



## CORPORATION OF THE TOWNSHIP OF AUGUSTA

### BY-LAW NUMBER 2851

#### BEING A BY-LAW TO ADOPT THE OFFICIAL PLAN FOR THE CORPORATION OF THE TOWNSHIP OF AUGUSTA

**WHEREAS** The Planning Act, Section 17 permits the Township of Augusta to adopt an Official Plan.

**WHEREAS** The Planning Act, Section 17 (22) states that when the requirements of Section (15) to (21) as appropriate, have been met and the council is satisfied that the plan as finally prepared is suitable for adoption, the council may by by-law adopt all or part of the plan and, unless the plan is exempt from approval, submit it for approval;

**NOW THEREFORE** the Council of the Corporation of the Township of Augusta enacts as follows:

1. THAT the attached document, Township of Augusta Official Plan, dated October 12, 2010 and consisting of Introduction; Vision and Guiding Principles, Our Rural and Agricultural Spaces, Where We Live – Our Villages and Hamlets, Where We Do Business – Planning For Industry and Resource Development, Our Environment – Planning for Sustainability, Land Use Constraints -Planning for Public Health and Safety, Making it Work – Planning our Infrastructures, Implementation, Administration and Schedules are hereby adopted as the Official Plan:
2. THAT the Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs and Housing for approval of the Official Plan according to Section 17(8) of the Planning act, R.S.O. 1990, as amended;
3. THAT subject to the approval of the Minister of Municipal Affairs and Housing, By-law 2510 being a by-law to adopt the Official Plan for the Township of Augusta dated October 14, 2003 and related amendments are hereby repealed;
4. THAT this By-law shall come into force and take effect upon the approval of the attached document, Township of Augusta Official Plan, dated OCTOBER 12, 2010 by the Minister of Municipal Affairs and Housing.

**READ** a first and second time this 12<sup>th</sup> day of October, 2010.

**READ** a third time and passed this 12<sup>th</sup> day of October, 2010.

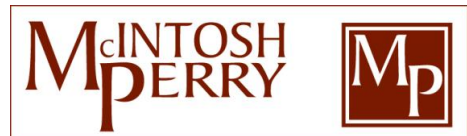
  
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CLERK



# TOWNSHIP OF AUGUSTA OFFICIAL PLAN

May 25, 2012



## DECISION

With respect to an Official Plan  
Subsection 17(34) of the Planning Act

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I hereby approve the repeal of the Official Plan for the Township of Augusta and all subsequent amendments thereto, pursuant to By-law No. 2851, insofar as this Official Plan is in effect.

I hereby approve all of the Township of Augusta Official Plan as adopted by Council of the Township of Augusta, By-law No. 2851, subject to the following modifications:

### PART A

1. **Section 3.1, RURAL POLICY AREA, Lot Creation, sub section 3.1.3.1,** is hereby modified by deleting the word “four” in the first sentence and replacing it with the word “**three**”.
2. **Section 3.1, RURAL POLICY AREA, Lot Creation, sub section 3.1.3.2,** is hereby modified by adding the following new sentences after the last sentence of the sub section:  
  

**“In order to ensure these requirements are met, the Township may require a hydrogeological and terrain analysis and a traffic impact study as supportive material to a consent application. For the purposes of this policy, an infill lot may only be considered where less than 150 metres exists between two existing residential dwellings.”**
3. **Section 3.1, RURAL POLICY AREA, sub section 3.1.3 - Lot Creation,** is hereby modified by adding a new sub section after sub section 3.1.3.4 to read as follows:  
  

**“3.1.3.5 In determining the necessity of lot creation in the Rural designation, Council should take into consideration the number of existing lots of record within the municipality.”**
4. **Section 3.1, RURAL POLICY AREA, sub section 3.1.5.5 - Residential Development Criteria,** is hereby modified by adding the words “**and cultural**” after the word “**natural**” and before the word “**heritage**”.
5. **Section 3.1, RURAL POLICY AREA, sub section 3.2.1.1- Permitted Uses,** is hereby modified by deleting the ninth bullet point in its entirety.
6. **Section 3.2, AGRICULTURAL POLICY AREA, sub section 3.2.5.2- Lot Creation,** is hereby modified by adding the words “**, and shall generally be 40 hectares in size**” after the word “**parcel**” at the end of the third bullet point.

7. **Section 4.0, WHERE WE LIVE – OUR VILLAGES AND HAMLETS,** is hereby modified by adding a new sub section to be numbered as 4.4 and to read as follows:

**“4.4 Distribution of Growth and Development**

**In order to encourage and facilitate the regeneration of existing settlement areas and to achieve the long term objectives listed above, it is a policy of this Plan that over the next 20 years, new lots to be created by consent or plan of subdivision shall occur primarily within the limits of settlement areas.**

**The Township will seek to direct 60% of new development to occur within its settlement areas. Accordingly, Council will monitor the distribution of growth and development on an annual basis and encourage new subdivisions to locate in existing settlement areas. The Township may re-evaluate this growth target at the time of the regulatory five year review of the Official Plan or where a comprehensive review is undertaken in accordance with section 4.5. Any re-evaluation of growth distribution targets should take into consideration the Township’s inventory of vacant residential lots of record.**

**In addition, in order to ensure that the quality and quantity of the Township’s water supply is maintained, Council and/or a proponent may seek to undertake comprehensive studies which will establish the development potential for each of the villages and hamlets based on the carrying capacity of the existing hydrogeological regime within each settlement area. Once completed, Council will revise the growth targets set in this Official Plan for the settlement area and the rural areas to reflect the results of the studies by amendment to this Plan. The initiation of these studies will be subject to annual budget commitments.”**

8. **Section 4.0, WHERE WE LIVE – OUR VILLAGES AND HAMLETS,** is hereby modified by adding a new sub section to be numbered as 4.5 and to read as follows:

**“4.5 Expansions to Settlement Area Boundary**

**4.5.1. The Township may identify a new settlement area or allow for the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:**

- 1. Sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;**
- 2. The infrastructure and public service facilities which are planned or available are suitable for the development over the long term and protect public health and safety;**

3. In prime agricultural areas:

1. the lands do not comprise specialty crop areas;
2. there are no reasonable alternatives which avoid prime agricultural areas;
3. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.

4. Impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

In determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a new settlement area, the Township shall consider and apply all the policies related to natural heritage features, natural resource protection, cultural heritage protection and protection of public health and safety.”

9. Section 4.2, RESIDENTIAL POLICIES, sub section 4.2.3.1- Residential Development Criteria, is hereby modified by adding the words “and cultural” after the word “natural” and before the word “heritage” in the seventh bullet point.
10. Section 5.1, EMPLOYMENT LANDS, is hereby modified deleting the words “Alterations to the boundaries of” in the first sentence of the second paragraph and replacing them with the words “*Applications to remove lands from*”.
11. Section 5.2, MINERAL AGGREGATES, is hereby modified by adding a new sentence at the end of the first paragraph to read as follows:  
  
“For the purposes of this plan, lands designated for mineral aggregate extraction shall be identified as Mineral Aggregate Resource Policy Area and categorized in accordance to extraction type (licensed pit, licensed quarry, or both) on Schedule A- Land Use, Infrastructure & Natural Heritage Features.”
12. Section 5.2, MINERAL AGGREGATES, sub section 5.2.1.1- Permitted Uses, is hereby modified by deleting the words “*Mineral Aggregates area*” in the first sentence and replacing them with “*Mineral Aggregate Resource Policy Area*”.
13. Section 5.2, MINERAL AGGREGATES, sub section 5.2.3.5 - New or Expanded Mineral Aggregate Resource Policy Areas, is hereby modified by deleting sub section 5.2.3.5 in its entirety.
14. Section 5.2, MINERAL AGGREGATES, sub section 5.2.4.1- Bedrock Resources, is hereby modified by adding the words “*Areas of potential*” before the word “bedrock” at the beginning of the sentence of this paragraph.

15. **Section 6.1- NATURAL HERITAGE AREAS**, is hereby modified by adding a new sub section to be numbered as “6.1.15” and to read as follows:

**“6.1.15 Significant Valleylands**

The Township acknowledges the provincial policy statement which requires the identification and protection of significant valleylands. Given the topography of the Township of Augusta, the Township is of the opinion that there are no significant valleylands within its jurisdiction. Should there be information provided to the Township by senior levels of government which indicates that there are significant valleylands within its jurisdiction which are not protected by the existing policies within this Plan, the Township shall work with those senior levels of government to implement the appropriate mapping and policies within this Plan.”

16. **Section 6.1- NATURAL HERITAGE AREAS, sub section 6.1.2.2- Endangered or Threatened Species Habitat**, is hereby modified by deleting the second sentence and replacing it with following:

“Where a planning application for development or site alteration is submitted in an area of the screening map that delineates potential for significant habitat of threatened and endangered species, the Township shall require an Ecological Site Assessment as supporting information to determine if significant habitat is present and delineate the extent of any significant habitat within or adjacent to the area proposed for development. In cases where an environmental impact assessment is triggered by this Plan, the above requirements may be addressed by the environmental impact assessment, provided it is undertaken by a qualified individual.”

17. **Section 6.1- NATURAL HERITAGE AREAS, sub section 6.1.3.3- General Land Use Policies**, is hereby modified by deleting the number “50” in the second line and replacing it with the number “120”.

18. **Section 6.1- NATURAL HERITAGE AREAS, sub section 6.1.6 – Permitted Uses**, is hereby modified by deleting the fifth bullet point and replacing it with the following new bullet:

“Lot creation for all permitted uses stated above is permitted where the purpose is to facilitate the transfer of lands to a public agency or to a conservation organization dedicated to the preservation and enhancement of natural heritage areas.”

19. **Section 6.1- NATURAL HERITAGE AREAS, sub section 6.1.7.1- Areas of Natural and Scientific Interest (ANSI’s)**, is hereby modified by adding the words “*for Earth Science ANSI’s and 120 metres for Life Science ANSI’s*” after the word “metres” in the third line.

**20. Section 6.1- NATURAL HERITAGE AREAS, Section 6.1.8.1- Significant Wildlife Habitat**, is hereby modified by deleting the number “30” in the second line of the first bullet point and replacing it with the number “**120**”.

**21. Section 6.1- NATURAL HERITAGE AREAS, sub section 6.1.10.1- Identification of Significant**, is hereby modified by deleting the number “50” in the second line and replacing it with the number “**120**”.

**22. Section 6.1- NATURAL HERITAGE AREAS, sub section 6.1.12.1- Development Policies**, is hereby modified by adding the following after the word “bank” in the sixth line:

*“, whichever results in a greater setback from the waterbody. Development and site alteration within 30 metres may only be considered for existing lots of record which cannot achieve a 30 metre setback provided it can be demonstrated through an Environmental Impact Assessment that there will be no negative impacts on the natural feature or its ecological functions. In such instances, the septic system and all buildings shall be set back as far as possible from the waterbody and the site shall have minimum vegetation removal and disturbance of soils.”*

**23. Section 7.4, HAZARDOUS LANDS - FLOODING AND EROSION, sub section 7.4.1- Defining Areas Subject to Floods and Erosion**, is hereby modified by adding a new section 7.4.1.1 and to read as follows:

**“7.4.1.1 The creation of a new lot and site alteration is not permitted within the floodplain. A proposal for a new lot which contains an area identified as floodplain may be considered provided there is sufficient area to contain all buildings and septic system outside the floodplain, and necessary approvals from relevant authorities have been granted.”**

**24. Section 7.4, HAZARDOUS LANDS - FLOODING AND EROSION, sub section 7.4.2.2- Permitted Uses**, is hereby modified by adding the words “**existing lots of record within**” after the word “on” and before the word “hazardous” in the first sentence.

**25. Section 7.7 , OTHER HEALTH AND SAFET CONCERNS, sub section 7.7.1.1 - Abandoned Pits, Quarries and/or Mines**, is hereby modified by adding a new sentence at the end of the sub section to read as follows:

**“For abandoned mining operations, adjacent lands are considered to be lands within 1000 metres of the abandoned operation.”**

**26. Section 8.1, INFRASTRUCTURE, sub section 8.1.3.1- Provincial Highways**, is hereby modified by deleting the second sentence in its entirety and replacing it with the following:

***"Development fronting on or in proximity of this highway as set out in Sections 31, 34 and 38 of the Public Transportation and Highway Improvement Act must be reviewed by the Ministry of Transportation of Ontario (MTO), and development is conditional on the issuance of MTO permits, which are designed to ensure that safety and the long term efficiency of the highway are not compromised."***

- 27. Section 8.1, INFRASTRUCTURE , sub section 8.1.3 – Transportation**, is hereby modified by adding a new sub section to the sub section titled "Provincial Highways", to be numbered as "8.1.3.2", and to read as follows:

***"8.1.3.2 The Township shall ensure through site plan control that outdoor storage and loading areas of commercial and industrial uses adjacent to a provincial highway are visually screened or appropriately located and not be visible to the travelling public."***

And all subsequent sub sections are re-numbered accordingly.

- 28. Section 8.1, INFRASTRUCTURE, Section 8.1.3.11- Local Roads**, is hereby modified by deleting the words "and private roads" in the first sentence.

- 29. Section 8.1, INFRASTRUCTURE – sub section 8.1.3.13- Local Roads**, is hereby modified by deleting sub section 8.1.3.13 in its entirety.

And all subsequent sub sections are re-numbered accordingly.

- 30. Section 8.1, INFRASTRUCTURE, sub section 8.1.3.16- Local Roads**, is hereby modified by adding a new sub section to be titled as "***Private Roads***" and to read as follows:

**"Private Roads**

***8.1.3.17 Private roads are identified on Schedule A. The creation of a new private road is not permitted. Lot creation may occur on an infill basis on an existing private road which has direct access to a publicly maintained road, existing as of the date of adoption of this Plan.***

***Notwithstanding the policies of 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.”***

And that the subsequent policies be re-numbered accordingly.

- 31. Section 8.1, INFRASTRUCTURE , sub section 8.1.4- Water, Waste Water and Stormwater Services**, is hereby modified by adding a new sub section to be numbered as “8.1.4.3” and to read as follows:

**“8.1.4.3 The approval authority will ensure that there is sufficient capacity in existing water and waste water services including capacity to treat hauled sewage from private communal or individual septic systems prior to granting approval of a subdivision.”**

- 32. Section 8.1, INFRASTRUCTURE – sub section 8.1.6- Surface Water Management Plans**, is hereby modified by adding a new sub section to be numbered as “8.1.6.2” and to read as follows:

**“8.1.6.2 Stormwater management plans prepared for developments located adjacent to or in the vicinity of a provincial highway, where drainage would impact the highway, must be reviewed and approved by the Ministry of Transportation in addition to receiving the appropriate approvals outlined in Policy 8.1.3.1.”**

- 33. Section 9.4, DEVELOPMENT CONTROL , sub section 9.4.1 - Plans of Subdivision**, is hereby modified by adding a new sub section to be numbered as “9.4.1.5” and to read as follows:

**“9.4.1.5 Where a draft plan of subdivision is proposed adjacent to a provincial highway, the Township shall ensure that the layout of the subdivision shall be designed such that the lots back onto the provincial highway and front onto a local internal street.”**

- 34. Section 9.4, DEVELOPMENT CONTROL, sub section 9.4.9.1 - Complete Applications**, is hereby modified by adding the words **“and Terrain Analysis Report”** after the word **“Hydrogeology”** in the Complete Application Information Requirements Table under the column titled “Information Type”.

- 35. Section 9.10, SOCIAL AND CULTURAL POLICES**, is hereby modified by adding a new sub section to be numbered as “9.10.1.8” and to read as follows:

**“9.10.1.8 Requiring a minimum of 25% of all new housing units to be “affordable” as defined by the Provincial Policy Statement, 2005.”**

- 36. Section 9.10, SOCIAL AND CULTURAL POLICES, sub section 9.10.3- Heritage Conservation**, is hereby modified by adding a new sub section to be numbered as

“9.10.3.7” and to read as follows:

**“9.10.3.7 The Township shall consult with the Algonquins of Ontario for Environmental Impact Studies or Archaeological Studies related to proposed developments where the site meets any one of the following criteria:**

- **Is in an area of Algonquin interest;**
- **Is in an area of Native Values;**
- **Is in an area that has been identified as having the potential for aboriginal artifacts to be encountered.**

**The Algonquins of Ontario shall also be consulted prior to the approval of any site specific Official Plan Amendment where a Stage 2 Archaeological Assessment has shown the potential for aboriginal artifacts to be encountered.”**

**37. Section 9.10, SOCIAL AND CULTURAL POLICES, sub section 9.10.3.1- Heritage Conservation, is hereby modified by deleting the word “inventories” in the first sentence of this section and replacing it with the words *“the registration”*.**

**38. Section 9.10, SOCIAL AND CULTURAL POLICES, sub section 9.10.3.4 - Heritage Conservation, is hereby modified by:**

- 1) adding the words *“and/or areas of archaeological potential”* after to word “Creek” in the seventh line;
- 2) adding the words *“prepared by a licensed archaeologist”* after the word “prepared” in the third sentence.

**39. Section 9.10, SOCIAL AND CULTURAL POLICES, sub section 9.10.3.5 - Heritage Conservation, is hereby modified by deleting the words “on site” in the first line and replacing them with the words *“in situ”*.**

**Part B**

**40. Schedule A- Land Use, Infrastructure & Natural Heritage Features**, as adopted by the Township on October 14, 2010, is modified by deleting the following in the Legend;

- 1) the reference to “*Licensed Pit*” and replacing it with “***Mineral Aggregate Resource Policy Area- Licensed Pit***” ;
- 2) the reference to “*Licensed Quarry*” and replacing it with “***Mineral Aggregate Resource Policy Area- Licensed Quarry***”; and
- 3) the reference to “*Licensed Pit and Quarry*” and replacing it with “***Mineral Aggregate Resource Policy Area- Licensed Pit and Quarry***”.

as shown on the attached Appendix A, dated July 20, 2011.

**41. Schedule B- Development Constraints**, as adopted by the Township of October 14, 2010 is modified by

- 1) in the Legend, deleting the reference to “*Aggregate Reserves Constraints Overlay*” and replacing it with “***Bedrock Resource***”, as shown on the attached Appendix B, dated July 20, 2011;
- 2) by deleting the delineation of the “Floodplain Limit” along the Kemptville Creek on Schedule B and replacing the “Floodplain Limit” with delineation of the “100 yr Floodline” as depicted on the attached Appendix C titled “Augusta Township- Kemptville Creek Floodplain Map, July 2011”, dated July 19, 2011.

Dated at Toronto this 13<sup>th</sup> of December, 2011.

Original signed by:

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Elizabeth Harding  
Assistant Deputy Minister  
Municipal Services Division  
Ministry of Municipal Affairs & Housing

## NOTE TO READERS

The Augusta Official Plan is in full force and effect as of May 25, 2012. This version of the Plan includes the Ministry of Municipal Affairs and Housing modifications which are shown as:

Highlighted text for additions; and

Text with highlight and ~~strike through~~ for text which has been deleted.



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## 1.0 INTRODUCTION

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The Township of Augusta Official Plan (OP) is an essential planning document which is designed to manage future growth, development and change in our municipality. This Official Plan provides a framework which will guide land use decisions within the Township's boundaries for the next 20 years. Because decisions which implement growth and development have long lasting impacts, it is incumbent on everyone to ensure that those decisions reflect community values and will result in more liveable communities which are economically and environmentally sustainable.

