

THE OFFICIAL PLAN

OF THE
TOWN OF GREATER NAPANEE

(OFFICE CONSOLIDATION)

MAY 2014



THE TOWN OF GREATER NAPANEE

THE OFFICIAL PLAN

As approved by the Minister of Municipal Affairs and Housing and came into effect on February 19, 2002 and as further amended by:

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NOTE: This is an office consolidation prepared solely for convenience. The original Official Plan, Minister's modifications, any Official Plan Amendments, and any subsequent Ontario Municipal Board Orders, noted above should be consulted for accurate reference.

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TABLE OF CONTENTS

<u>SECTION</u>	<u>Page</u>
PART 1 - BASIS OF THE PLAN	
1.1 FOREWORD	1-1
1.2 PURPOSE	1-1
1.3 APPLICATION AND SCOPE OF THE PLAN	1-1
1.4 APPROACH	1-2
1.5 COMMUNITY STRATEGY	1-2
1.5.1 The Community	1-2
1.5.2 The Strategy	1-3
1.6 USERS	1-4
1.7 COMPOSITION	1-4
1.8 STATUS	1-5
1.9 REVIEW AND AMENDMENT	1-5
1.10 TIME PERIOD	1-5
PART 2 - PRINCIPLES AND ASSUMPTIONS	
2.1 PRINCIPLES	2-1
2.2 ASSUMPTIONS	2-2
PART 3 - GOALS AND OBJECTIVES	
3.1 INTRODUCTION.....	3-1
3.2 ENVIRONMENTAL GOAL	3-2
3.2.1 Environmental Objectives.....	3-2
3.3 ECONOMIC AND FINANCIAL GOAL	3-3
3.3.1 Economic and Financial Objectives.....	3-3
3.4 RESOURCE MANAGEMENT GOAL.....	3-4
3.4.1 Resource Management Objectives.....	3-4
3.5 SETTLEMENT GOAL	3-4
3.5.1 Settlement Objectives	3-5
3.6 COMMUNITY IMPROVEMENT GOAL	3-5
3.6.1 Community Improvement Objectives.....	3-6
3.7 SERVICING GOAL	3-6
3.7.1 Servicing Objectives	3-6
3.8 TRANSPORTATION GOAL.....	3-7
3.8.1 Transportation Objectives.....	3-8
3.9 COMMUNITY, CULTURAL, AND RECREATION GOAL	3-8
3.9.1 Community, Cultural, and Recreation Objectives	3-9
3.10 DESIGN OF ATTRACTIVE AND HEALTHY COMMUNITIES GOAL	3-9
3.10.1 Implementation Objectives	3-9
3.11 MUNICIPAL COOPERATION AND COORDINATION GOAL	3-10
3.11.1 Municipal Cooperation and Coordination Objectives	3-10
3.12 IMPLEMENTATION GOAL.....	3-10
3.12.1 Implementation Objectives	3-10

TABLE OF CONTENTS (Cont'd)

<u>SECTION</u>	<u>Page</u>
PART 4 - LAND USE POLICIES	
4.1 INTRODUCTION.....	4-1
4.2 ENVIRONMENTAL POLICIES.....	4-1
4.2.1 General Principles.....	4-1
4.2.2 Environmental Protection Areas.....	4-3
4.2.3 Environmentally Sensitive Areas.....	4-7
4.3 RESOURCE LANDS POLICIES.....	4-10
4.3.1 General Principles.....	4-10
4.3.2 Agricultural.....	4-11
4.3.3 Aggregate.....	4-17
4.3.4 Mineral Resources.....	4-21
4.4 RURAL POLICY AREA.....	4-22
4.4.1 General Principles.....	4-22
4.5 SETTLEMENT PATTERNS.....	4-26
4.5.1 General Principles.....	4-26
4.6 URBAN SETTLEMENT AREA.....	4-27
4.6.1 Residential Policies.....	4-27
4.6.2 Major Institutional.....	4-33
4.6.3 Industrial.....	4-34
4.6.4 Commercial.....	4-41
4.6.5 Fringe Area.....	4-48
4.6.6 Urban Design.....	4-50
4.7 RURAL DEVELOPMENT AREAS.....	4-52
4.7.1 Resort Commercial.....	4-52
4.7.2 Estate Residential.....	4-53
4.7.3 Shoreline Residential.....	4-55
4.7.4 Rural Development Areas and Secondary Units.....	4-57
4.8 HAMLET AREAS.....	4-58
4.8.1 General Principles.....	4-58
4.9 OPEN SPACE.....	4-61
4.9.1 General Principles.....	4-61
4.9.2 Permitted Uses.....	4-61
4.9.3 Policies.....	4-61
4.9.4 Shoreline Areas.....	4-62
4.9.5 Trail Systems.....	4-62
4.9.6 Division of Land and Open Space Acquisition.....	4-63
4.9.7 Implementation.....	4-64
4.10 WASTE MANAGEMENT.....	4-64
4.10.1 General Principles.....	4-64
4.10.2 Uses Permitted.....	4-64
4.10.3 Waste Management Sites.....	4-65
4.10.4 Sewage Treatment Facilities.....	4-66

TABLE OF CONTENTS (Cont'd)

SECTION

Page

PART 4 - LAND USE POLICIES (cont'd)

4.10.5 Waste Management Influence Area	4-67
4.10.6 Salvage (Wrecking) Yards	4-68
4.10.7 Implementation	4-68

PART 5 - GENERAL DEVELOPMENT POLICIES

5.1 INTRODUCTION.....	5-1
5.2 ADVERSE IMPACTS	5-1
5.2.1 Buffering and Conflicting Uses	5-1
5.2.2 Decommissioning of Sites	5-1
5.2.3 Noise and Vibration	5-3
5.3 CROWN LAND.....	5-4
5.3.1 General Principles	5-4
5.3.2 Crown Land Policies	5-4
5.4 DIVISION OF LAND	5-5
5.4.1 Plans of Subdivision	5-5
5.4.2 Deeming of Plans of Subdivision	5-6
5.4.3 Part Lot Control	5-7
5.4.4 Condominiums.....	5-7
5.4.5 Consents.....	5-7
5.5 ENVIRONMENTAL MANAGEMENT	5-9
5.5.1 Subwatershed Planning.....	5-9
5.5.2 The Bay of Quinte Remedial Action Plan (QRAP)	5-10
5.5.3 Stormwater Management	5-10
5.5.4 Flood Plain Mapping.....	5-11
5.5.5 Flood and Erosion Prone Lands - Additions or Reconstruction	5-11
5.5.6 Development Adjacent to Water Bodies.....	5-12
5.5.7 Forestry	5-14
5.5.8 Tree Planting.....	5-16
5.5.9 Soil Preservation	5-16
5.5.10 Groundwater Protection and Source Water	5-16
5.5.11 Endangered and Threatened.....	5-17
5.6 HERITAGE CONSERVATION.....	5-18
5.6.1 Policies.....	5-18
5.6.2 Archaeological Resources.....	5-19
5.6.3 Cultural Resources	5-19
5.6.4 Cultural Heritage Management Plan.....	5-20
5.6.5 Heritage Conservation Districts	5-20
5.6.5 Loyalist Parkway – Provincial Highway No. 33	5-21
5.7 HOUSING	5-22
5.7.1 Housing Supply and Affordability	5-22

TABLE OF CONTENTS (Cont'd)

<u>SECTION</u>	<u>Page</u>
PART 5 - GENERAL DEVELOPMENT POLICIES (cont'd)	
5.7.2 Home Occupations/Bed and Breakfast Establishments	5-23
5.7.3 Housing for Social Needs	5-24
5.7.4 Increased Height and Density Provisions.....	5-26
5.8 INSTITUTIONAL	5-27
5.8.1 Policies.....	5-27
5.9 SECONDARY PLANS AND NEIGHBOURHOOD PLANS	5-28
5.9.1 Selby Creek Secondary Plan	5-29
5.10 PORTABLE ASPHALT PLANTS	5-30
5.11 WAYSIDE PITS AND QUARRIES	5-30
5.12 ACCESSIBILITY	5-31
5.12.1 Improving Accessibility	5-31
PART 6 - COMMUNITY IMPROVEMENT	
6.1 GENERAL PRINCIPLES.....	6-1
6.2 CRITERIA FOR COMMUNITY IMPROVEMENT AREA DESIGNATION	6-1
6.3 SELECTION OF COMMUNITY IMPROVEMENT AREAS	6-3
6.4 COMMUNITY IMPROVEMENT POLICIES	6-3
6.5 PHASING OF IMPROVEMENTS	6-4
6.6 IMPLEMENTATION	6-5
PART 7 - INFRASTRUCTURE POLICIES	
7.1 INTRODUCTION.....	7-1
7.2 ENERGY AND UTILITIES	7-1
7.2.1 Energy	7-2
7.2.2 Communication.....	7-2
7.2.3 Public Utilities	7-3
7.2.4 Servicing of Development	7-4
7.2.5 Communal Systems	7-5
7.2.6 Growth Management.....	7-6
7.3 RAILWAYS.....	7-6
7.3.1 Railroad Crossing Improvements.....	7-6
7.4 RECREATION	7-7
7.4.1 Standards.....	7-7
7.4.2 Parkland Acquisition.....	7-8
7.4.3 Community Services.....	7-9
7.4.4 Education Facilities.....	7-9
7.5 TRANSPORTATION	7-9
7.5.1 Roads.....	7-10
7.5.2 Transit Supportive Development Guidelines.....	7-14
7.5.3 Pedestrian and Bicycle Circulation	7-15

TABLE OF CONTENTS (Cont'd)

<u>SECTION</u>	<u>Page</u>
PART 7 - INFRASTRUCTURE POLICIES (cont'd)	
7.5.4 Parking	7-15
PART 8 - SUSTAINABILITY	
8.1 INTRODUCTION.....	8-1
8.2 SUSTAINABILITY VISION.....	8-3
8.3 SUSTAINABILITY PRIORITY AREAS.....	8-3
8.3.1 Climate Change.....	8-3
8.3.2 Energy	8-4
8.3.3 Economy	8-4
8.3.4 Land Use	8-5
8.3.5 Waste.....	8-6
8.3.6 Transportation	8-7
8.3.7 Culture – Local and Regional Identity	8-7
8.3.8 Social and Health	8-8
8.3.9 Natural Environment.....	8-9
PART 9 - IMPLEMENTATION AND INTERPRETATION	
9.1 INTRODUCTION.....	9-1
9.2 PROVINCIAL, COUNTY AND AGENCY POLICIES	9-1
9.3 COMMITTEES.....	9-1
9.3.1 General.....	9-1
9.3.2 Planning Advisory.....	9-1
9.3.3 Committee of Adjustment.....	9-1
9.4 ZONING BY-LAW	9-2
9.4.1 Use of the "H" Symbol.....	9-2
9.4.2 Development Zones	9-3
9.4.3 Non-Conforming Uses	9-4
9.5 TEMPORARY USE BY-LAWS	9-6
9.6 INTERIM CONTROL BY-LAW	9-7
9.7 SITE PLAN CONTROL.....	9-7
9.8 CONSULTATION AND APPLICATION REQUIREMENTS	9-8
9.8.1 Mandatory Pre-Consultation.....	9-8
9.8.2 Development Applications: Required Information and Material.....	9-9
9.8.3 Development Applications: Additional Information – Studies and Assessments.....	9-10
9.9 PROPERTY CONDITIONS.....	9-11
9.10 PART LOT CONTROL BY-LAWS AND DEEMING BY-LAWS.....	9-12
9.11 EXISTING VACANT LOTS.....	9-13
9.12 VALIDATION.....	9-13
9.13 LAND ACQUISITION	9-14
9.14 MUNICIPAL ACT LEGISLATION.....	9-14

TABLE OF CONTENTS (Cont'd)

<u>SECTION</u>	<u>Page</u>
PART 9 - IMPLEMENTATION AND INTERPRETATION (Cont'd)	
9.15 FINANCE AND PUBLIC WORKS	9-14
9.16 PUBLIC PARTICIPATION AND NOTICE PROCEDURES	9-15
9.17 OFFICIAL PLAN AMENDMENTS AND REVIEW	9-17
9.18 CHANGES TO AGENCY NAMES, RESPONSIBILITIES, AND LEGISLATION.....	9-18
9.17.1 Agency Names and Responsibility	9-18
9.17.2 Legislation.....	9-18
9.17.3 Amendment to the Plan.....	9-18
9.19 INTERPRETATION: BOUNDARIES AND QUANTITIES.....	9-18
9.20 DEFINITIONS	9-19
 PART 10 – APPENDIX	
10.1 APPENDIX 1: SAMPLE TERMS OF REFERENCE – ENVIRONMENTAL IMPACT STUDY (EIS).....	10-1
 PART 11 – SCHEDULES	
Schedule ‘A’ – Land Use Plan	
Schedule ‘B’ – Environmental and Resource Constraint Areas	
Schedule ‘C’ – Land Use Plan	
Schedule ‘D’ – Transportation Plan Rural Area	
Schedule ‘E’ – Transportation Plan Urban Area	
Schedule ‘F’ – Community Improvement Areas	
Schedule ‘G’ – Site Specific Policies	
Schedule ‘GI’ – Site Specific Policies Urban Area	

PART 1

BASIS OF THE PLAN

1.1 FOREWORD

The Official Plan provides a policy framework intended primarily to manage and direct physical development and its effects on the social, economic and natural environment of Greater Napanee until the year 2021. It concentrates on physical planning.

The plan outlines the Town's goals and objectives, states the policies to be followed and outlines the means for carrying out the policies. Policies indicate positions to which Town Council is committed and describe processes to be followed in arriving at decisions.

1.2 PURPOSE

The Official Plan provides a framework intended to reduce the element of uncertainty as to the manner and sequence of growth and land use changes so that coordination of public and private investment can occur. This plan:

- is a consolidation, blending, and update to the Official Plans for the former Townships of Adolphustown, North Fredericksburgh, South Fredericksburgh, Richmond, and Town of Napanee;
- reflects local initiatives and circumstances unique to the Town of Greater Napanee as a whole and of specific areas within the Town in particular; and
- updates current policies and designations while having regard to the Provincial Policy Statement (PPS).

Although the policies adopted are to guide changes in the physical structure of the Town, such changes should be in harmony with social needs, economic needs, municipal financial capabilities, environmental considerations and the management of natural resources. The Official Plan, therefore, contains much more than a set of land use controls.

1.3 APPLICATION AND SCOPE OF THE PLAN

The policies contained in this Plan are the minimum requirements designed to secure the health, safety, convenience or welfare of the inhabitants of the Town of Greater Napanee.

The Official Plan is a legal document. However, this plan is not intended to, nor is it to be interpreted as, in any way infringing upon the statutory rights, powers or prerogatives of any

other legal jurisdiction except as the Town has the legal authority to do so.

The Official Plan does not, in itself, control or regulate the development of land by private interests. The Plan provides a basis for the passing of municipal by-laws, including the Zoning By-law, and the administration and evaluation of planning and other applications.

The Official Plan is Greater Napanee's principal planning document and focuses on land use matters. However, because land uses directly affect municipal infrastructure, the Plan also forms the basis and influences such as other general policies and matters as:

- a) the provision of services in an efficient, consistent, and comprehensive manner;
- b) the long term planning and management of the Town's financial resources;
- c) the development of economic strategies;
- d) the implementation of senior government programs; and
- e) the encouragement of a productive and cohesive working relationship with the adjoining Townships, and the County of Lennox and Addington with respect to area wide land use issues.

1.4 APPROACH

The approach used in the preparation and revisions to this Plan was one of:

- identifying issues and a Town role;
- consulting with the public to identify community interests and direction;
- collecting and analyzing data;
- evaluating alternatives;
- consulting with those with special knowledge about the subjects in this Plan;
- formalizing goals and objectives;
- recognizing and having regard to provincial policies, strategies and guidelines;
- formulating policies; and
- analyzing policies and describing generally how they can be carried out.

1.5 COMMUNITY STRATEGY

1.5.1 The Community

The Town of Greater Napanee came into existence January 1st of 1998 as a result of the amalgamation of the Town of Napanee with the Township of Adolphustown, Township of South Fredericksburgh, Township of North Fredericksburgh, and the Township of

Richmond.

The Town is evolving. Once comprised of the urban (serviced) area of the Town of Napanee and its extension into Richmond and North Fredericksburgh, and four (4) rural Townships, the amalgamated municipality of Greater Napanee is now home to over 15,000 people. Its rural and agricultural roots are deep and remain strong.

Greater Napanee now encompasses a variety of communities including:

- Napanee urban (serviced) area with an approximate population of 7,000;
- Sandhurst Shores (serviced by municipal water);
- hamlets of Adolphustown, Conway, Forest Mills, Selby, Roblin, and West Plain;
- agricultural community and rural areas;
- rural residential, seasonal residential, and shoreline residential communities which have arisen along the shorelines of areas such as the Napanee River, Mohawk Bay, Hay Bay, Le Nid Point, Sherman's Point, Dorland, at the junction of County Road No. 2 and Little Creek Street, and at the Old Hamburg Road and Little Creek Street;
- the industrial areas along Lake Ontario (Lennox Generating Station) and the areas along Highway 401, County Road 41, and the Good Year Road; and
- the aggregate extraction areas, particularly the area in Lots 24 to 28, Concession 1 of the former Township of South Fredericksburgh.

Each of these areas and others not specifically mentioned comprise the Town of Greater Napanee. Combined, they provide a rich and diverse community fabric. It is the intention of this Plan to recognize this richness and harness the diversity to enhance the quality of life while bearing in mind environmental, resource, and economic forces.

1.5.2 The Strategy

The Town of Greater Napanee is expected to reach a population of 19,700 to 21,600 by the year 2023. This Official Plan accommodates the resulting residential, industrial, institutional, and commercial development. Growth is balanced with protection of the environment and protection of areas with resource potential. Council envisages that:

- the majority of residential growth will take place as an expansion to the existing serviced urban area within Greater Napanee, that is, the continued logical serviced extension from the former Town of Napanee into the former Townships of North Fredericksburgh and Richmond;
- areas of secondary and small amounts of growth are:
 - the area of Sandhurst which already has a municipal water supply;
 - the hamlets of Adolphustown, Conway, Forest Mills, Roblin, Selby, and West Plain;
 - minor expansions to areas of residential concentrations such as Sherman's Point and Le Nid Point; and

- limited estate development by plan of subdivision and land severance;
- industrial development is directed to the areas where services are available, that is, Napanee and Richmond industrial areas and to the site of the Lennox Generating Station;
- commercial development is directed primarily to the urban area of Greater Napanee;
- the Town has served as the County seat and as the major commercial centre in Lennox and Addington County. In the post war period, the Town saw a relative decline as shoppers sought opportunities in larger centres. Recent commercial expansion in the Town indicates there is a real opportunity to gain commerce through vigorous and imaginative action.
- areas of environmental sensitivity are protected from incompatible activities while being integrated with the Town and Conservation Authority open space systems;
- opportunities are created to facilitate the development of an integrated pedestrian, vehicular, and bicycle system; and
- resource areas with agricultural and aggregate potential are identified and protected from incompatible uses.

