

# TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS OFFICIAL PLAN

TOWNSHIP COUNCIL ADOPTION: SEPTEMBER 10, 2018

UNITED COUNTIES OF LEEDS AND GRENVILLE APPROVAL: NOVEMBER 22, 2018



Township of  
**Leeds and the  
Thousand Islands**



**IMAGE SOURCES:**

TOP LEFT: "OLD RIVER RD" - D. SHIRE  
TOP MIDDLE: "AERIAL VIEW OF LYNDHURST" - L. HUFF  
TOP RIGHT: "FURNACE FALLS" - L. HUFF  
MIDDLE LEFT: "PLM.FALL.SS@100" - P. MEDCALF  
MIDDLE: "PLM.OLDBARN@100" - P. MEDCALF  
MIDDLE RIGHT: "KAYAKING ON CHARLESTON LAKE" - T. GRAY  
BOTTOM LEFT: "LAST BOAT RIDE OF THE SEASON" - L. HUFF  
BOTTOM MIDDLE: "PICTURE 01" - K. HODGE  
BOTTOM RIGHT: "PICTURE 09" - K. HODGE

TOWNSHIP OF LEEDS  
AND THE THOUSAND ISLANDS

TOWNSHIP COUNCIL ADOPTION: SEPTEMBER 10, 2018  
UNITED COUNTIES OF LEEDS AND GRENVILLE APPROVAL: NOVEMBER 22, 2018

**PREPARED FOR:  
TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS**

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**Date of Decision: November 22, 2018**

**Date of Notice: November 23, 2018**

**Last Date of Appeal: December 12, 2018**

Counties File No.: LOPA-TLTI-17-01

Municipality: Township of Leeds and the Thousand Islands

Subject Lands: All lands within the Township of Leeds and the Thousand Islands

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

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The United Counties of Leeds and Grenville made a decision on the date noted above to approve with one deferral, the **Township of Leeds and the Thousand Islands Official Plan**, as adopted by the Township of Leeds and the Thousand Islands by By-law No. 18-056. This Plan repeals and replaces the previous Official Plan approved in March 2006.

**Purpose and Effect of the Official Plan:**

The purpose of the Official Plan is to be a vision or guiding document that sets out goals, objectives and policies to manage growth and development and provide direction for the use of lands in the Township. The Township of Leeds and the Thousand Islands Official Plan is consistent with the 2014 Provincial Policy Statement, conforms to the United Counties of Leeds and Grenville Official Plan, incorporates new legislation and addresses matters of provincial interest.

**Proposed Deferral to this Official Plan:**

There is an outstanding Local Planning Appeal Tribunal (LPAT - formerly OMB) appeal to the mapping of specified Provincially Significant Wetlands on "Schedule A – Community Structure and Land Use" and "Schedule C – Natural Heritage Features and Areas" of the upper-tier United Counties of Leeds and Grenville Official Plan. The appeal applies to the Provincially Significant Wetlands mapping of all shoreline/coastal wetland areas and wetland areas within embayments on the shoreline of the St. Lawrence River, south of Highway 401 and/or the Thousand Islands Parkway from the westerly limit of the Counties to at least the Rockport area, excluding the Town of Gananoque.

As a result of the outstanding appeal to the Counties Official Plan, the land use designation on the above described area will be deferred on "Schedule A2 – Land Use Designations: Natural Heritage System and Hazards" in the Township of Leeds and the Thousand Islands Official Plan. When the Counties appeal is resolved by the LPAT, it is anticipated that the Township will pass an official plan amendment to conform to the Counties Official Plan.

**Effect of Written Submissions on the Decision:**

There were two written submissions from the public received by the approval authority in support of the Official Plan. As well, one delegation appeared before the Counties Planning Advisory Committee and one delegation appeared before Counties Council regarding the Official Plan. Counties Council considered all written and verbal comments and no changes were made as a result.

There were 24 residents who spoke at the Township's public meeting and made comments or asked questions. The Township received many written submissions from the public throughout their consultation process that resulted in some changes by the Township to the Official Plan.

Agency comments were received by the Township during Official Plan preparation. The deferral described previously will form part of the Decision. No further modifications were proposed by the Counties to the adopted Official Plan.

**When and How to File an Appeal:**

Any appeal of the decision to the Local Planning Appeal Tribunal must be received by the Manager of Planning Services of the United Counties of Leeds and Grenville no later than 20 days from the date of this notice, as shown above as the last date of appeal.

The appeal must be sent to the Manager of Planning Services of the United Counties of Leeds and Grenville, at the address shown below and it must:

1. set out the specific part of the proposed official plan to which the appeal applies;
2. set out the reasons for the appeal;
3. be accompanied by the fee charged under the *Local Planning Appeal Tribunal Act*, in the amount of \$300.00 payable by certified cheque to the Minister of Finance.

An appeal may only be made on the basis that the part of the decision to which the notice of appeal relates:

1. is inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act*;
2. fails to conform with or conflicts with a provincial plan; or,
3. in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan.

**Who Can File An Appeal:**

Only individuals, corporations or public bodies may appeal a decision of the approval authority to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

**When the Decision is Final:**

The decision of the Corporation of the United Counties of Leeds and Grenville is final if a notice of appeal is not received on or before the last date for filing a notice of appeal.

**Other Related Applications:**

None.

**Additional Information:**

Additional information about the Official Plan is available for public inspection during regular office hours (8:00 am to 4:00 pm) at the Planning Services Department of the United Counties of Leeds and Grenville at the address noted below. Information is also available from the Township of Leeds and the Thousand Islands municipal office.

Please call Cherie Mills, Manager of Planning Services at (613) 342-3840, extension 2419, if you have any questions.

**Mailing Address for Filing a Notice of Appeal:**

United Counties of Leeds and Grenville  
25 Central Avenue West, Suite 100  
Brockville, Ontario K6V 4N6  
Attention: Manager of Planning Services



**DECISION**  
**WITH RESPECT TO THE**  
**TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS**  
**OFFICIAL PLAN**  
**UNDER SECTION 17(34) OF THE PLANNING ACT**

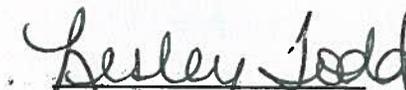
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The Township of Leeds and the Thousand Islands Official Plan, as adopted by By-law No. 18-056, is hereby approved by the United Counties of Leeds and Grenville under Section 17(34) of the Planning Act, as amended, subject to the following deferral:

1. That the land use designation on "Schedule A2 – Land Use Designations: Natural Heritage System and Hazards" for the Provincially Significant Wetlands mapping of all shoreline/coastal wetland areas and wetland areas within embayments on the shoreline of the St. Lawrence River, south of Highway 401 and/or the Thousand Island Parkway from the westerly limit of the United Counties of Leeds and Grenville to at least the Rockport area, excluding the Town of Gananoque, is hereby deferred pending the resolution of the LPAT (formerly OMB) appeal of the same lands in the United Counties of Leeds and Grenville Official Plan.

Dated at Brockville, Ontario this 22nd day of November, 2018

  
Robin Jones, Warden

  
Lesley Todd, Clerk

**CORPORATION OF THE TOWNSHIP OF LEEDS AND THE  
THOUSAND ISLANDS**

**BY-LAW NO. 18-056**

**BEING AN ADOPTION BY-LAW FOR THE TOWNSHIP OF  
LEEDS AND THE THOUSAND ISLANDS OFFICIAL PLAN**

**WHEREAS** Section 26(1) of the *Planning Act*, R.S.O. 1990, Ch. P.13, as amended, requires the Council of the municipality that adopted an Official Plan to review and revise the Official Plan no less frequently than 10 years after it comes into effect as a new official plan, and every five years thereafter, unless the plan has been replaced by another new official plan;

**AND WHEREAS** Section 17(22) of the *Planning Act*, R.S.O. 1990, Ch. P.13, as amended, enables the Council to pass a by-law to adopt all or part of an Official Plan;

**AND WHEREAS** Council held a Special Meeting, open to the public, on March 19, 2018, in accordance with Section 26(3), public open houses on May 23 and 26, 2018, in accordance with Section 17(16), and a public meeting on August 22, 2018, in accordance with Section 17(15)(d), to discuss the revisions that may be required;

**NOW THEREFORE** the Council of the Township of Leeds and the Thousand Islands enacts as follows:

1. By-law No. 28-05, which adopted the Official Plan for the Township of Leeds and the Thousand Islands, as approved by the Ministry of Municipal Affairs on March 14, 2006, and consolidated in March 2012, is hereby repealed and shall be of no force or effect upon the approval of the attached Township of Leeds and the Thousand Islands Official Plan by the United Counties of Leeds and Grenville.
2. The Township of Leeds and the Thousand Islands Official Plan, consisting of the attached text and Schedules, is hereby adopted.
3. The Clerk is hereby authorized and directed to make application to the United Counties of Leeds and Grenville for approval of the Township of Leeds and the Thousand Islands Official Plan.
4. This By-law shall come into force and take effect on the day of the final passing thereof.

**READ A FIRST AND SECOND TIME THIS 10<sup>th</sup> DAY OF  
SEPTEMBER, 2018.**

**READ A THIRD TIME AND FINALLY PASSED THIS 10<sup>th</sup> DAY OF  
SEPTEMBER, 2018.**



\_\_\_\_\_  
Joe Baptista, Mayor



\_\_\_\_\_  
Vanessa Latimer, Clerk





**TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS OFFICIAL PLAN  
NOTICE OF ADOPTION**

**TAKE NOTICE** that the Council of the Corporation of the Township of Leeds and the Thousand Islands passed By-law No. 18-056 on the 10<sup>th</sup> day of September, 2018, to adopt a new Official Plan, pursuant to Section 17 of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended.

**THE PURPOSE AND EFFECT** of the new Official Plan is to ensure that the Township's Official Plan is consistent with 2014 Provincial Policy Statement, conforms to the United Counties of Leeds and Grenville Official Plan, and addresses matters of local interest. The Official Plan is a land use planning policy document for the purpose of guiding future growth and development in the Township of Leeds and the Thousand Islands to the year 2031 and is to be reviewed every 10 years. The Plan sets out a vision, goal, and objectives for development, and establishes policies with respect to the types and locations of various land uses, transportation, and municipal services.

The new Official Plan accounts for comments received through the community engagement process, and repeals and replaces the Official Plan of the Township of Leeds and the Thousand Islands (Approved March 14, 2006, Consolidated March 2012).

**THE SUBJECT LANDS** include all lands located within the Township of Leeds and the Thousand Islands municipal boundary.

No lands in the Township of Leeds and the Thousand Islands are the subject of any related applications under the *Planning Act*.

Copies of the Official Plan are available for inspection at the Township Office at 1233 Prince Street, Lansdowne, Ontario, during regular business hours. In addition, the Official Plan may be viewed on the Township's website at [www.leeds1000islands.ca](http://www.leeds1000islands.ca).

The Official Plan is being submitting to the United Counties of Leeds and Grenville, which is the approval authority for the Plan. Any person or public body is entitled to received notice of the Decision of the United Counties of Leeds and Grenville by making a written request to: Ms. Cherie Mills, MCIP, RPP, Manager of Planning Services, United Counties of Leeds and Grenville, 25 Central Avenue West, Suite 100, Brockville, Ontario, K6V 4N6, Email: [Cherie.Mills@uclg.on.ca](mailto:Cherie.Mills@uclg.on.ca).

**DATED** at the Township of Leeds and the Thousand Islands this 10<sup>th</sup> day of September, 2018.

  
\_\_\_\_\_

Vanessa Latimer  
Clerk, Township of Leeds and the Thousand Islands



## Township of Leeds and the Thousand Islands

### Official Plan

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Township of Leeds and the Thousand Islands Council Adoption: September 10, 2018  
United Counties of Leeds and Grenville Council Approval: November 22, 2018

Prepared For:



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Note: This document has been prepared using Verdana font, size 11 for reasons of accessibility, in accordance with the requirements of the **Accessibility for Ontarians with Disabilities Act, 2005**.



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# Table of Contents

**Section 1 Introduction..... 1**

1.1 Title of the Official Plan ..... 1

1.2 Planning Area ..... 1

1.3 Purpose of the Official Plan ..... 1

1.4 Administration of the Official Plan..... 3

1.5 Effect of the Official Plan ..... 3

1.6 How to Read this Official Plan ..... 3

**Section 2 Basis of the Official Plan ..... 5**

**Section 3 Purpose, Goal, and Objectives ..... 9**

3.1 Township Vision Statement ..... 9

3.2 Goal ..... 9

3.3 Objectives ..... 9

**Section 4 General Land Use Policies ..... 13**

4.1 Accessibility..... 13

4.2 Accessory Uses, Buildings, or Structures ..... 13

4.3 Alternative and Renewable Energy Systems ..... 13

4.4 Community Gardens..... 14

4.5 Community Hubs ..... 15

4.6 Compatibility and Built Form..... 15

4.6.1 General ..... 15

4.6.2 Design Guidelines ..... 17

4.6.3 Industrial Facilities and Sensitive Land Uses..... 17

4.6.4 Minimum Distance Separation (MDS) – Agricultural Uses and  
Cemeteries..... 19

4.6.5 Patrol Yards ..... 19

4.6.6 Railways..... 19

4.6.7 Sewage Treatment Plants/Disposal Sites and Sensitive Land Uses .. 20

4.6.8 Waste Disposal Sites and Sensitive Land Uses..... 21

4.7 Crown Lands and National and Provincial Parks ..... 21

4.7.1 General ..... 21

4.7.2 National and Provincial Parks ..... 22





4.7.3 Cataraqui Region Conservation Authority Lands..... 23

4.8 Cultural Heritage and Archaeological Resources ..... 23

4.8.1 Definitions ..... 23

4.8.2 General ..... 24

4.8.3 Archaeology..... 25

4.9 Economic Development..... 27

4.9.1 General ..... 27

4.9.2 A Recreational and Tourism Hub ..... 28

4.9.3 Bed and Breakfast Establishments ..... 29

4.9.4 Home-Based Businesses and Home Industries..... 29

4.10 Energy Conservation, Air Quality, and Climate Change Adaptation..... 30

4.11 Existing Land Uses ..... 32

4.11.1 Non-Conforming and Non-Complying Land Uses ..... 32

4.11.2 Non-Conforming Uses and Extensions or Enlargements ..... 33

4.12 Housing and Supply of Land ..... 34

4.12.1 General ..... 34

4.12.2 Affordable Housing ..... 34

4.12.3 Garden Suites ..... 36

4.12.4 Group Homes..... 37

4.12.5 Mobile Homes ..... 38

4.12.6 Residential Intensification and Redevelopment ..... 38

4.12.7 Secondary Dwelling Units ..... 40

4.12.8 Tiny Dwellings..... 41

4.13 Institutional Uses ..... 42

4.14 Noise and Vibration ..... 43

4.15 Portable Asphalt Plants and Portable Concrete Plants ..... 44

4.16 Public Uses and Utilities ..... 44

4.17 Seacans, Shipping Containers, and Storage Trailers ..... 45

4.18 Temporary Uses..... 46

4.19 TransCanada Pipeline..... 47

4.20 Tree Protection ..... 48

4.21 UNESCO Sites..... 48

4.21.1 Frontenac Arch Biosphere ..... 48





4.21.2 Rideau Canal National Historic Site, Canadian Heritage River, and UNESCO World Heritage Site ..... 49

4.22 Wayside Pits and Quarries ..... 51

**Section 5 Land Use Designation Policies..... 53**

5.1 Agriculture ..... 53

    5.1.1 Special Exception Areas..... 56

5.2 Environmental Protection ..... 56

    5.2.1 General ..... 56

    5.2.2 Marine Facilities..... 57

    5.2.3 Floating Dwellings..... 57

    5.2.4 Shoreline and Nearshore Alteration ..... 58

5.3 Hazards ..... 58

    5.3.1 Natural Hazards ..... 59

    5.3.2 Human-made Hazards..... 64

5.4 Mineral Aggregate Resources and Mineral Resources ..... 67

    5.4.1 Mineral Aggregate Resources ..... 67

    5.4.2 Mineral Resources..... 73

5.5 Natural Heritage System ..... 77

    5.5.1 General: Natural Heritage System Strategy ..... 77

    5.5.2 Adjacent Lands..... 78

    5.5.3 Endangered and Threatened Species..... 79

    5.5.4 Fish Habitat ..... 81

    5.5.5 Wetlands ..... 81

    5.5.6 Areas of Natural and Scientific Interest (ANSI) ..... 84

    5.5.7 Significant Valleylands..... 85

    5.5.8 Woodlands..... 85

    5.5.9 Significant Wildlife Habitat ..... 87

5.6 Parks and Public Lands ..... 88

5.7 Rural ..... 88

    5.7.1 Residential Uses in the Rural Area ..... 88

    5.7.2 Commercial and Industrial Uses in the Rural Area ..... 89

    5.7.3 Eco-park Uses in the Rural Area ..... 92

    5.7.4 Recreation and Public Open Space Uses in the Rural Area ..... 92



5.7.5	Small Scale Mineral Aggregate Removal in the Rural Area.....	92
5.7.6	Wrecking Yard Uses in the Rural Area .....	93
5.7.7	Agricultural Uses in the Rural Area.....	94
5.8	Settlement Areas .....	94
5.8.1	Settlement Area Vision Statements and Goals .....	95
5.8.2	General Land Use Policies .....	100
5.9	Special Policy Areas.....	107
5.9.1	General .....	107
5.9.2	Thousand Islands Area (Land South of Highway 401).....	107
5.9.3	Highly Sensitive Lake Trout Lakes – Charleston Lake and Red Horse Lake .....	113
<b>Section 6 Water Resources Policies .....</b>		<b>115</b>
6.1.1	General .....	115
6.1.2	Source Water Protection .....	115
6.1.3	Stormwater Management .....	120
6.1.4	Waterfront Areas and Waterbody Protection.....	122
<b>Section 7 Transportation and Infrastructure .....</b>		<b>127</b>
7.1	Active Transportation.....	127
7.2	Airport .....	128
7.3	Asset Management Plan .....	129
7.4	Roads.....	129
7.4.1	County Roads.....	130
7.4.2	Private Roads.....	131
7.4.3	Provincial Highways .....	132
7.4.4	Road Allowance Closures .....	135
7.4.5	1000 Islands Parkway .....	135
7.4.6	Township Roads .....	136
7.4.7	Unimproved Roads.....	137
7.4.8	Unopened Road Allowances.....	137
7.5	Servicing Requirements .....	138
7.6	Waste Management.....	140
7.6.1	General .....	140
7.6.2	Hauled Septage Disposal Sites .....	140



7.6.3 Sewage Disposal Sites..... 141

7.6.4 Waste Disposal Sites ..... 142

**Section 8 Division of Land ..... 145**

8.1 General..... 145

8.2 New Lot Creation along the Waterfront ..... 146

8.3 Plans of Subdivisions and Plans of Condominium..... 147

8.4 Consents..... 148

**Section 9 Implementation ..... 151**

9.1 General..... 151

9.2 Amendments ..... 151

9.2.1 Technical Amendments..... 152

9.3 Building By-law ..... 152

9.4 Committee of Adjustment and Consent Granting Authority ..... 152

9.5 Community Improvement ..... 153

9.5.1 Goal..... 153

9.5.2 Objectives ..... 153

9.5.3 Community Improvement Areas ..... 154

9.5.4 Criteria for Community Improvement Project Area Selection ..... 154

9.5.5 Implementation..... 155

9.6 Community Planning Permit System ..... 156

9.7 Consultation and Application Requirements ..... 157

9.7.1 Mandatory Pre-Consultation ..... 157

9.7.2 Required Information and Material..... 157

9.7.3 Additional Information – Studies and Assessments ..... 158

9.8 Environmental Impact Study (EIS) ..... 160

9.8.1 Full Environmental Impact Study (EIS)..... 160

9.8.2 Scoped Environmental Impact Study (EIS) ..... 161

9.9 Indigenous Engagement..... 162

9.10 Minor Variances ..... 162

9.10.1 Types..... 162

9.10.2 Decisions..... 163

9.11 Official Plan Review Procedure ..... 164

9.12 Other By-laws..... 165





9.13 Parkland Dedication..... 165

9.14 Public Works..... 166

9.15 Property Standards By-law ..... 167

9.16 Public Consultation and Notification ..... 167

9.17 Section 37 – Height and Density Exchange for Facilities or Services.... 169

9.18 Site Plan Control ..... 169

    9.18.1 Site Plan Control By-law ..... 171

9.19 Zoning By-Law..... 171

    9.19.1 Holding Zones ..... 172

**Section 10 Interpretation..... 173**

**Section 11 Schedules ..... 175**



# Section 1 Introduction

## 1.1 Title of the Official Plan

When approved by the United Counties of Leeds and Grenville, this Plan will be known as the: **Township of Leeds and the Thousand Islands Official Plan.**

## 1.2 Planning Area

This Plan applies to all lands located within the boundaries of the Township of Leeds and the Thousand Islands.

## 1.3 Purpose of the Official Plan

The Ontario **Planning Act** requires municipalities to prepare and adopt an Official Plan to provide guidance for the physical development of communities. The purpose of the Township of Leeds and the Thousand Islands Official Plan is to establish a vision, goal, objectives, and policies to manage and direct physical development and the effect of change on the physical, social, cultural, economic, and natural environment for the planning horizon (i.e. until the year 2031). Good planning leads to orderly growth and the efficient provision of services. The Official Plan will balance development with the wider interests and objectives of the municipality and the upper-tier municipality of the United Counties of Leeds and Grenville.

The Official Plan contains the policies of Council which will guide and direct future growth and development within the municipality. The policies of this Plan are intended to be consistent with and conform to Provincial and Counties policy direction, respectively, and to recognize and meet community aspirations, and protect the natural environment. The Plan provides a basis for decisions by both public bodies and private interests and will serve to coordinate activities and development for the benefit of the whole municipality.

The reader is encouraged to also refer to the Counties Official Plan. Furthermore, this Official Plan also reflects the matters of provincial interest identified in Section 2 of the **Planning Act**, being the:

- a) protection of ecological systems, including natural areas, features and functions;
- b) protection of the agricultural resources of the Province;
- c) conservation and management of natural resources and the mineral resource base;



- d) conservation of features of significant architectural, cultural heritage, historical, archaeological or scientific interest or value;
- e) supply, efficient use and conservation of energy and water;
- f) adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) minimization of waste;
- h) orderly development of safe and healthy communities;
- i) accessibility for persons with disabilities to all facilities, services and matters to which the **Planning Act** applies;
- j) adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- k) adequate provision of a full range of housing, including affordable housing;
- l) adequate provision of employment opportunities;
- m) protection of the financial and economic well-being of the Province and its municipalities;
- n) co-ordination of planning activities of public bodies;
- o) resolution of planning conflicts involving public and private interests;
- p) protection of public health and safety;
- q) appropriate location of growth and development;
- r) promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- s) promotion of built form that is well-designed; encourages a sense of place; and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; and
- t) mitigation of greenhouse gas emissions and adaptation of a changing climate.

The Province of Ontario issues Provincial Policy Statements periodically to provide direction on matters of provincial interest. Where these are in effect, the decisions of the Township shall be consistent with the Provincial Policy Statement that is in effect on the date of Council's decision.

The Official Plan shall be reviewed in accordance with the requirements of the **Planning Act** and may be amended by the Township to reflect changing circumstances or new priorities. The main implementation tool, the Township's Comprehensive Zoning By-law, will be updated in accordance with the requirements of the **Planning Act** to ensure that it is in conformity with the policies in this Plan.

The policies contained herein, together with the Schedules, Annex, and any amendment(s) which are adopted and finalized pursuant to the **Planning Act**, constitute the Township of Leeds and the Thousand Islands Official Plan.



## 1.4 Administration of the Official Plan

Council will be responsible for administering this Official Plan. The principal duties of Council will be the review of development applications such as Official Plan and Zoning By-law Amendments, consents and subdivisions for conformity to the Official Plan, and, when appropriate, the review of the Official Plan to ensure it remains relevant.

When providing input to other approval authorities, such as the United Counties of Leeds and Grenville Consent Granting Authority and the Township's Committee of Adjustment, Council will ensure that comments are based upon the policies of this Plan.

Council will ensure that the Official Plan and all amendments are available to the public so that the public can be kept informed of the municipality's land use policies. The documents are available at the municipal office and the Township website at [www.leeds1000islands.ca](http://www.leeds1000islands.ca).

The Official Plan is intended to guide the future development of the Township to the year 2031. The Plan has been prepared on the basis of existing conditions and information available at the time of the Plan's preparation. An Official Plan should be viewed as a work in progress and it is intended that as conditions or priorities change, or as new information becomes available, there will be a need to review various policies from time to time. It is the intent of Council that a special meeting be held, which is open to the public, at any time prior to the end of the 10-year review period, pursuant to the **Planning Act**, to determine the need for review of the Plan.

## 1.5 Effect of the Official Plan

Upon adoption of the Official Plan by Council and approval by the United Counties of Leeds and Grenville, the Plan will guide all planning decisions in the Township. No public or private works will be undertaken, and except as provided for under the **Planning Act**, no By-law will be passed for any purpose that does not conform to the Official Plan. The approved Official Plan will provide a basis for the review of the Township's Comprehensive Zoning By-law.

## 1.6 How to Read this Official Plan

The following text and attached Schedules 'A1', 'A2', 'A3', 'A4', 'A5', 'A6', 'A7', 'B1', 'B2', 'B3', 'B4', and 'B5' constitute the Official Plan. Illustrations and photos are included for the purpose of illustration only and are not part of this Plan. The Background Report, April 2018, contains supplementary information which



# 1

## INTRODUCTION

contributed to the policies contained within this Official Plan and is intended to assist in the interpretation and application of policies, but does not form a part of it.

Terms used in this Plan are intended to address matters of provincial interest and the definitions of the 2014 Provincial Policy Statement.

The text of the Official Plan is set out in paragraphs of explanation and numbered policies. The paragraphs of explanation are to provide further information that will assist in the interpretation of the policies and help clarify the general intent of the Plan. The policies provide guidance and, in some cases, are accompanied by explanatory visuals. The policies are to be implemented through a variety of mechanisms, including the Comprehensive Zoning By-law. **Bolded** terms throughout the text refer to statutory provincial Acts. The Official Plan must be read in its entirety, since more than one section or Schedule may apply to a particular area or matter.

Schedules 'A1' through 'A7' illustrate land use designations for the entire geographic boundary of the Township. Schedules 'B1' through 'B5' illustrate land use designations for the Settlement Areas within the Township.

Schedules 'A1' to 'A4' and 'B1' to 'B5' contain land use designations which provide the fundamental policy direction for future land use.

Schedules 'A5', 'A6', and 'A7' contain land use designations which overlay the land use designations shown in Schedules 'A1' to 'A4' and 'B1' to 'B5'. Overlays provide information with respect to the specific location of features and provide policies with respect to those features. Areas showing Woodlands, Wildland Fire Hazard Areas, and Source Protection Vulnerable Areas are also subject to the underlying policies in the Land Use Designation Policies Section of this Plan.

## Section 2 Basis of the Official Plan

As a lower-tier municipality, the Township of Leeds and the Thousand Islands is subject to the policies of the United Counties of Leeds and Grenville Official Plan (“the Counties Official Plan”), which was adopted on July 23, 2015, and was approved by the Ministry of Municipal Affairs and Housing on February 19, 2016. The policies of the Counties Official Plan are further implemented through the land use and development policies in the lower-tier municipal Official Plans. This Official Plan was written to conform to the Counties Official Plan, however, in reading this Plan, there may also be a need to make reference to the Counties Official Plan.

The Township’s geographic location is strategic from a growth and development perspective given its proximity to the United States via the Thousand Island Bridge, and its central location between the City of Ottawa and the City of Toronto with easy access from Provincial Highway 401.

The following fundamental elements form the basis of the Official Plan:

1. The 2014 Provincial Policy Statement is the basis for provincial interests reflected in the policies of this Plan as well as the procedures for the review of planning applications set out in the **Planning Act** and various Ontario Regulations enacted under the authority of the Act.
2. The natural beauty of the Township’s physical features and environment is a key element which contributes to the current quality of life. This quality will continue to play a major role in the area’s economic development. Recognition in 2002 by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as a Frontenac Arch Biosphere Reserve, in which the Township is entirely geographically situated, is an acknowledgement of the area’s global importance in demonstrating a balanced relationship between people and nature.
3. This Official Plan recognizes the Rideau Canal’s national and international significance as a National Historic Site, Canadian Heritage River, and UNESCO World Heritage Site, and related stewardship responsibilities.
4. The Township is unique in the Algonquin to Adirondacks (A2A) Region, due to it being a pinch-point in the Frontenac Axis, its wide variety of habitat types, its high level of overall biodiversity and presence of Species at Risk, and its location along the St. Lawrence River. The Township recognizes that its stewardship responsibilities respecting natural heritage will serve to enhance the A2A link.



5. Ground and surface water resources are essential to the community's physical and economic health. Many residents rely on groundwater sources for potable water supplies. Surface waters of the St. Lawrence River, the Rideau Canal, Charleston Lake, Red Horse Lake, and other inland water bodies are important drinking water, biological, recreational, scenic, and economic resources. All of water resources require protection and wise use.
6. Resources, such as agriculture, mineral, forestry, waterways, and trails provide economic opportunities for residents and require careful management and protection to help ensure sustainability and minimize negative impacts related to development, growth, degradation.
7. The Township is growing and has experienced a slight increase in population over the past several years, while several other municipalities within the Counties have declined in population. The 2016 population of the Township was 9,465, which represents an increase of approximately 2.0% from the 2011 population of 9,277, based on data from Statistics Canada. Based on growth allocations established for the lower-tier municipalities in the Counties Official Plan, the Township of Leeds and the Thousand Islands' population is expected to grow to 9,990 by the year 2031, representing an increase of 525 persons or 5.25% from 2016. The number of occupied housing units is also expected to increase from 3,700 in 2011 to 4,100 by the year 2031, representing a potential need to accommodate 400 additional housing units within the Township.

In 2011, the number of jobs in the Township was 1,860. The Counties Official Plan projects the number of jobs in 2031 would be 1,840, representing a decrease in employment by 20 jobs to the year 2031.

8. Current trends are for development and redevelopment in desirable, but sensitive, locations. Ongoing and future development pressure will require increasingly diligent review and assessment of applications to ensure that new development blends in and results in minimal impacts.
9. The 2014 Provincial Policy Statement defines "settlement areas" as urban areas and rural settlement areas within municipalities (such as cities, town, villages and hamlets) that are: built up areas where development is concentrated and which have a mix of land uses; and lands which have been designated in an official plan for development over the long-term planning horizon in policy 1.1.2 of the 2014 Provincial Policy Statement.

Consistent with the Counties Official Plan and in order to promote their vitality and revitalization, this Plan focuses growth and development in the Township in the existing historical settlement areas of Lansdowne, Lyndhurst, Rockport,

Seeley's Bay, and Ivy Lea, as illustrated on Schedule 'A1' and Schedules 'B1' through 'B5'.

10. Expansions to existing settlement area boundaries will only be considered through a comprehensive review of this Plan and the Counties Official Plan. In accordance with the Counties Official Plan, the Township may undertake a review of local municipal growth allocation and the need for boundary adjustments of its settlement areas to reflect the most appropriate locations for growth, provided that the recommended boundary adjustments maintain or reduce the aggregate amount of land within the designated settlement areas.
11. This Plan also recognizes the desire of some residents for a rural lifestyle and allows for limited residential development in the rural area, as well as some commercial and industrial development, where appropriate. The rural area will continue to be the focus for agriculture, forestry, and natural resources.
12. This Plan recognizes the desire of permanent and seasonal residents to enjoy a lifestyle associated with the pristine natural beauty of the Township and the waterfront areas of the St. Lawrence River, the Rideau Canal, Charleston Lake, Red Horse Lake, other inland water bodies and islands. It is the intent of this Plan to promote responsible development in these areas to ensure the ecological integrity and beauty of the natural resources are maintained and enhanced, now and for future generations.
13. Many of the important natural heritage features and areas have been identified and will be addressed through designation and/or policy. Other features and areas comprising the natural heritage system within the Township still require delineation and will require other approaches to protection.
14. The Township recognizes the fundamental importance of the business community, particularly in relation to its contributions to the tax base and providing local employment, but also to the agriculture, tourism, and recreation sectors of the economy. The Township seeks to support the creation and economic health of local enterprises, as well as to ensure that unacceptable environmental impacts and land use conflicts are not generated through their activities. This is particularly important in settlement areas, and adjacent to the St. Lawrence River where a wide land use mix is found within relatively small areas.
15. While industrial lands are designated and available in Lansdowne, and are permitted in the Rural designation, the Township may consider the establishment of an industrial/business park in the future.



16. The Township of Leeds and the Thousand Islands is a preferred tourist destination. Strengthening the viability of the existing business base is key to achieving continued tourism development.
17. The intent of the Official Plan for the Township is to provide as much clarity as possible in guiding applicants through the development approvals process.
18. A balance between regulation and education is essential to the successful implementation of this Official Plan.



## Section 3 Purpose, Goal, and Objectives

### 3.1 Township Vision Statement

The Township of Leeds and the Thousand Islands embraces a mandate to preserve, enhance, and celebrate its diverse history, scenic beauty and natural resources in the development of its future. While doing so, the Township will pursue initiatives to foster the development of a model community – an equitable, financially sound, health-promoting, and environmentally responsible community in which to live, to work, and to play for present and future residents. The Township recognizes it covers a large geographic area with multiple settlement areas and geographic areas with unique character, history, development characteristics, pressures, and needs.

The goals and objectives of this Plan have been developed to foster the achievement of this fundamental vision.

### 3.2 Goal

The Township of Leeds and the Thousand Islands recognizes the fundamental importance of and inextricable link between environmental protection and community economic development. The overall goal of this Official Plan is to satisfy the community’s economic needs and desires, while maintaining or enhancing the environment and the historic and natural beauty of the area.

### 3.3 Objectives

The objectives of this Official Plan are as follows:

1. Growth and development shall be focused and encouraged within the settlement areas to strengthen their role as local industrial, commercial, residential, social, and cultural centres for the Township, as well as to enhance their function in providing services and facilities that cater to tourists.
2. The rural area shall accommodate limited residential, commercial, and industrial development, where appropriate.
3. The development of healthy, complete communities shall be promoted to support residents of all ages and abilities within the Township. Complete communities are places that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, services, a full range of housing, transportation options, and public service facilities.



4. The policies of this Official Plan shall support age-friendly and family-friendly community planning. The Township recognizes the interaction between housing, transportation, outdoor spaces and buildings, and other aspects of the physical and social environment in influencing residents' mobility, independence, health, and quality of life.
5. Provision shall be made for a full range of housing types and densities to meet the projected demographic and market requirements of current and future residents, and to provide for improved affordability and accessibility in housing options.
6. Steady, diversified and balanced economic growth shall be encouraged to build a strong economic base. The Township shall be known as being open for business.
7. The Township shall ensure a wide range of employment opportunities to encourage young people to choose to stay in, or return to, the Township.
8. Land use designations and related policies are intended to foster economic growth and diversification, including opportunities for agriculture, home-based tourism-based, service-based, and knowledge-based businesses, among other sectors.
9. New and existing local businesses and agricultural operations shall be supported in the Township's growth and development.
10. Land requirements and land use patterns shall be based on the provision of sufficient land for industrial, commercial, residential, recreational, open space, and institutional uses to promote employment opportunities.
11. Infrastructure, community services and public facilities should be provided effectively, compatibly and affordably.
12. The policies of this Official Plan are intended to ensure compatibility between land uses.
13. Development in the municipality should be sustainable so that the quality of the natural and human-made environment is maintained or improved for future generations.
14. In reviewing development proposals, the Township shall consider the potential impacts of climate change and increased risks associated with development



near natural hazards, as well as the importance of adaptation and mitigation responses.

15. The natural beauty of the area shall be preserved for the enjoyment of residents, tourists, and future generations.
16. Natural heritage features and areas shall be identified, preserved and enhanced.
17. The community's water resources shall be protected.
18. Community access to waterfront areas shall be enhanced or provided, where feasible.
19. Development shall be directed away from areas of human-made and natural hazards but, where development is permitted, it shall be designed to protect people and property.
20. Prime agricultural land shall be protected for continued agricultural use.
21. Resource lands shall be protected and utilized in a controlled and orderly manner.
22. Historical and cultural attributes of the municipality shall be preserved and enhanced.
23. The natural, cultural, and scenic values of the Rideau Canal as a National Historic Site, Canadian Heritage River, and UNESCO World Heritage Site will be conserved and enhanced.
24. The Township shall strive for excellence in customer service and response.



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## Section 4 General Land Use Policies

The General Land Use policies contained in this section are intended to address development issues which are common to more than one land use designation. Where relevant, these policies apply in addition to those policies established under the specific land use designation.