### 1.1 LEGISLATIVE CONTEXT

The Official Plan is a policy document, it is not a by-law or a regulation. However it is a legal document and the policies in this Plan have a basis in the Planning Act. There is therefore a need for all decision making authorities to ensure that any by-laws, permits and authorizations they issue will conform to the intent and direction provided by the policies of this Official Plan.

The *Planning Act* requires that Council prepare and adopt an Official Plan which covers the full extent of its territory. The *Planning Act* also identifies matters of provincial interest which are further defined by the Provincial Policy Statement (PPS). The Township's Official Plan must be consistent with the policies in this Statement. The Official Plan was drafted, reviewed and adopted in conformity with the requirements of the Planning Act and the content of the Plan is consistent with the Provincial Policy Statement issued under Section 3 of the Planning Act which came into effect on March 1, 2005.

The Provincial Policy Statement includes definitions of numerous significant terms used in its policies. These definitions will apply to instances in this Plan where the same terms are used, for instance in reference to "development", "adjacent lands", or "Sensitive land uses", among others. Where this Plan employs a different meaning for a term defined in the Provincial Policy Statement, this will be specifically identified in the text of the Plan.

This Official Plan was prepared by the Township of Augusta in partnership with the residents of the Township, its community organizations, the provincial government and its agencies. As such, the policies of the Official Plan represent a balance of interests and points of view.

### 1.2 STRUCTURE OF THE OFFICIAL PLAN

This document shall be known as the Official Plan for the Corporation of the Township of Augusta. It is divided into ten major components as follows:

#### **Part 1.0 Introduction**

The introduction outlines the regulatory structure of land use planning within the Province of Ontario. This section delineates the planning area, outlines the planning period and structure of the plan.

### **Part 2.0 Vision and Guiding Principles**

Part 2 of the Plan presents the vision for growth for the Township as well as the guiding principles, objectives and goals. Developed through public consultation during the early phases of the Official Plan update the Township's vision is the foundation of policy development throughout the Plan.

### **Part 3.0 Our Rural and Agricultural Spaces**

This section of the Plan provides direction on development within the rural landscape of the municipality and includes policies on Agricultural Resource lands.

### **Part 4.0 Where we Live – Our Villages and Hamlets**

These policies provide for future sustainable growth within the Township's villages and hamlets. The Plan provides for a mix of land uses within the settlement areas along with a balanced residential density.

### **Part 5.0 Where We Do Business – Planning for Industry and Employment**

This section of the Plan focuses on the Township's employment areas and includes policies on mineral aggregate resources.

### **Part 6.0 Our Environment – Planning for Sustainability**

These policies provide for the protection and conservation of natural heritage resources and provides direction on sustainable and balanced development.

### **Part 7.0 Land Use Constraints – Planning for Public Health and Safety**

This section of the Plan provides for the protection of public health and safety and includes policies on hazard areas such as lands prone to flooding or unstable slopes or where soils may be contaminated as well as policies on the control of incompatible uses.

### **Part 8.0 Making it Work – Planning Our Infrastructure**

These policies are designed to ensure that adequate servicing is available to support growth and development. Policies include water, waste water, surface water and transportation infrastructures as well as waste management, communication, energy and other required services.

### **Part 9.0 Implementation**

Explains the various policy and regulatory tools available to ensure that the Official Plan's policies are properly implemented.

### **Part 10.0 Administration of the Official Plan**



This section provides technical information on administration of the Official Plan.

### **1.3 PLANNING PERIOD**

The Augusta Official Plan is intended to guide land use for a twenty year period, i.e. until the year 2029.

## **2.0 Vision and Guiding Principles**

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The policies in this Official Plan were developed on the basis of achieving a stated long term vision for the future of the municipality. Through public consultation with municipal staff and decision makers as well as by a series of public open houses where citizens expressed their ideas and opinions along with their concerns and challenges a vision was drafted to direct development. A number of guiding principles were also developed which are at the heart of the policies found throughout this Official Plan and which will assist and direct future decision making to facilitate the achievement of the Township's stated Vision.

Future development in the Township of Augusta must proceed in a manner which is in full conformity with the policies of this Official Plan. It is recognized that from time to time there will be land use or development proposals which may not appear to be in full conformity with one or more policies in this Official Plan. On such occasions it will be necessary to ensure that every land use decision can be reconciled with the long term vision and guiding principles of the Plan as well as all of the other relevant policies.

### **2.1 VISION**

Long term planning starts with a vision for the future. Attaining that vision requires that everyone who participates in the long term development of the municipality adhere to a set of guiding principles which in turn are at the core of the policies in this Plan. The following statement is intended to be the expression of Council's vision for the future of Augusta Township:

#### **Our Vision**

“Augusta Township will manage land use to ensure a balanced, sustainable environment and communities which provide a sense of place respectful of Augusta's unique historical, cultural and natural heritage where citizens can enjoy an unparalleled quality of life.”

### **2.2 GUIDING PRINCIPLES**

The following seven guiding principles are at the core of the Official Plan's policies. They were inspired by consultation with the citizens of Augusta and are the policy core of this Official Plan.

#### **2.2.1 Our Guiding Principles**

##### *Where we live*

We will ensure that growth and development occurs through sustainable and economically viable land use development patterns which will include a broad range of uses and a balanced mix of appropriate residential densities including

appropriately serviced development in the Township's Village and Hamlet settlement areas.

*Where we do business*

We will help maintain and increase the Township's employment base through clear and transparent land use policies which support the development of commercial, institutional and industrial opportunities.

*Our Rural and Agricultural Spaces*

We will continue to protect and value our agricultural lands and provide for appropriate use of rural lands in a manner which is respectful of private and public property rights.

*Our Environment*

We will protect and enhance our natural environment in accordance with provincial policy and in a manner which is respectful of land owner concerns and recognizes the need for long term sustainability.

*Our Heritage*

We are committed to the preservation of our cultural heritage including historical connections to First Nations and early settlers and to our natural heritage including the St Lawrence River and the traditional thoroughfares of the waterways.

*Public Health and Safety*

We will ensure appropriate development which will not pose a danger to public safety or health or result in negative property or environmental impacts.

*Our Infrastructures*

We will ensure that effective infrastructure services will be provided by the appropriate level of government or the private sector in a cost efficient manner which recognizes development priorities and which ensures the protection of our environment.

## **3.0 OUR RURAL AND AGRICULTURAL SPACES**

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### **3.1 RURAL POLICY AREA**

Augusta is characterized by its open rural landscapes and agricultural operations. The following policies are intended to provide for the long term orderly development of the rural area to ensure proper management and use of resources, resource-based recreational activities, limited residential development and other rural types of land uses in a manner which is consistent with ensuring the protection of natural and environmental resources and which will respect the objective of protecting the character of our rural lands.

#### **3.1.1 General**

3.1.1.1 The Rural Policy Area is composed of lands which are comprised of open spaces, forested lands, agricultural resources and low density residential uses.

3.1.1.2 The rural area is not the principal sector for development. Population and economic growth is intended to be directed to the villages, hamlets and employment areas of the Township. The intent of this Official Plan however is not to prohibit residential or economic development in the rural areas, but rather to provide guidance on appropriate land use which will support the objective of preserving the identity and character of the rural and settlement areas.

3.1.1.3 In order to maintain and protect the landscape and identity of the Rural Policy Area, it will be important to avoid inefficient land use patterns such as strip or scattered development, to minimize incompatibility between land uses and to minimize adverse environmental impacts.

#### **3.1.2 Water and Waste Water Servicing**

3.1.2.1 Development in the Rural Policy Area will generally be on the basis of private individual services and as such there is a need to ensure that the installation of these services be carried out on the basis of solid construction guidelines in order to ensure the long term viability of these services. The need to develop on private services may place limits on the amount, distribution and type of development which may take place.

#### **3.1.3 Lot Creation**

3.1.3.1 The creation of rural lots by severance (i.e. one lot at a time) can result in numerous negative impacts on the rural landscape. This can include traffic flow issues, impacts on groundwater supplies, drainage impacts on adjacent lands and financial challenges due to inefficient delivery of municipal services. Notwithstanding these

issues the creation of new residential parcels in the rural area can occur in a responsible manner provided that the proposed severance or subdivision is supported by appropriate studies and also provided that the comprehensive development criteria provided below is respected. The intent of this Official Plan is to provide development alternatives, including a limited opportunity to develop in the rural area, provided that such development can occur in accordance with the municipality's vision statement.

3.1.3.2 It is the policy of this Plan that lot creation in excess of ~~four~~ **three** lots, including the retained lot, from the original lot shall take place by Plan of Subdivision in accordance with the Planning Act and any United Counties of Leeds and Grenville specific policies and requirements. For the purposes of this policy the original lot is defined as the lot as it existed as of the date of approval of the previous Official Plan being July 26, 2004.

**3.1.3.3** Exceptions to the policy limiting the number of lots which can be created by consent may also be granted by the approval authority to permit infill lots in existing areas of strip development provided that it will not create negative effects on traffic flow and safety and provided that all other lot creation criteria is respected. **In order to ensure these requirements are met, the Township may require a hydrogeological and terrain analysis and a traffic impact study as supportive material to a consent application. For the purposes of this policy, an infill lot may only be considered where less than 150 metres exists between two existing residential dwellings.**

3.1.3.4 Consents may also be granted to permit a lot enlargement, clarification of title or for any legal or technical reason which does not result in the creation of a new lot. Vertical consents (commonly known as Strata Plans) are not permitted.

3.1.3.5 When considering lot creation by consent, the criteria listed in section 9.3. shall apply.

3.1.3.6 **In determining the necessity of lot creation in the Rural designation, Council should take into consideration the number of existing lots of record within the municipality**

### **3.1.4 Residential Land Use**

3.1.4.1 The following residential uses are permitted in the Rural Policy Area subject to other relevant policies in this Plan:

- Single dwelling units
- Semi-detached and duplex dwellings
- Secondary Suites
- Accessory apartments

- Senior's Dwellings and Retirement Homes

### **3.1.5 Residential Development Criteria**

- 3.1.5.1 The implementation of this Official Plan through zoning regulations, subdivision and condominium control and consents shall be based on the following criteria:
- 3.1.5.2 Permit and zone a range of housing types and sizes;
- 3.1.5.3 Ensure adequate buffering of residential areas from incompatible non-residential uses through separation distance, landscaping or other appropriate means;
- 3.1.5.4 Permit accessory apartments subject to available infrastructures and amenity space;
- 3.1.5.5 Ensure the protection of resources from incompatible uses through appropriate setbacks and the use of Minimum Distance Separation formulae where appropriate;
- 3.1.5.6 Ensure the protection of natural and cultural heritage features.
- 3.1.5.7 When reviewing development applications consider the development criteria stated in Section 9.3.

### **3.1.6 Minimum Lot Requirements**

- 3.1.6.1 The minimum lot area required in the Rural Policy Area for residential development shall be based on the area required to ensure adequate space for private water and well separation distances and the design and location of private sewage systems . The minimum lot area shall generally be 0.8 hectares or more. Minimum lot areas of less than 0.8 hectares may be permitted by the approval authority or the Committee of Adjustment based on the presence of sustainable ground water quantity and acceptable quality, in addition to soil, terrain and site conditions which meet the standard nitrate dilution calculation criteria as defined by MOE Guideline D-5-4, demonstrated by a Hydrogeological Study and Terrain Analysis Report submitted by a qualified professional. The approval authority or the Committee of Adjustment may require the preparation of a hydro-geology study in support of a lot creation application by consent or plan of subdivision.

### **3.1.7 Minimum Setbacks from Existing Agricultural Uses**

- 3.1.7.1 The creation of new residential lots in areas adjacent to existing agricultural operations shall be subject to MDS calculations.

### **3.1.8 Non-residential Development Policies**

- 3.1.8.1 The rural area is not the principal sector for non-residential development. The intent of this Official Plan however is not to prohibit development in the rural areas but

rather to provide a framework for appropriate non-residential development which can occur in a manner which is consistent with the objective of preserving the identity and character of the rural areas.

3.1.8.2 The following non-residential uses are permitted in the Rural Policy Area:

#### Resource Uses

- Agricultural uses in accordance with the Nutrient Management Act and Minimum Separation Distance standards established by the Ministry of Agriculture Food and Rural Affairs and further implemented through the Building Code Act.
- Uses which are secondary to a principal agricultural use and which add value to agricultural products or support the agricultural resource use
- Hobby farms in accordance with the zoning by-law
- Parks and open spaces
- Recreational trails
- Wayside pits and quarries, portable asphalt plants and concrete plants used on public authority contracts shall be permitted except in areas of existing development or particular environmental sensitivity as identified in the zoning by-law

#### Commercial and Industrial Uses

- Commercial Storage
- Agriculture-related commercial and industrial uses
- Non-agricultural industrial and commercial uses which meet the needs of the travelling public, or which relate to local resources
- Custom workshops
- Kennels and veterinary clinics
- Motor vehicle sales and service establishments
- Tourism commercial uses (motel, hotel, eating establishments, etc.)
- Recreational commercial uses such as marinas, golf courses and campgrounds
- Communication towers
- Institutional uses such as churches, cemeteries and community halls

#### Infrastructure Uses

- Waste disposal facilities subject to the relevant policies of this plan.

### **3.1.9 Non-residential Development Criteria**

3.1.9.1 The review of site development and the development of zoning by-laws shall address the following:

- Permit a range of non-residential uses;
- Ensure the protection of resources from incompatible uses including appropriate separation distances from ongoing and potential agricultural resource activities
- Ensure the protection of natural heritage features.
- When reviewing development applications consider the development criteria stated in Sections 9.5.4 of this Plan.
- Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to non-residential uses in order to regulate the physical character of development and to ensure compatibility with established land uses.

### **3.2 AGRICULTURAL POLICY AREA**

The historic economic base of the Township has been agriculture. Protection of the agricultural resource is considered a priority.

The loss and fragmentation of good agricultural land can result in the creation of incompatible uses and negative impacts on food and agricultural production. Incompatible development often results in conflict and problems related to odours, noise, traffic, dust, fences, weeds, inflated land prices, speculation and the direct loss of agricultural land. The frequency of these problems will inevitably increase if residential expansion and unplanned development continue in prime agricultural areas. It is therefore important to recognize that agriculture is an industry like any other, one which can produce a variety of negative impacts on residential or non-farm uses. The agricultural community must be assured that their investments and commitment will not be compromised by incompatible land uses.

#### **3.2.1 Permitted Uses**

3.2.1.1 The following uses are permitted in the Agricultural Area:

- Agricultural uses and normal farm practices. Agricultural uses means crop cultivation, including nursery and horticultural crops; raising of livestock (including dairy or beef cattle, poultry, swine, sheep, fish and non-traditional livestock such as deer, bison, emu, pheasant etc.); raising of other animals for food, fur or fibre, including poultry and fish; aquaculture, apiaries, agro forestry, orchards, maple syrup production, and associated on-farm buildings and structures. Normal farm practices means a practice, as defined in the Farming and Food Production Protection Act, 1998 that is conducted in a manner consistent with proper and



acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act;

- Uses which are secondary to a principal agricultural use and which add value to agricultural products or support the agricultural resource use;
- Uses secondary to the principal use of the agricultural property such as home based work, bed and breakfast establishments, domestic industries and uses that produce and/or complement agricultural products;
- Uses related to the conservation or management of the natural environment;
- Small scale industrial and commercial uses that are directly related to agriculture which of necessity must locate close to farm operations, including such uses as livestock assembly points, grain drying, storage for farm produce, and custom machinery operators. Wherever possible, these uses shall be located on land that is of low capability for agriculture. Furthermore they shall not adversely affect agricultural operations in the general vicinity;
- Wayside pits and quarries which, if established on land that is of high capability for agriculture, shall be subject to a rehabilitation plan showing how the site will be rehabilitated for productive agricultural use;
- Public utility corridors and communications facilities
- Private communications facilities subject to zoning and development controls;
- ~~Wind and or solar energy facilities subject to provincial and federal regulations~~
- Agriculture related residential uses.
- All uses permitted in the Agricultural Resource Policy Area shall be subject to the appropriate Minimum Distance Separation (MDS) calculation as developed by the Ontario Ministry of Agriculture, Food and Rural Affairs and amended from time to time.
- Permitted uses are subject to zoning and development control.

### **3.2.2 Lot Area**

3.2.2.1 The following criteria shall apply:

- The minimum lot area of the agricultural parcel shall be appropriate for the type of agriculture in the area and shall generally be 40 hectares.
- The minimum lot area shall be sufficiently large to ensure that long-term flexibility of lands to accommodate different agricultural uses in the future.
- Lot areas for residential uses (farm and non-farm) and industrial or commercial uses related to agricultural uses shall be kept to the minimum required for site services and local development standards in order to limit the loss of prime agricultural land.

### **3.2.3 Residential Uses**

3.2.3.1 The following shall apply to residential uses in the Agricultural Resource Policy Area:

- One single detached dwelling and accessory structures are permitted on each conveyable lot having frontage on a public road which is maintained on a year round basis.
- A second dwelling (attached or detached) is permitted for full time farm help on the same lot as the principal dwelling.
- All residential dwelling units shall have regard to the Minimum Separation Distance calculations with the exception of residential units which are part of a farm operation.

### **3.2.4 Intensive Livestock Operations**

Council recognizes that intensive livestock operations such as dairy or beef cattle, poultry or swine farms are increasingly important in the agricultural sector in terms of food production and in terms of the local economic impacts. Council is also aware of the land use concerns generated by the development or expansion of such operations. The Province, through the enactment of the Nutrient Management Act, has also recognized the need to control such operations and to mitigate related environmental and social impacts.

The following policies shall apply:

3.2.4.1 New or expanded intensive livestock operations may be permitted provided that the following conditions are met:

- That Nutrient Management Record of Approval, if one is required by the Nutrient Management Act, 2002 and regulations made under that Act, be received by the municipality;

- That appropriate manure storage facilities be constructed in accordance with the approved Nutrient Management Record of Approval, if one is required by the Nutrient Management Act, 2002 and regulations made under that Act;
- That the manure storage and livestock facilities conform to the Minimum Distance Separation formulae, as amended from time to time.

### **3.2.5 Lot Creation**

- 3.2.5.1 Farm related residential severances in the Agricultural Resource Policy Area may only be considered for a dwelling made surplus through farm consolidation. A farm consolidation is defined as the consolidation of one farm operation with another located within 20 kilometres of the lot where the main farm buildings are located. A farm operation is defined as all of the legally conveyable lots, whether contiguous or not, which are usually associated with the operation of a farm including those lands which are owned or leased and which are considered to be one operation for business purposes. Notwithstanding the above, a surplus dwelling which is located on lands that are leased as part of a farm operation shall not be eligible for a consent.
- 3.2.5.2 The consent approval authority shall impose restrictive conditions to prohibit the construction of a new dwelling on the parcel rendered vacant as a result of the severance.
- 3.2.5.3 The consent approval authority shall consider non-residential farm severances in Agricultural Resource Policy Areas in accordance with the following:
- For making minor boundary adjustments between farms, provided that no building lot is created;
  - For creating a new holding intended to be used exclusively as an agricultural operation, provided that:
  - The size of the parcel to be severed as well as the parcel to be retained are appropriate for the type of agriculture proposed for each parcel **and shall generally be 40 hectares in size;**
  - The size of the parcel to be severed as well as the parcel to be retained are appropriate for the type of agriculture for the area in which these parcels are located;
  - The size of both parcels are common for the area in which they are located;
  - The severed and the remaining parent parcel are sufficiently large to make them suitable for other types of agricultural operations in the future.