(MMAH January 14, 2014)

1.6 **USERS**

The Plan will be used:

- a) By the Council for the Town of Greater Napanee as the basis for decisions and actions on matters within its jurisdiction;
- b) By other government agencies and departments in preparing plans and programs which may affect the Town of Greater Napanee;
- c) By Town administrators and the Committee of Adjustment;
- d) By business, industry, private organizations, and citizens in considering and preparing their own plans and programs.

1.7 **COMPOSITION**

The planning area comprises all lands within the corporate limits of the Town of Greater Napanee.

1.8 STATUS

This Plan has been prepared and adopted in accordance with and pursuant to The Planning Act (R.S.O., c.P.13, as amended from time to time). This provides, among other things, that all public works and by-laws conform to the Official Plan.

1.9 REVIEW AND AMENDMENT

The Official Plan will be reviewed at regular intervals to reflect changing needs.

Particular attention will be paid to providing more comprehensive policies, where deemed necessary by changing circumstances or additional information. Furthermore, new issues will prompt future reconsideration of the policies adopted in this Plan.

Amendments to the Official Plan may be instigated by Council, either on its own initiative or at the request of property owners, other levels of government, private or public corporations and organizations. After consultation with affected agencies and the public, amendments may be adopted by Council. Amendments are then subject to the approval process under Section 17 of the Planning Act.

Council will, in accordance with section 26(1) of the Planning Act, not less frequently than every five (5) years, hold a special meeting of Council, open to the public, for the purpose of determining the need for a revision of the Official Plan.

1.10 TIME PERIOD

This Plan is established for a planning period to the year 2023.

PART 2

PRINCIPLES AND ASSUMPTIONS

2.1 PRINCIPLES

In preparing the Plan, a basic question had to be answered: What issues should be addressed in the Official Plan for Greater Napanee? The answer was developed during discussions with the Council, staff, and ratepayers, whose contributions to the set of principles, goals, and objectives have been used as a guide in determining the policies of the Plan.

Town Council recognized that there are land use issues for which land use policies must be developed to ensure an orderly and environmentally sensitive pattern of development and redevelopment. The Official Plan will, therefore:

- 2.1.1** Ensure that new development takes place in accordance with accepted environmental, planning, resource management, and engineering practices.
- 2.1.2** Identify growth areas and provide a development strategy to ensure that settlement needs of the population are met.
- 2.1.3** Outline land use policies which ensure the maximum long term economic benefit and wise utilization of resources.
- 2.1.4** Delineate the transportation system and development policies affecting it.
- 2.1.5** Outline significant natural features/areas and environmentally sensitive areas and specify appropriate policies vis-a-vis their relationship to settlement patterns and resource.
- 2.1.6** Establish policies to allow for rehabilitation and ongoing community improvements where conditions warrant.
- 2.1.7** Provide for appropriate buffering to mitigate impacts between incompatible land uses.
- 2.1.8** Combine the above elements in a way which provides for a land use pattern which permits the evolution of land use change in an orderly manner consistent with community aspirations.

2.2 ASSUMPTIONS

The underlying assumptions inherent in this Plan are based on a background study designed to give a broad overview of existing conditions and information regarding specific issues and concerns.

2.2.1 Premises

Given past trends, current development pressures, desire to protect the environment, and likely direction of future growth and land use change, certain assumptions have been established. The following premises are basic to this Plan:

- 2.2.1.1** The existing land use pattern has evolved slowly over a long period of time and is based on historical, economic and social development patterns applicable to the Township.
- 2.2.1.2** It is not the intent of this Plan to alter or redirect the established development patterns without good cause. The intent is to provide a planning environment in which anticipated change takes place in an orderly manner, subject to public scrutiny so as to best determine and safeguard the public interest.
- 2.2.1.3** There is a strong historical character to the Town and there are features worthy of historic preservation.
- 2.2.1.4** Provision is made for a range of lifestyles by allowing for a variety of land use opportunities, bearing in mind the physical limitation of the land, environmental constraints and opportunities, economic climate, servicing, and transportation requirements.
- 2.2.1.5** Population growth is based predominantly on previous trends.
- 2.2.1.6** The predominant means of lot creation has been through the plan of subdivision as opposed to the consent process. Future residential development will be promoted by development of existing lots of record, registered plans of subdivision, limited farm severances, and limited non-farm residential severances.
- 2.2.1.7** Some areas in Greater Napanee contain Class 1, 2, and 3 soils under the Canada Land Inventory of Soil Capability for Agriculture. Where these soils are within large contiguous blocks, they are considered as agricultural areas. Although Class 1, 2, and 3 soils are protected from uses incompatible with agriculture, this Plan accepts that as the agriculture industry evolves, the current amount of cultivated land may shrink. Nevertheless, lands with high agricultural capabilities are protected for long term availability.
- 2.2.1.8** The wise utilization of natural resources for agriculture, forestry, aggregate, environmental

protection, and recreational uses will be encouraged on land best suited for those purposes.

- 2.2.1.9** There has been significant seasonal and year round residential development along the Town's extensive shoreline. It is assumed there will be continued interest in shoreline development as a result of the accessibility and short journey to work.
- 2.2.1.10** Transportation to Prince Edward, in part is provided by a Provincial ferry. The Town will monitor the ferry service and provincial attitude with respect to service improvements and costing.
- 2.2.1.11** Future residential growth, particularly non-farm residential uses, are encouraged to develop within those areas capable of sustaining such growth as a logical extension to existing development, where services are already available or can be easily extended thereby enhancing community structure while deriving maximum economic use of existing infrastructure and minimizing potential conflicts with non-residential land uses.
- 2.2.1.12** The Town is serviced by a relatively well defined road transportation system to serve existing land uses and provide connections to areas outside the municipality. However, further growth will require transportation improvements and expansion to the system.
- 2.2.1.13** Although single detached dwellings are the predominant form of housing, there is increasing demand for multiple unit housing.
- 2.2.1.14** Rehabilitation work will continue to be carried out within the various areas of the Town both by private and public interests.
- 2.2.1.15** Generally, lands north of Highway 401 in Lots 19 to 29 of Concessions 3 and 4 will be developed for business park, industrial and commercial uses. Serviced residential development is encouraged south of the CNR Mainline.
- 2.2.1.16** Commercial development will be directed to the historic Napanee downtown and along major thoroughfares (such as County Road 41) where full services are available.
- 2.2.1.17** Greater Napanee will continue to work in a constructive and cooperative spirit with its municipal neighbours in areas where a land use concern transcends a municipal boundary.
- 2.2.1.18** Lands with environmental hazards and/or physical limitations such as poor drainage, organic soils, flood susceptibility, erosion and steep slopes are recognized and appropriately designated in order to protect and conserve the natural and man-made environment.
- 2.2.1.19** Technological changes are unlikely to alter the present modes of transportation and servicing over the planning period.

- 2.2.1.20** Technological change, particularly as it applies to servicing and transportation, will be monitored and, if necessary, the Plan will be amended to reflect the changed realities.
- 2.2.2** This Plan is also based on input from the public and various local and provincial government agencies solicited at various stages of Plan preparation.
- 2.2.3** The Plan reflects interpretations and decisions made by Council based on the background information, local knowledge, and public input.
- 2.2.4** The ultimate responsibility for the policies contained herein rests with Town Council.

PART 3

GOALS AND OBJECTIVES

3.1 INTRODUCTION

The goals and objectives of this Plan build on the community strategy and planning principles. They are intended to complement the policies of this Plan by providing a framework for realizing the community strategy to the year 2021. The goals, as much as possible, reflect the present and future needs of the Town. A "goal" may be defined as a desired state which reflects the long term purpose of the Plan and which is related to a major area of concern. An "objective" is a short range step towards a goal. An objective is concrete, realistic, action-oriented and attainable within a short period of time. The achievement of an objective should move the goal closer to realization.

Not all goals and objectives may be fully attained since planning involves the balancing and reconciliation of diverse interests with limited resources in circumstances that are often complex. Choices must therefore be made regarding the relative importance of the aims and needs of the Town.

This Plan recognizes the benefits of the ecosystem approach to planning and includes policies intended to integrate environmental, economic, and social considerations in a balanced manner while setting aside sufficient lands to accommodate a 2021 population of 17,500 to 19,000 people.

Council recognizes ten (10) principal policy areas. These are:

1. the Town's economic and financial well-being;
2. protection of the environment and areas of environmental sensitivity such as the Napanee River, Salmon River, Mohawk Bay, and Hay Bay;
3. management of resources;
4. the settlement needs of existing and future residents;
5. the community improvement and continued revitalization of the existing built environment in a planned and fiscally responsible manner;
6. provision of services;

7. provision of transportation;
8. cultural, recreational, and institutional needs of the residents;
9. municipal cooperation and coordination with surrounding municipalities, the County of Lennox and Addington, and the Province of Ontario;
10. implementation measures needed to carry out the intent of this Plan.

For each of these principal areas of concern, the goals and objectives are described below.

3.2 ENVIRONMENTAL GOAL

To enhance and protect the quality of the environment and the long-term health of the ecosystems represented in the Town while providing for the changing needs of the population. All other goals should be compatible with the requirements of the environmental goal so as to improve the quality of life for residents.

3.2.1 Environmental Objectives

- 3.2.1.1 To promote a natural heritage system approach as an integral component of the land use planning process and identify natural heritage systems, in order to ensure that growth and development are sustainable.
- 3.2.1.2 To encourage development to locate in areas which will not conflict with environmental land use priorities.
- 3.2.1.3 To protect unique natural features such as provincially and locally significant wetland areas, significant ANSIs, lands adjacent to waterbodies, significant woodlands, significant valley lands, significant wildlife habitat, fish habitat, and significant portions of endangered and threatened species/habitat by encouraging appropriate forms of land use which maintain the unique natural features and their ecological functions.
- 3.2.1.4 To participate in watershed and subwatershed studies and, once they have been completed, implement the relevant land use and resource management findings by amendment to this Plan if necessary.
- 3.2.1.5 To specify appropriate “adjacent lands” policies which will provide for the maintenance and protection of the features and areas identified.

- 3.2.1.6 To identify and protect sensitive groundwater and recharge and discharge areas, aquifers, surface water intake protection zones, and headwaters, so that there is sufficient quantity and quality of water to meet existing and future uses on a sustainable basis.
- 3.2.1.7 To direct development away from areas having inherent environmental hazards such as flood susceptibility, erosion, steep slopes, or other physical condition which, under certain conditions, could endanger human life and property.
- 3.2.1.8 To encourage the correction of existing, and the prevention of potential, sources of pollution of water, land and air in conjunction with other levels of government and by applying acceptable standards as established by appropriate government agencies.
- 3.2.1.9 To plan for the creation, maintenance, and enhancement of linear or open space systems, such as along the Napanee River and Mohawk Bay, and the waterfront trail.

(OPA No. 27)

3.3 ECONOMIC AND FINANCIAL GOAL

This Plan contributes to the economic health of Greater Napanee through policies which support and promote balanced economic growth and development in order to maintain a healthy tax base. While respecting the environment, this Plan encourages the creation and maintenance of employment opportunities and diversification of the economic base.

3.3.1 Economic and Financial Objectives

- 3.3.1.1 To promote growth and development in a manner which is orderly, efficient, and consistent with the financial capability of the Town.
- 3.3.1.2 To encourage the development of future employment generating uses such as service industries, commercial and industrial uses at locations compatible with the surrounding area and where they can be adequately serviced, as a means of diversifying the municipal tax base, and establishing local employment opportunities.
- 3.3.1.3 To promote the retention of a vibrant downtown.
- 3.3.1.4 To undertake the provision of necessary information and related services to assist and encourage businesses to locate in the Town of Greater Napanee.
- 3.3.1.5 To promote opportunities for new and innovative forms of business and commercial development in the Town to meet the diverse needs of consumers, while maintaining and strengthening the overall commercial structure of the Town, including appropriate planned

functions of existing commercial areas.

- 3.3.1.6 To seek funding alternatives to supplement the property tax base and other traditional funding sources.
- 3.3.1.7 To monitor the fiscal impacts of growth and development and require that new development pay its fair share of growth related costs.
- 3.3.1.8 To require the preparation and annual update of one, five, and ten year capital works forecast.

3.4 RESOURCE MANAGEMENT GOAL

To ensure the sustainable use of the Town's natural resources through management based on sound economic, social and environmental guidelines.

3.4.1 Resource Management Objectives

- 3.4.1.1 To recognize areas with high potential for agriculture, aggregates, forestry, and recreation.
- 3.4.1.2 To strengthen the agricultural function through land use policies which protect farmlands from incompatible uses and from the fragmentation of ownership of the land base into uneconomic units.
- 3.4.1.3 To recognize existing aggregate operations and protect areas of high quality aggregates from incompatible land uses.
- 3.4.1.4 To require all extraction and processing operations to be located and operated in such a way as to minimize their impact on the natural and built environments, and require pit and quarry operators to undertake a program of rehabilitation compatible with the long-term uses permitted by this Plan.
- 3.4.1.5 To enhance the quality and quantity of open space and recreational opportunities in the Town in cooperation with the Conservation Authority and other agencies having an interest.

3.5 SETTLEMENT GOAL

To provide for a vibrant and central urban community for the Town as a whole while facilitating a variety of smaller settlement opportunities to satisfy people=s settlement

needs consistent with sound planning practice while encouraging a range of housing types which are accessible, affordable, and appropriate to the needs of residents while minimizing the costs of providing the requisite services.

3.5.1 Settlement Objectives

- 3.5.1.1** To promote the growth and development of the Town at suitable locations in a planned orderly manner consistent with the Town's ability to absorb such development. Council will, generally, direct development to areas where full municipal services are available; specifically the urban area of Napanee.
- 3.5.1.2** To encourage, in fully serviced areas, compact energy efficient use of land through more appropriate urban forms of residential development.
- 3.5.1.3** To encourage a diversity of residential types and densities at appropriate locations to satisfy economic and social needs of the population.
- 3.5.1.4** To recognize existing neighbourhoods and protect them from incompatible development or redevelopment.
- 3.5.1.5** To ensure compatibility between new development and existing built-up areas.
- 3.5.1.6** To encourage an orderly pattern of development whereby new development represents a logical extension of, and is well integrated with, the general building form, scale and profile of adjacent uses.
- 3.5.1.7** To identify existing neighbourhoods which may be undergoing fundamental change and which may be considered in a state of transition and develop policies to guide the transition in a manner consistent with the goals and objectives of this Plan.
- 3.5.1.8** To identify newly developing neighbourhoods in areas which are largely undeveloped or underutilized and for which a Secondary Plan should be required prior to subdivision approvals.
- 3.5.1.9** To encourage the incorporation of the principle of the “new urbanism” in the design of new neighbourhoods.

3.6 COMMUNITY IMPROVEMENT GOAL

To implement community improvement by way of the maintenance, rehabilitation, and redevelopment of the physical environment in a coordinated and fiscally prudent manner

while having regard to the impact on the economic and social environment.

3.6.1 Community Improvement Objectives

3.6.1.1 To encourage participation in programs for the improvement, rehabilitation and renewal of existing residential structures, municipal infrastructure, community services and facilities, and existing buildings.

3.6.1.2 To implement community improvement in a planned and coordinated manner which:

- stimulates economic development, and
- responds to Town priorities and financial resources,

so as to optimize the results to be achieved through capital expenditures.

3.6.1.3 To identify those deficiencies in the public infrastructure which represent realistic, and attainable opportunities for community improvement.

3.6.1.4 To promote the rehabilitation and restoration of the existing building stock by, among other means, participation, where feasible and appropriate, in Federal and/or Provincial housing initiatives and in the rehabilitation of existing housing and other public buildings.

3.6.1.5 To maintain and improve the quality of the physical environment by upgrading standards related to, and the availability of, municipal services.

3.6.1.6 To provide a safe and healthy community, by providing an appropriate level of recreational and social facilities, at appropriate locations, and ensuring that municipal infrastructure is sufficient to ensure the safety and welfare of residents.

3.6.1.7 To encourage the development or reuse of vacant lands or buildings to accommodate activities of value or benefit to the community.

3.7 SERVICING GOAL

To provide and maintain a level of municipal services to the various areas of the Town consistent with sound economic, social, and environmental considerations.

3.7.1 Servicing Objectives

3.7.1.1 To ensure that all development in areas presently capable of being serviced and in the logical path of future municipal service extensions of the urban (fully serviced) portion of

Greater Napanee, proceeds based on municipally owned and maintained piped water supply and sanitary sewage facilities.

- 3.7.1.2** To ensure new development has regard to the Provincial Policy Statement when planning for sewage and water systems.
- 3.7.1.3** To encourage orderly, contiguous development which supports the efficient utilization and logical extension of municipal services while minimizing long term costs to the Town.
- 3.7.1.4** To ensure that where large scale development is proposed, overall servicing, stormwater management, transportation, noise, and other appropriate studies are prepared and submitted to the satisfaction of the Town and relevant approval agencies prior to proceeding with development approvals.
- 3.7.1.5** To consider the use of communal water and/or sewage systems in those areas where there is a health concern for existing residents and private servicing is shown to be ineffective and where these would not conflict with the long term expansion of existing urban services.
- 3.7.1.6** To consider the range of services available for development and to determine the most appropriate servicing for the development based on a detailed review of all servicing options while ensuring the servicing satisfies the requirements of the agencies having jurisdiction.

(MMAH February 19, 2002)
- 3.7.1.7** To encourage the planned compatible development of utility corridors in a manner which minimizes the disruption of both the natural and manmade environment.
- 3.7.1.8** To promote waste management initiatives which support the principles of waste reduction, re-use, and recycling.
- 3.7.1.9** To ensure expansion and/or establishment of new waste management facilities are consistent with accepted environmental, planning, resource management, and engineering practices.

3.8 TRANSPORTATION GOAL

To promote the continued development of a safe integrated and efficient transportation system which consists of a network of roads; people ways for walking and bicycling; and rail system; all intended to provide for the movement of people and goods consistent with the economic function of the area and the needs of the residents of the Town in

coordination with adjacent communities.

3.8.1 Transportation Objectives

- 3.8.1.1** To develop a transportation network consistent with identified demands at the Town and County levels while minimizing the time, distance and costs involved in the movement of people and goods.
- 3.8.1.2** To enhance accessibility to future industrial and commercial areas while preventing and/or mitigating traffic conflicts between residential and non-residential land uses.
- 3.8.1.3** To allow for new right-of-ways for new roads, future road widenings, grade separations at railway crossings, and setbacks appropriate for the identified function of the roads.
- 3.8.1.4** To minimize disruption and safety concerns to residential neighbourhoods by minimizing through traffic in residential areas.
- 3.8.1.5** To monitor the Provincial Highway ferry linkage between Greater Napanee and the County of Prince Edward.
- 3.8.1.6** To ensure adequate parking through the ongoing development of on and off street parking, and encouraging onsite parking when new development occurs.
- 3.8.1.7** To ensure that transportation facilities are planned and developed with minimum environmental and community disruption.
- 3.8.1.8** To promote the development of peopleways which allow for the movement of people within the Town or to abutting municipalities by walking, and bicycling, in addition to automotive travel.
- 3.8.1.9** To ensure that future development in the Town occurs only along publicly maintained roads.

3.9 COMMUNITY, CULTURAL, AND RECREATION GOAL

To maximize the use of existing facilities and provide for a range of community institutional, recreational, cultural, and emergency services and facilities while eliminating duplication and achieving cost effectiveness in the delivery of human services, within the limits of available resources.