### 4.1 Accessibility

1. Universal physical access to publicly accessible spaces and buildings shall be ensured, where possible, by:
  - a) Creating a connected network of streets, parks, and open spaces that are universally accessible, including sidewalks with unobstructed pathways and curb cuts on all Township streets. Universal accessibility refers to spaces and buildings that are inherently accessible to people with and without disabilities and/or special mobility needs.
2. Notwithstanding policy 1 of this Section, it may not be possible or practical in all cases to ensure universal accessibility, as:
  - a) Some public buildings and open spaces perform functions that are incompatible with wide-open public access, for example water treatment plants and waste transfer stations;
  - b) In some natural heritage areas, creating public access may damage natural features and ecological functions; and
  - c) Some locations are largely inaccessible due to adverse topography such as steep slopes, and in the absence of benign non-intrusive technology, making them accessible would be impractical.

### 4.2 Accessory Uses, Buildings, or Structures

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

### 4.3 Alternative and Renewable Energy Systems

Various forms of alternative energy systems and renewable energy systems can generate thermal and electrical power on a site-specific basis, or as part of a more expansive utility grid system, thereby providing environmental, social and economic benefits. Ontario's **Green Energy Act, 2009** was passed into law on May 14, 2009.



Through its regulations, in particular Ontario Regulation 359/09, a framework is established for approvals of various types of renewable energy projects which are thereby exempt from municipal approvals. However, municipalities still have an opportunity to be consulted through the provincial Renewable Energy Approval (REA) process.

1. Alternative and/or renewable energy systems shall be permitted in all land use designations within the Township, subject to the development and use of the alternative and/or renewable energy systems being in accordance with federal and provincial requirements, including appropriate separation distances to address land use compatibility.
2. A renewable energy project, testing facility, or testing project, as defined in subsection 1(1) of the **Planning Act**, is exempt from the provisions of the Act, except as set out in subsection 62.0.2 of the Act. Council will encourage a consultative process between the Township and the proponent in the installation of renewable energy systems. Development of renewable energy systems will be encouraged to consider safe access to a lot, adequate lot size, setbacks that are consistent with zoning standards, access to and conservation of other natural resources (i.e. agricultural land, minerals, mineral aggregates, and natural heritage features and areas), and compatibility with surrounding land uses, in accordance with the Compatibility and Built Form Section of this Plan.
3. The Township will review and provide comments to the proponent with respect to servicing, infrastructure, or any other matter related to a proposed renewable energy project for which a provincial REA is required, as per any applicable regulation adopted under the **Green Energy Act, 2009**. The proponent must then supply the Township's comments to the province with their REA Application.

#### 4.4 Community Gardens

The Township recognizes the reality of rising food costs, and a growing desire across the Township for local food production. The Township shall encourage community gardens as important resources to the community and as an attractive alternative food source for residents.

1. The Township shall support community gardens by:
  - a) Permitting community gardens in the following designations: Residential, Multi-Residential, Mixed Use, Institutional, Open Space, and Rural;



- b) Promoting community gardens in all development/redevelopment initiatives; and
- c) Supporting the identification of sites, including Township parks and institutional sites, such as schools, for the establishment of community gardens.

### 4.5 Community Hubs

- 1. The Township supports and encourages the co-location of public service facilities within community hubs, where appropriate, in order to promote cost-effectiveness and facilitate service integration and access to active transportation facilities. Community hubs are especially encouraged within the settlement areas.

### 4.6 Compatibility and Built Form

Introducing new development in existing areas, in particular through intensification, requires a sensitive approach and consideration of the area’s established uses and character. While land use designations and the implementing Zoning By-law help to ensure that compatible uses are co-located and incompatible uses are appropriately separated, it is also important that proposed development be compatible with existing surrounding uses and built form.

Compatible development means development that, although not necessarily the same as existing development in the vicinity, is complementary or enhances an established community and coexists with existing development without causing undue adverse impacts on surrounding properties. Compatibility can be achieved in a variety of ways, such as the provision of appropriate setbacks, buffering features, and transition in building height and massing.

#### 4.6.1 General

- 1. In reviewing all types of development and redevelopment applications, Council shall be satisfied that the proposed development is compatible with the surrounding uses, built form, and general character of the area.
- 2. Compatibility of new development should be assessed based on the following criteria:
  - a) Height and massing: Building height, massing, and scale should be assessed based on the planned or existing uses of adjacent properties, as



well as the character established by the prevailing pattern of abutting development and development that is across the street;

- b) Landscaping: Landscaping may be required as a buffer between uses and shall be of a sufficient depth as determined through the Zoning By-law;
- c) Lighting: The potential for light spill over or glare onto adjacent light-sensitive areas or the sky must be minimized;
- d) Noise and air quality: The development should be located and designed to minimize the potential for significant adverse impacts on adjacent sensitive uses related to noise, odours, and other emissions;
- e) Outdoor amenity areas: The privacy of outdoor amenity areas of adjacent residential units must be respected;
- f) Parking: Adequate on-site parking must be provided in accordance with the provisions of the Zoning By-law, with minimal impact on adjacent uses. For higher density development within settlement areas, the Township may consider permitting reduced standards for on-site parking, or off-site parking, where accommodation of on-site parking is not possible;
- g) Safety: The development should be designed with the principles of Crime Prevention Through Environmental Design (CPTED) and other best practices, to ensure that opportunities for crime and threats to public safety are reduced or minimized. CPTED is a proactive design philosophy based on the belief that the proper design and effective use of the built environment can lead to a reduction in the fear and incidence of crime, as well as an improvement in the quality of life (CPTED Ontario, 2014);
- h) Setbacks: Prevailing patterns of rear and side yard setbacks, building separation, landscaped open spaces, and outdoor amenity areas as established by existing zoning where the proposed pattern is different from the existing pattern of development;
- i) Shadowing: Shadowing on adjacent properties must be minimized, particularly on outdoor amenity areas;
- j) Traffic impacts: The road network or waterbody in the vicinity of the proposed development can accommodate the vehicular or boat traffic generated;



- k) Transition: The need to provide a transition between areas of different development intensity and scale, including through the use of incremental changes in building height, massing, setbacks and step-backs;
- l) Vehicular access: The location and orientation of vehicle access must take into account impact on adjacent properties including noise, glare, and loss of privacy, as well as safety of pedestrians and pedestrian access.

**4.6.2 Design Guidelines**

The Township may undertake the preparation of Design Guidelines for certain areas within the Township, such as the settlement areas, waterfront lands, and/or for certain land uses, such as commercial. The Design Guidelines would be prepared as a separate document, and in consultation with the public and would be approved by Council. The intent of the Design Guidelines is to develop a list of criteria that can be used in the design stage by owners/developers, and by the Township to evaluate development applications to ensure that the broader goals, objectives, and intent of the policies of this Plan are met, while ensuring compatibility with adjacent land uses and that the prevailing character and built form of an area is maintained or enhanced.

**4.6.3 Industrial Facilities and Sensitive Land Uses**

1. Proponents of industrial development may be required to provide supporting technical studies, to assist in the evaluation of proposed developments, and where applicable, to determine influence areas, address potential impacts, and identify appropriate separation distances and other mitigation measures. Consideration may also be given to the extent to which increased site plan requirements can reduce the potential impacts.
2. Separation distances between sensitive land uses and potentially conflicting land uses shall be measured in accordance with the Ministry of the Environment, Conservation and Parks (MECP) Guidelines.

Class I Industrial Facility: means a place of business for a small scale, self-contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage.



**Class II Industrial Facility:** means a place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e. it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

**Class III Industrial Facility:** means a place of business for large scale manufacturing or processing, characterized by large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.

Appendix A of the MECP's D-6 Compatibility between Industrial Facilities Guideline provides classification criteria and examples to categorize a specific industry.

The following minimum separation distances shall apply between industrial uses and residential or other sensitive land uses:

- a) Class I Industrial Facilities: 20 m
  - b) Class II Industrial Facilities: 70 m
  - c) Class III Industrial Facilities: 300 m
3. In the absence of technical studies which identify an actual influence area, separation distances required between industrial uses and residential or other sensitive land uses shall reflect the following potential influence areas:
- a) Class I Industrial Facilities: 70 m
  - b) Class II Industrial Facilities: 300 m
  - c) Class III Industrial Facilities: 1,000 m
4. Proponents may be required to provide buffering measures such as landscaping, plantings, and fencing to minimize the impact of the industrial activity.



#### 4.6.4 Minimum Distance Separation (MDS) – Agricultural Uses and Cemeteries

Minimum Distance Separation (MDS) formulae are established by the Ontario Ministry of Agriculture, Food and Rural Affairs and set out in The Minimum Distance Separation (MDS) Document, as amended.

1. Agricultural uses and development applications adjacent to these uses are subject to the application of the MDS I and II formulae to separate sensitive land uses from livestock facilities.
2. In accordance with MDS Implementation Guideline #35, MDS I and II setbacks shall be required for certain agriculture-related uses, on-farm diversified uses, and agricultural uses that are typically characterized by a higher density of human occupancy or activity, or are uses that generate significant visitation by the broader public to an agricultural area. Specific uses that will be required to meet these setbacks, as well as any associated provisions, will be established in the Zoning By-law.
3. In accordance with MDS Implementation Guideline #36, MDS I and II setbacks do not apply within settlement areas.
4. Closed / abandoned cemeteries shall be subject to MDS II formulae and shall be treated as Type A uses.

#### 4.6.5 Patrol Yards

1. Only those lands that are compatible with the operation of a patrol yard will be permitted to locate adjacent to, and in close proximity to, the existing Provincially-owned and operated patrol yard located at 513 Reynolds Road (County Road 3) in Lansdowne.

#### 4.6.6 Railways

The following policies are included based on CN Rail's "Municipal Policy Recommendations" document, received on April 25, 2018.

1. Council acknowledges the importance of the rail infrastructure in the Township and recognizes its critical role in long-term economic growth, and the efficient and effective movement of goods and people. Council shall ensure that the continued viability and ultimate capacity of the rail corridor is protected, and shall identify and support strategic infrastructure improvements, such as targeted grade separations.



2. Sensitive land uses shall be discouraged adjacent to or in proximity to rail facilities.
3. All proposed development of residential or other sensitive land uses within 300 metres of a railway right-of-way shall be required to undertake noise studies, to the satisfaction of the Township in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that are identified. All available options, including alternative site layouts and/or attenuation measures, shall be thoroughly investigated and implemented, if practicable, to ensure appropriate sound levels are achieved, particularly with respect to the 55 dBA outdoor living area criterion.
4. All proposed development of residential or other sensitive land uses within 75 metres of a railway right-of-way shall be required to undertake vibration studies, to the satisfaction of the Township in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that are identified.
5. All proposed development adjacent to railways shall ensure that appropriate safety measures, such as setbacks, berms, and security fencing are provided, to the satisfaction of the Township in consultation with the appropriate railway. Where applicable, the Township shall ensure that sightline requirements of Transport Canada and the railways are addressed.
6. Implementation and maintenance of any required rail noise, vibration, and safety impact mitigation measures, along with any required notices of title such as warning clauses and/or environmental easements, shall be secured through appropriate legal mechanisms, to the satisfaction of the Township and the appropriate railway.

#### **4.6.7 Sewage Treatment Plants/Disposal Sites and Sensitive Land Uses**

1. A minimum separation distance of 100 m is recommended where residential or other sensitive land uses are proposed in proximity to a municipal sewage treatment plant or a sewage disposal site.
2. A minimum separation distance of between 100 m and 400 m is recommended where residential or other sensitive land uses are proposed in proximity to a waste stabilization pond, depending on the type of pond and characteristics of the waste.
3. Compatibility will be assessed in accordance with the Sewage Disposal Sites Section of this Plan and the Ministry of the Environment, Conservation and

Parks Guideline D-2: Compatibility between Sewage Treatment and Sensitive Land Use.

#### 4.6.8 Waste Disposal Sites and Sensitive Land Uses

1. Any sensitive use proposed within 500 m of an active or former waste disposal site or other waste management system shall require the submission of technical studies, to the satisfaction of Council, to establish the potential hazards, adverse effects, or health and safety risks that may result from these facilities. The required technical studies shall also provide recommendations regarding the appropriate mitigation measures, including setbacks, development standards, monitoring requirements, or other remedial measures to prevent adverse effects and minimize risk to public health and safety.
2. Compatibility will be assessed in accordance with the Waste Disposal Sites Section of this Plan and the Ministry of the Environment, Conservation and Parks Guideline D-4: Land Use on or Near Landfills and Dumps.

### 4.7 Crown Lands and National and Provincial Parks

#### 4.7.1 General

The Ministry of Natural Resources and Forestry (MNR) is responsible for the administration of Crown lands, pursuant to the **Public Lands Act**. This includes acquisition, disposition, and management of Crown lands and water. The beds of navigable waters, including lakes, rivers and streams, are Crown lands (unless otherwise identified).

The Ministry of Energy, Northern Development and Mines (MENDM) is responsible for mining rights on Crown land, pursuant to the **Mining Act**. Specifically, MENDM is responsible for issuing mining leases, exploratory licences of occupations (ELOs), mining claims, and other forms of land tenure on Crown land. Crown lands are illustrated on Schedule 'A1' of this Plan. The following policies will apply:

1. The use and development of Crown land will take place in accordance with the land use management policies of the MNR and MENDM.
2. Where a change in land use is proposed, the MNR and MENDM shall consult with the municipality and have regard for the policies of this Plan before carrying out, or authorizing any undertaking that will affect the municipality.
3. The Township will support coordination of municipal and Crown approval processes wherever possible.



4. Should holdings of Crown lands be leased or disposed, the underlying designation and associated policies of this Plan and the provisions of the Zoning By-law shall apply to the use of those lands. Change of land use following lease or disposition of Crown lands may require an Official Plan amendment and/or Zoning By-law amendment.

#### 4.7.2 National and Provincial Parks

National and Provincial Park lands are identified on Schedules 'A1' and 'A2' of this Plan.

1. Thousand Islands National Park

The Thousand Islands National Park has been a contributing factor to the regional economy and its natural heritage attributes provide a redeeming long term economic return to the community.

The preservation of the national park as a sustained contributor to the tourism economy must be given the highest priority in land use decisions. The continuing success of the park will be achieved by developing partnerships with federal, provincial, local agencies and private landowners and through a regional communications program that enhances public understanding of the ecosystem concept.

The Park will be positioned in the regional market as a leader in heritage presentation and preservation. Partnership and co-operation with the private and public sectors are the key to reaching the local residents and regional tourists.

Within the Township, the following islands, or parts thereof, form part of Thousand Islands National Park: Grenadier, Thwartway, Aubrey, Mermaid, Camelot, Endymion, Beaurivage, Gordon, Mulcaster, Lindoe, Constance, and Georgina Islands, as well as parts of Hay, Lindsay, McDonald and Hill Island. The Park also holds mainland properties near Landon Bay, La Rue Mills Road, Lee's Pond, and Haw's Road.

2. Charleston Lake Provincial Park is the only Provincial Park located within the municipality.
3. Council recognizes that the use and development of National and Provincial Park lands will take place in accordance with applicable legislation, associated Regulations and Parks Canada, Ministry of Natural Resources and Forestry, and St. Lawrence Parks Commission policies. The Township shall strive to ensure the surrounding development on the private land that surrounds these



parks reflects the need for connections between the natural heritage values within the parks and the larger ecosystem.

### 4.7.3 Cataraqui Region Conservation Authority Lands

1. Cataraqui Region Conservation Authority Lands are identified on Schedules 'A1', 'A2', and 'B4' of this Plan. Council recognizes that the use and development of Cataraqui Region Conservation Authority lands will take place in accordance with applicable legislation, regulations, and policies of the Cataraqui Region Conservation Authority.

## 4.8 Cultural Heritage and Archaeological Resources

### 4.8.1 Definitions

"Built heritage resources" and "cultural heritage landscapes" are defined in the 2014 Provincial Policy Statement and in this Plan as follows:

Built heritage resources: means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the **Ontario Heritage Act** or included on local, provincial and/or federal registers.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the **Ontario Heritage Act**, villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site).

"Archaeological resources" and "areas of archaeological potential" are defined in the 2014 Provincial Policy Statement as follows:

Archaeological resources: includes artifacts, archaeological sites, marine archaeological sites, as defined under the **Ontario Heritage Act**. The identification



and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the **Ontario Heritage Act**.

Areas of archaeological potential: means areas with the likelihood to contain archaeological resources. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The **Ontario Heritage Act** requires archaeological potential to be confirmed through archaeological fieldwork.

#### 4.8.2 General

The Township of Leeds and the Thousand Islands has a rich history of cultural heritage and archaeological resources, from the early settlers and Indigenous peoples of canal building, agriculture, and the development activity generated by its many lakes and rivers.

Recognition and preservation of the built heritage and archaeological resources and cultural heritage landscapes of the Township is important to residents and tourists alike, and helps to inform and guide development in a way that is respectful of that history.

1. The Township shall adopt By-laws pursuant to the provisions of the **Ontario Heritage Act** which would:
  - a) Designate individual buildings, structures, sites, and landscapes as heritage properties under Part IV of the Act;
  - b) Define parts of the Township as areas to be studied for designation as Heritage Conservation Districts; and
  - c) Designate groups of buildings and areas of the Township as Heritage Conservation Districts under Part V of the Act.
2. The Township shall maintain a municipal register of properties, districts, and landscapes, and other resources of cultural heritage interest or value (the Heritage Register), including any properties designated under Parts IV and V of the **Ontario Heritage Act**. Non-designated properties that Council believes to be of cultural heritage value or interest may also be included on the municipal heritage register.
3. Significant built heritage resources and cultural heritage landscapes shall be identified and conserved, when development and infrastructure decisions may affect these resources.



4. Where development or site alteration is proposed that may impact a significant cultural heritage resource or landscape, or on a property adjacent to or fronting a protected heritage property, the Township shall require an applicant to undertake a Heritage Impact Assessment. The Heritage Impact Assessment shall be conducted by a qualified professional with expertise in the conservation of cultural heritage resources to:
  - a) Identify the positive and adverse impacts on the cultural heritage resource that may be expected to occur as a result of the proposed development; and
  - b) Describe alternative development approaches, mitigation measures, and conservation methods that may be required to prevent, minimize or mitigate the adverse impacts.

#### 4.8.3 Archaeology

1. Areas of archaeological potential are determined through the use of provincial screening criteria, or potential mapping. Provincial screening criteria include the consideration of factors such as proximity to known archaeological sites, burial sites or cemeteries, present or past water sources, well-drained sandy soil, elevated topography, distinctive landforms, resource extraction areas and historic transportation routes or other places of past human settlement.
2. Records of known archaeological sites are maintained by the Ministry of Tourism, Culture and Sport (MTCS). Any sites occurring within the Township will be made known to staff and will be used for planning purposes, but are not shown on the Schedules of this Plan as they are regarded as confidential.
3. In recognition of the history and culture of the people of the Township of Leeds and the Thousand Islands, Council shall:
  - a) Maintain the integrity of archaeological resources by adopting a by-law 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;
  - b) Ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Culture, Tourism and Sport (MTCS) and the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (MGCS), when an identified marked or unmarked cemetery is affected by land use development. The provisions under both **Funeral, Burial and Cremation Services Act** and the **Ontario Heritage Act** shall apply where appropriate; and



- c) Work with the United Counties of Leeds and Grenville to regularly update mapping under the provisions of a municipal-provincial data sharing agreement as new archaeological sites are identified from land development and on the Provincial archaeological sites database.
4. Where a development proposal or site alteration is proposed on lands containing archaeological resources or is within an area considered to have archaeological potential, the Township shall require an applicant to undertake an archaeological assessment of the lands to determine the nature and extent of any archaeological resources on the site. The archaeological assessment shall be conducted by an archaeologist licensed under the **Ontario Heritage Act**, and shall be in compliance with the Standards and Guidelines for Consultant Archaeologists set out by the MTCS, as well as licensing requirements developed under the **Ontario Heritage Act**. The archaeological assessment shall be submitted to the Township and the Ministry.
5. Where archaeological resources are found on lands to be developed, further archaeological assessment may be required. Significant archaeological resources shall be conserved by avoiding impacts and through long-term protection, or through documentation and removal.
6. Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the **Ontario Heritage Act**.
7. Due to the number, type, and location of waterbodies within the Township, particularly the St. Lawrence River, there is potential for a wealth of marine archaeology resources. The Township shall require a marine archaeological assessment to be conducted by a licensed marine archaeologist pursuant to the **Ontario Heritage Act** if partially or fully submerged marine features of cultural heritage value, such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft, and other items of cultural heritage value, may be impacted by shoreline and waterfront developments. The assessment must be consistent with the guidelines set out by the MTCS, as well as licensing requirements developed under the **Ontario Heritage Act**.
8. Development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if all significant archaeological resources have been conserved by removal and documentation, or preservation on site. Conservation methods shall be in keeping with the recommendations of a licenced archaeologist and may include: in situ preservation, on-site mitigation measures and/or documentation and removal/excavation, and/or other such provincially approved methods.



9. The Township shall evaluate for the presence of archaeological potential on the basis of the current provincial screening criteria established by the Province, and may consult with the Ministry and/or a licensed archaeological from time to time in making such determination.
10. Applications for Official Plan and Zoning By-law amendments, plan of subdivision, plan of condominium, minor variances, or consent, as well as for the undertaking of new infrastructure works (e.g. new road, road widening, municipal or communal water or sewage systems, waste disposal sites, etc.) shall be screened by the Township for:
  - a) their archaeological potential, using the criteria established by the MTCS. At the time of the adoption of this Plan, the criteria have been set out in the document entitled "Criteria for Evaluating Archaeological Potential: A Checklist for the Non-Specialist"; and
  - b) their marine archaeological potential, using the criteria established by the MTCS. At the time of the adoption of this Plan, the criteria have been set out in the document entitled "Criteria for Evaluating Marine Archaeological Potential: A Checklist for Non-Marine Archaeologists".
11. The Township may consider undertaking the preparation of an Archaeological Management Plan for the conservation of archaeological resources and areas of archaeological potential.

## 4.9 Economic Development

The United Counties of Leeds and Grenville's Official Plan, Section 2.6 – Economic Development recognizes the wide opportunities for economic development from various land use sectors to create complete communities.

### 4.9.1 General

1. Council intends to increase its efforts to promote the Township's non-residential development potential, such as agriculture, recreation, and tourism, commercial, industrial, service-based, and knowledge-based businesses, among other sectors; the aim of such efforts is to strengthen the municipality's financial position, provide enhanced employment opportunities for residents and increased local access to a wider range of goods and services.
2. Agriculture is recognized as a significant economic driver in the Township. Specific policies are included in the Agriculture Section and the Agricultural Uses in the Rural Area Section of this Plan.



3. Commercial and industrial uses shall be encouraged within Settlement Areas and the Rural designation, in accordance with the policies of those land use designations.

#### **4.9.2 A Recreational and Tourism Hub**

Economic growth in the Township is most likely to succeed if it builds upon the existing strengths and economic base of the community. Leeds and the Thousand Islands is already a long-established recreational and tourist destination. In recognition of existing and potential tourism opportunities, Council shall seek to foster growth of the Township as a recreational and tourist hub for the mutual benefit of both residents and tourists to the area. In particular, Council shall endeavour to do the following:

1. Encourage and work with government bodies, boards, commissions, committees, business organizations, private investors and non-profit groups and associations with an interest in tourism in Leeds and the Thousand Islands, to expand and market the Township as a tourist and recreation destination. Numerous organizations such as Parks Canada, Cataraqui Region Conservation Authority, St. Lawrence Parks Commission, the Biosphere Network, various provincial ministries as well as business, ratepayers, lake, sporting, conservation and other associations, play a direct or indirect role in supporting tourism and recreational objectives and are the Township's partners in this common interest.
2. Build upon the key recreational and tourism foundations – the Rideau Canal, St. Lawrence River, extensive lake system, Charleston Lake Provincial Park, the 1000 Islands Parkway and other trail systems and various conservation and public park facilities, as illustrated on Schedules 'A1' and 'A2'.
3. Support policies and initiatives to foster growth in the provision of tourist accommodation, restaurant facilities, and service and retail facilities oriented to seasonal residents and the touring or travelling public.
4. Support and encourage the development of linkages between recreational trails, settlement areas, tourist attractions, points of interest and areas of scenic or environmental interest, both within and outside the Township.
5. Undertake and support tourism, recreational, heritage, community improvement and economic development studies and programs and actively promote the Township's opportunities as a year-round recreational and tourist destination.



6. Encourage tourism initiatives such as seasonal festivals and sporting and cultural events, as well as tourism initiatives in the shoulder seasons.
7. Where feasible, enter into public-private partnerships to develop tourism-oriented projects.

#### **4.9.3 Bed and Breakfast Establishments**

Bed and breakfast establishments are encouraged as a form of short-term accommodation for tourists / travellers that are found within private homes.

1. A bed and breakfast establishment may be permitted as an accessory use within a single-detached dwelling provided the bed and breakfast is clearly secondary to the residential use.
2. The Zoning By-law shall establish appropriate provisions and standards for bed and breakfast uses.

#### **4.9.4 Home-Based Businesses and Home Industries**

Council recognizes that home-based businesses and home industries represent an effective means for expanding employment opportunities within the municipality. It is Council's intention to encourage home-based businesses and home industries and to establish appropriate guidelines to ensure that such businesses are compatible with neighbouring land uses.

##### **4.9.4.1 General**

1. The Zoning By-law shall specify the types of home-based businesses and home industries permitted and the performance standards to regulate the use and size of development or the area of the dwelling devoted to the use.

##### **4.9.4.2 Home-based Businesses**

1. Home-based businesses may be permitted as an accessory use to any residential use, or in accessory buildings, provided that they do not change the residential character of the dwelling or create or become a nuisance to other properties, such as in the form of traffic, noise, dust, odour or outside appearance of the dwelling. Appropriate zoning requirements will be developed and included in the implementing Zoning By-law.



#### 4.9.4.3 Home Industries

1. Home industries which are accessory to a residential use will be permitted in the Agriculture and Rural designations north of Highway 401, provided that they are not offensive or create a nuisance as a result of noise, hours of operations, dust, odour, traffic generation or by other means. Special provisions relating to home industries will be established in the Zoning By-law.
2. Home industries in the Rural designation north of Highway 401 shall be permitted provided that the use does not change the residential character of the dwelling or outside appearance of the dwelling or accessory building, and the outside storage of goods shall be prohibited.
3. Home industries that are agriculture-related and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations.

### 4.10 Energy Conservation, Air Quality, and Climate Change Adaptation

Climate change can be defined as a long-term change in average weather conditions, including temperature, wind patterns and precipitation (rain, snow), primarily due to increases in greenhouse gas emissions. It may result in a higher frequency and severity of extreme weather events, such as flooding. The impacts of climate change on communities are difficult to predict and will vary locally and regionally.

Several policies in this Official Plan focus on increased energy efficiency through land development and buildings, support for active transportation modes, and the promotion of mixed-use complete communities. Comprehensive mitigation strategies and adaptation strategies may be required to address the expected effects of climate change over the planning period.

1. In collaboration with the United Counties of Leeds and Grenville and agencies such as Natural Resources Canada and Health Canada, the Township may consider the preparation of a Climate Change Mitigation and Adaptation Plan that outlines:
  - a) Mitigation strategies to reduce the Township's contribution to climate change;
  - b) Adaptation strategies to assist the Township in coping with the effects of climate change on its communities; and



- c) Strategies to coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.
- 2. The Township may undertake treeplanting, landscaping, and naturalization initiatives on municipal property, where appropriate, to contribute to improved air quality and help moderate summer and winter micro-climatic conditions.
- 3. The Township shall undertake the preparation of a Conservation and Demand Management Plan in accordance with the **Green Energy Act**, in order to show leadership by considering energy conservation and efficiency within its municipal decision-making and operations.
- 4. The Township shall consider, and seek wherever practicable, LEED (Leadership in Energy and Environmental Design) certification for all new municipal buildings and for major renovations/ expansions to existing municipal buildings.
- 5. The Township shall promote alternative and renewable energy systems as accessory and standalone uses.
- 6. In reviewing planning applications, the Township shall encourage energy conservation and energy efficiency in all new developments through techniques such as green building design, building orientation to maximize passive solar energy gain, treeplanting, landscaping, and naturalization.
- 7. In reviewing planning applications, the Township shall consider the potential impacts of climate change that may increase the risk associated with development near natural hazards.
- 8. When considering development and redevelopment proposals, the Township shall promote the use of low impact development (LID) approaches and technologies, such as the use of green infrastructure to manage stormwater runoff, on-site natural features to protect water quality, and reducing hard surfaces to maximize site permeability.
- 9. Council shall support the reduction of waste from construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive reuse of older and existing building stock.



## 4.11 Existing Land Uses

### 4.11.1 Non-Conforming and Non-Complying Land Uses

There are a number of existing land uses in the Township which are legally non-conforming or non-complying. A legal non-conforming land use is a use which is not included as a permitted use for the land use designation in which the use is located, but which was legally established as of the date that this Plan was adopted.

A non-complying use is a use which is included in the permitted uses for the zone in which the use is located, pursuant to the Zoning By-law that implements this Plan, but which does not meet one or more performance standards of the zone such as those relating to yards or water setback.

1. Such structures shall be allowed to continue or be replaced in their current location, at their current size, if required.
2. The Township shall encourage maximizing compliance in the rebuilding of non-complying structures.
3. It is not the intent of this Plan to unnecessarily prevent the expansion or enlargement of existing uses which do not conform with the land use designations or related policies of this Plan.
4. Council may, where deemed advisable, zone those uses legally existing at the date of adoption of the Official Plan and/or legally existing prior to the adoption of an implementing Zoning By-law, so as to recognize the existing use, provided this does not result in an increased adverse effect on the use of adjacent lands. Adverse effects, as defined in the **Environmental Protection Act**, means one or more of:
  - a) Impairment of the quality of the natural environment for any use that can be made of it;
  - b) Injury or damage to property or plant or animal life;
  - c) Harm or material discomfort to any person;
  - d) An adverse effect on the health of any person;
  - e) Impairment of the safety of any person;
  - f) Rendering any property or plant or animal life unfit for human use;
  - g) Loss of enjoyment of normal use of property; and
  - h) Interference with normal conduct of business.



#### 4.11.2 Non-Conforming Uses and Extensions or Enlargements

In special instances, it may be desirable to permit changes to non-conforming uses or limited extensions or enlargements of non-conforming uses.

1. Applications for changes to non-conforming uses or limited enlargements or extensions to such uses shall only be considered where the use was: legally-established prior to the adoption of the Zoning By-law which rendered it non-conforming; continuous in nature since the use was established; and, located on lands owned and used in connection with the use on the day the Zoning By-law was passed. In considering applications, the following criteria shall be applied:
  - a) Any proposed change of use or extension or enlargement of the existing non-conforming use shall not aggravate the situation created by the existence of the use, especially in regard to the policies of this Plan and the requirements of the Zoning By-law applying to the area;
  - b) Any proposed extension or enlargement shall be limited in nature and in an appropriate proportion to the existing size of the non-conforming use;
  - c) The characteristics of the proposed non-conforming use or any proposed extension or enlargement of the existing non-conforming use shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation. Applications which would create or aggravate land use incompatibilities shall not be approved;
  - d) Neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc.;
  - e) Transportation routes for all users and bicycle and vehicle parking conditions in the vicinity will not be adversely affected by the proposal and pedestrian, cyclist, and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and by improvements of sight lines especially in proximity to intersections;
  - f) Adequate provisions have been or will be made for off-street parking and loading facilities;
  - g) Services such as stormwater management, roads and private sewer and water services are adequate or can be made adequate.



## 4.12 Housing and Supply of Land

### 4.12.1 General

The 2014 Provincial Policy statement requires that sufficient land be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. As further detailed in the Background Report (dated April 2018), the results of the residential vacant land analysis indicate that there is a more than sufficient supply of vacant land zoned for residential development to accommodate the projected housing unit demand of 400 housing units to the year 2031. A breakdown by settlement area and rural area is in the Background Report.

The projected housing unit demand requires 26.1 net ha, and 41.96 net ha are available. If demand increases due to new economic drivers over the planning horizon, there is 15.86 net ha of additional land supply available (i.e. 41.96 net ha – 26.1 net ha).

The Township shall consider the need to minimize oversupply of available residential lands when implementing the policies of this Official Plan.

### 4.12.2 Affordable Housing

Council recognizes that all residents have the right to safe, adequate, and affordable housing. This Plan supports and encourages a sufficient supply of housing to meet the social, health, and well-being of present and future residents, including those with special needs. This Plan also seeks to increase the supply of affordable housing in the Township, particularly within the settlement areas. The supply of housing should be varied with respect to a full range of housing types, tenures, locations, densities, and affordability, as appropriate, in order to accommodate social diversity and provide housing that meets the needs of a variety of households.

1. Council shall continue to work towards ensuring that:
  - a) A 10-year supply of land is available which is designated for residential development, infill, intensification, and redevelopment; and
  - b) A three-year supply of residential units is available through lands which are suitably zoned to facilitate residential infill, intensification, and redevelopment, and land in draft approved and registered plans of subdivision.
2. Council shall prioritize the provision of housing that is affordable and accessible to low and moderate-income households. For the purposes of the



- policies in this Section, 'affordable' is defined as housing, either ownership or rental, for which a low or moderate income household pays no more than 30% of its gross annual income. Income levels and target rents and prices shall be determined by the Township on an annual basis and shall be informed by available data from the Canada Mortgage and Housing Corporation (CMHC).
3. The Township shall implement the Counties' Housing and Homelessness Plan, 2014-2024, in coordination with the United Counties of Leeds and Grenville.
  4. On an annual basis, Council shall endeavour to achieve a minimum affordable housing target of 25% for all new residential development, including infill, intensification, and redevelopment.
  5. When evaluating proposed developments for new residential development or redevelopment, the Township may require a proponent to provide a portion of the development as affordable housing units, in order to help meet Council's minimum affordable housing target.
  6. Council encourages the provision of non-profit housing by private or non-profit housing corporation at appropriate locations, consistent with good planning principles and in keeping with the general character of the area in which they are proposed.
  7. Council shall encourage and promote the achievement of the minimum affordable housing target by implementing innovative measures to support affordable housing in the Township. These measures may include:
    - a) Density bonusing, in accordance with the policies of the Section of this Plan;
    - b) Implementing site-specific zoning standards in suitable locations and conditions;
    - c) Consideration of incorporating affordable housing in redevelopment opportunities;
    - d) Consideration of innovative housing designs or concepts, such as tiny dwellings;
    - e) Exploration of partnerships between the Township and public or private proponents in the provision of such housing;
    - f) Encouraging infill development;
    - g) Encouraging secondary dwelling units;
    - h) Using available incentive programs, such as grants available through a Community Improvement Plan or other tools permitted by the **Planning Act** or **Municipal Act**, in order to implement the policies of this Plan related to the provision of affordable housing; and



- i) Giving priority to processing of development applications from non-profit housing corporations and housing cooperatives, for housing intended for persons of low or moderate incomes.
- 8. The Township may participate in the preparation of an Affordable Housing Strategy, in partnership with the United Counties of Leeds and Grenville.
- 9. The Township shall discourage the conversion of affordable rental housing stock to a condominium, if such conversion results in a reduction in the amount of rental housing units available to an unacceptable level.
- 10. Affordable housing is encouraged in the Township in the form of garden suites, secondary dwellings, and tiny dwellings.

### 4.12.3 Garden Suites



Image source: CMHC, 2015

Garden suites are one-unit detached residential structures containing bathroom and kitchen facilities, and are designed to be portable and are accessory to an existing residential structure. Garden suites are an affordable housing type, in part, because they do not require the purchase of land. Garden suites are especially suitable for specific groups, such as seniors, because they provide affordable housing and enable older adults to live independently while

receiving informal support from family members or a caregiver in an independent unit.

The **Planning Act** enables a municipality to enact a temporary use by-law to permit a garden suite for a period of up to 20 years, with subsequent renewals as necessary.

The following policies shall apply to garden suites:

- 1. Garden suites shall be permitted in conjunction with a permitted single-detached or semi-detached dwelling. A garden suite may only be permitted as a temporary use subject to a site-specific Zoning By-law amendment. The use shall not exceed twenty (20) years from the date of passing the by-law.



2. Garden suites shall be permitted where there is adequate water and sewage capacity on the lot to service the suite.
3. Within settlement areas, garden suites must comply with the setbacks for accessory buildings, as set out in the Zoning By-law. Outside of settlement areas, garden suites must comply with the setbacks for a permitted residential use, as set out in the Zoning By-law. The Zoning By-law may set standards to limit the distance between garden suites and primary dwellings to support rural character and shared use of utilities.
4. As per the **Planning Act** regulations for garden suites, Council may require the owner of the suite or any other person to enter into an agreement with the municipality dealing with such matters related to the temporary use of the garden suite as the Council considers necessary or advisable, including:
  - a) The installation, maintenance and removal of the garden suite;
  - b) The period of occupancy of the garden suite by any of the persons named in the agreement; and
  - c) The monetary or other form of security that the Council may require for actual or potential costs to the municipality related to the garden suite.