- For creating a new holding intended to be used for a farm related commercial or industrial operation. Where possible, such a lot will be located on land of low capability for agriculture.

3.2.5.4 Minimum Separation Distance formulae shall apply to all lots created in the Agricultural Policy Area.

3.2.5.5 Any new residential use, including associated uses such as the private well and septic system, on a new lot shall have a sufficient setback from property lines to mitigate potential impacts on adjacent agricultural operations. The setback shall generally be a minimum of 15 metres or as determined in the Zoning By-law or MDS whichever is the greater distance.

3.2.5.6 When considering lot creation by consent, the criteria listed in section 9.5.2 shall apply.

### **3.2.6 Zoning and Development Control**

3.2.6.1 Local Councils through municipal zoning by-laws shall endeavour to maintain the character and scale of development in the Agricultural Resource Policy Area and to ensure appropriate regulatory control.

3.2.6.2 The review of site development and the development of zoning by-laws shall address the following:

- Permit a range of uses in accordance with the policies in 3.2.1;
- Identify Agriculture zones;
- Ensure the protection of agricultural resources.

## **4.0 WHERE WE LIVE – OUR VILLAGES AND HAMLETS**

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### **4.1 SETTLEMENT AREAS**

The Township of Augusta has a number of villages, hamlets and residential areas which together make up the municipality's settlement areas. The Plan recognizes that the Villages of Maitland, Maynard and North Augusta are the primary settlement areas and that there are several small agricultural communities that have historical context as Hamlets. Although those communities have in many cases lost their commercial presence, they have a strong cultural significance and the Plan maintains these areas within the settlement area designation. These include Roebuck, Domville and Algonquin. In addition, the residential community of Riverview Heights, located just west of the Town of Prescott, has some status as a settlement area by virtue of its designation in the municipality's 2003 Official Plan. That status has been maintained.

The intent of the following policies is to provide a planning framework which will encourage appropriately serviced mixed use development and the long term regeneration of these communities as the focus of residential and economic growth for the municipality.

### **4.2 RESIDENTIAL POLICIES**

#### **4.2.1 Objectives**

4.2.1.1 Council's objectives respecting residential development in the Villages and Hamlets are as follows:

- To ensure the provision of an adequate supply of residential land;
- To provide for a range of housing types subject to the ability to provide private or communal services;
- To provide for neighbourhood facilities and amenities which are appropriate to a residential living environment;
- To ensure the provision of roads and other municipal services necessary to the development of functional neighbourhood areas.

#### **4.2.2 Permitted Uses**

4.2.2.1 Residential areas shall be defined through the zoning by-law. Council shall zone land for specific types of residential uses and shall ensure that permitted non-residential uses are appropriately zoned. Residential zones shall provide for the following uses:

- A range of residential uses consistent with servicing types ;
- Home based businesses subject to Section 9.10.2;
- Schools and Places of Worship;
- Parks and Open Space;
- Public Uses subject to Section 9.4.

4.2.2.2 Local commercial uses may be permitted in residential areas provided that such uses are located on an appropriate collector road, are appropriately zoned and provided that they are not detrimental to the economic well-being of the Village or Hamlet.

4.2.2.3 For the purposes of this section, low density development is defined as single detached, semi-detached or duplex dwellings to a maximum of 2 units per net hectare. A net hectare is defined as the actual land used for the development of residential land use exclusive of land required for roads, parks or other amenities. Higher densities may be permitted where development is proposed on communal services.

#### **4.2.3 Residential Development Criteria**

4.2.3.1 The following criteria shall apply when reviewing residential development applications:

- Identify and zone areas exclusively reserved for residential development;
- Ensure adequate buffering of residential areas from incompatible non-residential uses through separation distance, landscaping or other appropriate means;
- Identify and zone permitted non-residential uses;
- Where applicable identify and zone mixed-use areas in selected areas of the municipality;
- Permit increased housing densities through redevelopment of existing residential and non-residential buildings subject to appropriate water and waste water services in an effort to meet a target of 10% intensification;
- Permit accessory apartments and secondary suites subject to available appropriate water and waste water services , infrastructures and amenity space in an effort to meet a target of 10% intensification;
- Provide for open space and parkland and the protection of natural and cultural heritage features;

- Allow residential infill and redevelopment;
- When reviewing applications for redevelopment or infill, consider the impact of the proposed development on the neighbourhood in terms of parking, traffic, open space, and proposed uses;
- When reviewing development applications consider the development criteria stated in Section 9.5.4.

#### **4.2.4 Objectives**

4.2.4.1 Council's objectives for commercial development in settlement areas are as follows:

- To permit commercial uses which are compatible with the surrounding community;
- To permit commercial development which can be appropriately serviced;
- To ensure a broad range of commercial uses in order to provide local employment opportunities;
- To facilitate control over the location and character of commercial development.

#### **4.2.5 Permitted Uses**

4.2.5.1 The following types of commercial uses shall generally be permitted in settlement areas:

- Retail uses;
- Service commercial;
- Office commercial ;
- Restaurants and eating establishments;
- Entertainment facilities;
- Vehicle sales and repair;
- Commercial trade shops;
- Recreational uses;
- Tourist commercial;
- Parks and open space;
- Other appropriate or compatible commercial uses;
- Public Uses subject to Section 9.4.

#### **4.2.6 Commercial Development Criteria**

- 4.2.6.1 The following criteria shall apply when reviewing commercial development applications:
- 4.2.6.2 Permit and zone a range of commercial uses;
- 4.2.6.3 Permit accessory apartments subject to available infrastructures and amenity space;
- 4.2.6.4 Provide for the protection of natural heritage features;
- 4.2.6.5 Regulate the physical character of commercial uses to ensure their compatibility with the surrounding area;
- 4.2.6.6 Consider the impact of the proposed development on the area in terms of parking, traffic, pedestrian access, functionality and other site specific issues;
- 4.2.6.7 When reviewing development applications consider the development criteria stated in Sections 9.5.2.
- 4.2.6.8 Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded commercial uses in order to regulate the physical character of commercial development and to ensure compatibility with established areas.

#### **4.2.7 Industrial Development Policies**

- 4.2.7.1 Council's objectives for industrial development in Settlement area designations are as follows:
- 4.2.7.2 To permit industrial uses which are compatible with the surrounding community;
- 4.2.7.3 To permit industrial development which can be appropriately serviced;
- 4.2.7.4 To help develop a range of local employment opportunities.
- 4.2.7.5 The following industrial uses shall generally be permitted in the Settlement area designation:
- Class 1 manufacturing and processing;
  - warehousing and wholesaling of bulk products;
  - other appropriate or compatible industrial uses;
  - related and or accessory commercial uses;
  - Public Uses subject to Section 9.4.



- 4.2.7.6 Notwithstanding the above list of permitted uses, Council may exclude some industrial uses from the permitted use section of the zoning by-law which implements this section where the location or scale of such uses can reasonably be considered to present environmental problems, where the presence of industrial uses is incompatible with the community or where, in Council's view, such use would be better located in the Industrial Park designation. (see section 5.0)

#### **4.2.8 Industrial Development Criteria**

- 4.2.8.1 The following criteria shall apply when reviewing industrial development applications:
- 4.2.8.2 Permit and zone a limited range of industrial uses;
- 4.2.8.3 Permit accessory apartments subject to available infrastructures and amenity space;
- 4.2.8.4 Provide for the protection of natural heritage features;
- 4.2.8.5 Regulate the physical character of industrial uses to ensure their compatibility with the surrounding area;
- 4.2.8.6 Consider the impact of the proposed development on the area in terms of parking, traffic, functionality and other site specific issues;
- 4.2.8.7 When reviewing development applications consider the development criteria stated in Section 9.5.2;
- 4.2.8.8 Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded industrial uses in order to regulate the physical character of industrial development and to ensure compatibility with established land uses. Particular attention will be placed on appropriate buffering of the industrial use from adjacent land uses as well as ensuring that there is efficient and immediate access to transportation links which separates industrial traffic from normal community traffic.

### **4.3 MUNICIPAL SERVICES**

#### **4.3.1 General**

- 4.3.1.1 The Township's Villages and Hamlets do not have access to piped water and waste water services. All development must take place on private on-site water and sewer services. The municipality must ensure that growth will occur on a sustainable potable water supply of acceptable quality and quantity in accordance with Ministry of Environment guidelines and regulations and that there will be no negative

environmental impacts (or cumulative negative impacts) resulting from the use of onsite private water and sewer services.

- 4.3.1.2 A hydrogeological study and terrain analysis report prepared by a qualified professional shall be prepared in support of a development application.
- 4.3.1.3 Communal services may be permitted provided that they are for the common use of more than five residential units/lots. They must be owned, operated, and managed by the municipality or another public body if servicing freehold residential development. They may be owned, operated and managed by a condominium corporation or single owner if servicing condominiums or mobile home parks provided an agreement has been entered into with the municipality or public body, pursuant to Section 51 of the *Planning Act*. Such agreement shall provide for municipal/public body assumption of the communal services in the event of default by the owner. It is recognized that local municipalities may not have the financial or human resources to own, operate and manage such systems and as such local municipalities are not obligated to accept communal systems. The need to develop on private services may place limits on the amount, distribution and type of development which may take place.

#### **4.4 DISTRIBUTION OF GROWTH AND DEVELOPMENT**

In order to encourage and facilitate the regeneration of existing settlement areas and to achieve the long term objectives listed above, it is a policy of this Plan that over the next 20 years, new lots to be created by consent or plan of subdivision shall occur primarily within the limits of settlement areas.

The Township will seek to direct 60% of new development to occur within its settlement areas. Accordingly, Council will monitor the distribution of growth and development on an annual basis and encourage new subdivisions to locate in existing settlement areas. The Township may re-evaluate this growth target at the time of the regulatory five year review of the Official Plan or where a comprehensive review is undertaken in accordance with section 4.5. Any re-evaluation of growth distribution targets should take into consideration the Township's inventory of vacant residential lots of record.

In addition, in order to ensure that the quality and quantity of the Township's water supply is maintained, Council and/or a proponent may seek to undertake comprehensive studies which will establish the development potential for each of the villages and hamlets based on the carrying capacity of the existing hydrogeological regime within each settlement area. Once completed, Council will revise the growth targets set in this Official Plan for the settlement area and the rural areas to reflect the results of the studies by amendment to this Plan. The initiation of these studies will be subject to annual budget commitments.

#### **4.5 EXPANSIONS TO SETTLEMENT AREA BOUNDARY**

The Township may identify a new settlement area or allow for the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

1. Sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;

2. The infrastructure and public service facilities which are planned or available are suitable for the development over the long term and protect public health and safety;

3. In prime agricultural areas:

1. the lands do not comprise specialty crop areas;

2. there are no reasonable alternatives which avoid prime agricultural areas;

3. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.

4. Impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

In determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a new settlement area, the Township shall consider and apply all the policies related to natural heritage features, natural resource protection, cultural heritage protection and protection of public health and safety.”

## 5.0 Where We Do Business – Planning for Industry and Resource Development

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### 5.1 EMPLOYMENT LANDS

Regional economic trends have and will continue to impact the Township's industrial land base. The Industrial Park designation policies are intended to create a planning framework to guide the Township's primary employment area.

Alterations to the boundaries of Applications to remove lands from the Industrial Park designation as shown on Schedule A shall require a comprehensive review demonstrating that the lands are not required for employment generating purposes over the life of the Official Plan and that the alternative use or uses proposed are required.

#### 5.1.1 Industrial Park Permitted Uses

5.1.1.1 The following uses shall generally be permitted within the employment lands policy area:

- Manufacturing and processing
- Warehousing and wholesaling of bulk products
- Transportation depots
- Heavy equipment and recreational vehicle sales and service
- Open storage
- Service commercial uses ancillary to the above
- Retail uses oriented to the traveling public
- Commercial lodging
- Automotive sales and services and gas stations
- Restaurants
- Public uses
- Other commercial uses appropriate or compatible with an industrial/commercial mixed use area or business park as described in the implementing zoning by-law and subject to any other related policies in this Plan.

#### 5.1.2 Industrial Park Policies

5.1.2.1 Council through zoning and site plan control shall endeavour to maintain the character and scale of development in the Industrial Park designation and to ensure

appropriate regulatory control. Whenever possible Council shall encourage the development of recreational uses to be integrated into the Trade and Policy area to provide for balance and lifestyle benefits.

- 5.1.2.2 Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded trade and industry uses in order to regulate the physical character of development and to ensure compatibility with established land uses. Particular attention will be placed on appropriate buffering of the permitted uses from adjacent non-compatible uses as well as ensuring that there is efficient and immediate access to transportation links.
- 5.1.2.3 Where warranted Ministry of the Environment Guidelines for the separation of industrial uses from sensitive land uses shall be applied in accordance with section 7.7.3.

## 5.2 MINERAL AGGREGATES

Mineral Resources are an important component to the overall economic base of the township. Aggregate and bedrock reserves of sufficient quality which are accessible and located near existing licensed operations are protected for the long term and designated on Schedule A to this plan. For the purposes of this plan, lands designated for mineral aggregate extraction shall be identified as Mineral Aggregate Resource Policy Area and categorized in accordance to extraction type (licensed pit, licensed quarry, or both) on Schedule A- Land Use, Infrastructure & Natural Heritage Features.

Aggregate resources materials are used in the construction of roads, water and sewer infrastructures, homes, schools and commercial buildings and landscaping projects. Sand, gravel and crushed rock are a non-renewable resource and as such policies must be developed to ensure an adequate supply for future generations. Areas identified in the Official Plan are areas which are deemed essential for the long term supply of aggregates for the Township of Augusta.

### 5.2.1 Permitted Uses

- 5.2.1.1 The following uses are permitted in the Mineral Aggregate Resource Policy Area:
- Pits and quarries;
  - Wayside pits and quarries;
  - Portable asphalt plants and concrete plants;
  - Agricultural uses excluding any accessory building or structure;
  - Conservation and natural resource management uses excluding any accessory building or structure;

- Uses accessory to an aggregate extraction operation such as crushing and screening operations, machinery storage facilities and office space;
- Permanent asphalt and concrete plants may be permitted subject to site specific zoning and site plan control pursuant to the provisions of Section 41 of the *Planning Act*, R.S.O. 1990, as amended.

## **5.2.2 Prohibited Uses**

- 5.2.2.1 Development, including changes in land use and the creation of new lots for residential, commercial, institutional, recreational or industrial development which has the potential to preclude or hinder future aggregate extraction or the expansion of existing extraction operations or resource use shall be prohibited within the Mineral Aggregate Resource Policy Area.

## **5.2.3 New or Expanded Mineral Aggregate Resource Policy Areas**

- 5.2.3.1 Provided all applicable policies of this Plan are met, the establishment of a new licensed operation or the enlargement of an existing licensed extraction operation shall be permitted provided the new area or enlargement area is located entirely within an area designated as a Mineral Aggregate Resource Policy Area and shall be subject to the requirements of the *Aggregate Resources Act*, R.S.O. 1990 as amended, and if required, an amendment to the local zoning by-law.
- 5.2.3.2 Where an Official Plan amendment is proposed which could result in the re-designation of lands to Mineral Aggregate Resource Policy Area in order to facilitate the establishment or addition of previously unlicensed area to a licensed extraction operation and where the limits of the extraction operation could ultimately be located within 300 metres of a residential, institutional or commercial use on another lot for a licensed pit and 500 meters for a licensed quarry, such proposed amendment shall be supported by the following:
- 5.2.3.3 Hydrogeological investigations, in accordance with the Aggregate Resources Act, conducted by a qualified professional, which demonstrate conclusively that the extraction operation will not result in negative impacts on the existing non-extraction development's water and sewer services;
- 5.2.3.4 Any other investigation as required by the approval authority such as traffic studies, noise studies, vibration studies, slope stability studies etc. are carried out and demonstrate conclusively that the proposed extraction operation can proceed without negative impacts on the existing non-extraction development. Such studies are to be carried out by qualified professionals.
- 5.2.3.5 Where an aggregate extraction license is granted for a new operation located within the limits of a Mineral Aggregate Resource Policy Area - Sand and Gravel Reserve or a Mineral Aggregate Resource Policy Area - Bedrock Reserve, Schedule A of this

Plan shall be revised to reflect the change from a reserve area to a licensed area. The revisions to the Schedule shall not require a public meeting prior to the adoption of the amendment, however notice shall to given to affected property owners located within the affected area and within 120 metres of the area to be re-designated.

#### **5.2.4 Bedrock Resources**

5.2.4.1 **Areas of potential** bedrock resources are identified as “Bedrock Resource on Schedule B Development Constraints as a constraint overlay. It is the intent of this Official Plan that mineral aggregate bedrock resources be protected by directing permanent development away from these areas. In areas identified as “Bedrock Resource”, and on lands within 500 metres (influence) area) of the lands identified as “Bedrock Resource, development and activities which would preclude or hinder the establishment of new extractive operations or access to the resources shall only be permitted if it is demonstrated that:

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

5.2.4.2 The establishment of a mineral aggregate operation within the lands identified as “Bedrock Resource” shall require an amendment to the Official Plan.

#### **5.2.5 Adjacent Land**

5.2.5.1 In areas located within 300 metres of a Mineral Aggregate Resource Policy Area intended or utilized for a licensed pit operation and 500 metres from a Mineral Aggregate Resource Policy Area intended or utilized for a licensed quarry operation, incompatible development, including the creation of new lots shall only be permitted subject to the following criteria:

5.2.5.2 Hydrogeological investigations conducted by a qualified professional conclusively demonstrate that the proposed non extraction development can be adequately serviced by water and sewer services in a manner which will not impede continued existing and proposed extraction operations.

5.2.5.3 Any other investigation as required by the development approval authority such as traffic studies, noise studies, vibration studies, slope stability studies, air quality impact studies and land use compatibility studies, etc. are carried out and demonstrate that the proposed development can proceed without impeding the continued operation of the licensed extraction operation existing licensed operations and future operations on reserves. Such studies are to be carried out by qualified professionals.

## **5.2.6 Mineral Aggregate Resource Extraction and Agricultural Resources**

- 5.2.6.1 Where aggregate resource extraction takes place in prime agricultural areas, extraction of mineral aggregates is permitted as an interim use provided that rehabilitation of the site will be carried out whereby substantially the same area and same average soil quality for agriculture are restored. Complete rehabilitation is not required if: there is a substantial quantity of mineral aggregates below the water table warranting extraction; or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and other alternatives have been considered by the applicant and found unsuitable; and agricultural rehabilitation in remaining areas will be maximized.

## **5.2.7 Mineral Aggregate Resource Extraction and Significant Woodlands**

- 5.2.7.1 Generally, mineral aggregate extraction should not occur within significant woodlands unless it can be demonstrated through an Environmental Impact Statement and a Land Use Compatibility Study that an aggregate extraction operation can be justified. Where the extraction of aggregate material from a significant woodland area is justified and where a license for such extraction has been obtained under the provisions of the *Aggregate Resources Act*, the cutting of woodland to facilitate the extraction shall be permitted provided that only the minimum amount of woodland cutting occurs and that the extraction area is progressively rehabilitated back to woodland use during and following the aggregate removal. Further, the permitted mineral aggregate extraction must be carried out in a manner which is environmentally sensitive to the remaining woodland area.