3.9.1 Community, Cultural, and Recreation Objectives

- 3.9.1.1** To cooperate with other agencies and levels of government in the provision of educational, cultural, recreational, protection, health and welfare facilities and services in response to the needs of the Town.
- 3.9.1.2** To provide passive and active recreation facilities in areas of population concentration consistent with the needs of the residents.
- 3.9.1.3** To encourage the development, in conjunction with other municipalities and agencies, of a waterfront trail and linear open space systems along waterbodies.
- 3.9.1.4** To encourage and foster public awareness, participation, and involvement in the conservation of cultural heritage resources.
- 3.9.1.5** To promote the use of environmentally sensitive areas and associated open space elements for passive recreation and educational purposes compatible with the protection of the natural features and functions of the areas.
- 3.9.1.6** To recognize, preserve and enhance the natural and cultural heritage of the Town including the built environment, the archaeological record and notable landscape elements that are present throughout the Town.

3.10 DESIGN OF ATTRACTIVE AND HEALTHY COMMUNITIES GOAL

To promote excellence and innovation in urban and environmental design.

3.10.1 Implementation Objectives

- 3.10.1.1** To implement a tree planting program consistent with any approved municipal forestry, and/or streetscape policy;
- 3.10.1.2** To promote a road system which accommodates the needs of pedestrians, cyclists, and motorists, with due regard for the design of the streetscape and pedestrian safety; and
- 3.10.1.3** To develop urban design guidelines which ensure new development is sensitive to and scaled to the natural and built environment.

3.11 MUNICIPAL COOPERATION AND COORDINATION GOAL

To promote cooperation and coordination of Town actions with those of surrounding municipalities.

3.11.1 Municipal Cooperation and Coordination Objectives

3.11.1.1 To investigate and promote joint activities with abutting municipalities where there is a mutual interest and it is economical and appropriate to do so.

3.11.1.2 To investigate joint ventures or partnerships with other municipalities, government agencies or the private sector to ensure maximum benefit is derived by Town taxpayers in the provision of physical and social services.

3.12 IMPLEMENTATION GOAL

To develop a program to facilitate the coordinated implementation of this Plan.

3.12.1 Implementation Objectives

3.12.1.1 To implement the Plan through the powers conferred upon the Town under the Planning Act, the Municipal Act, the Building Code Act, the Aggregate Resources Act, the Development Charges Act, the Local Improvement Act, and other applicable legislation.

3.12.1.2 To monitor residential growth relative to the economic development of the Town.

3.12.1.3 To update the Zoning By-law and other appropriate by-laws.

3.12.1.4 To participate in government programs which comply with this Plan and are appropriate to and benefit the residents of Greater Napanee.

3.12.1.5 To develop one, five and ten year municipal capital works programs to enable improvements to the municipal budgeting process.

3.12.1.6 To provide an adequate system of development charges.

3.12.1.7 To prepare subwatershed plans for the urban areas in order to facilitate the coordinated implementation of environmental goals and objectives as part of the land development process.

PART 4

LAND USE POLICIES

4.1 INTRODUCTION

The land use policies and schedules are the key to carrying out the Town strategy, and carrying out the basic aims expressed in the goals and objectives.

The Schedules to this Plan establish, in general terms, the intended pattern of development by dividing the Town into land use categories.

Several kinds of policies are advanced. Where policies express the Town's attitude about a land use, expressions such as “may”, “endorse”, “encourage”, “ensure”, or “monitor” are used. Some of the policies express a requirement of the Town in which case words such as “shall” or “will” are most often used.

4.2 ENVIRONMENTAL POLICIES

4.2.1 General Principles

The environmental policies of this Plan reflect a natural heritage strategy. This strategy encompasses an integrated landscape approach to the identification, protection, and rehabilitation of natural areas within the planning area.

Natural heritage systems are made up of natural features and areas linked by natural corridors and restored linkages necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These ecological systems also function to help protect water resources, and to provide for flood damage reduction and the conservation of soil.

The Environmental Protection designation of this Plan applies to lands that play an important role in the conservation of the natural heritage system of the Town and surrounding area. These lands include significant Areas of Natural and Scientific Interest (ANSIs), significant habitat of endangered and threatened species, provincially and non-provincially or locally significant wetlands, including significant coastal wetlands and shorelines and riparian areas. This designation also includes natural hazard lands which may pose a threat to life and property because they are prone to flooding and/or erosion hazards, have steep slopes, poor drainage, organic soils, or other similar physical limitations. These include areas within 30 metres of the high water mark of a waterbody for which there is no floodplain mapping. These areas are not intended for development or

site alteration.

In addition to the Environmental Protection designation, an Environmentally Sensitive Areas overlay identifies lands that should be developed in an environmentally sensitive manner and/or be conserved in the long term. These lands include significant woodlands, significant valleylands, significant wildlife habitat, unevaluated wetlands, adjacent lands within 120 metres of the following features: a provincially significant wetland, provincially significant life science ANSI, significant valleylands, significant woodlands, significant wildlife habitat, fish habitat, and adjacent lands within 50 metres of a provincially significant earth science ANSI. Development or alteration of Environmentally Sensitive Areas may be permitted in accordance with the underlying land use designation, only if it is demonstrated by an appropriate study or studies that there will be no negative impacts on features and functions as further defined in this Plan.

Council recognizes that natural areas are diverse and natural connection between them should be maintained. Natural areas are seen as interconnected systems as opposed to distinct and separate features. Connections, were they interrupted, will be restored where feasible, to recreate wildlife corridors and enhance the sustainability of biodiversity. The introduction of uses that could harm these areas is discouraged unless it can be demonstrated that the proposed use will not harm the habitat features or functions.

Council will, in consultation with the conservation authorities, and the Ministry of Natural Resources, examine from time to time the need to upgrade and/or prepare mapping of lands that should be placed in an environmental designation. Council will also endeavour to retain lands shown in any environmental designation in this Plan in a natural state.

In addition, the known threatened and Endangered Species found within the Town can be found on the Ministry of Natural Resources Natural Heritage Information Centre (NHIC), website. If no records of Threatened or Endangered species are found on the website, these species and habitat features may still be present. The information on the NHIC website should not be considered complete. The Town will accept information on Threatened or Endangered species from MNR as it becomes available and will use this information, in confidence, to screen all planning applications for potential development constraints. Endangered and threatened species can encompass any of the many types of living things including birds, mammals, plants, fish, reptiles, amphibians and invertebrates. Endangered and threatened species are those species listed as such in the Species at Risk in Ontario (SARO) list under the Endangered Species Act, 2007.

Ecological assessments will be required to support planning applications where there is potential for endangered and threatened species and their habitat to exist. These site assessments serve to confirm the presence/absence of a threatened and endangered species and identify whether there is significant habitat of such species within or adjacent to an area proposed for site alterations or development. The assessment should be completed at an appropriate time of year by a qualified professional and identify if the proposed

activities will have any impact on threatened or endangered species or their habitat. The assessment should also propose appropriate mitigation. MNR can be contacted for further direction regarding site specific proposals.

(MMAH January 14, 2014)

4.2.2 Environmental Protection Areas

The Environmental Protection designation shown on Schedule "A" applies to:

- Significant Areas of Natural and Scientific Interest;
- Provincially and non-provincially or locally significant wetlands, including significant coastal wetlands;
- Significant habitat of endangered and threatened species;
- Fish habitat, and
- Lands having inherent environmental hazards, such as poor drainage, organic soils, steep slopes, karstic conditions or that are subject to flooding and/or erosion.

To protect endangered and threatened species, their habitats are not mapped. The location of their significant habitat must be determined through site assessment by a qualified professional in consultation with the Ministry of Natural Resources.

In order to direct new development to areas outside of flood-prone lands, the Environmental Protection designation shown on Schedule "A" also applies to:

- Lands within regulatory (1:100 year) floodlines, as mapped by the Conservation Authorities;
- Lands along the shoreline of Lake Ontario, the regulatory (1:100 year) water elevation, plus a factor to account for wave uprush and other water-related hazards; and
- Lands within 30 metres of the highwater mark of a waterbody for which there is no floodplain mapping or fill line mapping.

Residents are encouraged to contact the appropriate Conservation Authority to confirm the location of the floodplain and required setbacks for development.

Known provincially significant wetlands:

- | | |
|----------------------|-------------------------------|
| • Adolphustown Marsh | • Lime Lake Fen |
| • Carnachan Bay | • Lower Napanee River Complex |
| • Hay Bay Marsh | • Mud Creek |
| • Hempfly Swamp | • Otter Creek |
| • Lennox Hydro | • Pennell's Creek |

Known Provincially Significant Areas of Natural and Scientific Interest are:

- Marlbank Esker Proposed Extension – Earth Science
- Armstrong Peninsula – Earth Science
- Mud Lake
- Hay Bay Marsh-Life Science
- Roblin Hell Holes – Life Science
- Westplain Mud Lake – Life Science
(MMAH January 14, 2014)

4.2.2.1 **Permitted Uses**

Permitted uses in the Environmental Protection designation are those which enable the preservation and conservation of the natural environment. Uses such as existing agricultural operations, passive outdoor recreation (exclusive of golf courses), forestry, and conservation are permitted. Structural development related to the supply of water for human or wildlife communities or flood control structures may also be permitted. Infrastructure shall, wherever possible, be located outside lands designated Environmental Protection.

4.2.2.2 **Policies**

- a) The Town, in conjunction with the conservation authorities, will work toward the identification of features such as significant woodlands and significant valleylands. Natural features such as significant woodlands have been identified by the Bay of Quinte Remedial Action Plan and the Town of Greater Napanee Phase I: Natural Heritage Report (2008). As new information becomes available about these features, the Official Plan will be amended accordingly.
- b) Council will endeavor to retain lands in the Environmental Protection designation in a natural state.
- c) The boundaries of the Environmental Protection designation are approximate. For interpretation of the extent and exact location of the boundaries of Environmental Protection Lands, the best available data should be referred to or a site specific survey should be carried out. Technical input shall be received from the Ministry of Natural Resources or the Conservation Authority.

Minor alterations to the boundaries shown on the land use schedule resulting from more detailed information or mapping will not require an amendment to this Plan provided the general intent of the Plan is maintained.

Where flood control or other similar works result in significant changes to the designations on the land use schedule, or where new Environmental Protection areas are identified, such changes will be incorporated into this Plan and the implementing zoning by-law.

Building setbacks will be imposed from the margins of Environmental Protection lands to the extent or severity of the sensitivity.

- d) Council, on its own or in conjunction with the agencies, will seek to acquire and manage Environmental Protection lands as part of the development approvals process or through acquisition.
- e) Where land designated as Environmental Protection is under private ownership, this Plan does not intend that this land will necessarily remain as such indefinitely, nor shall it be construed as implying that such lands are free and open to the general public or that the land will be purchased by the Town or other public agency. An application for the redesignation of Environmental Protection lands for other purposes will be given due consideration once appropriate information, by way of an Environmental Impact Study (EIS) as outlined below, has been submitted.

There is no public obligation to either redesignate or purchase land if it includes a natural heritage feature that this Plan intends to be conserved, or if there is an existing or potential natural hazard that affects the area.

- f) Applications to re-designate natural heritage lands within the Environmental Protection designation must be accompanied by an Environmental Impact Study (EIS). The EIS must be deemed satisfactory by the Conservation Authority and the Town, as well as by the Ministry of Natural Resources for any evaluation or boundary changes for provincially and non-provincially significant wetlands, ANSIs, and significant habitat of endangered and threatened species, or fish habitat sensitivity and in-water works timing.

The EIS must be prepared by a person qualified in the respective field and having the requisite expertise.

Sample Terms of Reference for Environmental Impact Studies are found in Appendix 1 of this plan. Revisions to these terms of reference may be made without amendment to this Plan.

The completion and receipt of an EIS shall not guarantee that a proposal for re-designation of lands within the Environmental Protection designation, development, or site alteration will automatically be permitted. Approval from other agencies listed above may be required.

Any approved development or site alteration shall be constructed in accordance with the recommendations of the approved EIS. An implementing agreement between the proponent and the Town may be required (e.g. a Subdivision, Site Plan, or Development Agreement). The Town may require that funds be held in reserve for the purpose of long-term monitoring, which may occur following the completion of the development or site alteration.

- g) Development and site alterations shall not be permitted in significant wetlands, significant coastal wetlands, and significant habitat of endangered/ threatened species.
- h) In ANSIs, development and/or site alteration shall not be permitted unless it has been demonstrated, to the satisfaction of the Town and Conservation Authority, that there will be no negative impacts on the natural feature or their ecological functions.

In hazard lands, the construction of any building or structure or the placing or removal of fill of any kind, whether originating on the site or elsewhere, shall not be permitted without approval from the Conservation Authority and the Town.

In fish habitat, development and site alteration shall not be allowed except in accordance with provincial and federal legislation.

- i) Development on lands adjacent to significant wetlands, ANSIs, the habitat of endangered and threatened species, and/or fish habitat, shall not be permitted unless it is demonstrated through an EIS that there will be no negative impacts on the features or on the ecological function for which the area is identified.

The extent of the adjacent lands, unless otherwise defined in consultation with the appropriate agency, will be those lands within 120 metres of all natural heritage features with the exception of an Earth Science ANSI, for which adjacent lands are those within 50 metres.

- j) Development proposals along Lake Ontario are to take into consideration flood inundation, wave uprush, erosion, and dynamic beach hazards as identified by the Conservation Authority or Ministry of Natural Resources. Development will not be permitted in such areas.
- k) The use of Environmental Protection lands for stormwater management is prohibited, unless otherwise approved by the Conservation Authority, or by the Ministry of Natural Resources in cases where there may be potential negative impacts to significant habitat of endangered and threatened species.
- l) When proposals to construct transportation, communication, sanitation and other such public utilities and/or facilities in Environmental Protection Areas are being considered under the provisions of the Environmental Assessment Act, the Ontario Energy Board Act and other applicable legislation, the approval authorities shall have regard to the policies of this Official Plan and the Provincial Policy Statement to determine what measures are to be taken to minimize negative impacts.
- m) Applications for development on existing lots of record will be considered in light of the goals, objectives and policies of this Plan, the comments of the appropriate approvals agencies, and the policies in Part 8.

- n) Land severances which have the effect of fragmenting the ownership of Environmental Protection Areas will be discouraged.
- o) Environmental Protection Areas shall not be acceptable as part of the dedication for park purposes under the Planning Act.
- p) All lands dedicated to the Town shall be conveyed in a physical condition satisfactory to the Municipality. Where lands adjacent to a watercourse are dedicated to the Town, adequate space for maintenance operations shall be provided.
- q) Lands susceptible to erosion hazard can pose risks to life, and property. Development on steep slopes and lands subject to erosion hazard can have significant impacts on features such as fish and wildlife habitat, soils and vegetation, surface water quantity and quality, and wetlands.

The Town will direct development or site alterations away from lands identified as potentially being subject to erosion hazards. The Town will consult with the Conservation Authority with respect to lands that may constitute a hazard. A permit from the Conservation Authority is required prior to development or site alteration adjacent to the hazard.

Where development is proposed on a portion of a site adjacent to a potential erosion hazard, the proponent shall submit a geotechnical report prepared by a qualified professional to ensure that the property is suitable for development. Such report shall be to the satisfaction of the Town and the Conservation Authority.

(MMAH January 14, 2014)

4.2.2.3 Implementation

The Environmental Protection Area designations on Schedule A will be used as a general guide in preparing zoning by-law provisions. Environmental Protection Areas will be placed in a separate category in the implementing Zoning By-law.

4.2.3 Environmentally Sensitive Areas

Environmentally Sensitive Areas are shown on Schedule “B” as an environmentally sensitive overlay and as a designation on Schedule “C”. Environmentally Sensitive Areas include the following:

- Lands designated Environmental Protection on Schedule A;
- Significant woodlands;
- Significant valleylands;
- Significant Wildlife habitat;
- Unevaluated wetlands;

- Lands within 120 metres of:
 - a provincially significant wetland;
 - significant valleylands
 - significant wildlife habitat
 - significant habitat of endangered and threatened species
 - significant woodlands
 - significant areas of natural and scientific interest (Life science)
 - fish habitat.
- Lands within 30 metres of:
 - An evaluated locally significant wetland;
 - Groundwater recharge/discharge areas;
- Lands within 50 metres of:
 - Significant Areas of Natural and Scientific Interest (Earth Science).

The above distances of 120 metres and 50 metres from environmental features are based on the Natural Heritage Reference Manual (NHRM) of March 2010. These may be subject to change and so the Natural Heritage Reference Manual should be consulted. Changes in the NHRM will apply without the need to amend this plan.

These areas should be protected by leaving them in their natural state. Limited development or site alterations may be permitted within these areas where an environmental site assessment demonstrates to the satisfaction of the Town and Conservation Authority, that development or site alterations result in no negative impacts on the feature or its ecological functions.

(MMAH January 14, 2014)

4.2.3.1 Permitted Uses

Development in Environmentally Sensitive Areas shown on Schedule 'B' may be permitted in accordance with the land use designations shown on Schedule "A" to this Plan. Permitted development should be compatible with the sensitivity of the area and policies herein. In the case of Schedule 'C', development may be permitted in accordance with the abutting designations of this Plan subject to the policy tests herein being met.

4.2.3.2 Policies

- a) In the absence of more detailed mapping, the boundaries of the Environmentally Sensitive Areas, as shown on Schedules 'B' and 'C' will be used as guides for the preparation of the Zoning By-law to implement this Plan. Minor alterations to the boundaries shown on Schedules 'B' and 'C' resulting from more detailed information or mapping will not require an amendment to this Plan provided the general intent of the Plan is maintained. When more detailed mapping becomes available, the Town will amend this Plan and the implementing zoning by-law where required. Building

setbacks will be imposed from the margins of Environmentally Sensitive Areas to the known extent or severity of the sensitivity.

- b) The precise location of Environmentally Sensitive Areas on Schedules 'B' and 'C' will be determined at the time a development application is made.

No change to this Plan is required to permit development in accordance with the designation on Schedules B, and C, so long as the intent of Section 5.5 of this Plan is maintained.

- c) Where lands designated Environmentally Sensitive are under private ownership, this Plan does not intend that these lands will necessarily remain as such indefinitely, nor shall it be construed as implying that such areas are free and open to the general public or that they will be purchased by the municipality or other public agency.
- d) An application for the redesignation of Environmentally Sensitive Areas on Schedule 'B' for a land use different than what is shown on Schedule "A" may be given due consideration by the Town after the submission of an Environmental Impact Statement as per policy (e) below.

There is no public obligation, however, either to redesignate or to purchase any land if there is an existing or potential environmental sensitivity that would be difficult or costly to overcome.

- e) In considering any development or site alteration within an Environmentally Sensitive Area, or on adjacent lands to a natural heritage feature, Council, in consultation with the appropriate agencies, may require the proponent to undertake an Environmental Impact Study (EIS) to assess the impact on the Environmentally Sensitive Area inclusive of adjacent lands. Development and site alteration shall not be permitted within or adjacent to the natural heritage features and areas identified as Environmentally Sensitive Areas in this Plan unless the ecological function of the features and areas and their adjacent lands have been evaluated through an EIS, and it has been demonstrated that there will be no negative impacts to the natural features or their ecological functions.

