence area of a waste disposal site is 500 metres. A land use compatibility study shall be required in relation to any proposal to develop new sensitive land uses and other uses requiring potable water within the influence area. The study shall be prepared in accordance with the relevant Ministry of the Environment, Conservation and Parks' D-series land use compatibility guideline or a subsequent Ministry guideline.

Sewage treatment facilities such as waste stabilization ponds and sewage treatment plants have the potential to generate impacts on the surrounding area related to such issues as air and water quality, aesthetics, noise and traffic. Consequently, separation distances between sewage treatment facilities and new sensitive land uses such as residences, day care centres, educational and health facilities and other uses requiring potable water are normally required. The minimum separation distance for a sewage treatment plant shall be 100 metres, however, this distance may be increased or decreased as a consequence of site-specific investigations and conditions, as well as the application of the relevant Ministry of the Environment, Conservation and Parks' D-series land use compatibility guideline. For waste stabilization ponds the recommended separation distance varies from 100 to 400 metres or more, depending upon the type of pond and characteristics of the waste.



The implementing Zoning By-law shall include provisions to prohibit the establishment of new incompatible uses within the influence area of waste disposal sites or within the recommended separation distance for sewage treatment facilities.

### **2.16.4 Development Adjacent to Rail Systems**

While there are currently only limited active rail systems in the Township, development adjacent to active rail facilities will be carefully controlled to eliminate land use conflicts and to ensure the safe and continued operation of the rail line. Proposed residential or other sensitive land uses within 300 metres of a railway right-of-way will be required to undertake noise studies, and any proposed residential or sensitive land use or development within 75 metres of a railway right-of-way will be required to undertake noise and vibration studies. In both cases, the studies shall be completed to the satisfaction of the Township in consultation with the railway authority, and the proponent shall undertake to mitigate any identified adverse effects from noise or vibration through the implementation of appropriate measures.

### **2.16.5 Other Land Use Compatibility Policies**

It is a policy of this Plan to minimize conflicts between incompatible land uses. To this end, distance separations and buffering will be provided for the purpose of mitigating the adverse effects of one land use upon the other. A buffer may be a simple horizontal separation, a berm, a wall, a fence, planting materials, a land use different from the conflicting uses, but compatible with both, or any combination of the aforementioned sufficient to accomplish the intended purpose. This policy shall be implemented through various provisions in the implementing Zoning By-law, as well as the mechanism of Site Plan Control, as appropriate.

In addition, certain land uses such as residences, day care centres and educational and health facilities may be particularly sensitive to the effects of odour, noise, vibration and other emissions associated with facilities such as transportation corridors and various types of industries. Where proposed development is likely either to have or to be subject to a significant influence relating to an adjacent incompatible land use, a compatibility study which includes mitigation measures shall be undertaken in accordance with the relevant Ministry of the Environment, Conservation and Parks' D-series land use compatibility guideline and to the satisfaction of the Township. Where required, a legally-binding commitment to implement mitigation measures shall be secured.

### 2.17 CULTURAL HERITAGE, RIDEAU CANAL AND ARCHAEOLOGICAL RESOURCES

#### 2.17.1 Cultural Heritage

Built or cultural heritage resources consist of historic buildings, structures and other human-made features of importance to the Township. The Township's villages, hamlets and lock stations possess many examples of important sites and features. Cultural heritage landscapes are geographic areas which have been created or modified through human activity and include such features as scenic vistas or lookouts onto archetypal cottaging and shoreline areas. Among other areas, there are numerous narrow water bodies on the Rideau Canal worthy of particular preservation efforts. The Township recognizes the importance of these built heritage resources and cultural heritage landscapes and the role that they play in creating a "sense of place", pride and community connection for residents, and a resource of historical, cultural and aesthetic interest to those visiting the Township. The Township will encourage the identification, protection, maintenance, restoration and enhancement of these features.

Within the Settlement Areas Designation, historic buildings and associated human-made heritage resources are vital elements that anchor and contribute to the "sense of place" of these long-established settlements. Adaptive reuse of built heritage resources will be accommodated through zoning amendments where the effect of facilitating the new use will be to preserve, rehabilitate, and respect, the building to be occupied and any associated heritage resources, as well as the established character, form, and scale of the rural settlement. Zoning applications will also be subject to the Land Use Compatibility provisions of the Plan.

The Township shall act as a leader in this regard, and will endeavour to maintain and protect buildings of cultural and heritage significance under its ownership for future adaptive re-uses if resources allow.

In reviewing development applications, the Township will consider the relationship of proposed development to the contextual environment of existing buildings and landscapes having cultural heritage interest, having regard to the Environmentally-Sensitive Development and other relevant sections of this Plan. Development or site alteration that has the potential to impact significant cultural heritage resources will be required to demonstrate no negative impact to the significant resource through the preparation of a Heritage Impact Assessment completed by a qualified professional. The Ministry of Tourism, Culture and Sport, as well as Parks Canada will be consulted, as appropriate. Additionally, the interests of Indigenous communities shall be considered in conserving cultural heritage resources. New development will be planned so as to preserve, complement and enhance the cultural, natural and scenic values of the cultural heritage resources and landscapes.



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The Township shall seek the advice of the Municipal Heritage Advisory Committee (MHAC) to assist and advise Council on cultural heritage resource conservation issues. Council, in consultation with the MHAC, may, by by-law adopted pursuant to the provisions of the Ontario Heritage Act:

- a) Designate properties for the conservation of buildings of historic or architectural value;
- b) Define parts of the Township as areas to be studied for designation as heritage conservation districts;
- c) Designate areas of the Township as heritage conservation districts in order to control any development that may adversely affect the heritage features of the area;
- d) List non-designated properties on the municipal register to provide these properties with interim protection from demolition under the Ontario Heritage Act.

The municipal clerk will maintain a municipal register of all properties designated under Part IV and Part V of the Ontario Heritage Act, with consideration for the inclusion of non-designated properties.

Council, in co-operation with the MHAC, may also implement a program to recognize outstanding achievements in the preservation of buildings and properties of historic or architectural value.

### 2.17.2 Rideau Canal

An important historic, recreational and tourism destination in the Township of Rideau Lakes is the Rideau Canal - a National Historic Site of Canada, a Canadian Heritage River, and a UNESCO World Heritage Site. The Rideau Canal was designated a national historic site in 1926 in recognition of its construction, the survival of a high number of original structures and the unique historical environment of the canal system. In 2000, the Canal was designated a Canadian Heritage River for its outstanding human heritage and recreational values. In 2007, the Rideau Canal was inscribed on the UNESCO World Heritage List for its construction technology and role in defending Canada. "The Canal is the best preserved slackwater canal in North America and is the only canal from the great North American building era of the early 19th century that remains operational along its original line with most of its structures intact" (UNESCO). These designations underscore the importance of the cultural, natural, and scenic values of the Rideau Canal which are codified in the Commemorative Integrity Statement and the Statement of Outstanding Universal Value.

Extending 202km from the Ottawa River in Ottawa to Lake Ontario in Kingston, the Rideau Canal is administered by Parks Canada and includes the bed of the canal up to the upper controlled water elevation and 23 lockstations. While not part of the site itself, lands adjacent to the Rideau Canal which extend upland from the shoreline, are important to



preserving the cultural, scenic and natural values of the Rideau Canal and are considered to be the Rideau Canal corridor.

Within the Township of Rideau Lakes, the Rideau Canal extends from the Rideau River to Whitefish Lake and includes six lockstations. It is recognized that part of the value of the Rideau Canal lies in its rich historic environment, diverse landscapes and natural beauty. These include the traditional cottage country development exemplified by the Rideau Lakes, the numerous historic villages, hamlets and lock stations, several provincially-significant wetlands and areas of natural and scientific interest (ANSIs).

The Township shares in the responsibility for ensuring the stewardship and conservation of this internationally recognized waterway, and the broader landscape setting of the Rideau Canal corridor, which is not under the jurisdiction of Parks Canada. This Corridor has been identified, through the work of the Rideau Corridor Landscape Strategy, to understand and preserve the cultural heritage resources and landscape character along the Rideau Canal and its environs.

It is the intent of this Plan to maintain and protect the cultural, scenic, natural, and tourism resources associated with the Rideau Canal as well as the natural landscapes and significant views, in cooperation with Parks Canada and other agencies having jurisdiction, as well as the other municipalities along the waterway. Significant views along the Rideau Canal identified in its Commemorative Integrity Statement include:

- the views from the Canal and Canal lands to the heritage shore-lands along the Newboro channel;
- the views from the Canal and Canal lands to the heritage community of Chaffey's Locks; and
- the views from the Canal and Canal lands to the heritage shore-lands and communities at Davis Locks and Jones Falls

It is also the intent of this Plan to recognize and assist with implementing the work of the Rideau Corridor Landscape Strategy, and the recommendations contained within the Landscape Character Assessment and Planning and Management Recommendations Report, 2012.

To preserve and respect the cultural heritage, natural heritage and scenic features and vistas of the Rideau Canal, the Township:

- e) Recognizes the lands located adjacent to the Rideau Canal as a special area. The policies of this section apply to the Rideau Canal, the lockstations, and all other lands adjacent to the Canal;
- f) Will work with Parks Canada to identify the cultural heritage, natural heritage and scenic features and vistas of the Rideau Canal landscape, and will protect those values through appropriate land use policies and designations, land

- division policies, cultural and natural heritage policies, design guidelines and view protection policies;
- g) Where deemed appropriate, will consult Parks Canada and the Conservation Authority on proposals and development applications affecting the Rideau Canal;
  - h) May adopt design guidelines for new development on lands adjacent to the Rideau Canal; and
  - i) Requires Site Plan Control for all development on lands adjacent to the Rideau Canal. An application for Site Plan Control should be accompanied by a plan identifying the location of all buildings, driveways, and private water and sewage systems, if applicable; the location of access to the shoreline; the extent to which vegetation within 30 metres of the shoreline will remain undisturbed; and mitigation measures to be implemented where the shoreline and shoreline vegetation have been previously altered or will be disturbed as a result of the proposed development.

### 2.17.3 Archaeological Resources

It is recognized that certain areas of the Township, particularly those adjacent to the many lakes, rivers and watercourses, have the potential to contain significant archaeological resources. These resources may include the remains of buildings, structures, activities, places or cultural features which, due to the passage of time, are on or below the surface of land or water and are significant to the understanding of a people or place. Some of these resources are of particular interest as they may provide an enhanced understanding of the history of Indigenous communities, the early settlement of the Township and the construction of the Rideau Canal.

Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant marine or terrestrial archaeological resources have been conserved.

Areas of archaeological potential are determined through the use of provincial screening criteria, or criteria developed by a licensed consultant archaeologist based on the known archaeological record for the municipality and its surrounding region. Such criteria may include a range of environmental, physiographic and historical features, information from local stakeholders and the effects of past land use. All development shall be subject to a screening checklist based on the criteria established by the Ministry of Heritage, Sport, Tourism and Cultural Industries.

Archeological assessments carried out by qualified archaeologist licensed under the Ontario Heritage Act, will be required as a condition of any development proposal affecting areas containing a known archaeological site or considered an area of archaeological potential. Where significant archaeological resources are found, the assessment must contain mitigation measures relating to their preservation or removal.

Where significant archaeological resources must be preserved on site, only development and site alterations which maintain the heritage integrity of the site will be permitted.

Pursuant to the relevant provisions of the Planning Act, sites containing significant archaeological resources may be zoned to restrict or prohibit uses, buildings or structures which might conflict with the preservation of such resources.

When an identified marked or unmarked cemetery is affected by development, the Township shall ensure that adequate archaeological site assessment is undertaken, in consultation with the Ministry of Heritage, Sport, Tourism and Cultural Industries, and the Ministry of Government and Consumer Services. Additionally, the interests of Indigenous communities shall be considered in conserving archaeological resources. The provisions of the Funerals, Burials and Cremation Services Act and Heritage Act shall apply, as appropriate.

Pursuant to the provisions of a municipal-provincial data sharing agreement, the Township may update municipal mapping for new archaeological sites as they are identified through land development and on the Provincial archaeological sites database.

### 2.18 NATURAL HAZARD FEATURES

#### 2.18.1 Flood Plains

The areas within existing mapped 1:100 year flood plain are designated as Natural Hazard on the Schedules and are subject to the policies of the associated Natural Hazard section of this Plan.

Lands situated below the 1:100 year flood plain shown on the Schedules are subject to a regulation made pursuant to Section 28 of the Conservation Authorities Act administered by the relevant Conservation Authorities. While these lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no development or site alteration such as filling, grading and excavating shall occur without the written permission of the relevant Conservation Authority in accordance with its regulation made pursuant to Section 28 of the Conservation Authorities Act, as well as the approval of Parks Canada and the Ministry of Northern Development, Mines, Natural Resources and Forestry, where applicable.

Notwithstanding the foregoing, institutional uses, essential emergency services and the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on lands located in a flood plain.

It is recognized that while 1:100 year flood plain mapping for the Township is limited, maximum recorded water elevations for lakes along the Rideau Canal, and Otter Lake have been recorded but not mapped. These elevations provide an indicator of potential flood risk. Accordingly, as deemed necessary, the approval authority shall circulate

planning applications for waterfront development to the relevant Conservation Authority in order to ensure that proposed lots and development are not subject to significant flood risk. Additionally, where no data on flood plain mapping is available the Township may utilize Light Detection and Ranging (LIDAR) data, or other prominent mapping technologies as alternative methods to interpret natural hazards such as flood plains. The technology provides data from various forms of mapping and topography to determine accurate elevations of land relative to recorded high water levels of a waterbody.

### 2.18.2 Organic Soils

Where lands that are the subject of development proposals have been identified as potentially possessing organic soils as shown on the Schedules, the approval authority may request a geotechnical study to indicate that the lands, or adjacent lands, are either suitable or can be made suitable for development.

Notwithstanding the foregoing, institutional uses, essential emergency services and the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on lands with organic soils. Other uses may only be permitted if it can be demonstrated that the constraint can be overcome such that no potential hazard exists.

### 2.18.3 Steep Slopes

While lands characterized by steep slopes can pose risks to persons and property as a result of potential slope instability or erosion, in Rideau Lakes steep slopes are generally more associated with concerns related to the protection of matters addressed in the Natural Heritage Features and Water Resources and Waste Water Treatment sections of this Plan. It is noted that erosion hazards may exist without the presence steep slopes, particularly in a shoreline environment. Where an erosion hazard exists on a subject property, the relevant Conservation Authority shall be consulted to ensure any proposed development or site alteration is not impacted by an erosion hazard.

Development on steep slopes can have significant negative impacts on features such as fish and wildlife habitat, soils and vegetation, surface water quantity and quality, wetlands and ANSIs. In addition, development on steep slopes is sometimes associated with the degradation of scenic vistas and other resources discussed in the Cultural Heritage and Environmentally-Sensitive Development sections of the Plan.

Sites possessing steep slopes represent a challenge, since they are often regarded as desirable for development, particularly where they abut water bodies. Lot creation or development on a portion of a site having a slope equal to or greater than 30% or within 10 metres of the top of such slope may require the submission of a geotechnical study to ensure that the property is suitable for development. The requirement to submit such report shall be made in consultation with the relevant Conservation Authority. A submitted geotechnical report completed by a qualified engineer shall be to the satisfaction of the approval authority and the relevant Conservation Authority. Parks Canada may be

circulated and consulted on geotechnical studies related to natural hazard areas along the Rideau Canal.

It is a policy of this Plan that lot creation and development and site alteration shall be undertaken so that a fit into the natural contours of the land is achieved. This will affect the massing and location of buildings, structures, driveways and other features, limit the extent of alteration to the landscape and natural vegetation, and necessitate more complex storm water management techniques than might ordinarily be required. In general, the greater the slope, the more emphasis shall be placed on these elements of site development.

Notwithstanding the foregoing, institutional uses, essential emergency services and the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on lands located on, or adjacent to, steep slopes.

### **2.18.4 Unstable Bedrock**

Where development is proposed on lands suspected, or identified as having unstable bedrock, such as within those areas identified as Karst topography on Schedule B, the Township shall require sufficient geotechnical studies to indicate that the lands, or adjacent lands, are either suitable or can be made suitable for development and the development will not result in adverse impacts to the environment.

Notwithstanding the foregoing, institutional uses, essential emergency services and the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on lands with unstable bedrock. Other uses may only be permitted if it can be demonstrated that the constraint can be overcome such that no potential hazard exists.