## **5.2.8 Rehabilitation of Extraction Sites**

- 5.2.8.1 Progressive rehabilitation of extraction sites to accommodate subsequent land uses is a requirement of this Plan. Where extraction is ongoing, rehabilitation is to be carried out on a progressive basis and shall be in accordance with the approved rehabilitation plan submitted to the Ministry of Natural Resources as part of the site plan for licensing purposes.
- 5.2.8.2 Once a licensed operation is exhausted and the license surrendered, an amendment to this Plan and the zoning by-law may be granted. It is a policy of this Plan that all subsequent land uses be consistent and compatible with surrounding land uses.

## **5.2.9 Wayside Pits and Quarries and Portable Asphalt Plants**

- 5.2.9.1 Wayside pits and quarries and portable asphalt plants required for public authority road contracts will be permitted, without an amendment to this Official Plan or zoning in all areas except within the Settlement area and any identified natural heritage features.



### **5.2.10 Zoning and Development Control**

- 5.2.10.1 The licensed area of pits and quarries shall be zoned for extraction and associated accessory uses. Licensed areas may also be zoned for aggregate-related uses, such as portable asphalt plants and concrete plants.

## **6.0 Our Environment – Planning for Sustainability**

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### **6.1 NATURAL HERITAGE AREAS**

The Township's natural heritage features shall be conserved and rehabilitated for the benefit of future generations according to best management practices undertaken today and as they evolve.

The landscape of Augusta is an assortment of rural settlements, agricultural and forestry operations, and natural lands including wetlands, woodlands and watercourses. This diversity defines the character of the Township. The rural landscape includes wildlife and their habitats within both the terrestrial and water ecosystems and may include areas of natural and scientific interest (ANSI's) and portions of the habitat of endangered and threatened species.

All natural heritage features are important to the Township. However, certain natural heritage features have been identified as having special significance to the Province of Ontario.

#### **6.1.1 Determination of Significance**

6.1.1.1 The natural heritage policies are based on information from the Ministry of Natural Resources who provided information on wildlife and fish habitat as well as wetlands and woodlands.

6.1.1.2 Features that are "significant" for the purposes of this plan are illustrated on Schedule B with the exception of significant wetlands which are shown on Schedule A as Wetlands Area designation. These have been determined by the Province to be either, 1- ecologically important in terms of functions, representation or amount, and that contribute to the quality and diversity of the natural heritage system of the Township, or 2 - economically or socially important in terms of resource utilization, public access, recreational enjoyment, and community values. It is especially important to Augusta that the characteristics that made these significant features be retained for the benefit of future generations.

#### **6.1.2 Endangered or Threatened Species Habitat**

6.1.2.1 Endangered and threatened species are those species listed as such in the Species at Risk in Ontario list under the Endangered Species Act, 2007. The significant habitat of these species is protected through the ESA, 2007 and through this land use policy.

6.1.2.2 A screening map, prepared by the Ministry of Natural Resources showing areas of documented occurrences of endangered and threatened species and their related habitats, identifies where these policy apply. **The Township of Augusta, where**

according to the screening map there is potential for significant habitat of threatened and endangered species, ecological site assessments, which delineate significant habitat of endangered and threatened species within or adjacent to an area proposed for development or site alteration, will be required to support all planning applications proposals for development and site alterations.

Where a planning application for development or site alteration is submitted in an area of the screening map that delineates potential for significant habitat of threatened and endangered species, the Township shall require an Ecological Site Assessment as supporting information to determine if significant habitat is present and delineate the extent of any significant habitat within or adjacent to the area proposed for development. In cases where an environmental impact assessment is triggered by this Plan, the above requirements may be addressed by the environmental impact assessment, provided it is undertaken by a qualified individual. MNR will approve the extent of significant habitat as identified in an ESA or EIS.

- 6.1.2.3 Endangered and threatened species can encompass any of the many types of living things: birds, mammals, plants, fish, reptiles, amphibians and invertebrates. There are a number of species which are known to be endangered in Augusta. They include: Butternut, American Eel, Loggerhead Shrike, Spotted Turtle, Wood Turtle, pugnose shiner and American Ginseng. There are also identified threatened species including: Eastern Ratsnake and Blanding's Turtle. The Ministry of Natural Resources has identified the Cerulean Warbler and the Five-lined Skink as species of special concern.

### **6.1.3 General Land Use Policies**

- 6.1.3.1 Council acknowledges that its decisions regarding land use and development can affect the significant natural heritage features of Augusta. Therefore, policies are required to protect these features from the potential negative impacts of development or to conserve them by prohibiting development. The following general policies shall apply:
- 6.1.3.2 Council shall designate on Schedule A those features where development is prohibited. These include Provincially Significant Wetlands which are shown as Wetlands Area. Council shall designate areas where development must be controlled on Schedule B. These include Areas of Natural or Scientific Interest (ANSI's), fish habitat, significant woodlands, significant wildlife habitat and riparian zones.
- 6.1.3.3 Council shall consider minor alterations to the boundaries of natural heritage features identified on Schedules A or B without the need to amend the Official Plan where evidence consistent with Ministry of Natural Resources criteria clearly

demonstrates that such modifications are justified. Boundary alterations to provincially significant wetlands and Areas of Natural or Scientific Interest (ANSI's) are subject to the approval of the Ministry of Natural Resources.

- 6.1.3.4 Where endangered or threatened species habitat is identified development and/or site alteration is prohibited. Development within 50 120 metres of the identified habitat shall be subject to an Environmental Impact Assessment to determine that no adverse impact will result by means of the proposed development.
- 6.1.3.5 The habitat of endangered or threatened species will not be identified on any land use schedules as identifying these features may prove to be harmful.
- 6.1.3.6 Development control shall be implemented through the use of zoning and site plan control in accordance with the relevant sections of this Official Plan.
- 6.1.3.7 A site inventory for butternut, an endangered tree species, will be required prior to disturbance or removal of butternut trees. Where harm to (cutting of branches, root disturbance) or removal of butternut is proposed, prior assessment of the health of the species by a qualified professional is required. If the Butternut is determined to be "not retainable" a certificate will be issued by the assessor and the tree can be removed/harmed. If, however, the Butternut is retainable, a permit will be required for its removal pursuant to the *Endangered Species Act, 2007*.

#### **6.1.4 Landform Specific Policies**

The following provide policies specific to natural heritage features in the Township of Augusta.

#### **6.1.5 Wetlands**

- 6.1.5.1 Wetlands are lands which have specific ecological characteristics which include, but are not limited to, the presence of a permanent or seasonal shallow water cover, water-tolerant vegetation or the presence of a water table which is close to the surface. They are commonly known as swamps, marshes, bogs, and fens. Wetlands serve important functions such as controlling ground water recharge and discharge, reducing flood damage, stabilizing shorelines, retaining and removing nutrients, supporting the food chain, providing fish and wildlife habitat and contributing to the social and economic quality of life in the Township.
- 6.1.5.2 The Ministry of Natural Resources has developed a wetland evaluation system based on the biological, hydrological, social and special characteristics of a wetland area and on the abundance of water which has caused the formation of hydric soils and has favoured the dominance of either hydrophilic plants or water tolerant plants. Wetlands that meet Ministry criteria are classified as provincially significant and such

wetlands, identified on Schedule A, are to be protected from development and site alteration.

- 6.1.5.3 Council shall designate Provincially Significant Wetlands on Schedule A and shall base the designation limits on mapping prepared by the Ministry of Natural Resources.
- 6.1.5.4 Wetland boundaries as shown on Schedule A may be amended or adjusted without the need for an Official Plan amendment provided that such adjustments are identified through the application of the most current wetland evaluation manual of the Ministry of Natural Resources and subject to the confirmation and approval by the Ministry.
- 6.1.5.5 Development or site alteration in a provincially significant wetland designated on Schedule A is not permitted. Development on a lot of record which includes a wetland or part of a wetland must take place outside of the wetland area and such development shall be subject to the preparation of an Environmental Impact Statement. Activities that create or maintain infrastructure within the requirements of the Environmental Assessment process or works subject to the *Drainage Act* are not considered to be development for the purposes of this section, however wherever possible such uses shall be located outside of designated wetlands.
- 6.1.5.6 Any change or interference within or adjacent to a provincially significant wetland may require a permit from the conservation authority, under Ontario Regulation 174/06 (RVCA) or 170/06 (SNC) – Development Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation, as amended from time to time.

#### **6.1.6 Permitted Uses**

- 6.1.6.1 The following uses are permitted in designated wetlands:
- Open space and open air recreational uses, including accessory structures and buildings which do not involve extensive site alterations and do not adversely affect the natural characteristics of the environment or require approval under the *Planning Act* but which shall require a permit in accordance with section 6.1.5.5;
  - Conservation uses which improve the ecological functions of the wetland;
  - Uses of a scientific or educational nature;
  - 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 wetland are not permitted;
  - ~~Lot creation for all permitted uses stated above is permitted.~~ Lot creation for all permitted uses stated above is permitted where the purpose is to facilitate the

transfer of lands to a public agency or to a conservation organization dedicated to the preservation and enhancement of natural heritage areas.

- Development or site alteration within 120 metres of a designated wetland may be permitted, if it can be demonstrated that there will be no negative impacts on the wetland's natural features or ecological functions. An environmental impact assessment will be required except for established agricultural uses.

#### **6.1.7 Areas of Natural and Scientific Interest (ANSI's)**

According to the Provincial Policy Statement (PPS), Areas of Natural and Scientific Interest (ANSIs) are defined as "areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education." Significant ANSIs are those sites that have been identified by the Ontario Ministry of Natural Resources (OMNR) as being representative of the most significant and best examples of natural heritage or geological features found in Ontario. The following policies apply:

- 6.1.7.1 Development may be permitted in accordance with the underlying land use designation in significant areas of natural and scientific interest (ANSIs), or on adjacent lands within 50 metres for Earth Science ANSI's and 120 metres for Life Science ANSI's, only if it has been demonstrated through an environmental impact assessment, in accordance with Section 9.5.10 that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
- 6.1.7.2 Notwithstanding policy 6.1.7.1 above, existing agricultural activities including ploughing, seeding, harvesting, grazing, animal husbandry, and minor expansions to existing buildings and structures associated with farming operations are permitted on adjacent lands without an environmental impact assessment.

#### **6.1.8 Significant Wildlife Habitat**

According to the PPS, wildlife habitat is defined as "areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their population. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species." Wildlife habitat, and particularly significant areas, has many values that warrant its conservation: wildlife contributes to a diversity of species in the Township; wildlife forms a fundamental component of the ecosystem and the food chain; wildlife represents social and economic benefit, through nature observation, hunting, and trapping.

- 6.1.8.1 Where the Township has identified lands providing significant wildlife habitat, such areas shall be appropriately recognized on Schedule B which forms part of this Plan. Specific policies for significant wildlife habitats are as follows:

- Development and site alteration within the habitat area or on adjacent lands that are within **30 120** metres of these areas may be permitted provided that such development will not negatively affect the natural features or ecological functions of the habitat area. An environmental impact assessment shall be required in order to assess the impact of the development and site alteration.
- Notwithstanding the above policy, agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and minor expansions to existing buildings and structures associated with farming operations are permitted on adjacent lands without an environmental impact assessment.

### **6.1.9 Significant Woodlands**

According to the PPS, *woodlands* are defined as “treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance.” Significant woodlands in the Township have values, both natural and human. The more obvious values are that they:

- Help to moderate climate, as temperature and moisture are influenced by respiration of trees and shrubs and by their shading;
- Provide oxygen to the atmosphere while reducing carbon dioxide, via photosynthesis;
- Clean air pollutants;
- Prevent soil erosion and stabilize slopes;
- Help to maintain good surface water quality;
- Provide habitat for a diverse range of species;
- Retain water and may recharge ground water;
- Yield economic products including lumber, firewood, maple syrup and mushrooms;
- Provide recreational activities such as wildlife observation, hiking, and hunting;
- Contribute to the beauty and visual diversity of the urban and rural landscape; and,
- Provide an attractive setting for rural residential development.

### **6.1.10 Identification of Significant Woodlands**

- 6.1.10.1 The Township of Augusta is heavily wooded. The Ministry of Natural Resources has provided resource mapping which identifies significant woodlands on the basis of a number of criteria and related analysis. This resource mapping was developed by MNR to assist municipalities in the identification and preservation of woodlands based on scientific data in addition to local standards and needs. The Township recognizes the importance of woodland features and has deemed it appropriate to establish land use policies which will help preserve woodland areas which feature

old growth and rare plant species. In addition the Township believes it is appropriate to recognize that woodlands located on publicly owned lands should be recognized as a significant feature and afforded a measure of protection.

- 6.1.10.2 Significant woodlands are identified on Schedule 'B' to this plan. Woodland areas contiguous with settlement areas, employment areas, highway commercial areas and resource areas have been excluded.
- 6.1.10.3 The following policies apply:
- 6.1.10.4 Development may be permitted in accordance with the underlying land use designation in significant woodlands or on adjacent lands within 50 120 metres, only if it has been demonstrated through an environmental impact assessment that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
- 6.1.10.5 Notwithstanding the above policy, agricultural activities including ploughing, seeding, harvesting, grazing, animal husbandry, expansion of fields and planting areas and expansions to existing buildings and structures associated with existing farming operations are permitted without an environmental impact assessment.
- 6.1.10.6 Where development is proposed on lands identified as Significant Woodlands and where ground verification of the Ministry of Natural Resource data used to identify the Significant Woodland demonstrates that the area was designated in error, development may proceed in accordance with the underlying designation.

#### **6.1.11 Fish Habitat**

According to the PPS, fish habitat is defined as: "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." Fish resources have many values to the Township, including:

- contributing to a diversity of species;
- providing a natural indicator of water quality and environmental health;
- forming a vital part of the aquatic food chain;
- providing commercial fishing such as baitfish (minnow) harvest ; and,
- providing recreational sport fishing opportunities and related economic spin-offs.

#### **6.1.12 Development Policies**

- 6.1.12.1 Development and site alterations shall not be permitted in fish habitat except in accordance with provincial and federal requirements. Development shall be setback from all watercourses or waterbodies as shown on Schedule B, or adjacent



to an area of fish habitat identified through consultation with the Conservation Authority or the Federal Department of Fisheries and Oceans, a minimum of 30 metres from the high water mark; or 15 metres from the top of bank, whichever results in a greater setback from the waterbody. Development and site alteration within 30 metres may only be considered for existing lots of record which cannot achieve a 30 metre setback provided it can be demonstrated through an Environmental Impact Assessment that there will be no negative impacts on the natural feature or its ecological functions. In such instances, the septic system and all buildings shall be set back as far as possible from the waterbody and the site shall have minimum vegetation removal and disturbance of soils.

- 6.1.12.2 Development within 120 metres of identified fish habitat may be permitted provided that it is demonstrated through an environmental impact assessment that there will be no negative impacts on the natural feature or its ecological functions.
- 6.1.12.3 Notwithstanding policy 6.1.12.1 and 6.1.12.2 above, the cleaning of municipal drains shall be permitted provided that such is carried out in accordance with acceptable standards, and that, where required, the authorization of the Department of Fisheries or the Conservation Authority is obtained.
- 6.1.12.4 Notwithstanding 6.1.12.2 extensions or enlargements of existing buildings and structures in the adjacent land area to an identified Fish Habitat may be permitted provided that it is demonstrated to the satisfaction of the appropriate regulatory agency or approval authority that such extension or enlargement will have no negative impact on the fish habitat as demonstrated by an Environmental Impact Assessment.
- 6.1.12.5 It is the policy of this Plan to encourage the re-establishment of naturally vegetated buffer strips along water bodies and headwater areas.
- 6.1.12.6 Although storm water management and drainage measures are often located some distance from a watercourse these measures can impact the water quality and quantity of the watercourse and affect fish habitat. When evaluating storm water management and drainage activities, consideration shall be given to impacts upon fish habitat.
- 6.1.12.7 The advice of the Department of Fisheries and Oceans or their delegate shall be sought where any proposal may potentially impact fish habitat. In instances where a proposal may result in a harmful alteration, disruption or destruction of fish habitat the proponent must obtain authorization from the Department of Fisheries and Oceans or their delegate.

### **6.1.13 Ground Water Protection and Enhancement**

The ground water resource is crucial in the Township of Augusta as it is the source of drinking water for our communities and our rural population. In addition to residential uses, ground water is crucial for the watering of livestock, farm irrigation and commercial and industrial uses.

Ground water contamination from bacteria, nitrates, petroleum and chemicals, salt, pesticide use and naturally present contaminants can occur and as such it is important to consider groundwater quality and quantity when reviewing development applications in order to ensure the long term viability of this resource.

- 6.1.13.1 The Township of Augusta will cooperate with senior levels of government, environmental agencies and the private sector to develop a water resources data base which identifies sensitive ground water recharge areas, sensitive hydro-geological areas and areas with known ground water quality and quantity constraints.
- 6.1.13.2 The Township of Augusta will work in partnership with senior and local levels of government, environmental agencies and the private sector to enforce provincial regulations on private septic field and water well construction.
- 6.1.13.3 Industrial or commercial developments which require large amounts of ground water will be required to undertake a hydrogeology study conducted by qualified professionals which addresses the impact of the proposed development on the quantity and quality of the water supply for existing development in the general area of the development site and the ability to support the development proposal.
- 6.1.13.4 The Township of Augusta supports the work of senior levels of government and environmental agencies to develop an education program aimed at reducing ground water consumption and pollution.

### **6.1.14 Groundwater Recharge Areas**

The development of a Source Water Protection Plan, as mandated by the Clean Water Act is currently under way. It is anticipated that this Plan will be amended to include the policies and recommendations of the Source Water Protection Plan when it has been completed by the Province.

Areas in the Township may be identified as a Groundwater Recharge Area. Zoning By-law provisions may be adopted to restrict land uses in such areas, especially where development would pose a threat to the quality of the existing resource. In addition areas may be identified where the state of the groundwater resource is unacceptable for development purposes. The Township may impose Site Plan Control or adopt an Interim Control By-law to ensure that appropriate mitigation measures are provided where development is proposed in areas with unsuitable groundwater regimes.

### **6.1.15 Significant Valleylands**

The Township acknowledges the provincial policy statement which requires the identification and protection of significant valleylands. Given the topography of the Township of Augusta, the Township is of the opinion that there are no significant valleylands within its jurisdiction. Should there be information provided to the Township by senior levels of government which indicates that there are significant valleylands within its jurisdiction which are not protected by the existing policies within this Plan, the Township shall work with those senior levels of government to implement the appropriate mapping and policies within this Plan.

## **7.0 LAND USE CONSTRAINTS – PLANNING FOR PUBLIC HEALTH AND SAFETY**

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### **7.1 INTRODUCTION**

Our natural landscape and resources are constantly being shaped and reshaped by naturally occurring physical and ecological processes. These landscapes and resources only become a hazard when people and structures are located within them or are affected by them. As such environmental conditions occasionally represent significant constraints to the development of land such that there can pose a significant threat to people's health and safety. Constraints to development are primarily related to hazardous conditions such as the existence of floodplains, erosion hazards or the presence of unstable slopes, organic soils and geological formations such as Karst topography where the bedrock is subject to the development of sinkholes. To a lesser extent, development may be restricted on the basis of existing site contamination or noise concerns.