#### 4.12.4 Group Homes

A group home is a single housekeeping unit in a residential dwelling which is intended to provide a community-based group living arrangement for three to ten persons, excluding staff or receiving family, who are supervised and receive care in accordance with their needs. The group home will be licensed or approved in accordance with provincial statutes.

1. Group homes shall generally be permitted in any land use designations which permit residential uses. Group homes shall be permitted in single-detached dwellings or in semi-detached dwellings or duplex dwellings, provided that both units are occupied by one group home operation and that the total number of residents does not exceed ten (10).
2. The Zoning By-law will specifically define permitted group homes and specify where they will be allowed. New types of group homes established by the province from time to time will be assessed in light of the policies of this Plan and added, where appropriate, to the Zoning By-law.
3. The Township shall work with the Counties and other agencies, providers, and local groups to assess the extent of the need for housing for those people with special needs and to identify lands that are available and suitable for special needs housing.



4. The Township shall support community agencies interested in pursuing funding from the Provincial government to address identified needs for special needs housing.
5. In reviewing development proposals which seek to establish, through new construction or conversion of existing structures, special needs housing, the Township shall be satisfied that the built form of the use is compatible with adjacent uses and adequate infrastructure and services are available to accommodate the use.

#### **4.12.5 Mobile Homes**

Mobile homes shall be prohibited except within an existing approved mobile home park.

Any new mobile home park or an expansion of an existing approved mobile home park shall be subject to an Official Plan amendment which shall include appropriate policies to regulate the proposed use, in addition to the following policies:

1. Adequate landscaping and lighting shall be provided to a good design standard to create a high level of amenity and there shall be a landscaped buffer strip of at least 8.0 metres in depth adjoining all boundaries.
2. Adequate provision for the storage and disposal of garbage and solid waste material shall be provided for each unit with a central facility for the park as a whole, which shall be in a convenient location for municipal collection by agreement.
3. Direct access to a major or collector road and adequate parking for both residents and visitors shall be provided.
4. The owner of the mobile home park shall ensure adequate snow removal, maintenance of facilities, surface drainage and upkeep of paving and landscaping for all areas, and shall require adequate maintenance of each mobile home in the mobile home park.

#### **4.12.6 Residential Intensification and Redevelopment**

Intensification is a means of providing opportunities for the efficient use of land through the promotion of more compact forms of development. Intensification refers to the development of a property, site, or area at a higher density than



currently exists, and can be achieved at different scales and through different types of land uses (e.g. residential, commercial, industrial, etc.).

Means of achieving intensification include:

- Redevelopment, including the reuse of brownfield sites;
- Development of vacant and/or underutilized lots within previously developed areas;
- Infill development, including lot creation;
- Modifications to an existing dwelling unit to provide for secondary dwelling units;
- The expansion or conversion of existing buildings, including for mixed use development; and
- Redevelopment with higher density (e.g. 4-plex, 6-plex, apartments).

The benefits of intensification and compact development include:

- Cost-effective provision of infrastructure and public service facilities;
- Reduced pressure for settlement area boundary expansions and encroachment into agricultural and rural areas;
- Increased accessibility to jobs, services, and everyday activities;
- Protection of environmental features;
- Reduction of the Township’s carbon footprint; and
- More vibrant and complete communities.

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

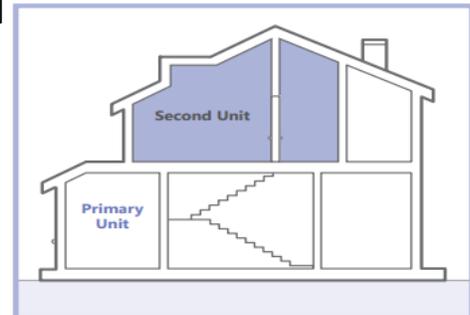
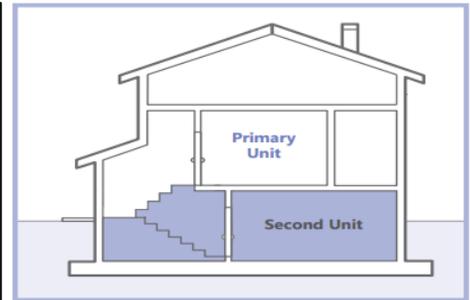
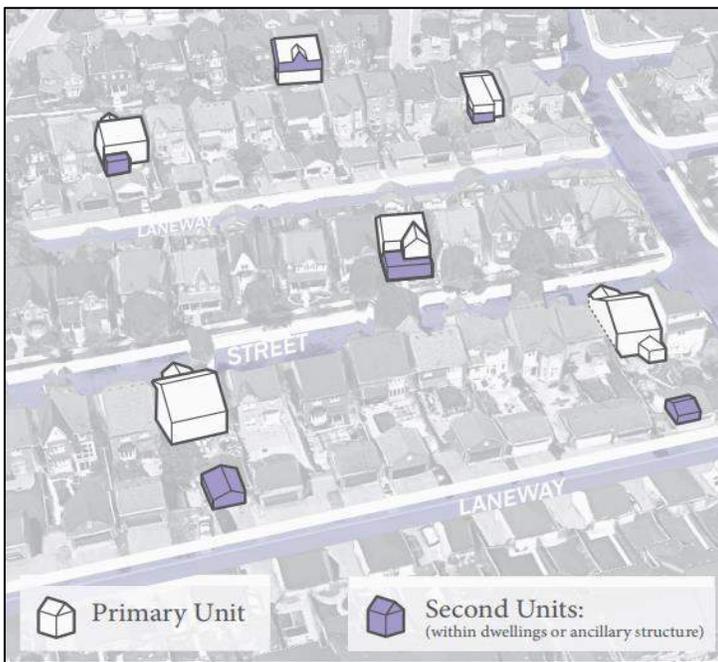
1. Intensification shall be promoted within all land use designations within the settlement areas, where appropriate, as means of making efficient use of existing land, infrastructure, and public service facilities.
2. On an annual basis, the Township shall work to achieve an overall minimum target that 20% of all new residential units within settlement areas shall be created through intensification. The Township shall monitor intensification activity on an annual basis.
3. For clarity only, as with all forms of development, the compatibility of intensification proposals in existing areas must be assessed based on the compatibility criteria outlined in the Compatibility and Built Form Section of this Plan, in order to mitigate potential adverse effects on existing uses and/or



the character of the area and will be subject to the other policies of this Plan, including servicing requirements, as applicable.

### 4.12.7 Secondary Dwelling Units

Secondary dwelling units are self-contained residential units which contain kitchen and bathroom facilities, and which are located within an existing single-detached dwelling, semi-detached dwelling, or townhouse dwelling unit, or within a structure that is accessory to the principal dwelling unit. Secondary dwelling units are also known as accessory apartments, basement apartments, or in-law suites. Secondary units are encouraged as a means of providing affordable housing.



Images source: MMAH Info Sheet, 2017  
Top right: Secondary dwelling unit contained within the primary dwelling  
Middle right: Secondary dwelling unit contained within an ancillary structure located on the same property as the primary dwelling  
Bottom right: Secondary dwelling unit contained within a primary dwelling (above ground-level unit)

1. Secondary dwelling units are permitted in single-detached, semi-detached, and townhouse dwellings on mainland lots provided that:
  - a) the principal dwelling unit is in a designation that permits the residential use;



- b) the secondary dwelling unit is located within the principal dwelling unit or a detached accessory structure (e.g. A detached garage);
  - c) The subject property is on approved private rural water/waste water, or municipal water and sanitary sewer services;
  - d) There is adequate water and sewer capacity to accommodate the second unit;
  - e) The subject property has frontage on and direct access to an improved road or right-of-way;
  - f) The subject property is a complying lot and the structure complies with all applicable provisions of the zoning by-law;
  - g) The secondary dwelling unit would not otherwise qualify as a garden suite, which is a temporary use subject to a site-specific zoning by-law amendment;
  - h) Only one secondary dwelling unit is permitted on a lot;
  - i) The secondary dwelling unit shall not be larger than the principal dwelling unit;
  - j) The secondary dwelling unit shall be designed and located in such a manner to avoid impacts on the residential character of the principal dwelling unit and surrounding neighbourhood; and
  - k) In the Rural designation, detached secondary dwelling units shall be in proximity to the principal dwelling unit and shall use the same driveway; and
  - l) The size of the dwelling is limited to ensure the goal of affordable housing is met.
2. No additional parking space is required for a secondary dwelling unit, and tandem parking in the existing driveway for the principal dwelling unit is permitted. Where a new parking space is provided, it must meet the requirements of the Zoning By-law.

#### 4.12.8 Tiny Dwellings

Council supports housing development that is innovative and compact in its design and may represent non-traditional additions to the Township's housing stock. Tiny



dwellings represent housing types that promote affordability, increased homeownership opportunities, diversity of housing stock, and availability to a broader range of demographics than traditional housing types, including young workers and families, aging residents, and residents seeking to down-size to a smaller housing type.

A tiny dwelling means a dwelling-like structure which is or has been constructed, erected or placed on a towable trailer system, such as a bumper-hitch, frame-towing hitch, or fifth-wheel connection, and cannot move (and was not designed to be moved) under its own power. A tiny dwelling is not a mobile home or a recreational vehicle/trailer.



Example of tiny dwelling. Image source: Township of Leeds and the Thousand Islands Planning Report No. PL-025-17, October 2, 2017

1. Tiny dwellings shall be permitted as principal or secondary dwelling units throughout the Township, subject to the other policies of this Plan, as applicable.
2. The Zoning By-law shall include provisions to ensure that tiny dwellings have the appearance and function of permanent residential dwellings.
3. Regardless of dwelling size, minimum lot size requirements shall be maintained, as established in the Zoning By-law or through appropriate technical studies to be submitted in the condominium, subdivision, and zoning amendment processes.

#### 4.13 Institutional Uses

1. Institutional uses such as schools, day care centres, clinics, museums, places of worship, libraries, community centres, service clubs, health care facilities, fire and police and similar public or private uses will generally be permitted in all land use designations except in Agriculture, Mineral Aggregate Resources, Mineral Resources, Industrial, within areas that are subject to natural hazards, or within or adjacent to natural heritage features and areas that form part of the Natural Heritage System, provided that the site and buildings design are in keeping with the character of the surrounding area, and the institutional use will not detract from the primary function and use of the area.



2. Institutional uses shall be encouraged to be located within settlement areas.
3. Institutional uses shall be subject to the following policies:
  - a) The land will be suitable for the proposed use;
  - b) Adequate off-street parking and loading space will be provided;
  - c) Consideration will be given to locating any institutional use that generates a significant amount of traffic in an appropriate location so that surrounding uses are not adversely affected by it;
  - d) The location and site development of institutional uses will be further controlled through the Zoning By-law; and
  - e) Institutional uses are designated as Site Plan Control areas.
4. The Township shall consider the development, redevelopment, or expansion of community-servicing and long-term health care facilities and public libraries, where practical and appropriate.

#### **4.14 Noise and Vibration**

1. All applications for development of a sensitive land use (e.g. residential, daycare, education or health care facility) in close proximity to a major noise source should be accompanied by a Noise Feasibility Study prepared by a qualified professional and/or consultant. Detailed noise studies shall be required where development is proposed within 250 m (820.2 feet) of Provincial Highway 401 or within 300 m of a railway right-of-way. Accordingly, the required studies must meet the satisfaction of Council and the railway authority having jurisdiction, clearly demonstrating whether noise levels can be reduced to meet provincial standards. Where adverse effects from noise have been identified, appropriate measures to mitigate the noise should be undertaken (fencing, berm, etc.).

Noise and/or vibration studies may also be required where development is proposed within the influence area of a stationary noise source such as an industrial use, aggregate operation, electrical generating stations, hydro transformers, water pumping stations, shooting ranges, major truck stops, sea plane bases, bus terminals, or other such use. The extent of the influence area will be determined on a case specific basis through the noise study. It is the intent of Council that these policies will apply reciprocally so that the



establishment or expansion of a use which generates significant noise will also require appropriate noise studies.

2. Noise shall be regulated in accordance with the Township's Noise By-law.

#### **4.15 Portable Asphalt Plants and Portable Concrete Plants**

1. Portable asphalt plants and portable concrete plants used temporarily on public authority contracts are permitted north of Highway 401 without amendments to the Official Plan or the Zoning By-law except in the following designations: Settlement Area; within or adjacent to natural heritage features and areas that form part of the Natural Heritage System; or within areas that are subject to natural hazards.
2. Prior to the placement of a portable asphalt plant or portable concrete plant, the operator will notify the municipality in writing of the proposed location for the plant and the anticipated completion date of the construction project.
3. Portable asphalt plants and portable concrete plants shall be subject to the following requirements:
  - a) A portable asphalt plant or portable concrete plant shall be removed from the site upon completion of the project and/or contract;
  - b) The minimum separation distance requirements of the Ministry of the Environment, Conservation and Parks shall apply and a Certificate of Approval must be obtained from the Ministry;
  - c) The site shall be rehabilitated to the former use and conditions at the end of a project and/or contract. Where a portable asphalt plant is located on prime agricultural lands, the site shall be rehabilitated for agricultural use; and
  - d) Approval of the Ministry of the Environment, Conservation and Parks shall be obtained for the discharge of water from washing or screening operations.

#### **4.16 Public Uses and Utilities**

1. Public uses necessary for the function of municipal, provincial, or federal government, including a related board, commission or agency and utilities such as power, water services, roads, railways, telecommunications and gas but not including waste disposal sites, will generally be permitted in all land



- use designations provided that such use or utility is necessary and appropriate in the proposed location and can be made compatible with surrounding uses.
2. The development of electric power facilities will occur in an orderly manner to facilitate the efficient and reliable provision of adequate electric power. It is a policy of this Plan that electric power facilities and transmission and distribution systems, are permitted in all land use designations without an amendment to the Plan provided that the planning of all such facilities is carried out having regard to the other policies of this Plan. Consultation with the municipality will be required on the location of any new electric power facilities.
  3. Secondary uses, such as active and passive recreation, community gardens, other utilities, and uses such as parking lots and outdoor storage that are accessory to adjacent land uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of the electricity transmission and distribution facilities and that secondary uses require technical approval from Hydro One Networks Inc.
  4. The Township recognizes that the installation of communication towers is required to supply, improve, and maintain the quality of service. Local Zoning By-laws cannot prevent a telecommunication tower from being constructed, since the Federal Government has the approval authority under the **Radio Communications Act**. Industry Canada recognizes the importance of considering the potential impact of communication towers on the adjacent surrounding and the community. A proponent seeking to establish a communication tower shall work with the Township and seek input from the community in accordance with Industry Canada guidelines. Where a proposed communication tower is to be located adjacent to the Rideau Canal, Parks Canada shall also be consulted.

#### **4.17 Seacans, Shipping Containers, and Storage Trailers**

Seacans can be dangerous based on various considerations including previous use, what material is stored, how they are anchored, and ability to exit them. Safe seacans may be appropriate for storage of certain materials provided the lot on which they are located is of sufficient size, the primary use of the lands is compatible with the storage use, and aesthetic concerns are addressed.

Seacans shall be discouraged in residential areas and all non-industrial designations in settlement areas. Seacans, shipping containers, and storage trailers are subject to the following policies:



1. A seacan, shipping container and storage trailer may only be used for storage as an accessory use on lands that permit industrial, commercial and agricultural uses.
2. Any seacan, shipping container or storage trailer shall be screened from view from the street, waterfront, and abutting properties through the use of landscaping materials, and be aesthetically pleasing through the use of painted colour, exterior cladding or skirting, addition of a peaked roofline and/or signage that is to the satisfaction of Council.
3. A seacan, shipping container or storage trailer shall not be placed for the purpose of display or advertising on a property.
4. For the purpose of clarity, a building permit is required for the construction and installation of a seacan, shipping container, or storage trailer, in accordance with the requirements of the Ontario Building Code.

#### 4.18 Temporary Uses

1. Temporary uses may be permitted in the implementing Zoning By-law. For example, trailers and other temporary construction facilities shall be permitted on-site during construction activities. The Zoning By-law may provide for the use of a mobile home or recreational vehicle/trailer as a temporary residence for emergency housing following the loss of a conventional dwelling, in accordance with the conditions, location, and time period prescribed in the Zoning By-law.
2. Notwithstanding the land use policies and designations of this Official Plan, Council may, in accordance with the provisions of Section 39 of the **Planning Act**, pass By-laws to authorize the temporary use of land, buildings or structures for any purpose. Any use introduced under such a Temporary Use By-law does not acquire the status of a legal non-conforming use at the expiration of the by-law(s) and at that time must therefore cease. It is not the intent of the Official Plan that Temporary Use By-laws be used to permit a new use while an amendment to the Official Plan and/or Zoning By-law is being processed to permit the use on a permanent basis. In considering applications for such temporary uses, Council will have regard for the following:
  - a) Such uses will be temporary in nature, be compatible with surrounding land uses and will not interfere with the long-term development of the area; and



- b) Appropriate controls will be placed in the implementing Zoning By-law to adequately regulate the temporary uses.

## 4.19 TransCanada Pipeline

TransCanada has two high pressure natural gas pipelines crossing the Township. TransCanada is regulated by the National Energy Board (NEB), which has a number of requirements regulating development in proximity to its pipelines. This includes approval requirements for activities within 30 m of the pipeline centreline such as:

- excavation or conducting a ground disturbance;
- constructing or installing a facility across, on, or along the pipeline right-of-way;
- movement of vehicles, mobile equipment or machinery across the pipeline right-of-way; and
- blasting, or the use of explosives.

Any development on, along, or adjacent to TransCanada pipeline facilities shall comply with the following:

1. Pre-consultation with the Township and with TransCanada or its designated representative is required for any development proposal within 200 m of TransCanada pipeline facilities.
2. The Township will encourage the development of the pipeline right-of-way as passive open space or parkland, subject to approval by TransCanada and any related conditions. Features such as, but not limited to, pedestrian pathways may be permitted as long as they do not impede TransCanada's access along its right-of-way for operational or maintenance activities, and are subject to conditions from TransCanada.
3. No permanent building or structure may be located within 7 m of the pipeline right of-way.
4. Accessory structures shall have a minimum setback of at least 3 m from the limit of the pipeline right-of-way.
5. A reduction to the required setbacks will only be considered if it is demonstrated, to TransCanada's satisfaction, that the development will not compromise the safety and integrity of the pipeline, and the required municipal approvals are obtained.



## 4.20 Tree Protection

1. Trees along roads and on private property are an important part of what constitutes rural character. Woodlands and forests also have great ecological significance. Some property owners have entered into agreements under the **Woodlands Improvement Act** to establish managed forests. Council encourages this practice as well as other land stewardship programs. However, forests are a renewable resource and owners have the right to harvest this resource on their lands. Council encourages good forest management practices through the Eastern Ontario Model Forest (EOMF) Code of Forestry Practice in these instances. Reforestation of marginal land will be encouraged where it is not providing significant wildlife habitat or habitat of endangered and threatened species.
2. In evaluating development applications, Council will consider the following criteria for the purposes of the reasonable protection of trees:
  - a) The maintenance of as much as possible of the natural vegetation between the development and any waterbody, and between development and any existing public roads, will be required. Developers shall be required to remove as little of the vegetation as possible for the roads, building sites and servicing facilities, and specific provisions relating to protection of vegetation may be incorporated into subdivision or site plan agreements.
  - b) The Township shall also ensure that trees along the municipal road allowances and on other municipal property are preserved while allowing appropriate maintenance and the removal of trees which may constitute a safety hazard.

## 4.21 UNESCO Sites

### 4.21.1 Frontenac Arch Biosphere

The Frontenac Arch Biosphere Reserve (“the Arch”) is a designated United Nations Educational, Scientific and Cultural Organization (UNESCO) World Biosphere Reserve, identified for its globally significant ecological features. In particular, the Arch has been identified as being significant due to its role in connecting the Adirondack Mountains to the Canadian Shield. It houses a number of diverse ecosystems, including a rich mix of flora and fauna, the St. Lawrence River and the



1000 Islands, a number of other waterbodies and watercourses, and features a dramatic geological landscape.

1. The Township shall work with the relevant agencies and the public in the establishment of policies to guide development in the Arch, in such a way that the ecological features and functions for which the area is recognized are maintained and enhanced.
2. When reviewing development applications, the Township shall ensure that the ecological features and functions for which the area is recognized are maintained and/or enhanced.

#### **4.21.2 Rideau Canal National Historic Site, Canadian Heritage River, and UNESCO World Heritage Site**

The Rideau Canal Corridor is identified on Schedule 'A1' of this Plan. This Corridor has been identified, through the work of the Rideau Corridor Landscape Strategy, to understand and preserve the cultural heritage resources and landscape character along the Rideau Canal and its environs. This Official Plan acknowledges that the Rideau Canal is a National Historic Site, a Canadian Heritage River, and also a World Heritage Site. The Rideau Canal was designated a national historic site in 1926 in recognition of its construction, survival of a high number of original structures and the unique historical environment of the canal system. In 2000, the Canal was designated a Canadian Heritage River for its outstanding human heritage and recreational values.

In 2007, the Rideau Canal was inscribed on the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Designation list for its construction technology and role in defending Canada.

Extending 202 km from Lake Ontario in Kingston to the Ottawa River in Ottawa, the Rideau Canal is administered by Parks Canada and includes the bed of the canal up to the upper controlled water elevation and 23 lockstations. The long-term protection and management of site is guided by the Rideau Canal National Historic Site Management Plan and Rideau Canal World Heritage Site Management Plan. It is the intent of this Plan to maintain and protect the natural landscapes and the scenic, natural, and tourism resources associated with the Rideau Canal, in cooperation with Parks Canada and other agencies having jurisdiction, as well as the other municipalities along the waterway. It is also the intent of this Plan to assist with implementing the Rideau Corridor Landscape Strategy.

The lands located adjacent to the Rideau Canal are recognized as a special area. The policies of this Section and the policies of the Waterfront Areas and Waterbody



## 4

Protection Section of this Plan apply to the Rideau Canal, the lockstations, and all other lands adjacent to the Canal.

1. The Township shall work with Parks Canada to identify the cultural heritage, natural heritage, and scenic features and vistas of the Rideau Canal landscape, and will protect those values through appropriate land use policies and designations, land division policies, cultural and natural heritage policies, design guidelines, and view protection policies.
2. The Township may adopt design guidelines for new development on lands adjacent to the Rideau Canal.
3. The Township shall prohibit any development or site alteration that would:
  - a) Alter the size, shape and/or configuration of the Rideau Canal; and
  - b) Interfere with the safe and efficient navigation of the Rideau Canal.
4. Land uses that require the following activities should be directed away from the Rideau Canal Corridor and shall be prohibited within 30 m of the Rideau Canal:
  - a) Pits and quarries;
  - b) Outside storage;
  - c) Large paved areas;
  - d) Activities that produce noise, fumes or dust;
  - e) Cell/telecommunication towers; and
  - f) Large-scale renewable energy projects.
5. Where deemed appropriate in consultation with Parks Canada, such as along narrow channels, the Township may require an increased development setback from the water to preserve and/or enhance the aesthetic and cultural heritage resources associated with the Rideau Canal.
6. New buildings should be designed to complement the landscape character and cultural heritage value of the surrounding area. Buildings should be in proportion to the size and frontage of the property and fit in with the surrounding built environment. New buildings should be low profile and not exceed the height of the tree canopy.
7. Under the federal Historic Canals Regulations, Parks Canada oversees all in-water works along the Rideau Canal. Docks, water access, boathouses, and shore protection, where permitted, must adhere to Parks Canada's Policies for In-Water and Shoreline Works and Related Activities and require a permit from Parks Canada before work can begin. Such activities must avoid negative



impacts to fish, wildlife, navigation and the natural and visual qualities of the shoreline.

8. Site Plan Control shall be required for all development on lands adjacent to the Rideau Canal. An application for Site Plan Control should be accompanied by a plan identifying the location of all buildings, driveways, and private water and sewage systems, if applicable; the location of access to the shoreline; the extent to which vegetation within 30 m of the shoreline will remain undisturbed; and mitigation measures to be implemented where the shoreline and shoreline vegetation have been previously altered or will be disturbed as a result of the proposed development.
9. To recognize and protect the cultural heritage value of the Rideau Canal, the Township shall:
  - a) Identify and protect the cultural heritage landscapes and built heritage resources directly associated with the Rideau Canal;
  - b) Require that both the terrestrial and marine archaeological resources associated with the Rideau Canal be conserved; and,
  - c) Require that development or site alteration on lands adjacent to the Rideau Canal demonstrate that the cultural heritage resources will be conserved and respected.
10. The Township may require that a Heritage Impact Statement be prepared by a qualified person to the satisfaction of the Township for any development proposal that has the potential to adversely affect the cultural heritage value of the Rideau Canal. The scope of the Heritage Impact Statement is to be determined in consultation with the Township, and must include information relevant to the circumstances, including alternative development approaches or mitigation measures to address any impact to the Rideau Canal and its associated cultural heritage landscape and built heritage resources.

## 4.22 Wayside Pits and Quarries

1. Wayside pits or quarries are defined as temporary pits or quarries, established by or on behalf of a public road authority on short notice solely for the purpose of a particular project or contract of road construction or road maintenance. Wayside pits and quarries will be permitted without an amendment to the Official Plan or Zoning By-law except in the following designations: Settlement Area; Tourist Commercial; Active Recreation; within or adjacent to natural heritage features and areas that form part of the Natural Heritage System.



2. Prior to the establishment of a wayside pit or quarry for municipal purposes, Council will be advised by the road superintendent that the proposed operation qualifies as a wayside pit or quarry.
3. Wayside pits and quarries shall be removed from the site upon completion of the project and/or contract, and the site will be rehabilitated to the former use and conditions at the end of a project and/or contract.

## Section 5 Land Use Designation Policies

This section contains the policies applicable to the Land Use designations and overlays in the Township's Settlement Areas, Rural Area, and Special Policy Areas, which are shown on Schedules 'A1', 'A2', 'A3', 'A4', 'A5', 'A6', 'B1', 'B2', 'B3', 'B4', and 'B5'.

### 5.1 Agriculture

Lands designated Agriculture are defined as prime agricultural areas where prime agricultural land predominates. The 2014 Provincial Policy Statement defines prime agricultural land as comprised of specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands. Input from the province, soil capability mapping, and site investigations were used to identify the Agriculture designation on Schedule 'A1'. It is a policy of this Plan to preserve prime agricultural lands to ensure their availability on a long-term basis by protecting them from incompatible uses and preventing their fragmentation.

1. Permitted uses in the Agriculture designation include:
  - a) Agriculture uses, which include: the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur, or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to, livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment;
  - b) Agriculture-related uses, which include: farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity; and
  - c) On-farm diversified uses, such as agri-tourism uses, home-based businesses, and home industries, provided that they are accessory to the principal agricultural use of the property, and are limited in area. On-farm diversified uses and facilities are those that produce value-added agricultural products from the farm operation on the property, including, but not limited to, the sale of maple syrup, seasonal roadside produce stands, pick-your-own operations, custom meat shops, and processing and packaging operations.



- d) Where agriculture-related uses and on-farm diversified uses require planning approval, these uses shall be subject to site plan control.
2. One principal farm residence, accessory to any of the foregoing uses and located on the same lot, is permitted.
  3. One secondary farm residence may be permitted for farm help where the size and/or nature of the farming operation makes the employment of such help necessary and where this additional dwelling does not have a significant negative effect on the tillable area of the farm or its viability. The secondary farm residence shall be constructed in close proximity to the principal farm buildings, so that the secondary farm residence is considered to be an integral part of the farming operation. The secondary farm residence may share services with the principal farm residence, provided that clearance is obtained from the Health Unit that the septic system serving the principal residence has adequate capacity to accommodate the secondary farm residence, in accordance with Ministry of the Environment, Conservation and Parks D-5-4 Guidelines. A secondary farm residence shall not be constructed with the intention of severing it from the farming operation in the future.
  4. A residence surplus to a farming operation as a result of farm consolidation may be created upon a separate lot. In these cases, the separated farmland will be re-zoned to prevent another dwelling from being re-established on the property, and will be of a minimum size to accommodate the use and appropriate sewage and water services.
  5. Non-agricultural uses which are incompatible with agriculture are not permitted in the Agriculture designation and are encouraged to locate elsewhere in the Township.
  6. An amendment to the Township's Official Plan and the United Counties of Leeds and Grenville Official Plan shall be required to change the designation from Agriculture to another land use. In considering any such amendment, Council must first be satisfied that:
    - a) The proposed use is essential at the particular site;
    - b) That the proposed use is in the community interest, and that it will not interfere with the normal and proper use of neighbouring farming operations, and there is a demonstrated need for additional land to be designated to accommodate the proposed use;
    - c) There are no reasonable alternative locations which avoid prime agricultural areas; and



- d) There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.
7. Within the Agriculture designation, there are small pockets of land which are marginally productive or of a lower priority for agriculture due to their size, shape, topography, soil class, drainage or other physical characteristics. However, these physical and site limitations alone do not justify an amendment to a non-agricultural designation.
  8. All new farm and non-farm development shall comply with the minimum distance separation formulae, in accordance with policies in the Minimum Distance Separation (MDS) – Agricultural Uses and Cemeteries Section of this Plan.
  9. New lots for agriculture uses in the Agriculture designation shall generally have a minimum area of 40 ha (98.8 acres). Agriculture uses are permitted on existing lots that are less than 40 ha.
  10. An existing lot in an Agriculture designation may be used for residential purposes in accordance with the relevant provisions of the Zoning By-law, provided such dwelling does not violate the minimum distance separation applicable to any neighbouring farming operations, in accordance with policies in the Minimum Distance Separation (MDS) – Agricultural Uses and Cemeteries Section of this Plan.
  11. Council recognizes that the changes in farming operations and, in particular, the establishment of intensive livestock operations, may create land use conflicts. Council may establish controls for intensive livestock operations through a Nutrient Management Plan By-law or other appropriate By-law. Such By-law will include the definition of an intensive livestock operation.
  12. All uses permitted within the Agriculture designation will be placed in an appropriate zone in the implementing Zoning By-law.
  13. Notwithstanding Policy 5 of this Section, mineral exploration and mineral extraction are also permitted in the Agriculture designation, provided that the site will be rehabilitated.
  14. Notwithstanding Policy 5 of this Section, extraction of mineral aggregates is permitted as an interim use subject to criteria and in accordance with the Provincial Policy Statement without the need for an Official Plan amendment, provided that the site is rehabilitated back to an agricultural condition defined in the Provincial Policy Statement. On these prime agricultural lands, complete agricultural rehabilitation is not required if:



- a) 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;
- b) Other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 soils, resources on lands identified as settlement areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: Canada Land Inventory Class 1, 2 and 3; and
- c) Agricultural rehabilitation in remaining areas is maximized.

### 5.1.1 Special Exception Areas

1. The Property located at 417 South Lake Road, designated as 'Site Specific Policy Area Number 1' on Schedule 'A1', is intended to accommodate a commercial storage use and an accessory dwelling. Development of the subject lands, through provisions of the Zoning By-law, shall be restricted as follows:
  - a) The use of the lands for a commercial storage operation shall be permitted;
  - b) One accessory dwelling is permitted;
  - c) The minimum lot size shall be 6.5 hectares; and
  - d) Only existing buildings and structures, and structures proposed through an approved Site Plan Control agreement, are permitted. Any open storage shall be appropriately located and screened so as to avoid negative impacts on adjacent land uses. [By-law No. 16-045]

## 5.2 Environmental Protection

### 5.2.1 General

The Township is fortunate to have extensive waterways and shorelines which are a key part of the natural environment and cultural landscape of the Township, while also being an area for recreation and transportation. The Township's waterways and their unique beauty are a significant draw to the area, and have resulted in significant development pressure along the Township's shorelines and waterfront properties.



The Environmental Protection designation applies to all land designated as such on the Schedules. The intent of this designation is to ensure that all land within the municipality is subject to appropriate planning policy. The policies of this Section also apply to lands within the regulatory 1:100 year flood plain. Significant issues that need to be addressed are waterfront structures and potential modification of shoreline and nearshore areas. The following policies shall apply:

1. Structures used for flood or erosion control, shoreline stabilization, water intake facilities, and similar uses, as well as marine facilities which, by their nature, must be located on or near the water, shall generally be permitted, subject to the policies in the Waterfront Areas and Waterbody Protection Section and other applicable policies of this Plan.
2. Buildings or structures attached to waterfront areas or land under water require approvals from various bodies. The type of approvals varies based on location and the type of development proposed. Regulatory bodies include Transport Canada, Parks Canada, the Ministry of Natural Resources and Forestry, and the Cataraqui Region Conservation Authority. The Township shall attempt to coordinate policy and approvals wherever possible.
3. Development should be designed and/or of a type that would result in minimal environmental impact.
4. Environmental Protection areas are designated as Site Plan Control areas.

### 5.2.2 Marine Facilities

The Township's waterbodies provide important recreational opportunities to the permanent and seasonal residents, as well as visitors to the Township. The intent of the marine facility policies is to permit an appropriate amount of dockage and storage for vessels associated with the recreation and transportation-related functions for waterfront properties in the Township, while being of a type and scale and well-maintained to minimize their environmental, navigational, and visual impacts subject to other applicable policies of this Plan.

1. The implementing Zoning By-law shall contain detailed provisions regulating the development of marine facilities. Standards may vary depending on marine facility type (i.e. for docks, boat ports, and boathouses).

### 5.2.3 Floating Dwellings

1. Floating dwellings are not permitted by the Crown, have presented an enforcement issue in terms of non-compliant floating structures, and have a significant impact in terms of environmental impact, sewage disposal, and



visual impact on the shoreline. Floating dwellings are restricted to the existing floating dwellings located in Ivy Lea at the time of this Official Plan. No new floating dwellings shall be permitted in the Township. The existing floating dwellings may be maintained on a year-round basis or for winter storage in accordance with the provisions of the implementing Zoning By-law.

#### **5.2.4 Shoreline and Nearshore Alteration**

1. Preservation or enhancement of natural vegetated shorelines and buffers is encouraged.
2. The preferred methods for shoreline stabilization, in order, are the retention of native shoreline vegetation, bio-engineering methods, and use of environmentally benign materials along the natural contours of the shore (e.g. rip-rap stone).
3. The Township shall have regard for retention of the natural shoreline, placement or removal of fill, dredging, blasting, and other similar disturbing practices when considering applications for development, and may require site plans to identify specific locations where the placing or removal of fill is prohibited.
4. Shoreline and nearshore alterations are also subject to the policies in the Filling of Lands Section of this Plan.

### **5.3 Hazards**

Environmental conditions, whether naturally occurring or human-made, can result in hazards to human life or health, and damage or loss of value to property. Natural hazards include flooding, wave uprush, steep slopes, wildland fire, erosion, unstable soils and unstable bedrock. Climate change may increase the risks associated with natural hazards. Human-made hazards include contaminated sites, former landfill sites, and abandoned pits or quarries. In addition, adverse effects can be created by noise, odour, vibration, and air or water pollution.

The policies of this Plan seek to protect the residents of the Township of Leeds and the Thousand Islands and property from natural and human-made hazards, which may represent a risk to health and safety, or may pose constraints to development. In accordance with the 2014 Provincial Policy Statement, development shall be directed away from areas of natural and human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.



If information is made available regarding other potential hazards, this Official Plan will be amended to recognize those hazards.

### 5.3.1 Natural Hazards

The natural hazards which are known to be present in the Township include flooding and erosion, and represent risks to public health and safety and property damage, and may be exacerbated by extreme weather events and/or the results of climate change. The Cataraqui Region Conservation Authority works with the Township to identify such hazards, and to help ensure that persons and property are not harmed by them. There is also shoal granite present in the beds of waterbodies.

#### 5.3.1.1 Erosion Hazards and Steep Slopes

Lands characterized by steep slopes can pose risks to people and property resulting from potential slope instability or erosion. Development on steep slopes or erosion-prone lands can have significant negative impacts on natural heritage features and areas, surface water quality and quantity, and other resources. The Provincial Policy Statement intends that development be directed away from areas that may be subject to erosion hazards. The extent of erosion hazards are generally determined based on a combination of factors including a slope stability allowance, an erosion allowance, and an access allowance. These allowances vary according to water body (i.e. St. Lawrence River versus inland lakes and stream/river valleys) and site-specific characteristics (i.e. slope height and characteristics). Detailed geotechnical analysis may also determine the extent of an erosion hazard at the site-specific scale.

1. Lands within and adjacent to lands subject to steep slopes and erosion hazards are subject to a Regulation made pursuant to Section 28 of the **Conservation Authorities Act**, which is administered by the Cataraqui Region Conservation Authority (CRCA). While these lands and adjacent lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no site alteration such as filling, grading, and excavating shall occur without the written permission of the CRCA in accordance with this Regulation.
2. Development and site alteration on lands subject to erosion hazards is prohibited, except for those uses that by their nature must be located within the erosion hazard, such as flood or erosion control structures, shoreline stabilization works, water intake facilities and marine facilities such as docks and boathouses, subject to approval by the Township and the CRCA. Uses such as agriculture, forestry, conservation, wildlife management, outdoor education uses and similar activities will be permitted, provided that no associated buildings or structures are located in the erosion hazard.