The completion and acceptance of an EIA shall not guarantee that a development or site alteration proposal will automatically be permitted. Input from other agencies such as the Conservation Authority may be required.

Any approved development or site alteration shall be constructed in accordance with the recommendations of the approved EIA. An implementing agreement between the proponent and the Town will normally be required (e.g. a Subdivision, Site Plan, or Development Agreement). The Town may require that funds be held in reserve for the purpose of long-term monitoring, which may occur following the completion of the development or site alteration.

Development and Site Alteration may be subject to the following regulations, as may be amended from time to time:

- Ontario Regulation 148/06 – Cataraqui Region Conservation Authority Development, Interference with Wetlands and Alterations to Shorelines and Watercourses;
- Ontario Regulation 319/09 – Quinte Conservation Development, Interference with Wetlands and Alterations to Shorelines and Watercourses

(MMAH January 14, 2014)

- f) Council may, as an alternative, require a scoped Environmental Impact Study, or waive the requirement for a study on the impact of development on an Environmentally Sensitive Area where the Conservation Authority and appropriate provincial ministry deem, in writing, that such a study is not necessary.
- g) The use of Environmentally Sensitive Areas for stormwater management is discouraged but may be considered on a watershed basis as part of the watershed and master drainage planning process where approved by the Municipality and Conservation Authority and where these comply with the Environmental Protection policies. Such facilities will be considered a form of development and will be subject to this Plan’s policies on the protection of significant features or areas.
- h) Where an Environmental Assessment of a proposal is required in accordance with the provisions of the Environmental Assessment Act, that assessment shall be considered as having fulfilled the requirements of policies (d) and (e) of this Subsection.
- i) Existing agricultural activities, excluding new buildings or structures, are permitted in Environmentally Sensitive Areas without the need for a study.
- j) Environmentally Sensitive Areas may be acceptable as part of the park dedication under the Planning Act.

4.2.3.3 Implementation

Environmentally Sensitive Areas may be zoned in a separate category in the implementing Zoning By-law.

4.3 RESOURCE LANDS POLICIES

4.3.1 General Principles

The Town faces several dilemmas in setting priorities for land utilization. With a population which will continue to increase, land must be set aside for human activities.

Human settlement, particularly for rural residential purposes, will constantly bring pressure to bear on resource land by taking food producing soil out of production or sterilizing areas of aggregate potential and possibly creating situations resulting in the side by side location of conflicting uses. For this reason, this Plan contains a number of resource designations to protect agricultural lands and aggregate areas as well as a variety of designations where residential development is directed in order to avoid land use conflicts between incompatible uses.

Areas of known agricultural resource and existing pits and quarries are shown on Schedule "A" to this Plan. Areas of potential aggregates are shown in Schedule "B". Policies affecting resource lands are as follows:

4.3.2 Agricultural

Agricultural lands are areas with a high potential for agricultural production as shown on Schedule "A" to this Plan.

It is the intent of this Plan to preserve agricultural land to ensure its availability for food production on a long term basis by protecting it from incompatible uses. The Provincial Policy Statement defines agricultural as that land which exhibits some or all of the following characteristics:

- a) land where soil classes 1, 2, and 3, as defined in the Canada Land Inventory of Soil Capability for Agriculture, were found to predominate;
- b) land which has a high capability for the production of specialty crops;
- c) additional areas where farms exhibit characteristics of ongoing viable agriculture; and
- d) additional areas where local market conditions ensure agricultural viability.

4.3.2.1 Permitted Uses

Uses permitted include agricultural uses and agricultural related uses being those farm related commercial and farm related industrial uses that are small in scale, directly related to the farm operation and are required in close proximity to the farm operation. Agribusinesses such as abattoirs and cheese plants are permitted provided suitable alternative locations within areas designated other than Agricultural are not available and there are no reasonable alternative location in prime agricultural areas with lower priority agricultural lands. Such uses shall be subject to a Zoning By-law amendment and Site Plan Control.

Secondary uses considered compatible and supportive to the principal agricultural use are also permitted. Such uses are small in scale and may include home occupations, home

industries, and value added agricultural products such as retail stands for the sale of agricultural products produced on the farm unit, farm vacations, pick-your-own operations, wineries, and packing operations. Compatible uses also include forestry, passive outdoor recreation, conservation uses and woodlots.

(OPA No. 3 and MMAH January 14, 2014)

4.3.2.2 Minimum Distance Separation Formulae

All farm and non-farm development shall conform to the Minimum Distance Separation (MDS) Formulae unless otherwise stated herein, or unless a minor variance or rezoning has been granted.

4.3.2.3 Agricultural Uses

- a) The severing of farms to create new farm parcels may be permitted if it can be established that:
 - both the severed and retained parcels would be viable agricultural units with a minimum lot size of 40 hectares,
 - the size of the parcels provide flexibility to change the nature of the farm operation to meet changing economic conditions, and
 - the type of agriculture proposed is suitable for the area.
- b) All manure storage facilities (eg. Liquid manure storage, dry manure storage, run-off collection) shall be properly located, constructed, and maintained so as to not impact negatively on ground water resources, surface water resources, and surrounding lands. The minimum distance separation provisions of MDS II shall apply to all new and/or expanded manure storage facilities, except in those situation where a variance from the MDS requirements has been approved. Specific provisions regulating manure storage facilities may be contained in the Town's implementing Zoning By-law. The Town may also choose to regulate manure storage facilities through a By-law passed pursuant to the Municipal Act.
- c) Council will continue to monitor provincial actions with respect to legislation, regulations, and policy regarding intensive farm operations and will proceed diligently to update this Official Plan and any implementing by-laws as deemed appropriate.

(MMAH January 14, 2014)

4.3.2.3A Estate Wineries and Farm Wineries

All estate and farm wineries shall be subject to the following criteria:

- a) All wineries and accessory uses to the winery are expected to rely solely on private water services and sewage disposal systems that meet the requirements of the agency

having jurisdiction. Any extension of municipal water and/or sanitary sewers services to serve a winery will be at the expense of the Owner of the winery and will require an amendment to this Plan.

- b) A severance for the creation of a parcel for an estate winery or farm winery shall be not smaller than 8 hectares. Farm wineries may be established on lots of record existing on June 1, 2003 where such parcels are not less than 3.2 hectares in size and which otherwise meet the requirements of the implementing Zoning By-law.
- c) Nothing within any policy shall be interpreted as permitting any special event that is not directly related to a winery located on the site unless approved through an amendment to the Zoning By-law or a Temporary Use By-law. This policy applies to events, without limitation, such as rock concert and music or other festivals. Special events shall expressly not be permitted where in the opinion of the Council the event will create a nuisance, or be offensive or incompatible with surrounding uses.
- d) Farm Wineries may be permitted as a secondary agricultural use to the principal agricultural operation subject to the following policies:
 - The implementing Zoning By-law will establish zone provisions for the establishment of farm wineries;
 - Wines produced within a farm winery shall be made from fruit grown predominantly from the vineyard and/or fruit farm located on the same land as the farm winery as well as other lands considered part of the farmer's own farm operation and secondarily from locally-grown fruit or juice;
 - A bed and breakfast establishment is allowed within the principle residence;
 - A hospitality room where wine and food is served and the retail sale of wine produced on the site may be permitted. The implementing Zoning By-law will set out specific retail floor area provisions;
 - New winery buildings should be setback sufficiently from a roadway in order to accommodate a suitable planting area to provide and maintain an agricultural setting;
 - Farm wineries may be subject to Site Plan Control;
 - A minimum of 2 hectares of the lands shall be planted in vineyards and/or fruit crops. Council will require the vineyard and/or fruit crop planting and production as a condition of approval to be completed prior to the issuance of a building permit; and
 - Where a farm winery proposes to exceed 300 square metres, it shall be subject to the provisions for an estate winery.
- e) Estate Wineries may be permitted within the Agricultural designation as a secondary agricultural use subject to the following policies:
 - A majority of the land that is arable for viticulture and/or the production of fruit

crops shall be in full production;

- The implementing Zoning By-law will establish zone provisions for the establishment of estate wineries;
 - The production of wine from an estate winery shall be made predominantly from the vineyard or fruit farm which is part of the winery, and secondly from locally-grown fruit;
 - The retail sale of wine produced on site will be permitted. The implementing Zoning By-law will set out specific retail floor area provisions;
 - A hospitality room where wine and food is served and the sale of products permitted and a farm market/fruit stand are permitted as accessory uses to the estate winery;
 - A bed and breakfast establishment is allowed within the principal residence;
 - Small-scale restaurants may be permitted where it is clearly demonstrated that such uses are only accessory to and complement the estate winery. These shall only be permitted on a case-by-case basis and subject to a site-specific amendment to the Zoning By-law;
 - Larger scale agri-tourism uses accessory to estate wineries, such as banquet facilities, large restaurants, and accommodation facilities will require an amendment to this Plan;
 - Estate wineries shall be required to locate with direct access to a roadway with sufficient capacity to accommodate the anticipated traffic. A traffic study may be required as a condition of the development of the estate winery;
 - Winery buildings should be set back sufficiently from a roadway in order to accommodate a suitable planning area to provide and maintain an agricultural setting;
 - Council shall require that a minimum of 4 hectares of the land that is arable for viticulture and/or the production of fruit crops be planted, prior to the issuance of a building permit for the estate winery;
 - Accessory uses to a winery shall not detract from the principal agricultural use nor adversely affect surrounding land uses; and
 - Estate wineries shall be subject to Site Plan Control.
- f) Where the policy direction in this plan regarding the requirement for locally grown fruit conflicts with provincial regulations and/or policies as established by the Province or by an agency of the Province such as the Liquor Control Board of Ontario (LCBO) then those regulations and/or policies prevail.

(OPA No. 3)

4.3.2.4 Farm-Related Residential Uses

- a) Consents for farm-related residential uses are permitted for the following purposes:
- i) a farmer who enlarges the farm holding through farm consolidation by acquiring an additional farm may be permitted to sever a parcel of land upon which a

- residence exists and which has been made surplus. Alternative arrangements, such as the renting of surplus houses is encouraged. The vacant agricultural parcel so created will be rezoned to prohibit a residential use; and
- ii) for technical or legal reasons such as boundary adjustments, easements, rights-of-way or other purposes that do not create a new lot.
- b) Farm-related residential consents will:
- i) Comply with the minimum lot area as found in the Groundwater Protection Policies of Part 5 of this Plan; and
 - ii) be encouraged to locate in woods, at edges of farmland, at crossroads, and on poorer soil pockets, in order to keep farmlands open and unobstructed; and
 - iii) comply with the Consent Policies contained in Part 5 of this Plan.

4.3.2.5 Non-Farm Residential Uses

- a) Non-farm residential development is discouraged on good agricultural land and is encouraged to locate in hamlets or other areas designated for such use.
- b) A single unit dwelling is permitted on an existing lot of record provided the following requirements are met:
 - i) meets the requirements of the appropriate agency with respect to the disposal of waste and has an adequate supply of potable water;
 - ii) the lot was created in accordance with the provisions of The Planning Act; and
 - iii) the lot fronts onto an open, publicly maintained road.
- c) Home occupation uses, inclusive of bed and breakfast operations, are permitted as an accessory use to a permitted residential use provided the residential character of the dwelling house is retained.
- d) Non-farm residential severances shall comply with the Consent Policies in Part 5 of this Plan.

4.3.2.6 Agricultural Related Commercial and Industrial Uses

- a) Commercial and industrial uses are encouraged to locate in areas designated commercial or industrial so as to retain the integrity of Agricultural lands and to promote the continuation of viable centers.
- b) Small scale commercial and industrial uses related directly to agriculture may be permitted. These uses should be of a dry nature (consume small amounts of water). Such uses include retail stands for the sale of agricultural products produced on the farm unit, farm related commercial and farm related industrial uses that are small in scale, directly related to the farm operation and required in close proximity to the farm

operation such as grain drying operations. Cheese plants and abattoirs are to be directed to designations other than Agricultural but maybe allowed in Agricultural designations if alternate locations are not available.

- c) Severances for agricultural related commercial and industrial uses may be considered where:
 - i) the lot area is 0.8 hectare or greater;
 - ii) the proposed use requires close proximity to agricultural operations;
 - iii) the lot frontage is appropriate for the use; and
 - iv) the new lot conforms to the Consent Policies in Part 5.

- d) The general principles to be considered in the development and zoning of agricultural related commercial and industrial uses are:
 - i) no uses considered to be a health hazard under the Health Protection and Promotion Act shall be permitted;
 - ii) requirements of the appropriate approval agency related to water supply, disposal of wastes and emissions including noise, dust and vibration are satisfied;
 - iii) one residential unit may be permitted as an accessory use provided the residential use is located on the same lot as the commercial or industrial use and provided further that no future severance is permitted for the residential use. The proposed residential use must comply with the Minimum Distance Separation Formulae;
 - iv) the physical structure of commercial buildings should be in keeping with the scale and form of buildings in the agricultural area;
 - v) signage and outside storage of goods or materials will be controlled so as to minimize the visual impact of such uses from adjacent roads and properties;
 - vi) adequate buffering shall be provided to a sensitive use.

4.3.2.7 Conservation, Forestry, and Recreational Uses

The role of significant woodlands in maintaining a healthy natural heritage system, contributing to human health and quality of life is recognized herein. All landowners are encouraged to:

- a) Manage all wooded areas in accordance with proper forest management practices in consultation with the Ministry of Natural Resources;

- b) Retain existing tree cover as practicable, particularly in areas identified as significant woodlands or those with low capability soils, hazardous slopes, major drainage swales and flood prone areas to reduce runoff rates and minimize soil erosion;

- c) Establish and retain windbreaks to reduce wind erosion; and

d) Encourage reforestation of lands.

Passive outdoor recreational uses which do not require the erection of buildings or structures, forestry and conservation uses such as tree farms and similar uses may be permitted provided the use does not adversely affect adjacent farming operations.

(OPA No. 27)

4.3.2.8 Implementation

Uses permitted shall be placed in an appropriate zone classification or classifications in the implementing Zoning By-law.

4.3.2.9 Specific Policies

4.3.2.9.1 Agricultural Site Specific Policy for Part 1 on Plan of Survey 29R-8099

Within those lands shown as subject to site specific policy 4.3.2.9.1, and described as Part 1 on Plan of Survey 29R-8099, the lands may be severed to create one (1) lot from the parcel existing at the date of adoption of this Official Plan Amendment.

(OPA No. 29)

4.3.3 Aggregate

The Town recognizes the need to ensure a supply of aggregates for local, regional, and provincial needs at a reasonable cost for future development purposes while ensuring that environmental impacts have been addressed and that no segment of the municipality experiences unreasonable impacts resulting from aggregate extractions.

Areas with high aggregate potential where the establishment of aggregate uses may be appropriate are identified as Aggregate Reserve areas on Schedule B. Mineral aggregate resources shall be protected for long-term use.

4.3.3.1 Permitted Uses

Within the Aggregate designation on Schedule 'A' the predominant use of lands shall be for the extraction of gravel, sand, stone, and other aggregates. Associated operations such as blasting, crushing, screening, washing, aggregate blending, aggregate storage, aggregate recycling, and associated buildings may be permitted provided these associated operations are compatible with other uses permitted by this Plan. Permanent concrete batching plants, and permanent asphalt batching plants may be permitted by placement in a separate zone category provided these associated operations are compatible with other uses permitted by this Plan and in no way retard the rehabilitation of these areas for other land use. The Zoning By-law will differentiate between permanent and portable asphalt and concrete batching plants and outline separate zone provisions applying thereto.

Development of Aggregate Reserve areas on Schedule 'B' may be permitted in accordance with the underlying land use designation on Schedule "A" provided that no proposed use which would preclude the economical future use of these lands for mineral extraction is permitted.

4.3.3.2 Application of Policies

- a) Greater Napanee is designated under the Aggregate Resources Act. If the policies of this Plan and the terms of the Act and regulations treat the same subject matter differently, the Act and regulations shall take precedence.
- b) The establishment of wayside pits and wayside quarries is permitted throughout the Town in accordance with the policies in Part 5 of this Plan.

4.3.3.3 Existing Aggregate Operations

- a) Existing licensed pits, quarries, and concrete manufacturing operations designated as Aggregate on Schedule "A" to this Plan are permitted to continue and the licensed area shall be zoned to permit the existing use.
- b) Existing owners and/or operators shall deposit the site plan information under the Aggregate Resources Act with the Town in order to properly delimit each site in the Town's implementing Zoning By-law.
- c) The limits of lands designated as Aggregate on Schedule "A" are defined as the limit of the lands zoned for extraction and/or for which a license has been issued under the Aggregate Resources Act. Expansion of an existing Aggregate operation beyond the lands so zoned and/or licenced will require an amendment to the Official Plan and Zoning By-law.

4.3.3.4 New Aggregate Operations

- a) The geological mapping shows extensive deposits of high quality limestone suitable for aggregate production throughout Greater Napanee. Some of these areas have been recognized as "Aggregate Reserve" on Schedule "B" and are protected for future aggregate production. Mapping showing the areas of bedrock deposit suitable for aggregate production are available at the Town Municipal Offices.

(MMAH February 19, 2002)

- b) Areas of Aggregate Reserve have been outlined on Schedule "B". Proposals to establish new pit or quarry operations should be located within the areas shown as Aggregate Reserve. New operations outside Aggregate Reserve areas will be considered and will be subject to the requirements of the Aggregate Resources Act and policies of this Plan.

- c) The identification of lands as an Aggregate Reserve area on Schedule "B" does not entitle the owner of such lands to make use of the land for extraction purposes other than as a legal wayside pit or wayside quarry unless an Official Plan amendment has been obtained that places the lands within the Aggregate designation on Schedule "A".
- d) Although it is the intention of this Plan to protect the potential for mineral aggregate extraction within lands shown as Aggregate Reserve on Schedule "B", Council, after consultation with the appropriate agencies, may allow non aggregate development within or adjacent to such areas if:
 - the extraction of aggregate is not feasible due to the quality or quantity of aggregate;
 - the public need for the proposed land use or activity outweighs the value of the aggregate resource;
 - extraction can occur with or prior to the development of the land;
 - the proposed land use or development would not significantly preclude or hinder future extraction;
 - issues of public health, public safety, and environmental impacts are addressed; and
 - the proposed use is consistent with surrounding uses and inconformity with the underlying designation.

4.3.3.5 Official Plan and Zoning By-law Amendments

- a) In considering amendments to the Official Plan and/or Zoning By-law, the evaluation will be premised on the fact that notwithstanding the need for aggregate resources, it is essential to ensure that aggregate operations are carried out with minimal adverse impact.
- b) When considering applications for amendments to establish or expand aggregate operations, Council will have regard for the following:
 - i) the compatibility of the proposed use with adjacent land uses;
 - ii) the quantity and quality of the resource when application is being made for the extraction of more than 20,000 tonnes per annum;
 - iii) the impact on the physical environment, including the impact, if any, on ground water, surface drainage, water courses, wetlands, wildlife habitat, and other natural heritage features and functions;
 - iv) information submitted by the applicant as to the areal extent of the proposal;
 - v) the manner of site rehabilitation including the rehabilitation back to agricultural of any land designated as Agricultural and comprised of Class 1, 2, or 3 soils. Such lands shall be rehabilitated to substantially the same area and average soil capability for agriculture;
 - vi) should, as part of the approval of the extraction of more than 20,000 tonnes per annum, extraction below the water table be proposed, complete agricultural

rehabilitation is not required if:

- there is a substantial quantity of mineral aggregate below the water table warranting extraction; or
- the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
- other alternatives have been considered by the applicant and found unsuitable; and
- agricultural rehabilitation in remaining areas will be maximized.