### **2.18.5 Wildland Fire Hazards**

Hazardous forest types for wildland fire are those forest types that have been assessed by the province as being associated with a high or extreme risk of wildland fire. They are generally forested areas that are composed of a certain type and condition of forest fuels. Vegetation (fuel types) that are associated with high to extreme risk for wildland fire include natural conifer forests and unmanaged conifer plantations. There is an inherent risk to the public when changes to the landscape occur, such as development that encroaches into forested areas which are associated with high to extreme risk.

Potential areas identified as having high to extreme risk for wildland fire are illustrated in Schedule 'C' of this Plan. Schedule 'C' is provided for information purposes and is intended to provide a screening tool for identifying areas at risk for wildland fire. Where updated and/or more detailed assessments are undertaken, Schedule 'C' may be revised without requiring an amendment to this Plan. The following policies shall apply to areas in wildland fire hazards:

- a) Development shall generally be directed to areas outside of lands that are unsafe due to the presence of hazardous forest types for wildland fire;
- b) Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the Ministry of Northern Development, Mines, Natural Resources and Forestry;
- c) In the absence of detailed municipal assessments, proponents submitting a planning application may be required to undertake a site review to assess for the presence of areas of high to extreme risk for wildland fire on the subject lands and adjacent lands, to the extent possible. The assessment may generally be completed by the landowner or proponent; however, the Township may require further review by a forestry, arboriculture or related expert to appropriately evaluate the physical attributes of a forested area to determine its current hazard and risk level;
- d) Development may occur where high to extreme risk for wildland fire is present subject to the proponents identifying measures that outline how the risk will be mitigated. Appropriate mitigation may include, but is not limited to, entering into a development agreement with the Township which utilizes the principles outlined in “The Home Owners Fire Smart Manual”, and the “Wildland Fire Risk Assessment and Mitigation Reference Manual” prepared by the Province of Ontario or other best practices as identified from time to time. The mitigation plan and its’ maintenance shall be required to be registered on title to alert future property owners; and
- e) Wildland fire mitigation measures shall not be permitted in lands designated as Provincially Significant Wetlands or within adjacent lands. Wildland fire mitigation measures may occur in significant areas of natural and scientific interest, significant wildlife habitat, and significant woodlands, provided that it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through an Environmental Impact Assessment, prepared in accordance with the policies in the Environmental Impact Assessments section of this Plan.

### 2.19 HUMAN-MADE HAZARD FEATURES

#### 2.19.1 Contaminated Sites

The Township of Rideau Lakes will collaborate with the United Counties of Leeds and Grenville (UCLG) to identify and encourage the remediation, and where appropriate the redevelopment, of known and suspected contaminated sites and lands adjacent to those sites. The Township will coordinate with the County and other agencies of relevant jurisdiction or authority to ensure that any remediation or redevelopment activities proceed in accordance with provincial regulations, best technological and engineering practices and the policies of the UCLG Official Plan and this Plan.





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Through the processing of planning or development applications and/or in conjunction with land use studies, or in partnership with other agencies, the Township will develop an inventory of sites where current or past uses may have, or are known to have, contributed to the presence of contaminants.

Where a planning application is made in relation to a known, suspected, or potentially contaminated site or property adjacent to such site, the Township will require a Phase 1 Environmental Site Assessment (ESA) to be undertaken in accordance with O. Reg 153/04. The Phase 1 ESA may recommend the completion of a Phase 2 ESA, or it may be mandated under O. Reg 153/04. The above is usually undertaken in addition to a required filing of a Record of Site Condition (RSC) for any change in use of a property to one that is more sensitive in nature (from industrial or commercial to residential or parkland) to be filed as part of a complete planning application except:

- a) where environmental concerns have already been addressed through a recent planning or development approval, including situations when an RSC has been acknowledged by the Ministry of Environment, Conservation and Parks, and the applicant demonstrates no new potentially contaminating activities have occurred;
- b) through a site plan application where site contamination issues have been addressed or will be addressed under a preceding development approval or for minor development proposals subject to site plan control such as: a parking lot expansion, vertical building expansion, small addition or building footprint reconfiguration, provided the proposal does not introduce a more sensitive land use within an existing development;
- c) in situations of part lot control where site contamination issues have been addressed or will be addressed via a prior pertinent Planning Act approval;
- d) through minor rezoning, minor variance or land division applications that do not introduce a more sensitive land use within an existing building/development.

In circumstances where a Record of Site Condition is required, or a legislative or regulatory requirement stipulates a site must be remediated, the Township may:

- determine a planning approval to be premature prior to remediation and/or require the submission of a Risk Assessment for the Ministry of Environment, Conservation and Parks' acceptance;
- ensure remediation and/or the ministry accepted Risk Assessment proceeds through an agreement required as a condition of approval for a Planning application or;
- apply a holding provision under the Zoning By-law until documentation from a qualified person or the agency with jurisdiction confirms the remediation and/or the ministry accepted Risk Assessment has been completed.

### 2.19.2 Abandoned Mines, Mineral Resource Operations, and Petroleum Wells

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

In reviewing development applications, the approval authority shall attempt to ensure that development on or adjacent to lands affected by potentially hazardous abandoned mines or mineral resource operations will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or completed. The Ministry of Northern Development, Mines, Natural Resources and Forestry shall be consulted in this regard. The Township shall require that applicants for any proposed development within one kilometre of an Abandoned Mine Site identified on the Schedules consult with the Ministry of Northern Development, Mines, Natural Resources and Forestry regarding the nature of the hazard, and to undertake any remediation measures as legislated under the Mining Act.

There are no known petroleum wells in the Township. Should a petroleum well be proposed, it shall adhere to the requirements in the Oil, Gas and Salt Resources Act. New development shall be located a minimum of 75m from existing petroleum wells and associated works.

### 2.20 NATURAL HERITAGE FEATURES AND SYSTEM

Natural heritage features are recognized as having significant environmental values that help define the natural landscape of a particular area. These features include wetlands, areas of natural and scientific interest (ANSIs), fish habitat, wildlife habitat, woodlands, valleylands and preservation of the habitat of endangered and threatened species. The Township recognizes the importance of protecting these important natural heritage features while continuing to support the development interests of private landowners. This Plan further recognizes that these features should not be viewed in isolation, but rather, they form part of a natural heritage system that is linked by natural corridors and that they are an essential part of the maintenance of biological and geological diversity, natural functions, and viable populations of indigenous species and ecosystems.

Natural heritage features are important to the unique rural character and diversity of the natural environment found in the Township and possess or perform ecological functions. While all natural heritage features are important to the Township, some have been identified as having Provincial and National significance. In particular, Parks Canada has worked towards the protection and conservation of the natural heritage and ecological value of the Rideau Canal as a Canadian Heritage River and UNESCO World Heritage Site through planning direction detailed within the two management plans for the Rideau



Canal: The National Historic Site Management Plan and the World Heritage Site Management Plan.

The policies of this Plan are intended to address the requirements which must be met in order to ensure that natural heritage features are adequately protected. These policies may be amended from time to time as additional information is gathered with respect to the significance or sensitivity of various natural heritage features. Most known significant natural heritage areas are recognized on the Schedules to this Plan. In the event that there is uncertainty regarding the boundary or presence of an identified natural heritage area, or a provincially significant natural heritage area or feature, the Township may require an environmental impact assessment by a qualified professional to determine the boundaries or presence of a natural heritage area or feature as part of a complete application before processing a planning application or prior to any required municipal approval for development.

The Township will work with various agencies, Ministries, stakeholder groups and other parties to ensure natural heritage features are identified, protected and enhanced whenever possible. It is anticipated that the United Counties of Leeds and Grenville will establish a Natural Heritage Systems Strategy during the planning period of this Plan which may result in amendments to this Plan. The policies of this Plan and any consideration of planning applications are intended to address and implement the goals and specific objectives of the Counties' strategy that are applicable to the Township.

Established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to all natural heritage features. However, proposed new or expanding agricultural buildings or structures or the clearing or draining of additional lands are only permitted subject to the **Environmental Impact Assessments** section of this Plan.

Invasive species are a threat to terrestrial and aquatic ecosystems and particularly to endangered or threatened native species. The Township will collaborate with the United Counties and provincial and federal authorities to create and implement strategies to enable threatened areas to avoid, minimize, or recover from, the impacts of invasive species.

### 2.20.1 Wetlands and Adjacent Lands

Provincially-significant wetlands have been designated as Natural Heritage A on the Schedules and are subject to the policies of the associated Natural Heritage A section of this Plan, which prohibits development and site alteration within the designation.

Locally-significant wetlands have been designated as Natural Heritage C on the Schedules and are subject to the policies of the associated **Natural Heritage C** section of this Plan.

Development and site alteration such as filling, grading and excavating on lands adjacent to the Natural Heritage A and Natural Heritage C designations shall not be permitted unless it is demonstrated that there will be no negative impacts on the wetland's natural features or their ecological and hydrologic functions. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.

For the purposes of determining adjacent lands, they shall be those lands lying within 120 metres of any provincially-significant wetland and within 30 metres of any locally-significant wetland.

### 2.20.2 Areas of Natural and Scientific Interest (ANSIs) and Adjacent Lands

Provincially-significant or identified candidate areas of natural and scientific interest (ANSIs) have been designated as Natural Heritage B on the Schedules and are subject to the policies of the associated Natural Heritage B section of this Plan.

Development and site alteration such as filling, grading and excavating on lands within, or adjacent to, the Natural Heritage B designation shall not be permitted unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological function. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.

For the purposes of determining adjacent lands, they shall be those lands lying within 120 metres of any provincially-significant or identified candidate ANSI.

### 2.20.3 Fish Habitat and Adjacent Lands

Fish habitat includes the spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes. Healthy aquatic communities are generally a good indicator of natural water quality and environmental integrity. Designating particular areas as fish habitat will enable the Township to support efforts to preserve and enhance such features thereby supporting aquatic and terrestrial food chains while contributing to the continued diversity of plant and animal species. Protecting fish habitat will also help generate increased opportunities for recreational sport fishing and associated economic benefits. Consequently, and given the major significance of water bodies to the history, present character and future of the area, the Township has considerable interest in protecting fish habitat from harmful alteration, disruption and destruction.

Most of the Township lakes, rivers, streams, ponds, watercourses and wetlands that provide fish habitat have been identified by the Ministry of Northern Development, Mines, Natural Resources and Forestry. Big Rideau Lake has been identified as a sensitive lake trout lake. Fish habitat is, however, too extensive to identify on the Schedules. Consequently, applications for development or site alteration that will result in filling,



grading and excavating adjacent to any water body will be screened by the approval authority for the presence of fish habitat. Where such fish habitat is identified or where no data is available, no significant development or site alteration shall be permitted within 120 metres of the habitat, unless it can be demonstrated that there will be no negative impacts on the fish habitat feature. Negative impacts include the harmful alteration, disruption or destruction of fish habitat, except where authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan and any applicable provincial or federal regulations or requirements.

Where development or site alteration may potentially affect fish habitat, the appropriate approval authority or agency shall be consulted and required approvals obtained.

It is recognized that storm water management and drainage measures, although frequently located some distance from fish habitat, have significant potential to affect such features. When evaluating storm water and drainage activities, consideration shall be given to potential impacts upon fish habitat.

### 2.20.4 Wildlife Habitat and Adjacent Lands

Wildlife habitat includes areas where flora and fauna live and the latter find food, shelter and physical space sufficient to sustain their population, particularly at times during their annual life cycle when they may be more vulnerable. Wildlife habitat areas are where there are seasonal concentrations of animals, rare vegetation communities and specialized habitats for wildlife, as well as habitats of species of special concern and other significant wildlife habitat, or animal movement corridors. The Township recognizes the importance of conserving wildlife habitat for the purposes of maintaining the ecosystem and its diversity. Additionally, many social and economic benefits accrue from maintaining habitat, related to tourism, nature observation and education, hunting and trapping. Human activities such as clearing of wooded areas, drainage works, filling, forestry operations, introduction of non-native species and road construction are examples of activities that can have a potentially detrimental effect on wildlife habitat.

In view of the limitations with respect to information availability concerning significant wildlife habitat, as well as the generally acknowledged strong ecological linkages between wetland areas and wildlife habitat, this Plan assumes that all wetlands constitute significant wildlife habitat. Accordingly, the Plan includes robust policy protection for all evaluated wetlands. Policies included in this regard include a general prohibition of development within any provincially-significant wetland and permitting development within any locally-significant wetland only if it can be demonstrated that no negative impacts will result through an environmental impact assessment completed in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.

The Township will preserve the function of significant wildlife habitat in accordance with the Provincial Policy Statement and provincial regulatory requirements. Accordingly, development or site alteration will not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, subject to the Environmental Impact Assessments section of this Plan. Prior to permitting any development or site alteration such as filling, grading and excavating on adjacent lands within 120 metres of significant wildlife habitat or on lands where there is a reasonable potential for negative impacts upon the natural features or ecological functions of the habitat area, an environmental impact assessment may be required to demonstrate that no negative impacts will result. The assessment required pursuant to this policy will be completed in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.

The identification and evaluation of significant wildlife habitat shall be based on documented evidence of the use of a particular habitat. The exact locations of all wildlife habitat areas and significant wildlife habitat areas that occur in the Township have not been mapped and must be determined on a site specific basis. Policies targeting the Township's wetlands, woodlands, ANSIs and other natural heritage features set out a basis from which wildlife habitat resources may be protected.

### **2.20.5 Endangered Species and Threatened Species Habitat and Adjacent Lands**

The protection of endangered or threatened species, and their habitats, is necessary to prevent against biodiversity loss while strengthening the integrity of aquatic and terrestrial ecosystems. The Ministry of Environment, Conservation and Parks' Species at Risk in Ontario (SARO) list provides information about the status of species protected under the Endangered Species Act. The Township is committed to working with the Ministry to ensure endangered and threatened species, and their associated habitats, are protected.

As of September 2019, the Township had twelve species that were identified by the Ministry as being either endangered or threatened; approximately 16 additional species were recognized as being of Special Concern or Provincially-Tracked Rare Species. The nature of species protection entails gradual changes to the list of plants and animals recognized as endangered or threatened. The Township will continue to monitor data presented on the Natural Heritage Information Centre (NHIC) website and the SARO list to ensure endangered and threatened species are continually identified and subsequently protected within the municipality.

The Township policy with respect to these and other endangered or threatened species that may be identified by the Ministry of Environment, Conservation and Parks is as follows:

- a) Endangered and threatened species habitat shall not be identified on the Schedules to this Plan in order to protect the species;



- b) Where the development review process in relation to a proposal for development or site alterations such as filling, grading or excavating confirms the existence of such habitat, no development or site alterations shall be permitted in the habitat of endangered species or threatened species, except in accordance with provincial and federal requirements. The amount of habitat required for the survival of endangered and threatened species is determined on a species-specific, case-by-case basis;
- c) Development may be permitted on adjacent lands within 120 metres of the significant habitat, subject to the completion of an environmental impact assessment which demonstrates that there will not be any negative impact on the habitat. The assessment required pursuant to this policy will be completed in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan;
- d) When any new endangered or threatened species habitat is identified in the Township, the Ministry of Environment, Conservation and Parks shall be contacted to develop a mutually acceptable process to be implemented for the protection of the species.

### 2.20.6 Woodlands and Adjacent Lands

Woodlands are treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as: preventing erosion; hydrological and nutrient cycling; provision of clean air; long-term carbon storage; provision of essential habitat for flora and fauna, including Species at Risk; outdoor recreation opportunities; the sustainable harvest of a wide range of woodland products; and scenic values. Woodlands include treed areas, woodlots, or forested areas, and vary in their significance at the local, regional, and provincial levels.

Efforts shall be made to protect and enhance those woodlands which have been identified to be significant while continuing to consider the interests of private landowners.

The intent of this Plan is to conserve significant woodlands and vegetation, and prohibit incompatible land uses that deter their long-term benefits. While this Plan does not identify the location of significant woodlands with the Township, consideration should be given when directing development. For the purposes of this Plan, significant woodlands include those that meet the criteria established in the Ministry of Northern Development, Mines, Natural Resources and Forestry's Natural Heritage Reference Manual, as amended.

Woodlands are identified on Schedule C of this Plan, based on available provincial mapping which has not been confirmed at the Counties or Township levels. The identified woodlands are those woodlands that have the potential to be significant. There may be areas identified as woodlands where they may not exist, as well as areas which may be woodlands but have not been mapped, or their boundaries have changed over time.