3. Appropriate setbacks from steep slopes and erosion-prone lands are important to minimize risks to people and property. Setbacks will be imposed from steep slopes and erosion hazards relative to the extent of severity of the hazard, and in consultation with the CRCA. In considering development and/or planning applications, the Township shall ensure that erosion hazards are included in the issues to be considered and may require a geotechnical analysis by a qualified professional.
4. Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations, and electrical substations, and uses associated with the disposal, manufacture, treatment, or storage of hazardous substances shall not be permitted.
5. Sites possessing steep slopes are often regarded as desirable for development, particularly where they abut waterbodies. Applications for lot creation or development on a portion of a site where the applicable stable slope and erosion allowances are not met shall require the submission of a geotechnical report prepared by a qualified professional to ensure that the property is suitable for development. Such report shall be prepared to the satisfaction of the approval authority and the CRCA.
6. Development and site alteration shall only be permitted on lands affected by steep slopes or erosion hazards where the effects and the risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards, as determined by demonstrating and achieving all of the following:
  - a) Development and site alteration is carried out in accordance with floodproofing standards, protections work standards, and access standards;
  - b) New hazards are not created and existing hazards are not aggravated;
  - c) No adverse environmental impacts will result; and
  - d) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies.

### 5.3.1.2 Flood Plain

Flooding is a natural occurrence along all waterbodies and watercourses in the Township and becomes a hazard when buildings and structures are placed where there is a risk of inundation. Minor flooding occurs on a seasonal basis. The 1:100 year flood elevation, plus an allowance for wave uprush and other water-related hazards, is used for planning purposes in this area of the province. Floodplain management policies are intended to prevent loss of life, to minimize property



damage and social disruption, and to encourage a coordinated approach to the use of land and the management of water.

1. Lands designated as Flood Plain on Schedules 'A2' and 'B1' through 'B5' have been identified using engineered floodlines, where available. It is recognized that not all Flood Plain areas are identified on Schedule 'A2'. For the purpose of this Official Plan, a Flood Plain means the area adjoining a waterbody or watercourse, including a municipal drain, which has been, or may be, covered by flood waters associated with the regulatory 1:100 year event, including:
  - a) Lands identified by an engineered floodline established by the CRCA; or
  - b) Where the location of the flood plain is not known, the horizontal area, 30 m (98.4 feet) wide, on either side of a watercourse, including a municipal drain.

The regulatory flood plain of the St. Lawrence River is based on a 1:100 year water level, plus a factor to account for wave uprush.

2. Lands within and adjacent to the Flood Plain are subject to a Regulation made pursuant to Section 28 of the **Conservation Authorities Act**, which is administered by the Cataraqui Region Conservation Authority (CRCA). While adjacent lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no site alteration such as filling, grading, and excavating shall occur without the written permission of the CRCA in accordance with this Regulation.
3. Development and site alteration in the regulatory flood plain is prohibited, except for those uses that by their nature must be located within the regulatory flood plain, such as flood or erosion control structures, shoreline stabilization works, water intake facilities and marine facilities such as docks and boathouses, subject to approval by the Township and the CRCA. Uses such as agriculture, forestry, conservation, wildlife management, outdoor education uses and similar activities will be permitted, provided that no associated buildings or structures are located in the flood plain.
4. Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations, and electrical substations, and uses associated with the disposal, manufacture, treatment, or storage of hazardous substances shall not be permitted.
5. On an existing lot of record, development and site alteration shall only be permitted on lands within the regulatory flood plain where the effects and risk



to public safety are minor, can be mitigated in accordance with provincial standards, as determined by demonstrating and achieving all of the following:

- a) Development and site alteration is carried out in accordance with floodproofing standards, protections work standards, and access standards;
  - b) New hazards are not created and existing hazards are not aggravated;
  - c) No adverse environmental impacts will result; and
  - d) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies.
6. Where new lots are being created, part of which will be located in the Flood Plain, there must be a sufficient area of land above the floodline to place any proposed buildings and services in accordance with the policies of the Official Plan, the provisions of the Zoning By-law and any other applicable regulations.
  7. When interpreting the boundary of the Flood Plain designation, the CRCA shall be consulted.
  8. When any new or additional engineered flood line mapping becomes available, it will be included in the Official Plan by amendment.
  9. In any area designated Flood Plain, it will be the policy of Council to encourage the retention of natural vegetation.
  10. Lands designated Flood Plain will be placed in appropriate zoning classifications in the implementing Zoning By-law.

### **5.3.1.3 Unstable Soils and Unstable Bedrock**

Lands with the potential for unstable soils include those lands identified as possessing sensitive marine clays and organic soils. Lands with the potential for unstable bedrock include karst topography.

1. Where development is proposed on lands identified as having potential for unstable soils, the Township may require sufficient soils and geotechnical engineering information to indicate that the lands are either suitable or can be made suitable for development.
2. Where development is proposed on lands suspected, or identified as having unstable bedrock, the Township may require sufficient geotechnical engineering information to indicate that the lands are either suitable or can be made suitable for development.



3. Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services such as those provided by fire, police, ambulance stations, and electrical substations, and uses associated with the disposal, manufacture, treatment, or storage of hazardous substances shall not be permitted.
4. Development and site alteration in areas containing unstable soils and/or unstable bedrock, as determined through geotechnical engineering information, shall only be permitted where the effects and risk to public safety are minor and can be mitigated in accordance with provincial standards, as determined by demonstrating and achieving all of the following:
  - a) Development and site alteration is carried out in accordance with floodproofing standards, protections work standards, and access standards;
  - b) New hazards are not created and existing hazards are not aggravated;
  - c) No adverse environmental impacts will result; and
  - d) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies.

#### 5.3.1.4 Wildland Fire Hazards

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

Potential areas identified as having high to extreme risk for wildland fire are illustrated in Schedule 'A5' of this Plan. Schedule 'A5' is provided for information purposes and is intended to provide a screening tool for identifying areas at risk for wildland fire. Where updated and/or more detailed assessments are undertaken, Schedule 'A5' may be revised without requiring an amendment to this Plan. The following policies shall apply to areas near wildland fire hazards:

1. Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.
2. Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire



assessment and mitigation standards, as identified by the Ministry of Natural Resources and Forestry.

3. In the absence of detailed municipal assessments, proponents submitting a planning application may be required to undertake a site review to assess for the presence of areas of high to extreme risk for wildland fire on the subject lands and adjacent lands, to the extent possible. If development is proceeding where high to extreme risk for wildland fire is present, proponents should identify measures that outline how the risk will be mitigated. Appropriate mitigation may include, but is not limited to, entering into a site plan agreement with the Township which utilizes the principles outlined in "The Home Owners Fire Smart Manual", prepared by the Province of Ontario.

Wildland fire mitigation measures which would result in development or site alteration shall not be permitted in lands designated as Provincially Significant Wetlands. Wildland fire mitigation measures may occur in areas of significant areas of natural and scientific interest, significant wildlife habitat, and significant woodlands, provided that it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions through an Environmental Impact Study (EIS), prepared in accordance with the policies in the Environmental Impact Study Section of this Plan.

### 5.3.2 Human-made Hazards

#### 5.3.2.1 Abandoned Mines Sites

As defined in the 2014 Provincial Policy Statement, mine hazards include any feature of a mine as defined under the **Mining Act**, or any related disturbance of the ground that has not been rehabilitated. Mine hazards may pose a threat of injury and potential loss of life if they are not mitigated or rehabilitated. The Ministry of Energy, Northern Development and Mines (MENDM) maintains the Abandoned Mines Inventory System (AMIS) which contains information relating to potential mine sites. Abandoned Mine Sites are illustrated on Schedule 'A4', which represents the approximate location of known abandoned mine hazards which may pose a constraint to proposed development in the vicinity. These sites vary widely in nature, from little more than minor ground disturbances to major excavations and/or shafts. In the case of more major disturbances, a risk to public safety may exist. These sites are considered to be hazardous areas; the area within 250 metres of the hazard shall be zoned as hazard lands in the Zoning By-law. The information provided in the AMIS database has been compiled from various sources and MENDM makes no representation and takes no responsibility that such information is accurate, current, or complete. The user is warned to undertake his or her own independent investigation to validate the information.



1. The Township shall require that applicants for any proposed development within 1 km of an Abandoned Mine Site identified on Schedule 'A4' consult with the MENDM regarding the nature of the hazard, and to undertake any remediation measures as legislated under the **Mining Act**.
2. Where an Abandoned Mine Site exists, the Township shall require applicants with proposed development on, abutting or adjacent to the lands affected by mine hazards to be supported by a study that:
  - a) Identifies potential safety threats;
  - b) Demonstrates that the site can be rehabilitated to mitigate the known or suspected hazard; and
  - c) Establishes measures to address and mitigate known or suspected hazards.
3. Development on, abutting or adjacent to lands affected by mine hazards or former mineral mining operations shall be permitted only if measures to address and mitigate known or suspected hazards are underway or have been completed, to the satisfaction of the Township and the Province.
4. Where rehabilitation requirements are known and are feasible, known mine hazards and adjacent lands may be zoned with a Holding Zone. In these instances, rehabilitation of the site in accordance with the requirements of the **Mining Act** shall be required prior to the removal of the holding symbol. In the interim, uses permitted on such properties will be restricted to existing land uses.

### 5.3.2.2 Contaminated Sites and Records of Site Condition

Potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, utility, or other uses. Site contamination can result from the disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses, such as gasoline stations and automotive repair garages, have a similar potential to result in site contamination.

It is the intent of this Plan to ensure that proper decommissioning and clean-up of contaminated sites take place prior to their development or re-use. The following policies will apply:

1. An application for development or redevelopment requiring a building permit, rezoning, minor variance, consent, subdivision, or amendment to this Plan for lands that are known or suspected of being contaminated will require an environmental site assessment which must be prepared by a qualified



- engineer. If necessary, a site remediation plan prepared in accordance with the Provincial "Guidelines for Use at Contaminated Sites in Ontario," will be required.
2. Where remediation work is required, it will be a condition of approval of the development or redevelopment that appropriate measures are taken to implement the components of the site remediation plan. A Record of Site Condition is also required.
  3. Site Plan Control may be used as a measure to enhance site decommissioning and remediation. Council may consider other initiatives to help encourage site clean-up where appropriate.
  4. Sites known to be contaminated may be placed in a holding category in the Zoning By-law to ensure that they are properly decommissioned prior to development. The holding symbol may be removed when the site is decommissioned according to the site remediation plan. A Record of Site Condition acknowledged by the Ministry of the Environment, Conservation and Parks is also required.
  5. An affidavit will be required from a qualified person as defined by provincial legislation and regulations, confirming that a Phase 1 Environmental Site Assessment (ESA) has been completed in accordance with Ontario Regulation 153/04.

### 5.3.2.3 Petroleum Wells

Development within proximity to petroleum resource operations must be carefully regulated to minimize land use conflicts and the potential for any adverse effects. There are no known petroleum wells within the Township; however, the following policies would apply where future petroleum wells are identified.

1. New development shall be set back 75 m from existing petroleum wells and associated works, with this setback being equivalent to the required setback under the **Oil, Gas and Salt Resources Act** for new wells from existing development.



## 5.4 Mineral Aggregate Resources and Mineral Resources

### 5.4.1 Mineral Aggregate Resources

The 2014 Provincial Policy Statement directs that mineral aggregate resources shall be protected for long-term use and defines these resources as follows:

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the **Aggregate Resources Act** suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other materials prescribed under the **Mining Act**.

The Township is characterized by a predominant pattern of precambrian rock knobs made up of granite and other rock types interspersed with clay flats left primarily by the Glacial Lake Iroquois. The southern exposure of the Canadian Shield is present in most of the Township underlying the more recent deposits as a potential source of building and monument (dimension stone) stone. A limited amount of sand and gravel is also present, left by glacial activity.

The northeast corner of the Township lies outside of the Canadian Shield in the physiographic region known as the Smiths Falls Limestone Plain. This area has potential for quarrying of mineral aggregate but no detailed study of the resource has been completed, therefore no lands are designated. Proposed mineral aggregate quarries will require amendments to the Official Plan and Zoning By-law.

Areas with potential for several different types of mineral aggregate resources are present in the Township. They have been identified on Schedule 'A4' in order to protect opportunities to extract those portions of the resource that can be removed without significant impact on neighbouring lands located outside the designation. Some impacts are a normal result of mineral aggregate extraction but will be mitigated to the greatest extent feasible.

The identification of areas with potential for mineral aggregate resources on Schedule 'A4' does not presume that all lands located within these areas are suitable for the establishment of new or expansions to existing mineral aggregate operations. It is the intent of this Plan to protect the viability of these resources, where feasible, in order to support the continued development of the Township's extractive industry.



1. Permitted uses within a Mineral Aggregate Resources designation include:
  - a) Extractive operations, including pit or quarry where licensed under the **Aggregate Resources Act**;
  - b) A wayside pit or quarry;
  - c) Uses associated or accessory to the operation of a pit or quarry including the extraction and processing of mineral aggregates, asphalt and concrete batching plants, crushing facilities, stock piling and storage of raw materials, finished products or overburden, screening, mixing, blending, washing, handling, weighing and the handling of recycled asphalt or concrete;
  - d) Any accessory buildings or structures related to the extraction operation;
  - e) Any facilities for loading, shipping or transfer of mineral aggregate materials;
  - f) Any activities and operations associated with the progressive rehabilitation of the lands;
  - g) A forestry, agricultural, conservation or passive recreation use which does not preclude or hinder current or future extraction of the resource may be permitted only where the lands are not being used for a mineral aggregate operation; and
  - h) Existing dwellings and accessory uses in a Mineral Aggregate Resources designation may be permitted as legal non-conforming uses and may be expanded or new accessory uses permitted, where Council determines that such expansions or accessory uses will not hinder access to the resource, or the continued operation of pits and quarries.
  
2. In areas identified as Mineral Aggregate Resources on Schedule 'A4', or on adjacent lands, development which would preclude or hinder the establishment of new operations or access to the resources, with the exception of any use in a settlement area and agricultural uses, shall only be permitted if:
  - a) Resource use would not be feasible;
  - b) The proposed land uses or development serves a greater long-term public interest; and
  - c) Issues of public health, public safety, and environmental impact are addressed.

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



3. It is recognized that there is potential for deposits of mineral aggregate resources to exist outside of the areas identified on Schedule 'A4'. The extraction of mineral aggregate resources may be permitted outside of the areas identified on Schedule 'A4' where there is sufficient quantity and quality of mineral aggregate resources to warrant extraction, as determined on a case-by-case basis.
4. The Township shall support the United Counties of Leeds and Grenville in undertaking the preparation of an Aggregate Resources Master Plan to refine the deposits of mineral aggregate resources identified by the Province, and more accurately identify and examine the extent and viability of the potential mineral aggregate resources in the Counties.
5. Until the Aggregate Resources Master Plan has been prepared and implemented through an amendment to the Counties Official Plan, the Township may require studies to demonstrate that proposed development and activities in areas identified as Mineral Aggregate Resources on Schedule 'A4' and on adjacent lands shall not preclude or hinder the establishment of new mineral aggregate resource operations or access to the resources. The Township may waive these study requirements in the Agriculture and Settlement Area designations.
6. Progressive and final rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased in order to accommodate new land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration, as well as the opportunity to accommodate parks and open space uses. An Official Plan Amendment to the new land use designation may be required to implement the subsequent land use. Comprehensive rehabilitation planning shall be encouraged particularly where there is a concentration of mineral aggregate operations.
7. Extractions of any size shall be undertaken in a manner which minimizes social, environmental and economic impacts.
8. Mineral aggregate resource conservation shall be undertaken, including the use of accessory aggregate recycling facilities within operations, wherever feasible.



9. Existing mineral aggregate operations shall be permitted to continue without the need for an Official Plan Amendment, rezoning or development permit under the **Planning Act**.
10. Development of areas with existing mineral aggregate operations for purposes other than resource extraction shall not be permitted in accordance with Policy 2 of this Section. If such development is permitted, the underlying designation will apply.
11. Development in or adjacent to an area of known mineral aggregate resources, shall be located and buffered sufficiently to ensure that the extraction is not limited and that the development is not affected by the noise, dust or other health and public safety issues that are related to the extractive activity.
12. New or expanding mineral aggregate extraction operations shall be permitted in the areas identified as Mineral Aggregate Resources on Schedule 'A4', provided that they are not offensive or create a nuisance as a result of noise, hours of operations, odour, traffic generation, air emissions or other means. New or expanding mineral aggregate operations should be well removed from residential areas and screened from view to the greatest extent possible. New or expanded mineral aggregate extraction operations should also not negatively affect existing and future adjacent land uses, social values, and the environment.
13. Council shall conserve cultural heritage resources when considering the establishment of new areas for mineral aggregate extraction, or when considering the establishment of new operations or expansions to existing operations. When necessary, Council will require the mitigation of any negative impacts on cultural heritage interest or value through the use of Cultural Heritage Evaluation Reports, Heritage Impact Assessments and/or Archaeological Assessments.

#### **5.4.1.1 Mineral Aggregate Resource, Sand and Gravel**

1. The location of sand and gravel resources and existing pits has been identified in studies prepared by the Ministry of Natural Resources and Forestry. Those resource areas which are not yet sterilized, as well as other licenced areas, are shown on Schedule 'A4'. It is the intention of Council to protect as much of these areas as reasonably possible for aggregate extraction and to ensure that the resources are utilized in accordance with proper controls.



2. Within these areas, interim land uses such as agriculture, forestry and outdoor recreation uses may be permitted provided that these do not include buildings or activities which would preclude the establishment of a pit. However, in areas of existing agricultural operations, buildings and structures accessory to an agricultural operation may be permitted.
3. The concept of an influence area is recognized as a means of protecting against incompatible land uses in the vicinity of existing and proposed pits and quarries. This influence area can be considered a study area in which studies may be completed by the proponent to demonstrate that the proposed pit or quarry is compatible with land uses within the influence area. This influence area is applied reciprocally to sensitive land uses encroaching upon existing pits and quarries.

The Ministry of the Environment, Conservation and Parks recommends an influence area of 500 metres for quarries, 150 metres for sand and gravel pits or reserves above the groundwater table, and 300 metres for sand and gravel pits or reserves below the groundwater table. Development within this influence area may be permitted if impacts such as noise, dust, and vibration can be mitigated.

4. Within the areas designated Mineral Aggregate Resource, Sand and Gravel and Existing Pits in the Official Plan, the establishment of a new pit or the expansion of an existing operation that extends beyond the licensed boundary identified on Schedule 'A4' will require an amendment to the Official Plan and Zoning By-law.
5. The lands within the Mineral Resource, Sand and Gravel designation which are not zoned for a pit will be placed in an appropriate zone category which will protect the lands from any incompatible development. Sensitive land uses such as residential or institutional uses shall not be permitted.
6. The removal of part of the Mineral Resource, Sand and Gravel designation from Schedule 'A4' will be considered each time the Township undertakes a review of this Plan. In the interim, the Township will consider applications for Zoning By-law amendments without the need for an Official Plan amendment when the resource has been depleted. The applicant will be required to provide justification for the change. In considering such amendments, Council will consult with the Ministry of Natural Resources and Forestry and take into account the following:
  - a) Evidence provided by the applicant that the useful aggregate has been extracted or that aggregate extraction is not feasible due to quality, quantity or other development constraints;



- b) Whether the proposed land use serves a greater long-term public interest;
  - c) The reason for the choice of the location and consideration given to alternate locations on non-sand and gravel lands;
  - d) The consideration given to the option of sequential land use in which the sand and gravel is removed prior to development of the land for the proposed use;
  - e) Whether the rezoning will result in land uses which are incompatible with continued or future extraction in remaining areas of the designation; and
  - f) Issues of public health, public safety and environmental impact are addressed.
7. Where a sand and gravel operation has been established on land within the Agriculture designation, on prime agricultural land, rehabilitation of the site must be carried out and substantially the same acreage and average soil capability for agriculture restored. On these prime agricultural lands, complete agricultural rehabilitation is not required if:
- a) 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;
  - b) Other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Classes 1, 2 and 3; and
  - c) Agricultural rehabilitation in remaining areas will be maximized.

#### **5.4.1.2 Mineral Aggregate Resource, Bedrock**

1. The majority of the Township has bedrock resource areas. The location and extent of the bedrock resource areas shall be determined through the Counties' preparation of an Aggregate Resources Master Plan, in consultation with the Province, local municipalities including the Township, and stakeholders.



### 5.4.1.3 Mineral Aggregate Resource, Other Quarries

1. Several bedrock quarries are currently licensed and zoned. These have been identified on Schedule 'A4'. New quarries and expansions to quarries in locations outside of the lands designated will only proceed by amendment to this Official Plan. Consideration will be given to the relevant issues listed in Policy 3 of the Mineral Resource, Wollastonite Section of this Plan.

### 5.4.2 Mineral Resources

The 2014 Provincial Policy Statement directs that mineral resources shall be protected for long-term use and defines these resources as follows:

Minerals: means metallic minerals and non-metallic minerals, but does not include mineral aggregate resources or petroleum resources. Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived. Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline, syenite, salt, talc, and wollastonite).

Producing mines, wollastonite resources, and areas of mineral potential are present in the Township and have been identified on Schedule 'A4'. Wollastonite resources are also identified on Schedule 'A1'. The identification of wollastonite resources on Schedules 'A1' and 'A4', and areas of mineral potential on Schedule 'A4', does not presume that all lands located within these areas are suitable for the establishment of new or expansions to existing mineral mining operations. It is the intent of this Plan to protect the viability of these resources, where feasible, in order to support the continued development of the Township's mineral mining industry.

1. Where development is proposed within areas of mineral potential and within one kilometre of a producing mine, the Province shall be contacted for further information.
2. In areas of known mineral resources, areas of mineral potential, or on adjacent lands, development which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
  - a) Resource use would not be feasible; or
  - b) The proposed land uses or development serves a greater long-term public interest;
  - c) Issues of public health, public safety and environmental impact are addressed.



3. Non-extractive land uses or developments shall be prohibited in areas of known mineral resources and areas of mineral potential unless it can be shown that:
  - a) Extraction would not be feasible; or
  - b) The proposed land use or development serves a greater long-term interest of the general public than does aggregate or mineral extraction; or
  - c) The proposed land use or development does not preclude or hinder future extraction and would not be incompatible with future extraction for reasons of public health, public safety, and environmental impact.
4. Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased in order to accommodate new land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible in accordance with the **Mining Act**. Final rehabilitation shall take surrounding land use and approved land use designations into consideration, as well as the opportunity to accommodate parks and open space uses. An Official Plan Amendment to the new land use designation may be required to implement the subsequent land use. Progressive rehabilitation should be undertaken wherever feasible.
5. Extractions of any size shall be undertaken in a manner which minimizes social and environmental impacts.
6. Existing mineral mining operations shall be permitted to continue without the need for an Official Plan Amendment, rezoning or development permit under the **Planning Act**.
7. Development of areas with existing mineral mining operations for purposes other than resource extraction shall not be permitted in accordance with Policies 2 and 3 of this Section. If such development is permitted, the underlying designation will apply.
8. Development in or adjacent to an area of known mineral resources, shall be located and buffered sufficiently to ensure that the extraction is not limited and that the development is not affected by the noise, dust or other health and public safety issues that are related to the extractive activity.



9. New or expanding mineral mining operations shall be permitted provided that they are not offensive or create a nuisance as a result of noise, hours of operations, odour, traffic generation, air emissions or other means. New or expanding mineral mining operations should be well removed from residential areas and screened from view to the greatest extent possible. New or expanded mineral mining operations should also not negatively affect existing and future adjacent land uses, social values, and the environment.
10. Council shall conserve cultural heritage resources when considering the establishment of new areas for mineral mining, or when considering the establishment of new operations or expansions to existing operations. When necessary, Council will require the mitigation of any negative impacts on cultural heritage interest or value through the use of Cultural Heritage Evaluation Reports, Heritage Impact Assessments and/or Archaeological Assessments.

#### 5.4.2.1 Mineral Resource, Wollastonite

1. Wollastonite is an industrial mineral used in various applications such as adding strength and flexibility to plastics and as a safe replacement for asbestos. It is extracted from quarries using similar processes as those used in a mineral aggregate quarry but is regulated under the **Mining Act** instead of the **Aggregate Resources Act**. It is important for these resources to be protected against conflicting land uses in order to ensure their future viability for exploitation. It is also important that these resources be extracted in a way which is sensitive to the environment and the community. Provincial legislation and regulation ensures that these resources will only be extracted in a way that is sensitive to the environment and the community.
2. Two Wollastonite deposits have been identified by the Ministry of Energy, Northern Development and Mines and are identified on Schedules 'A1' and 'A4'. One is located between Highway 401 and County Road 2, west of Gananoque; the other is immediately south of Seeley's Bay, extending to the westerly limits of the Township and into the rural area of the City of Kingston. The latter deposit is large but only the core area has been designated on Schedules 'A1' and 'A4'. Additional economically viable resources may occur on the adjacent lands.
3. It is recognized that Wollastonite extraction has the potential for conflict with other policies of this Official Plan if it is not carried out under enforceable controls. Wollastonite is designated under the **Mining Act** which is administered by the Ministry of Energy, Northern Development and Mines



(MENDM). Development of deposits and extraction is governed by this provincial legislation. Prior to passing a Zoning By-law amendment to permit development on the lands designated Mineral Resource, Wollastonite, Council will consider the following issues:

- a) The size, scale and nature of the proposed use, and any land uses and activities accessory to the mining use;
- b) A site development analysis detailing the property's dimensions, topography, soils, surface and groundwater characteristics;
- c) The compatibility of the proposed mine with adjacent existing and planned land uses and designations;
- d) The accessibility of the proposed site with respect to road patterns and traffic volumes and the location of entrances and exits to the mining operation;
- e) The location of routes to be used by haulage trucks and their impact on communities or residents along those routes, and on the transportation system;
- f) The location of the proposed site and its impact on adjoining communities;
- g) The ability of the proposed use to preserve the scenic beauty and amenity of the area;
- h) A detailed landscaping, screening and buffering plan;
- i) An environmental impact study;
- j) A blasting impact report;
- k) Information that demonstrates that the proposed use will not adversely affect groundwater quality and quantity;
- l) Information that demonstrates that surface water and drainage will not be adversely affected; and
- m) The general conditions under which the mining operation will operate, including hours of operation as well as seasons of operation.



The issues described in this section are part of the mine closure plan, a provincial requirement before mine development and production can begin. A proponent is also required to post financial assurance with the province before production can begin. Council’s role would be in the public review process that the province will require before deciding to accept or reject the closure plan.

## 5.5 Natural Heritage System

The Township of Leeds and the Thousand Islands is situated in an area characterized by unique and world-renowned natural beauty and natural heritage, including the St. Lawrence River and the Thousand Islands, Rideau Canal, Gananoque River, Charleston Lake, Red Horse Lake, and an abundance of inland waterbodies, and diverse topography, vegetation, and wildlife, including Species at Risk. The Township and its permanent and seasonal residents celebrate the natural environment and recognize its contributions to a high quality of life for residents, as well as significant economic development opportunities associated with being a premier tourist destination. The Township understands the importance of stewardship to preserve and enhance the natural environment now and for future generations of both residents and tourists.

Natural heritage is composed of an interconnected system of natural heritage features and areas, which are linked by natural corridors and support the natural processes necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. The location of the Natural Heritage System components discussed in this Section of the Official Plan are illustrated on Schedules ‘A2’ and ‘A3’ unless noted otherwise in the policies. Where development and site alteration are contemplated by the policies of this Section, they would also be subject to the underlying land use designation policies in the Land Use Designation Policies Section of this Plan. Notwithstanding any other policy in this Plan, the policies contained in this Section shall not limit the ability of agricultural uses, and other legally-established existing uses to continue.

### 5.5.1 General: Natural Heritage System Strategy

The Township’s Natural Heritage System includes those natural heritage features and areas which are important for their environmental and social values as a legacy of the natural landscapes of the area. This Official Plan recognizes the importance of these areas and applies appropriate levels of protection in keeping with provincial policy, the needs of the resource features, the quality of mapping, and related scientific analysis and the rights of private landowners.

The Natural Heritage System Strategy consists of several components which, together, comprise a coordinated approach to the long-term management of the ecological health of the natural environment within the Township and the



community. The components are illustrated on Schedules 'A2' and 'A3' of this Plan and include:

- Provincially Significant Wetlands and significant coastal wetlands;
  - Regionally Significant Wetlands;
  - Coastal wetlands;
  - Areas of Natural and Scientific Interest (Life Science and Earth Science);
  - Significant valleylands;
  - Woodlands;
  - Habitat of endangered and threatened species, including nesting sites;
  - Wildlife Habitat; and
  - Fish habitat, including spawning areas.
1. The diversity and connectivity of the natural heritage features and areas and the long-term ecological function and biodiversity of the Township's Natural Heritage System shall be maintained, restored or improved, including recognizing linkages between and among natural heritage features and areas and surface and groundwater features.
  2. When potential development or site alteration may have an impact on, or be impacted by, one of the natural heritage features and areas described in this Section, the Township may refer to the appropriate agency for comment. For example, proposals near known nesting sites will be referred to the Ministry of Natural Resources and Forestry (MNR).
  3. The Counties-wide Natural Heritage System Strategy is intended to reinforce the conservation, restoration, and enhancement of identified natural heritage features and areas, and to promote the overall diversity and interconnectivity of natural heritage features and areas. Until such time that the Counties prepares a refined Natural Heritage System Strategy to examine the significance of and more accurately identify the Natural Heritage System components shown on Appendix 2 of the United Counties of Leeds and Grenville Official Plan, the natural heritage features and areas identified in this Plan shall comprise the key components of the Natural Heritage System within the Township.
  4. The Township is committed to participating in any studies required to refine the Counties-wide Natural Heritage System Strategy, in coordination with the United Counties of Leeds and Grenville.

### 5.5.2 Adjacent Lands

The 2014 Provincial Policy Statement defines adjacent lands as those lands contiguous to a specific natural heritage feature or area where it is likely that



development or site alteration would have a negative impact on the feature or area. The extent of adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives. For the purposes of this Plan, adjacent lands are determined to include all lands within the specific distance of the boundary of natural heritage features and areas as set out in Table 5-1:

**Table 5-1: Adjacent Lands to Natural Heritages Features or Areas**

<b>Natural Heritage Feature or Area</b>	<b>Extent of Adjacent Lands</b>
Provincially Significant Wetlands and Significant Coastal Wetlands	120 m
Regionally Significant Wetlands Coastal Wetlands	50 m 120 m
Areas of Natural and Scientific Interest – Life Science	120 m
Provincially Significant Areas of Natural and Scientific Interest – Earth Science	50 m
Significant Valleylands	120 m
Significant Woodlands	120 m
Significant Habitat of Endangered and Threatened Species	120 m
Significant Wildlife Habitat	120 m
Fish Habitat	Inland Lake Trout Lake (at capacity): 300 m All other fish habitat: 120 m

1. No development or site alteration shall be permitted on adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through an Environmental Impact Study (EIS) prepared in accordance with the Environmental Impact Study Section of this Plan, that there will be no negative impact on the natural features or their ecological functions.

### 5.5.3 Endangered and Threatened Species

The Township is home to a large number of Species at Risk in Ontario. While it may seem that some of these species and their habitats are prevalent in the Township, this does not change the fact that the species and their habitats are considered at risk on a provincial level and their protection is a shared responsibility.

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



The Province administers the **ESA** to protect and conserve Species at Risk and their habitat. Under the **ESA**, the Province is responsible for identifying and approving general and regulated habitat, as well as giving technical advice on Species at Risk and their habitat. The Ministry of Natural Resources and Forestry (MNR) is the lead agency responsible for approving the delineation of habitat of endangered species and threatened species and administering the provisions for the **ESA**. A list of Species at Risk (SAR) known to have observations and occurrences in the MNR Kemptville District is available through the MNR office. If at any time, SAR as listed under the **ESA** is encountered, work must stop immediately and the MNR must be contacted.

The Township encourages property owners to consult the ESA and related O. Reg 230/08, and to consult with the Natural Heritage Information Centre (NHIC) database prior to undertaking development or site alterations. The NHIC make data available to the public on the Province's rare species, vegetation communities, and natural areas. The NHIC includes information on the occurrence of endangered and threatened species, and is an important screening tool for assessing the likelihood of the presence of endangered and threatened species habitat.

This Plan recognizes that endangered and threatened species may exist throughout the Township. The habitat of such species is not identified on Schedule 'A2', in order to protect the associated features from disturbance. A screening map showing areas of documented occurrences of endangered and threatened species and their habitats provided to the Township by the MNR shall be used as a screening tool by Township staff for reviewing planning applications.

1. The MNR approves the identification of the habitat of endangered and threatened species. The Township shall, in consultation with the MNR, determine the areas to which the policies related to the habitat of endangered and threatened species shall apply.
2. Development and site alteration shall not be permitted within significant habitat of threatened and endangered species as identified by the MNR, except in accordance with provincial and federal requirements. If impacts to an endangered species or threatened species cannot be avoided, a permit or agreement under the **ESA** must be obtained before the activity proceeds. The proponent should work directly with MNR district staff to develop agreements or permits when required.
3. Development and site alteration shall not be permitted on land adjacent to the habitat of endangered and threatened species, unless it has been demonstrated through the preparation of an Environmental Impact Study (EIS) in accordance with the Environmental Impact Study Section of this Plan,

that there will be no negative impacts on the natural features or their ecological functions.

#### 5.5.4 Fish Habitat

The Township supports the protection of fish habitat health, and the management of fisheries, with important economic, social, and environmental benefits. Under the **Fisheries Act**, fish habitat is defined as 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.

Under the **Fisheries Act**, it is unlawful to carry on work or undertakings that result in serious harm to fish or the harmful alteration, disruption or destruction of fish habitat. The development of any marine facilities or shoreline-related structures shall be in accordance with the Marine Facilities policies of this Plan. Policies related to Lake Trout Lakes are found in the Highly Sensitive Lake Trout Lakes Section of this Plan.

1. The MNR is the Fisheries Manager for the Province of Ontario and identifies the presence of fish habitat in the Township. MNR should be consulted to determine what fish community information may be available for a specific location. All applications for development or site alteration such as filling, grading, and excavating adjacent to any waterbody shall be screened by the approval authority for the presence of fish habitat.
2. Development and site alteration shall not be permitted on or within 120 metres of fish habitat, except in accordance with Provincial and Federal requirements. Where fish habitat is identified or where no data is available, an EIS should be completed in accordance with the Environmental Impact Study Section of this Plan, that also identifies the appropriate measures to be undertaken to ensure that there will be no negative impacts on the natural feature or its ecological function.
3. Where development or site alteration may potentially impact fish habitat, the Department of Fisheries and Oceans (DFO) and the MNR, as applicable, shall be consulted and the required approvals shall be obtained.

#### 5.5.5 Wetlands

Wetlands are lands where the presence of water has caused the formation of hydric soils and where hydrophytic or water-tolerant plants predominate. The four major types of wetlands are swamps, marshes, bogs and fens. Wetlands assist in flood control by controlling and storing surface water, trap sediment to improve water quality, provide habitat for a variety of plant and animal species, and function as



recharge areas for groundwater resources. The MNRF evaluates the biological, social, hydrological and special features of wetlands to determine their relative significance in Ontario.

Provincially Significant Wetlands and regionally significant wetlands are illustrated on Schedule 'A2' of this Plan.

1. All wetlands, including those that are not designated as Provincially Significant Wetlands, are important natural heritage features and areas, and will be protected from incompatible development and site alteration.
2. A wetland evaluation shall be required in support of applications for development and/or site alteration within or adjacent to areas that have not previously been classified by MNRF, but that have characteristics or components of a significant wetland, including significant species or functions. Guidance for wetland evaluations can be found in the MNRF Ontario Wetland Evaluation System – Southern Manual (2013), as amended.
3. Any evaluated wetland that is deemed to be significant will be granted the protections afforded in this Section, without the need for an amendment to this Plan.

#### **5.5.5.1 Significant Coastal Wetlands**

According to the 2014 Provincial Policy Statement, coastal wetlands represent any wetlands that are located on one of the Great Lakes or their connecting channels (i.e. St. Lawrence River), or any other wetland that is on a tributary to any of the aforementioned waterbodies and lie, either wholly or in part, downstream of a line located 2 km upstream of the 1:100 year floodline (plus wave run-up) of the large waterbody to which the tributary is connected.

1. Development and site alteration shall not be permitted within significant coastal wetlands.
2. No development or site alteration shall be permitted on adjacent lands which are within 120 m of the boundaries of a significant coastal wetland unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through an EIS prepared in accordance with the Environmental Impact Study Section of this Plan, that there will be no negative impacts on the natural feature or its ecological function.
3. Notwithstanding the foregoing policies, established agricultural activities, but excluding the expansion of agricultural buildings or structures or the clearing or draining of additional lands, are permitted without an EIS.