- vii) land uses located on adjacent lands in abutting municipalities;
- viii) the comments of interested agencies concerning the application.

c) Applications for an Official Plan and/or Zoning By-law amendment to establish or expand aggregate operations shall be accompanied by:

- a site plan which meets the requirements of the Aggregate Resources Act, and
- background studies and reports, as per the licensing of the operation pursuant to the Aggregate Resources Act and regulations thereunder.

d) Council recognizes that truck transport may require access through existing built-up areas. Council is cognizant of constraints existing in both urban and hamlet areas and the potential impacts which may result. Constraints may include width of roads, truck traffic near sensitive uses such as schools, speed limits, noise and vibration. Council also recognizes that County roads, Provincial highways, and local roads are designed to accommodate the movement of goods and services. Council may, prior to approving an application which involves truck traffic, require a study which evaluates the impact within the affected built-up area on such matters as:

- safety;
- natural heritage features and natural hazards;
- consideration of alternate route(s);
- the degree of conflict which may result; and
- the way or ways in which identified conflict(s) may be minimized to an acceptable level.

Council may waive the requirement for such study where information submitted as part of other approval processes, such as licencing under the Aggregate Resources Act, adequately addresses Town concerns.

e) Where the situation warrants, the Town may request the licencing authority to consider a condition of a license which has the effect of limiting the hours of operation of extraction and/or hours of haulage. This may be considered desirable in order to minimize the impact on the surrounding environment depending on such factors as

location of the site relative to settlement areas and potential impacts resulting from the operation of large aggregate extractive operations.

4.3.3.6 Influence area and Adjacent Lands

This Plan recognizes the concept of an influence area surrounding Aggregate and Aggregate Reserve designations in order to offer mutual protection from encroachment by incompatible uses for both sensitive uses and extractive activities and areas designated as Aggregate Reserve. As the size of such an influence area is situation specific, each proposal will be considered on its own merits based on information regarding such matters as compatibility, groundwater, noise, dust, vibration, and traffic.

For purposes of this Plan, a minimum influence area of:

- a) 150 metres next to a pit or aggregate reserve overlay where sand/gravel are located,
- b) 300 metres of an aggregate operation where sand or gravel are being excavated below the watertable, and
- c) 500 metres next to a quarry or Aggregate Reserve Overlay where quarry material is located,

is established.

The influence area may be reduced following submission and acceptance of appropriate studies showing how compatibility is to be achieved between the potentially conflicting uses.

4.3.3.7 Implementation

Aggregate areas shall be placed in a separate zone category in the implementing Zoning By-law. Pits may be placed in a zone classification which does not permit their use for quarry purposes. Only existing asphalt plants and existing concrete batching plants shall be recognized in the By-law and placed in an appropriate zone.

4.3.4 Mineral Resources

It is the intent of Council to obtain information regarding mineral resources, areas of potential resources and abandoned mine sites and reflect them on a schedule to this plan.

There are no known abandoned mine sites in the Town at the time of writing this Plan. Should abandoned mine sites be identified, they will be considered as a potential development constraint. New development should be restricted on or abutting these sites until the nature and extent of any hazards are known and the hazardous conditions have been mitigated based on sound technical analysis, recommendations and advice by professionals who are qualified in this field.

Mineral exploration and mine development will be encouraged through the protection of known mineral deposits and areas of mineral potential from incompatible uses.

Mining and related activities will only be permitted outside of identified settlement areas. The compatibility of mining activities with surrounding land uses and designations will determine the specific nature of permitted mining and related activities.

The establishment of mining activities will require an amendment to this Plan.

4.4 RURAL POLICY AREA

4.4.1 General Principles

There is a significant amount of rural land within the Town of Greater Napanee. Rural land is defined as land where soil classes 4 to 7 as defined by the Canada Land Inventory of Soil Capability for Agriculture were found to predominate. Land designated Rural is shown on Schedule "A". Within the Rural designation there are agricultural activities but they tend to be dispersed. There has been much pressure in the past to develop rural areas for residential, seasonal residential, and other non-farm uses. It is expected that such pressures will continue. Use of lands for these purposes is desirable as long as it takes place within a planning framework consistent with the overall strategy of this Plan.

The recreational amenities afforded by the Town's extensive shoreline have attracted a significant level of year round and seasonal residential development. Some of the development has been unplanned and much of it was initially intended for seasonal use. Conversions to year round residential use have occurred with and without the benefit or knowledge as to the impact of the conversions on the Town, and on the provision of services or the ability of the area to sustain the changed intensity of use. Examples can also be found of development on private services on small lots (less than 0.2 hectares) and located along private roads. The expansion of such existing patterns is discouraged.

It is the intent of this Plan to permit some development throughout the Rural designation in a manner which retains the rural character of the Town while ensuring there are no demands placed on the Town for services which are expensive or difficult to provide.

4.4.1.1 Permitted Uses

The Rural designation is intended to maintain the natural and scenic qualities of the Town by preserving the rural character and lifestyle. The predominant use of the land shall be for agricultural, conservation, forestry, public and private recreation. Other uses permitted include non-farm residential, estate residential, seasonal residential, institutional, forestry, open space, small scale commercial and quasi-industrial uses servicing and directly related

to the rural economy, and residential uses accessory to the above permitted uses. Home occupations and bed and breakfast establishments are also permitted, as are wayside pits, wayside quarries and portable asphalt plants in accordance with the policies of Part 5 of this Plan.

4.4.1.2 Minimum Distance Separation (MDS) Formulae

All farm and non-farm development shall comply with the Minimum Distance Separation (MDS) Formulae unless otherwise stated herein or unless a minor variance or rezoning has been granted.

4.4.1.3 Policies for Agricultural Uses

Agricultural uses in the Rural designation shall conform with the policies of Section 4.3.2 of this Plan.

4.4.1.4 Year Round Residential Development by Consent and Existing Lots of Record

- a) New lots shall comply with the Consent Policies and the minimum lot area as found in the Groundwater Protection Policies of Part 5 of this Plan.
- b) New lots shall comply with the Minimum Distance Separation Formulae.
- c) Existing lots of record created by consent in accordance with the Planning Act may:
 - i) be used for a single unit dwelling house provided the lot fronts on an open and publicly maintained road and meets the requirements of Part 9 of this Plan; and
 - ii) may be used for a seasonal dwelling house where access is via an unmaintained municipal road, a private road, or a right-of-way provided:
 - an agreement is registered on title with respect to access limitations;
 - the lot is appropriately zoned; and
 - the parcel has an adequate supply of potable water and is suitable for a class 4 waste disposal system.

4.4.1.5 Seasonal Residential (Cottage) Development

- a) Seasonal residences are permitted along waterbodies provided:
 - i) New lots meet the same development requirement as lots for year round residential use.
 - ii) New lots comply with the Subdivision or Consent Policies in Part 5 of this Plan.

4.4.1.6 Conversion of Seasonal Uses to Year Round Uses

- a) Pressures for conversion of existing seasonal uses to year round residential uses are likely to continue. Should conversion be proposed, prior to the conversion being permitted, the following criteria should be met:
 - i) the lot size and frontage are suitable for Class 4 sewage disposal system as defined by the Ontario Building Code, and the sanitary waste disposal system is approved by the appropriate approval authority;
 - ii) an adequate supply of potable water is available;
 - iii) there is suitable development area outside the Environmental Protection designation and implementing zoning;
 - iv) the converted dwelling unit conforms with Town by-laws and the Ontario Building Code;
 - v) the conversion will not result, singly or in conjunction with other uses, in demands for services which are not economic or feasible to provide, improve, or maintain;
 - vi) the properties are rezoned from a seasonal category to another appropriate category;
 - vii) conversion shall be permitted only along public roads maintained year round by the municipality; and
 - viii) steps to be taken to bring existing roads up to municipal standards have been agreed to by Council.

4.4.1.7 Rural Commercial and Industrial Uses

It is the intention of this Plan to protect traditional commercial and industrial centres in the hamlets shown on Schedule 'A'. Rural, commercial and industrial uses should be grouped in such a manner that the surrounding rural landscape and scenic views are retained and that the continued commercial viability of the hamlets is promoted.

- a) Small scale commercial and industrial uses serving or related to the rural economy may be permitted. These uses should be of a dry nature (consume small amounts of water) and may include farm implement sales or service establishments, farm supplies and produce outlets, feed and grain drying and cleaning operations, welding shops, woodworking shops, antique and craft shops and other similar uses which may be deemed necessary and appropriate in a Rural area.
- b) Consents for commercial and industrial uses may be granted provided:
 - i) lots have a minimum lot area of 0.8 hectares. Such area of 0.8 hectares of land shall be outside hazardous areas (i.e. lands subject to flooding, steep and/or unstable slopes or other physical hazard which renders the site unsuitable for development) in order to safely accommodate all buildings and structures, and to

- allow for the onsite provision of acceptable quantity and quality of water and for sewage disposal;
 - ii) the proposed use supports the rural lifestyle;
 - iii) lot frontage is appropriate for the use and the area in which the lot is being created;
 - iv) commercial or industrial uses, where water consumption and waste disposal warrants, shall be subject to the Reasonable Use Criteria;
 - v) the new lots conform to the Consent Policies in Part 5 of this Plan.
- c) One residential unit may be permitted where Council deems it appropriate as an accessory use provided the residential use is located on the same lot as the main commercial or industrial use and provided further that no future severance shall be permitted for the residential use. In such cases, the lot area requirement for the residential and non-residential use shall be the total of the minimum lot area required for each use individually.
- d) The general principles to be considered in the development and zoning of commercial and industrial uses shall be as outlined in the Agricultural designation, Part 4 of this Plan.

4.4.1.8 Conservation, Forestry, and Recreational Uses

- a) Private landowners are encouraged to reforest idle lands. Landowners of properties with a high forestry potential are encouraged to enter into appropriate management programs with the Ministry of Natural Resources or Conservation Authority.
- b) Passive outdoor recreational uses, forestry, tree farms, conservation uses are permitted. In addition active recreational uses (excluding such uses as commercial resort uses, tourist camps, tent and trailer parks, marinas, golf courses) such as riding and sport clubs, and municipal recreation facilities are permitted provided:
 - i) the uses are compatible with adjoining uses and do not adversely affect adjacent farming operations;
 - ii) the uses have adequate quantity and quality of potable water; and
 - iii) the uses can adequately dispose of sewage to the satisfaction of the Town.

4.4.1.9 Implementation

Uses permitted in the Rural designation will be placed in appropriate zones in the implementing zoning by-law.

(MMAH February 19, 2002)

4.4.1.10 Rural Specific Policy Area One (1) South and west side of County Road 8, part of Lot 18, Concession 6, in the geographic Township of North Fredericksburgh

Within those lands shown as “subject to site specific policy 4.4.1.10”, the uses will be limited to:

- mini warehouse storage unit
- uses such as conservation, forestry, open space

A dwelling unit or dwelling house is prohibited.

The minimum lot area will be 0.4 ha. (OPA No. 28)

4.5 SETTLEMENT PATTERNS

4.5.1 General Principles

Within Greater Napanee, this Plan places the patterns of settlement into two broad categories. These are:

- “urban settlement area” as outlined in Part 4, Section 6.0 below, and
- “hamlet areas” with limited residential development permitted in the rural areas as outlined in Part 4, Section 7.0 below.

Urban development comprises the fully serviced areas and areas in the logical path of future full service extensions particularly:

- in Concessions 1 to 4 of the former Township of Richmond adjacent the former Town of Napanee, and
- in Concessions 6 and 7 of the former Township of North Fredericksburgh adjacent the former Town of Napanee.

These comprise the major residential, commercial, industrial, institutional, and recreational concentrations and the central focus for Greater Napanee.

The Hamlet Areas are characterized by predominately residential development based in individual services (wells and septic). Serving as rural service centres they are the focus for limited additional growth in rural areas. Limited growth is to occur in the resort commercial, estate residential and shoreline residential designated areas.

Development or growth is directed primarily to the settlement areas.

(MMAH January 14, 2014)

4.6 URBAN SETTLEMENT AREA

The urban settlement area is the primary focus of growth. The urban settlement area is generally described as those lands comprising the former Town of Napanee and serviced areas in the abutting former Townships of North Fredericksburgh and Richmond. The urban settlement area is shown on Schedule 'A'. The land use designations and boundaries are further refined in Schedule C.

(MMAH January 14, 2014)

4.6.1 Residential Policies

4.6.1.1 General Principles

Residential development and redevelopment is to take place in a planned, orderly manner to ensure that residential uses are located in areas where they are compatible with adjacent land uses. Sufficient lands have been designated to accommodate anticipated population growth, provide a choice of lifestyles, and protect lands for long term availability for residential development and full services where these are in the logical area of residential expansion and which, from a planning perspective, are strategically located to serve a time horizon of twenty (20) years.

4.6.1.2 Permitted Uses

The predominant use of land in areas within a residential designation shall be for low, medium, and high density residential uses as generally outlined on Schedule C and further described in Part 4, Subsections 6.1.4 to 6.1.6 herein. Public parks, home occupations, bed and breakfast establishments, institutional uses as outlined in Part 5, Section 8 of this Plan, daycare facilities, cemeteries, and public uses and utilities in appropriate locations are also permitted.

4.6.1.3 Policies

- a) Various forms of housing will not be intermixed indiscriminately. Housing types will be arranged in a gradation so that high and medium density developments will complement those of lower density, with sufficient spacing to ensure compatibility, while maintaining privacy and the amenity value of low density areas.
- b) The provision of walkways, sidewalks or bicycle paths is encouraged to facilitate access throughout the residential areas and to schools, parks, and other focal points such as places to shop or work, and to facilitate the safe separation of pedestrian and vehicular traffic.
- c) Adequate off-street parking shall be provided. Access points to such parking facilities shall be limited in number and designed in a manner that will minimize the conflict

between vehicular and pedestrian traffic.

- d) Home occupation and bed and breakfast uses will be governed by the policies in Part 5 of this Plan.
- e) Development proposals near existing or proposed industrial uses or areas should comply with the Ministry of Environment Guidelines governing the separation distance between industrial facilities and sensitive land uses.
- f) Development proposals near existing or proposed railway corridors or major roads such as arterials and collectors shall comply with Part 5, Section 2 of this Plan.

The provisions of this Plan, however, do not apply to prohibit the development or redevelopment of low density residential uses on legal lots of record existing as of the date of adoption of this Plan or the development of new low density residential uses by a consent to land severance, where such development represents infilling within an established residential neighbourhood where it is neither practical nor feasible to employ noise attenuation measures.

- g) In reviewing redevelopment or infilling or intensification plans, Council will ensure that the character of the residential area will be maintained or enhanced and that such redevelopment will not burden existing facilities and services.
- h) Residential development in older, established residential areas of heritage value will be encouraged to employ designs which maintain and reinforce the character of the area. This includes having regard to the existing scale and pattern of development and the existing streetscape qualities so as not to adversely impact upon heritage resources.
- i) Single detached dwelling houses, semi detached dwelling houses and row dwelling houses may be converted to include a secondary unit, as defined herein, provided:
 - i) The secondary unit is located within and is subordinate to the existing principle dwelling unit;
 - ii) The secondary unit can be incorporated without substantial addition to the building or without substantial alteration to the street-facing facades of the building. Alteration to the street-facing facades includes, but is not limited to, the construction of a new private entrance for the secondary unit;
 - iii) The secondary unit conforms with the Town's By-law, the Ontario Building Code Act and the Fire Code;
 - iv) Municipal services such as water, sewers, drainage, roads, etc., are adequate or can be made adequate;
 - v) The property can accommodate sufficient parking for the existing dwelling house and the secondary unit, in compliance with the Town's zoning by-law;

(MMAH January 14, 2014)

4.6.1.4 Low Density Residential

- a) Low density residential uses include single detached dwellings, semi-detached dwellings, duplexes, and accessory uses. The maximum net residential density shall be thirty (30) units per net hectare.
- b) Access to individual lots shall be in accordance with the transportation policies in this Plan.
- c) In order to encourage the enhancement and preservation of existing housing stock and address demands for rental accommodation, the conversion of existing single unit residential dwellings to two, three, or four unit residential dwellings may be permitted in the older residential areas containing large, stately homes built prior to 1940 provided:
 - i) any exterior renovations shall have regard to the massing, design, and the relationship of the buildings to adjacent buildings and streets;
 - ii) the lot is capable of supporting the minimum number of off-street parking spaces in accordance with the provisions of the implementing Zoning By-law;
 - iii) the proposed use will conform with the Town's By-laws and the Ontario Building Code Act;
 - iv) adequate open space and amenity area is provided to meet the needs of the residents;
 - v) adequate provision is made for buffering between the converted dwelling and adjacent one or two unit residential dwellings;
 - vi) municipal services such as water, sewers, drainage, roads, etc., are adequate or can be made adequate;
 - vii) the applicant may be requested to submit a report prepared by a registered architect and/or engineer detailing the condition of the building and the necessary improvements thereto and stating to what extent the existing services meet the municipality's specifications and requirements; and
 - viii) the property is rezoned to an appropriate zone category permitting converted multi-unit residential dwellings.

4.6.1.4.1 (Repealed by OPA No. 27)

4.6.1.4.2 Low Density Residential Specific Policy Area One (1) at North East corner of Mill and Donald Streets being Part 2 of 29R-2904 and Part 2 of 29R-4068.

On the lands at the north east corner of Mill and Donald Streets the uses permitted, in addition to those of the Low Density Residential policies of the Official Plan include:

- An apartment dwelling house not to exceed six (6) dwelling units.

(OPA No. 18)

4.6.1.4.3 Low Density Residential Specific Policy Area Two (2) at North side of Mill Street between Donald Street and Richard Street being Part 3 of 29R-2904.

On the lands at the north side of Mill Street between Donald and Richard Streets the uses permitted, in addition to those of the Low Density Residential Polices of the Official Plan include:

- A dwelling house not to exceed four (4) dwelling units.

(OPA No. 26)

4.6.1.5 Medium Density Residential

- a) Medium density residential uses include low density residential uses, triplexes, quadruplexes, maisonettes, row or cluster housing, converted single detached dwellings creating not more than four (4) dwelling units, street front townhouses, low rise apartment dwelling houses, and accessory uses.
- b) The maximum density shall be sixty (60) units per net hectare.
- c) Access to medium density sites shall be in accordance with the transportation policies of this Plan.
- d) Height is limited to four (4) storeys.
- e) Medium density sites, particularly for seniors housing, should be situated in close proximity to parks, recreational facilities, or commercial areas.
- f) Buffering between medium and low density uses to minimize adverse impacts between uses may be required.
- g) Applications for new medium density designations will be considered in accordance with the following criteria:
 - i) should be on the periphery of existing low density areas;
 - ii) compatibility with adjacent low density residential areas;
 - iii) have convenient access to a collector or arterial and not draw traffic through low density residential areas;
 - iv) be in proximity to commercial uses; and
 - v) be near services such as schools and recreational facilities.
- h) Where a medium density residential use is proposed to be introduced adjacent to a low density residential area, and such use requires amendment to this Plan, Council may require the developer to submit a plan showing relationship of the building to the remainder of the site and adjoining lower density uses. Such a plan shall show possible location and massing of buildings, parking facilities, open spaces, existing property

fabric, and existing services.