Schedule C, as presented, suggests potential limitations for wildlife movement. The following policies shall apply to woodlands:

- a) Criteria for determining significance of the woodlands identified on Schedule C will be confirmed at the time that a review of the Natural Heritage System Strategy is undertaken by the United Counties of Leeds and Grenville, in coordination with the Township, and in accordance with Natural Heritage Reference Manual, as amended. Until such time, at the time of a development application where woodlands have been identified on Schedule C, an environmental impact assessment shall be integral to verify the presence of significant woodlands, and the determination of significance will be based on the criteria provided in the Natural Heritage Reference Manual, as amended;
- b) Existing development shall be permitted within woodlands and significant woodlands;
- c) Adjacent lands to significant woodlands are 120 metres;
- d) Development shall not be permitted within any significant woodlands or within lands adjacent to significant woodlands in Ecoregion 6E, unless it has been demonstrated, through the preparation of an environmental impact assessment in accordance with the Environmental Impact Assessments Section of this Plan, that there will be no negative impacts on the natural features or their ecological functions. Uses on existing lots of record that are in compliance with the Zoning By-law and do not require a planning approval may be permitted without an Environmental Impact Assessment;
- e) A development agreement between the Township and a property owner may be utilized where permitted disturbance areas are identified by an environmental impact assessment and where measures to limit impact to the significant woodlands are included.

### 2.20.7 Environmental Impact Assessments

Potential negative impacts on the identified natural heritage feature or area will be examined through a process of environmental impact assessment, conducted on a case-by-case basis, prior to the approval of development. In certain cases, the requirements for an environmental impact assessment may be satisfied through the completion of an environmental screening checklist generally completed by the applicant. The purpose of the checklist will be to provide a screening of the likelihood of negative impacts.

Subsequent to the review of the checklist by the approval authority, an environmental impact assessment, prepared by a qualified individual with expertise in environmental science, may be required in order to assess the potential negative impacts on the natural features and ecological functions of the area in question. Such environmental impact assessment shall be required prior to the consideration of the planning application by the approval authority.

An environmental impact assessment shall:

- a) Define the nature and the boundaries of any significant features, ecological functions, and values on, or adjacent to the site;
- b) Describe and map the proposed development activities, including building location, excavation, site grading, landscaping, drainage works, roadway construction, paving, access, staging areas, sewage and water servicing in relation to the various environmental considerations;
- c) Predict the effects of the proposed development on the various components of the environment on and adjacent to the site, such as wildlife and their habitats, fish, vegetation, soil, surface water, groundwater, air and any other relevant factors, taking into consideration effects during and after site alteration;
- d) Evaluate the significance of all predicted negative and positive effects on the various environmental considerations;
- e) Itemize and recommend all measures that can be taken to reduce or mitigate the predicted negative impacts;
- f) Evaluate the cumulative effect that the project (and any other known projects or activities) may have following implementation of any mitigation measures on the natural features and ecological functions identified for protection;
- g) Conclude with a professional opinion on whether negative effects on the natural features and ecological functions will occur, the significance of such impacts, and whether ongoing monitoring is required.

Notwithstanding the above noted requirements for an environmental impact assessment, these may be altered based on the recommendation of the relevant Conservation Authority or applicable provincial ministry.

The approval authority may use various planning controls such as site-specific zoning provisions or site plan control to ensure that development and site alterations occur in accordance with the environmental impact assessment recommendations.

In reviewing environmental impact assessment submissions, the approval authority will consult with independent professionals and other bodies such as the relevant Conservation Authority, as required and the Township, at its discretion, may recover the cost of any peer review of professional and technical studies.

### **2.21 WATER RESOURCES AND WASTE WATER TREATMENT**

#### **2.21.1 Potable Water Supply and Waste Water Treatment**

There are no municipal piped water or sewage services available in the Township. It is unlikely that such services will be provided, except on an isolated basis, in the foreseeable future. Generally, the Township recognizes that most new development will continue to occur on the basis of private on-site water supply and waste water treatment facilities in accordance with the requirements of the approval authority having jurisdiction.

Communal servicing options for water supply and waste water treatment will be encouraged by the Township as indicated in the Township developed 2016 report *A Fresh Look: Alternative Servicing Models for Ontario's Villages*. New or innovative small scale potable water or waste water treatment systems are potential options to facilitate more compact forms of residential development and to address existing servicing constraints for core commercial uses in the Township's Settlement Areas designation. In this regard the Township will accommodate new and innovative waste water treatment and disposal systems per the requirements of the Ontario Building Code and other applicable law. To facilitate innovative solutions and encourage compact development, particularly in rural settlement areas, the Township will seek to collaborate with the Ministry of Environment, Conservation and Parks regarding Environmental Compliance Approvals for larger waste water treatment systems which are not regulated under the Ontario Building Code.

The determination of site suitability for proposed waste water systems and the environmental sustainability of development (i.e., long term protection of groundwater) are important considerations in development. Required servicing reports such as hydrogeological investigations, terrain analyses, impact assessments and servicing options reports shall be provided to the satisfaction of the approval authority, including the relevant approval authority for water supply and waste water treatment systems. Where requested by the Township, such investigations, analyses and reports may be required in relation to small-scale development proposals involving a single lot, as well as larger scale development proposals such as plans of subdivision.

The minimum lot size for development shall be in accordance with the requirements of this Plan and the implementing Zoning By-law, although the approval authority may require larger lots or impose special conditions or restrictions on development where deemed necessary to address health, safety or other issues related to the proper functioning of water and waste water services.

The Township will encourage the regular maintenance of waste water treatment systems and the upgrading or replacement of substandard systems. This practice may be promoted through the Township's commitment to an annual septic re-inspection program.

### **2.21.2 Source Water Protection**

Specific areas of the Township have been identified as lying within source water and well head protection areas associated with the municipal water supplies for the Village of Westport and Town of Smiths Falls. In these areas the Township will regulate development and site alteration in designated vulnerable areas, and will ensure the protection, improvement, or restoration of vulnerable and sensitive surface and groundwater features and their hydrologic functions, in accordance with the significant threat policies of the applicable Source Protection Plan and the policies set out below.

Northerly areas of the Township are within the Rideau River watershed and are subject to the provisions of the Mississippi-Rideau Source Protection Plan (MRSP), which was

approved on August 27, 2014, with an effective date of January 1, 2015. Southerly portions of the Township are within the Cataraqui River watershed and are subject to the provisions of the Cataraqui Source Protection Plan (CSPP), which was approved on November 26, 2014, with an effective date of April 1, 2015. All planning matters being addressed under this plan shall conform with the significant threat policies and will have regard to all other policies of the applicable source water protection plans.

The vulnerable areas within the boundaries of the Township are:

- Town of Smiths Falls Intake Protection Zone (IPZ) (see Schedule D) – the area upstream of the intake at the Smiths Falls water treatment plant on the Rideau River where land use activities have the potential to affect the quality of water at the intake;
- Village of Westport Wellhead Protection Area (WPA) (see Schedule D) – the area of land surrounding their municipal well where human activities need to be regulated to protect the quality and quantity of groundwater that supplies the well;
- Highly Vulnerable Aquifer (HVA) (entire Township is designated HVA) – an aquifer that is vulnerable to surface contaminants due to overlying soils that are thin or absent and bedrock that is fractured;
- Significant Groundwater Recharge Area (SGRA) – an area where an aquifer is replenished through the infiltration of rainfall and snowmelt (because of gravel deposits or other soil features).

The following policies are consistent with the Mississippi-Rideau and Cataraqui Source Protection Plans in order to protect the above noted vulnerable areas.

- a) All decisions of Township Council, including decisions on *Planning Act* applications, shall conform to the Source Protection Plans;
- b) Lands shown as IPZ or WPA on Schedule D are areas where *Planning Act* and *Building Code Act* applications shall require a clearance notice from the Risk Management Official. This is to ensure activities prohibited under Section 57 of the *Clean Water Act* and activities requiring a Risk Management Plan under Section 58 of the *Clean Water Act* (to reduce risks to drinking water sources) do not proceed until these requirements have been met. An application may proceed without a notice if the applicant demonstrates to the satisfaction of the planning authority or the building official that a designated drinking water threat activity will not be engaged in. The Source Protection Activity Checklist can be used for this purpose;
- c) Notwithstanding the policies and land use designations in the Official Plan to the contrary, land uses identified in the approved Source Protection Plans as being specifically prohibited, shall not be permitted;
- d) The Zoning By-law shall set out the prohibitions for permitted uses, servicing requirements, etc., where the Source Protection Plans require *Planning Act* decisions to conform and may set out other prohibitions as Council deems appropriate;



- e) As resources permit, Council may implement the non-legally binding policies described in the Source Protection Plans. These policies recommend the development of a Road Salt Management Plan and the promotion of Smart About Salt within the HVA, installing Drinking Water Protection Zone signs along roads and waterways within the IPZ, collaborating with the Source Protection Authorities on an education program targeted at businesses that transport potential contaminants through the IPZ and updating the Emergency Response Plan with information about the IPZ; and
- f) As resources permit, the Township will encourage and support a septic system inspection program as a mechanism to protect the vulnerable aquifer that underlies the Township, and particularly sensitive recharge areas.

### 2.21.3 Development Adjacent to Water Bodies

In addition to the policies of the Fish Habitat and Adjacent Lands section of this Plan, which are aimed at protecting fish habitat, the Township has a direct concern with the issue of surface water quality impacts related to water-oriented development, whether located directly on the waterfront of the Township's lakes and rivers, or adjacent to these water bodies. Further, it is recognized that there is a relationship between surface water and groundwater quality.

Over the years, various research has been undertaken with respect to the issue of surface water quality and lake capacity, including the Rideau Lakes Basin Carrying Capacities and Proposed Shoreline Development Policies report of 1992. Various sections of this Plan incorporate policies implementing recommendations of this research in recognition of the importance of providing sustainable recreation, tourism and other water-oriented opportunities. Policies to address lake capacity, water setback and water frontage issues are detailed in the **Waterfront Development Policies** section of this Plan.

### 2.21.4 Storm Water Management

Storm water management is an important part of the Township's broader interest in protecting water quality. Due to the fact that development affects the quality and quantity of storm run-off, the Township will ensure that adequate consideration is given to storm water management, including off-site impacts. The Township shall endeavour to implement best practices related to storm water management, such as Low Impact Development (LID) and other sustainable drainage best practices as a long term strategy to protect surface and ground water quantity and quality.

The Township will have regard to water quality data in watershed plans or reports that are prepared by the Cataraqui Region Conservation Authority or Rideau Valley Conservation Authority, and any future watershed plans that may be prepared, as well as relevant guidelines of the Ministry of the Environment, Conservation and Parks in establishing and revising storm water design criteria and standards.



Prior to recommending plans of subdivision for draft approval, the Township may request that storm water concept plans be prepared for review by the relevant Conservation Authority and approval authorities. The concept plan will include a statement of the design objectives to be applied and a description of the storm water management practices to be applied, in accordance with the relevant Provincial policies. Applicants are encouraged to consult with the approval authority and the relevant Conservation Authority prior to submitting a draft plan of subdivision.

Prior to final approval of plans of subdivision, detailed storm water design plans will be required. Such plans will be prepared in accordance with the requirements of the relevant Conservation Authority and approval authorities. Design criteria will be based upon methods and procedures contained in the relevant Provincial planning and design manuals used by these agencies.

The Township will evaluate site plans according to an approved storm water design plan, or where no such plan exists, may request the following:

- a) A design for the provision of storm water drainage facilities;
- b) A determination of the impact of the development on the receiving watercourse or storm water management facility, both during and after construction, in respect of flooding, pollution, erosion, and sedimentation; and
- c) Measures for mitigating any adverse impacts if such are likely to result from the proposed development.

Development applications having potential impacts on the storm drainage system along County Roads or Provincial highways shall be circulated to the County Engineer or the Ministry of Transportation, as applicable.

### **2.21.5 Water Quality Monitoring**

The Rideau Valley Conservation Authority has produced subwatershed and catchment reports for lakes and areas within the Rideau watershed and the Cataraqui Region Conservation Authority has produced watershed report cards which document the condition of the watersheds and pinpoints areas requiring further attention. It is expected that these plans will be updated as resources permit and that similar plans will be prepared for other area watersheds and sub-watersheds, and the Township supports this work. The Township, in consultation with the relevant Conservation Authority, will have regard to the aforementioned reports as amended from time to time and any future watershed plans, prepared by a competent and recognized authority, in the decision making process for planning applications and in future policy updates.

The Township will support enhanced water quality monitoring programs carried out by, or under the supervision of, competent and recognized authorities.

The Township, in consultation with the relevant Conservation Authority, will also use lake characterization and / or monitoring information to identify appropriate best management practices with the overall goal of net lake health improvement to build lake system resilience.

If the MECP or Conservation Authority identifies a lake as being highly sensitive or having significant adverse water quality trends from baseline conditions, the Township may develop remedial action plans in consultation with the Ministry of Environment, Climate Change and Parks and/or the relevant Conservation Authority. This remedial action plan can include enhanced water quality monitoring programs, and/or the implementation of Best Management Practices on development on a case by case basis as prescribed by the relevant Conservation Authority.

### 2.22 CLIMATE CHANGE, SUSTAINABILITY AND RENEWABLE ENERGY

#### 2.22.1 Climate Change and Sustainability

Climate change can be defined as a long-term change in average weather conditions, including temperature, wind patterns and precipitation (rain, snow), primarily due to increases in greenhouse gas emissions. It may result in a higher frequency and severity of extreme weather events. The impacts of climate change on communities are difficult to predict and will vary locally and regionally. Climate change has the potential to impact the durability, maintenance, and installation of Township's infrastructure and by extension the associated costs to the taxpayers. It also has the potential to negatively impact private property including effects as diverse as flood risk, water demand, water quality, transportation costs and energy costs.

The Township recognizes that the Province has identified this issue as a policy matter to be addressed. Local decisions shall be made with regard to the over-arching sustainability objectives of the United Counties of Leeds and Grenville, and the Province of Ontario. Accordingly, the Township will support, and where resources permit, will undertake the following:

- a) The Township will encourage a coordinated approach to sustainable development by collaborating with the Ministry of Environment, Conservation and Parks, other Provincial Ministries, the United Counties of Leeds and Grenville, and other agencies, boards and stakeholders to develop and implement programs addressing climate change;
- b) Coordinate and collaborate with the UCLG to develop an energy conservation and demand management plan for the Township that is aligned with any broader UCLG climate change action plan or strategy;
- c) The Township will demonstrate environmental leadership through use of more energy efficient, lower green house gas emitting, and more recycled and reusable materials when replacing infrastructure or upgrading facilities, as well

- as through optimizing forest cover and forest health on public lands and encouraging reforestation, and sustainable forestry practices.
- d) Encourage proponents of new development to include green building designs, low impact development methods and green infrastructure, and consider requiring these measures when the Township will be expected to assume the infrastructure when the project is complete;
  - e) Council will consider inclusion of incentives for green building designs, low impact development methods and green infrastructure through Community Improvement Plans and Development Charges relief;
  - f) Proposals for adaptive reuse and improvements to the energy use performance of older and heritage buildings will be promoted;
  - g) Support the implementation of measures to conserve, and when feasible improve the quality of, surface water and groundwater resources. This will include using and promoting of low-use water fixtures, systems that reuse grey water and wastewater, storage and reuse of drainage water, use of swales, and promotion of low water demand landscaping methods;
  - h) Encourage local food production by enabling residential scale agricultural uses; promoting uses that retail or utilize locally grown and raised crop and animal resources;
  - i) Promote incentives and programs and will consider alternate planting standards that increase: tree planting, porous and vegetated landscaping, and naturalization initiatives, and, where appropriate, to enable such initiatives on municipal property to achieve environmental improvements for air quality and carbon dioxide reduction, shoreline stabilization, and enhanced surface/groundwater quality; and
  - j) Promote active transportation through municipal infrastructure initiatives, coordination with other government agencies and trails organizations and through development approvals processes.

The Township will endeavor to incorporate new sustainable development practices to ensure the natural, aesthetic, and historic beauty of the region is protected both now and into the future.

### 2.22.2 Renewable Energies

The Township recognizes the environmental and potential economic value of facilitating reduced energy consumption. Accordingly, the Township will support and promote alternative and renewable energy systems while ensuring that there is regard for the potential impact on natural heritage resources and sensitive habitat areas and compatibility with adjacent land uses.