The preparation of these development constraint policies was undertaken with the objective of integrating them with other policy areas, primarily those policies addressing natural heritage sectors. Issues surrounding water quality and quantity, wetlands, fisheries and woodlands are closely related to development constraints. As such these policies should not be read in isolation.

For instance, development is prohibited in a floodplain or in areas subject to slope failure because it can result in changes to natural conditions that may actually endanger areas previously unaffected. Promoting quality of life and self sufficiency for our citizens requires that all development be carried out in a manner which ensures that life, safety and economic welfare are protected.

### **7.2 IDENTIFYING HAZARD AREAS**

Accurate mapping showing the location of areas characterized by health and public safety hazards and/or by constraints for development is of crucial importance in order to ensure informed decisions by approval authorities when considering development applications. The limits of hazard areas shown on Schedule B were identified on the basis of information provided by the Ontario Ministry of Natural Resources and the Conservation Authority. The mapping of hazard areas will be completed over time as more accurate information respecting exact locations becomes available and included in the County's geographic information system (GIS) data base.

### **7.3 GENERAL**

Hazardous areas are identified on Schedule B on the basis of the particular characteristics which pose a threat to public health and safety which may result

should these areas be developed. The constraints include areas subject to flooding, areas affected by unstable slopes, organic soils and unstable bedrock, erosion hazards, contaminated sites and abandoned pits and quarries.

Where hazard land mapping is complete, it is shown on Schedule B. However, it is recognized that development applications may trigger the identification of hazardous conditions which are not shown on Schedule B and as such it is important to ensure that appropriate consultation be included in any development review process. Where previously unmapped hazards are identified through the development review process, the relevant policies of this section shall apply.

In addition to the Official Plan's natural hazard land policies, all floodplain lands and lands subject to steep or unstable slopes are subject to the development regulations administered by the appropriate Conservation Authority pursuant to the Conservation Authority Act. Under these regulations, construction and site alteration is prohibited unless prior written consent has been received from the Conservation Authority under Ontario Regulation 174/\*06 (RVCA) or 1701/\*06 (SNC) – Development Interference with Wetlands and Alteration to Shorelines and Watercourses regulation.

#### **7.4 HAZARDOUS LANDS – FLOODING AND EROSION**

##### **7.4.1 Defining Areas Subject to Floods and Erosion**

The floodplain area shown on Schedule B includes all areas known to be subject to 1 in 100 year flood events. These areas have been identified and mapped by the Conservation Authorities.

**7.4.1.1** The creation of a new lot and site alteration is not permitted within the floodplain. A proposal for a new lot which contains an area identified as floodplain may be considered provided there is sufficient area to contain all buildings and septic system outside the floodplain, and necessary approvals from relevant authorities have been granted.

##### **7.4.2 Permitted Uses**

**7.4.2.1** Notwithstanding the underlying designation on Schedule A, development and site alteration is prohibited in flood plains, except in accordance with the following:

- Repairs and minor additions to buildings and accessory buildings, which do not result in negative effects on flooding, will be permitted where there is existing non-conforming development.
- Uses which by their very nature must be located within the flood plain and will not affect the hydrology or hydraulics of the flood plain may be permitted;

- Works required for flood and/or erosion control and/or passive recreational and/or open space non-structural uses which do not result in negative effects on flooding may be permitted.
- In accordance with the underlying designation on Schedule A, development and site alterations may be permitted in areas subject to erosion related hazards which are not located in the flood plain provided that the hazard has been adequately addressed in accordance with the Natural Hazard Technical Guidelines of the Ministry of Natural Resources, as amended from time to time. .

7.4.2.2 All new development and site alterations **on existing lots of record** within hazardous lands must achieve all of the following:

- the hazards must be safely addressed and the development and site alteration is carried out in accordance with the established standards and procedures;
- new hazards are not created and existing hazards are not aggravated;
- no upstream or downstream adverse impacts will result;
- vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and
- the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

## **7.5 UNSTABLE SLOPES AND ORGANIC SOILS**

### **7.5.1 Policies**

- 7.5.1.1 Development and site alteration in areas designated as having unstable slopes, i.e. lands with a slope stability factor of safety of 1.5 or less, or organic soils is prohibited unless it can be demonstrated that:
- 7.5.1.2 The proposed development will be in full conformity with the Building Code Act and adequately addressed in accordance with the Natural Hazard Technical Guidelines of the Ministry of Natural Resources, as amended from time to time. This may require that sufficient soils and engineering information be made available to indicate that, although the site is identified as having unstable slopes or unstable bedrock, it is in fact suitable or can be made suitable for development using accepted scientific and engineering practices; alterations to the site will not result in increased hazards or cause adverse environmental effects on or off-site;
- 7.5.1.3 The designation on Schedule A permits the proposed development.
- 7.5.1.4 Notwithstanding the above, institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on lands designated as having unstable slopes or organic soils.

## **7.6 CONTAMINATED SITES**

Contaminated sites are defined as sites where the environmental condition of the property, i.e. the quality of the soil or ground water, may have the potential for adverse effects to human health or the natural environment. Current mapping showing contaminated sites was not available at the time this Official Plan was drafted.

### **7.6.1 Policies**

- 7.6.1.1 In reviewing development applications the approval authority may require the undertaking of an ESA.
- 7.6.1.2 Where the ESA produces reasonable evidence to suggest the presence of site contamination, the proponent shall be required to undertake appropriate technical studies as part of the development review process in order to identify the nature and extent of contamination, to determine potential human health and safety concerns as well as effects on ecological health and the natural environment, to demonstrate that the site can be rehabilitated to meet provincial standards and to establish procedures for site rehabilitation and mitigation of the contamination.
- 7.6.1.3 The proponent will be required to restore the site and to make it suitable for the proposed use in accordance with the recommendations of any required technical studies prior to development or land use change.
- 7.6.1.4 The ESA and site restoration shall be undertaken according to Ontario Regulation 153/04, Record of Site Condition.

### **7.6.2 Closed Waste Disposal Sites**

Closed Waste Disposal Sites have been identified on Schedule B on the basis of information provided by the Ministry of the Environment.

Development may proceed in accordance with the policies of the underlying land use designation subject to Ministry of the Environment Guideline D-4 “Land Use on or near Landfills and Dumps” and the following policies:

- 7.6.2.1 In reviewing development applications within 500 metres of a site identified as a closed waste disposal site an Environmental Site Assessment (ESA) shall be required by the approval authority in order to ensure that there is no evidence of potential safety hazards which may be caused by landfill-generated gases, ground and surface water, contamination by leachate, odour or litter, potential fires, surface runoff and vectors, and vermin. Particular attention shall be given to the production and migration of methane gases. An ESA documents the previous uses of the property and provides an assessment of the site to identify actual or potential hazards. The ESA shall be undertaken using established principles and procedures.

- 7.6.2.2 Where the ESA confirms environmental problems the proponent will be required to undertake additional studies which shall demonstrate that the site is appropriate for development or can be rehabilitated in order to mitigate known or suspected hazards and to establish procedures for site rehabilitation prior to the final approval of the proposed development.
- 7.6.2.3 Land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be so used shall not be developed or re-developed unless an approval has been obtained under Section 46 of the Environmental Protection Act.

### **7.6.3 Site Decommissioning and Clean-Up**

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

- 7.6.3.1 Prior to approval of an Official Plan Amendment and prior to the approval of a Zoning By-law amendment, subdivision, condominium, consent or other planning application by the appropriate approval authority on a site that is potentially contaminated or is contaminated, the proponent shall document the present and past use of the site and surrounding lands, engage professional assistance in the analysis of soils, ground waters and surface waters as required in consultation with the Ministry of the Environment and shall prepare a remedial action plan in accordance with "Ontario Regulation 153/04, Record of Site Condition". Where the contaminants are in concentrations above Ministry established acceptable concentrations. A Ministry of the Environment "Record of Site Condition" shall be required to confirm that a site is suitable for its intended use. The proponent shall ensure the supervision of excavation and soil handling activities during site clean-up.
- 7.6.3.2 Where planning applications are not required, Council may require a proponent of development to consult with the Ministry of the Environment on the suitability of site development.

## **7.7 OTHER HEALTH AND SAFETY CONCERNS**

### **7.7.1 Abandoned Pits, Quarries and \or Mines**

- 7.7.1.1 Development on, abutting or adjacent to lands affected by former mineral resource or mining operations may proceed in accordance with the policies of the underlying land use designation only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed. For abandoned mining operations, adjacent lands are considered to be lands within 1000 metres of the abandoned operation.



- 7.7.1.2 In reviewing development applications for sites identified as an abandoned pit, quarry or mine, an engineering study will be required which will provide sufficient information to determine any potential safety hazards, to demonstrate that the site can be rehabilitated to mitigate the known or suspected hazard and to establish procedures for site rehabilitation and mitigation of the safety hazard.

### **7.7.2 Noise and Vibration**

- 7.7.2.1 Noise and vibration impacts shall be addressed for new sensitive land uses adjacent to existing railway lines, highways, sewage treatment facilities, waste management sites, industries, or aggregate extraction operations, or other stationary or line sources where noise and vibration may be generated. Council shall require the proponent to undertake noise and/or vibration studies to assess the impact on existing or proposed sensitive land uses within minimum distances identified in Ministry of Environment guidelines including Publication LU – 131, Noise Assessment Criteria in Land Use Planning. Noise and/or vibration attenuation measures will be implemented, as required, to reduce impacts to acceptable levels.
- 7.7.2.2 Notwithstanding policy 7.7.2.1 above existing and proposed agricultural uses and normal farm practices, as defined in the Farm and Food Production Protection Act, 1998, shall not be required to undertake noise and or vibration studies.

### **7.7.3 Incompatible Land Uses**

- 7.7.3.1 Every effort shall be made to prevent or minimize future land use conflicts which can arise when incompatible land uses develop in close proximity to one another. Ministry of the Environment guidelines on Land Use Compatibility (Guidelines D-1, D-2, D-4 and D-6 and any other relevant or future MOE Guideline documents) shall be applied when reviewing development applications. A Land Use Compatibility Study shall be required prior to granting any Planning Act application such as site plan approval or a zoning by-law amendment or where it is proposed to develop a sensitive land use such as a residential dwelling within the recommended separation distance stated in the relevant MOE Guideline.

## **8.0 MAKING IT WORK – PLANNING OUR INFRASTRUCTURE**

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### **8.1 INFRASTRUCTURE**

Infrastructure refers to the construction and maintenance of roads, bridges, structures and railway lines required for transportation services, the physical supply and distribution of water, the collection and treatment of waste water and the management of storm water, the collection and disposal of solid waste, the construction and maintenance of energy production and distribution facilities such as hydro-electric structures, and gas pipelines and finally the development of communication facilities such as transmission towers and underground telephone and fibre optic lines.

The Planning Act requires that infrastructure expansions conform to the Official Plan. (See Section 24.1, Planning Act). The Development Charges Act, 1997 and associated regulation requires that the Council of a municipality must indicate, in an approved Official Plan, capital forecasts or similar expression of the intention of the Council, that it intends to ensure that an increase in the need for service will be met (See Development Charges Act, paragraph 3 of Section 5(1)).

The provision of transportation, water, waste water, solid waste, energy and communication infrastructures are crucial to ensuring that Augusta can continue to accommodate growth in a manner which is environmentally, socially and economically sustainable.

#### **8.1.1 Infrastructure policies**

- 8.1.1.1 Council's objectives respecting the provision of infrastructure works are as follows:
- 8.1.1.2 The road network within the Augusta, regardless of which level of government is responsible, will function in a cost effective, efficient and safe manner for the movement of people and goods throughout the territory;
- 8.1.1.3 Water, waste water and stormwater will be managed in a fiscally and environmentally responsible manner;
- 8.1.1.4 Waste management is carried out in a manner which is environmentally sustainable and to provide appropriate waste management infrastructures which support on-going development;

#### **8.1.2 Development Charges**

It is the intention of Council to ensure that an increase in the need for eligible services and infrastructure may be recoverable through the enactment of a development charge by-law under the Development Charges Act, 1997 by the

Township of Augusta. In short, eligible public works and municipal services may be in part or in whole funded through development charges.

### 8.1.3 Transportation

The management of the roadway infrastructure in the Township of Augusta is shared between the Province, the County and the Township. The transportation system is composed of Provincial Highways, County Roads, local public roads opened and maintained on a year round basis and private roads. The transportation network is shown on Schedule A.

#### Provincial Highways

- 8.1.3.1 There is 1 Provincial Highway in Augusta, Highway 401. ~~Development fronting on or in proximity to this highway must be reviewed by the Ministry of Transportation Ontario (MTO) and development is conditional on the issuance of MTO permits which are designed to ensure that the long term efficiency of the highway is not compromised.~~

Development fronting on or in proximity of this highway as set out in Sections 31, 34 and 38 of the Public Transportation and Highway Improvement Act must be reviewed by the Ministry of Transportation of Ontario (MTO), and development is conditional on the issuance of MTO permits, which are designed to ensure that safety and the long term efficiency of the highway are not compromised. The MTO permit can apply to building setbacks, signage, location and number of highway accesses, frontage requirements, stormwater management and required improvements such as culvert installation, road widenings, traffic signalization or the construction of turning lanes. Development proponents will be required to consult with the MTO prior to the submission of a development application.

- 8.1.3.2 The Township shall ensure through site plan control that outdoor storage and loading areas of commercial and industrial uses adjacent to a provincial highway are visually screened or appropriately located and not be visible to the travelling public.

#### County Roads

- 8.1.3.3 County Roads have the capacity to carry large traffic volumes, which link two or more communities or which function as an integral part of the provincial transportation network through linkages to Provincial highways. They must maintain a high level of efficiency for the movement of vehicles while also providing limited opportunities for commercial and industrial development which can benefit from high traffic volumes. The following policies shall apply to County Roads:
- 8.1.3.4 Lot creation for residential purposes with direct access to a County Road is not permitted where the new lot will result in more than 5 entrances along a 1 kilometre stretch of roadway measured from lot line to lot line. Proposed entrances within the

designated settlement areas of the Township are subject to review and permit from the County Public Works Department.

- 8.1.3.5 The policies in section 8.1.3.3 do not apply to the creation of new lots along County Road 2.
- 8.1.3.6 Residential subdivisions fronting on a County Road may be permitted in accordance with the land use designation, provided that access is provided through a public road maintained year round. The review process shall ensure that adequate measures are included in the subdivision design to mitigate any potential negative impacts related to the proximity of the County Road to the residential development.
- 8.1.3.7 Within the limits of a settlement area, commercial or industrial development with frontage on a County Road may be permitted subject to the approval of the design and location of the lot access by the County Public Works Department and subject to other relevant policies of this Plan.
- 8.1.3.8 Lot creation for commercial or industrial development outside of a settlement area may be permitted in accordance with the applicable land use designation provided that the lot access is located at a minimum of 200 metres from the closest existing road access on the same side of the road and provided that there are no traffic safety or hazardous conditions. The design and location of the lot access shall be subject to the approval of the County Public Works Department and shall generally require the construction of acceleration and deceleration lanes. Turning lanes may also be required where it is established through a traffic impact analysis completed to the satisfaction of the Director of Public Works, that the development will generate substantial traffic volumes.
- 8.1.3.9 Development on lots of record existing as of the day of adoption of this Official Plan may be permitted in accordance with the applicable land use designation policies and zoning regulations and provided that new accesses are kept to a strict minimum by enforcing, where possible, a minimum 200 metres separation distance from existing accesses on the same side of the road. Alternatively safety issues may be addressed through engineered solutions such as turning lanes, acceleration lanes or deceleration lanes.
- 8.1.3.10 The minimum 200 metre separation distance as required above may be reduced by the Counties' Public Works Department without amendment to this Plan where sufficient frontage exists which would normally permit the maintenance of the separation distance but where topographical or safety considerations would dictate that a lesser separation distance may be reasonable.
- 8.1.3.11 A minimum development setback of 15 metres from the property line shall be required.

### Local Roads

- 8.1.3.12 Local roads consist of streets maintained on a year round basis and private roads. Local roads shall generally have a minimum right-of-way width of 20 metres however reduced right-of-way widths may be accepted through the subdivision or condominium review process provided that the right-of-way widths can accommodate all of the required servicing infrastructures for the proposed development and provided that the approval authority is satisfied that the reduced widths will not result in lower quality development.
- 8.1.3.13 Local streets are identified on Schedule A. Generally new development and lot creation on local streets may be permitted in accordance with the relevant policies of this Plan and the requirements of the zoning by-law. The minimum width of any local street right of way shall be 20 metres. A reduced right of way standard may be accepted in new developments where it can be demonstrated that required infrastructures including snow storage space can be accommodated.
- 8.1.3.14 Private roads are identified on Schedule A. New private roads or the extension of existing private roads is only permitted where such roads are required as part of a condominium plan which defines responsibility for the long term maintenance of the private road. In such cases an amendment to the Official plan is not required.

### Private Roads

- 8.1.3.14 Private roads are identified on Schedule A. The creation of a new private road is not permitted. Lot creation may occur on an infill basis on an existing private road which has direct access to a publicly maintained road, existing as of the date of adoption of this Plan.

Notwithstanding the policies of 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.

- 8.1.3.15 Land may be acquired by the Township for road widenings, road extensions, rights of way, intersection improvements or railway crossing improvements. Such land may be acquired through the subdivision or consent process, through site plan control or through formal agreements. Schedule A identifies the minimum rights-of-

ways for highways and roads to be widened and the extent of the proposed widenings.

- 8.1.3.16 Extensions to existing roads may proceed without amendment to this Plan provided that the extension is required to improve the local or Township road system. Minor extensions may be permitted for development purposes provided that the roadway extension is constructed to municipal standards at no cost to the municipality and provided that the local council is satisfied that the extension and the subsequent maintenance costs are justified.
- 8.1.3.17 New roads may be added to the road system without amendment to this plan where such roads are the result of the approval of a Plan of Subdivision or is required as a condition of Site Plan Approval.
- 8.1.3.18 The conversion of private roads to public roads shall require an amendment to this Plan. An amendment shall not be required where such private road meets municipal design standards for public streets.

#### **Bridges**

- 8.1.3.19 Bridges and culverts are an integral component of the Township of Augusta transportation systems. The maintenance, repair, replacement or expansion of these structures is an on-going and necessary activity and is considered consistent with the policies of this Official Plan.

#### **8.1.4 Water, Waste Water and Stormwater Services**

The need to ensure that water and waste water infrastructure meet growth and development priorities is crucial to the long term economic and environmental sustainability of the municipality. As such any capital expenditures required for the introduction of water and waste water systems are considered to be in full conformity with this Official Plan.

- 8.1.4.1 The establishment of new water and waste water servicing facilities shall be subject to Ministry of the Environment guidelines and provincial regulations.
- 8.1.4.2 Where development is proposed on private services, the applicant must show that there is sufficient quantity and quality of potable water, that there will be no negative impacts on adjacent lands and must also demonstrate that a permit can be obtained for the proposed sewage system from the Health Unit or the Ministry of Environment as applicable. In addition the applicant must demonstrate that the proposed development will not result in increased costs to the municipality for the provision of other required services such as road maintenance, school transportation, waste collection etc.

8.1.4.3 The approval authority will ensure that there is sufficient capacity in existing water and waste water services including capacity to treat hauled sewage from private communal or individual septic systems prior to granting approval of a subdivision.