- i) Conversion of existing single detached dwelling units to dwelling houses containing up to four (4) dwelling units will be guided by the following principles:
 - i) the extent of exterior renovations and the relationship of the converted dwelling to adjacent residential buildings and streetscape;
 - ii) safety of ingress and egress;
 - iii) provision of adequate on-site parking;
 - iv) buffering measures to mitigate any adverse impact on adjoining uses;
 - v) impact of changes on drainage on adjacent lands;
 - vi) compliance with municipal by-laws and the Ontario Building Code Act;
 - vii) adequacy of municipal services; and
 - viii) the applicant may be requested to submit a report prepared by a registered architect and/or engineer detailing the condition of the building and the necessary improvements thereto and stating to what extent the existing services meet the municipality's specifications and requirements.

4.6.1.5.1 Medium Density Residential Specific Policy Area One (1) - South Side of County Road No. 2 and Abutting the Town of Deseronto

The approximately 2.5 hectares of land located in part of Lot 1, Concession 1 on the South side of County Road No. 2 and abutting the Town of Deseronto shall only be developed for medium density residential uses in accordance with the Medium Density Residential policies of this Plan. The services (water and sewer) for this site are to be obtained from the Town of Deseronto and are subject to such agreements as may be deemed necessary by Council for the Town of Greater Napanee.

(MMAH February 19, 2002)

4.6.1.5.2 Medium Density Residential Specific Policy Area Two (2) — South Side of County Road No. 2. Part of Lot 17, Concession 1, Geographic Township of Richmond

On lands located at Dundas Street (County Road Number 2) in part of lot 17, Concession 1 of the Geographic Township of Richmond, the uses permitted shall be limited to Low Density Residential uses in accordance with the Low Density designation of the Official Plan and the following Residential uses.

- An apartment dwelling house not to exceed 20 units.
- Senior citizens housing complex or Retirement home not to exceed 35 units.

(OPA No. 7)

4.6.1.5.3 Medium Density Residential Specific Policy Area Three (3) — East Side of County Road No. 2 Part of Lot 17, Concession 1, Geographic Township of Richmond

On lands located in part of Lot 17 (County Road No. 2), Concession 1 of the Geographic Township of Richmond, and known as 416 Dundas Street West, the uses permitted shall be limited to Low Density Residential uses in accordance with the Low Density Designation of the Official Plan and the following Residential uses:

- Two apartment dwelling houses not to exceed 12 units per dwelling house.
(OPA No. 11)

4.6.1.5.4 Medium Density Residential Specific Policy Area Four (4) — North Side of John Street and Isabella Street

On lands described as John Street and Isabella Street, the uses permitted may be limited to Medium Density Residential.

- Two apartment dwelling houses not to exceed 12 units per dwelling house.
(OPA No. 16)

4.6.1.6 High Density Residential

- a) High density residential uses include those uses permitted in the medium density residential designation and higher density residential forms such as stacked townhouses and apartment dwelling houses. New single detached, semi-detached, and duplex dwellings shall not be permitted within the high density residential designation
- b) The maximum permitted density is 120 units per net hectare.
- c) High density residential sites shall have direct vehicular access to collector or arterial roads.
- d) Height shall be limited to eight (8) storeys.
- e) High density sites should be situated in close proximity to recreational facilities, schools, and commercial areas.
- f) Buffering to minimize adverse impacts on lower density residential areas may be required.
- g) Applications for high density residential designations will be considered in accordance with the following criteria:
 - i) be on the periphery of low density designations and, preferably, abut medium density areas, commercial areas, and open space areas, and

- ii) have direct access to a collector or arterial road and not draw traffic through low density areas.

- h) Where a high density residential use is proposed, Council may require the developer to submit a plan showing the relationship of the building to the remainder of the site and adjoining lower density uses. Such a plan shall show possible location and massing of buildings, parking facilities, open spaces, existing property fabric, and existing services.

(MMAH January 14, 2014)

4.6.1.7 Implementation

Low, medium, and high density residential areas will be placed in appropriate categories in the implementing Zoning By-law.

4.6.2 Major Institutional

4.6.2.1 General Principles

The Major Institutional designation applies primarily to those lands which are utilized for the Quinte Detention Centre, hospitals, chronic care facilities, firehalls, police stations, municipal yards, assembly halls and clubs, and uses listed in Part 5, Section 8 of this Plan.

4.6.2.2 Permitted Uses

Uses permitted include penal institutions, administration offices, hospitals, chronic care facilities, nursing homes, medical care facilities, recreational facilities, fraternal association halls, police stations, and firehalls.

4.6.2.3 Policies

- a) Major institutional uses are encouraged within the urban area and hamlets. Wherever possible, new facilities are encouraged to locate adjacent other institutional uses.

- b) The establishment of new major institutional uses will be considered in accordance with the following:
 - i) the proposed scale and the ability to integrate the project with the established character of the area;
 - ii) compatibility with adjacent land uses and designations; and
 - iii) direct or convenient access to a collector or arterial so as not to draw traffic through low density residential areas.

- c) Adequate off street parking and loading facilities shall be provided.

d) Adequate buffering is to be provided to nearby sensitive land uses.

4.6.2.3.1 Major Institutional Specific Policy Area One (1) — South Side of Bridge Street. Part of Lots 17 & 18, Concession 1, Town of Napanee

On lands located in Part of Lots 17 & 18 (south side of Bridge Street), Concession 1 in the Town of Napanee, the uses permitted shall be limited to Major Institutional uses in accordance with the Major Institutional designation of the Official Plan and the following uses:

- Seniors Residential Complex, medical offices, fitness centre and accessory uses such as a coffee shop, a pharmacy, and a personal service shop.

(OPA No. 12)

4.6.2.4 Implementation

Major Institutional areas shall be zoned in a separate zone classification in the implementing Zoning By-law.

4.6.3 Industrial

4.6.3.1 General Principles

Greater Napanee has demonstrated a long term commitment to creating an environment within which industry can flourish. As a result, major industries have located in the Town and these now serve as a major source of employment for the Town and the region.

The Town wants to see the industrial base continue to expand, diversify, and prosper. To this end, lands are set aside for industrial purposes to meet the varying needs of industry at accessible locations where industry can operate with minimal impact on adjacent land uses, and at locations which facilitate Town efforts to develop and implement a long term industrial strategy.

Two extensive areas have been previously designated for industrial growth. These are:

- the Napanee/Richmond industrial area stretching from the CNR mainline northwards along County Road 41 to approximately the mid point of the 4th Concession and eastward along the Good Year Road to the Stone Mills Township boundary; and
- the Lennox Generating Station site in Lots 15 to 22 of Concession One of the former Township of South Fredericksburgh, plus Lot 23 of Concession One.

Both sites are to be developed on full services.

(MMAH February 19, 2002)

Another significant designation includes the Gibbard Furniture Factory along the Napanee River.

This Plan designates lands as industrial where:

- industry presently exists;
- industrial designations already exist;
- there is potential for expansion of industrial uses while having regard to the physical characteristics of the land;
- the nature of adjacent land uses is compatible;
- the level of existing and proposed services can accommodate the use;
- infrastructure serving the area is expandable;
- this extends lands presently zoned for industrial purposes; and
- there is ability to provide for intensification of industrial uses through the rationalization of the land use pattern.

4.6.3.2 Permitted Uses

The predominant use of the lands so designated is for business park, general, and heavy industrial uses and activities. The types of industrial uses permitted in each location shall be such that there are minimal adverse impacts on sensitive land uses. For purposes of this Plan, business park industrial, general industrial, and heavy industrial are defined as:

- a) Business Park Industrial uses are those that are substantially enclosed in buildings, exhibit high performance standards, and whose operations result in little impact with respect to heat, smoke, noise, vibration, dust, odours, and traffic. For the purposes of this Plan, such uses include warehousing and distribution; light manufacturing and assembly from previously prepared materials; catering; laboratories; research and development; offices; communications; printing and publishing; building supply; or other similar uses.
- b) General Industrial uses are those with the potential for low or moderate impact with respect to heat, smoke, noise, vibration, odour, dust, and traffic. In addition to business park industrial uses, general industrial uses include utilities, storage, wholesale trade, contractor yards, municipal yards, heavy equipment and vehicle sales and servicing, or other similar uses.
- c) Heavy Industrial uses are those with the potential to generate heat, smoke, noise, odour, dust, and traffic that is hazardous or obnoxious. In addition to general industrial uses, heavy industrial uses include manufacturing and assembly from raw materials; food production and food processing; production, use, or storage of flammable, explosive, or other hazardous materials; waste processing and transfer facility; salvage yards; or other similar uses.

Other uses may also be permitted in Industrial areas. Such uses should be complementary and accessory to the industrial uses in the area and should primarily serve the businesses and employees of the Industrial area. Such uses should also be compatible with the industrial uses in the area and in no way prevent the current operation or future expansion of industrial uses in the area.

Such uses could include wholesale and retail functions directly related to industry; business services such as product and equipment repair ; community and recreational facilities; open space; eating establishments; financial institutions; personal services; police stations; fire halls; fraternal organizations; athletic clubs; daycare facilities; parking lots and structures; and automobile service station or gas bar if located at the intersection of existing or proposed principal streets as shown on Schedules A and C of this Plan.

(OPA No. 27)

4.6.3.3 Location of Industrial Uses

As noted in policy 4.6.3.5, the implementing Zoning By-law will regulate the permitted industrial uses and their location. In general, industrial uses as shown on Schedule C will be located as follows:

- a) Industrially designated lands north of Highway 401 and east of County Road No. 41 shall permit business park, general and heavy industrial uses;
- b) Industrially designated lands south of Highway 401 and east of Centre Street shall permit business park and general industrial uses;
- c) Industrially designated lands south of the CNR mainline and west of Centre Street shall permit business park and general industrial uses;
- d) Industrially designated lands south of County Road No. 1 in Lot 18 of Concession 2 in the geographic Township of Richmond shall permit business park and general industrial uses;
- e) Industrially designated lands in the area of the Gibbard Furniture factory in downtown Napanee shall permit business park uses; and
- f) Industrially designated lands north and south of County Road No. 2 in Lots 19, 20, and 21 of Concession 7 in the geographic Township of North Fredericksburgh shall permit business park uses.

This policy is not intended to preclude the expansion of existing heavy industrial uses on M2 zoned lands south of Highway 401. Any application for new heavy industrial use on M2 zoned land south of Highway 401 may require a site-specific amendment to the Zoning By-law.

(OPA No. 27)

4.6.3.4 Policies

- a) Industrial lands are designated in areas of direct accessibility to existing and proposed arterial and collector roads. Industrial areas shall be designed so as to discourage the penetration of traffic generated by industry into or through areas of sensitive land uses.
- b) Industrial uses should comply with the Ministry of Environment guidelines respecting compatibility between industrial facilities and sensitive land uses.
- c) Industrial development is to be serviced by a piped water supply and a sanitary sewage collection system.

Lands designated industrial on Schedule 'A' located in Concession 5 of the former Township of Richmond, may be developed for industrial uses of a dry nature. Industries of a dry nature shall mean those industries where water is not necessary in the manufacturing, processing and/or fabrication of goods and materials and which industries have no demands for water supply and sewage disposal beyond those requirements normally associated with the needs of employees and/or visitors. In approving such industries, Council may require the submission of a hydrogeological report with respect to the adequacy of groundwater supplies and the ability of the soils to sustain development on the basis of private services.

- d) Industrial areas are to be planned and developed in such a manner that light, non-noxious industries are located at the interface of heavy industrial uses with other forms of land use.
- e) New industrial development or the redevelopment of existing industrial sites in close proximity to sensitive uses should be restricted to light industrial uses and related activities which exhibit reasonably high performance standards in order to provide for a degree of compatibility between the sensitive uses and industrial uses. The degree to which industrial uses are to be separated from sensitive land uses and the requirements for buffering will depend upon the nature of the industrial use and adjacent sensitive land use.
- f) To protect the visual amenities of the Loyalist Parkway, Council shall establish appropriate provisions in the implementing Zoning By-law and any Site Plan Agreements to regulate the setback of buildings and structures from the Highway and to visually screen outside storage and parking areas.

The lands which are designated as industrial on the south side of Highway No. 33, adjacent Lake Ontario, shall be limited in the type and nature of uses allowed. The intent is to ensure future water access for the Lennox Industrial area and to retain the view of Lake Ontario from the Loyalist Parkway to as great an extent as possible. Only facilities directly associated with waterfront use such as industrial docking facilities, pump houses, and other minor industrial buildings shall be located in this area. Major

industrial buildings and permanent storage facilities shall be located north of the Loyalist Parkway.

- g) No industrial use shall be permitted which, from its nature of operation or materials use therein, is declared to be noxious under the provisions of the Health Promotion and Protection Act or regulations thereunder.
- h) Adequate off-street parking and loading facilities shall be provided, inclusive of parking for visitors and employees. Ingress and egress points to such areas shall be limited in number and designed in a manner which will minimize the danger to both vehicular and pedestrian traffic.
- i) On the lands designated industrial immediately to the north of the shoreline of the Napanee River along Water Street, the uses permitted are restricted to that of a water pollution control plant.
- j) Conversion of lands within the industrial designation to a non-industrial designation is discouraged. Such conversion should only be considered at the time of a comprehensive review of this Plan, where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

4.6.3.5 Implementation

Uses permitted in the industrial designation shall be zoned in separate zone classification in the implementing Zoning By-law. Regard shall be had for the type of uses to be permitted and their location relative to other designations and sensitive land uses.

4.6.3.6 Industrial Specific Policy Area One (1) - Lennox Generating Station Industrial Development Area

The following additional policies apply to the lands within the industrial designation in part of Lot 15 and Lots 16 to 22 inclusive of Concession 1 of the former Township of South Fredericksburgh.

4.6.3.6.1 Policies

- a) The site comprises those lands owned by Ontario Hydro on January 1st, 1997 in part or all of Lots 15 to 22 inclusive of Concession 1. The site is referred to as the Lennox Industrial Development Area. The lands will be considered for development based on either of the following:
 - as a planned industrial park; or
 - for the development of large individual industries.

(MMAH February 19, 2002)

- b) Lands within the Lennox Industrial Development Area are used for electrical power generation and distribution, agriculture, and conservation. Existing uses of the site as reflected in the zoning at the time of adoption of these policies are to be recognized and permitted in any new implementing zoning by-law. All other industrial uses permitted in the implementing by-law are to be placed in a Holding (H) category under Section 36 of the Planning Act.
- c) The permitted use of lands within the Lennox Industrial Development Area shall be industrial uses which may:
- i) utilize steam and/or products or by-products or infrastructure of the Lennox Generating Station (LGS) and benefit from being situated near the LGS to utilize the product or by-product or infrastructure; and/or
 - ii) utilize products or by-products of any of those uses identified in Section 4.6.3.5.1(c)(i); and/or
 - iii) produce products required by those uses identified in Section 4.6.3.5.1(c)(i).
- d) The permitted uses may include offices and other ancillary uses provided they are subordinate to the principal use.
- e) Open storage may be permitted as an ancillary use to the principal permitted uses provided that it is:
- i) subordinate to the main permitted use; and
 - ii) appropriately buffered from adjacent sensitive uses and is not visible from the Loyalist Parkway.
- f) Secondary uses permitted may include:
- i) a service centre incorporating facilities to serve the Industrial Development Area, which may include:
 - administration offices for the industrial park,
 - limited commercial facilities, not to exceed a total of 1,000 square metres and which directly serve the employees of the industries while at work. Such uses may include a restaurant, a convenience store, bank, medical offices; and
 - public or institutional uses serving the industrial park.
 - ii) parks and open space in locations designed to maximize the protection of the natural features of the site and to provide buffering from adjacent uses.
- g) Uses shall establish emergency plan procedures consistent with the nature of their operation.

- h) When an environmental assessment is required for development to proceed, pursuant to the Environmental Assessment Act, Council may adopt an amendment to the Comprehensive Zoning By-law and recommend approval of a plan of subdivision, if required, where the following conditions have been satisfied:
- i) the requirements of the Environmental Assessment Act have been satisfied; and
 - ii) the applicant can demonstrate to the satisfaction of Council that:
 - services can and will be provided , and
 - the proposal will be developed in a manner which will not impose any extraordinary costs on the Town.
- i) Where an environmental assessment is not required under the Environmental Assessment Act, Council may adopt an amendment to the Zoning By-law and consider a plan for the subdivision of lands provided adverse impacts on the environment, including social, cultural, recreational, economic factors, and impact on agricultural and residential uses immediately surrounding the site, will be mitigated as much as practicable in a manner satisfactory to the Town and other appropriate agencies.
- j) Council, in its evaluation of any proposed industrial development, whether as a planned industrial park or whether by development as individual industries, will require the following information to be submitted by the applicant:
- i) a plan of subdivision, if required for the lands; or
 - ii) a concept plan which illustrates how the lands within the Lennox Industrial Development Area could be developed for industrial uses in conjunction with any existing development.

Additional information to be submitted includes:

- iii) an environmental assessment accepted by the Minister of Environment or its agent where one is required; or
- iv) the following studies and/or information where an environmental assessment is not required:
 - a description of the proposed development, including (but not limited to) its location and size, the proposed uses, road pattern, services required (ie. water supply, sanitary sewage and storm utilities, and associated ownership and maintenance responsibilities), scale of employment and phasing of development, and any technical studies such as engineering studies which provide the rationale for the development plan, and
 - an environmental analysis of the site and surrounding area to establish the physical resources of the site and the methods of mitigating adverse impacts.

- k) Prior to Council endorsement of the concept plan, agencies having an interest such as the Conservation Authority, the County, or provincial agencies will be consulted.
- l) The removal of the holding (H) classification will be subject to the appropriate policies in Subsection 4.6.3.5.1(c) to 4.6.3.5.1(j) herein.

4.6.3.7 Industrial Specific Policy Area Two (2) - South East Corner of Pine Grove Road and County Road No. 3 in Part of Lot 15, Concession 11 of the Geographic Township of Richmond.

Within Industrial Specific Policy Area Two, the permitted uses are limited to those uses permitted in the Rural designation and the manufacture of furniture and sale of furniture produced on site.

(OPA No. 2)

4.6.4 Commercial

4.6.4.1 General Principles

This Plan recognizes there are a variety of existing and designated commercial areas servicing different functions. Principally, there are two major commercial areas. They are:

1. The central business district; and
2. The shopping centre and highway oriented retail uses which have developed along County Road 41 from the CNR mainline northwards to the Goodyear Road north of Highway 401.

Other smaller convenience commercial areas and commercial uses in hamlets also exist.

The Town supports the expansion of the commercial structure with the principal components being the retention of a strong and evolving Central Business District and direction of commercial uses requiring ease of access, large parking areas, exposure afforded by arterials and collectors to locate north of the CNR mainline and adjacent County Road 41 and near Highway 401. Smaller commercial uses which serve primarily a convenience function will be permitted at specified locations.