While the Township is unable to fully regulate renewable energy projects, as defined by the Ontario Planning Act, municipalities do have the opportunity to be consulted through the provincial Renewable Energy Approval process. Through this consultation process the Township will seek to ensure:

- a) Such energy systems shall be subject to the policies of this Plan addressing:
  - i. Land Use Compatibility;
  - ii. Cultural Heritage and Archaeological Resources;
  - iii. Natural Heritage Features;
  - iv. Endangered Species and Threatened Species;
  - v. Natural and Human-Made Hazard areas;
  - vi. Waterfront Development and Source Water protection;
- b) That such energy systems are located and constructed in a manner that minimizes their impacts on existing residential uses and agricultural operations;
- c) That the Rideau Canal's cultural and historic significance is respected through ensuring that alternative or renewable energy systems shall be visually screened from the Rideau Canal Waterway. Combinations of enhanced landscaping, use of existing topographic features and berms, and implementation of substantial setbacks from the shoreline of the Rideau Canal shall be used as a means of protecting the aesthetic and natural character of this UNESCO World Heritage Site;
- d) That the proponent demonstrates that there will be no negative financial impact to the Township that will result from the development of the alternative or renewable energy systems. Of particular concern is the road network under the jurisdiction of the Township and the United Counties. Whenever possible the Township will require proponents to provide financial securities sufficient to address any potential damage to, and restoration of, municipal infrastructure during and after construction.



## SECTION 3 LAND USE POLICIES

### 3.1 INTRODUCTION

The Township of Rideau Lakes shall be developed in accordance with the land use pattern shown on the Land Use Plans, attached as Schedules A1, A2, A3, and A4 to this Plan. The Schedules establish the pattern of development in very general terms by dividing the Township into eight land use designations:

Agriculture  
Mineral Resource  
Natural Heritage A  
Natural Heritage B  
Natural Heritage C  
Natural Hazard  
Rural  
Settlement Areas

The policies governing the use of the lands within these designations, as shown on the Schedules, are contained in this section of the Plan, but shall be read in conjunction with all other sections of the Plan. Particular regard should be had to the **General Development Policies** section of this Plan which sets out various policies which apply to development, regardless of the land use designation in which it is situated.

### 3.2 AGRICULTURE

#### 3.2.1 Intent of the Designation

The Agriculture designation has been placed on prime agricultural areas where prime agricultural lands predominate. Prime agricultural lands means specialty crop areas and/or soils designated as Classes 1 to 3 in Canada Land Inventory for Agricultural Capability. Prime Agricultural areas also include associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. The Township intends that these lands will be protected and preserved for long-term, viable agricultural uses.

#### 3.2.2 Permitted Uses

Lands designated as Agriculture shall be used primarily for the growing of crops, such as nursery and horticultural crops, cannabis, the raising of livestock, and the 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.

In addition, agriculture-related commercial and industrial uses such as wine, cider, spirits and beer production that benefit from being located in close proximity to farm operations,

support agriculture and provide direct products and/or services to farm operations shall be permitted uses. Proposed agriculture-related uses shall be compatible with, and shall not hinder, surrounding agricultural operations. The Township shall limit the scale of such uses through the implementing Zoning By-law.

On-farm diversified uses which are secondary to the principal agricultural use of a property will be permitted provided they are compatible with, and shall not hinder, surrounding agricultural operations. Uses shall generally include, but are not limited to: home occupations, home industries, craft level production and those uses which add value to farm produce such as the processing, preserving, storing and packaging of the farm's products on the farm property, sales outlets for agricultural products produced on the farm, and agri-tourism uses such as farm machinery and equipment exhibitions, farm tours, petting zoos, daycamps, rural events, hay rides and sleigh rides, processing demonstrations, pick-your-own produce establishments, small-scale farm theme playgrounds and educational establishments that focus on farming instruction. On-farm diversified uses shall be limited in area in accordance with the PPS (2020) and the Province's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.

A dwelling accessory to any agricultural use and located on the same lot shall be permitted. Residential accommodation for farm employees may also be permitted on the same lot, subject to the provisions of the Zoning By-law. Residential uses shall be permitted, subject to the policies of the Agriculture designation and the section of the Plan dealing with **Land Division**.

### 3.2.3 Policies

- a) New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the Ontario Ministry of Agricultural, Food, and Rural Affairs' (OMAFRA) Minimum Distance Separation formulae, as may be amended from time to time, as applicable and in accordance with the implementing Zoning By-law. The minimum distance separation formulae is developed by the Province to separate uses so as to reduce concerns about incompatibility due to odour from livestock facilities;
- b) The Township encourages the preparation and practice of nutrient management planning and best management practices by all nutrient generators and users;
- c) In evaluating an amendment to the Official Plan to change the designation from Agriculture to a site-specific agricultural designation to permit limited non-residential use(s), the Township shall be satisfied that the following criteria has been demonstrated:
  - i. There is a demonstrated need within the planning horizon for additional land to be designated to accommodate the proposed use for which the amendment is sought;



- ii. That it cannot reasonably be located on lands outside the Agriculture designation or on lands within the Agriculture designation with a lower agricultural capability;
- iii. The land does not comprise a specialty crop area;
- iv. The proposed use complies with the minimum distance separation formulae; and
- v. That the proposed use is in the community interest and is compatible with neighbouring farming operations.

The removal of land from the Agriculture designation is not permitted except to accommodate an expansion, or identification, of settlement areas at the time of a comprehensive review. In the case of proposed expansions of rural settlement areas onto lands designated Agriculture, it must also be demonstrated that the Township does not have sufficient lands already designated Settlement Areas to accommodate projected growth;

- d) Within the Agriculture designation, there may be small pockets of land which are only marginally productive or of a lower potential for agriculture due to their size, shape, topography, soil class, drainage or other characteristics. These limitations shall not, however, constitute justification for an Official Plan amendment to a non-agricultural designation. The use of such pockets for uses permitted in the Agriculture designation that do not require sites with high potential for agriculture, such as commercial and industrial uses providing agriculture-related services and supplies, shall be encouraged;
- e) Lot creation within the Agriculture designation shall generally be discouraged. In addition to the policies of this Plan relating to **Land Division**, lot creation in the Agriculture designation shall be subject to the following provisions:
  - i. New lots for agricultural uses shall generally have a minimum area of 40 hectares;
  - ii. For agricultural uses, lot creation shall be permitted provided the lots are of a size appropriate for the type of use and are sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations;
  - iii. For agriculture-related use lot creation shall be permitted, provided that the proposed new lot is limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
  - iv. For residential use where a previous or current farm acquisition has rendered a residence surplus to a farming operation, lot creation may be permitted subject to satisfying applicable Provincial and Counties policies and shall be subject to the following conditions:
    - the retained farm parcel will be zoned so as to prohibit the construction of any additional dwellings;
    - the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services



- the surplus dwelling parcel will be zoned to recognize the non-farm residential use, as required.
- v. For infrastructure use, lot creation may be permitted where the facility or corridor cannot be accommodated through the use of easements or rights-of-way;
- vi. Lot creations resulting from a previously legal lot of record that unintentionally merged under the Planning Act may be permitted subject to the provisions of this section and **Section 5.2 Land Division**.
- f) Lot adjustments in the Agricultural designation may be permitted for legal or technical reasons; and
- g) The extraction of minerals and petroleum resources shall be permitted on lands designated Agriculture provided that the site is rehabilitated upon completion of the extraction activities. Mineral aggregate resources may also be extracted from lands designated Agriculture as an interim use provided that the extraction site is rehabilitated so that the affected areas and soil quality for agricultural use are restored.

### 3.2.4 Special Exception Areas

(Reserved)

## 3.3 MINERAL RESOURCE

*(Section 3.3 Mineral Resource will be deferred until the Counties completes Counties Official Plan Amendment No. 3 implementing the Aggregate Resources Master Plan, at which time the Township will undertake an Official Plan Amendment to conform. Section 3.3 Mineral Resource will be enforced under the 2010 Official Plan of the Township of Rideau Lakes until this time.)*

### 3.3.1 Intent of the Designation

The Mineral Resource designation includes mineral aggregate resources, specifically sand and gravel resource areas, and pits and quarries. The designation also includes mineral resources through the identification of areas of mineral potential, with the most significant mineral being graphite, and additionally includes producing mines. The Mineral Resource designation generally also includes bedrock resources, however these resources are not currently mapped and will be updated, by amendment, after the United Counties and municipalities complete an Aggregate Resources Master Plan.

Under the *Aggregate Resources Act*, pits are recognized as “lands or land under water from which unconsolidated aggregate is being or has been excavated, and that has not yet been rehabilitated”. A quarry is typically larger in scale than a pit and is recognized as “land or land under water from which consolidated aggregate is being or has been excavated, and that has not been rehabilitated”.

The importance of mineral aggregates and minerals and their protection for long term use is recognized through the Mineral Resource designation. The designation has been applied on the basis of information on the extent of resources and existing operations supplied by the Ministry of Northern Development, Mines, Natural Resources and Forestry. The extraction of mineral and aggregate resources shall be carried out in accordance with the provisions of the *Mining Act*, and the *Aggregate Resources Act*, as well as any other applicable government regulations, guidelines and legislation.

In some areas designated Mineral Resource on the basis of the extent of potential mineral resources, non-mineral development may occur, provided that the Ministry of Northern Development, Mines, Natural Resources and Forestry and the Township have determined that such development would not compromise objectives with respect to mineral resource protection and extraction.

In certain areas designated Mineral Resource, there are soils designated as Classes 1 to 3 in the Canada Land Inventory for Agricultural Capability. It is the intent of the Plan that agricultural activities can occur in the Mineral Resource designation, but that the long term protection of the mineral resource should take precedence.

It is also the intent of this Plan that where lands designated Mineral Resource have a soil capability rating such that Classes 1 to 3 soils predominate, mineral aggregate and mineral mining operations be conducted in such a manner so as to allow, where feasible, for the subsequent agricultural use of such lands.

It is recognized that the Township may have potential for other mineral commodities not currently identified. It is Council's intention that these important mineral resources will be protected for long term use. The extraction of resources from existing or future Mineral Resource areas is to be conducted in a manner that is environmentally-sensitive, compatible with adjacent land uses, and is considered by the Township to be consistent with the goals and objectives set out in this Plan. Once a Mineral Resource area has been exhausted of a particular mineral or mineral aggregate, appropriate rehabilitation shall be undertaken to the satisfaction of the Township and the relevant Ministry.

### 3.3.2 Permitted Uses

The aggregate-related uses permitted include pits and quarries, as well as all associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate, or the production of secondary related products. These uses include crushing facilities, stockpiles, washing and screening operations, asphalt plants, concrete plants and aggregate transfer stations.

The mineral-related uses permitted include open pit and underground mining operations and associated facilities such as milling operations.

Land uses such as agriculture, forestry, conservation and outdoor recreation uses shall be permitted, provided that such uses shall not generally include buildings or activities that would preclude or hinder the establishment of new mineral mining or mineral aggregate operations or access to mineral resources. Development proposals for other land uses may be permitted in accordance with the **Rural** section of this Plan, subject to the agreement of the Ministry of Northern Development, Mines, Natural Resources and Forestry, as applicable, and the Township.

In order to protect natural and built environments adjacent to established or future pits and quarries, “influence areas” have been defined. Influence areas in relation to pits is 300 metres, except in the case of Class B pits where excavation is above the water table, and the influence area is 150 metres. The influence area in relation to quarries is 500 metres.

### 3.3.3 Policies

- a) On lands designated Mineral Resource and shown on the Schedule A maps, the area to be zoned and licensed for a pit or quarry must be located within the limits of the designated area. Any new designation or expansion proposal involving lands beyond the limits of the designated area will require an amendment to this Plan and conform with the Official Plan of the United Counties of Leeds and Grenville. Extraction of a viable mineral aggregate resource may only be permitted outside of the potential mineral aggregate resource areas that are identified in Schedule A where it is demonstrated that there is a sufficient quantity and quality of viable mineral aggregate resources to warrant extraction, as determined on a case-by-case basis;
- b) Existing licensed pits and quarries and other existing mineral resource operations will be zoned in the Zoning By-law to permit such uses. New operations, as well as expansions to existing operations will be established through an amendment to the Zoning By-law when the new or expanding mineral resource operation is located within the Mineral Resource designation. As part of the documentation in support of an application for a Zoning By-law amendment to accommodate new operations or significant expansions, the Township may require the applicant to undertake studies to address the social, economic, environmental and other potential impacts of the proposal;
- c) Lands within the Mineral Resource designation that are not zoned for mineral aggregate or mineral mining operations shall be placed in an appropriate zone category in the Zoning By-law which will allow rural oriented uses, but which will not allow sensitive land uses such as residences, day care centres and educational and health facilities within the influence area of existing mineral aggregate and mining operations;
- d) All pit and quarry operations shall be licensed by the Ministry of Northern Development, Mines, Natural Resources and Forestry under the *Aggregate Resources Act*;

- e) Access to mineral aggregate or mineral mining operations shall be encouraged to be located on Provincial highways or County roads, wherever possible. Where access is to be obtained from a Township road, it must be of an adequate standard of construction to support the anticipated truck traffic;
- f) An application for an amendment to the Official Plan to change the designation from Mineral Resource to another designation shall be carried out with consultation with the Province, and through the submission of a report which demonstrates that:
  - A mineral resource use would not be feasible due to qualitative, quantitative or other constraints such as the regional significance of the resource; or
  - The proposed use serves a greater long-term public interest; and
  - All issues related to public health and safety, as well as environmental impact, can be addressed; and
  - The proposed redesignation shall not preclude the potential to use adjacent lands designated Mineral Resource for mineral or mineral aggregate extraction;
- g) Mineral aggregate operations shall be required to undertake progressive rehabilitation to accommodate subsequent land uses. Where such operations are located on lands with soils designated as Classes 1 to 3 in the Canada Land Inventory for Agricultural Capability, site rehabilitation shall be carried out whereby substantially the same areas and average soil capability for agriculture is restored. Complete agricultural rehabilitation will be required except where there is a substantial quantity of mineral aggregates below the water table, the depth of planned extraction makes restoration of agricultural capability not feasible, other potential alternative mineral resource extraction locations have been considered and found unsuitable, or agricultural rehabilitation in remaining areas will be maximized;
- h) Mineral mining operations, including associated processing facilities, shall undertake rehabilitation, including progressive rehabilitation where feasible, to accommodate subsequent land uses;
- i) In evaluating an amendment to the Official Plan to change the designation of lands to Mineral Resource from another designation, the Township shall require the applicant to provide sufficient information to evaluate the application, including the following:
  - The type and location of neighbouring land uses, having regard to land use compatibility;
  - The location and adequacy of proposed access routes, any proposed road improvements and the traffic flow and volume;
  - Proposed operational plans and site plans for extraction activities as well the storage and stock-piling of extracted materials;
  - Potential sources and sensitive receptors of noise, dust and vibration;
  - Hydrogeology and surface water quality and quantity, predicted changes and sensitivity to such changes;



- The location of natural heritage features and ecological functions, their type, value and sensitivity to change;
  - The presence of archaeological remains or cultural heritage as determined through an archaeological site assessment or heritage impact assessment;
  - Mitigation measures, which may include landscaping and buffering of the proposed use to protect existing or planned communities as well as the scenic and natural amenity of adjacent lands;
  - The submission of an *environmental impact assessment* or other study as may be deemed necessary;
  - Demonstration that the final rehabilitation plan is consistent with the requirements of the Ministry of Northern Development, Mines, Natural Resources and Forestry;
  - Requirements under the Aggregate Resources Act; and
  - Social and community considerations.
- j) It is a policy of this Plan that existing sensitive land uses such as residences, day care centres and educational and health facilities shall be protected from the establishment of new mineral aggregate and mining operations or expansions where such establishment or expansion would be incompatible for reasons of public health, public safety or environmental impact;
- k) All planning applications within the Mineral Resource designation shall be circulated to the Ministry of Northern Development, Mines, Natural Resources and Forestry, and the Ministry of Resources and Forestry, as applicable. Subject to the agreement of the relevant Ministry and the Township, development for purposes not related to mineral resources may be permitted on certain lands designated Mineral Resource in accordance with the provisions of the Rural designation, provided that such lands are not designated on the basis of aggregate reserves or licensed for a pit or quarry under the *Aggregate Resources Act*.
- l) Development and activities within, or adjacent to, lands designated Mineral Resource which would preclude or hinder the establishment of new mineral and aggregate extraction operations shall only be permitted in situations where:
- The resource use is not feasible; or
  - The proposed land uses or development serves a greater long term public interest; and
  - Issues of public health, public safety and environmental impact are addressed.

For the purposes of this policy, “adjacent to” will generally include lands within 300m of sand and gravel resource areas or the licensed boundary of an existing pit, and within 500m of bedrock resource areas or the licensed boundary of an existing quarry.