### 8.1.5 Innovative Technologies

8.1.5.1 Council will encourage, support and promote waste water disposal systems which incorporate proven and innovative technologies to reduce waste water volumes or which improve the quality of waste water effluents. This will include, but not be limited to:

- water conservation devices which reduce water usage;
- innovative solutions to municipal or industrial waste water treatment such as the design and construction of artificial wetlands and grey water treatment and re-use.

### 8.1.6 Surface Water Management Plans

8.1.6.1 In order to control flooding, ponding, erosion and sedimentation and to protect, as much as possible, water quality and aquatic habitat or other natural habitat which depend upon watercourses and other water bodies for their existence, surface water management plans (or stormwater management plans) shall be required for some forms of new development. Storm water management plans shall be required for any new development consisting of more than four lots or for commercial or industrial developments with large amounts of impervious area. Stormwater management will be undertaken in accordance with the Ministry of the Environment Guideline entitled "Stormwater Management Planning and Design Manual, 2003". Stormwater management may not be required for small scale developments such as lots created through the consent process or developments subject to site plan control where there is no impact on the watershed.

8.1.6.2 Stormwater management plans prepared for developments located adjacent to or in the vicinity of a provincial highway, where drainage would impact the highway, must be reviewed and approved by the Ministry of Transportation in addition to receiving the appropriate approvals outlined in Policy 8.1.3.1."

### 8.1.7 Watershed Planning

8.1.7.1 The Township encourages the preparation of watershed and sub watershed studies where major development or redevelopment is proposed which could have a significant downstream impact upon a watershed. These studies are most needed in areas with both development pressures and highly sensitive natural environments to provide some understanding of the relationship between water resources and land use activities. The development of sound watershed and sub watershed plans will require cooperation between all affected municipalities, government agencies and interested groups to ensure that potential cross-boundary environmental impacts are

addressed. The results of watershed studies should be incorporated into the Township's Official Plan whenever practical. The Official Plan recognizes the completion of the Kemptville Creek Watershed Plan and Update.

#### **8.1.8 Waste Management**

- 8.1.8.1 Development shall be reviewed to ensure that appropriate solid waste disposal services can be provided in a manner which is consistent with environmental considerations.
- 8.1.8.2 Solid waste disposal sites are identified on Schedule B. The establishment of new sites or the enlargement of existing sites shall be in accordance with Ministry of the Environment guidelines and regulations and shall require an amendment to the Official Plan.
- 8.1.8.3 Solid waste disposal sites shall be appropriately zoned.
- 8.1.8.4 Development within 500 metres of existing waste water or solid waste management sites shall generally be discouraged unless supported by an appropriate study or studies which confirm that there will be no negative impacts on the proposed development related to the adjacent waste water or waste disposal site. In addition the study (ies) shall confirm that the proposed development will not impact future expansions of the waste disposal site in question.
- 8.1.8.5 Separation distances shall normally be measured from the periphery of the odour producing source or structure to the property line of the sensitive land use for a waste water treatment facility or from the boundary of the fill area (footprint) specified in the Certificate of Approval (or property line for closed sites where no Certificate of Approval is available) to the property line of the sensitive land use for a solid waste management site.
- 8.1.8.6 In reviewing development proposals adjacent to such disposal sites the approval authority shall consult Guideline D-2 and Guideline D-4 issued by the Ministry of the Environment.
- 8.1.8.7 The zoning by-law shall zone adjacent lands appropriately, prohibiting new incompatible uses which cannot be reasonably mitigated.

#### **8.1.9 Energy**

- 8.1.9.1 It is a policy of this Plan to encourage the use of alternate energy sources, such as wind, solar, biomass and energy from waste heat or gases.



- 8.1.9.2 The development of wind farms comprising one or more wind turbines, where electrical wind energy is sold to the electrical grid shall be in full compliance with applicable Provincial and/or Federal legislation.
- 8.1.9.3 Utility and Communication Facilities Corridors
- 8.1.9.4 Utility and communications facilities and corridors include a wide variety of utilities owned and operated by both public and private entities. The well being of Augusta's economy is closely linked to the presence of hydroelectric corridors, telecommunications networks and energy pipelines.
- 8.1.9.5 The development of hydro-electric power generation and supply facilities, telecommunications facilities and local utilities shall not require an amendment to this Official Plan provided that they are in full compliance with applicable Provincial and/or Federal legislation.
- 8.1.9.6 The development of hydro-electric power generation and supply facilities, telecommunications facilities and local utilities shall be subject to the provisions of local zoning by-laws.
- 8.1.9.7 The development of hydro-electric power generation and supply facilities, telecommunications facilities and local utilities is not permitted in the Habitat of Endangered and Threatened Species.
- 8.1.9.8 Utility installations that may pose a hazard shall be located away from residential areas.
- 8.1.9.9 The multiple use of corridors for utility and transportation uses shall be encouraged.

#### **8.1.10 Other Infrastructure Corridors**

- 8.1.10.1 Council recognizes the importance of other infrastructure corridors, such as hydroelectric transmission corridors, oil pipelines, natural gas pipelines, abandoned rail lines and fibre-optic corridors. The expansion, maintenance and preservation of these and other infrastructure corridors are important to continued economic development and diversification, and will not require an amendment to this Plan.
- 8.1.10.2 Development within 200 metres of a Trans-Canada pipeline is subject to the review and permitting requirements of the National Energy Board. A setback of 7 metres from the limits of the pipeline right of way shall be required for all permanent structures and excavations.

## **9.0 IMPLEMENTATION**

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### **9.1 INTRODUCTION**

The following policies are provided to guide the implementation of the Official plan. The policies are divided into six categories as follows:

- General
- Permitted Uses
- Development Control
- Economic Development
- Social and Cultural Policies
- Administration of the Official Plan

#### **9.1.1 General**

- 9.1.1.1 The policies of this Plan shall be implemented by the Township of Augusta through the powers conferred upon them by the *Planning Act*, R.S.O. 1990, the *Municipal Act*, 2001, the *Development Charges Act, 1997*, the *Building Code Act*, R.S.O. 1992, as amended, and any other applicable statutes of the Province of Ontario;
- 9.1.1.2 The decisions of Township Council must be consistent with and in conformity to the relevant policies of this Official Plan;
- 9.1.1.3 Pursuant to Section 24(1) of the *Planning Act*, R.S.O. 1990, no public work shall be undertaken and no by-law shall be passed by the Township or a local municipality for any purpose that does not conform to the intent and policies of this Official Plan;
- 9.1.1.4 Township Council may acquire, hold, or dispose of land for the purposes of implementing any policies of this Official Plan subject to the provisions of the *Planning Act*, R.S.O. 1990, the *Municipal Act*, 2001, and any other applicable statutes of the Province of Ontario; and
- 9.1.1.5 All forms of development agreements regarding subdivisions, consents, condominiums, variances and site plans are required to conform to the policies of this Official Plan.

### **9.2 PERMITTED USES**

The following general policies are related to various types of land uses permitted throughout the planning area regardless of the land use designation.

### **9.2.1 Accessory Uses**

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

9.2.1.2 Accessory Dwelling Units: It is a policy of this Plan to provide opportunities for accessory dwelling units such as apartments in detached dwelling units on the same lot as the principal single detached dwelling. In substantiating the appropriateness of a proposed accessory dwelling the proponent shall:

- Demonstrate compliance to the Ontario Building Code;
- Demonstrate compliance with applicable zoning standards for lot size, setbacks and parking.

### **9.2.2 Existing Land Uses and Non-Conforming Uses**

9.2.2.1 All uses which were legally in existence at the effective date of this Plan shall be allowed to continue as such.

9.2.2.2 Existing uses which do not conform to the relevant provisions contained in this Plan shall be deemed non-conforming uses. The long-term objective of this Plan is to relocate, eliminate, or replace these non-conforming uses with uses which are permitted in the relevant land use designation.

9.2.2.3 A Council may recognize a non-conforming use and zone it in accordance with the existing use provided that:

- The zoning by-law does not permit any change of use or performance standard that might aggravate, increase or enlarge the non-conforming status;
- The use does not constitute a danger to surrounding uses or persons by virtue of its hazardous nature or the traffic flow generated;
- The use does not pollute the air, water or soil to the detriment of the health or comfort of the surrounding land uses;
- The use does not interfere with the orderly development of adjacent lands.

9.2.2.4 Where a non-conforming use is discontinued, the lot may be rezoned in accordance with the policies and intent of this Plan, or to permit a similar use provided that the Council is satisfied that the use is similar to the discontinued use and provided that the provisions of section items 1 to 4 above are met.

9.2.2.5 Existing non-conforming buildings or structures which are destroyed or damaged may be reconstructed to their former dimensions provided work is commenced within 12 months of the date of destruction.

- 9.2.2.6 Non-conforming uses located in a flood plain area which are damaged or destroyed by flooding may only be reconstructed in accordance with the requirements of the Conservation Authority or the Ministry of Natural Resources.
- 9.2.2.7 Extension or Enlargement under Section 34(10) of the *Planning Act, R.S.O. 1990*
- 9.2.2.8 Where a property is not zoned in accordance with the existing use, the extension or enlargement of such use may be considered by Councils through the passing of a Zoning By-law pursuant to Section 34(10) of the *Planning Act* or by the Committee of Adjustment under Section 45 of the *Planning Act* subject to the following guidelines:
  - 9.2.2.9 The extension or enlargement should not aggravate the non-conforming situation for neighbouring uses.
  - 9.2.2.10 The extension or enlargement should be in a reasonable proportion to the existing use and to the land on which it is to be located.
  - 9.2.2.11 Any extension or enlargement involving land should be minor in relation to the total property. Any major change or adjustment shall require an amendment to this Plan.
  - 9.2.2.12 The proposed extension or enlargement shall not create undue noise, vibration, fumes, smoke, dust, odours, traffic generation nor glare from lights.
  - 9.2.2.13 Adequate buffering, setbacks and other measures necessary to reduce or mitigate any impact shall be required and where possible shall be extended to the existing use.
  - 9.2.2.14 Traffic and parking conditions in the vicinity will not be adversely affected by the application 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 site conditions especially in proximity to intersections.
  - 9.2.2.15 Adequate provisions have been or will be made for off-street parking and loading facilities.
  - 9.2.2.16 Municipal services such as storm drainage, roads, sewer and water are adequate or can be made adequate.
  - 9.2.2.17 Neighbouring land owners will be notified of the proposed extension or enlargement of the non-conforming use before the final decision on the application is made.
  - 9.2.2.18 The development of existing undersized lots may be permitted in accordance with the relevant provisions of the zoning by-law provided that where the development is

on private services the size, configuration and, where applicable, the soil structure of the lot is appropriate for the long term provision of services.

- 9.2.2.19 A lot addition or enlargement to an existing undersized lot may be permitted even though the addition does not bring the lot up to the standard required in the zoning by-law. In such cases the lot does not lose its non-conforming status and may be developed in accordance with the relevant provisions of the zoning by-law.

### **9.2.3 Minor Variance or Permission**

- 9.2.3.1 Section 45 of the *Planning Act* authorizes a Committee of Adjustment to grant variances and permission for enlargements or extensions or changes in the use of lands, buildings or structures to a similar or more compatible use. A Committee may approve applications provided that (1) general intent and purpose of the Official Plan are maintained, (2) the general intent and purpose of the Zoning By-law are maintained, (3) the variance is minor and (4) the proposed use of land, building or structure is desirable for appropriate development.

### **9.2.4 Lots of Record**

- 9.2.4.1 Except for lots which are subject to development constraints such as flooding or unstable slopes, and subject to section 7.0, lots of record which are vacant may generally be used for building purposes in accordance with the policies of this Plan and the regulations of local zoning by-laws provided they front on a year round publicly maintained road and can be adequately serviced. Lots of record which are subject to development constraints may be developed provided the constraint may be mitigated in accordance with other relevant policies in this Plan.

### **9.3 PUBLIC USES**

**9.3.1** Public utility facilities subject to the requirements of the *Environmental Assessment Act* may be permitted in all land use designations of this Plan and are not subject to the restrictions listed in 9.3.2 sub 1 to 4.

**9.3.2** Other public utility and municipal services and facilities are permitted in all land use designations as shown on the accompanying land use schedules, provided that:

1. Such use is necessary in the area, that it can be made compatible with its surroundings and that adequate measures are taken to ensure land use compatibility;
2. Adequate off-street parking and loading facilities are provided;
3. The construction of permanent buildings is discouraged in all areas which have been identified as environmentally sensitive;
4. The general intent of the policies of this Plan is satisfied.

**9.3.3** Notwithstanding the power of the Federal and Provincial Governments to undertake public works by authority granted under statutes other than the *Planning Act*, Council shall endeavour to ensure that such development follows the general intent of this Plan and is compatible, as far as practicable, with the type, quality and character of development in the area in which it is proposed. Council encourages the Federal and Provincial Governments to consult with them whenever a use of land or public work is proposed which is not permitted by this Plan, in order that the proposal may be evaluated with regards to its effect on the achievement of the goals and objectives of this Plan and on the provision of Township' services and facilities.

**9.3.4** Public uses are not permitted in areas of Endangered or Threatened Species habitat. Where public uses are to be located on lands adjacent to natural heritage or resource designations, such public uses shall not result in a negative impact on the natural features or ecological functions for which the area is identified.

### **9.4 DEVELOPMENT CONTROL**

#### **9.4.1 Plans of Subdivision**

9.4.1.1 A plan of subdivision application will be reviewed on the basis of technical, environmental and planning and design considerations. The following is a list of some of the types of studies which may be required. Though this list summarizes the types of studies commonly required for plans of subdivision it is not necessarily exhaustive, and other studies may be required in certain situations.

9.4.1.2 Technical considerations relate to the following requirements:

- The application must be complete in accordance with the requirements of Section 51 (17) and applicable regulations under the *Planning Act*, R.S.O.1990;
- The application must conform to the policies of this Official Plan;
- Environmental documentation which should accompany the submission of application for draft plan approval, relate to the following requirements:
- Evidence respecting the availability and suitability of water and waste water services including where appropriate the preparation of a hydrogeological study, terrain analysis and an impact assessment report in accordance with the Ministry of Environment guidelines and regulations;
- Preparation of a servicing options statement;
- Preparation of a stormwater management plan;
- Preparation of a grading plan
- Preparation of a sediment and erosion control plan
- Completion of studies required under the environmental and development constraints policies in sections 6.0 and 7.0 of this Plan.

9.4.1.3 Planning and Design Considerations include the following:

- Lot and block configuration
- Compatibility with adjacent uses, including compliance with the Minimum Distance Separation formulae developed by the Ontario Ministry of Agriculture, Food and Rural Affairs where agricultural uses could be impacted by, or have an impact on, the proposed residential subdivision.
- Road access, street layout and pedestrian amenities
- Parks and open space amenities
- Easement and right-of-way requirements
- Justification of the need for the Subdivision, especially where the development is proposed outside of identified settlement areas.
- In considering a draft plan of subdivision, regard shall be had to, among other matters, the criteria of Section 51 (24) of the *Planning Act*, R.S.O. 1990
- Emergency and secondary accesses

9.4.1.4 The Approval authority will, in giving draft approval to plans of subdivision or condominium which have access to full or partial municipal water and/or sewage services, provide that approval will lapse not more than 3 to 5 years from the date draft approval is given, in accordance with section 51 (32) of the Planning Act, R.S.O. 1990, as amended. The Approval authority may, in giving approval to plans

of subdivision or condominium which will employ private services, provide that approval will lapse at the expiration of a period of time to be specified by the approval authority in accordance with section 51 (32) of the Planning Act, R.S.O. 1990, as amended.

9.4.1.5 Where a draft plan of subdivision is proposed adjacent to a provincial highway, the Township shall ensure that the layout of the subdivision shall be designed such that the lots back onto the provincial highway and front onto a local internal street.

#### **9.4.2 Consents**

- 9.4.2.1 The following criteria shall apply when considering consent applications.
- 9.4.2.2 The size, configuration and, where applicable, the soil structure of a proposed lot shall be appropriate for the long term provision of services and the applicant shall provide sufficient information to the consent authority to this effect. The approval authority may require that this information shall be in the form of a hydro-geological study, prepared by a qualified professional, and must demonstrate that the aquifer can provide a long term sustainable water supply of acceptable quality and quantity, as well as providing evidence through testing, that the soil conditions can accommodate the effluent load from a septic field along with its replacement area. Such a study shall recommend a minimum lot size, which shall be used in evaluating the proposed consent. Regardless of the recommendation contained in such a study the Township may impose a minimum lot size in the implementing zoning by-law.
- 9.4.2.3 The consent granting authority will ensure that there is sufficient capacity in existing water and waste water services including capacity to treat hauled sewage from private communal or individual septic systems prior to granting a consent to create a new lot.
- 9.4.2.4 All lots created shall have frontage on a public road with at least one side of the lot which physically abuts the public road.
- 9.4.2.5 The proposed lot shall be compatible with adjacent land uses and shall not result in a traffic hazard as a result of limited sight lines on curves or grades.
- 9.4.2.6 All consents shall comply with the Minimum Distance Separation formulae developed by the Ontario Ministry of Agriculture, Food and Rural Affairs.
- 9.4.2.7 A consent which has the effect of land locking another parcel is not permitted.
- 9.4.2.8 Access to interior land will be protected by ensuring that 20 metre wide openings for future road allowances are provided at strategic locations.



- 9.4.2.9 Consents will not be granted in areas which may be affected by development constraints as described in section 7.0 of this Plan.
- 9.4.2.10 The lot being severed and the lot being retained shall conform to the provisions of this Plan and the implementing Zoning By-law.
- 9.4.2.11 A maximum of one new lot may be created per consent application.
- 9.4.2.12 In considering a consent, regard shall be had to, among other matters, the criteria of Section 51 (24) of the *Planning Act*, R.S.O. 1990 with necessary modifications.