4.6.4.2 Central Business District

4.6.4.2.1 General Principles

It is recognized that, over time, the growth of the Greater Napanee retail sector will, in relative terms, be increasingly accommodated outside the Central Business District within other areas of commercial designation as identified in this Plan. As a result, the Central

Business District is in transition as the relative importance of retailing within the Central Business District will decline, even though it may increase in absolute terms as new retail facilities and uses are attracted. The service sectors and other employment activities will assume greater importance in the functions of the Central Business District.

The image of the Central Business District is based on its historic function as a prime commercial area, rich architectural heritage, visual landmarks such as of the Town's Hall, the Napanee River Corridor and the mix of land uses. Sustaining this image and strengthening the economic role of this area is dependent on several factors, namely, developing waterfront lands, conservation and renewal of the building stock, streetscaping measures, ongoing parking improvements and encouraging the development of people places. Indirect measures include beautification and promotion/marketing programs sponsored by various merchant associations, encouraging the ongoing evolution of land uses within the central area and facilitating development of mixed land uses.

The Central Business Commercial designation also envisions the evolving development of Centre Street as a linkage between the downtown and the arterial commercial area. It is the intent of the Plan that the building forms along Centre Street remain residential in character while allowing for the conversion of the residential buildings for professional services such as physicians, accountants, and lawyers. This transition must be undertaken with a great deal of care so as to conserve the existing visual character of the built form and to minimize or avoid land use conflicts between commercial uses and the adjacent residential areas. The transition is expected to occur gradually over the next ten to twenty years. The intent of the Plan is to also protect adjacent established residential neighbourhoods from the intrusion of incompatible commercial uses.

(OPA No. 8)

4.6.4.2.2 Permitted Uses

Commercial uses permitted are those which serve Greater Napanee and/or a regional market area. These include a diverse range of retail, office, service, and other commercial uses, as well as governmental, institutional, residential subject to the location policies in this plan, recreational, and community uses.

(OPA No. 8)

4.6.4.2.3 Policies

- a) The continued viability of the Central Business District as a location for non-department store DSTM outlets and other specialty shopping, as well as services of all kinds, shall be supported by improving facilities for off-street parking and pedestrian movements.
- b) Promote Greater Napanee's Central Business District functioning as a service centre providing a broad range of activities, goods and services to meet the diverse needs of

its own resident population, work force, business and institutional sectors, those in the widespread surrounding area, and the traveling public.

- c) Council recognizes that land designated Central Business Commercial are largely built-out and that opportunities for new development are limited.

Council encourages the intact conservation of the existing built form, and encourages the conversion of non-residential buildings to a mix of residential and commercial uses, and the intensification of low density residential buildings to mixed use and to higher densities provided:

- i) The availability of services, road access, and parking is in accordance with the provisions of the zoning by-law;
 - ii) There is reasonable proximity to parks, schools, shopping facilities and other normal attributes of a residential use;
 - iii) Compatibility of the conversion with surrounding land uses can be achieved; and
 - iv) Buffering, where required to reduce any potential conflicts, can be provided.
- d) The development of a variety of medium density and high density housing types in the downtown is supported. Residential units may be created through new development, through the conversion of vacant or under utilized space in existing buildings, and/or expansion to existing buildings.
 - e) Development and redevelopment within the Central Business Commercial designation (downtown) shall provide for non-residential uses at the street level. Mixed use buildings that provide for the vertical integration of two or more permitted uses, other than light industrial, is a permitted form of development in all areas of the downtown.
 - f) Council encourages the implementation of a pedestrian friendly transportation system which may include the upgrading of public streets to accommodate pedestrian design features such as widening of sidewalks, provision of landscaped areas accessible to pedestrians, street benches and vehicular drop-off and pick-up bays.
(OPA No. 8)
 - g) Council will consider undertaking a study of the Central Business District to produce a plan for the development of the District to guide its transition to a service centre function as well as introducing residential uses above the ground floor.
 - h) Council supports building heights of up to four (4) storeys not exceeding a maximum height of 17 metres. Notwithstanding the foregoing, if a site specific urban design study clearly demonstrating that a building height in excess of four storeys within a clearly drawn building envelope would not overshadow surrounding buildings, is generally compatible with scale and massing of buildings in the surrounding area and satisfies all Plan policies, is approved by Council after its submission to public scrutiny and input through at least one meeting to be advertised and held in the same manner as

a public meeting concerning a municipally initiated amendment to the Official Plan, the greater height limit within the building envelope identified in that study, may, subject to all design constraints revealed by the study, be permitted by amendment to this Plan. The height, however, shall not exceed six (6) storeys nor exceed a height of 20 metres.

- i) Wherever feasible, the existing heritage buildings in the Central Business District shall be conserved and renovations, additions, and conversions that revitalize the existing buildings and extend their functional life are encouraged and supported.
- j) New buildings within the Central Business District are to be designed so as to be architecturally compatible with the heritage character of existing older buildings.
- k) Minimum building height in the Central Business District is two (2) storeys.
- l) Adequate parking and loading facilities shall be provided.

(OPA No. 27)

4.6.4.2.4 (Repealed by OPA No. 27)

4.6.4.2.5 (Repealed by OPA No. 27)

4.6.4.3 Arterial Commercial

4.6.4.3.1 General Principles

It is recognized that larger scale retailing such as shopping malls, fast food services, new format retail facilities and activities which place a heavy reliance upon vehicular traffic and require and benefit from the exposure afforded by locations adjacent major arterial and collector roads, will continue to form an expanding commercial node along County Road No. 41 from the CNR mainline northwards to Gerow Road / Goodyear Road north of Highway No. 401.

Arterial commercial development is designated in areas of high accessibility where conflicts with through traffic and residential neighbourhoods are minimized.

4.6.4.3.2 Permitted Uses

The predominant use of lands in areas designated as Arterial Commercial is for the buying and selling of goods and services, and the location of offices. Uses permitted include retail facilities, specialized retail, commercial establishments such as warehouse outlets and furniture and appliance sales, automobile sales and service establishments, building supply outlets, garden nurseries, greenhouses, travel plazas, hotels and/or motor hotels, places of entertainment, eating establishments, offices, studios, open space uses, institutional uses, and uses accessory to the principal commercial use.

4.6.4.3.3 Policies

- a) Site specific land use and development permissions established prior to the adoption of this Plan may be recognized in the Zoning By-law.
- b) The Zoning By-law may recognize a range of uses at differing sites appropriate to the planned function of commercial service areas or specific commercial sites, having regard for their location, availability of municipal services and the nature of surrounding land uses.
- c) Adequate provisions shall be made for pedestrian movement between commercial establishments and for the creation of safe and pleasant pedestrian environments.
- d) New proposals for general commercial development involving in excess of 5,000 sq. metres of retail gross leasable area, shall require a specific amendment to the Zoning By-law which establishes the maximum retail gross leasable area to be permitted on-site. Council may require any such development proposal to be supported by a retail market impact analysis which satisfactorily demonstrates that introduction of the proposal into the community will not result in significant and demonstrable levels of impact in the form of urban blight and/or service reductions that are clearly harmful to the planned functions of existing commercial areas in the Town. The scope of such impact studies shall be determined by Council based on the nature of the development proposal and other factors as may be deemed appropriate.
- e) Adequate off-street parking and loading shall be provided. Access points to such parking and loading facilities shall be limited in number and designed in a manner that will minimize the conflict between vehicular and pedestrian traffic.
- f) Arterial commercial uses located adjacent to sensitive land uses shall provide adequate buffering.
- g) Applications for development or redevelopment of commercial uses which involve the outside storage of goods and materials shall have regard for the location and nature of the outside storage facility and the effect on adjacent properties.
- h) Unless specifically stated otherwise, all lands within the arterial commercial designation are to be on a municipal water supply and sanitary sewage system.
- i) An application for an amendment of this Plan or the implementing by-law shall be accompanied by a preliminary site plan.
- j) The implementing Zoning By-law shall establish standards relating to off-street parking and loading requirements and other design criteria, including landscaping, buffering, and controls regulating the height, bulk, location, size, floor area, and spacing of buildings.

4.6.4.3.4 Arterial Commercial - Specific Policy Areas

There are a number of sites which have received Official Plan approvals for arterial commercial purposes subject to a number of site specific policies. These site specific policies are in addition to the policies of Part 4, Subsection 6.4.4.3 above:

a) Part of Lots 21 and 22, Concession 2, Geographic Township of Richmond

For the lands designated arterial commercial and located adjacent to the northeast corner of the intersection of Centre Street and Industrial Boulevard, legally described as Part of Lots 21 and 22, Concession 2 in the former Township of Richmond, the uses permitted shall be limited to a retail commercial shopping centre having a total floor area not exceeding 6,505 square metres, together with an ancillary outside display, sale and storage area for lumber and garden products not exceeding 3,000 square metres where such use is incidental and subordinate to a hardware and a building supply outlet.

b) Lots 21 and 22, Concession 2, Geographic Township of Richmond

On those lands designated arterial commercial and located on the northwest corner of the intersection of Centre Street and the westward extension of Industrial Boulevard in part of Lots 21 and 22, Concession 2 in the former Township of Richmond, the uses permitted shall be limited to a retail commercial shopping centre having a total floor area not exceeding 6,040 square metres, together with ancillary outside display where such display is incidental and subordinate to the principal use on the lot.

c) West side of County Road 41, South of Selby Creek; Lot 21, Concession 3, Geographic Township or Richmond

On those lands designated Arterial Commercial and located on the west side of County Road 41 and north of Selby Creek and south of Gerow Road, generally described as Part of Lot 21, Concession 3 in the geographic Township of Richmond, additional permitted uses include truck or transport depot, warehouse, wholesale establishment, and assembly/ manufacturing fabricating or processing plant.

(OPA No. 27)

d) Part of Lot 24, Concession 4, Geographic Township of North Fredericksburgh

On lands located at Palace Road (County Road Number 5) in part of lot 24, Concession 7 of the Geographic Township of North Fredericksburgh, the uses permitted shall be limited to an eating establishment, retail uses and a garden centre not exceeding 2,100 square metres, museum, hotel, and ancillary display where such display is incidental and subordinate to the principal uses on the lands.

(OPA No. 5)

e) 109 Dundas Street East; Part 2 of 29R-1685

On lands designated Central Business Commercial and located at 109 Dundas Street East, being described as Part 2 on Plan of Survey 29R-1685, uses permitted shall include the use of the site solely for residential uses.

(OPA No. 24)

4.6.4.4 Neighbourhood Commercial

4.6.4.4.1 General Principles

Neighbourhood Commercial uses include the small scale, at times free-standing commercial establishments which serve the local day-to-day needs of the Town's residents. Neighbourhood Commercial uses are scattered throughout the urban area.

Neighbourhood Commercial establishments are not intended to be used as a vehicle for the small scale, incremental expansion for or of any of the other commercial designations shown on Schedule 'C'. Neighbourhood Commercial uses are established both in free-standing buildings solely devoted to the use as well as in association with residential uses including upper floor apartments.

4.6.4.4.2 Permitted Uses

The uses permitted are limited to those retail and personal service establishments of a convenience nature which generally serve the daily needs of the neighbouring residential area. Such uses include retail convenience "corner" stores, neighbourhood restaurants, coffee shops, neighbourhood take out food outlets, and such personal services as a hairdresser, barber, shoe repair outlet, and dry cleaning pick-up outlets. Limited residential development is also permitted where it is secondary to the principal permitted commercial use and is in the form of apartments above the commercial component.

4.6.4.4.3 Policies

- a) The maximum size of any one retail commercial or personal service establishment shall not exceed 235 square metres.
- b) Adequate buffering to sensitive land uses shall be provided.
- c) Outside storage of goods and materials shall not be permitted.
- d) Buildings shall be sited and designed so as to minimize their impact on adjacent sensitive land uses and local streets.
- e) Adequate off-street parking and loading area shall be provided.

- f) Designation of new areas for Neighbourhood Commercial purposes shall only be permitted adjacent to arterial or collector roads, preferably in close proximity to the intersection of such roads. Such uses shall be encouraged to consolidate in nodes with provision for common ingress and egress and parking areas so as to avoid the indiscriminate scattering of such uses throughout the residential areas.

4.6.4.4.4 Implementation

Neighbourhood Commercial uses shall be placed in an appropriate category in the implementing by-law.

4.6.5 Fringe Area

4.6.5.1 General Principles

Greater Napanee contains significant blocks of land strategically located and in the logical path of full municipal services extension. These lands, in some areas, are beyond the 20 year planning horizon. These are placed within the Fringe Area designation. These areas are in the path of logical long term extension of existing and designated urban development within the urban area shown on Schedule 'C'. Existing development areas within the urban area are continuing to expand. It is important to ensure that the long term expansion of the existing urban area is:

- properly planned,
- environmentally sound,
- provided with adequate services,
- cost effective,
- has regard to the Provincial Policy Statement, and
- keeps open long term strategic options.

The Town therefore proposes Fringe Area Policies for the lands abutting and adjacent the existing serviced areas, adjacent areas designated for development within the 20 year plan horizon, and areas in the logical path of long term serviced urban area expansion. The Fringe Area corresponds to the possible directions of future growth and is in the path of the logical extension of existing designated growth areas and expanding municipal services. The Fringe Area is shown on Schedule 'C'.

In general terms, long term urban expansion is expected to take place in a southerly direction in the urban area in the former Township of North Fredericksburgh and in a westerly direction in the urban area in the former Township of Richmond. There are no current plans for development on full municipal services in these areas at this time. The Town, in considering the potential long term development of these lands, wishes to avoid land use decisions which interfere with the long term planned urban form.

4.6.5.2 Permitted Uses

The uses permitted are those existing as of the date of adoption of this Plan, agriculture, passive recreation, and conservation uses which provide for the maintenance of the natural environment and do not preclude the future logical extension of the urban forms of land use.

4.6.5.3 Policies

- a) No urban development shall be permitted until Council has prepared a Secondary Plan in accordance with the provisions of Part 5 of this Plan and incorporated the Secondary Plan into this Plan by amendment.
- b) The Town's existing residential development is recognized. Infilling may be permitted provided that such development does not prejudice the efficient, cost effective future urban development of the lands or surrounding area. Infilling shall only be permitted where the lands are not required for future access to the rear of existing lands fronting on a public road.
- c) Should lands within the Fringe Area be required for development within the 20 years horizon of this Plan, prior to development in the Fringe Area, the Town will require a study which analyzes the items in Part 5 of this Plan. This will include:
 - i) the physical ability to service the area with municipal water, sanitary sewers, and other municipal services to meet growth needs for a period of up to twenty (20) years;
 - ii) the provision of land for industrial, commercial, residential, recreational, open space, and institutional uses;
 - iii) the provision of an appropriate range and mix of housing where appropriate;
 - iv) the relationship of the proposed development to the overall growth expectations and servicing strategy of the Town;
 - v) a phasing strategy;
 - vi) outline of any additional policies required to implement the proposed uses;
 - vii) available, uncommitted reserve capacities for water and sanitary sewer services.

4.6.5.4 Implementation

Fringe Areas shall be placed in an appropriate category in the Zoning By-law.

4.6.6 Urban Design

4.6.6.1 General Principles

It is the Town's intent to promote the development of an attractive, safe, accessible, and sustainable urban environment within the urban residential areas shown on Schedules 'C' of this Plan.

Council envisions the creation of diverse and interesting residential areas which exhibit a high standard of design.

4.6.6.2 Policies

- a) Encourage excellence in the design of the built environment and establish a system for Council's recognition of such excellence.
- b) Promote the evolution of safe, interesting, and attractive streetscapes through the coordinated application of appropriate design elements such as:
 - tree planting to create uniformed and coordinated street edges with the preferred location being within the road right-of-way;
 - street lighting, such as low level heritage lighting;
 - signage;
 - house design;
 - parking area location and entrances;
 - landscaping; and
 - preservation and enhancement of significant historic and natural features.
- c) Establish gateway features or entrance way features at appropriate locations so as to create visual focal points and promote a sense of arrival.
- d) Encourage the inclusion of innovative design features, such as traffic circles, which add to the aesthetic of a neighbourhood while also providing for traffic calming.
- e) Create and/or maintain vistas, focal points, and sites or features of interest at intersections, parks, open spaces, the waterfront, or prominent locations.
- f) Encourage the creation and continuation of pathways and open space connections for recreation and non motor vehicle means of transportation.
- g) Minimize the use of hard materials such as fencing where vegetative planting can achieve similar development intent. Where sound attenuation structures are required, encourage the use of vegetative planting and/or attractive building materials to soften the visual impact.

- h) Design dwellings to reduce the visual impact of garages on the streetscape. Garages should be set back from or be flush with the main facade of the dwelling unit.
- i) Use vegetative/treed areas to create buffers, where required, between land uses.
- j) Promote residential street patterns which:
 - promote a sense of neighbourhood; and
 - provides for pedestrian accessibility and ease of pedestrian travel within and beyond the neighbourhood.

These elements can be achieved by maximizing the use of a grid pattern with short blocks and discouraging street design forms which result in the creation of dead end streets such as cul-de-sacs.

- k) Permit varied setbacks from the road allowance so as to allow variations and diversity of streetscapes.
- l) Encourage the use of themes such as “heritage” in development of a new neighbourhood.
- m) Promote a barrier free (physically accessible) design of pedestrian ways such as sidewalks and walkways.
- n) Consider the use of alternative engineering and road design standards as may be deemed appropriate by Council without the need for amendment to this Plan.
- o) Protect environmental features within the urban areas while integrating them into the community landscape.
- p) Design public utilities, such as stormwater management ponds, so that they enhance the visual character of a neighbourhood.

4.6.6.3 Implementation

Urban design guidelines will be implemented by:

- a) the preparation and application of appropriate zoning standards;
- b) the consideration of development and redevelopment proposals and applications; and
- c) development of design and engineering standards.

4.7 RURAL DEVELOPMENT AREAS

The rural development area provides for an alternative lifestyle for people who prefer to live on larger land parcels in a non-urban environment or where the form of development is likely to require location outside a serviced area. Rural Development Areas include resort commercial, estate residential and shoreline residential uses. The Rural Development Area is intended to accommodate a limited amount of growth. The primary focus of growth in the rural area shall be directed to the Hamlet Areas, in accordance with Section 4.5 and 4.8 of this Plan.

(MMAH January 14, 2014)

4.7.1 Resort Commercial

4.7.1.1 General Principles

Because of the location of Greater Napanee, and because of the natural amenities such as shoreline, resort commercial development is likely. Such development is encouraged within the framework of accepted planning, resource management, and development practices.

4.7.1.2 Permitted Uses

Uses permitted may include tourist accommodation such as motels, lodges or cabins, tourist camps, tent and trailer parks, marinas, recreation facilities including golf courses, retail commercial establishments such as travel plazas catering to the day to day needs of the tourists, and accessory residential uses.