### 3.3.4 Special Exception Areas

(Reserved)



### 3.4 NATURAL HERITAGE A

#### 3.4.1 Intent of the Designation

Our natural heritage consists of a variety of features and areas which are important for their environmental and social value. These features and areas include wetlands, areas of natural and scientific interest (ANSIs), fish habitat, wildlife habitat and the habitat of endangered and threatened species. Some of these features and areas are considered particularly significant by the Province of Ontario and/or the Township. The Natural Heritage A designation is assigned to provincially-significant wetlands in order to protect them from any development or site alteration.

Wetlands are those lands which 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 favoured the dominance of either hydrophilic plants or water-tolerant plants. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition. The four major types of wetlands are swamps, marshes, bogs and fens. Wetlands are important for their role in the recharge and discharge of groundwater, water quality improvement, flood and erosion damage reduction, wildlife habitat and recreational and tourism opportunities such as hunting, fishing, bird watching, hiking and boating.

Certain portions of provincially-significant wetlands designated as Natural Heritage A in this Plan include lands which are also areas of natural and scientific interest (ANSIs). ANSIs are areas of land and water with natural landscapes or features that have been identified as having scientific value worthy of protection or study or related to education. ANSIs are important since they represent the full spectrum of biological communities and natural landforms and environments across the Province. In general, ANSIs are designated Natural Heritage B by this Plan, except where they are geographically coincident with provincially-significant wetlands, in which case they are designated Natural Heritage A in recognition of the more restrictive policies of the latter designation.

Similarly, other portions of provincially-significant wetlands designated as Natural Heritage A in this Plan include lands within 1:100 year flood plains, as mapped by the Conservation Authorities. While, in general, flood plain lands are designated Natural Hazard by this Plan, where they are geographically coincident with provincially-significant wetlands, they are designated Natural Heritage A to reflect the more restrictive policy environment of the latter designation.

Other natural heritage features such as fish habitat, wildlife habitat, endangered and threatened species habitat and woodlands are discussed in the section of this Plan dealing with **Natural Heritage Features**. While not included in the Natural Heritage A designation for policy or practical reasons, such features are nevertheless considered significant. Policies relating to fish habitat, wildlife habitat and endangered and



threatened species habitat are included in the **Natural Heritage Features** section, as are policies relating to development on lands adjacent to wetlands and ANSIs which are designated Natural Heritage A, Natural Heritage B or Natural Heritage C.

### 3.4.2 Permitted Uses

The permitted uses include only those related to conservation, wildlife management, outdoor recreation activities that do not require alteration to the natural features, and established agricultural uses ongoing at the time of adoption of this Plan.

However, new or expanded structures, or the clearing and draining of additional lands within the limits of the designation are not permitted.

### 3.4.3 Policies

- a) Development or site alteration such as filling, grading and excavating shall not be permitted within the Natural Heritage A designation.
- b) Development or site alteration such as filling, grading and excavating is not permitted on lands adjacent to the Natural Heritage A designation, unless it is demonstrated that there will be no negative impacts on the wetland's natural features or their ecological functions subject to the provisions of the **Natural Heritage Features** section of this Plan, and having specific regard to the **Environmental Impact Assessments** section. Adjacent lands means those lands within 120 metres of the Natural Heritage A designation.
- c) Development or site alteration adjacent to a Natural Heritage A designation is subject to the Section 28 Regulation made pursuant to the Conservation Authorities Act that is administered by the relevant Conservation Authority.
- d) Established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to the Natural Heritage A designation, but new or expanded agricultural buildings or structures or the clearing or draining of additional lands are only permitted subject to the **Environmental Impact Assessments** section of this Plan. In no case shall new agricultural buildings or structures be permitted within the Natural Heritage A designation.

### 3.4.4 Special Exception Areas

*(Reserved)*

## 3.5 NATURAL HERITAGE B

### 3.5.1 Intent of the Designation

Our natural heritage consists of a variety of features and areas which are important for their environmental and social value. The Natural Heritage B designation is assigned to areas of natural and scientific interest (ANSIs) that have been deemed provincially significant by the Ministry of Northern Development, Mines, Natural Resources and



Forestry in order to protect them from development or site alteration, unless it can be demonstrated that there will be no negative impacts on the life sciences values, earth science values or ecological functions for which the area is identified.

ANSIs are areas of land and water with natural landscapes or features that have been identified as having scientific value worthy of protection or study or related to education. ANSIs are important since they represent the full spectrum of biological communities and natural landforms and environments across the Province.

### 3.5.2 Permitted Uses

The permitted uses shall generally include only those related to conservation, wildlife management and outdoor recreation activities that do not require alteration to the natural features. Development or site alteration related to these uses may be permitted subject to the provisions of the **Environmental Impact Assessments** section of this Plan.

Uses permitted in the Rural designation may also be permitted subject to the provisions of **Subsection 3.5.3** and the **Environmental Impact Assessments** section of this Plan.

### 3.5.3 Policies

- a) Development or site alteration such as filling, grading and excavating shall not be permitted within the Natural Heritage B designation, unless it has been demonstrated that there will be no negative impacts on the ANSI's natural features or their ecological functions, subject to the **Environmental Impact Assessments** section of this Plan and an amendment to the Zoning By-law;
- b) Development or site alteration such as filling, grading and excavating shall not be permitted on lands adjacent to the Natural Heritage B designation unless it has been demonstrated that there will be no negative impacts on the ANSI's natural features or their ecological functions, subject to the provisions of the **Natural Heritage Features** and **Environmental Impact Assessments** sections of this Plan. Adjacent lands means those lands within 120 metres of the Natural Heritage B designation;
- c) Development or site alteration adjacent to a Natural Heritage B designation may be subject to the Section 28 Regulation made pursuant under the Conservation Authorities Act that is administered by the relevant Conservation Authority;
- d) Established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to the Natural Heritage B designation, but new or expanded agricultural buildings or structures or the clearing or draining of additional lands are only permitted subject to the **Environmental Impact Assessments** section of this Plan.



### 3.5.4 Special Exception Areas

(Reserved)

## 3.6 NATURAL HERITAGE C

### 3.6.1 Intent of the Designation

The Township's natural heritage also includes a variety of features and areas which are locally important for their environmental, ecological, wildlife habitat and social value, as determined by the community. They serve functions as diverse as drainage management, groundwater recharge, migration stations, wildlife corridors and natural spaces that can accommodate active transportation routes, or nature appreciation. Many of these features have yet to be identified by the Township but most locally-significant wetlands have been recognized. These are wetlands which have been evaluated by the Ministry of Northern Development, Mines, Natural Resources and Forestry but which have not been deemed provincially-significant. When locally significant natural heritage features are identified by the Township, they will be recognized in the Zoning By-law.

### 3.6.2 Permitted Uses

The permitted uses shall generally include only those related to conservation, wildlife management and outdoor recreation activities that do not require negative alteration to the natural features. Buildings or structures relating to these uses may be permitted subject to the policies of **Subsection 3.6.3**.

Uses permitted in the Rural designation may also be permitted subject to the provisions of **Subsection 3.6.3**.

### 3.6.3 Policies

- a) Development or site alteration such as filling, grading and excavating shall generally not be permitted within the Natural Heritage C designation unless it has been demonstrated that there will be no negative impacts on the wetland's natural features or their ecological functions, subject to the **Environmental Impact Assessments** section of this Plan and an amendment to the Zoning By-law;
- b) Development or site alteration such as filling, grading and excavating may be permitted on lands adjacent to the Natural Heritage C designation, subject to the provisions of **Section 2.20 Natural Heritage Features** and the proponent demonstrating the activity will not negatively impact the recognized natural heritage feature or the value or function for which the designated feature has been identified. Adjacent lands means those lands within 30 metres of the Natural Heritage C designation;



- c) Development or site alteration adjacent to a Natural Heritage C designation is subject to the Section 28 Regulation made pursuant under the Conservation Authorities Act that is administered by the relevant Conservation Authority; and
- d) Established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to the Natural Heritage C designation, but new or expanded agricultural buildings or structures or the clearing or draining of additional lands are only permitted subject to the **Environmental Impact Assessments** section of this Plan.

### 3.6.4 Special Exception Areas

*(Reserved)*

## 3.7 NATURAL HAZARD

### 3.7.1 Intent of the Designation

Natural Hazard lands are lands which could be unsafe for development or site alteration because of their physical characteristics and which pose a potential risk for loss of life, property damage, and social disruption if developed. All lands within 1:100 year flood plain, as mapped by the Conservation Authorities, are designated as Natural Hazard on the Schedules. Generally, it is intended that no development or site alteration occur in the designation.

Steep slopes and organic soils as identified in the Canada Land Inventory, as well as erosion hazards, unstable bedrock (e.g., karst topography) and wildland fire hazard areas also have the potential to constitute a natural hazard and are discussed in the section of this Plan dealing with **Natural Hazard Features**. Policies relating to flood plains, steep slopes, erosion hazards, organic soils, unstable bedrock and wildland fire hazards are included in the **Natural Hazard Features** section. Generally speaking, lands that are exhibiting steep slopes, erosion hazards, organic soils, unstable bedrock, or wildland fire hazards, pose constraints to development which, with appropriate engineering, may be overcome. Accordingly, such lands will not normally be included in the Natural Hazard designation.

### 3.7.2 Permitted Uses

The permitted uses of the Natural Hazard designation include those related to agriculture, forestry, conservation, wildlife management and outdoor recreation activities. Buildings or structures associated with these uses shall not be permitted within the Natural Hazard designation. It is recognized that Natural Hazard lands are to be managed so as to complement adjacent land uses and protect them from any physical hazards or their effects.



No development or site alteration is permitted other than flood or erosion control structures, shoreline stabilization, water intake facilities and minor recreational facilities such as docks, all as approved by the appropriate approval authorities, such as Parks Canada, the Ministry of Northern Development, Mines, Natural Resources and Forestry, and the relevant Conservation Authority.

### 3.7.3 Policies

- a) The boundaries of the Natural Hazard designation as shown on the Schedules will be used as a guide for the preparation of Zoning By-law provisions which will implement the policies of this section. No new lots shall be created that lie solely in areas susceptible to flood hazards or that cause adverse impacts on upstream or downstream lands. In accordance with Provincial policies, all relevant policies of this Plan, the Conservation Authorities Act and the relevant regulation made pursuant to Section 28 of the Conservation Authorities Act, no buildings or structures except those related to flood and erosion control shall be constructed or enlarged, and no other development or site alteration shall be permitted, except as approved by the relevant Conservation Authority;
- b) Although lands adjacent to the Natural Hazard designation are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no development or site alteration such as filling, grading and excavating shall occur without the written permission of the relevant Conservation Authority, in accordance with its regulation made pursuant to Section 28 of the Conservation Authorities Act;
- c) Prior to the consideration of re-designating Natural Hazard lands, the proponent must demonstrate that the Natural Hazard is not present;
- d) Where development is proposed on a site, part of which has physical or environmental hazards, then such land shall not necessarily be acceptable as part of the required parkland dedication under the Planning Act. All lands dedicated to the Township shall be conveyed in a physical condition satisfactory to the Township. Where an open watercourse is involved, adequate space shall be provided for maintenance and operation;
- e) The Township shall encourage the owners of existing development to address potential hazards in accordance with the policies of this Plan. Specifically, buildings that are located within a 1:100 year flood plain or below the maximum recorded water level along the Rideau Canal should provide floodproofing protection for such buildings and any proposed additions in consultation with the relevant Conservation Authority; and
- f) Currently, only the 1:100 year flood plain for Upper Beverley Lake and Lower Beverley Lake, as well as the Otter-Hutton Creek area have been comprehensively mapped. Partial mapping of the 1:100 year flood plain has been produced by the Rideau Valley Conservation Authority (RVCA) for a portion of Lower Rideau Lake situated in close proximity to the Town of Smiths Falls. In addition, there are regulated flood levels for Upper Rideau, Lower





Rideau and Big Rideau Lakes. Where new or additional 1:100 year flood plain mapping is undertaken, it shall be incorporated into this Plan by amendment.

### 3.7.4 Special Exception Areas

*(Reserved)*

## 3.8 RURAL

### 3.8.1 Intent of the Designation

The lands designated Rural represent the bulk of lands within the Township and include a wide variety of land types and activities at a relatively low density. These lands are characterized by their historical role in accommodating the farm and rural communities, as well as recreational uses. The intent of this Plan is to retain the rural and recreational flavour of Rural lands while providing for a limited amount of compatible and orderly new development. While a limited amount of commercial and industrial development is contemplated in the Rural designation, the overall amount of development permitted will be consistent with the retention of the natural and cultural heritage and landscapes of lands within the designation, including maintenance of both its characteristic tree-covered and large open areas.

Lands designated Rural on the periphery of the Town of Smiths Falls and the Township's Settlement Areas designation, have historically exhibited a more concentrated pattern of development than other Rural areas. While the focus of growth is to be within Settlement Areas, it is anticipated that these peripheral areas will continue to experience greater development interest than Rural lands in general. Relative to other areas in the Township which share the Rural designation, the Township recognizes the historical reality of more concentrated and compact development in the peripheral areas that is based upon their proximity to an urban centre of regional significance, while at the same time is sensitive to the constraints to development posed by reliance on private services.

### 3.8.2 Permitted Uses

Within the Rural area, a variety of land uses shall be permitted including those uses permitted in the Agricultural designation, in addition to the management or use of resources, resource-based recreational uses, home occupations and home industries, cemeteries, conservation, commercial, industrial and limited residential uses, subject to the following use-specific policies.

### 3.8.3 Agriculture Policies

The uses permitted in the Agriculture designation shall be permitted, provided that the agricultural uses shall comply with the **Land Use Compatibility** section of this Plan.

### 3.8.4 Residential Policies

- a) Permitted residential uses on waterfront lots shall generally be restricted to single dwellings developed on the basis of one dwelling per lot. Permitted residential uses on non-waterfront lots shall generally be restricted to limited low density residential development;
- b) Rural lands are intended for limited low density residential development that complements the character of the rural environment. Where appropriate, however, such as in the case of infill development, consideration may be given to permitting somewhat higher density residential development than is generally contemplated for the Rural designation that is locally appropriate, subject to addressing the policies of the **Potable Water Supply and Waste Water Treatment** section of this Plan;
- c) Land division for the creation of limited residential lots that are locally appropriate may take place through the consent, plan of subdivision, or the plan of condominium process in accordance with the **Land Division** section of this Plan; and
- d) Residential uses shall be placed in an appropriate zoning category in the Zoning By-law.

### 3.8.5 Commercial Policies

The Township shall generally encourage new and expanding commercial uses as a means of diversifying the local tax base pursuant to the provisions of the Plan's **Economic Policy**. Additionally, consideration will be given to combining commercial and light industrial uses in a common zone(s), where appropriate, in order to provide flexibility. General encouragement of new and expanding commercial uses shall be appropriately balanced with the objectives of Section 1.4 of this Plan.

In most instances, new or expanding commercial operations will be subject to review under the Township's Site Plan Control By-law. In reviewing planning applications associated with commercial development proposals, regard shall be had for the following General Commercial Policies. Land owners, developers and other interested stakeholders are also encouraged to consult the Township's *Commercial Site Plan Design Guidelines* prior to submitting a planning or building permit application.

#### 3.8.5.1 General Commercial Policies

- a) A variety of commercial uses including locally-oriented, rurally-oriented and highway commercial uses shall be permitted. These commercial uses are engaged in the buying and selling of goods and services primarily to area residents, farms, businesses and the travelling public. Among other uses, permitted uses shall include automobile sales and service, gas bars, hotels, motels, eating establishments, service shops and farm-related commercial uses. In addition, small-scale businesses engaged in the custom production of

- articles such as artists' or artisans' studios shall be permitted. An accessory dwelling for the owner or operator shall be permitted;
- b) Commercial uses must be appropriate for the proposed location and shall not create or aggravate a negative impact on designated natural heritage features, adjacent sensitive land uses or agricultural uses. Commercial uses located within a local rural commercial area or along corridors such as main roads and major intersections are encouraged;
  - c) Vehicular access to commercial uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure public safety. Applicants may be required to demonstrate the anticipated volume of traffic to be associated with the proposed use, that the proposed traffic will comply with the intended function of the access road, that all entrances and traffic will not result in a hazard or disrupt existing traffic patterns and evaluate potential impacts on the existing road design, and maintenance requirements. To fully evaluate these issues the Township or the United Counties of Leeds and Grenville, as applicable, may require a proponent to submit a traffic impact report prepared by a qualified professional;
  - d) Adequate off-street parking, loading and other facilities shall be provided;
  - e) Where commercial uses abut residential or other sensitive land uses, adequate buffering through setbacks or screening shall be required;
  - f) The outdoor storage of goods and materials will be strictly controlled through provisions in the implementing Zoning By-law and Commercial Site Plan Control Guidelines; and
  - g) Commercial uses shall generally be permitted by amendment to the Zoning By-law; Demonstration of on-site waste management shall be provided, including any potential, temporary on-site storage and the means of waste removal and disposal.