### 5.5.5.2 Provincially Significant Wetlands

1. Provincially Significant Wetlands are identified on Schedule 'A2' of this Plan.
2. Lands designated as Provincially Significant Wetlands are those that have been classified in accordance with the wetlands classification system developed by the Ministry of Natural Resources and Forestry. The boundaries of the Provincially Significant Wetlands designation have been derived from mapping developed by the Ministry of Natural Resources and Forestry. The boundaries, as shown on Schedule 'A2', will be the basis for the subsequent zoning of these lands. Changes to the boundaries as noted above will require an amendment to the Zoning By-law. Generally, any proposed change to the boundaries of wetlands will occur as a result of wetland evaluations approved by the Ministry of Natural Resources and Forestry.
3. Where lands designated Provincially Significant Wetlands are under private ownership, it is not implied that the lands are open to the general public or that they will be acquired by any public agency, without the consent of the owner. Donations of such lands will be encouraged.
4. Within the areas designated as Provincially Significant Wetlands, the permitted uses will be forestry, conservation, wildlife management and passive outdoor recreation and educational activities that do not adversely affect the natural features and wetland function. Uses legally existing within the areas designated as Provincially Significant Wetlands prior to the adoption of this Plan shall be considered as legal non-conforming uses and shall be subject to the relevant policies of this Plan.
5. Development and site alteration shall not be permitted within a Provincially Significant Wetland.
6. No development or site alteration shall be permitted on adjacent lands which are within 120 m of the boundaries of a Provincially Significant Wetland unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through the preparation of an EIS prepared in accordance with the Environmental Impact Study Section of this Plan, that there will be no negative impacts on the natural feature or its ecological function.
7. Notwithstanding the foregoing policies, established agricultural activities, but excluding the expansion of agricultural buildings or structures or the clearing or draining of additional lands, are permitted without an EIS.



### 5.5.5.3 Regionally Significant Wetlands

Regionally significant wetlands are identified on Schedule 'A2' of this Plan.

1. Development and site alteration shall not be permitted within or adjacent to regionally significant wetlands unless it is demonstrated through the preparation of an Environmental Impact Study (EIS), in accordance with the Environmental Impact Study Section of this Plan, that there will be no negative impacts on the natural features or their ecological functions-

### 5.5.6 Areas of Natural and Scientific Interest (ANSI)

The 2014 Provincial Policy Statement defines Areas of Natural and Scientific Interest (ANSI) 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.

Life Science ANSIs represent significant segments of specific forest types, valleys, prairies, savannahs, alvars and wetlands found in Ontario, and their native plants and animals and supporting environments. They also contain relatively undisturbed vegetation and landforms, and their associated species and communities.

Earth Science ANSIs represent significant examples of bedrock, fossils and landforms found in Ontario, including ongoing geological processes.

Significant and Candidate Life Science and Earth Science ANSIs are identified on Schedule 'A2' of this Plan. These areas have been identified, mapped, and ranked by the Ministry of Natural Resources and Forestry.

1. Development and site alteration shall not be permitted within or adjacent to significant ANSIs unless it has been demonstrated, through the preparation of an Environmental Impact Study (EIS) in accordance with the Environmental Impact Study Section of this Plan, that there will be no negative impact on the natural feature or its ecological function.
2. The policies of this Plan for significant ANSIs shall also apply to Candidate ANSIs, unless it is determined that the Candidate ANSI is not significant through the preparation of an EIS or the refined Natural Heritage System Strategy to be undertaken by the United Counties of Leeds and Grenville.
3. ANSIs are designated as Site Plan Control areas and will be placed in a separate zone in the Zoning By-law.



4. Where lands designated ANSI are under private ownership, it is not implied that the lands are open to the general public or that they will be acquired by any public agency, without the consent of the owner. Donations of such lands to registered land trusts or other conservation agencies and organizations will be encouraged.
5. Rock Dunder Life Science ANSI has been identified on Schedule 'A2' to the Plan. The ANSI has been studied by the Ministry of Natural Resources and Forestry, Parks Canada, and the Cataraqui Region Conservation Authority. Rock Dunder is a core area in which, notwithstanding Policy 1 of this Section, no development is permitted other than forestry, conservation, wildlife management, and passive recreation, including the existing recreational camp.

### 5.5.7 Significant Valleylands

A valleyland is a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year. Based on available information, there are no identified significant valleylands within the Township at the time that this Plan was prepared. The locations of significant valleylands must be determined on a site-specific basis, in accordance with the criteria for determining significance provided in the Ministry of Natural Resources and Forestry's Natural Heritage Reference Manual, as amended from time to time.

1. Development and site alteration shall not be permitted within or adjacent to significant valleylands, unless it has been demonstrated, through the preparation of an Environmental Impact Study (EIS) in accordance with the Environmental Impact Study Section of this Plan, that there will be no negative impacts on the natural features or their ecological functions.

### 5.5.8 Woodlands

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

The Township has many large, contiguous woodland areas, and is unique in the United Counties of Leeds and Grenville and Eastern Ontario in this regard. Woodland areas represent approximately 35% of lands within the Township boundary, based on data from the Ministry of Natural and Forestry. According to the Environment Canada study, How Much Habitat is Enough? (2013), at 30%



forest cover at the watershed scale less than one-half of the potential species can be supported. At 50% cover the watershed is able to support most of the species and healthy aquatic systems. Ninety percent (90%) of animal species interact with shorelines at some point of their lives, if only for the purpose of obtaining drinking water.

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

Woodlands are identified on Schedule 'A3' of this Plan, based on available provincial mapping which has not been groundtruthed at the Counties or Township levels. There may be areas identified as woodlands where they may not exist, as well as areas which may be woodlands but have not been mapped, or their boundaries have changed over time. Schedule 'A3', as presented, suggests potential limitations for wildlife movement (both east-west and north-south).

1. Criteria for determining significance of the woodlands identified on Schedule 'A3' will be confirmed at the time that a review of the Natural Heritage System Strategy is undertaken by the United Counties of Leeds and Grenville, in coordination with the Township, and in accordance with Natural Heritage Reference Manual, as amended. Until such time, at the time of a development application where woodlands have been identified on Schedule 'A3', site assessment shall be an integral to verify the presence of significant woodlands, and the determination of significance will be based on the criteria provided in the Natural Heritage Reference Manual, as amended.
2. Existing development shall be permitted within woodlands and significant woodlands. Development on existing lots of record shall be permitted, subject to all other relevant policies of this Plan.
3. New development should be directed away from woodlands.
4. Development and site alteration shall not be permitted within or adjacent to significant woodlands, unless it has been demonstrated, through the preparation of an Environmental Impact Study (EIS) in accordance with the Environmental Impact Study Section of this Plan, that there will be no negative impacts on the natural features or their ecological functions.



5. Within woodlands, permitted development should seek to minimize its footprint.
6. The Township encourages sustainable forest management practices in accordance with the Eastern Ontario Model Forest Code of Forestry Practice.

### 5.5.9 Significant Wildlife Habitat

The Township recognizes that all the undeveloped land in the Township may be suitable habitat for a variety of wildlife species. The 2014 Provincial Policy Statement defines a wildlife habitat area as an area of land where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Significant wildlife habitat areas are not illustrated on Schedule 'A2' of this Plan, as the exact locations of these areas must be determined on a site-specific basis, in accordance with the criteria for determining significance provided in the Ministry of Natural Resources and Forestry's (MNR) Natural Heritage Reference Manual and the Significant Wildlife Habitat Technical Guide.

The MNR's Significant Wildlife Habitat Technical Guide provides detailed technical information on the identification, description, and prioritization of significant wildlife habitat. Significant wildlife habitats may include one or more of the following characteristics:

- a) Seasonal concentrations of animals, such as deer wintering habitat;
  - b) Rare vegetation communities and specialized habitats for wildlife;
  - c) Habitats of species of "special concern" and other wildlife habitats, such as provincially rare plants, reptiles, amphibians, and birds, as well as nests of raptors such as osprey; and
  - d) Animal movement corridors.
1. Lands identified as significant wildlife habitat are important components of the Natural Heritage System within the Township and must be protected from incompatible development and site alteration, in accordance with the Policies of this Official Plan.
  2. Development and site alteration shall not be permitted within or adjacent to significant wildlife habitat, unless it has been demonstrated through the preparation of an Environmental Impact Study (EIS) in accordance with the Environmental Impact Study Section of this Plan, that there will be no negative impacts on the natural features or their ecological functions.



## 5.6 Parks and Public Lands

1. Public Parks and Public Lands are identified on Schedules 'A1' and 'A2'. These generally consist of lands owned by the federal, provincial, and municipal levels of government, the Cataraqui Region Conservation Authority, and non-profit, charitable conservation organizations. They have been identified in order to clearly show the extent of public land ownership and thereby help to avoid trespassing on other privately-owned lands.
2. A mix of land uses is permitted on these lands, in keeping with the management plans of the custodial agency or management organization. These may include passive or active parks and recreation facilities, conservation, wildlife management, and educational activities.
3. No amendment to this Official Plan is required in order to add additional areas of Public Parks and Public Lands but the Township will review these holdings at five-year intervals and update Schedules 'A1' and 'A2', as required. An amendment is required if an agency disposes of any of these lands unless it is being transferred to another agency or to a charitable, non-profit charitable organization such as a land trust.
4. The implementing Zoning By-law will zone the lands in categories which reflect the specific purpose for which the land is intended to be used. These will reflect the lands' ecological values, recreational attributes and other features, as recommended by their respective management plans or the policies of the custodial agency.

## 5.7 Rural

The Rural designation applies to most of the land in the Township and is intended to allow limited residential development and a range of uses which, together, provide the rural community with opportunities to live and work in a sustainable manner. For the Rural designation south of Highway 401, additional policies apply to lands included in the Thousand Islands Special Policy Area. Where in conflict, the policies of the Special Policy Area take precedence.

### 5.7.1 Residential Uses in the Rural Area

Lands in the Rural designation are intended to support limited residential development which respects the rural character and natural heritage features and areas. Lands in the Rural designation are not intended to be the focus of significant amounts of new and expanding residential development. It is intended that scattered residential development and the extension or creation of residential strip development be avoided, while allowing for infill in existing concentrations of



residential development in the Rural designation, in accordance with the policies of this Plan.

1. Residential uses in the Rural designation uses shall generally be limited to single-detached dwellings, semi-detached dwellings, duplexes, garden suites, secondary dwelling units, and tiny dwellings, subject to the applicable Sections of this Plan. The conversion of existing single-detached dwellings into two dwelling units may also be permitted in accordance with the policies of the Secondary Dwelling Units Section of this Plan and the provisions of the Zoning By-law, and subject to the approval of the private services for such development.
2. The creation of lots may take place by consent or by plan of subdivision or condominium, in accordance with the policies set out in the Division of Land Section of this Plan.
3. It is intended that residential development in the Rural designation be located so that the impact on natural features such as waterbodies and the Natural Heritage System will be minimal.
4. Multi-unit residential development is encouraged to be located within the settlement areas. However, it is recognized that there may be proposals for multi-unit residential development in the Rural designation from time to time. Council shall consider such proposals for exceptional circumstances, such as public or private retirement homes. For any such proposal, a servicing options report, prepared by a qualified engineer, shall be required. The report shall recommend the appropriate type of servicing and any specific conditions relating thereto which must be acceptable to Council and the Ministry of the Environment, Conservation and Parks. Where any development is proposed to occur on communal services, the development shall be subject to the relevant policies in the Servicing Requirements Section of this Plan.
5. Plans of subdivision or condominium that are to be developed on private water and sewage systems shall require a hydrogeological and terrain analysis report and impact assessment of nitrates on the groundwater. These studies must meet the satisfaction of Council prior to the issuance of draft plan approval.

### **5.7.2 Commercial and Industrial Uses in the Rural Area**

Commercial and industrial uses provide employment opportunities for Township residents, as well as important services for area residents, tourists, businesses, and the travelling public.



1. A key attribute which can be used to encourage ecotourism is the natural beauty and significant natural heritage of the area. The Township will work with the business community to encourage this form of tourism, taking advantage of compatible features like the path system on the Thousand Islands Parkway and potential extensions to that system.
2. It is intended that commercial and industrial development in the Rural designation be located so that the impact on natural features such as waterbodies and the Natural Heritage System will be minimal.
3. Commercial and industrial uses should be appropriate for the proposed location, having regard to potential impacts on neighbouring land uses and surrounding physical features, in accordance with the Compatibility and Built Form Section of this Plan.
4. Commercial and industrial uses may be permitted north of Highway 401 along County roads and on arterial roads, especially where the proposed development is an extension of an existing commercial or industrial use.
5. Tourist commercial uses should be on lots which abut a public road, in order to help avoid conflicts with neighbouring residential uses.
6. Tent and trailer parks will be permitted as a resort commercial type of development. Tent and trailer parks include seasonally-operated parks for the accommodation of tents and recreational vehicles, including park model trailers (but excluding mobile homes), together with accessory facilities, such as convenience stores and services catering to the day-to-day needs of the tourists. New tent and trailer parks will require an amendment to the Zoning By-law. The following policies will apply to tent and trailer parks:
  - a) The site development standards, such as lot area, density, campsite area and frontage, shall be established in the Zoning By-law;
  - b) Access roads to tent and trailer parks shall be adequate for the movement of large vehicles. Public road access points shall be limited in number and designed so that the danger to vehicular and pedestrian traffic is minimized;
  - c) Adequate buffering shall be provided between the tent and trailer park and any adjacent residential uses, in accordance with the Compatibility and Built Form Section of this Plan.
  - d) Adequate parking for users, as well as tourists, shall be provided on site, in compliance with the Zoning By-law.



- e) Water and sewage disposal services for the park must be provided in accordance with the requirements of the municipality and will not be permitted to be functional during the period from December 1 to March 31 of the following year. This policy is intended to discourage long-term residential use.
  - f) The applicant shall submit a site plan for the proposed park which must be accepted by Council before an amendment to the Zoning By-law is passed.
  - g) Tent and trailer parks shall conform to all provisions of the Township's Trailer By-law, passed under the authority of the **Municipal Act**.
7. Industrial uses should be of a type which do not require large quantities of water and which do not pose problems for the disposal of wastes. Proper waste handling, spill control, and wastewater treatment shall be required. Industrial uses should be oriented to the local economy, such as those which use local resources and/or serve local businesses and residents.
  8. The location of all commercial and industrial uses shall be controlled by placing them in appropriate categories in the Zoning By-law. Consideration will be given to combining commercial and industrial uses in a common zone(s), where appropriate, in order to provide flexibility.
  9. The location and number of accesses to public roads for commercial and industrial uses shall be carefully controlled in order to avoid creating a traffic hazard. Generally, there should be no more than two access points per lot.
  10. Adequate off-street parking and loading spaces must be provided, in compliance with the Zoning By-law.
  11. Adequate buffering will be provided between the commercial or industrial uses and neighbouring sensitive land uses (e.g. residential uses), in accordance with the Compatibility and Built Form Section and the Industrial Facilities and Sensitive Land Uses Section of this Plan, as applicable.
  12. Commercial and industrial uses in the Rural designation are designated as Site Plan Control areas.
  13. Advertising devices and outside storage of goods and materials shall be strictly controlled.



### 5.7.3 Eco-park Uses in the Rural Area

1. The Township may undertake a study to identify and designate areas around existing waste disposal sites within the required 500 m setback area as an “eco-park”, to permit a range of compatible uses, such as an energy production, material sorting/storage facilities, organics processing, and recycling, in consultation with the applicable Ministries and adjacent landowners.

### 5.7.4 Recreation and Public Open Space Uses in the Rural Area

1. Recreational uses include a variety of non-intensive land uses which result in minimal environmental disruption and which provide opportunities to enjoy the natural environment. These lands may be in public or private ownership.
2. North of Highway 401, permitted uses may also include golf clubs, country clubs, riding clubs and similar uses. Such uses will be located in a manner which is compatible with surrounding uses. Adequate off-street parking must be provided. South of Highway 401, such uses are permitted in the Active Recreation and/or Tourist Commercial designations.
3. Lands may be used for conservation, forestry, and outdoor recreation uses, including:
  - a) Parks of all types, including picnic areas, campgrounds, swimming areas, pavilions, and service buildings associated with the park use;
  - b) Private clubs including those used for golf, skiing, riding, fishing, hunting, all-terrain vehicles, and snowmobiling;
  - c) Trail systems, interpretive centres, or nature study areas, and other uses involving the non-intensive use of open lands;
  - d) Compatible agricultural uses such as farms, nurseries, market gardens, and forestry operations.

### 5.7.5 Small Scale Mineral Aggregate Removal in the Rural Area

1. Pits for the removal of small (maximum: 20,000 tonnes per year) quantities of sand, gravel, and fill may be permitted in the Rural designation without an Official Plan amendment, provided they are clearly limited in their potential impact on surrounding uses. This policy is intended to allow small areas of unmapped resources to be utilized, but priority will be given to the protection of adjacent land uses, in accordance with the Compatibility and Built Form



Section of this Plan. Any proposed pit operation which exceeds the limit of 20,000 tonnes per year which is not within an area designated as Mineral Aggregate Resources on Schedule 'A4' will require an amendment to this Official Plan.

2. A Zoning By-law amendment and licensing under the **Aggregate Resources Act** will be required. In considering a rezoning application, the Township will review the applicant's licensing reports and potential impacts related to groundwater, noise, dust, and truck traffic. Because this policy is only intended to accommodate the removal of unconsolidated materials, no blasting will be permitted.

### 5.7.6 Wrecking Yard Uses in the Rural Area

Wrecking yards provide for the storing, dismantling, and salvage of used motor vehicles and other equipment. The following policies shall apply to these uses.

1. Wrecking yards, or "end-of-life vehicle (ELV) waste disposal sites", are regulated by the Ministry of the Environment, Conservation and Parks (MECP), in accordance with the **Environmental Protection Act** and associated regulations. Prescribed activities engaged in at an ELV waste disposal site must be registered in the Environmental Activity and Sector Registry (EASR).
2. Wrecking yards shall be located an adequate distance away from any existing or proposed residential, commercial, institutional, or open space uses. The actual separation distance may vary, depending on topography, intervening land uses or natural buffering. Site specific distances shall be established in the Zoning By-law.
3. The wrecking yard shall be subject to the Compatibility and Built Form Section of this Plan, and shall be naturally screened on all sides, so that no portion of the operation, including the storage area, is visible from a public road. Additional artificial screening shall be required to screen the site from any neighbouring residences.
4. A wrecking yard shall not be permitted in a location which may cause or contribute to the pollution of any watercourse, area designated as Provincially Significant Wetlands, or the Natural Heritage System.
5. An accessory dwelling for the owner of the wrecking yard shall be permitted.
6. All wrecking yards shall be subject to Site Plan Control.



7. An amendment to the Zoning By-law shall be required to establish a new wrecking yard. A new wrecking yard shall only be considered in a Rural designation.

### **5.7.7 Agricultural Uses in the Rural Area**

1. Agricultural and agriculture-related uses are permitted in the Rural designation. All farm and non-farm development will comply with the minimum distance separation formulae and the Minimum Distance Separation (MDS) – Agricultural Uses and Cemeteries Section of this Plan. This policy is intended to encourage the agricultural use of land with suitable soils, but which have not been included in the separate Agriculture designation.
2. On-farm diversified uses shall be permitted in the Rural designation, provided that they are accessory to the principal agricultural use of the property, and are limited in area.
3. Where agriculture-related uses and on-farm diversified uses require planning approval, these uses shall be subject to site plan control.

## **5.8 Settlement Areas**

In accordance with the 2014 Provincial Policy Statement and the United Counties of Leeds and Grenville Official Plan, the villages designated as Settlement Areas shall be the focus of growth in the Township. These communities have historically provided, to varying degrees, a mix of residential uses, tourism-based retail and service uses, as well as community facilities. These settlement areas have played a long-standing and important role in accommodating the day-to-day needs of the Township's mainland and island residents and communities, including agricultural and rural communities, as well as recreational and tourist-oriented uses.

Subject to appropriate servicing, the Township seeks to encourage more concentrated development and intensification in the Settlement Area designation than would typically be found or permitted within the Rural designation. Concentrating development and intensification in the settlement areas contributes to preserving the Township's Natural Heritage System and rural character and promoting revitalization of the Settlement Areas. The amount and type of development permitted through infilling and intensification within the Settlement Areas shall maintain or enhance the individual character of these villages.

While expansions to the existing Settlement Areas are not anticipated over the horizon of this Plan, the Township may undertake a review of the local municipal growth allocation, in accordance with the policies of the United Counties of Leeds and Grenville Official Plan, to consider adjustments to settlement area boundaries





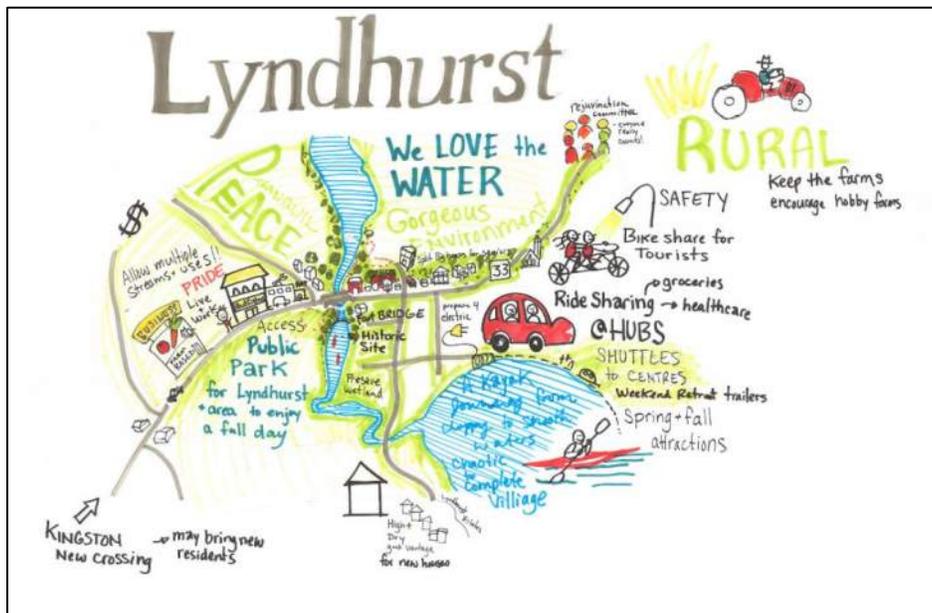
**Goals:**

1. Preserve the existing character of the village.
2. Encourage the co-location of services to establish Lansdowne as a community hub with a village feel.
3. Encourage denser development and infill on existing municipal services, where appropriate.
4. Encourage commercial development along main streets to increase services for residents and tourists.
5. Promote a diversity of low density and higher-density housing options.
6. Encourage mixed use development, such as residential uses on upper floors of commercial uses.

**5.8.1.2 Lyndhurst**

**Vision Statement:**

The village of Lyndhurst will strive to be a more self-reliant and complete community that remains connected to its history, while enhancing the local economy by supporting businesses, tourism, the waterways, new growth, and community facilities.





**Goals:**

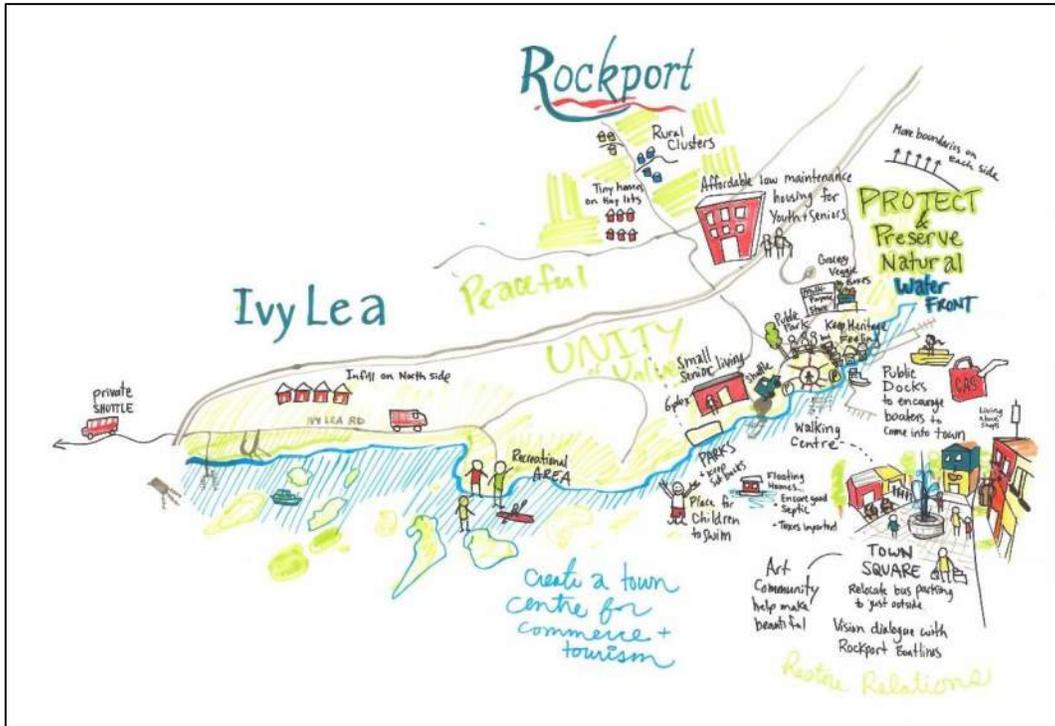
1. Preserve the existing character of the village.
2. Encourage commercial development and infill along main streets to increase services for residents and tourists, in order to support the development of a more “complete community”.
3. Encourage recreation and tourist-based commercial development, such as accommodations, restaurants, specialty shops, boat repair service shops, and outfitters.
4. Provide the services and infrastructure needed to support increased eco-tourism and tourism within the village, such as wayfinding tools, signage from main transportation corridors, information kiosks, public parking areas, public washrooms, and bike racks.
5. Promote a diversity of housing options, subject to appropriate servicing.
6. Encourage mixed use development, such as residential uses on upper floors of commercial uses.

**5.8.1.3 Rockport and Ivy Lea**

**Vision Statement:**

The village of Rockport, the heart of the 1000 Islands and a tourist destination, aims to enhance its public realm and support walkability in the core while celebrating and protecting its natural heritage.

The village of Ivy Lea will continue to celebrate and maintain its waterfront character for both residents and tourists.

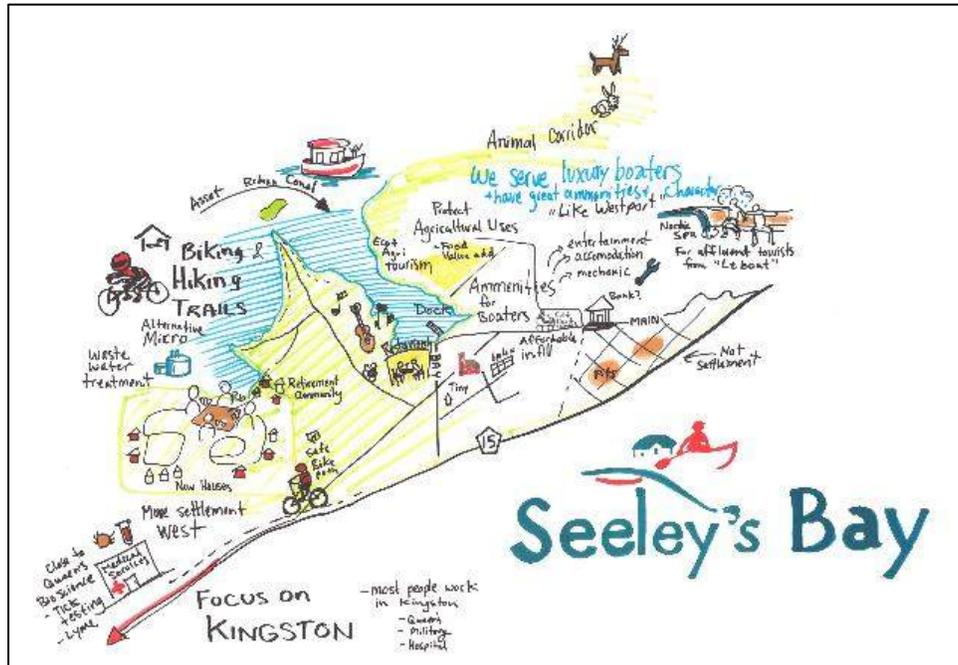
**Goals:**

1. Preserve the existing character of the villages.
2. Encourage recreation and tourist-based commercial development in Rockport, such as accommodations, restaurants, specialty shops, boat repair service shops, and outfitters.
3. Provide the services and infrastructure needed to support increased eco-tourism and tourism within the village of Rockport, such as wayfinding tools, signage from main transportation corridors, information kiosks, appropriately-located public parking areas, public washrooms, and bike racks.
4. Reduce traffic congestion within the Settlement Area boundary of Rockport, and promote the development of a village square with commercial uses.
5. Promote a diversity of housing options in Rockport, subject to appropriate servicing.
6. Maintain Ivy Lea as a residential and commercial node.

### 5.8.1.4 Seeley's Bay

#### Vision Statement:

The waterfront village of Seeley's Bay will continue to build on its connection with the Rideau Canal and strive to be a tourist and residential destination with a vibrant local economy and sustainable future growth that respects and protects the natural environment with a special focus on sustainable and active tourism.



#### Goals:

1. Preserve the existing character of the village.
2. Celebrate the location of the village along the Rideau Canal and encourage place-making to make Seeley's Bay a tourist destination with a village feel.
3. Encourage recreation and tourist-based commercial development, such as accommodations, restaurants, specialty shops, boat repair, and outfitters.
4. Provide the services and infrastructure needed to support increased eco-tourism and tourism within the village, such as wayfinding tools, signage from main transportation corridors, information kiosks, public parking areas, public washrooms, and bike racks.
5. Promote a diversity of housing options, subject to appropriate servicing.



6. Encourage mixed use development, such as residential uses on upper floors of commercial uses.

### 5.8.2 General Land Use Policies

1. Ivy Lea, Lansdowne, Lyndhurst, Rockport, and Seeley's Bay are designated as Settlement Areas. Consistent with the settlement structure established in the United Counties of Leeds and Grenville Official Plan, Lansdowne is categorized as an urban settlement area where municipal water and sewage services are available; it shall be a focus of growth and shall accommodate a broad range of uses. Ivy Lea, Lyndhurst, Rockport, and Seeley's Bay are categorized as rural settlement areas, where development shall proceed on public or private communal systems, or private individual systems; these areas may continue to experience growth, though more limited than in Lansdowne, through appropriate infilling, redevelopment, and development of vacant lands.

The lands designated for each of these communities represent the areas of existing development and future growth and development.

2. Settlement Areas are intended to be developed for a variety of compatible uses. These uses are designated on Schedules 'B1' through 'B5', and shall be guided by the policies of this Section and the other applicable policies of this Official Plan.
3. The urban Settlement Area of Lansdowne is one of five (5) urban settlement areas in the United Counties of Leeds and Grenville. Lansdowne shall be developed on the basis of municipal piped water supply and sewage disposal systems. In the implementing Zoning By-law, lands within the Settlement Area of Lansdowne which are not currently serviced by municipal piped water and sewer services will be placed in a holding zone until such time as the owner(s) and the municipality enter into an agreement concerning the extension of such services. In the interim, Council may permit such land to be used for purposes which will not in any way prejudice the eventual servicing of the land.
4. All other rural Settlement Areas shall be developed on public or private communal systems or private individual systems, subject to the Servicing Requirements Section of this Plan.

#### 5.8.2.1 Residential Designation in the Settlement Areas

1. In the Residential designation, development shall generally be limited to low densities such as single-detached dwellings, semi-detached dwellings, and duplexes, as well as retirement homes.



2. In the Multi-Residential designation in Lansdowne, where municipal services are currently available, densities may be increased to allow a range of residential types, including triplexes, townhouses, and low-rise apartments.
3. Multi-residential development shall be considered in all rural Settlement Areas to allow a range of residential types, including triplexes, townhouses, and low-rise apartments, if adequate servicing capacity can be demonstrated and subject to all applicable policies of this Plan. Accessory buildings shall be of limited height.
4. On waterfront properties in the Residential designation, development shall generally be limited to single-detached dwellings, semi-detached dwellings, and duplexes.
5. In reviewing development applications, the Township shall ensure that proposed intensification and redevelopment is compatible with surrounding uses, in accordance with the Compatibility and Built Form Section of this Plan.
6. New residential development will be encouraged to occur by registered plan of subdivision or condominium, especially where new public roads are being created. In other instances, development may proceed by the consent process. Residential development proposals will not be recommended for approval unless:
  - a) Soil and drainage conditions are suitable to permit the proper siting of buildings; and
    - i) connection to piped services is undertaken in accordance with Township requirements; or
    - ii) a hydrogeological and terrain analysis and impact assessment of nitrates on groundwater quality will be required to demonstrate that a satisfactory supply of water and sewage disposal system exists where private services are permitted.
  - b) Access can be provided directly to a public road which is of a standard of construction capable of permitting access by school buses, ambulances, fire trucks, and other essential service vehicles;
  - c) Strip development on County Roads is prevented; and
  - d) The minimum lot areas are appropriate for the uses proposed, and in accordance with the requirements of the Zoning By-law.
7. In recognition of the future needs of the population, new residential development should provide opportunities for affordable housing, as well as



housing suitable for an aging population and persons with disabilities, in accordance with the policies of the Housing and Supply of Land Section of this Plan.

8. Medium and high density residential development and development on waterfront lots are designated as Site Plan Control areas.
9. The maintenance and improvement of existing residential buildings shall be encouraged.

#### **5.8.2.2 Commercial Designations in the Settlement Areas**

1. Commercial development should be of a scale catering to the residents of and tourists to the Settlement Areas and surrounding rural area. Such development should front on an arterial or collector road, wherever possible. Council shall ensure that any proposed commercial use is compatible with neighbouring residential uses, particularly in regard to appearance, traffic generation potential, noise and other environmental factors, in accordance with the Compatibility and Built Form Section of this Plan. Such provisions as buffering, adequate off-street parking, control of ingress and egress to the commercial site and other restrictions may be imposed. In particular, the negative effects associated with tour bus parking, especially fumes and noise, shall require mitigation.
2. In the Commercial designation, permitted uses may include retail, services, offices, restaurants, tourist services, motels and hotels, service and repair shops, and general business activities appropriate to a commercial area.
3. In the Highway Commercial designation, permitted uses shall generally be limited to commercial uses that serve the needs of residents and the travelling public, including those uses that may require large parcels of lands, large areas of surface parking, and access by major roads. Specific permitted uses may include small and large-scale retail, wholesale, service commercial uses (e.g. bank, convenience store, service station, etc.), motels and hotels, restaurants, establishments supplying fuel, building materials, and hardware, and other similar uses.
4. In the Tourist Commercial designation, permitted uses shall generally be limited to tourist accommodation, dining, tourist services, marinas and marine facilities, and similar uses, as well as multi-residential uses associated with a tourist commercial use.
5. Where they are located adjacent to residential uses, commercial uses should complement and serve the needs of adjacent residential uses. Such uses may



- include convenience stores, grocery stores, retail, personal service uses, offices, banks, daycares, and other similar uses.
6. Commercial uses shall be developed in a compact form to maximize use of land and to minimize intrusion into residential areas.
  7. New commercial development shall be oriented to the street, where possible, and shall incorporate attractive streetscaping elements, such as landscaping, signage, decorative lighting, and pedestrian connections for access between public streets, parking areas, and building entrances, as determined in consultation with the Township.
  8. To support walkability and built form, minimum and maximum front yard setbacks may be specified in the implementing Zoning By-law.
  9. Adequate vehicular and bicycle parking and off-street loading facilities shall be provided for all permitted uses. Access points to parking areas shall be limited in number and designed in a manner that shall minimize the danger to both vehicular and pedestrian traffic.
  10. Where off-street parking is required, such parking shall generally be located to the rear or side of buildings, in order to foster a pedestrian-friendly environment.
  11. Parking lots shall be conveniently located, in such a manner as to provide safe access to public roads and sidewalks, or other pedestrian corridors. They shall be appropriately buffered and landscaped in order to reduce their micro-climatic and visual impact on the surrounding area. The demolition of existing buildings for the development of surface parking lots shall be discouraged.
  12. Commercial uses are designated as Site Plan Control areas.
  13. The maintenance and improvement of existing commercial buildings shall be encouraged.
  14. The Township shall encourage infill on existing lots of record where services and utilities are available, or where it can be supported by public or private communal systems or private individual systems, subject to the policies of the Servicing Requirements Section of this Plan.
  15. The Township shall encourage the development of joint spaces for small businesses.