### **9.4.3 Site Plan Control**

- 9.4.3.1 It is the intent of this plan that an appropriate policy framework be provided which will allow and encourage Council to use site plan control to enhance the quality of new development or redevelopment in conjunction with other applicable controls such as zoning, development permits and the Ontario Building Code.
- 9.4.3.2 The objective is to provide for the use of site plan control to ensure functional and aesthetically pleasing, safe development and redevelopment throughout the Township.
- 9.4.3.3 In order to achieve the goal, Councils may adopt a Site Plan Control By-law which provides for the following:
- The submission of site plans for review;
  - The application of appropriate engineering and site development standards;
  - Reducing or eliminating land use incompatibility between new and existing development;
  - Ensuring that approved developments are built and maintained as set out in the site plan agreement;
  - Ensuring that the development occurs in accordance with any required environmental impact assessment study recommendations where required.
- 9.4.3.4 The entire geographical area of the Augusta shall be considered a Site Plan Control Area pursuant to the provisions of Section 41(2) of the *Planning Act*, R.S.O. 1990.
- 9.4.3.5 Site Plan Control shall apply to the following land uses:
- All uses permitted within any commercial, industrial or institutional zone;
  - A residential structure consisting of three (3) or more dwelling units;
  - All development located within 100 metres of the high water mark of the St Lawrence, Kemptville Creek or South Nation Rivers;

- Heritage properties designated under the *Ontario Heritage Act*.
- 9.4.3.6 One and two-unit dwellings and buildings, structures accessory thereto and additions or alterations thereto which are within zones which permit residential uses are exempt from Site Plan Control.
- 9.4.3.7 In imposing site plan control, Councils will seek to regulate the general site design of the property and, when appropriate, the conceptual design of all buildings and structures on the property. The Site Plan Control By-law shall stipulate when and what type of drawings are required. Floor plan, elevation and cross-section drawings of each proposed building may be required. In accordance with the provisions of Section 41(7) of the *Planning Act, R.S.O. 1990*, a local municipality may require the owner of land to provide to the satisfaction of and at no expense to the municipality any or all of the following:
- Widening of highways that abut the land;
  - Access to and from the land;
  - Off-street vehicular loading and parking facilities;
  - Pedestrian and/or bicycle pathways or access;
  - Lighting facilities;
  - Landscaping and other facilities for the protection of adjoining lands;
  - Facilities and enclosures for the storage of garbage and other waste material;
  - Required municipal easements;
  - Grading of lands and disposal of storm water
  - Emergency and secondary accesses
- 9.4.3.8 Site plan control may be used to require the dedication of land for road widenings as indicated on Schedule A. Land for road widenings will be taken equally from either side and will not exceed a width of 5 metres from either adjacent property. Additional lands for widening to provide corner triangles at all road intersections may also be required.
- 9.4.3.9 In the review of site plan applications the municipality may circulate to public bodies and/or qualified professional for their comments prior to the approval of any site plan or site plan agreement.
- 9.4.3.10 Councils shall have regard for the enabling authority of Section 41 of the *Planning Act* with respect to the matters which may be addressed under site plan control, the entering into one or more agreements for the provision of any or all of the facilities, works or matters as provided for by the Act and the maintenance thereof and for the registration of such agreements against title to the land. Council will also have

regard to the requirements of the Public Works Department and the Ministry of Transportation with respect to road widenings, safe access and the provision of storm drainage facilities.

#### **9.4.4 Development Criteria**

9.4.4.1 Councils shall consider the following development criteria when reviewing the compatibility and appropriateness of any new development or redevelopment, when considering amendments to the Zoning By-law and in considering, where applicable, the requirements for site plan control under Section 41 of the Planning Act:

- The provision of safe access onto or from a local or Township road or provincial highway.
- Adequate access to, and provision of, off-street parking.
- Barrier-free access to public and commercial buildings and the designation of parking spaces for physically challenged persons.
- Access and maneuvering of emergency vehicles in providing protection to public and private properties.
- The availability of municipal services and the cost of upgrading such services including water, sewage treatment facilities, fire and police protection, street lighting, roads and winter maintenance, waste disposal, community facilities and recreation.
- Adequate grade drainage or storm water management and erosion control.
- The screening, buffering or fencing of aesthetically displeasing or dangerous land uses or open storage. A buffer may be open space, a berm, a wall, a fence, plantings, a land use different from the conflicting uses but compatible with both, or any combination of the aforementioned sufficient to accomplish the intended purpose.
- The provision of landscaping, the creation of privacy and/or open space areas around buildings and other uses, and the establishment of setbacks to maintain proper distance separation between new development and natural heritage sites, natural hazards and resource areas and development constraints such as noise and vibration.
- Adequate exterior lighting for access and parking areas for public or private use such as in commercial, industrial, institutional and multiple residential development.
- The control of signs and advertising such that they are in scale with the intended use and with surrounding uses.
- Protection of the environment by avoiding air, soil or water pollution.
- The preservation and protection, whenever possible, of street trees, street tree canopies and the urban forest.

- The adequacy of school board facilities to accommodate new development or redevelopment and the provision or availability of school bussing.
- Protection or enhancement of natural resource values.
- Conserving cultural heritage resources.
- The physical suitability of the land for the proposed use.

#### **Safety and Security Criteria**

9.4.4.2 When reviewing development applications, ensure that safety and security measures are considered through such means as:

- Sufficient lighting in spaces intended for public use after dark to support the kind of activities envisioned for that space;
- Signs and an overall pattern of development that supports users' sense of orientation and direction;
- Preservation of clear lines of sight for persons passing through the space;
- Attention to the proposed mix of uses and their proximity to each other to ensure they are complementary;
- The routing and design of bicycle and pedestrian routes so that they are accessible to populated areas.

#### **9.4.5 Cash-in-lieu**

9.4.5.1 Cash-in-lieu of parkland may be used to acquire or develop public parks or public recreational uses. Cash-in-lieu may be required for residential severances or residential subdivisions at the rate of up to 5% or for commercial or industrial severances at the rate of up to 2% of the value of land as set out in Section 42 or 51 of the Planning Act.

9.4.5.2 Cash-in-lieu of Parking: Council may enter into an agreement to exempt an owner or occupant from the need to provide and maintain parking facilities as required under the zoning by-law. Such agreement shall provide for the making of one or more payments of money to the municipality as consideration for the granting of the exemption and shall set forth the basis upon which such payment is calculated.

#### **9.4.6 Holding Provisions**

9.4.6.1 The use of holding provisions in accordance with Section 36 of the Planning Act R.S.O. 1990 is permitted. A municipality may adopt holding provisions and when doing so shall clearly state the conditions which must be met prior to the removal of the "H" designation by Council. The use of holding provisions shall conform to the policies of this Official Plan.

9.4.6.2 The following have been established as objectives for using holding provisions in a Zoning By-law:

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

9.4.6.3 Removal of the holding provisions shall be accomplished by the adoption of an amending By-law in accordance with the provisions of Section 36 of the Planning Act, R.S.O. 1990 and related regulations.

9.4.6.4 Removal of the holding provisions shall occur only after Council is satisfied that all prescribed conditions or criteria have been satisfied.

9.4.6.5 It is intended that holding provisions shall be implemented by means of the implementing Zoning By-law. Land or lands shall be zoned for its/their intended use and the holding symbol (H) shall be added as a suffix, separated from the principal zone by a hyphen. The Zoning By-law shall specify the uses of land permitted and any regulations applying to the land during the time for which the holding provisions are in place. Conditions or criteria that are to be satisfied before the holding provisions can be removed shall be clearly stated in the Zoning By-law.

#### **9.4.7 Temporary Use By-laws**

9.4.7.1 A Temporary Use By-law is a By-law passed by Council for the purpose of allowing a use that is otherwise prohibited by the Zoning By law. A Temporary Use By-law must define the land or lands to which it applies and it shall prescribe the period of time during which it is in effect, which period of time shall not exceed three years from the day of passing of the By-law except in the case of a “Garden Suite” where

a Temporary Use By law cannot exceed a period of ten years. A local municipal Council may extend the period of time during which a temporary use is permitted by passing further By-laws, each of which shall not be in effect for more than three years.

9.4.7.2 The following criteria shall apply where a Temporary Use By-law, pursuant to the authority of Section 39 of the Planning Act, R.S.O. 1990, is used in the implementation of the Official Plan:

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

#### **9.4.8 Interim Control By-laws**

9.4.8.1 Interim Control By laws may be passed by Council in accordance with the provisions of Section 38 of the Planning Act for the purpose of controlling the use of land, buildings and structures within specifically identified areas for a specific period of time (i.e. not exceeding one year in length with provision for extending the time period for a total time period of not more than two years).

9.4.8.2 Prior to passing an Interim Control By law, it is first necessary for a local municipal Council to pass a resolution directing that a review or study be undertaken in respect to land use planning policies in the municipality or in any area or areas thereof. It is intended that any Interim Control By law be passed in order to adequately control development in a designated area while the review or study is being completed. Where an Interim Control By law ceases to be in effect, a local municipal Council may not for a period of three years pass a further Interim Control By law that applies to any lands to which the original Interim Control By law applied.

#### **9.4.9 Complete Applications**

9.4.9.1 The following chart identifies the type of study or report which could be required in order for the Township to proceed with the processing of an application. As every development proposal is considered on its own merit, a pre-submission consultation with municipal planning staff will be required in order to confirm the need for

additional information, studies or reports. The following chart provides a summary of required studies or reports and is divided by type of planning application and further qualifies the study as Required (R) or Possibly Required (P).

Complete Application Information Requirements						
Information Type	Trigger	Planning Act Applications				
		Official Plan	Zoning By-law	Subdivision	Consent	Site Plan
Planning Justification/ Rationale	Where development is proposed that will result in intensification, change in use or requires multiple applications	R	R	R	P	R
Natural hazard Studies	Where development is proposed within the boundaries of hazardous lands	R	R	R	R	R
Mineral Aggregate Studies	Where development is proposed within 300 metres of an identified Pit, 500 metres of an identified aggregates operation or 500 metres of any lands identified as Bedrock Constraints	R	R	R	R	R
Environmental Impact Assessment	Where application provides for development in an environmentally sensitive area or on adjacent lands within 120 metres of the area	R	R	R	R	R
Traffic Study	Where application provides for development which may result in increased traffic or the need to alter roads or	R	R	P	P	R

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intersections						
Land Use Compatibility Study	Where development is proposed adjacent a sensitive land use and vice versa	R	R	R	R	P
Heritage Impact Assessment	Where development is proposed within 300 metres of a designated Heritage site	R	R	R	R	R
Storm Water Management Plan	Where development will result in site alteration	P	P	P	P	P
		Official Plan	Zoning By-law	Subdivision	Consent	Site Plan
Servicing Options Report	Where development requires services	R	R	R	P	P
Air, Noise or vibration study	When required by a provincial guideline	R	R	R	R	R
Illumination Plans	Where development increases the possibility of light pollution	P	P	P	P	P
Hydrogeology	Development on private services or: Development within an area subject to vulnerable or sensitive surface water or sensitive groundwater features	R	P	P	P	P
Geotechnical Studies	Areas of unstable slopes	R	R	R	R	R
Erosion Control	Development along shorelines or hazard areas.	R	R	P	P	P
Archaeological Assessment	Development proposed on lands located within 300 metres of a shoreline	R	R	R	P	R
Tree Preservation Plan	Where development could result in the loss of significant street trees or designated wooded areas.	P	P	P	P	P



#### **9.4.10 Environmental Impact Assessments**

- 9.4.10.1 Potential negative impacts will be examined through a process of environmental impact assessment, carried out on a case by case basis, prior to development approval.
- 9.4.10.2 The preparation of an environmental impact assessment (EIA) study may be required for submission prior to the approval authority making a formal decision on a planning application (e.g. Official Plan amendment, zoning amendment, site plan control, subdivision, consent, etc.) to assess the negative impacts on the natural features and the ecological functions of the area in question. The EIA shall be completed by a qualified individual or company and shall fulfill each of the following steps:
  - 9.4.10.3 Research, identify, map, and prioritize the characteristics of the natural heritage features that made it significant.
  - 9.4.10.4 Describe and map the proposed development activities, including building location, excavation, site grading, landscaping, roadway construction, paving, drainage works, and sewer and water servicing in relation to the natural heritage feature.
  - 9.4.10.5 Predict the effects that the proposed development may have on various components of the environment, such as wildlife, fish, vegetation, soil, surface water, ground water, and air, taking into consideration effects during and after development or site alteration.
  - 9.4.10.6 Evaluate the significance of all predicted negative and positive effects on the various environmental components.
  - 9.4.10.7 Itemize and recommend all measures that can be taken to reduce or mitigate the predicted negative impacts.
  - 9.4.10.8 Evaluate the cumulative effect that the project (and any other projects or activities) may have on the characteristics of the natural heritage feature which made it significant, after mitigation.
  - 9.4.10.9 Conclude with a professional opinion on whether negative impacts will prevail, and on the significance of the impacts, if any, and if ongoing monitoring is required.
- 9.4.10.10 The approval authority may require that the EIA be peer reviewed prior to making a decision on the development application.

9.4.10.11 The approval authority may use various planning and other approvals (e.g. site plan control, site specific zoning, site alteration by-laws, etc.) to ensure that the development or site alteration occurs in accordance with the environmental impact assessment study recommendations.

## **9.5 COMMUNITY IMPROVEMENT AREA**

**9.5.1** The entire Municipality is designated a Community Improvement Area.

**9.5.2** Council may, by by-law, designate the lands within a Community Improvement Area as a Community Improvement Project Area whereupon Council shall undertake the preparation of a Community Improvement Plan for such area or areas. Prior to designating a Community Improvement Area, Council shall repeal all previous designating by-laws adopted under the Planning Act for Community Improvement purposes in the area to be designated as a Community Improvement Project Area.

**9.5.3** Subject to Section 28 of the Planning Act, in pursuing the objectives of the Official Plan's Community Improvement Policies Council may:

- Sell, lease or dispose of lands and buildings acquired or held by the municipality;
- Give loans and grants to owners, tenants and their assignees for rehabilitation purposes;
- Provide tax assistance by freezing or canceling the municipal portion of the property tax on eligible properties for remediation purposes; and
- Issue debentures with the approval of the Ontario Municipal Board.

**9.5.4 The policy objectives are as follows:**

- To upgrade and maintain all essential municipal services and community facilities.
- To ensure that community improvement projects are carried out within the built up areas of the Township.
- To ensure the maintenance of the existing building stock.
- To preserve heritage buildings.
- To facilitate the remediation, rehabilitation and/or redevelopment of existing Brownfield sites;
- To encourage private sector investment and the strengthening of the economic base.
- To enhance the visual appearance of Community Improvement Areas.
- Preparation and Adoption of a Community Improvement Plan
- Council shall have regard for the following matters in the preparation and adoption of a Community Improvement Plan, namely;

The basis for selection of the community improvement project areas with specific consideration of the following:

- That there is evidence of a need to improve municipal services such as roads, sidewalks, street lighting, parking, sanitary and storm sewers, water supply, parks and recreation, community facilities, the waterfront areas or streetscaping. Improvements may apply to some or all of the above services.
- That the phasing of improvements corresponds to the timing of improvements by the Township and/or senior governments and is within the financial capability of the municipality.
- That a significant number of buildings in an area show signs of deterioration and need of repair.
- That there is evidence that a site can be classified as a Brownfield and that the adoption of a community improvement plan would assist in the remediation, rehabilitation and/or redevelopment of a property or area.
- That improvement to the visual appearance or aesthetics be required.
- That improvements will have a significant impact on strengthening the economic base of the community.
- The boundary of the area and the land use designations contained in this Plan;
- Properties proposed for acquisition and/or rehabilitation;
- The estimated costs, means of financing and the staging and administration of the project;
- The provision of sufficient flexibility, as circumstances warrant, where project and costing revisions are necessary;
- The phasing of improvements and the means of their implementation; and
- Citizen involvement during the preparation of a Community Improvement Plan.
- Council shall implement the general principles and policies of this Section as follows:
  - Through the identification of specific community improvement projects and the preparation of Community Improvement Plans;
  - Through participation in programs with senior levels of government;
  - Through enforcement of the Municipality's Property Standards Bylaw;
  - Through the acquisition of land to implement adopted Community Improvement Plans;
  - Through the encouragement of the orderly development of land as a logical and progressive extension of development which provides for the infilling of underutilized land;

- Through the encouragement of the private sector to utilize available government programs and subsidies;
- Through the enactment of a comprehensive zoning by-law which provides for a range of appropriate uses, for the intensification and integration of land uses, and which stimulates the economic and/or functional role of the areas; and
- By encouraging the rehabilitation of existing buildings and structures which will be used for a purpose compatible with the surrounding area.
- Council shall have regard for the phasing of improvements in order to permit a logical sequence of events to occur without unnecessary hardship to area residents and the business community. The improvements should be prioritized having regard for available municipal funding.

## **9.6 MAINTENANCE AND OCCUPANCY STANDARDS**

**9.6.1** It is the policy of Council to maintain the physical condition of the existing building stock by adopting and enforcing a Municipal Property Standards By-law as enacted under Section 15.1 of the *Building Code Act*, R.S.O. 1990, as amended.

### **9.6.2 Council may further support property maintenance and safe occupancy by:**

- Utilizing available government programs, where applicable, to provide financial and administrative support to individuals seeking to improve their properties.
- Maintaining municipally owned buildings, properties and community facilities and providing or maintaining municipal services in good repair.
- Using or encouraging the use of associated legislation such as the Ontario Fire Code for the retrofit of buildings and Part 11 of the Ontario Building Code also respecting the retrofit of buildings.
- Appointing a Property Standards Officer to enforce the By-law and by the appointment of a Property Standards Committee under the provisions of Section 15.6 of the *Building Code Act*, R.S.O. 1992, as amended.

## **9.7 BUILDING PERMITS**

In accordance with the provisions of Section 8 of the *Ontario Building Code Act*, R.S.O. 1992, as amended, it is a policy of this Plan that building permits will not be issued where the proposed construction does not conform to the provisions of the Zoning By-law.

## **9.8 ZONING BY-LAW**

**9.8.1** It is a policy of this Plan that the Zoning By-law shall conform to the policies of this Official Plan. Following adoption of this Plan and its subsequent approval by the Ministry of Municipal Affairs and Housing, the Zoning By-law shall be brought into conformity with the policies of this Plan. This may be accomplished through the Zoning

By-law Amendment process or through a comprehensive update of the municipality's existing Zoning By-law.

## **9.9 ECONOMIC DEVELOPMENT**

9.9.1.1 Council recognizes that the economic base of the Township is dependent upon a mix of commercial, service industries, manufacturing activities and tourism. Council's intent is to establish a framework in which to encourage new economic growth and new employment generation while sustaining existing economic strengths.

### **9.9.2 Goal:**

To provide for employment opportunities and growth through the following objectives:

- To sustain and to build on the existing strength of the commercial, industrial and tourism sectors of the economy.
- To undertake initiatives to stimulate new employment generation.
- To work cooperatively with senior governments and community groups in promoting and undertaking economic development activities.
- In addition to specific land use policies elsewhere in this Plan, Council will undertake several measures to sustain, strengthen and diversify the economic base including:
  - Providing a policy framework which facilitates the planning and delivery of municipal services necessary for the development or redevelopment of lands for commercial, industrial and other employment generating activities.
  - Expediting planning and other approvals necessary at the Township level to permit the development of lands or construction of new buildings associated with economic development.
  - Supporting community improvement programs.
  - Encouraging and facilitating employment in the construction industry through expediting the approvals of plans of subdivision, encouraging the rehabilitation of heritage buildings, encouraging the retrofit of the existing building stock and by encouraging the recycling of funds in the Financial Help for Home Repairs program provided by the Canadian Mortgage and Housing Corporation or any subsequent, similar program.
  - Encouraging an "Open for Business" philosophy towards economic opportunities in the design of municipal by-laws regulating and licensing businesses.
  - Encouraging the development of home based businesses.
  - On-going development of the industrial park.

### **9.9.3 Home Based Business**

9.9.3.1 Home based businesses are permitted in all areas where residential uses are permitted subject to the provisions of the implementing Zoning By-law and other by-laws established by Council as well as the principles set out herein. Permitted uses shall include, but are not limited to professional, administrative and consulting services, office uses, computer technology uses, instructional services, distribution sales offices and, arts and crafts. Home based businesses shall be:

- Clearly accessory, secondary, incidental and subordinate to the permitted residential use;
- Compatible with surrounding residential and/or non-residential uses;
- Regulated by Council through provisions contained within zoning by-laws.

9.9.3.2 Home based businesses of an industrial nature, such as a carpentry shop, tinsmith shop, welding shop etc., may be permitted as an accessory use to a principal residential use. Council may however restrict these types of home based businesses to specific sectors through the Zoning By-law.