### 3.8.5.2 Tourist Commercial Policies

- a) Tourist commercial uses shall include the full range of uses that cater primarily to the tourist trade or recreational needs. Permitted uses shall include all types of tourist lodging facilities. Buildings, structures or sites of historic interest, uses such as museums and related facilities are also permitted. An accessory dwelling for a tourist commercial use is additionally permitted;
- b) Tourist commercial uses must be appropriate for the proposed location. In this regard, uses shall be located so that they are readily accessible to tourist traffic with a minimum of disruption to adjacent residential uses;
- c) Vehicular access to tourist commercial uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure public safety. Applicants may be required to demonstrate the anticipated volume of traffic to be associated with the proposed use, that the proposed traffic will comply with the intended function of the access road, that all entrances and traffic will not result in a hazard or disrupt existing traffic patterns and evaluate potential impacts on the existing road design, and maintenance requirements.

To fully evaluate these issues the Township or the United Counties of Leeds and Grenville, as applicable, may require a proponent to submit a traffic impact report prepared by a qualified professional;

- d) Adequate off-street parking, loading and other facilities shall be provided;
- e) Where tourist commercial uses abut residential or other sensitive land uses, adequate buffering through setbacks or screening shall be required;
- f) In reviewing applications for tourist commercial development, regard shall be given to the protection of cultural and natural heritage features. In particular, efforts shall be made to integrate waterfront tourist commercial uses with the shoreline environment so as to minimize visual and other impacts, in accordance with the Environmentally-Sensitive Development section of this Plan;
- g) Where applications for tourist commercial development involve significant boat docking facilities such as those associated with marinas and large resorts, the preparation of a boat impact assessment shall be required to evaluate the suitability of the site and its land/water environs for docking or mooring facilities and associated boat traffic. These developments shall be subject to Parks Canada's Rideau Canal Policies for In-Water and Shoreline Works; and
- h) Tourist commercial uses shall generally be permitted by amendment to the Zoning By-law; and
- i) Tourist Lodging Establishments and Tourist Campgrounds are significant tourist commercial developments within the Rural designation due to their potential environmental and community impacts. Tourist Lodging Establishments are uses that offer temporary accommodation within buildings such as hotels, lodges, seasonal camps, or a series of cabins. Tourist Campgrounds are uses that offer seasonal and temporary accommodations through the use of tents, recreational vehicles and/or trailers. This Plan recognizes that Tourist Campground and Tourist Lodging Establishment density is an important component to managing environmental and land use compatibility concerns; the implementing Zoning By-law will identify specific density provisions to these uses in order to mitigate these concerns.
- j) For new tourist campgrounds, expansions to existing tourist campgrounds that require a zoning by-law amendment, or site plan control applications for expansion or development that substantially or materially increases the useability of the use which does not require a zoning by-law amendment, applicants shall incorporate measures to establish a 30-metre vegetated strip of unaltered, naturalized land abutting the shoreline, allowing for a modest pathway to access the shoreline through this area.
- k) For new or expanding tourist campgrounds, where lake-specific or site-specific conditions indicate that it would be appropriate, the minimum water setback may be increased as per Section 2.2.6.b). The determination of an appropriate setback is to be undertaken in consultation with the relevant conservation authority, applying methodology derived from the "Assessment of Municipal Site Evaluation Guidelines for Waterfront Development in Eastern Ontario's



Lake Country” prepared by Hutchinson Environmental Sciences (2014) or its successor.

- l) For new tourist campgrounds, expansions to existing tourist campgrounds that require a zoning by-law amendment, or site plan control applications for expansion or development that substantially or materially increases the useability of the use which does not require a zoning by-law amendment, a lake impact study to assess the effect of development and additional nutrient loadings on lake water quality will be required. The Township may require a lake capacity assessment instead of a lake impact study if it is determined by the Township and/or technical review agencies that the scale and/or impact of the development warrants such a study. Applicants shall be required to demonstrate no negative impacts to water quality, to the satisfaction of technical review agencies and/or the Township.
- m) Through the site plan control process, new or expanding tourist campgrounds may be required at the discretion of the Township to demonstrate to the Township’s satisfaction that light pollution onto other properties will not occur. For added clarity, light pollution means the shining of light upwards into the sky above the horizontal plane of the light fixture, or lighting that interferes with the ability to see the night sky caused by any of: light trespass; excess glare; excess direct light; and excess reflected light.
- n) For new tourist campgrounds, expansions to existing tourist campgrounds that require a zoning by-law amendment, or site plan control applications for expansion or development that substantially or materially increases the useability of the use which does not require a zoning by-law amendment, an assessment of traffic impact and safety is required to be prepared by a qualified professional.
- o) For new tourist campgrounds, expansions to existing tourist campgrounds that require a zoning by-law amendment, or site plan control applications for expansion or development that substantially or materially increases the useability of the use which does not require a zoning by-law amendment, a hydrogeological assessment is required to be prepared by a qualified professional.
- p) Tourist campgrounds shall not be used as a permanent residence, except for a permitted accessory dwelling. Campsites within a tourist campground which are reliant on water, sewage, and electrical services are only permitted to be occupied on a seasonal basis. This plan recognizes the seasonal operation of tourist campgrounds as generally between May 1<sup>st</sup> and November 1<sup>st</sup>, and that limited operations outside of that camping season may occur.

### 3.8.6 Industrial Policies

- a) Permitted industrial uses shall be those which are oriented to the rural economy and those uses which utilize local resources or serve local businesses and residents such as sawmills, feedmills, agricultural processing facilities, open storage, warehousing, farm service businesses, builders’ supply yards, bulk

- storage yards, contractors' yards, transportation terminals and similar uses. Manufacturing, service industrial or home-based industrial uses generally operating from fully enclosed buildings that address the needs of local businesses and residents will also be permitted in suitable locations. An accessory dwelling associated to an industrial use may also be permitted, where compatible;
- b) In order to address potential land use conflicts between industrial and other uses, industrial development shall comply with the Land Use Compatibility section of this Plan. The Provincial D-series guidelines for Land Use Compatibility may be also be referenced in this regard;
  - c) Adequate off-street loading facilities and employee parking and other facilities shall be provided;
  - d) Outdoor storage areas shall be adequately buffered from public spaces, adjacent roads, and properties;
  - e) Vehicular access to industrial uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure public safety. Particular regard shall be had to the needs of truck traffic. Applicants may be required to demonstrate the anticipated volume of traffic to be associated with the proposed use, that the proposed traffic will comply with the intended function of the access road, that all entrances and traffic will not result in a hazard or disrupt existing traffic patterns and evaluate potential impacts on the existing road design, and maintenance requirements. To fully evaluate these issues the Township or the United Counties of Leeds and Grenville, as applicable, may require a proponent to submit a traffic impact report prepared by a qualified professional;
  - f) Existing industrial uses shall generally be recognized by the Zoning By-law and new industrial uses shall generally be permitted by amendment to the Zoning By-law;
  - g) Industrial uses must be appropriate for the proposed location and shall not create or aggravate a negative impact on designated natural heritage features, adjacent sensitive land uses or agricultural uses;
  - h) Demonstration of on-site waste management shall be provided, including any potential, temporary on-site storage and the means of waste removal and disposal.

### 3.8.7 Mobile Home Parks Policies

- a) A mobile home park is a property developed for the placement of mobile homes on permanent foundations. Mobile home parks, including uses which are incidental to a mobile home park such as a park management office, accessory commercial uses such as a convenience store, recreational facilities, a laundromat, storage facilities and other similar uses may be permitted;
- b) Mobile home parks may be developed for ownership either as a single entity, a cooperative or on a freehold basis;



- c) Where a mobile home park is owned as a single entity, ownership and maintenance of the roads, operation and maintenance of servicing systems, snow ploughing, waste collection, landscaping and other amenities and services shall rest with the owner of the park;
- d) Sewer and water services shall be provided to the satisfaction of the Township and the relevant approval authorities for such services in accordance with the policies contained in the **Potable Water and Waste Water Treatment** section of this Plan;
- e) Internal roads will be constructed to adequate standards;
- f) All mobile home sites will have frontage on an internal road;
- g) Where the park is to be owned as a single entity, development will take place in accordance with a site plan approved by the Township. Where the park is to be owned on a freehold basis, development will take place by plan of subdivision or plan of condominium;
- h) Lot area, density, site size, yard and parking requirements and other matters shall be regulated through the implementing Zoning By-law;
- i) A minimum of 5% of the total area of the park should be provided in a consolidated form for recreational purposes;
- j) The establishment of any new mobile home park shall require an amendment to the Zoning By-law. In considering such amendments, the Township shall have regard to the following criteria:
  - i. The compatibility of the proposed park with existing land uses and designations of the surrounding area;
  - ii. The park shall have frontage on a public road which is of a suitable standard of construction, and any access to the public road shall be located so as not to create a safety hazard;
  - iii. The suitability of the proposed site with respect to servicing considerations, and the implications for the Township in terms of potential responsibility for services; and
  - iv. The adequacy of the layout of the park in relation to aesthetic, functional and other matters, as reflected in the proposed site plan, ~~or~~ plan of subdivision, or plan of condominium.

### 3.8.8 Waste Disposal Sites Policies

- a) Waste disposal sites shall be restricted to existing closed waste sites, recycling depots and transfer stations. Disposal of liquid industrial, radioactive or toxic waste shall not be permitted;
- b) Waste disposal sites shall be operated and maintained in accordance with the standards set by the Ministry of the Environment, Conservation and Parks;
- c) No use shall be made of land used as a waste disposal site for a period of 25 years from the year in which the waste disposal use ceased without the approval of the Ministry of the Environment;
- d) Development of lands adjacent to a closed or open waste disposal site shall be subject to the Land Use Compatibility section of this Plan; and



- e) The establishment of any new waste disposal site shall require an amendment to the Official Plan to a Special Exception Area, as well as an amendment to the Zoning By-law.

### 3.8.9 Wrecking Yards Policies

- a) Wrecking yards are industrial facilities where derelict, discarded, abandoned or inoperative motor vehicles and/or other goods, wares, merchandise or articles are stored wholly or partly in the open. Wrecking yards shall be restricted to existing facilities, and may include an accessory dwelling;
- b) Wrecking yards shall be adequately screened on all sides so that no portion of the operation, including the storage areas, are visible from an adjacent residential zone or public road;
- c) Wrecking yards shall not cause or contribute to the contamination of any ground or surface water; and
- d) The establishment of any new wrecking yard shall require an amendment to the Official Plan to a Special Exception Area, as well as an amendment to the Zoning By-law. Among other matters, the Township shall consider:
  - i. The compatibility of the proposed wrecking yard with existing land uses and designations of the surrounding area. In this regard, the policies of the **Land Use Compatibility** section of this Plan shall apply.
  - ii. The suitability of the proposed site with respect to environmental considerations.
  - iii. The layout of the wrecking yard in relation to screening, buffering, functional and other matters as reflected in the proposed site plan.

### 3.8.10 Special Exception Areas

*(Reserved)*

## 3.9 SETTLEMENT AREAS

### 3.9.1 Intent of the Designation

The Township of Rideau Lakes is comprised of a number of historic villages and hamlets which have experienced varying degrees of growth and development since their early establishment. Villages and hamlets within the Township include Chaffey's Lock, Chantry, Crosby, Delta, Elgin, Forfar, Harlem, Jones Falls, Lombardy, Morton, Newboro, Newboyne, Philipsville, Plum Hollow, Portland and Rideau Ferry.

It is recognized that these communities have historically provided, to varying degrees, a mix of local retail, service, and residential opportunities which have played a long-standing role in accommodating the day-to-day needs of the Township's rural residents. The Settlement Areas designation has been designed to recognize the heritage significance of these small communities while ensuring that they remain viable for future



generations. The Township intends that the role of the communities will continue and expand, particularly in relation to recreation and tourism-related functions.

The Township seeks to encourage more concentrated development in the Settlement Areas designation than would typically be found or permitted within the Rural designation, subject to servicing constraints. The amount and type of development permitted will, however, be consistent with the maintenance of the character of village and hamlet lands. The boundaries of the Settlement Areas designation are intended to include some allowance for new development to occur.

While expansions to the existing Settlement Areas are not anticipated over the horizon of this Plan, the Township may undertake a review of the local municipal growth allocation, in accordance with the policies of the United Counties of Leeds and Grenville Official Plan, to consider adjustments to settlement area boundaries to better reflect desired locations for population growth and development. Specifically, the Township may seek to remove hamlets from the Settlement Areas designation while using the aggregate area from the hamlets to expand the noted villages. The purpose of the re-allocation will be to direct growth and development to the more serviced areas of the Township and ultimately to encourage complete, mixed use livable communities.

These adjustments may be considered without the need for a Counties comprehensive review, provided they would not increase the aggregate amount of developable land within a settlement area, but will require an amendment to both the Counties' and Township Official Plans. Settlement area boundary adjustments shall be subject to a United Counties of Leeds and Grenville Official Plan Amendment and a Township Official Plan Amendment prior to implementation. Other boundary expansions such as the identification of new settlement areas or the expansion of an existing settlement area boundary without other settlement area reorganization is only permitted at the time of a comprehensive Official Plan review in accordance with the policies of the United Counties of Leeds and Grenville Official Plan and the Provincial Policy Statement.

### 3.9.2 Permitted Uses

Permitted uses within the Settlement Areas designation may include residential, commercial, and limited industrial uses, subject to the following use-specific policies.

### 3.9.3 Residential Policies

- a) A variety of residential uses in accordance with the provisions of **Section 2.4 Housing Policy** may be permitted, subject to the completion of hydrogeological, terrain analysis and impact assessment reports in relation to more intense development forms. Such studies will be to the satisfaction of the relevant approval authority for sewage and water services;

- b) Residential development may take place either along a publicly owned and maintained road serving the Settlement Areas or by a plan of subdivision or condominium for lands behind existing development fronting on such road;
- c) New development shall be encouraged to take place as a logical extension of existing development;
- d) Residential growth will be facilitated in the Settlement Areas designation. An overall minimum target of 20% of dwelling unit growth will take the form of intensification, infill, and redevelopment. Land division for the creation of residential lots may take place through both the consent and subdivision process in accordance with the **Land Division** section of this Plan;
- e) Residential uses shall be zoned with an appropriate zoning category in the Zoning By-law; and
- f) Residential development proposals within the Settlement Areas designation shall have regard for the cultural heritage value of the existing built environment.

### 3.9.4 Commercial Policies

- a) General Commercial and Tourist Commercial uses permitted in the Rural designation, as well as Local Commercial uses such as retail uses and business and professional offices, may be permitted;
- b) Commercial uses, particularly those of a Tourist Commercial nature, shall be encouraged to concentrate in groupings along the main roads;
- c) Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special site specific zoning and/or site plan requirements may be applied where commercial development abuts residential uses or cultural heritage sites; and
- d) Open storage shall not generally be permitted.

### 3.9.5 Industrial Policies

- a) Small-scale light industrial uses may be permitted, subject to an amendment to the Zoning By-law;
- b) No industrial use shall be permitted that would create a nuisance by way of noise, illumination, odour, dust, vibration, fumes or smoke. In this regard, the policies of the **Land Use Compatibility** section of this Plan shall apply;
- c) Industrial uses shall be encouraged to locate along a main road on the periphery of the Settlement Areas;
- d) Through the mechanisms of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Site specific zoning and/or site plan requirements may be applied where industrial development is proposed within an influence area of sensitive land uses, as identified within the Ministry of Environment's D-Series Guidelines, as amended from time to time; and
- e) Open storage shall not generally be permitted.



**3.9.6 Special Exception Areas**  
(Reserved)

## SECTION 4 TRANSPORTATION

### 4.1 GENERAL

This Section establishes the general transportation policies for the Township. A safe, connected, convenient and functional transportation network is the key element in facilitating the movement of both people and goods to and from the various areas within the Township and between the Township and neighbouring municipalities. The road pattern shown on the Schedules generally reflects the historical interrelationship between land use and transportation routes. The road system is classified on the basis of the jurisdiction of responsibility.

Existing and proposed public roads within the Township are classified as Provincial Highways, County Roads and Township Roads, as indicated on the Schedules. Where additional land is required for widening and extension, such land shall be obtained, where possible, in the course of approving development applications under the *Planning Act*.

The Township will work with the authorities having jurisdiction to secure road improvements in the form of jog eliminations, regulation of turning movements, proper signing, installation of traffic signals, marking of traffic lanes, channelization and new road construction that will establish a functional transportation network.