### 5.8.2.3 Mixed Use Designation in the Settlement Areas

The Mixed Use designation identifies areas in the Settlement Areas of Lansdowne, Lyndhurst, and Seeley's Bay. Properties designated Mixed Use are generally located along the Main Street designation, which identifies the central business areas in the Settlement Areas. It is the general intent of Council to foster the business function of these areas by promoting all types of commercial uses, as well as residential uses and residential uses which are accessory to the commercial uses.

1. In the Mixed Use designation, the Township shall encourage the development of ground-oriented commercial uses, such as retail, office, services, restaurants, tourist services, and other similar uses, with residential uses on upper floors or at the rear, within the principal building or in a separate building and having a separate entrance from the commercial entrance.
2. The policies contained in this Section shall not limit the ability of existing residential uses to continue and expand.
3. Buildings at the edge of the Mixed Use designation may fluctuate on both the ground floor and upper floors between residential and commercial uses, with ebbs and flows in market conditions.
4. Adequate off-street parking and loading facilities should be provided for all permitted uses. Access points to such parking areas shall be limited in number and designed in a manner that shall minimize the danger to both vehicular and pedestrian traffic.
5. In the case of mixed-use buildings, parking for residential uses shall be distinctly identified from the parking for commercial uses.
6. Applications to develop residential or mixed-use buildings should include well-designed, useable amenity areas for the residents that meet the requirements of the Zoning By-law. These areas may include private or communal amenity areas, such as: balconies or terraces; rooftop patios/gardens; and communal outdoor at-grade spaces (e.g. plazas, courtyards, squares, and yards).

### 5.8.2.4 Main Street Designation in the Settlement Areas

The Main Street designation identifies streets in the Settlement Areas of Lansdowne, Lyndhurst, Rockport, and Seeley's Bay that offer significant opportunities for a lively mix of uses and a pedestrian-friendly environment, and generally represent central business areas. These areas are typically characterized by small-scale buildings with narrow frontages set close to the street. The development pattern, mix of uses, and contiguous storefronts create an interesting



and inviting pedestrian environment and support active transportation. Main streets may connect different parts of a Settlement Area and may change in character along their length. Some segments may include established residential areas, while other segments serve as areas of commercial activity for the Settlement Area, the broader Township community, and tourists.

The intent of the Main Street designation is to encourage intensification and a pedestrian-oriented development. Intensification is most likely to occur over time through the redevelopment of sites such as vacant lots and aging building stock, as well as through additions to existing buildings, and shall have regard for the conservation of significant cultural heritage resources and built heritage resources.

1. The Main Street designation is an overlay which generally applies to the whole of those properties fronting on the road.
2. New development along Main Streets shall be oriented to the street, where possible. Surface parking should not be permitted between the building and the street. The location of surface parking, including parking lots, should avoid interruption of building continuity and minimize impacts on the pedestrian environment.
3. New development along Main Streets should consider coordinated signage and landscaping, as well as the size, number, and location of vehicular accesses that minimize the interruption of street frontage and impacts on the pedestrian environment.
4. The Zoning By-law may establish maximum building heights along Main Streets based on site conditions, existing character, and compatibility with adjacent land uses.
5. Where the Township is proposing public works within a Main Street’s right-of-way, considerations shall include improvements to the pedestrian and cycling environment and streetscape enhancements, such as wider sidewalks, benches, street trees, planters, and other landscaping.

**5.8.2.5 Institutional Designation in the Settlement Areas**

The Institutional designation identifies areas that are primarily under the jurisdiction of the municipal or a local board and represent public uses.

1. In the Institutional designation, permitted uses shall generally be public or community uses that provide services to the general public, such as government offices, schools, places of worship, cemeteries, community centres, parks and recreational facilities, libraries, daycares, firehalls, police



stations, retirement homes, nursing homes, and other appropriate public activities.

#### **5.8.2.6 Open Space Designation in the Settlement Areas**

Recreational opportunities contribute to promoting healthy, active communities and a high quality of life. The Open Space designation is intended to provide residents and tourists to the Settlement Areas with greenspace and facilities for both passive and active recreation. The Township seeks to provide adequate parks, open space, and recreational facilities and linking waterfront areas and other open space and parks with the existing built-up community.

1. In the Open Space designation, permitted uses shall generally be limited to active and passive parks, picnic areas, trails, open space, conservation areas, public docks and marine facilities, playgrounds, playing fields, public and private recreation facilities.
2. The following secondary uses shall be permitted in the Open Space designation, provided that they do not interfere with, or detract from, the activities of the primary uses: restaurants, rentals and outfitters, boat storage, and dock and marine facilities.

#### **5.8.2.7 Light Industrial Designation in the Settlement Areas**

1. The Light Industrial designation identifies areas which, because of their location, accessibility, and present characteristics, are deemed suitable for industrial uses.
2. In the Light Industrial designation, industrial uses of relatively small scale and which cause minimal impacts, such as those uses that are of a warehousing, manufacturing, storage, repair, wholesaling, recycling, and transportation nature, shall be permitted, provided priority is given to the protection of adjacent existing and proposed residential uses. Complementary uses such as business park and office uses, recreational facilities, hotels/conference centres, and other such complementary uses which are in keeping with the overall mix of uses in the surrounding area, shall also be permitted.

In considering industrial uses and/or complementary uses, Council shall ensure that the proposed use is compatible, particularly in regard to appearance, traffic generation potential, neighbourhood disruption and to emissions of dust, fumes, noise, odour, smoke or vibration, in accordance with the Compatibility and Built Form Section of this Plan. Buffering, adequate off-street parking, control of ingress and egress and other restrictions may be imposed.



3. Secondary uses may be permitted in the Light Industrial designation, provided they are incidental to the industrial operations; they provide a service for the industrial area or increase its attractiveness for industry; and they have characteristics or functional requirements similar to the industries.
4. Outdoor storage areas shall be limited in size through the Zoning By-law.
5. Adequate buffering will be provided between industrial uses and neighbouring sensitive land uses (e.g. residential uses), in accordance with the Compatibility and Built Form Section and the Industrial Facilities and Sensitive Land Uses Section of this Plan, as applicable.
6. Industrial uses are designated as Site Plan Control areas.
7. Industrial uses will be placed in appropriate categories in the implementing Zoning By-law.

## 5.9 Special Policy Areas

### 5.9.1 General

Special Policy Areas are portions of the Township where unique attributes require modified approaches to land use and development in order to protect their fundamental values. This section of the Official Plan explains the additional policies and the changes to general Township policies which apply. It also describes future initiatives which will lead to additional policy changes when warranted.

### 5.9.2 Thousand Islands Area (Land South of Highway 401)

When the South Leeds Official Plan was completed in the late 1970s, the Thousand Islands and neighbouring mainland were recognized as unique areas requiring a different policy approach. This led to the development of the Thousand Islands Heritage Area (TIHA) Concept, followed by the preparation of a Secondary Plan for this special policy area which was adopted as Amendment No. 3 to the South Leeds Official Plan. It established a series of more specific land use designations and policies following an extensive public consultation program. The South Leeds Joint Planning Area was abolished as a result of 1983 amendments to the **Planning Act**. The joint Official Plan and the Secondary Plan (Amendment No. 3) were subsequently repealed. The Township of Front of Escott and the Township of Front of Leeds and Lansdowne prepared individual Official Plans which retained many of the elements of the TIHA concept and former Secondary Plan. The applicable elements of these documents have also been incorporated into this Official Plan.



The Thousand Islands Area, as identified on Schedule 'A1' and described as the area south of Highway 401, continues to be of unique importance to its residents and tourists. Some additional policies will apply in this area and several specific land use designations have been shown on Schedule 'A1' for some of the land south of Highway 401, in order to carefully control residential and various forms of commercial and industrial development.

**5.9.2.1 Basis**

The special character of the Thousand Islands Area is a vital aspect of the Township's economy, and it is recognized that care is needed to prevent over-development that could jeopardize its unique natural and cultural environment, waterfront character, and sense of place enjoyed by both existing residents and tourists, and future generations.

**5.9.2.2 Vision Statement**

The Thousand Islands area, known for its world class natural beauty and special character, will be protected from over-development. Through contextually appropriate development, public access and recreation opportunities will be improved to ensure that it remains a natural and cultural showpiece for the future.



**5.9.2.2.1 Residential Uses**

For residential uses in the areas designated Rural, a modified approach to development shall apply.

1. Residential development on the mainland shall have a maximum density of one unit per 1 ha and shall be limited to single-detached dwellings, semi-detached dwellings, duplexes, garden suites, secondary dwelling units, and





tiny dwellings. A key goal is to preserve and enhance the aesthetic value of the area.

2. Residential development on islands shall be limited to single-detached dwellings which are designed to blend into the landscape rather than dominate it.
3. Residential development, including expansion of dwellings and replacement of dwellings that results in an expansion, on islands less than 1 ha (2.5 acres) and larger than 0.6 ha (1.5 acres), will only be permitted in accordance with the following additional policies:
  - a) the terrain must be such that a residence can be located in an unobtrusive manner. Photographic evidence will be required;
  - b) the size and design of the residence must permit it to blend into the natural landscape with minimal visual impact. Detailed sketches will be required. Site Plan Control will apply; and
  - c) an effective method of sewage disposal must be designed and correctly installed for the property. No new development or expansions of existing dwellings will be permitted on the basis of holding tanks.

#### **5.9.2.2.2 Commercial, Industrial, and Active Recreation Uses**

For commercial, industrial, and active recreation uses, a modified approach to new development shall apply.

1. Tourist Commercial and Limited Industrial
  - a) Industrial uses are generally prohibited. However, limited industrial uses may be permitted without the need for an amendment to the Official Plan, if the proposed use requires to be located in proximity to water, subject to the Compatibility and Built Form Section of this Plan, and any other policies of this Plan, as applicable. These uses should be located as far in-land as possible from the water and should include natural buffers consisting of native vegetation and rock to protect and shield views from all sides and from residential areas.
  - b) Tourist commercial uses shall be encouraged as the main form of commercial development south of Highway 401. The uses permitted on lands designated Tourist Commercial in this Official Plan, located south of Highway 401, shall generally be limited to tourist accommodation, dining, tourist services, and similar uses, as well as multi-residential uses associated with a tourist commercial use.



- c) The Shoreline Casino Thousand Islands has attracted many tourists and may generate pressure for related or supporting businesses within Gananoque and the Township. Opportunities for compatible development shall be encouraged, in accordance with the policies of the Compatibility and Built Form Section of this Plan, while giving careful consideration to the other relevant policies of this Plan.
  - d) Commercial and industrial uses located on County or Township roads shall not be closer than 395 m (1,296 feet) to the centre point of any intersection on the 1000 Islands Parkway, and their establishment shall have negligible impact on neighbouring uses, in accordance with the Compatibility and Built Form Section of this Plan.
  - e) The establishment of new tourist commercial uses, or mixed-use developments consisting of tourist commercial uses and associated multi-residential uses shall be permitted, without the need for an amendment to the Official Plan, where the new proposed development is an extension of an existing use or is located adjacent to lands designated as Tourist Commercial. An amendment to the Official Plan, as well as to the Zoning By-law, shall be required in order to establish new Tourist Commercial areas south of Highway 401, which do not comprise an extension of an existing use or are not located adjacent to existing lands designated Tourist Commercial. In considering such applications, Council will be guided by the relevant policies of the Thousand Islands Area (Land South of Highway 401) and Compatibility and Built Form Sections of this Plan, and any other policies of this Plan, as applicable. In addition, the proposed development needs to demonstrate its visual impact on the 1000 Islands Parkway and the 1000 Islands landscape, and that insufficient land is currently available for such use in the area south of Highway 401.
  - f) The Township shall encourage tourism nodes to promote and attract increased tourism.
  - g) Tourist commercial and industrial uses are designated as Site Plan Control areas.
  - h) Waste management facilities and wrecking yards are prohibited.
2. Active Recreation
- a) The uses permitted on lands designated as Active Recreation, shall be tent and trailer parks, riding clubs, golf courses, boat launching sites, picnic areas, recreation areas, community centres, retreat areas,



conference centres, interpretation and tourist information centres, and limited accessory commercial uses.

- b) The size of any lot designated Active Recreation shall be appropriate for the use proposed, suitable for the proper functioning of adequate water supply and sewage disposal facilities, and in conformity with the requirements of the Zoning By-law.
- c) Access to all Active Recreation properties shall be provided by public road. All developments in this designation shall provide such parking facilities as are required to effectively serve the land use with no disruption to through traffic.
- d) The siting of all permitted uses shall minimize potential disturbance to existing vegetation, the natural heritage system, including fish habitat, and other natural features. Natural buffers consisting of native vegetation shall be provided between any Active Recreation use and adjacent residential uses.
- e) Active Recreation uses are designated as Site Plan Control areas.
- f) In addition to the policies of this section, tent and trailer parks will conform to the applicable policies of the Commercial and Industrial Uses in the Rural Area of this Plan.

**5.9.2.2.3 Special Exception Areas**

- 1. Notwithstanding the density policies of the Residential Uses Section under the Thousand Islands Area (Lands South of Highway 401) Section of this Plan, residential development on Part of lot 22, Concession 1, former Township of Lansdowne, known as 16 Reynolds Road, Assessment Roll number 812-025-25100, and described in Instrument Number 91502, will have a maximum density of eight (8) dwelling units per hectare. Notwithstanding the setback policies of the Commercial and Industrial Uses in the Rural Area Section of this Plan, development on the property may also be permitted at a setback of 72 metres from the intersection of Reynolds Road and the 1000 Islands Parkway. [By-law No. 18-014]
- 2. The following policy is applicable to a portion of the lands located at 14 Flaggs Creek Crescent, Concession 1, Pt Lot 12, 13, 28R11576 Part 1 & 2, Geographic Township of Lansdowne, Township of Leeds and the Thousand Islands:
  - a) In addition to these policies, for those lands designated Tourist Commercial 'Site Specific Policy Area 2', the permitted uses shall be





limited to marine storage (excluding repairs, fuels, sales). [By-law No. 13-071]

3. The following policies are applicable to the water lot in front of 61 Shipman's Lane, Part of the Bed of the St. Lawrence River, Front of Lot 14, Concession 1, Geographic Township of Lansdowne, Township of Leeds and the Thousand Islands, United Counties of Leeds and Grenville, more particularly described as Part 1 & 2 on Reference Plan 28R-14513 and Parts 1-4 Reference Plan 28R-13109, Crown lease 17726:
  - a) The water lot designated Tourist Commercial shall be restricted in use to docking facilities appurtenant to the marina on the adjacent lot;
  - b) The Zoning By-law may specify a limited range of permitted uses; and
  - c) The subject lands shall be subject to site plan control in accordance with Section 41 of the **Planning Act** and the requirements of the Official Plan. [By-law No. 16-010]
4. Development on Hog Island shall, through the provisions of the zoning by-law, be restricted as follows:
  - a) The minimum lot size shall be 0.53 hectares (as measured above the high water mark). A maximum of two lots are permitted on the island;
  - b) Existing and approved structures, for which a building permit has been granted as of the date of adoption of this amendment, are permitted within the 30 metre setback of the high water mark of the St. Lawrence River;
  - c) The number of dwelling units on each lot is restricted to those for which a building permit was issued as of January 1, 2011. In no case will this exceed two dwelling units per lot;
  - d) The existing structures, other than the existing or approved dwelling units, shall not be modified or updated to include plumbing or the addition of new tile beds;
  - e) The natural vegetation on the island, especially within the 30 metre wetland setback, is to be maintained and enhanced where possible with native vegetation; and
  - f) Runoff from existing structures and impermeable surfaces is to be diverted inland where possible. Implementation of erosion control measures will form part of the site plan control agreement. [By-law No. 11-051]
5. Notwithstanding the policies contained in the Consents Section of this Plan of the Plan, on lands located in Part of Lot 15, Concession 1, former Township of Lansdowne north side of the 1000 Islands Parkway, development may take place with lots having frontage on the 1000 Islands Parkway, and access

provided from a deeded private right-of-way. Any subsequent development of the subject lands must also be in accordance with the policies in the Consents Section of this Plan.

### **5.9.3 Highly Sensitive Lake Trout Lakes – Charleston Lake and Red Horse Lake**

The Ministry of Natural Resources and Forestry (MNRF) and the Ministry of the Environment, Conservation and Parks (MECP) have undertaken numerous studies of lake trout lakes since the 1970s and identified those lakes which support naturally reproducing populations of lake trout. This species requires cold, well oxygenated water for its survival and these conditions are present in a small minority of Eastern Ontario Lakes.

Within the Township, Charleston Lake and Red Horse Lake contain water quality that supports a native lake trout fishery and is considered highly sensitive to nutrient inputs resulting from development. Extensive water quality data for Charleston Lake has been compiled in a report “A Summary and Critical Review of the Water Quality of Charleston Lake, Ontario 1968 to 2003”, prepared by Ontario Lake Assessments. This report provides a comprehensive account of present and historic water quality conditions and fisheries data for Charleston Lake. These lakes are considered “at capacity” for development.

In order to protect lake trout habitat in Charleston Lake and Red Horse Lake, this Official Plan supports the policy approaches recommended in the studies mentioned above.

1. Generally, the creation of new lots through consent or by plan of subdivision or condominium, will not be permitted within 300 m of a lake trout lake that is classified as “at capacity”, except under strict conditions and where a proponent can demonstrate that there will be no impacts on water quality. This requires consultation with the MNRF and MECP, and consideration of Municipal Site Evaluation Guidelines. The following are the conditions under which exceptions to allow lot creation are permitted:
  - a) To separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorous loading to the lake; or
  - b) Where all new septic tile fields would be located such that they would drain into a drainage basin which is not at capacity; or



- c) Where all new septic tile fields are set back at least 300 m from the shoreline of lakes; or
  - d) Where drainage from the septic tile fields would flow at least 300 m to the lake. This must be supported by a report prepared by a qualified professional; or
  - e) Where a site-specific soils investigation prepared by a qualified professional demonstrates that phosphorous can be retained in deep, native, acidic soils on-site, to the satisfaction of the MNR and MECP.
2. New development may proceed within 300 m of a lake trout lake that is classified as “at capacity” on existing lots of record only.
  3. The Township may require the preparation of a Lakeshore Capacity Assessment by a qualified professional for proposed development on Charleston Lake and Red Horse Lake, prepared in accordance with the requirements established in the MECP’s Lakeshore Capacity Assessment Handbook and the MNR’s Natural Heritage Reference Manual, as amended from time to time.



## Section 6 Water Resources Policies

### 6.1.1 General

The Township of Leeds and the Thousand Islands contains the St. Lawrence River, Rideau Canal, Charleston Lake, Red Horse Lake, and other inland waterbodies, that support the natural environment and the Township’s communities. The protection of water resources, including groundwater features, hydrologic functions, surface water features, and shorelines, from contamination and degradation associated with certain land uses and activities is essential to maintaining the health and ecological functions of the natural environment, as well as the quality of life experienced by existing residents, businesses, and tourists, and supporting future growth and enjoyment of these resources.

Distance and filtration of chemicals and nutrients through deep soils and or vegetative buffers are the primary tools available to protect waterbodies from contamination. The only means of mitigating phosphates from septic systems and fertilizers is to allow the ground to absorb precipitation and run off.

### 6.1.2 Source Water Protection

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

As water contamination is extremely difficult, costly and sometimes impossible to rectify, prevention of contamination is the most appropriate strategy. Surface and groundwater sources shall be protected from a full range of drinking water threats.

Source water protection policies in this Official Plan are consistent with the intent of policies included in the Cataraqui Source Protection Plan (2014) made under the **Clean Water Act, 2006**. For clarification and policy detail, the Cataraqui Source Protection Plan must be referenced. The terms used in this section carry the same meaning as those in the Cataraqui Source Protection Plan and the **Clean Water Act, 2006**.

In the event of conflict between long-term protection of drinking water sources and other considerations, drinking water shall take priority. The Cataraqui Source Protection Plan applies to the Cataraqui Source Protection Area. It is intended to protect vulnerable areas including wellhead protection areas and intake protection zones around municipal drinking water supplies, as well as significant groundwater



recharge areas and highly vulnerable aquifers from activities identified as drinking water threats, per the **Clean Water Act, 2006**.

As an implementation body identified in the Cataraqui Source Protection Plan, the Township shall comply with significant drinking water threat land use planning policies, have regard for all other land use planning policies, and provide due consideration for other non-binding recommendations in the Cataraqui Source Protection Plan.

Monitoring and reporting consistent with requirements and/or recommendations in the Cataraqui Source Protection Plan and in a format specified by the Cataraqui Source Protection Authority and the Province of Ontario shall be completed by the Township.

#### **6.1.2.1 Vulnerable Areas**

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

The **Clean Water Act, 2006**, defines a vulnerable area as a wellhead protection area, an intake protection zone, a significant groundwater recharge area, or a highly vulnerable aquifer. In the Township of Leeds and the Thousand Islands, the Cataraqui Source Protection Plan identifies one wellhead protection area, which is associated with the village of Lansdowne, as well as the James W. King intake protection zone associated with the St. Lawrence River water source. The majority of the Township is considered to be a highly vulnerable aquifer and significant groundwater recharge area. These vulnerable areas are identified on Schedules 'B1' and 'A6' of this Plan.

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



### 6.1.2.1.1 Lansdowne Wellhead Protection Area

The Lansdowne Wellhead Protection Area is located in the village of Lansdowne. Schedules 'B1' and 'A6' identify the Lansdowne Wellhead Protection Area, where the following policies shall apply:

1. New development and/or expansions to existing development that involve waste disposal sites and waste water treatment facilities (excluding the replacement, expansion or upgrade of existing facilities), including related infrastructure within Wellhead Protection Areas A, B and C, are prohibited where they would constitute a significant drinking water threat.
2. New development and/or expansions to existing development within Wellhead Protection Areas B, C and D, that involve the storage or manufacture of potential contaminants (that could include organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, Polychlorinated Biphenyls (PCBs) and Dense Non-Aqueous Liquids (DNAPLs)) where they would constitute a moderate or low drinking water threat may be subject to the implementation of risk management measures to protect the drinking water supply.
3. New development and/or expansions to existing development within wellhead protection areas where the discharge of stormwater from a stormwater retention pond would constitute a drinking water threat should incorporate low impact development techniques into stormwater management considerations to improve the quality of discharge from a stormwater retention pond.
4. New development and/or expansions, alterations or redevelopment of existing development for land uses within wellhead protection areas A, B and C where significant drinking water threats can occur, may be permitted, if the Risk Management Official (RMO) is satisfied that the proposal will be carried out in accordance with policies in the Cataraqui Source Protection Plan (i.e. the significant drinking water threat ceases to exist). Submission of correspondence from the RMO under Section 59 of the **Clean Water Act, 2006**, is required, as per the Restricted Land Use Referral Process.
5. New development and/or expansions to existing development associated with non-residential planning applications located within vulnerable areas may be subject to Site Plan Control. Requirements may include a Risk Reduction Plan to identify measures to be incorporated into the development for land uses that involve the storage of manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, mine tailings and PCBs) where it would constitute a



drinking water threat. The Risk Reduction Plan must be completed to the satisfaction of the Township.

6. The Zoning By-law shall prohibit or restrict land uses that constitute drinking water threats, as applicable in wellhead protection areas.

#### **6.1.2.1.2 James W. King Intake Protection Zone**

The James W. King Intake Protection Zone is associated with the St. Lawrence River water source and is located within the Town of Gananoque and the Township of Leeds and the Thousand Islands. The intake protection zone is identified on Schedule 'A6', where the following policies shall apply:

1. New development and/or expansions to existing development that involve waste disposal sites within intake protection zone 1 and waste water treatment facilities, including related infrastructure, within intake protection zones 1 and 2, are prohibited where they would constitute a significant drinking water threat.
2. New development and/or expansions to existing development within intake protection zones 1 and 2 that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizers, liquid fuel, pesticides, sewage and road salt) where they would constitute a moderate or low drinking water threat may be subject to the implementation of risk management measures to protect the drinking water supply.
3. New development and/or expansions, alterations, or redevelopment of existing development for all non-residential uses within intake protection zones 1 and 2 where significant drinking water threats can occur, may be permitted, if the Risk Management Official (RMO) is satisfied that the proposal will be carried out in accordance with policies in the Cataraqui Source Protection Plan (i.e. the significant threat to the drinking water ceases to exist). Submission of correspondence from the RMO under Section 59 of the **Clean Water Act, 2006**, is required for all non-residential planning applications or land use changes, as per the Restricted Land Use Referral Process.
4. The Zoning By-law shall prohibit or restrict land uses that constitute drinking water threats, as applicable in intake protection zones.



### 6.1.2.1.3 Highly Vulnerable Aquifer and Significant Groundwater Recharge Areas

As with many areas throughout eastern Ontario, thin soils and fractured bedrock dominate the majority of the landscape within the Township of Leeds and the Thousand Islands. These conditions result in widespread recharge and high groundwater vulnerability. Schedule 'A6' of this Plan illustrates a highly vulnerable aquifer and significant groundwater recharge areas, where the following policies shall apply:

1. New development and/or expansions to existing developments within significant groundwater recharge areas and/or highly vulnerable aquifer that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, mine tailings and PCBs) where they would constitute a drinking water threat may be subject to risk management measures to protect the groundwater.
2. The Zoning By-law should restrict land uses, as applicable, in the highly vulnerable aquifer and significant groundwater recharge areas.
3. New development and/or expansions to existing development associated with non-residential planning applications located within vulnerable areas may be subject to Site Plan Control. Requirements may include a Risk Reduction Plan to identify measures to be incorporated into the development for land uses that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, mine tailings and PCBs) where it would constitute a drinking water threat. The Risk Reduction Plan must be completed to the satisfaction of the Township.
4. The Risk Reduction Plan may be waived if a hydrogeological sensitivity study, prepared by a qualified professional, demonstrates that the subject lands do not exhibit the characteristics of a highly vulnerable aquifer or a significant groundwater recharge area.

### 6.1.2.1.4 New Municipal Drinking Water Systems

New municipal drinking water systems could result in existing land uses becoming significant drinking water threats. Care shall be taken to avoid this outcome wherever feasible. The establishment of new municipal drinking water systems, as defined under the **Safe Drinking Water Act**, 2002, as amended will require an amendment to the Cataraqui Source Protection Plan and this Official Plan.



### 6.1.3 Stormwater Management

Stormwater management is an important part of the Township's responsibility to protect, improve, or restore the quality and quantity of water. Specifically, stormwater management is important for flood control, maintaining baseflow in water courses, water temperature regulation, erosion and sediment control, limiting nutrient and bacteria loading, maintaining fish habitat, providing groundwater recharge and preventing groundwater contamination.

Surface water quality protection will be considered in the approval process for all development. Appropriate stormwater quality and quantity controls will be provided, generally on-site, in accordance with best management practices of the Ministry of the Environment, Conservation and Parks, the Cataraqui Region Conservation Authority, and the Township. Stormwater management is particularly important for developments with impervious or semi-impervious surfaces such as roofs and parking areas, as well as for golf courses and other developments with large areas of turf grass.

1. The Township shall encourage stormwater management practices that:
  - a) Minimize or, where feasible, prevent increases in contaminant loads;
  - b) Minimize changes in water balance and erosion;
  - c) Avoid increasing risks to human health and safety, and property damage;
  - d) Maximize the extent and function of vegetative and pervious surfaces; and
  - e) Promote stormwater management best practices, including stormwater attenuation and reuse, and low impact development.
2. Adequate on-site stormwater quality and quantity controls shall be provided in support of new development proposals, excluding agricultural uses. Stormwater facilities and treatment systems shall be planned and designed in accordance with the Ministry of the Environment, Conservation and Parks's Stormwater Management Planning and Design Manual, and according to the requirements of other agencies having jurisdiction. The Stormwater Management Plan shall include provisions for minimizing changes in water balance and erosion; reduce risks to human health and property damage, maximize the extent and function of vegetative and pervious surfaces; and promote stormwater best practices.
3. The municipality prefers stormwater management approaches which reduce the potential need for municipality-owned or operated control or treatment facilities.
4. A Stormwater Management Plan shall be required for new plans of subdivision and major development proposals, including for any development consisting of



more than four lots, for commercial or industrial developments covering large lots (more than 1 hectare or 2.5 acres), and for developments with large amounts of impervious or granular surface area. A Stormwater Management Plan may also be required for development of a smaller scale, at the discretion of Council or the delegated approval authority.

5. Where required, the Stormwater Management Plan shall outline means to lessen nutrient input into surrounding water bodies and municipal storm sewers after construction. A construction-mitigation plan shall outline means to lessen nutrient inputs during construction. The Stormwater Management Plan shall be submitted to the municipality or the delegated approval authority for approval. Approved recommendations from the Stormwater Management Plan shall be implemented through the development approval process.
6. Due to the Township's many sensitive natural heritage features and areas, particularly rivers, lakes, and streams, and development pressure in waterfront areas, appropriate stormwater management is also required for small-scale residential development. While a Stormwater Management Plan may not be identified as a requirement for every application for residential, commercial, and industrial development or site alteration, as determined at the discretion of Council or the delegated approval authority, the following principles will be applied, particularly for waterfront development:
  - a) Impervious surface areas immediately adjacent to a waterbody should be limited and pervious surface areas should be used to the extent feasible, in order to reduce unfiltered runoff from entering the waterbody;
  - b) Vegetative planting strips, consisting of primarily native species where possible, should be maintained or restored for the first 15 m from a waterbody to provide filtration for any runoff that may be directed or flow towards a waterbody; and
  - c) Runoff from buildings and structures should be directed away from surface waterbodies and towards back-slope areas in order to minimize concentrated flows and high-volume sheeting of stormwater from entering a waterbody, contributing to erosion.
7. Development applications having potential impacts on the storm drainage system along County roads or Provincial highways shall be circulated to the Counties' Engineer or the Ministry of Transportation, as applicable.



## 6.1.4 Waterfront Areas and Waterbody Protection

### 6.1.4.1 General

The Township is fortunate to have an abundance of lakes, rivers, and creeks located within the municipal boundaries. The Township recognizes the importance of its waterfront areas along the St. Lawrence River and the Thousand Islands, Rideau Canal, Gananoque River, Charleston Lake, Red Horse Lake, and the many inland lakes and waterbodies that define the landscape character. This vast supply of water is an environmental, recreational, and economic asset, as well as the source of potable water in the Township. All waterbodies may support fish habitat, which is an important component of the Township's natural heritage system. Navigation, including the St. Lawrence River and the Rideau Canal, is under federal jurisdiction.

The intent of these policies is to ensure the long-term protection of waterbodies in the Township, as well as the protection of this area's character and sense of place, cultural heritage, and natural heritage system.

Existing water quality problems are the result of many factors, including small lot sizes, minimal setbacks, excessive runoff, inadequate shoreline vegetation, poorly functioning sewage disposal systems, livestock grazing near the water's edge, out-dated wells, and other undesirable features associated with some existing development. It is the intent of the policies of this Official Plan to rectify these problems as much as possible, while avoiding the creation of similar problems as the result of new development. For human use, even on large lots, ensuring adequate travel distance for contaminants and sufficient ground filtration is the most effective way to protect water resources. Nitrates and phosphorus from septic systems, detergents, and fertilizers are causing increased algae levels, including toxic blue-green algae, that has not been seen in this area until recently. This is dangerous to health and reduces resident and tourist use of the Township's water assets. Pharmaceuticals and hormones that reach water impact fish growth and reproduction and may impact drinking water. Changes in fish species can negatively impact tourism.

Implementation of this policy will require extensive, long-term efforts, in accordance with the following policies:

### 6.1.4.2 Waterfront Development

The purpose of these policies is to ensure that development in the waterfront areas maintains or complements the character of the existing development and preserves the ecological and natural features of the lands, water, and shoreline.



1. Permitted uses in waterfront areas shall be low density residential uses, parkland and natural areas, recreational and tourist commercial uses, including active recreation and small-scale industrial and commercial uses directly servicing the waterfront community.
2. For clarity, shoreline development including marine facilities shall be in accordance with the policies of the Environmental Protection Section of this Plan.
3. It is the intent of this Plan that new development in waterfront areas be directed to lands that are physically suitable for development in their natural state, in an effort to maintain the area's unique character.
4. For newly created lots, all new development and areas of sewage system discharge shall be set back at least 30 m from the ordinary high water mark of all waterbodies with minimal disturbance of the native soils and very limited removal of shoreline vegetation. Water setback requirements shall not apply to permitted encroachments, docks, boathouses, pumphouses and other marine facilities.

The high water mark may be identified by the mark made by the action of water under natural conditions on the shore or bank of a waterbody, which has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

5. For existing lots of record, new development should generally be setback 30 metres if possible/feasible, otherwise as far back as the lot permits, with minimum disturbance of the native soils and very limited removal of the shoreline vegetation beyond that required for development. Any proposed reduction to the 30 m minimum setback shall:
  - a) be consistent with any applicable policies in the Provincial Policy Statement and related implementation guidelines;
  - b) maximize the setback through building design and orientation, and the siting of the septic system; and
  - c) minimize disturbance to native soils and shoreline vegetation in accordance with other policies of this Plan.

Water setback requirements shall not apply to permitted encroachments, docks, boathouses, pumphouses, and other marine facilities.

Small islands or other waterfront lots which do not have suitable areas for sewage disposal should not be developed.



6. Applications for exceptions to the 30 m water setback must demonstrate how the proposal upholds the intent of the policies in the Natural Heritage System and Waterfront Areas and Waterfront Protection Sections of this Plan, and may require the submission of an Environmental Impact Study (EIS) and/or an Ecological Site Assessment, and any other technical studies deemed necessary by the Township, and the MNR and/or CRCA. Further, development proposals must demonstrate how the natural aesthetic of the waterfront will be maintained or enhanced.

The Township, in consultation with the MNR, CRCA, or other Ministry or agency having jurisdiction, may tailor the requirements regarding the appropriate level of effort for the EIS on a site-specific basis depending upon the characteristics of the waterbody, the adjacent area, the nature of the proposed development, and any intervening development that exists within the 30 m water setback.

The Township shall include appropriate conditions to planning approvals to mitigate potential impacts and achieve a net environmental gain, wherever possible.

7. Lawns, ornamental plantings and hard landscaping features do little to support the ecological health of waterfront areas. The Township encourages the protection or enhancement of a 30 m naturalized buffer along waterfront lands, recognizing that some areas may be natural bare rock and do not require further enhancement. This measure will help to protect water quality as well as protecting environmentally sensitive riparian areas. It will also help to control erosion and assist in softening the visual intrusion of development in natural areas. In the event of construction damage in this buffer area, the natural vegetation should be re-instated to the extent possible.
8. Notwithstanding the required 30 m setback, the placement of minor detached and unenclosed accessory structures (e.g. unattached decks/patios and gazebos) and small storage facilities within the 30 m water setback is supported where:
  - a) They are a reasonable size for the intended use; and
  - b) Suitable methods to minimize negative impacts on surface water, riparian lands, and the littoral zone are incorporated into the design of the development.
9. Notwithstanding the identified 30 m setback, proposed development or site alteration should incorporate setbacks from the high water mark of a waterbody that reflect variable constraints imposed by waterbody-specific



conditions (e.g. “at capacity” Lake Trout Lakes) and site-specific conditions (e.g. slope height, slope angle, soil depth and type, vegetative cover). Where applicable, setback distances should be based on the findings of studies and tools such as lake management plans and site evaluation guidelines.

10. Proposed development and site alteration on Charleston Lake and Red Horse Lake shall be subject to the Highly Sensitive Lake Trout Lakes – Charleston Lake and Red Horse Lake Section of this Plan.
11. Site Plan Control may apply to all lots which abut waterbodies and watercourses and shall be used to help ensure that all development and redevelopment meets the intent of these policies.
12. The implementing Zoning By-law shall incorporate the 30 m minimum setback requirement, and establish related regulations, such as maximum building height and maximum lot coverage requirements, to help ensure that the scale of development does not overwhelm the natural elements of waterfront property.
13. When reviewing development applications for new plans of subdivision or condominium, the Township shall encourage the provision of communal docks and structures to provide shared water access and use, as opposed to multiple private docks and structures, to limit negative impacts to surface water and riparian lands.
14. The Township may consider the acquisition of waterfront lands, whenever such lands become available through land development, to ensure the long-term protection of the resource and the amenity that it brings to residents and visitors alike.
15. The Township may consider the use of grants to encourage rehabilitation of shorelines, when such rehabilitation is not related to development approvals.

#### **6.1.4.3 Filling of Lands**

1. Any substantial filling of water areas along waterbodies requires an amendment to this Plan, and is subject to an Environmental Impact Study (EIS), Ecological Site Assessment, Environmental Assessment, and/or Marine Archaeological Assessment, as needed, and the approval of the federal Department of Fisheries and Oceans, or its designate.
2. Shoreline stabilization or remediation works may be undertaken without amendment to this Plan, but are subject to the requirements of the Cataraqui



Region Conservation Authority, or other federal and provincial agencies having jurisdiction.

3. Filling along the portion of the Rideau Canal under the jurisdiction of Parks Canada is prohibited.

#### **6.1.4.4 Hazard Lands**

1. Any application for development along waterfront areas is subject to the policies of the Natural Hazards Section of this Plan, in consultation with the Cataraqui Region Conservation Authority.