### **9.9.4 Brownfield Redevelopment**

9.9.4.1 Brownfield sites are undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

9.9.4.2 From an economic perspective, brownfields can result in reduced property values, economic activity and employment. Vacant and underutilized properties in serviced urban areas represent an opportunity to increase development densities. From an environmental perspective, brownfields can present a threat to ecological and human health and safety. From a social perspective, the existence of brownfields can lead to neighbourhood deterioration, threats to personal safety and security, and reduced quality of life.

9.9.4.3 The benefits that result from brownfield redevelopment are also environmental, economic and social. The economic benefits of brownfield redevelopment can include increased employment in urban areas and increased property values. Environmental benefits can include the removal of threats to the health of residents and workers, the protection of groundwater resources and wildlife habitats and a reduction in unplanned growth. The social benefits of brownfield redevelopment can include neighbourhood revitalization, improved safety and security, the provision of additional housing opportunities through intensification and infill, and an increased sense of community pride. Financial incentive programs that result in an increase in brownfield development will translate into economic, environmental and social benefits.

- 9.9.4.4 Accordingly the Township shall identify and promote opportunities for intensification and redevelopment of Brownfield industrial sites. Private sector investment in the re-use and/or redevelopment of underutilized and/or abandoned Brownfield industrial lands will be encouraged through the use of Community Improvement as described in section 9.5.2 and the related financial tools including property tax and building permit fee incentives.

## **9.10 SOCIAL AND CULTURAL POLICIES**

Council will provide for affordable housing by enabling a full range of housing types and densities to meet projected demographic and market requirements of current and future residents of the Township by:

- 9.10.1.1 Monitoring the need for social assisted housing for households and seniors. Where specific needs are identified, Council will work with the Ministry of Municipal Affairs and Housing and the Social Services Department of the Counties of Leeds and Grenville to meet identified needs.
- 9.10.1.2 Encouraging infill and housing intensification. This may be achieved through the conversion of single detached dwellings to multiple units, through re-development at higher densities, through land severances on large under-utilized lots which create opportunities for development on the severed lot (subject to the relevant policies elsewhere in this plan) and through infill on vacant lands. A target of 10% of new development to be achieved through intensification has been established by Council.
- 9.10.1.3 Ensuring a minimum 10-year supply of residential land at all times.
- 9.10.1.4 Working with the development industry to ensure that a 3-year minimum supply of registered or draft approved lots and blocks for new residential development is available at all times.
- 9.10.1.5 Monitoring population projections and the residential development targets.
- 9.10.1.6 Making provision for alternative housing types such as accessory dwelling units.
- 9.10.1.7 Encouraging cost-effective development standards and densities for new residential development to reduce the cost of housing.
- 9.10.1.8 Requiring a minimum of 25% of all new housing units to be “affordable” as defined by the Provincial Policy Statement, 2005.

### **9.10.2 Group Homes**

- 9.10.2.1 A group home is defined as a single housekeeping unit in a residential dwelling, which is registered with the municipality, in which 3 to 10 residents (excluding

supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under provincial statute and is in compliance with municipal by-laws.

- 9.10.2.2 A group home shall be permitted in all land use designations which permit residential uses.
- 9.10.2.3 A group home shall be permitted in a single detached dwelling or a semi-detached or duplex dwelling provided that both units are occupied by one group home operation and that the total number of residents does not exceed ten (10).
- 9.10.2.4 An accessory dwelling unit or a garden suite shall not be permitted on the same lot as a licensed group home.

### **9.10.3 Heritage Conservation**

- 9.10.3.1 The municipality will cooperate with the Ministry of Culture to maintain a cultural heritage resource database resulting in **inventories the registration** of significant heritage buildings, heritage districts, cultural heritage landscapes, archaeological sites, and archaeological potential areas located within the Township. The heritage resources policies of this plan shall apply when:
- Conserving heritage buildings, cultural heritage landscapes and archaeological resources that are under municipal ownership and/or stewardship;
  - Conserving and mitigating impacts to all significant cultural heritage resources, when undertaking public works;
  - Respecting the heritage resources identified, recognized or designated by federal and provincial agencies.
- 9.10.3.2 Council may permit development and site alteration on adjacent lands where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. A heritage impact assessment may be required if there are any adverse impacts to any significant cultural heritage resources resulting from development proposals. Mitigative measures and/or alternative development approaches may be required for the conservation of heritage attributes of a protected heritage property. The Ontario Heritage Act may be utilized to conserve, protect and enhance any significant cultural heritage resources located within the Township.
- 9.10.3.3 Council shall obtain updated archaeological site mapping from the Ministry of Culture under the provisions of a municipal-provincial data sharing agreement, and update this database as new archaeological sites are identified from land development and on the Provincial archaeological sites database. Council may undertake the preparation of an Archaeological or Cultural Heritage Master Plan with the assistance of the Ministry of Culture.



- 9.10.3.4 Areas of archaeological potential are determined through the use of provincial screening criteria, or criteria developed based on the known archaeological record within the Township. Such criteria include features such as proximity to water, current or ancient shorelines, rolling topography, unusual landforms, and any locally known significant heritage areas such as portage routes or other places of past human settlement. All lands within 300 metres of the shorelines of the St. Lawrence River, the South Nation River and the South Branch of the Kemptville Creek and/or areas of archaeological potential are subject to a Phase I Archaeological Review in addition to areas where the application of the provincial screening criteria determines that archaeological potential exists. Subject to the review of the Phase I study, prepared by a licensed archaeologist, the applicant may be requested to undertake further investigations if it is recommended in the Phase 1 report.
- 9.10.3.5 Council may consider archaeological preservation on site in situ, to ensure that the integrity of the resource is maintained. The heritage integrity of archaeological resources can be preserved by adopting Archaeological Zoning by-laws under section 34 of the Planning Act, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.
- 9.10.3.6 Council shall consult appropriate government agencies, including the Ministry of Culture and the Ministry of Consumer and Business Services (MCBS), when an identified human cemetery, marked or unmarked human burial is affected by land use development. The provisions under the Heritage Act and the Cemeteries Act shall apply.
- 9.10.3.7 The Township shall consult with the Algonquins of Ontario for Environmental Impact Studies or Archaeological Studies related to proposed developments where the site meets any one of the following criteria:
- Is in an area of Algonquin interest;
  - Is in an area of Native Values;
  - Is in an area that has been identified as having the potential for aboriginal artifacts to be encountered.
- The Algonquins of Ontario shall also be consulted prior to the approval of any site specific Official Plan Amendment where a Stage 2 Archaeological Assessment has shown the potential for aboriginal artifacts to be encountered.

## **10.0 ADMINISTRATION OF THE OFFICIAL PLAN**

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### **10.1 AMENDMENTS TO THIS OFFICIAL PLAN**

Amendments to this Plan shall be considered in accordance with related policies elsewhere in this Plan. In general, amendments will only be considered when they are justified and when the required supportive information is provided as stated in the policy sector proposed for revision. Proposed amendments to this Plan shall be accompanied by sufficient information to allow Council to fully understand and consider the following:

- The impact of the proposed change on the achievement of the stated goals, objectives and policies expressed in this Plan;
- The need for the proposed change;
- The effect of the proposed change on the need for public services and facilities.

In addition when considering amendments which affect the use of a specific site or sites, Council shall consider:

- Whether there is a need to add the site or sites to the lands already designated for the proposed use;
- The physical suitability of the land for the proposed use.

### **10.2 CONSULTATION**

Council shall undertake a community consultation program for all amendments to and reviews of the Plan. The consultation process shall include timely provision of adequate information as well as opportunities for members of the public to discuss this information with Township' staff and to present views to Council.

### **10.3 REVIEW AND MONITORING OF THE OFFICIAL PLAN**

Council shall at regular intervals of not more than five years, undertake a review of this Plan, or parts thereof, to ensure that:

- The Plan's goals and objectives remain valid and realistic in light of prevailing circumstances;
- The Plan's policies are adequate for the achievement of its goals and objectives.
- The Plan continues to be consistent with the Provincial Policy Statement.

In order to facilitate the review of this Plan, Council will monitor the achievement of its objectives and the effectiveness of its policies.

#### **10.4 LAND USE DESIGNATION BOUNDARIES**

The boundaries of the land use designations established by this Plan and as shown on the attached Schedules are intended to be approximate and shall be considered as absolute only where they coincide with roads, railway lines, rivers, lot lines shown in an implementing Zoning By-law, or other clearly defined physical feature.

Where land use designation boundaries are considered as approximate, amendments to this Plan will not be required in order to make minor adjustments to the boundaries provided that the general intent and purpose of the Plan are maintained. Such minor adjustments shall be determined by Council and will not need to be incorporated into the land use schedules.

Where the land use boundaries are considered as absolute, the location of the boundaries is not open to interpretation and an amendment to this Plan will be required in order to deviate from or change these boundaries.

#### **10.5 REFERENCES TO STATUTES**

Where any Act or portion of any Act is referred to in this Plan, such references shall be interpreted as referring to the stated Act or portion of the Act and any subsequent changes to or renumbering of these sections of such Act.

##### **10.5.1 References to Ministries and Review Agencies**

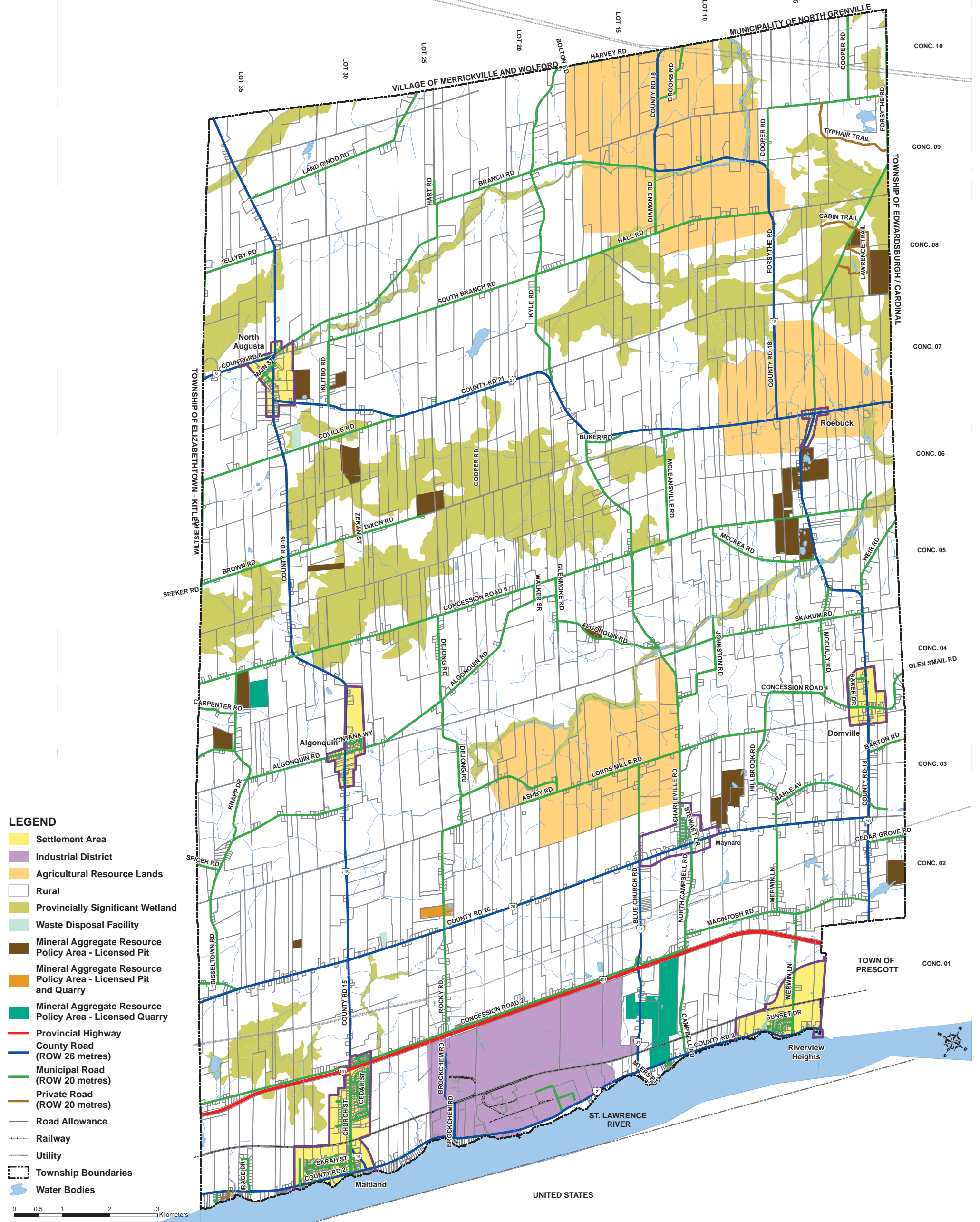
Throughout this Official Plan, references are made to various Provincial Ministries and agencies in regard to the review of and/or input on various types of planning issues and development proposals. While such references are considered to be current at the date of adoption of this Official Plan, it is acknowledged that changes may occur as a result of ongoing changes in the planning and application review processes in the Province of Ontario. No amendment to this Plan is required in order to acknowledge such changes; however, it is the intent to update such Ministry and agency references at the time that general reviews and updates of the Official Plan are undertaken.

#### **10.6 INTERPRETATION OF FIGURES, QUANTITIES AND USES**

It is intended that all figures and quantities herein shall be considered as approximate unless stated otherwise. Amendments to the Official Plan will not be required where Council is satisfied that the variance from the figure or quantity is minor and that the intent of the policy in question is met.

Where examples of permitted uses are provided for in the land use polices of the Plan, it is intended that these be recognized as representative examples as opposed to a definitive and/or restrictive list of uses. The implementing zoning by-laws shall ensure that all permitted uses are consistent with the intent of this Official Plan.

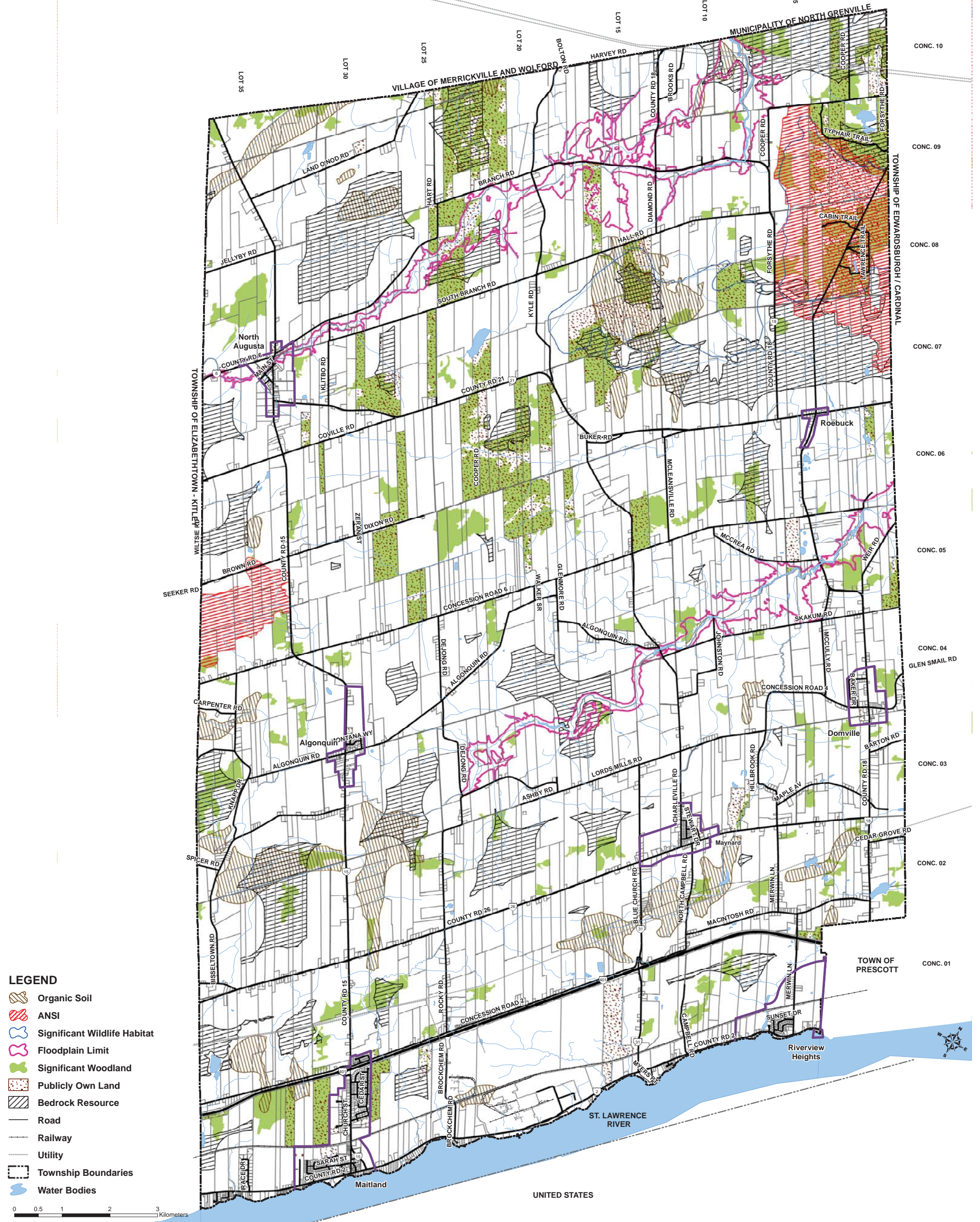
# Schedule A - Land Use, Infrastructure & Natural Heritage



Drawings are produced by McIntosh Perry Consulting Engineers with base information supplied by the United Counties of Leeds and Grenville (2008), Ontario Road Network used under Licence with the United Counties of Leeds and Grenville and the Ministry of Natural Resources. Property parcel boundaries used under Licence with the Teranet Enterprises Inc. Assessment Data used under Licence with the Municipal Property Assessment Corporation. Natural Resource Values Information from the Ontario Geospatial Data Exchange under Licence with the Ontario Ministry of Natural Resources copyright Queen's Printer for Ontario, 2007. Floodplain information is data owned and/or used under agreement with the Rideau Valley Conservation Authority and the South Nation Conservation Authority. Schedule A consolidated with Ministry of Municipal Affairs and Housing modifications May 25, 2012.



# Schedule B - Development Constraints



- LEGEND**
- Organic Soil
  - ANSI
  - Significant Wildlife Habitat
  - Floodplain Limit
  - Significant Woodland
  - Publicly Own Land
  - Bedrock Resource
  - Road
  - Railway
  - Utility
  - Township Boundaries
  - Water Bodies

0 0.5 1 2 3 Kilometers

Drawings are produced by McIntosh Perry Consulting Engineers with base information supplied by the United Counties of Leeds and Grenville (2008), Ontario Road Network used under Licence with the United Counties of Leeds and Grenville and the Ministry of Natural Resources. Property parcel boundaries used under Licence with the Teranet Enterprises Inc. Assessment Data used under Licence with the Municipal Property Assessment Corporation. Natural Resource Values Information from the Ontario Geospatial Data Exchange under Licence with the Ontario Ministry of Natural Resources copyright Queen's Printer for Ontario, 2007. Floodplain information is data owned and/or used under agreement with the Rideau Valley Conservation Authority and the South Nation Conservation Authority.