Where a development proposal may have an impact on the proper functioning or safety of the road network, the approval authority may require the undertaking of traffic impact or other studies to identify potential issues and mitigation measures.

It is recognized that, due to the richness of the natural and built environment of Rideau Lakes, transportation routes for all modes of transportation function as more than simple transportation infrastructure. Transportation routes are also a window to the scenic beauty of the Township. Consequently, when undertaking transportation improvements and the development of new routes, every effort shall be made to preserve and enhance the scenic qualities of transportation routes, while ensuring that functional and safety concerns are addressed.

The Township shall seek funding or set aside funds in the municipal budget for the maintenance and upgrading of transportation routes, in accordance with community improvement plans and/or transportation and traffic studies.

### 4.2 PROVINCIAL HIGHWAYS

Provincial highways are intended to carry a high volume of traffic at relatively high speeds. There is one provincial highway in the Township - Highway No. 15. Any proposed development abutting a provincial highway is subject to the requirements and permit control of the Ministry of Transportation. Direct access to a provincial highway will be permitted only where the safety and geometric requirements of the Ministry can be met.



All development proposals relating to lands adjacent to a provincial highway shall be circulated to the Ministry of Transportation for comment. The preparation of traffic studies and storm water management plans may be requested by the approval authority.

For any proposed development on lands adjacent to a provincial highway, Ministry of Transportation permits relating to land use, buildings and structures, signs and entrances are required prior to the commencement of any construction.

### 4.3 COUNTY ROADS

Where development is proposed adjacent to a County road, approval for an entrance must be obtained from the United Counties of Leeds and Grenville in accordance with the County requirements and policies of this Plan. These requirements and policies shall also be used in determining building setbacks from County roads. The minimum County road right-of-way for County Road 42 is 30.5 metres. For all other County roads, the minimum right-of-way is 26.2 metres, except where circumstances may necessitate a wider road allowance.

County Roads No. 1, 5, 8, 9, 10, 11, 12, 14, 17, 29, 36, 38 and 42 presently serve the Township and are under the jurisdiction of the United Counties of Leeds and Grenville.

### 4.4 TOWNSHIP ROADS

The Township roads identified on the Schedules are those roads which are owned and maintained by the Township. Where development is proposed adjacent to a Township road, approval for an entrance must be obtained from the Township. Access shall only be permitted in locations that can accommodate traffic in a safe manner. Where sight deficiencies exist due to curves, grades or other factors, no new access will be permitted unless the deficiency is corrected at the owner's expense and to the satisfaction of the Township.

The minimum right-of-way for Township roads will be 20 metres. All new Township roads shall be constructed to Township standards. When Township roads are being constructed or rehabilitated, a complete streets design that promotes active transportation, accessibility, and safety for all road users will be considered. This could include, but is not limited to, adding or widening paved shoulders, adding a designated cycling lane, improving pedestrian infrastructure, and creating safe intersections for all road users.

For policy purposes, the Township considers unmaintained Township roads to be private roads.

### 4.5 PRIVATE ROADS

Private roads are those rights-of-way which provide access to two or more properties but which have not been assumed by the Township for maintenance purposes. Historically,

these roads were developed to provide seasonal access to cottage development in waterfront areas of the Township. At the time these private roads were developed, there was a generally prevailing view that the standard level of access to public services was not necessary in waterfront residential areas. As a result, an extensive network of private roads was constructed in the Township.

There are some attractions to such roads. These include their scenic qualities, the minimal impact of such roads on the natural environment and the absence of any requirements for public funding for maintenance or improvement. Where access by a private road exists or is proposed, the Township shall not assume any liability for such road.

The Township is committed to maintaining its current policy with respect to private roads. Where access to properties is provided by private roads, municipal services such as snow ploughing or road maintenance and improvement are neither available nor the responsibility of the Township. Additionally, in some cases other public services such as school bussing and protection to persons/property from services including police, fire and ambulance may be unavailable or limited in nature. The Township shall attempt to recognize such limitations through the mechanisms of the Zoning By-law and/or municipal agreements.

The creation of new private roads is not permitted, except as prescribed in the **Private Condominium Roads** section of the Plan. The establishment of a right-of-way or easement to provide shared driveway access for two abutting properties that have frontage on a public road, shall not constitute the creation of a private road. Lot creation may be permitted on a private road existing as of the date of adoption of this Plan and which has direct access to a publicly maintained road. Minor extensions not exceeding a total of 180 metres may be permitted to existing private roads from the last lot on the road, provided the following criteria are met:

- All Township owned emergency vehicles are able to traverse the existing and proposed extension of the private road in winter conditions, taking into account slope, width, vegetation overhang, and availability of a suitable turn around area at the end of the road;
- The Township is satisfied that suitable agreements are in place between the users of the road to ensure that it will be privately maintained to an appropriate standard for continued safe passage by emergency vehicles; and
- The landowner enters into an agreement with the Township that is registered on title and containing the wording that the Township has no responsibility for the private road.

The design and construction of the road will be undertaken by a professional engineer or other person competent in road construction, as approved by Council.

If an existing private road is reconstructed to a standard acceptable to the Township and at no expense to the Township, the Township may consider the assumption of the private road by by-law, if it abuts an existing maintained Township or County road or Provincial highway. Prior to undertaking any such reconstruction for the purposes of allowing Township assumption, landowners of property on a private road must obtain the approval of the Township which may include a review of necessary studies in order to determine if the subject lands should be part of the municipal road system. The work shall be undertaken to the standards of, and supervised by, the Township.

Notwithstanding the policies contained herein, the creation of a new private road shall be permitted within a plan of condominium as created under the Condominium Act, 1998, as amended.

### 4.5.1 PRIVATE CONDOMINIUM ROADS

Notwithstanding the policies contained in this section, the creation of a new private condominium road shall be permitted in the Township insofar as it is within a Plan of Condominium created under the Condominium Act, 1998 as amended. A new private condominium road may not be created by way of extension or addition to an existing private road. A new private condominium road may only be permitted if the new road directly connects to a public road and where the subject land has legal frontage on the same public road. The design and construction of a private condominium road shall be to a standard acceptable to the Township, and the maintenance and ownership of such roads shall be governed and administered in accordance with the Condominium Act, 1998 as amended.

### 4.6 PROPOSED ROAD WIDENINGS

The County or Township may require land to be conveyed at no cost for the purpose of widening the existing public road right-of-way as a condition of consent, subdivision or site plan approval.

Land for the widening of the existing public road right-of-way shall generally be sought equally from both sides of the right-of-way, however, in certain situations site-specific conditions may necessitate taking widening on an unequal basis.

### 4.7 ROAD ALLOWANCES ABUTTING WATER BODIES

Where road allowances lead to water and/or abut the shores of lakes and rivers, such road allowances will generally not be closed by the Township. Under unique circumstances, where Council deems the closure of an unopened road allowance to be appropriate, the road allowance shall be disposed of in accordance with the procedures and requirements set out in the *Municipal Act* and associated Township By-laws. The circumstances when such a road allowance closure may be deemed appropriate shall be more-fully described in the Township's road closures policy and procedures document.

## SECTION 5 IMPLEMENTATION AND ADMINISTRATION

### 5.1 INTRODUCTION

This Official Plan shall be implemented by means of the powers conferred upon the Council by the *Planning Act*, the *Municipal Act*, and such other statutes as may be applicable. In particular, this Plan shall be implemented through Zoning By-laws, Site Plan Control, legislation pursuant to the *Municipal Act*, the construction of Public Works and a Capital Works Program.

### 5.2 LAND DIVISION

The division of land can take place in the following ways; by the consent (severance) process, by plan of condominium, and by plan of subdivision. The division of land by the consent process is generally intended for the creation of not more than three new lots, and for situations not related to the creation of new lots such as lot line adjustments and the creation of easements. Except in circumstances specifically contemplated in this Plan, where the division of land results in the creation of four or more new lots, it will likely be necessary to proceed by plan of subdivision. Plans of condominium and plans of subdivision are often associated with larger-scaled development proposals. The method of land division chosen shall be undertaken in accordance with the policies of this Plan.

#### 5.2.1 General Policies

Through the land division process, the Township shall ensure that sufficient land is made available to accommodate an appropriate range and mix of employment opportunities, housing and other land uses that will serve the interests of Rideau Lakes' existing and future residents. As set out under the *2020 Provincial Policy Statement*, the Township shall endeavour to provide a minimum 15-year supply of lands for residential development. Growth resulting from land division is primarily focused towards settlement areas while limited residential development that is locally appropriate is permitted in the Rural designation. The following general policies shall be used as the underlying framework on which land division practices within the Township will be based.

- a) The frontage, size and shape of any lot created shall be appropriate for the proposed use and conform to the provisions of the Zoning By-law. Generally, the minimum lot size shall be 0.4 hectares (1 acre). Consideration may be given to a smaller minimum lot size under special conditions. Such conditions could include, for example, a situation where the use of a tertiary sewage treatment system or communal services is proposed, or where a hydrogeology and terrain analysis has demonstrated an adequate water supply and appropriate soils for a new septic system. In some cases, a larger minimum lot size shall be required, depending upon the proposed use, topography, soils and other relevant considerations;

- b) No land division shall result in the landlocking of any parcel of land or a situation where the existing or potential ability to develop any parcel of land is significantly undermined by virtue of the resulting limited public road frontage. This provision shall not apply when the parcel being created is restricted to conservation use by virtue of its zoning and where safe and appropriate access to the land is ensured through an easement extending to a public road or the land is being added to an existing parcel of conservation land already in public ownership with or without public road access in accordance with the **Crown and Conservation Lands** policies of this Plan;
- c) No land division shall be permitted where safe vehicular access from the proposed lot to the adjacent road cannot be provided due to conditions such as limited sight lines, grades or proximity to intersections, in accordance with the policies of the **Transportation** section of this Plan;
- d) No land division shall create a financial burden on the Township with respect to the provision of Municipal services or facilities, as set out in the **Economic Policy** section of this Plan;
- e) All land division shall meet the requirements of this Plan for the dedication of parkland or cash-in-lieu thereof, as set out in the **Parks, Trails and Recreational Facilities** section of this Plan, unless the land division is only for a conservation purpose as set out in the **Crown and Conservation Lands** section of this Plan. This provision may be applied to enable the improvement of publicly accessible recreation amenities including the widening of public trail corridors, such as the Cataraqui Trail or the Rideau Trail, widening of boat launch sites, or public parking areas used for access to active transportation corridors;
- f) All land division shall address land use separation and compatibility concerns, as set out in the **Land Use Compatibility** section of this Plan;
- g) No land division shall result in the creation of a lot subject to natural hazards such as flooding, organic soils, unstable bedrock, wildland fire, steep slopes with potential for instability or erosion, or other erosion hazards, unless development would be permitted by the **Natural Hazard Features** section of this Plan, or the land is only intended to be used for a conservation purpose as set out in the **Crown and Conservation Lands** section of this Plan;
- h) No land division shall result in the creation of a lot affected by soil contamination or hazards related to former mining or mineral resource operations, unless development would be permitted by the **Human-made Hazard Features** section of this Plan;
- i) No land division shall result in a negative effect on the natural features or the ecological functions for which the area is identified such as wetlands, areas of natural and scientific interest (ANSIs), woodlands, fish habitat, wildlife habitat and endangered and threatened species habitat. The policies of the Natural Heritage Features section will be adhered to in this regard;
- j) No land division shall be considered where the requirements of the Environmentally-Sensitive Development section of this Plan could not be addressed;



- k) In considering land division applications, regard shall be had to the **Cultural Heritage and Archaeological Resources** and **Rideau Canal** sections of the Plan, including requirements with respect to the preservation of the cultural heritage resources of the Rideau Canal and to the identification and preservation of significant archaeological resources;
- l) All land division shall comply with the **Water Resources and Waste Water Treatment** section of the Plan concerning the provision of appropriate water and sewage services and the availability of other services;
- m) No land division shall create a lot which cannot comply with the minimum water setback and minimum water frontage requirements contained in the **Waterfront Development Policies** section of this Plan;
- n) Road widening dedications may be requested by the County or Township as a condition of the approval of any land division application; and
- o) Wherever the creation of multiple waterfront lots is proposed, whether submitted concurrently or individually within the planning period, the applications shall conform with the **Waterfront Development Policies** and the **Economic Policies** of this Plan, specifically as they relate to preserving large waterfront parcels for higher order uses such as residential or commercial development of an appropriate density. Proposals to create single waterfront lots incrementally may be considered premature in accordance with Section 5.2.2 (i) where it is evident that a more comprehensive approach would be appropriate to ensure the policies of the Plan are not compromised.

### 5.2.2 Consent Policies

- a) The severance of land by consent shall be limited to a maximum of four new lots (excluding the retained lot) from a land holding as it existed on January 1, 1998 and any lot created under 0.8 hectares (2 acres) shall be required to demonstrate the appropriate quality and quantity of water to support the long-term servicing of the proposed development and a hydrogeological assessment may be required. Where a land holding is situated partly or wholly in a **Settlement Area** designation, this maximum shall not apply.;
- b) Within lands designated as Agriculture, consents for the purposes of creating new residential lots shall only be permitted in accordance with the policies of the **Agriculture** section of this Plan;
- c) Consents should not have the effect of creating or extending areas of strip development that results in: multiple entrances and culvert emplacements along a contiguous section of rural road corridor, potential traffic flow disruption, particularly near road intersections or high volume entrances, and/or loss of rural character. For the purposes of applying this provision, the creation of a lot within the Settlement Area designation or a waterfront lot in the Rural designation does not constitute strip development. When considering proposals for multiple lots or infill lots that have the potential to create strip development the Township may require the following:





- i. lot frontage which exceeds the minimum standard set out in the Zoning By-law to ensure adequate separation between individual entrances, structures located on adjacent properties, and from intersections or high traffic entrances;
  - ii. entrances to individual lots be abutting to enhance the separation of public road entry points and limit the number of culvert placements;
  - iii. site specific zoning requirements to ensure staggered minimum front yard setbacks, wider side yards and protection of hedgerows between lots to reduce the visual impact and loss of rural character.
- d) Lots created by consent shall generally front onto existing maintained public roads, however, consents may be permitted for waterfront residential lots on existing private roads or on extensions of such roads, subject to compliance with the policies of the **Waterfront Development Policies, Private Roads** and **Road Access** sections of this Plan;
- e) No consent shall be granted that would require the creation of a new private road;
- f) No consent shall be granted on a private road that would result in the creation of a lot not fronting directly on a water body except as permitted through Subsection 5.2.1 b);
- g) A consent for the purpose of creating a lot on an island or on waterfront land without road access may be considered where the proponent demonstrates to the satisfaction of the Township that a public parking facility and public boat launch with unused capacity is available or that the proponent has secured permanent private parking and boat launching rights for access to the island lot. In any case, it will be the responsibility of a proponent to satisfy the Township that creation of the lot will not result in excess parking demand on existing public parking facilities or create an enforcement issue by directing over-night vehicle or trailer parking onto a public road allowance;
- h) Consents for easements shall be preferred to consents for severances when their purpose is to provide a linear right-of-way to an abutting property. Easements and linear right-of-ways for access shall be registered on title on the properties which they apply to;
- i) It is the intent of this Plan to preserve large waterfront properties that may have non-residential land use potential and/or significant environmental benefits that other small waterfront parcels do not have. Where a consent is proposed and involves a waterfront lot of 4 hectares or more the following factors shall be addressed:
  - i. Particular attention shall be paid to land use efficiency with respect to the size of the severed lot, the potential for multiple lot creation through a plan of subdivision or condominium, and the land area needed relative to the scale of the proposed use;
  - ii. In most instances, where a parcel has water frontage suitable for direct access to the water, the division of such parcels should ensure all resulting lots have comparable access to useable water frontage;



- iii. In circumstances where the useable and/or accessible water frontage is limited, a consent should not result in the retained parcel having no access to the useable water frontage. Exceptions may be considered where the retained parcel has no development potential in proximity to the water by virtue of steep slopes, wetland or natural heritage sensitivity, or road access or servicing constraints;
- iv. Subject to preceding paragraphs i., ii. and iii., a consent application involving a waterfront lot of 4 hectares or more shall not result in a retained waterfront parcel less than 2 hectares in size;
- j) Where two new abutting lots are proposed along an existing public road, the approval authority may require the lots to share a single driveway entrance where site conditions, traffic volume, topography, safety, sight lines or other planning considerations suggest that such an arrangement would be beneficial.