#### **6.1.4.5 Parking Areas and Parking Structures along the Waterfront**

In an effort to maintain and enhance the quality of the waterfront environment:

1. Parking areas and parking structures are discouraged adjacent to the water. In situations where there is no viable alternative, parking areas or parking structures may be located adjacent to the water, subject to confirming the absence of hazardous lands and hazardous sites to ensure the protection of human health and safety and property, and to demonstrate how the development will uphold the intent of the policies in the Waterfront Areas and Waterbody Protection Section of this Plan.
2. Public boat launches shall be discouraged on residential properties and, where permitted, shall be of low-impact design that allows for water infiltration and restricted in length and width.

#### **6.1.4.6 Rideau Canal Corridor**

1. Any proposed development and site alteration on lands located along the Rideau Canal Corridor shall be subject to the relevant policies in this Plan and the Rideau Canal National Historic Site, Canadian Heritage River, and UNESCO World Heritage Site Sections of this Plan, and shall require consultation with Parks Canada.

## Section 7 Transportation and Infrastructure

## 7

### 7.1 Active Transportation

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

1. The Township shall support the development of a well-connected network of active transportation facilities both within the Township and in the broader context of the United Counties of Leeds and Grenville, to increase the range of healthy and accessible transportation and recreation options available to residents of all ages and abilities.
2. The Township shall undertake the preparation of an Active Transportation Plan to identify a feasible network of active transportation facilities, including sidewalks, trails, pathways, and cycling routes, as well as linkages to existing trail networks including, but not limited to, local Vita Parcours fitness trails, the St. Lawrence Bikeway, Waterfront Trail, and trails in Charleston Lake Provincial Park. New connections should include bicycle lanes and walking trails from Lyndhurst to Kendrick's Beach along Shore Point Road, and from Seeley's Bay to Little Cranberry Lake.
3. New development or redevelopment shall be encouraged to consider street connectivity and connectivity of active transportation infrastructure, in coordination with the Township.
4. The Township may consider requiring the dedication of lands for active transportation, such as pedestrian and bicycle pathways, as a condition of subdivision and site plan approvals, in accordance with the **Planning Act**.
5. The Township shall encourage improved pedestrian environments within the settlement areas with an emphasis on streetscaping, including, but not limited to, the consideration of accessible sidewalks, pedestrian-oriented commercial development along main streets, building design that provides shelter, pedestrian-scaled lighting, street furniture, bicycle racks, and landscaping.



6. The Township shall provide, maintain, and acquire land for public open space that caters to both active and passive uses, to enhance access to recreation and nature and to support mental and physical health and well-being.
7. The Township shall consider coordination with the United Counties of Leeds and Grenville for the provision of trails for non-motorized uses, as well as paved shoulders on County Roads 2, 3, 32, and 33 to facilitate safe cycling along County Roads between communities and promote opportunities for cycling-based tourism.
8. When undertaking public works, the Township may consider the provision of bicycle lanes and bicycle racks, where appropriate.
9. The Township shall consider the provision of alternative transportation options, such as shuttle services, in the settlement areas and linking to the City of Kingston and Town of Gananoque, where feasible.
10. The Township shall encourage the establishment of private ride share programs serving the Township and connecting between communities. The Township will also consider the development of a ride share system which assists in connecting residents and tourists wishing to travel within the Township or between the Township and adjacent communities and others who are offering a private ride share service or arrangement.

## 7.2 Airport

The Gananoque Airport is a World War II training facility which is located partly in the Township and partly in the City of Kingston. A large hangar is located in the Township at the east end of the property and is used for private aircraft storage and activities related to a commercial skydiving training business. The abutting property is designated Agriculture.

1. It is intended that the lands continue to be used for limited scale commercial and recreational activities related to the air transportation industry and other compatible uses.
2. The implementing category in the Zoning By-law will recognize current uses and provide for a limited range of additional related uses. This will ensure an opportunity to review applications for significant change through the review of an application for rezoning. No Official Plan amendment will be required if the proposed uses are compatible with existing activities and neighbouring uses.



### 7.3 Asset Management Plan

1. Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient, and cost-effective manner that considers impacts from climate change while accommodating projected needs.
2. Planning for infrastructure, generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning to ensure that they are available to meet current needs and that they are financially viable over their life cycle which may be demonstrated through asset management planning.

### 7.4 Roads

1. Road classifications have been identified on the Schedules of this Plan. The roads are classified according to the function they should perform. Traffic on higher order roads, such as County roads, will have priority over traffic on lower order roads, such as local Township roads. Proposed road allowance widths and standards are established for each class of road, where appropriate.
2. A safe, convenient and functional multi-modal road network for all road users is of great importance to the municipality. It is especially important to the residents for the delivery of municipal services, such as road maintenance, snow ploughing, school bus service, fire, ambulance and police protection. It is, therefore, a policy of this Plan to work toward the maintenance and improvement of the road system for all road users within the financial capability of the Township and in cooperation with the United Counties of Leeds and Grenville and the Ministry of Transportation.
3. In accordance with the **Planning Act** sufficient road widening will, where necessary and feasible, be required as a condition of consent, subdivision or site plan control approval to ensure roads meet the road allowance widths specified in this Plan.
4. Outdoor storage, parking and loading areas shall be visually screened or appropriately located to minimize visibility by the travelling public.
5. A transportation impact study, prepared by a professional and certified engineer, may be required by a proponent to address both the impact of any new development upon the roads system, as well as any associated



improvements that are required prior to or concurrent with the approval of the development.

#### 7.4.1 County Roads

1. County Roads perform most of the arterial and collector road functions in the Township. It is the objective of the United Counties of Leeds and Grenville to preserve the investment of the public in its County Roads system. The value of a County Road is inherent in its ability to move vehicular traffic over relatively long distances at a reasonable speed. This ability is depreciated where development adjacent to the road creates turning and stopping movements that interfere with the free flow of traffic. Roads carrying heavier volumes of traffic are more sensitive to adjacent development than roads carrying lower traffic volumes. Consequently, heavily travelled roads carrying a large percentage of through traffic should be protected from adjacent development having direct access onto these roads. This does not mean that development is restricted, but rather that it should be serviced from an interior public road system such as a subdivision road or a properly designed commercial entranceway.
2. Extensions of settlement areas through strip development along County Roads, beyond the legal or historic limits of the urban area will be avoided by encouraging expansion to occur by plan of subdivision, wherever appropriate, with internal local roads used to obtain access to the County Road.
3. County Roads are divided into three categories in the United Counties of Leeds and Grenville County Roads Department Policy Statement, as amended from time to time. No amendment to this Official Plan will be required to change these categories if a change is made to County policy.
  - a) Those portions of County Roads that pass through settlement areas, where the County seeks guidance from the Township and its Official Plan when considering access requests;
  - b) County Roads 3, 32, 33 and 42 which are considered to be roads where moderate restrictions (the highest level of control in the County Road system) should apply due to the higher levels of traffic these roads carry;
  - c) County Roads 2, 4, 13, 34 35, 37 and 39 where a lesser degree of restriction is required.
4. Road widening dedications along County Roads may be required to ensure appropriate widths for future rights-of-way to accommodate anticipated traffic. The minimum road allowance width for all County Roads shall be consistent with the United Counties of Leeds and Grenville County Roads Department Policy Statement, as amended from time to time. The minimum right-of-way for County Roads 2, 32, and 42 is 30.5 m. In all other cases, the minimum



right-of-way width for County Roads is 26.2 m, except where, in consultation with the United Counties of Leeds and Grenville, circumstances may necessitate a wider road allowance or where there is insufficient land to obtain a widening without having to demolish existing buildings.

5. All new development along County Roads will be in accordance with the United Counties of Leeds and Grenville County Roads Department Policy Statement, as amended from time to time.
6. Where development is proposed adjacent to a County Road, approval for an entrance permit must be obtained from the United Counties of Leeds and Grenville, in accordance with the Counties' requirements.

#### 7.4.2 Private Roads

1. Where access to properties is by private roads, municipal services such as snow ploughing or road maintenance and improvement are not available and shall not be the responsibility of the Township. Additionally, in some cases, other public services such as school bussing and protection to persons/property from services including police, fire, and ambulance may be unavailable or limited in nature.
2. Where a private road (including a lane, right-of-way or driveway) exists within the municipality, there is no legal obligation on the part of the municipality to maintain, repair or otherwise service any development located on that private road. Persons using these roads do so at their own risk. Council will only consider assuming a private road if it is reconstructed at the landowners' expense to the Township's standards and the 20 m road allowance on which it is located is deeded to the municipality. The municipality may assume the road by By-law if it abuts an existing public road which is currently maintained year round. Prior to undertaking any such work, the landowners will discuss the matter with Council.
3. The creation or major extension of private roads is not permitted. For the purposes of interpreting this policy, the establishment of a right-of-way to provide shared driveway access for two abutting properties, each of which has frontage on a public road, shall not constitute the creation of a private road. In addition, a consent application, the sole purpose of which is to legally identify the location of an existing private road, shall not constitute the create of a new private road.
4. Notwithstanding Policy 3, the creation of a new private condominium road shall be permitted where such road is within a registered plan of condominium



pursuant to the **Condominium Act**, as amended, and where it connects directly to an existing public road.

5. It is recognized that some individuals prefer to live on private roads for reasons of privacy, cost of road building, or the advantages of locating in scenic but less accessible areas, and are willing to accept the risks associated with this decision. It is also acknowledged that the distinction between seasonal and year-round use has blurred and that the Township has little control over gradual conversions.
  - a) New lots and/or waterfront lots may be considered on existing private roads or minor extensions (up to 200 m or 656.2 feet), in accordance with the Consents Section of this Plan, provided:
    - i) The existing and proposed private road is and will be physically capable of accommodating the Township's largest fire truck in winter conditions, taking into account slope, width, vegetation overhang and availability of a suitable turn around area at the end of the road;
    - ii) The Township is satisfied that suitable agreements are in place between the users of the road to ensure that it will be privately maintained to an appropriate standard for continued safe passage by emergency vehicles; and
    - iii) The landowner enters into an agreement with the Township, to be registered on title and containing the wording that the Township has no responsibility for the private road.
  - b) Development on existing lots on private roads shall be addressed in a similar way when any planning application comes before Council or the Committee of Adjustment for approval.

### 7.4.3 Provincial Highways

In addition to all the applicable municipal requirements, all proposed development located adjacent to, and in the vicinity of, a provincial highway within the Ministry of Transportation (MTO)'s permit control area under the **Public Transportation and Highway Improvement Act** (PTHIA), will also be subject to MTO approval. Early consultation with the MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the municipality identified for future development that are located adjacent to, or in the vicinity of, a provincial



highway or interchange/intersection within MTO's permit control areas will be subject to MTO's policies, standards and requirements.

1. Provincial Highways 401, 137, 15 and 2 (from the east limit of Gananoque to the Highway 401 exit) are classified according to their level of access control by the Ministry of Transportation. All provincial highways as shown on the Schedules are under the jurisdiction of the Province and as such, the requirements of the Ministry of Transportation will apply.
2. The intent of this Plan is to maintain the operating viability of the highways and/or interchange areas through land use decisions that support the controls exercised by the Ministry of Transportation with respect to access, adjacent land uses, and structures. These controls include highway safety and geometrics (e.g. right-of-way widths, number of lanes, etc.) and also extend to stormwater drainage infrastructure and the buffering or screening of outdoor storage and parking areas related to development adjacent to provincial highways and intersecting local Township roads. Outdoor storage and loading areas shall be visually screened or appropriately located in such a way as to not distract the travelling public.
3. Direct access onto a provincial highway will be restricted. Development shall be encouraged to utilize local Township roads and service roads wherever possible. Where access is a possibility, it will only be considered to those properties that meet the requirements of MTO's access management practices and principles.
4. The Ministry of Transportation's policy is one highway entrance for one lot of record. The Ministry of Transportation will restrict back lots that do not have frontage on a provincial highway from using other property owner's entrances. New cottages or developments that do not have frontage on a provincial highway must gain access from a new or existing public road that meets Ministry of Transportation access management practices and principles.
5. Any new proposed access connection (e.g. private entrance, public road, signalized intersection) shall be in accordance within the Ministry's Highway Access Management Guideline, as amended. Proponents will consult with MTO as early as possible in the planning or development approval process to ensure the consideration and implementation of appropriate access management alternatives.



6. Any proposals for snowmobiles or trail crossings of provincial highways will require the prior approval of the Ministry of Transportation. Trails located along the right-of-way of a provincial highway are not permitted.
7. A drainage/stormwater management report/plan shall be prepared by the proponent, and reviewed and approved by the Ministry of Transportation for those developments located adjacent to, or in the vicinity of, a provincial highway whose drainage would impact the highway.
8. Outdoor storage and loading areas shall be visually screened or appropriately located so as to not be visible to the travelling public.
9. Entrances serving home occupations or home industries located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future without the review and prior approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the home occupations or home industries. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.
10. Only those lands that are compatible with the operation of a patrol yard will be permitted to locate adjacent to, and in close proximity to, the existing Provincially-owned and operated patrol yard located at 513 Reynolds Road (County Road 3) in Lansdowne.
11. For highway safety reasons, wind turbines located adjacent to a provincial highway will be set back a minimum distance measured from the limit of the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade. Wind farms and associated wind turbines placed within MTO's permit control area will be required to obtain all setback requirements prior to commencement.
12. Access to new developments adjacent to provincial highways is subject to the policies and regulations of the Ministry of Transportation.



#### 7.4.4 Road Allowance Closures

1. Many original Township road allowances are unopened and are unlikely to be opened for vehicular traffic in the future due to their location and topographic constraints. They can be divided into two categories – those leading to water and those which do not. Road allowances leading to water will generally not be closed because they perform an important function in keeping some waterfront areas vacant and undeveloped, helping to protect environmental quality in waterfront areas. In some instances, they may contribute to minor opportunities for public access to water. Council will consider applications for the closure of road allowances provided:
  - a) the closure will not result in denial of access for other property owners;
  - b) the road allowance is in a location which is unlikely to ever perform a useful function as part of the public road or trail system;
  - c) the road allowance leading to water is incapable of contributing to environmental protection or public access purposes; or the closure is intended as part of a land swap that will result in better environmental protection or public access; or if the closure is only intended to address title problems resulting from inadvertent construction on that portion of the road allowance;
  - d) all abutting owners have been consulted; and
  - e) the land is conveyed at its fair market value.
2. Parks Canada discourages the closure of roads (public and private) that lead to the Rideau Canal, in the interest of maintaining public access to the waterway.

#### 7.4.5 1000 Islands Parkway

1. The 1000 Islands Parkway extends across the portion of the Township east of Gananoque along or close to the shore of the St. Lawrence River. Since 1970, the 1000 Islands Parkway and its administrative responsibilities have been under the jurisdiction and control of the St. Lawrence Parks Commission. It has been declared as a controlled access highway under Ontario Regulations. The primary principles of the St. Lawrence Parks Commission with respect to this road are:
  - a) to provide a safe, well-maintained scenic corridor through the 1000 Islands area as a tourist attraction;
  - b) to provide access to a wide variety of recreational and educational activities within a unique and picturesque landscape;
  - c) to support tourist related operations, both public and private, along the Parkway corridor;



- d) to protect and enhance the natural areas and scenic vistas along the Parkway; and
  - e) to ensure, in cooperation with the Township, that any new development is compatible with the natural areas. Conditions of development approval will normally be required to minimize the impact of the built environment either through building mass or signage.
2. The northern gravel portion of the right-of-way of the 1000 Islands Parkway may be utilized to provide access to the paved portion in accordance with Commission policies.
  3. Besides having jurisdiction and control over the actual right-of-way, the Commission's responsibility extends to adjacent lands along the 1000 Islands Parkway pursuant to the **Public Transportation Highway Improvement Act** and the **St. Lawrence Parks Commission Act**. The municipality will circulate all planning applications to the Commission for input. Landowners considering development within this area are encouraged to pre-consult with the Commission prior to making application to the Township.

#### 7.4.6 Township Roads

1. The Township roads identified on the Schedules of this Plan are under municipal jurisdiction and are maintained year-round. Direct access to these roads will only be permitted in locations which can accommodate traffic in a safe manner. Permission for access onto a municipal road must be obtained from the municipality. Where sight deficiencies exist because of curves or grades, no new access will be permitted. The applicant may be permitted to correct the deficiency in a manner acceptable to the municipality, at his own expense, if the character of the road will not be adversely affected.
2. The proposed road allowance width for local Township roads should be 20 m (65.6 feet), wherever possible. It is the intention of Council that all municipal road allowances eventually be widened to the proposed width of 20 m (65.6 feet), using such mechanisms as subdivision approvals, consent approvals and Site Plan Control approvals, in order to produce a safe and efficient road transportation network in the municipality. The maximum dedication which may be required for a road widening as a condition of site plan approval will be 5 m (16.4 feet), or the amount necessary to provide the proposed right-of-way width, whichever is less.
3. A transportation impact study, prepared by a professional and certified engineer, may be required by a proponent to address both the impact of any new development upon the Township Roads system, as well as any

associated improvements that are required prior to the approval of the development.

4. Outdoor storage, parking and loading areas shall be visually screened or appropriately located so as to not be visible to the travelling public.

#### **7.4.7 Unimproved Roads**

1. Unimproved roads are roads under the jurisdiction of the municipality but which are not maintained on a year round basis. They are generally of low priority and carry a minimal amount of traffic. New development will be discouraged and the creation of new lots will be prohibited unless provision is made by the applicant to upgrade the unimproved road, at his or her own expense, to a standard which is acceptable to Council.

#### **7.4.8 Unopened Road Allowances**

1. Existing unopened road allowances in the Township are illustrated on Schedule 'A7'.
2. The use of unopened road allowances to gain access to year-round residential development is discouraged.
3. Unopened road allowances which lead to shoreline areas will be protected in order to contribute to environmental protection or to preserve the potential for future public access.
4. An individual may request that a road be opened, provided that:
  - a) The road is opened at the individual's expense; and
  - b) The individual enters into a development agreement with the Township for opening the road and bringing the road up to the minimum municipal road standards for assumption purposes.
5. Where an unopened road allowance is to remain in the ownership of the Township, the use of an unopened road allowance by a private landowner will only be permitted upon the approval of Council. Applicants must specify the location and area of the unopened road allowance to be used, the type of use proposed, and the work proposed to be undertaken on the road allowance. If Council approves the use of the unopened road allowance in principle, the following shall be addressed to the satisfaction of the Township:
  - a) It is for a necessary use;



- b) All other options have been exhausted and the use of the allowance is the only or best option;
- c) All work to be done will be at the applicant's expense;
- d) A survey of the unopened road allowance may be required to be prepared to ensure the proposed use(s) do not encroach on adjacent lands;
- e) Adjacent landowners will be notified by the Township and a sufficient amount of time will be allowed for their input, as determined by the Township;
- f) The applicant will be responsible for the maintenance of the road, to the satisfaction of the Township and as established in any agreements to be entered into between the applicant and the Township;
- g) Approval does not provide for exclusive use by any party, unless specifically granted under the **Municipal Act**; and
- h) Any other stipulations required by the Township.

Council may pass a By-law or policy governing the process and establish application fees for such request. If Council approves the proposed use of the unopened road allowance, the Township will not assume the road for maintenance purposes and the road shall be used at the user's risk.

Nothing in this policy should be construed as encouraging the use or opening of unopened road allowances.

## 7.5 Servicing Requirements

1. All development within the settlement area of Lansdowne will be connected to piped municipal water and sanitary sewer services. Water is supplied from communal wells located in the northwest part of the settlement area. An Assessment Report for the Cataraqui Source Protection Area was approved in 2011. It is Council's intent that this Official Plan will help implement the Cataraqui Source Protection Plan.
2. The Shoreline Casino Thousand Islands and two other commercial uses on the east edge of the Town of Gananoque are connected to Town-piped services. These services were not designed to be extended further east into the Township of Leeds and the Thousand Islands. At present there are no plans to extend piped services from the Town of Gananoque to any other part of the Township.
3. The Township supports the consideration of evolving options for municipally-owned and for private communal servicing solutions using current technological innovations, such as advanced treatment units and package treatment plants, and a decentralized approach serviced by a small communal water and sewage system. In particular, the Township shall consider the



feasibility of municipally-owned and/or private communal water and sewage systems in the settlement areas of Lyndhurst, Rockport, and Seeley’s Bay, to encourage residential and commercial development and intensification, where appropriate.

- 4. All development within the Township, located outside of the settlement area of Lansdowne, may be developed on the basis of communal water and sewage systems, subject to the proponent fully satisfying all financial, technical, and other requirements of the Township and other relevant approval authorities.

Any such system will have to meet the requirements of this Plan, the Ministry of the Environment, Conservation and Parks, and the approval processes under the **Environmental Assessment Act**, the **Ontario Water Resources Act**, the **Safe Drinking Water Act**, and the **Planning Act**.

- 5. The Township shall require a responsibility agreement to be established between the proponent and the Township. In approving any private communal system, the Township shall require financial securities to ensure that all operational, maintenance, and administration costs associated with the private communal services will not create an unacceptable financial burden for the Township in the event of default by the owner-operator of the services. In reviewing proposals for development on private communal systems, the Township will determine the number and types of communal systems that will be accepted by the Township.
- 6. A responsibility agreement for a private communal water and sewage system may not be required for properties with no permanent accommodation, including, but not limited to, private storefront commercial properties and developments with only seasonal occupation, such as recreational units or time share units.
- 7. The Township may undertake the preparation of a Communal Services Study to identify preferred alternative servicing options and technologies, and the feasibility for implementation in the Township.
- 8. All other development will be based on private individual services on lots of sufficient size to provide safe water supplies and effective sewage disposal on a long-term cumulative basis. All new lots will have a suitable location for a conventional sewage disposal system leaching bed.
- 9. All private servicing systems shall be subject to the approval of the Ministry of the Environment, Conservation and Parks or the Leeds, Grenville and Lanark District Health Unit.



10. Sewage disposal systems are a potential source of contamination of ground and surface waters. It is a policy of this Official Plan to maintain a sewage system re-inspection program to ensure that faulty systems are not contributing to water quality problems. The Township's priorities in implementing this policy shall be detailed in the implementing By-law.
11. The Township may undertake the preparation of a Master Servicing Plan for the planning, expansion, and ongoing operation of water treatment and sewage treatment facilities, pumping station, force mains, and trunk distribution and collection systems.

## 7.6 Waste Management

There are two types of waste management facilities in the Township: the sewage lagoons serving Gananoque and Lansdowne, and several solid waste disposal sites. All of these facilities are operated under Certificates of Approval from the Ministry of the Environment, Conservation and Parks. The following policies will apply to these uses.

### 7.6.1 General

1. In cooperation with other agencies, such as the Resource Productivity and Recovery Authority (RPRA), the Township will encourage the reduction, reuse, and recycling of waste through programs aimed at educating residents and the commercial, industrial, and institutional sectors.

### 7.6.2 Hauled Septage Disposal Sites

1. Septage means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet or portable toilet. Hauled septage disposal sites, known as "Organic Soil Conditioning Sites" must be certified by the Ministry of the Environment, Conservation and Parks. The following policies will apply to these uses until such time as the use of these sites are phased out.
2. The establishment of any new hauled septage disposal site will require an amendment to the Official Plan and Zoning By-law.
3. The site must have or be eligible to receive a valid Certificate of Approval issued by the Ministry of the Environment, Conservation and Parks.
4. The site shall be a minimum of 90 m (295.3 feet) from the nearest dwelling.



5. The site shall be a minimum of 450 m (1476.4 feet) from a settlement area or a rural residential subdivision.
6. The site shall be a minimum of 90 m (295.3 feet) from any other use which has a well.
7. The site shall be set back an adequate distance from any watercourse, as determined by soil permeability and slope, to ensure that surface drainage of the waste material to the watercourse does not occur.
8. The site shall be operated and managed in full compliance with the requirements set out by the Ministry of the Environment, Conservation and Parks.
9. The creation of new lots is only permitted if there is sufficient treatment capacity for hauled sewage, other than the land application of untreated hauled sewage.

### 7.6.3 Sewage Disposal Sites

1. The approximate locations of sewage disposal sites are identified on Schedule 'A1'. The establishment of a new sewage disposal site will require an amendment to the Zoning By-law as well as a Certificate of Approval from the Ministry of the Environment, Conservation and Parks.
2. A sewage disposal site must be located an adequate distance from any land use susceptible to noise, odours or groundwater contamination. The requirements of the Ministry of the Environment, Conservation and Parks Guideline D-2: "Compatibility between Sewage Treatment and Sensitive Land Use" will apply.
3. A sewage disposal site will be located so that contamination of groundwater does not occur.
4. Any sewage disposal site must be operated in accordance with the requirements of the **Ontario Water Resources Act** and any regulations thereunder.
5. Any proposed development within 400 m (1312.3 feet) of an existing sewage treatment facility will also be subject to the requirements of Guideline D-2, referenced above.



#### 7.6.4 Waste Disposal Sites

1. The approximate locations of active waste disposal sites are identified on Schedule 'A1'. All existing waste disposal sites will be zoned in the implementing Zoning By-law. The establishment of any new waste disposal sites, or expansions thereto, shall only be considered through an amendment to the United Counties of Leeds and Grenville Official Plan and in accordance with the requirements of the **Environmental Assessment Act**, and shall also require an amendment to the Zoning By-law as well as a Certificate of Approval from the Ministry of the Environment, Conservation and Parks.
2. A waste disposal site must be located an adequate distance from any land use susceptible to odours, surface water or groundwater contamination or gas migration. The requirements of the Ministry of the Environment, Conservation and Parks Guideline D-4, "Land Use on or Near Landfills and Dumps" will apply.
3. A waste disposal site will be set back a reasonable distance from a public road so that no unsightly appearance is visible from the road.
4. A waste disposal site will be located so that contamination of any ground or surface water does not occur.
5. Any waste disposal site must be operated in accordance with the requirements of the **Environmental Protection Act** and any regulations thereunder.
6. Any waste disposal site no longer in use must be rehabilitated to the standards required by the Ministry of the Environment, Conservation and Parks. The approximate locations of closed waste disposal sites are identified on Schedule 'A1'.

No use shall be made of land or land covered by water which has been used for waste disposal within a period of twenty-five (25) years from the year in which such land ceased to be so used, unless approval for the proposed use has been obtained from the Ministry of the Environment, Conservation and Parks.

7. The establishment of any other type of waste management system as defined in the **Environmental Protection Act** and regulations thereunder will require an amendment to the Official Plan and Zoning By-law.
8. Any proposed development within 500 m (1640.4 feet) of an existing waste disposal site will also be subject to the requirements of Guideline D-4, referenced above.



The area surrounding the footprint of an open or closed waste disposal site within 500 metres is considered an influence area. Sensitive land use proposals within this influence area should be supported by studies to determine the impact of the open or closed landfill site on the proposed development. Studies to determine impacts may include issues such as groundwater contamination, surface runoff, leachate, soil contamination, hazardous waste, noise, odour, methane gas migration, landfill generated gases, ground settlement, visual impact, truck traffic and vermin.

- 9. No development on land formerly used as a waste disposal site is permitted without approval from the Ministry of the Environment, Conservation and Parks.



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## Section 8 Division of Land

8

DIVISION OF LAND

### 8.1 General

1. The policies of this Official Plan apply to the creation of new lots either by plan of subdivision, plan of condominium, or by consent. When considering an application for new lot creation, the Township shall have regard for the policies of this Plan and to the matters listed under Sections 2, 3, 50, 51, and 53 of the **Planning Act**, and such new lot creation shall be consistent with the policies of the Provincial Policy Statement, and shall conform to the United Counties of Leeds and Grenville Official Plan.
2. New residential lots should abut an open public road to better facilitate the provision of services such as school bussing, emergency services (fire, ambulance, police), snow plowing, and municipal road maintenance.
3. Prior to considering any land division application, the Township, in consultation with the United Counties of Leeds and Grenville Consent Granting Authority, shall establish that a plan of subdivision or a plan of condominium is not necessary for the proper and orderly development of the lands. A plan of subdivision or plan of condominium shall conform to this Official Plan and shall normally be required in the following instances:
  - a) more than total of three (3) lots are to be created on a land holding;
  - b) new public roads or extension to an existing road are required;
  - c) an extension to trunk mains for municipal water and/or sewage services is required;
  - d) if the size, shape, location and physical features of the subject land or the number of lots the site is capable of accommodating would be better suited to the more thorough review of the subdivision approval process; and
  - e) where it is necessary to ensure that surrounding lands are developed in a proper and orderly fashion.
4. New lots shall be approved only when it has been established that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain a sufficient and potable water supply, and to permit the installation of an adequate means of sewage disposal. The Township may request that a hydrogeological and terrain analysis study be carried out to determine the cumulative environmental impact of the development within the surrounding area. Additional policies are included in the Servicing Requirements Section and the Thousand Islands Area (Land South of Highway 401) Section of this



Plan. All lots which are to be developed on private individual services will have sufficient area and frontage to protect groundwater quality for the long-term.

5. The size and shape of any new lot shall be appropriate for the use proposed, and in no case shall any parcel be created which does not conform to the policies of this Official Plan.
6. Prime agricultural land shall be preserved for agricultural purposes. New lots for non-farm purposes shall not be permitted on lands designated Agriculture. Severances for agricultural purposes may be permitted provided that the dimensions of all parcels created or remaining are appropriate for the agricultural activity in the area and agricultural practices in the long run. In determining the appropriateness, consideration shall be given to the capability, flexibility, suitability and viability of both the severed and retained farm parcels.
7. Approval for the creation of new lots on lands that contain environmentally sensitive areas such as natural heritage features and areas, lands subject to flooding, erosion, steep slopes, or other hazardous or sensitive conditions, shall not be granted unless sufficient lands are available outside the sensitive areas to accommodate the development and associated services.

In considering the creation of new lots on lands that contain natural heritage features and areas, the Township shall have regard for limiting disturbance to these features and areas. If an existing lot contains a natural heritage feature and area or a portion of such, the property may only be divided such that the natural heritage feature and area is contained wholly within either the new lot or the lot to be retained, and not split between the two.

In considering new lot creation in these areas, the Cataraqui Region Conservation Authority shall be consulted.

8. Road widening may be required as a condition of approval.
9. No division of land shall create a financial burden on the Township with respect to the provision of municipal services or facilities.
10. All division of land shall meet the requirements of the Parkland Dedication Section of this Plan.

## 8.2 New Lot Creation along the Waterfront

1. New lots proposed along the waterfront must be sufficiently sized to accommodate development, including any related servicing requirements (e.g.



- private septic systems), outside of the 30 m water setback, and shall be subject to the policies of the Waterfront Area and Waterbody Protection, Natural Heritage System, Natural Hazards, and Servicing Requirements Sections of this Plan.
2. New residential development in waterfront areas shall be limited to small-scale subdivisions, condominiums, or minor infilling by consent to sever.
  3. Residential development in waterfront areas may take the form of cluster developments where the residential development is set back from the waterfront and the waterfront area is maintained as open space for the use of abutting landowners. In such instances, there shall be a minimum frontage of 20 metres (66 feet) of frontage on the waterbody per unit and a maximum density of 2.5 units per gross hectare (1 unit per acre). This development shall occur by Plan of Subdivision or Condominium.
  4. Notwithstanding any other policy in this Plan, minimum lot sizes shall be established in the implementing Zoning By-law.
  5. Each new lot proposed along the waterfront must have at least one suitable location for water access without the need for dredging or removal of emergent or submerged vegetation.

### 8.3 Plans of Subdivisions and Plans of Condominium

When land is being developed by plan of subdivision or plan of condominium, the specific provisions of the **Planning Act** relating thereto will apply, as well as the relevant general and specific policies of this Official Plan, including the following:

1. Subdivisions shall be limited to approximately 20 lots per phase, in order to ensure minimal financial impact on the Township. A subsequent phase of a subdivision should not exceed approximately 20 lots, and should not be draft approved until previous phases have had dwellings constructed on approximately 75% of the lots.
2. The minimum lot size in a plan of subdivision shall be determined by the completion of a servicing options report.
3. Where old Registered Plans of subdivision or parts of old Registered Plans exist that have been registered for 8 or more years, have not been developed, and are deficient in some way by reason of inadequate size, poor access, lack of or inadequate infrastructure, or would encourage development in undesirable locations, consideration may be given to passing a by-law under the **Planning Act**, deeming such plans not to be registered. The Township may require



entering into an agreement to provide for facilities, infrastructure, and matters required to provide for appropriate development as a condition of repealing part or all of a deeming by-law.

## 8.4 Consents

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

1. Prior to approving any application for consent which would result in the creation of new lot, Council will consider the long-term development potential of the overall land holding in order to ensure that additional future development potential of the land is not compromised. If the property has potential as a future subdivision site:
  - a) the safest, most convenient access point(s) to the public road system should be retained for possible future use for internal subdivision roads;
  - b) the size of a lot created by consent should be appropriate for the proposed use in order to avoid the inefficient use of land; and
  - c) the lot created by consent should be located in such a way that the future design of a plan of subdivision can be accommodated.
2. The extension or the creation of strip residential development along roads in the Rural designation shall not be permitted. This type of development contributes to land fragmentation in rural areas, and impacts to rural character and potential agricultural production. Strip development is defined as a series of four (4) or more developed or undeveloped residential lots located on one side of a public road generally within a 500 m length along the public road. The distance shall be measured between the two (2) lot lines located at either end of the strip. No new residential lot shall be created in proximity of (generally within 500 m distance) of a strip residential development located on the same side of the road.
3. Infilling within existing concentrations of residential development in the Rural designation shall be permitted. For the purposes of this policy, infilling in the Rural designation shall refer to situations where the land under consideration is an existing lot, fronts upon a public road and is located between existing residential buildings or an existing residential building and a natural or human-made barrier such as a public road, a navigable stream or a railway right-of-way, separated by not more than approximately 100 m and located on the same side of the road.



4. Direct access onto the 1000 Islands Parkway will be restricted in accordance with the regulations of the St. Lawrence Parks Commission. In addition, where a proposed consent abuts the 1000 Islands Parkway, the St. Lawrence Parks Commission will be consulted.
5. Consents for new lots will not be granted where access may create a traffic hazard because of limited sight lines on curves or grades. A site inspection will be made by a responsible official of the relevant road authority and a written report prepared as part of a consent application review.
6. Consents for new lots should only be given if the lot has frontage on, and direct access to, an existing public road which is maintained year-round by a public road authority and is of a reasonable standard of construction. Where an application for consent would involve the opening up of existing unmaintained road allowances or involves an existing private road or minor extension, Council will consider any such requests in the context of the overall plans for road maintenance and improvements and the policies of the Unopened Road Allowances and Private Roads Sections of this Plan. Any such roads will have to be constructed to a standard acceptable to the municipality and will require an agreement between the Township and the applicant or owner. Generally, where an application involves the opening up of new roads, it will only be considered if it involves a minor addition to the municipal road system. Exceptions may be considered for waterfront development in accordance with policies of this Plan.
7. A consent shall not be granted where it would result in the land locking of any parcel of land (i.e. leaving a lot without frontage on an open, maintained public road).
8. On islands and portions of the mainland only accessible by water, a consent will only be granted where direct shoreline frontage and adequate mainland parking and boat-launching facilities are available.
9. An adequate quantity of potable water and sewage capacity shall be available for each new lot. Applicants shall provide sufficient technical information to demonstrate this to the satisfaction of the applicable review agency, and in accordance with the policies of the Servicing Requirements Section of this Plan.
10. The consent process is intended to be used for lot line adjustments, easements and similar administrative purposes, or for the creation of limited new lots. A maximum of three (3) lots (inclusive of the retained lot) may be created by consent from a land holding as it existed on the date of approval of the Official Plans for the former municipalities, provided that the consent



conforms with the policies of this Section and the other relevant Sections of this Plan. The dates of approval of the Official Plans for the former municipalities are as follows:

- a) The Township of Front of Escott: August 2, 1986;
- b) The Township of Front of Leeds and Lansdowne: April 6, 1987; and
- c) The Township of Rear of Leeds and Lansdowne: May 11, 1987.

Where more than three (3) lots (inclusive of the retained lot) are proposed, such development shall occur by plan of subdivision.

11. Within the settlement areas, the creation of new additional lots by consent for infill purposes shall be considered where the proposed lots front onto fully maintained County and Township roads.
12. Not more than one (1) new lot and one (1) retained lot shall result from one severance application. If more than one (1) new lot is created, an additional application shall be required.
13. Consents shall be considered for administrative purposes, such as lot line adjustments, utility easements and conservation easements, having regard to the other relevant policies of this Plan.



## Section 9 Implementation

### 9.1 General

The Township shall monitor the Official Plan on a regular and ongoing basis, to ensure the continued appropriateness of the Plan and to determine the need for amendments to address changing circumstances in the municipality.