### 5.2.3 Subdivision and Condominium Policies

- a) Development by plan of subdivision and/or plan of condominium shall be permitted in the Settlement Area and Rural designations;
- b) The maximum number of lots that may be registered within the first phase of a plan of subdivision is 40 lots, except in the Village and Hamlet designation where the maximum shall be as determined by the Township and the approval authority. Subsequent phases of a plan of subdivision should not exceed approximately 20 lots;
- c) Access to a proposed plan of subdivision or plan of condominium shall be from a maintained public road, built to an adequate standard to accommodate the additional traffic requirements. Notwithstanding the foregoing, access to lots in a proposed plan of condominium may be permitted from a private condominium road, subject to the policies of the **Road Access** section of this Plan;
- d) Access to individual lots in a plan of subdivision shall be by internal public roads, built to Township standards. Where design considerations necessitate it, limited direct lot access to an existing public road abutting the subdivision may be granted;
- e) All plan of subdivision or condominium applications which would result in the creation of more than three new lots or dwelling units having either direct or deeded access to a water body shall meet the requirements set out in the **Waterfront Development Policies** section of this Plan including preparing a lake impact study which demonstrates that the approval of the subdivision would not have a negative impact on water quality;
- f) All plans of subdivision and condominium shall comply with the policies of the **Storm Water Management** section of this Plan;
- g) Development by plan of subdivision or condominium shall meet the requirements set out in the **Potable Water Supply and Waste Water Treatment** section of the Plan;



- h) The approval authority may apply lapsing provisions to any draft plan of subdivision or condominium, pursuant to the provisions of the Planning Act; and
- i) To ensure the financial and operational sustainability of the Township proponents of plans of subdivision or condominium may be required to undertake a community infrastructure impact assessment which will review the impact of the proposed development on existing or proposed community infrastructure, including: recreation facilities, public parking and boat launch facilities, fire and police service demands, solid waste management services, road maintenance capacity, and any proposed communal water and waste water facilities and demonstrate to the satisfaction of the Township that the financial or operational impact will be sustainable.

### 5.3 DEEMING PLANS OF SUBDIVISION

Under the authority of the *Planning Act*, the Township may pass a deeming by-law which has the effect of declaring part or all of a plan of subdivision not to be registered for conveyancing purposes, provided that the subdivision is a registered plan within the meaning of the *Planning Act* and that it has been registered for a period of eight or more years.

### 5.4 SITE PLAN CONTROL

Site Plan Control is a site design and approval process intended to be used in cases where the type of development proposed or the characteristics of the particular site require a more detailed level of attention to, and control over, the siting of buildings, structures, facilities and other features than would be possible or practical through the mechanism of a Zoning By-law.

It is the intention of the Township to use Site Plan Control as a planning tool complementary to the Zoning By-law to ensure that:

- Proposed buildings and structures are well sited vis-à-vis adjacent land uses;
- Design details, such as accessory buildings and structures, accessibility features, lighting, walkways, parking, loading, waste facilities, grading, drainage, landscaping materials, fencing, etc., are adequate for the uses proposed, in terms of functional, safety and aesthetic considerations;
- Development occurs with minimal impact on natural and cultural heritage resources, particularly where proposed in immediate proximity to water bodies. Specific regard shall be had related to compatibility with natural and cultural heritage resources with development on or adjacent to properties with heritage significance, such as the Rideau Canal National Historic Site and UNESCO World Heritage Site;
- Detailed policies of this Plan, such as those contained in the Environmentally-Sensitive Development section, can be properly implemented;

- Development is undertaken and maintained as approved by the Township.

The Township may control the design and details of development proposals through the use of a Site Plan Control By-law. The entire Township of Rideau Lakes shall be considered a Site Plan Control Area with exemptions for certain types of development as determined by the Township in the By-law.

In imposing Site Plan Control, the Township will seek to regulate the general site layout of the property and, where appropriate, the massing and conceptual design of all buildings and structures on the property. Site plan drawings shall be required in all cases. Floor plan, elevation and cross-section drawings may be required for any development, as determined by the Township.

In order to ensure that Site Plan Control applications adequately address the technical requirements and environmental objectives of the Township, the Township may develop application guidelines, such as shoreline vegetation buffer guidelines and commercial design guidelines.

In processing Site Plan Control applications, the Township will consult with various public bodies, including the relevant Conservation Authority and Parks Canada, as appropriate.

As a condition of the approval of a site plan, the County or Township may require the dedication of land for public road widening purposes.

The Township may enter into Site Plan Control agreements with the owners of lands for which site plans have been approved and register such agreements on the title of the lands to which they apply. It is the Township's policy that registration of all Site Plan Control agreements on title for development within 100 metres of a waterbody shall be required.

### 5.5 ZONING BY-LAWS AND HOLDING PROVISIONS

It is intended that a comprehensive Zoning By-law to implement this Plan shall be prepared and adopted in accordance with the provisions of the *Planning Act*. Such by-law shall contain land use zones in accordance with the policies contained within this Plan and will establish regulations to control the use of land and the character, location, and use of buildings and structures.

#### 5.5.1 Holding Zones

It is not intended that all land use areas designated in this Plan will be zoned for such uses immediately in the Zoning By-law. Areas may be zoned for their existing uses or in a Holding category pursuant to Section 36 of the *Planning Act*. It is the intention of Council to place certain lands within a Holding category in the Zoning By-law when the principle of development has been established, in order to:

- Delay the development of lands until any necessary municipal infrastructure become available;
- Affect the phasing and/or proper design of large-scale residential, commercial, or industrial development;
- Ensure that proper financial and other agreements are in place; and/or
- Delay development until such time as it is determined that identified development constraints can be overcome to the satisfaction of Council.

### 5.5.2 Lands subject to Holding provisions

Lands which are subject to Holding provisions shall be identified in the Zoning By-law by an “h” symbol, in conjunction with the appropriate zone symbol denoting the eventual use of the land and shall be subject to the following policies:

- a) Lands which are shown to be in a Holding category shall generally be restricted to existing uses;
- b) New development proposed on land zoned in a Holding category shall not be permitted unless Council deems it appropriate to remove the Holding symbol through an amending by-law.

An application for removal of the Holding symbol shall be reviewed by Council in consideration of the following:

- That the proposed use is in conformity with the requirements of the Zoning By-law;
- That the required municipal infrastructure is available or will soon be available;
- That the financial and other requirements of the municipality have been fulfilled;
- That the phasing and design of the proposed development is to Council's satisfaction; and/or
- That any development constraints which have been identified can be overcome to the satisfaction of Council.

### 5.5.3 Conditional Zoning

The Township may establish provisions for zoning with conditions at such time as the Province establishes an Ontario Regulation specifying the prescribed conditions that will permit the use of conditional zoning by municipalities.

### 5.5.4 Interim Control By-laws

Council may pass Interim Control By-laws to control the use of land, buildings or structures within designated areas of the Township and in accordance with the provisions of Section 38 of the *Planning Act* in order to prevent or limit development until detailed planning studies for the subject lands are completed and approved by Council. Any Interim Control By-law approved by Council shall initially be in effect for a period of up to

one year from the date of passing of the by-law but may be extended for a maximum of one additional year.

### 5.5.5 Temporary Use By-laws

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

Where deemed appropriate by Council, a Temporary Use By-law may be adopted for a purpose which does not conform to the Official Plan, provided that the long-term objectives and policy direction of the Plan shall not be adversely affected by the by-law.

### 5.5.6 Increased Height and Density By-laws

Pursuant to Section 37 of the *Planning Act*, Council may authorize increases to the maximum height and density of development otherwise permitted by the Zoning By-law. These increases may be granted in return for the provision of facilities, services or matters set out in the by-law and could include, among other items, the following:

- a) Conservation of cultural heritage or archaeological resources;
- b) Enhancement of natural heritage features;
- c) Significant contributions to the attainment of tourism-based objectives as set out in the Economic Policy section of this Plan;
- d) Participation in achieving objectives as they relate to the development of recreational facilities, as discussed in the Parks, Trails and Recreational Facilities section of this Plan;
- e) Utilization of innovative and environmentally-supportive approaches to the provision of sewage and water services, including tertiary sewage treatment systems;
- f) Physical improvements to settlement areas as identified in the Community Improvement section of this Plan;
- g) Other improvements identified in capital budgets.

## 5.6 COMMITTEE OF ADJUSTMENT

A Committee of Adjustment has been appointed to consider applications for relief from any Zoning By-law or other by-laws approved by Council under the authority of the Municipal Act, which implement this Plan. The Committee will be guided by Section 45 of the *Planning Act*, and by the rules of procedure and regulations issued from time to time by the Minister of Municipal Affairs and Housing.



The **Existing Land Uses, Buildings and Structures** section of this Plan sets out policies for dealing with applications to change or enlarge non-conforming uses, as well as for minor variance applications where existing or proposed uses conform to the Zoning By-law but are non-complying with respect to zoning provisions such as building setbacks. The Committee will have regard to the relevant non-conforming use, buildings and structures, and minor variance policies.

Where existing or proposed uses, buildings or structures, that conform to the use provisions of the Zoning By-law implementing this Plan are non-complying with respect to performance standards, the Committee of Adjustment may authorize minor variances from the provisions of the implementing Zoning By-law provided that the general intent and purpose of the Official Plan and Zoning By-law are maintained and that the variances are minor and desirable for the appropriate development of the lands. The Township may also authorize minor variances from other municipal by-laws. Particular regard shall be had for the Township's **Waterfront Development Policies** when development proposals affect non-complying buildings or structures situated on waterfront lots.

### 5.7 PUBLIC PARTICIPATION, PUBLIC NOTICE PROCEDURES AND PRECONSULTATION

Council shall make planning documents specified in the *Planning Act* such as the Official Plan and Zoning By-law available to the public to foster a greater awareness and knowledge of planning matters. Where amendments to these documents are made, Council shall endeavour to ensure that up-to-date consolidations of the amended documents are made available.

Council shall, as a minimum, follow the requirements of the Planning Act as they apply to public notification and participation in relation to such matters as Official Plans, Community Improvement Plans, Zoning By-laws, amendments to the said Plans and By-laws, and Plans of Subdivision and Condominium. The Township will also employ electronic and digital communications tools for public notification and consultation processes.

In order to facilitate public participation, Council will employ appropriate methods at varying stages of the decision-making process such as, but not limited to, delegations to Committees of Council, formal and informal public meetings, open houses, workshops, displays, municipal-wide advertising, working committees, task forces, consultation with community/ratepayer/lake associations, and posting affected properties with information signs.

Proponents shall pre-consult with Township planning staff prior to filing a planning application.

### 5.8 PUBLIC WORKS IMPROVEMENTS

The implementation of the policies of this Plan which require the provision of municipal facilities and services will involve the Township directly in the financing of such projects, as resources permit. Project areas may include activities such as the development of park and recreational facilities, the upgrading of roads, the improvement of intersections and the enhancement of drainage facilities.

Public works undertaken by the Township and by-laws passed by Council shall conform with this Plan as per Section 24 of the Planning Act.

### 5.9 PROPERTY STANDARDS

It is the policy of Council to encourage the maintenance of the Township as a pleasant environment for living, working, shopping and recreation. Continued maintenance of property is essential to the welfare of the Township.

It is the intention of the Township to support the private efforts of property maintenance and to eliminate any existing hazards to building occupants through the introduction of by-laws specifying standards for all properties within the Township for property maintenance and occupancy under Section 15.1 of the Building Code Act.

Council will endeavour to support property maintenance and safe occupancy by:

- a) Utilizing available government programs, where applicable, to provide financial and administrative support to individuals seeking to improve their properties;
- b) Undertaking education and public relations programs as needed to demonstrate the benefits of property maintenance;
- c) Maintaining municipally-owned buildings, properties and community facilities, and providing or maintaining municipal services in good repair.

Upon adopting a property standards by-law, Council will appoint a Property Standards Officer who will be responsible for administering and enforcing the by-law.

The property standards by-law will prescribe standards for the following matters and any others that may be considered necessary:

- The keeping of yards, vacant lands, parks, waterfront areas, laneways and passageways, free from debris, rubbish, weeds, abandoned or derelict vehicles, trailers, boats, barges, mechanical equipment or similar material;
- The adequacy of sanitation control, including garbage disposal, sewage and drainage;
- The maintenance of all buildings and structures, including structural standards of walls, floors, ceilings, foundations, insulation, electrical systems, plumbing, heating, adequacy of protection from weather, natural lighting and ventilation,

condition of chimneys, fire protection standards and general cleanliness and upkeep;

### 5.10 MUNICIPAL ACT

It is intended that Council shall review, as required, legislation pursuant to the *Municipal Act* governing various uses, signs, etc. and where necessary, amend existing By-laws or pass new By-laws as may be required to ensure such matters are properly regulated and controlled.

### 5.11 COMPLETE APPLICATIONS

In addition to the information and materials required pursuant to the Planning Act and associated O. Regs, and any other legislation, as amended, the Township may require development proponents to provide additional information to accompany applications as part of a complete application. Notwithstanding the generality, additional studies and materials may be required for Official Plan amendment, Zoning By-law amendment, Minor Variance, Site Plan Control, consent, subdivision, and condominium applications.

The number and scope of studies and assessments to be required for the submission of a complete application shall be appropriate and in keeping with the scope and complexity of the application.

The additional information that may be required in support of an application includes, but is not limited, to the following:

- Aggregate Studies
- Agricultural Soils Assessment
- Archaeological Assessment
- Boat Capacity Study
- Community Infrastructure Assessment
- Contaminated Site Assessment / Environmental Site Assessment
- Cultural Heritage Assessment
- Environmental Impact Assessment/Study
- Environmental Site Assessment
- Erosion and/or Sedimentation Plan
- Floodplain Analysis
- Geotechnical Report
- Grading and Drainage Plan
- Groundwater Impact Assessment
- Heritage Impact Assessment
- Hydrogeological Assessment
- Lake Capacity Assessment
- Lake Impact Study

## OFFICIAL PLAN OF THE TOWNSHIP OF RIDEAU LAKES

- Landscaping Plan
- Land Use Compatibility Assessment
- Minimum Distance Separation (MDS) Calculations
- Noise/Vibration/Blast Study
- Parking Study
- Planning Rationale
- Record of Site Condition
- Risk Reduction Plan
- Servicing Options Report
- Slope Stability Analysis
- Species At Risk Assessment
- Stormwater Management Plan
- Surface Water Impact Assessment
- Terrain Analysis
- Traffic Impact Assessment
- Tree Conservation and Protection Plan
- Visual Impact Assessment
- Other information or studies relevant to the development of lands impacted by the proposed development approval application

The Township may require any of the required studies to be peer-reviewed on behalf of the Township, at the sole expense of the proponent.

The Township encourages development proponents to consult with the Township prior to submitting planning applications. Failure to do so may result in the application being deemed incomplete in accordance with the Planning Act.

## SECTION 6 INTERPRETATION

**6.1** It is intended that the boundaries of the land use classifications shown on the Schedules be considered as approximate and absolute only where bounded by roads, railways, rivers or streams or other similar geographical barriers. It is recognized that the Schedules are subject to the typical and inherent inaccuracies associated with rural base mapping sources and digitized assessment parcel information. Accordingly, amendments to the Official Plan will not be required in order to make minor adjustments to the parcel fabric, physical features or approximate land use boundaries shown on the Schedules, provided that such adjustments do not, in the Township's opinion, compromise the intent of the Plan.

**6.2** Typographical, grammatical and formatting modifications to this Plan may be undertaken without an Official Plan amendment, provided that such modifications do not, in the opinion of the Township, affect the intent of the Plan.

**6.3** Private roads have been identified on the Schedules for information purposes. In the event that a private road has incorrectly been identified as a public road, this shall not signal an intention by the Township to change the status of the road, nor shall any amendment to the Plan be required to make a correction.

**6.4** It is intended that all figures and quantities herein shall be considered as approximate only and not absolute. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures.

**6.5** Where any doubt exists with respect to the intended meaning of any word or phrase used in this Plan, the Official Plan of the United Counties of Leeds and Grenville and/or the 2020 Provincial Policy Statement shall be used as guides for interpretation purposes.

**6.6** Where any Act or portion of an Act is referred to in this Plan, such references shall be interpreted to refer to any subsequent renumbering of sections in the Act and/or changes in the date of the Act.

## **LAND USE SCHEDULES**

- A1 – Land Use – North Crosby-Newboro Ward
- A2 – Land Use – South Crosby Ward
- A3 – Land Use – Bastard & South Burgess Ward
- A4 – Land Use – South Elmsley Ward
- B – Development Constraints
- C – Timber Resources and Hazards
- D – Source Water Protection Areas