### 9.2 Amendments

1. Amendments to the policies and Schedules of this Official Plan shall be required to permit the establishment of uses other than those permitted in this Plan, designate additional areas for a particular use, change the designated uses of a particular area, or change the policies or schedules of this Plan, when such changes are warranted. In general, amendments will only be considered when they are justified, and when the required supportive information is provided. The provisions of the **Planning Act** with respect to Official Plans amendments apply.
2. From time to time, new land uses may be proposed that were not specifically contemplated when this Official Plan was prepared. An Official Plan amendment will not always be necessary in order to consider these uses provided the proposed use is compatible with uses permitted in the current land use designation and implementing zone, neighbouring uses, subject to the Compatibility and Built Form Section of this Plan, and is not in conflict with any other applicable policies of this Official Plan. A Zoning By-law amendment shall be required.
3. Privately-initiated amendments to a new Official Plan (i.e. where the Official Plan was repealed and a new Official Plan was adopted) shall not be considered within two (2) years of the date any part of the Official Plan comes into effect, unless otherwise permitted by a Council resolution to allow the application.
4. The Township shall consider all complete applications to amend this Official Plan, and shall notify the public, the United Counties of Leeds and Grenville, and other agencies, in accordance with the requirements of the **Planning Act**. Applications with proposed amendments to this Plan shall include sufficient information to provide Council with an understanding of:



- a) The impact of the proposed change on the goals, objectives, and policies in this Plan, the United Counties of Leeds and Grenville Official Plan, and the Provincial Policy Statement;
  - b) The need for the proposed amendment; and
  - c) The effect of the proposed amendment on the need for public services and facilities.
5. When amendments are made to the Official Plan, appropriate amendments will also be made to implementing By-laws so that any such By-law is in conformity with the Official Plan.

### 9.2.1 Technical Amendments

1. No notice or public meeting shall be required for technical amendments to the Official Plan, including such matters as the updating of Planning Act references, the renumbering of sections, and the correction of typographical or grammatical errors, provided they do not result in policy changes.

## 9.3 Building By-law

1. The **Ontario Building Code Act**, the Ontario Building Code, and the Township's Building By-law regulates and applies to all building construction, demolition, and change of use in the Township.

## 9.4 Committee of Adjustment and Consent Granting Authority

1. When a Zoning By-law is in effect, a Committee of Adjustment may be appointed to rule on applications for minor variance from the provisions of the Zoning By-law. In granting a variance, the Committee will make a decision in accordance with the provisions of the **Planning Act** and the Minor Variances Section of this Plan.
2. The Committee of Adjustment has the power to permit an extension or enlargement of a building or structure which is a legally non-conforming use. The Committee will have regard for the policies of this Official Plan, including the Minor Variances Section, in reviewing such applications.
3. The Consent Granting Authority for the United Counties of Leeds and Grenville has the power to grant consents to sever land within the Township of Leeds and the Thousand Islands. The Consent Granting Authority will follow the policies governing consents as well as any other relevant policies set out in this Official Plan.



## 9.5 Community Improvement

The Community Improvement provisions of the **Planning Act** allow municipalities to prepare Community Improvement Plans for designated Community Improvement Project Areas as a result of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings, or for any other environmental, social, or community economic development reason.

### 9.5.1 Goal

The goal of the community improvement policies is to enable the Township to undertake Community Improvement Plans and facilitate community improvement activities, in order to maintain the Township as a desirable community for residents and tourists, to encourage new economic opportunities by fostering a positive environment for private investment, and to carry out improvements in accordance with the financial capabilities of the municipality.

### 9.5.2 Objectives

1. The objectives of Community Improvement Plans include to:
  - a) Maintain or improve all essential municipal services and community facilities;
  - b) Undertake improvements to municipal lands, buildings, and infrastructure (e.g. streetscaping);
  - c) Ensure that community improvement projects are carried out within the settlement areas of the Township;
  - d) Promote the revitalization of downtown commercial areas;
  - e) Ensure the maintenance of existing building stock and encourage renovations and repairs where required;
  - f) Encourage property maintenance and occupancy standards;
  - g) Encourage the preservation of heritage buildings and the character of the settlement areas;
  - h) Provide for the rehabilitation of “brownfield” sites (i.e. lands on which industrial or commercial activity took place in the past but which are no longer in use, and which may be contaminated) for reuse as viable development sites for various land use activities;



- i) Improve energy efficiency and promote innovative or alternative sources of energy;
- j) Encourage and incentivize the construction of affordable housing through intensification, and housing forms that allow residents to age in place, and other housing needs of local residents, and of potential investors;
- k) Encourage private sector investment and the strengthening of the economic base; and
- l) Enhance the visual appearance of Community Improvement Areas.

### **9.5.3 Community Improvement Areas**

1. Based on the objectives outlined above and the results of visioning exercises undertaken in 2017 as part of the Official Plan review, the settlement areas of Lansdowne, Lyndhurst, Rockport, and Seeley's Bay are designated as Community Improvement Areas.
2. It is the intent of Council that the Community Improvement Areas may be further designated by by-law, in whole or in part, as one or more defined Community Improvement Project Areas, for which detailed Community Improvement Plans may be prepared.

### **9.5.4 Criteria for Community Improvement Project Area Selection**

1. A Community Improvement Project Area may be designated as such based on the following criteria:
  - a) There are a significant number of buildings in need of repairs;
  - b) There is evidence of a need to improve municipal services, such as roads, active transportation facilities, sidewalks, drainage facilities, bicycle and vehicle parking, and street lighting, especially where pedestrian, cyclist, and traffic safety is concerned;
  - c) There are parks, recreation, and community facilities in need of repairs, improvements and additions;
  - d) The general visual appearance and aesthetics of the community require upgrading;



- e) Improvements will have a significant impact on strengthening the economic base of the community; and
- f) The phasing of improvements corresponds to the timing of improvement by the County and/or senior governments and is within the financial capability of the Township.

### 9.5.5 Implementation

1. In order to implement a Community Improvement Plan in effect within a designated Community Improvement Project Area, the Township may undertake a range of actions in accordance with the **Planning Act**, including:
  - a) Acquisition of land within the Community Improvement Project Area and subsequent:
    - i) Clearing, grading, or other preparation of this land;
    - ii) Construction, repair, rehabilitation, or improvement of buildings on this land;
    - iii) Sale, lease, or disposition of this land to any person or government authority.
  - b) Provision of public funds such as grants or loans to owners, tenants and their assignees to pay for the whole or part of the eligible costs of the Community Improvement Plan;
  - c) Application for financial assistance from senior level government programs; and
  - d) Incremental tax deferrals.
2. Further to the above, it is Council’s intention to implement the community improvement policies by:
  - a) Enforcing the Property Standards By-law;
  - b) Negotiating with the County regarding improvements to County roads which perform important local functions;
  - c) Supporting heritage conservation through available programs;
  - d) Passing appropriate By-laws, such as a Sign By-law;
  - e) Considering the preparation of a recreation master plan;



- f) Encouraging the involvement of the general public, local business owners, and community groups in specific projects;
- g) Cooperating with private sector interest in making improvements to the Township;
- h) Ensuring that Township properties are maintained at an appropriate standard;
- i) Defining specific projects based on deficiencies as identified from time to time; and
- j) Providing of information on municipal initiatives, financial assistance programs, and other government assistance programs.

## 9.6 Community Planning Permit System

The Township may, at an appropriate time, choose to enact a by-law to implement the provincial Community Planning Permit System (CPPS), related to the streamlining of zoning by-law amendments, minor variances, and site plan control.

1. A CPPS may be developed and adopted for the entire corporate limits of the Township, or for a specific area of the Township, as set out in the community planning permit by-law. Where a CPPS has been enacted and approved, the Zoning By-law and Site Plan Control By-law will not apply.
2. At the time of adopting a CPPS, an official plan amendment, subject to approval by the United Counties of Leeds and Grenville, will be prepared that:
  - a) identifies the specific area proposed as a Community Planning Permit area;
  - b) outlines the scope of the authority that may be delegated and any limitations on the delegation, if Council intends to delegate any authority under the community planning permit by-law; and
  - c) for each proposed community planning permit area identified:
    - i) contains a statement of the Township's goals, objectives, and policies in proposing a CPPS for the area;
    - ii) sets out the types of criteria that may be included in the community planning permit by-law for determining whether any class of development or any use of land may be permitted by community planning; and
    - iii) sets out the types of conditions that may be included in the community planning permit by-law, in accordance with the **Planning Act**.



## 9.7 Consultation and Application Requirements

### 9.7.1 Mandatory Pre-Consultation

1. The Township shall, by by-law, require applicants to consult with the Township prior to submission of any development application for which the Township is the approval authority. Failure to do so shall result in the application being deemed incomplete in accordance with the **Planning Act**.

### 9.7.2 Required Information and Material

1. Pursuant to the provisions of the **Planning Act**, Council and/or its designated approval authorities may require applicants to provide additional information or material to accompany the following development applications:
  - a) Official Plan Amendments;
  - b) Zoning By-Law Amendments;
  - c) Applications for Plan of Subdivision or Condominium;
  - d) Applications for Site Plan Control;
  - e) Consent Applications; and
  - f) Applications for Minor Variance.
2. Development applications for a planning approval listed in Policy 1 of the Required Information and Materials Section of this Plan shall be accompanied by the information and materials required under the **Planning Act** and any other legislation or regulation, as amended. Such information and materials will be required at the time of submission of the development application in order for the application to be deemed complete. Such information and materials include, but are not limited to the following:
  - a) Description of the applicant's interest in the land (owner, tenant, purchaser);
  - b) Identification of the registered land owner, if different from the applicant;
  - c) Owner's authorization / consent to apply for the planning approval, if the owner is not the applicant;
  - d) Identification of the agent for the applicant, if any, with written authorization from the applicant;
  - e) Identification of the applicant's planner, if any;
  - f) Owner's authorization / consent to use and disclose personal information and to allow site visits;
  - g) Written confirmation of pre-consultation with the municipality;
  - h) Assessment Roll Number of the subject land(s);
  - i) The existing Official Plan designation and zoning for the lands;



- j) Description and sketch of any existing or proposed easements and/or rights-of-way;
  - k) Confirmation of proximity to or location within the hazard distance of a propane facility;
  - l) Description and/or sketch of existing uses, previous uses, and complete description (e.g. frontage and depth) of the subject lands;
  - m) Description and/or sketch of the existing land uses adjacent to and within 500 metres of the subject lands;
  - n) Description and/or sketch of the natural and artificial features on the subject lands and within 500 metres of the subject lands (e.g. buildings, railways, wells, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wood areas, etc.); and
  - o) Any studies identified by the Township under the Additional Information – Studies and Assessments Section of this Plan.
3. In addition to the information required in Policy 1 of the Required Information and Material Section of this Plan, the following is required with an application for a Plan of Subdivision or Condominium:
- a) Identification of the Ontario Land Surveyor, if any;
  - b) Details of housing affordability;
  - c) Servicing Options Report;
  - d) Hydrogeological study and terrain analysis; and
  - e) Preliminary Stormwater Management Report.

### **9.7.3 Additional Information – Studies and Assessments**

1. In addition to the requirements of the Required Information and Material Section of this Plan, additional information in the form of the studies or assessments may be required in order to consider a planning application complete.
2. The additional information will be required as part of a complete application in order to ensure that all the relevant and required information pertaining to a planning application is available at the time of submission to enable Council and/or its designated approval authorities to make informed decisions within prescribed time periods and ensure that the public and other stakeholders have access to all relevant information early in the planning process.
3. In all instances, the number and scope of studies and assessments to be required for the submission of a complete application is appropriate and in keeping with the scope and complexity of the application.



4. The additional information and material that may be required includes, but is not limited to, the studies and assessments listed below:
- Agrology and Soil Capability Study;
  - Archaeological Assessment;
  - Assessment of Adequacy of Public Services/Conceptual Site Servicing Study;
  - Concept Plan for the full site showing ultimate use of land;
  - Cultural Heritage Evaluation Report or Heritage Impact Assessment;
  - Disclosure Report for Source Water Protection;
  - Environmental Impact Study;
  - Erosion and Sediment Control Plan;
  - Flooding Hazard Analysis;
  - Geotechnical Study;
  - Groundwater Impact Assessment;
  - Hydrogeological and Terrain Analysis;
  - Impact Assessment of Adjacent Waste Disposal/Former Landfill Site;
  - Lakeshore Capacity Assessment;
  - Mine Hazard Study/Abandoned Pit Quarry;
  - Mineral Resource Impact Assessment;
  - Minimum Distance Separation Calculation;
  - Natural Hazards Assessment;
  - Noise/Vibration Study;
  - Phase 1, Phase 2, and/or Phase 3 Environmental Site Assessment (ESA);
  - Planning Rationale;
  - Public Consultation Strategy;
  - Record of Site Condition (RSC);
  - Risk Reduction Plan;
  - Servicing Options Report;
  - Stormwater Management Plan;
  - Transportation Impact Study or Brief or Community Traffic Study;
  - Tree Preservation and Protection Plan;
  - Wellhead Protection Plan; and
  - Wildland Fire Assessment.
5. Notwithstanding the required studies and assessments listed above in Policy 4 of the Additional Information – Studies and Assessments Section of this Plan, Council may ask for any additional information that is considered reasonable and necessary in order to make a decision on a development application.
6. The Township may require any of the studies or assessments noted in Policy 4 of the Additional Information – Studies and Assessments Section of this Plan to be peer reviewed on behalf of the Township at the proponent’s expense.



## 9.8 Environmental Impact Study (EIS)

The Township may require the completion of an Environmental Impact Study (EIS), in accordance with the relevant policies of this Plan, for any proposed development and site alteration, prior to consideration of a development application under the **Planning Act**. The purpose of an EIS is to provide the Township with a professional opinion on the potential impact of development and site alteration on natural heritage features, areas, and adjacent lands. The EIS assesses whether the proposed development or site alteration will result in negative impacts on the natural heritage features, areas, and adjacent lands, and their ecological functions. The EIS may also address waterbody protection considerations. The Ministry of Natural Resources and Forestry's Natural Heritage Reference Manual, as amended from time to time, shall be used to guide the preparation of an EIS and evaluation of potential impacts.

1. Depending on the type, scale, and location of the proposed development and site alteration, the Township may require either a Full EIS or a Scoped EIS.
2. In a limited number of cases, the Township, in consultation with the Cataraqui Region Conservation Authority and other appropriate agencies, as applicable, may establish that an EIS or a scoped EIS is not warranted. Where development and site alteration is proposed on land adjacent to the Rideau Canal, Parks Canada will be consulted.
3. In those cases where an EIS is requested after development has commenced, or is substantially completed, or is completed, the EIS should review the impact of the work using the pre-construction environment as the baseline, rather than the post-development impacts.
4. Where required, no planning approval will be granted until an EIS has been completed to the satisfaction of the Township, the Conservation Authority, and other appropriate agencies, as applicable.

### 9.8.1 Full Environmental Impact Study (EIS)

1. A full EIS will be required by the Township, in consultation with the Cataraqui Region Conservation Authority and/or other appropriate agencies, such as the Ministry of Natural Resources and Forestry, where it is determined necessary based on the type and scale of the proposal and the nature and sensitivity of the natural heritage features that may be impacted.



2. Where a full EIS is required, such a study will be prepared by a qualified professional with expertise in environmental science, which, at a minimum, shall:
  - a) define the nature and the boundaries of any significant features, ecological functions and values on, or adjacent to, the site;
  - b) describe and map the proposed development activities, including building location, excavation, site grading, landscaping, drainage works, roadway construction, paving, sewer and water servicing, in relation to various environmental considerations;
  - c) predict the effects of the proposed development on the various components of the environment on and adjacent to the site, such as wildlife, fish, vegetation, soil, surface water, groundwater, air and any other relevant factors, taking into consideration effects during and after site alteration;
  - d) evaluate the significance of all predicted and negative and positive impacts on the various environmental considerations;
  - e) itemize and recommend all measures that can be taken to avoid, or mitigate the predicted negative impacts;
  - f) evaluate the cumulative impacts that the project (and any other known projects or activities) may have following implementation of any mitigation measures on the natural features, areas, and adjacent lands and the ecological functions identified for protection;
  - g) conclude with a professional opinion on whether negative impacts on the natural features, areas, and adjacent lands, and the ecological functions will occur, the significance of such impacts, and whether ongoing monitoring is required; and
  - h) describe and map any water access and staging areas.

### 9.8.2 Scoped Environmental Impact Study (EIS)

1. The Township may scope the requirement for an EIS to a scoped EIS, in consultation with the Cataraqui Region Conservation Authority and/or other appropriate agencies such as the Ministry of Natural Resources and Forestry, where the proposed development and/or site alteration constitutes a relatively minor undertaking (e.g. construction of small accessory buildings or minor



additions), or barely encroaches within the adjacent lands to a natural heritage feature or area.

2. A scoped EIS will involve a checklist that can be completed by the applicant, in consultation with the Township, Conservation Authority, and other appropriate agencies, as applicable. Generally, cumulative impacts should be considered.
3. If a scoped EIS indicates that there may be potential impacts to a natural heritage feature, area, or adjacent lands, and their ecological functions, a full EIS shall be required.

## 9.9 Indigenous Engagement

While there are no Indigenous community reserves located within the boundaries of the Township of Leeds and the Thousand Islands, it is recognized that Indigenous communities may have an interest in planning matters in the Township. The Township will engage Indigenous communities including, but not limited to, the Mohawks of the Bay of Quinte, the Mohawks of Akwesasne, the Algonquins of Ontario, the Algonquins of Pikwàkanagàn, and the Métis Nation of Ontario, on the following:

1. Consultation on cultural heritage or archaeological studies related to proposed developments where areas of Indigenous interest or values and/or the potential for encountering Indigenous artifacts have been identified;
2. Consultation prior to the approval by Council of future Official Plan amendments or site plan approval, where an Archaeological Assessment has identified the potential for encountering Indigenous artifacts; and
3. Input and possible participation in Stage 2 Archaeological Assessment required for land use planning or development purposes, where a Stage 1 Archaeological Assessment indicates areas of historical interest and/or the potential for encountering Indigenous artifacts.

## 9.10 Minor Variances

### 9.10.1 Types

1. A Committee of Adjustment has been and shall continue to be established by Council, in accordance with the enabling provisions of the **Planning Act**. The Committee of Adjustment may authorize variances to:



- a) Vary from provisions of the Zoning By-law or an Interim Control By-law, where the existing or proposed use complies with the use provisions of the Zoning By-law which implements this Plan;
- b) Allow the extension or enlargement of a legal non-complying use;
- c) Allow a change in the use of land or buildings from one legal non-complying use to another use that, in the opinion of the Committee, is similar to the existing legal non-complying use or that is more compatible with the uses permitted by the Zoning By-law; and
- d) Allow a use where the uses of land, buildings, or structures permitted in the Zoning By-law are defined in general terms.

### 9.10.2 Decisions

1. Minor variances are discretionary and are to be considered from a land use planning and public interest perspective. In granting any minor variance, the Committee of Adjustment shall be satisfied that:
  - a) The variance is desirable for the appropriate development or use of the land, building, or structure;
  - b) That the general intent and purpose of the Official Plan are maintained;
  - c) That the general intent and purpose of the Zoning By-law are maintained;
  - d) The variance is minor in nature; and
  - e) The variance is not in respect of a parcel, building, or structure for which the provisions of the Zoning By-law have been amended within the previous two (2) years, unless Council has declared by resolution that the application for such variance is permitted.
2. The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of the application for a minor variance, including site plan approval where encouraged in this Plan, any reasonable requirements, recommendations of Township departments or the submission of studies.
3. In considering whether an application for a minor variance is desirable for the appropriate development or use of the land, building, or structure, the Committee of Adjustment shall have regard for, but will not necessarily be limited to, the following:
  - a) The proposed development meets the intent of all applicable policies of this Plan, including the basis, goals, and objectives;
  - b) The proposed development shall be compatible with surrounding uses, buildings, or structures, and development standards associated with



- adjacent properties, and if necessary, shall incorporate means of mitigating adverse effects on abutting land uses to ensure compatibility;
- c) The necessity of the proposed development;
  - d) Ability to comply;
  - e) The ability of the site to function in an appropriate manner in terms of access, parking for vehicles and bicycles, or any other matter and means of improving such function, including considerations for universal accessibility;
  - f) The conformity of the proposal to any design guidelines or other by-laws which implement the Official Plan;
  - g) Whether the application and the cumulative impact of the proposed variances would be more appropriately addressed through a Zoning By-law Amendment; and
  - h) The degree to which such approval may set an undesirable precedent for development in the Township.
4. In considering whether a proposed variance is minor, the Committee of Adjustment shall have regard for, but will not necessarily be limited to, the following:
- a) If the proposed development meets the intent of all applicable provisions of the Zoning By-law;
  - b) If the proposed development meets the intent of all applicable policies of this Plan, including the basis, goals, and objectives;
  - c) If the variance is desirable for the appropriate development or use of land, buildings, or structures;
  - d) Technical or physical reasons for not complying with the Zoning By-law;
  - e) Size or comparison in size;
  - f) If it is too large or too important to be consider minor; and
  - g) If it is rounding out development in the area, or if it is extending non-complying development;
  - h) Impact on adjacent properties and the general surrounding area.

### 9.11 Official Plan Review Procedure

1. It is the intention of Council, in accordance with the **Planning Act**, that a comprehensive review of the Official Plan takes place no less frequently than 10 years after it comes into effect as a new Official Plan, and every five years thereafter, unless the Plan has been replaced by another new Official Plan. If any of the assumptions on which the Official Plan is based change substantially, a partial or complete review of the Plan should be undertaken at that time in order to determine whether the policies of the Official Plan are still appropriate.



## 9.12 Other By-laws

1. By-laws passed by Council under the authority of the **Municipal Act** or any other Act may implement the policies of this Official Plan. Such By-laws may include those dealing with the regulation of derelict motor vehicles, wrecking yards, trailers and signs, and must conform to this Official Plan.

## 9.13 Parkland Dedication

1. As a condition of a plan of subdivision or condominium, consent, or commercial or industrial development via site plan approval (provided that parkland dedication has not already been provided), the Township is entitled to a dedication of land for park purposes, in accordance with the provisions of the **Planning Act**.
2. The Township may require the owner of the land to convey to the municipality, for park or other public recreational purposes, up to 2% of the land proposed for commercial or industrial purposes.
3. The Township may require the owner of the land to convey to the municipality, for park or other public recreational purposes, up to 5% of the land proposed for residential purposes, or in lieu of such conveyance, require that land included in a plan of subdivision be conveyed to the municipality, for park or other public recreational purposes, at a rate of one hectare for each 300 dwelling units proposed, or at such lesser rate as may be determined by the municipality, in accordance with the Parkland Dedication By-law. The Township has and shall continue to set out its rates by By-law.
4. The Township will determine the parkland dedication for mixed-use development or development on the basis of the proportion of the site or building occupied by each type of use. In the event that the mix of uses has not been finalized, the Township will determine the uses that will produce the greatest amount of parkland, in accordance with the Parkland Dedication By-law, for the purpose of determining the amount of parkland to be dedicated.
5. No person shall construct a building on the land proposed to be developed or redeveloped unless the payment has been made or arrangements for the payment that are satisfactory to Council have been made. Lands conveyed to the municipality may be sold by the municipality at any time, but the proceeds from the sale shall be kept in a special account which shall be used for park and public recreation purposes only.
6. Where lands are to be dedicated for park purposes, the Municipality will accept only those lands suitable for development as public open space and will not



accept any land which, by its physical character or location, is not immediately suited to park use or would require extensive development or rehabilitation in order to make it suitable for park use. Lands to be dedicated for park purposes should follow these guidelines:

- a) be relatively level and not be required for drainage purposes, nor contain hazard lands, such as lands susceptible to flooding or identified as flood plain, having steep slopes or other physical features which are unsuitable for open space or park development;
  - b) be located within a neighbourhood or community context to provide convenient pedestrian and vehicular access;
  - c) be located to optimize linkages to existing public parks, trails, or other recreational facilities, where feasible;
  - d) generally provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields (e.g. soccer fields, baseball fields, etc.);
  - e) have adequate access within the development;
  - f) be provided with basic service requirements; and
  - g) be developed in accordance with other Township parkland standards, if applicable.
7. For subdivisions and, where possible, for consents, which abut or include shoreline on any natural waterbody, Council will generally require dedication of waterfront lands for park purposes.
  8. Cash-in-lieu of parkland dedication may be required, at a rate not to exceed the maximums as set out in the **Planning Act**. Cash-in-lieu of parkland may be requested by the municipality for any division of land situated in an area where there is an existing public park which is capable of providing adequate facilities for both the existing population and the projected population expected. Cash-in-lieu may also be requested where the amount of land involved is small, such as when individual lots are created by consent, and, therefore, unsuited to park development.

## 9.14 Public Works

1. Certain policies of this Plan will be implemented through the construction of public works. No public works will be undertaken that do not conform to the intent and purpose of the Official Plan.
2. The Township may consider undertaking long-range planning for infrastructure and public service facilities beyond the 2031 planning horizon.



## 9.15 Property Standards By-law

1. Council has passed and shall maintain a Property Standards By-law for prescribing the standards for the maintenance and occupancy of property and for prohibiting the use of such property that does not conform to those standards within the municipality.
2. In order to encourage the rehabilitation of existing buildings and property, the Township will endeavour to ensure that the detracting influence of substandard structures is minimized.
3. The Township has appointed and shall maintain a Property Standards Officer who shall be responsible for administering and enforcing the By-law. The Township has also appointed and shall maintain a Property Standards Committee for the purpose of hearing appeals against an order of the Property Standards Officer.
4. The measures to be used in achieving a property maintenance program may include an education and public information program to show people the benefits of continued property maintenance, together with information showing what improvements can be made without increasing assessment.

Complementary to the enforcement of minimum standards on private properties, the municipality will keep in a fit and well-maintained condition all municipally-owned properties and structures, and to provide or maintain in good repair such municipal services as roads, sidewalks, parks and recreational facilities.

## 9.16 Public Consultation and Notification

Public consultation and notification is an essential component of the municipal planning process. The following policies shall apply in the implementation of this Official Plan:

1. Notice of public meetings must be given in accordance with the **Planning Act**; however, the Township may consider alternate notice procedures as provided for in the **Planning Act**. Council may establish additional requirements for notification which will be set out in the procedural guidelines. On a case-by-case basis, additional notification over and above the statutory requirements and the Council procedural requirements may be implemented.
2. Council may, by resolution, forego public notification and public meetings in connection with Official Plan, Community Improvement Plan, and Zoning By-law Amendments, if such amendments relate to matters that will not affect the



policies and intent of the Official Plan or Community Improvement Plan, or the provisions of the Zoning By-law in any material way, and may include the following matters:

- a) altering punctuation or language to obtain a uniform mode of expression;
  - b) correcting clerical, grammatical, dimensioning or typographical errors;
  - c) altering the number and arrangement of any provision;
  - d) inserting historical footnotes or similar annotations to indicate the origin and approval of each provision;
  - e) changing the format of a document;
  - f) consolidating amendments; and,
  - g) transferring Official Plan, Community Improvement Plan and Zoning By-law information to new base maps.
3. A Public Consultation Strategy, satisfying the minimum requirements of the **Planning Act** for public consultation, is required for all applications for an Official Plan Amendment, Zoning By-law Amendment, and/or Plan of Subdivision. The Township may require additional public consultation measures in order to deem an application complete, as determined on a case-by-case basis.
  4. Proponents are encouraged to hold accessible community meetings in addition to statutory public meetings in order to communicate the details of development proposals to residents and agencies.
  5. Public meetings must be held before proposals for Official Plan and Zoning By-law Amendments and draft Plans of Subdivision are dealt with by Council, in accordance with the Planning Act.
  6. For special issues, including but not limited to, new Official Plans and comprehensive Zoning By-laws, the Township may consider additional means of public participation including open houses, public displays, area meetings, newspaper coverage, cable TV programming, internet postings and other similar means.
  7. Written and oral submissions from the public relating to applications for Official Plan Amendments, Zoning By-law Amendments, plans of subdivision, plans of condominium, consent, and minor variance will be summarized within a staff report to facilitate decision making. Where appropriate, the submissions will be consolidated into common or overlapping land use planning issues, in addition to an acknowledgement of other issues presented through the public consultation process. The notices of decision

associated with planning applications will recognize written and oral submissions and the effect they have had, if any, on planning decisions.

## 9.17 Section 37 – Height and Density Exchange for Facilities or Services

1. In accordance with Section 37 of the **Planning Act**, the Township may pass a by-law that authorizes increases in the height and density of development in exchange for the provision of public facilities or services. The by-law may list examples of qualifying public facilities or services, such as provision of affordable housing, parkland, public art, or heritage conservation.

## 9.18 Site Plan Control

1. Pursuant to Section 41 of the **Planning Act** the entire area within the corporate limits of the Township of Leeds and the Thousand Islands is proposed as a site plan control area.
2. Specific areas and uses where site plan control will apply will be established by by-law. Such by-law may designate site plan control area(s) by reference to specific zones in the implementing Zoning By-Law. The by-law may define any class or classes of development where development may be undertaken without the approval of plans and drawings as may otherwise be required hereunder.
3. The site plan control process is used to address land use matters including:
  - a) Provision of a safe, functional, and visually attractive environment;
  - b) Ensuring proposed development to be compatible to the scale, character, and siting of abutting development;
  - c) Minimizing impacts on abutting uses;
  - d) Delivering universal accessibility to community facilities and services, such as transit;
  - e) Providing security, convenience, and amenities equitably for all people;
  - f) Providing for safe access, parking and loading for vehicles and all forms of active transportation;
  - g) Providing a high standard of landscape amenity, with consideration for accessibility, wayfinding, and buffering of service areas, while retaining natural features, wherever possible;
  - h) Providing for control of stormwater and, where applicable, secure necessary service or utility easements, road widenings, and/or parkland or payment-in-lieu thereof;



- i) Providing sustainable features to the extent that provincial legislation allows;
  - j) Providing for storage of garbage and other waste materials; and
  - k) Protecting waterbodies and waterfront areas.
4. It is generally intended that the following uses be exempt from the site plan control requirements unless the Township, in consultation with a public agency such as the Cataraqui Region Conservation Authority, requires they be subject to site plan approval:
- a) A single-detached dwelling;
  - b) A semi-detached dwelling;
  - c) A duplex dwelling;
  - d) Permitted agricultural building and structures used in non-intensive farming operations; and
  - e) Accessory buildings or structures, minor renovations, and extensions to the above uses.

In areas designated as part of the Natural Heritage System on Schedule 'A2' and in areas along the Rideau Canal, site plan control may apply to all classes of development in order to ensure, for example, that recommendations of an EIS report, or agency requested development constraints are implemented.

In areas designated as part of the Source Water Protection Area (Source Protection Vulnerable Areas) on Schedules 'B2' and 'A6', site plan control may apply to all classes of development to ensure that source water protection concerns are addressed, in accordance with the policies in the Source Water Protection Section of this Plan.

5. The Township may require site plan drawings, elevations and cross-sections for all residential buildings along the Rideau Canal or those containing three (3) or more dwelling units.
6. In accordance with Section 41 of the **Planning Act** and the Roads Section of this Plan, sufficient road widening will, where feasible, be required to ensure roads meet the road allowance widths specified in this Plan.
7. Where a roads needs study is completed and additional information is available on the precise areas where road widening is necessary, such information will be included in this Plan by amendment.
8. Where road widening is required, the dedication should be applied equally on both sides of the road. The actual extent of road widening required to obtain



the planned right-of-way width depends on the existing allowance width. Topographic constraints may require additional lands to be dedicated.

9. The owner will be required to enter into one or more agreements as a condition to the approval of plans and drawings in accordance with the provisions of Section 41 of the **Planning Act**.
10. Pursuant to Section 4(13)(b) of the **Planning Act**, Council may by by-law delegate the Council's power or authority to a committee of the Council or an appointed officer. Such delegation shall not include any Council authority under Section 41(13)(a) of the **Planning Act**.

### 9.18.1 Site Plan Control By-law

1. Various lands as specified in the relevant sections of this Official Plan are designated as Site Plan Control areas. For these areas, Council may pass a Site Plan Control By-law, pursuant to Section 41 the **Planning Act**, to deal with some forms of residential uses, industrial, and commercial uses, as well as marine facilities and other waterfront development.
2. Where a Site Plan Control By-law is in effect, the applicant will submit for approval such plans and/or drawings that are required by Council. The applicant may be required to enter into an agreement with the municipality to provide and maintain those facilities required on the site plan. Such agreement may be registered against the land to which it applies.

## 9.19 Zoning By-Law

A Zoning By-law is the principal means for implementing an Official Plan. As set out in Section 34 of the **Planning Act**, the Township's Zoning By-law regulates the use of land, the erection and use of buildings and structures, yard requirements, parking and loading space requirements and other such matters, in accordance with the policies of this Plan.

1. Following the approval of this Official Plan, it will be necessary to enact a new comprehensive Zoning By-law to implement the provisions of this Official Plan. The Zoning By-law shall conform to the policies of this Official Plan and be updated within three (3) years of mandated reviews of the Official Plan.
2. Amendments to the Zoning By-law will be made only after public notice and consultation as required by the **Planning Act** and consultation with affected authorities or agencies have been undertaken to satisfaction of Council.



3. Privately-initiated applications for amendments to the provisions of a new comprehensive Zoning By-law that implements this Official Plan (i.e. where the Zoning By-law was repealed and a new Zoning By-law was adopted) shall not be considered within two (2) years of the date the new Zoning By-law comes into effect, unless otherwise permitted by a Council resolution to allow the application.

### 9.19.1 Holding Zones

1. Holding zones will be used in locations where land is being zoned for a particular use but where certain conditions must be satisfied before development can proceed. Holding by-laws may be used where the principle of development has been established through scrutiny under the **Planning Act**. These conditions may include:
  - a) completing any necessary hydrogeology or other tests and reports;
  - b) implementing measures to overcome development constraints;
  - c) completing any necessary servicing or other agreements related to the development;
  - d) satisfying Council's financial requirements related to the development; and
  - e) the phasing of the proposed development to Council's satisfaction.

The presence of a holding zone is shown by the addition of a suffix "-h" following the zone symbol in the Zoning By-law. The suffix "-h" will be removed by by-law amendment once the conditions have been met.

2. While a holding zone is in effect, only existing uses will generally be permitted. However, the Zoning By-law may allow the land to be used for a purpose which does not detract from or prejudice the fulfilment of the long-term planning objectives for the lands. No Official Plan amendment will be required provided this policy is complied with.



## Section 10 Interpretation

## 10

### INTERPRETATION

1. It is intended that the boundaries of any land use designations, development constraints, and features shown on the Schedules of this Official Plan be considered as approximate, except where bounded by such features as existing roads, railways, waterbodies or other natural features. It is recognized that the Schedules may contain inaccuracies typically associated with the available base mapping sources and digitized assessment parcel information. Accordingly, it will not be necessary to make amendments to the Official Plan for minor variations in the approximate boundaries provided that the intent of the Official Plan is maintained.
2. Base mapping used for the Schedules of this Official Plan was supplied by the United Counties of Leeds and Grenville and the Cataraqui Region Conservation Authority, and obtained from Land Information Ontario.
3. It is intended that all figures and quantities contained in the Official Plan be considered as approximate only. Amendments will not be required for any reasonable variation from these figures.
4. Any significant change from the policies contained herein will require an amendment to the Official Plan. If a change is major, particularly if it will cause changes in the way in which an area is developing, then the Official Plan should be reviewed in whole.
5. In some cases, more than one (overlapping) designation will apply to a parcel of land. The policies applicable to both designations will apply. Where any apparent conflict exists, the policy which better protects the environment will take precedence.
6. Where reference is made to consultation with or approval from the province, such reference is intended to include any delegated authority. Amendments to the Official Plan will not be required to cite any such delegated authority in the Plan. Similarly, if the responsibilities of provincial ministries or other public bodies change or if names of such ministries or public bodies change, any references to these ministries or public bodies may be correspondingly changed in the Plan without the need for an amendment.
7. Where any doubt exists with respect to the intended meaning of any word or phrase used in this Plan, the 2014 Provincial Policy Statement shall be used as a guide to interpretation.



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## Section 11 Schedules

The Schedules to this Plan include:

- Schedule A1 – Land Use Designations
- Schedule A2 – Land Use Designations: Natural Heritage System and Hazards
- Schedule A3 – Natural Heritage System: Woodlands
- Schedule A4 – Land Use Designations: Mineral Aggregate Resources, Mineral Resources, and Abandoned Mines
- Schedule A5 – Wildland Fire Hazard Areas
- Schedule A6 – Source Protection Vulnerable Areas
- Schedule A7 – Unopened Road Allowances
- Schedule B1 – Lansdowne Settlement Area
- Schedule B2 – Lyndhurst Settlement Area
- Schedule B3 – Rockport Settlement Area
- Schedule B4 – Seeley’s Bay Settlement Area
- Schedule B5 – Ivy Lea Settlement Area



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