4.7.1.3 Policies

- a) Resort Commercial uses are encouraged to locate in groups and where adequate access to a public road is readily available.
- b) Resort Commercial uses within the urban area are to be serviced by municipal piped water supply and sanitary sewage collection system. Proposals outside the urban area are to consider servicing options as per the Provincial Policy Statement. Such study is to be prepared by a professional qualified in the field. The study shall assess the suitability of the site to provide adequate amounts of potable water and waste disposal, management of stormwater, and demonstrate the impact can be sustained on a long term basis.
- c) An agreement with the municipality will be required for such items as road maintenance, garbage collection, drainage and grading, or other appropriate matters of concern to the Town.
- d) Resort Commercial uses, apart from uses such as motels and travel plazas, should be

water oriented and in scenic areas.

- e) Council will give consideration to retaining or obtaining public access to the waterfront.
- f) The development should be sensitive to the preservation of trees, marshes, and other significant features of the site.
- g) Resort Commercial development should not be in areas where it will conflict with existing farming operations. New areas to be designated as Resort Commercial shall comply with the Minimum Distance Separation Formula.
- h) Minimum lot area outside the urban area as shown in Schedule 'A' is 0.8 hectares. The required lot area shall be outside hazardous areas (ie. lands subject to flooding, steep and/or unstable slopes, or any other physical hazard which renders the site unsuitable for development). Greater lot areas may be required where soil and groundwater conditions warrant.
- i) A site plan containing the road layout, lot sizes, recreational facilities, and any other information the Town deems necessary is to be included with an application for amendment to this Plan either to expand an existing or establish a new resort commercial designation.

4.7.1.4 Implementation

Resort Commercial uses shall be placed in appropriate zone categories in the implementing Zoning By-law.

4.7.2 Estate Residential

4.7.2.1 General Principles

Estate residential is a very low density form of development based on individual drilled wells and individual subsurface sewage disposal systems. Estate development has been significant in the nearby municipalities of Kingston and South Frontenac. It is expected that the Town will see more estate proposals as fewer areas close to the City of Kingston are available.

Estate development should be located in areas of natural physical attributes so as to result in an exclusive residential community and be removed from areas in the logical path of future urban forms of development whether residential, commercial, or industrial.

4.7.2.2 Permitted Uses

Uses permitted in areas designated Estate Residential are single detached dwellings, home

occupations, bed and breakfast establishments, and private and public recreation facilities.

4.7.2.3 Policies

- a) Estate development will be directed to sites where residential structures will blend with the landscape. Such development is encouraged to locate in areas possessing substantial physical attributes such as rolling topography tree cover or water. Site development is to ensure that tree cover and the unique qualities of the landscape are preserved.
- b) Estate development shall be limited in scale so as not to detract from the rural character of the landscape by becoming a visually dominant element in the rural landscape.
- c) Estate development shall not be located in the path of future urban and hamlet development. The minimum distance separation to the urban area designations as shown on Schedule A, is two (2) kilometres.
- d) Estate development shall only be permitted by registered plan of subdivision.
- e) Access to all lots shall be through public roads maintained year round by the Town, County or Province, unless the roads are part of a plan of condominium.
(MMAH January 14, 2014)
- f) The minimum lot area shall be 0.8 hectares and the minimum lot frontage shall be 60 metres. The lot area of 0.8 hectares of land shall be located outside hazardous areas (ie. lands subject to flooding, steep and/or unstable slopes or other physical hazard which renders the site unsuitable for development). Greater lot areas may be required where soil and ground water conditions warrant.
- g) The site should be served by existing school bus routes.
- h) Estate residential uses shall comply with the Minimum Distance Separation Formulae.
- i) Estate development will require a servicing options study to allow Council to consider all servicing options available. Where it has been determined that private or communal services are appropriate, estate proposals shall be accompanied by a hydrogeological assessment and terrain analysis report indicating the suitability of the site for development based on the ability of the land to provide onsite quantity and quality of potable water and sewage disposal facilities acceptable to the appropriate authority. Such report shall be prepared by a professional qualified in the field of expertise and shall comply with applicable legislation, regulations, policies, and guidelines.
(MMAH February 19, 2002)
- j) In keeping with the character of an approved estate residential development, further subdivision of the property into smaller parcels shall not be permitted.

- k) Estate residential development shall address the management of stormwater runoff as outlined in Part 7 of this Plan.

4.7.2.4 Implementation

Estate residential development will be placed in a separate category in the implementing Zoning By-law.

4.7.3 Shoreline Residential

4.7.3.1 General Principles

Greater Napanee has an extensive shoreline of high visual quality that adds much to the quality of life. Shoreline residential development is intended as a low density residential form on lands adjacent to the shoreline. There has been considerable seasonal and year round residential development along the shoreline.

All new lots in the Shoreline Residential designation shall be evaluated as year round residential. In addition, there are a number of multi parcel plans created by checkerboarding where development pressures and conversion requests exist.

4.7.3.2 Permitted Uses

The use of land shall be for single unit detached dwellings. Uses considered complementary to and serving the residential use of the area are also permitted. Complementary uses may include a public park, a private park, home occupation, bed and breakfast, common open space areas, and boating and docking facilities.

4.7.3.3 Policies

- a) Development is encouraged to take place by registered plan of subdivision.
- b) Access to all lots shall be to roads maintained year round by the Town, County, or Province unless the roads are part of a plan of condominium.
- c) Shoreline residential development, where a plan of subdivision is warranted, will require a servicing options study to allow Council to consider all servicing options available. Where it has been demonstrated that private or communal services are appropriate, development shall be accompanied by a hydrogeological assessment and terrain analysis report. The report shall indicate the suitability for development based on the ability to provide onsite quantity and quality of potable water and sewage disposal facilities acceptable to the appropriate authorities. Such reports shall be prepared by a qualified professional and shall comply with applicable legislation, regulations, Groundwater Protection Policies of Part 5 of this Plan, and other applicable policies and guidelines.

- d) Where a plan of subdivision is not warranted, or where the servicing options study recommends development based on individual services, the density of development will be based on soil and groundwater capability. New lots will comply with the Groundwater Protection Policies of Part 5 of this Plan. Such lot area shall be located outside hazardous areas (i.e. Lands subject to flooding, steep and/or unstable slopes or other physical hazards which render the site unsuitable for development).
- e) Wherever possible, provisions will be made for public waterfront access.
- f) New buildings or structures are to be setback from the high water mark. Only those buildings, structures, and uses requiring proximity to water, such as docks, boat houses, or similar accessory uses are to be located within 30 metres of the high water mark unless otherwise determined on a site specific basis by the Conservation Authority. A work permit under the Public Lands Act may be required from the Ministry of Natural Resources for these activities as well as any type of filling or dredging within a shoreland area.
- g) Access to existing roads shall comply with the standards of the appropriate road authority.
- h) Pressures for conversion of seasonal uses to year round residential uses are likely to continue. Conversion from seasonal to year round residential will be guided by the following criteria:
 - i) the lot's size and frontage are suitable for a Class 4 sewage disposal system as defined by the Ontario Building Code;
 - ii) there is suitable development area outside areas designated in an environmental category;
 - iii) an adequate source of potable water is available;
 - iv) the converted dwelling unit conforms with local by-laws and the Ontario Building Code;
 - v) the conversion will not result, singly or in conjunction with other uses, in demands for services which are not economic or feasible to provide, improve, or maintain;
 - vi) the properties being converted are rezoned from a seasonal category to another appropriate category;
 - vii) conversion should be permitted only along public roads maintained year round by the Town, or alternatively;
 - viii) steps to be taken on the method for bringing roads up to Town standards are approved by Council; and
- i) Multi-parcel reference plans, created by checkerboarding, in which the parts were held in distinct and separate ownership February 19, 2002 may be permitted to develop. The general principles to be considered in the development and control of the use of

such lands are as follows:

- i) Parts may be permitted to develop if they are serviced by a public road maintained year round or by internal roads constructed to municipal standards and assumed and maintained by the municipality.
- ii) Development of a checkerboard plan will require the dedication of land for park purposes in accordance with Section 51(1) of the Planning Act.
- iii) Development of a checkerboard plan will be subject to such development charges or lot levies as are appropriate.
- iv) In reviewing applications for development of checkerboard plans, Council shall consult with such government agencies as deemed necessary.
- v) The municipality will require a report, acceptable to the appropriate authority, verifying the area is suitable for conventional subsurface sewage disposal systems and that there is an adequate supply of potable water.
- vi) Development will necessitate an agreement with the municipality concerning the construction, maintenance, and assumption of roads; a drainage plan to deal with surface runoff; and other matters, financial, or otherwise deemed appropriate by the municipality.
- vii) The development should not, singly, or in conjunction with other uses, result in demands for services which are not economic or feasible to provide, improve, or maintain.
- viii) Development of checkerboard plans will not be permitted where land is not environmentally suitable for development.

(OPA No. 27 and MMAH January 14, 2014)

4.7.3.4 Implementation

The uses permitted in Shoreline Residential areas shall be placed in appropriate zone classification or classifications in the implementing Zoning By-law.

4.7.4 Rural Development Areas and Secondary Units

Within the Rural, Agricultural, Rural Development, and Hamlet Area designations as per Sections 4.4, 4.3.2, 4.7, and 4.8 of this Plan, a secondary unit may be permitted provided:

- a) The unit is part of a single detached dwelling house;
- b) The proponent demonstrates to the satisfaction of the Town and other approval agency that:
 - i) There is an adequate supply of potable water,
 - ii) There is adequate capacity for the disposal of waste within the subsurface sewage disposal system (septic),
 - iii) The secondary unit complies with the Ontario Building Code Act and the Fire Code.

(MMAH January 14, 2014)

4.8 HAMLET AREAS

4.8.1 General Principles

Hamlets represent the historical non-farm residential settlement pattern and serve as rural service centres. Hamlets represent an alternative to an urban lifestyle. Hamlets on Schedule 'A' are Adolphustown, Conway, Forest Mills, Roblin, Sandhurst, Selby, and Westplain. The hamlet designation maintains the rural service centres settlement form and is intended to strengthen these communities by enabling additional limited growth of residential, commercial, and industrial uses. As Hamlet Areas represent the rural settlement area, development shall be directed to these areas as the focus of growth in the rural area. Hamlets are intended primarily for residential use whereas commercial and industrial uses are to be limited in number and scale.

There are limitations to development occurring in hamlets because of constraints to development on individual wells and subsurface sewage disposal systems. Development which would require municipally owned communal water and/or sewage systems is discouraged. Development in the hamlets will be subject to the servicing requirements of the Town and appropriate approval agency.

(MMAH January 14, 2014)

4.8.1.1 Permitted Uses

Low density residential uses, apartments above the first floor of a retail commercial use, day nurseries, commercial and industrial uses which serve the residents of the hamlet and the surrounding rural area, home occupations, bed and breakfast establishments, public and private parks, institutional facilities such as schools and churches, assembly halls, municipal offices, and public works garage are permitted.

4.8.1.2 General Development Policies

- a) Hamlet growth where a plan of subdivision is warranted, will require a servicing options study. Where it has been determined that private or communal services are appropriate, Development proposals shall be accompanied by a hydrogeological assessment and terrain analysis report. That report shall indicate the suitability for development based on the ability to provide onsite quantity and quality of potable water and sewage disposal facilities acceptable to the appropriate authorities and in accordance with the Groundwater Protection Policies of Part 5 of this Plan. Such reports shall be prepared by a qualified professional and shall comply with applicable legislation, regulations, Groundwater Protection Policies of Part 5 of this Plan, and other applicable policies and guidelines.
- b) Where a plan of subdivision is not warranted, or where the servicing options study recommends development based on individual services, the density of development

will be based on soil and groundwater capability and compatibility of the proposed development with the existing character of the community. New lots will comply with the lot area in the Groundwater Protection Policies of Part 5 of this Plan. The minimum lot area shall be outside hazardous areas (i.e. Lands subject to flooding, steep and/or unstable slopes or other physical hazard which renders the site unsuitable for development). Larger lots may be required where studies submitted in support of an application indicate the need for such larger lot sizes.

- c) All proposed water supply and waste disposal systems must conform to the standard and regulations of the appropriate approval authority.

(MMAH February 19, 2002)

- d) Commercial and industrial uses permitted in Hamlets are those considered compatible with the existing and planned residential function and do not require large amounts of water. For purposes of this Plan, it is intended such commercial or industrial uses be restricted to uses where the water required is only that for domestic purposes. The separation of commercial and residential uses and buffering required will depend on the uses involved.
- e) Prior to any in-depth development of a significant scale relative to the nature, size, and extent of the existing community taking place within the hamlet of Sandhurst, or the expansion of existing development based on the extension of the municipal water supply, a Secondary Plan shall be required to indicate future land use patterns, the density of development, the road pattern, and the extent, method, and staging of services including stormwater management, as may be required. Such a Secondary Plan will be adopted as an amendment to this Plan.
- f) For all hamlets other than Sandhurst, new development based on partial services (a single service such as piped water or sanitary sewer collection system) will not be permitted. Should such systems be required, prior to development occurring on such systems, a secondary plan in accordance with the policies of this Plan will be required and is to be incorporated into this Plan by way of amendment.

4.8.1.3 Policies for Residential Uses

- a) Residential activity is encouraged in depth rather than in strips along existing roads. Provision shall be made for access roads from existing roads to allow future development to take place beyond existing built-up areas.
- b) Severances in hamlets shall comply with the Consent Policies contained in Part 5 of this Plan.
- c) Residential development should occur primarily by plan of subdivision.
- d) Development of senior citizen's housing is encouraged provided:

- an amendment to the Zoning By-law to establish appropriate standards and density is approved;
- the Hamlet under consideration for such a development has sufficient amenities and services, such as parks, churches, and commercial facilities, to meet the basic needs of the residents of the proposed development;
- the development is to consist of low profile building(s), of a reasonably low density, so as to maintain the existing character, amenities, and values of the area; and
- adequate buffering is provided between existing residential areas and any such multiple unit forms of housing.

4.8.1.4 Commercial and Industrial Uses in Hamlets

- a) Commercial uses permitted are those which provide for the sale of goods and personal services which serve the residents of the Hamlet, the surrounding rural area, and the traveling public. These uses may include retail shops, automobile service stations, places of entertainment, hotels/motels, eating establishments, offices, studios, and accessory residential uses.
- b) Service industrial uses which are not obnoxious or detrimental to the residential environment of the hamlets and which are considered dry industries will be permitted.
- c) Commercial and industrial uses are encouraged to locate in areas which are not predominantly residential or in the logical path of future residential development. Such uses will be encouraged to locate adjacent to existing commercial and industrial uses or where their adverse effects on surrounding uses will be minimized.
- d) One residential unit may be permitted as an accessory use in connection with a commercial or industrial use.
- e) New buildings are encouraged to locate at a setback compatible with surrounding development to ensure that buildings are located in a visually close, traditional relationship with the roadway.
- f) Parking is encouraged behind or beside buildings to screen the parking lot from the roadway.
- g) Appropriate lighting and signing shall be used.
- h) Buffering shall be provided where a commercial or industrial use abuts a sensitive use.

4.8.1.5 Implementation

Permitted uses in hamlets may be placed in a separate zone classification or classifications in the implementing Zoning By-law.

4.9 OPEN SPACE

4.9.1 General Principles

The Open Space areas on Schedules A to C constitute a composite and functionally interrelated land use system which includes public parks, private open space, landscaped or natural reserves, trail systems, and lands which are a logical extension to environmental protection areas.

The Town's Open Space areas are intended for the benefit and enjoyment of the community, for their significant contribution to the "quality of life" of the urban place, and to the availability of and potential for recreational activities. The Open Space system complements residential development.

4.9.2 Permitted Uses

Permitted uses are limited to public parks, private parks, cultural facilities, recreational facilities, golf courses, playgrounds, conservation areas, natural areas, recreational trails, and access areas for picnicking, boating and other similar outdoor recreational activities, together with accessory uses.

4.9.3 Policies

- a) In the long term, it is intended that open space areas will form an interconnected system of green space, wherever possible. Consequently, this Plan seeks to:
 - i) promote the establishment of an integrated system of areas and corridors across the Town for recreational and open space functions;
 - ii) promote the establishment and development of the waterfront trail;
 - iii) protect and, where feasible, improve areas within, along, and adjacent to significant waterbodies and watercourses; and
 - iv) improve accessibility to publicly owned waterfront lands and to those other lands where public access is permitted.
- b) Only those buildings and structures incidental to the principal permitted recreational uses shall be allowed in Open Space areas.
- c) Recreational projects whether designed for public or private use, shall provide adequate vehicle parking areas and access points and be designed in such a manner as to provide for safe movement of vehicular and pedestrian traffic.
- d) When reviewing proposals for recreational uses, regard shall be had for the compatibility of recreational uses with adjacent land uses. Where necessary, such facilities shall be designed in such a manner so as to provide an adequate buffer to

ensure that any adverse effects associated with such uses are minimized.

- e) Where lands designated as Open Space are held under private ownership, it is not intended that such lands are necessarily free and open to the public nor that there is unrestricted public access to the area. Control of access is at the discretion of the owners. Only where the land is acquired by a public authority will general access be permitted, and only then, in accordance with the policies of the respective authority.
- f) Lands designated as Open Space that are held under private ownership will not necessarily be acquired by the Municipality or other public authority. Where a proposal is made to develop lands held under private ownership for an alternative use not permitted under this designation and the Municipality or other public agency do not wish to purchase such lands to retain the area for open space purposes, an application for the redesignation of the lands will be given due consideration by the Town after taking into consideration the intent and policies of this Plan.
- g) The Town will provide for parks in accordance with standards recommended in the Recreation Master Plan. Council recognizes that within built-up areas it may not be possible to attain the standards in the Recreation Master Plan. The standards are intended as a guide.
- h) Where possible, parkland for active recreational use should be located adjacent to elementary schools.
- i) Council, in cooperation with the Conservation Authority or other public authorities, will examine future locations for the development of conservation areas, trails, recreational areas, and may establish a land acquisition program.

4.9.4 Shoreline Areas

In the review of development applications, the Town will consider the acquisition of shoreline areas for active or passive recreational purposes. Whenever possible, the Town will seek the cooperation of other public and private bodies in such matters.

Council will consider the feasibility of establishing a waterfront acquisition program in cooperation with other public agencies. Such program may consider alternative ways to protect open space, such as, entering into easement agreements with consenting landowners or by encouraging land purchases by non-profit organizations.

4.9.5 Trail Systems

The Waterfront Trail and Cataraqui Trail are significant trail systems. The trails cross both private and public lands and allow the public to enjoy the scenic beauty of various parts of the Town.

The trails are shown conceptually on Schedules 'A', 'D' and 'E'. No change to this Plan is required for any deviation in the trail locations shown on Schedules 'A', 'D' and 'E'.

When considering applications or development adjacent to or encompassing lands shown as a Trail, the Town will encourage arrangements to have the route maintained and available for public use, where feasible, with the landowner's consent.

Where a trail is shown on privately owned lands, it is not intended that such lands are necessarily free and open to the public. Only where the land is acquired by a public authority or where an easement has been secured, will general access be permitted and only then, in accordance with the policies of the respective authority having jurisdiction.

4.9.6 Division of Land and Open Space Acquisition

- a) Whenever the development or redevelopment of land for residential purposes occurs, the Town shall require the dedication of up to five percent (5%) of such lands to the Town for open space purposes. Alternatively, where a proposal exceeds 15 units per residential hectare of land, exclusive of Environmental Protection areas, the Town shall require the dedication of lands for recreational purposes at a rate of one hectare (2.5 acres) for each 300 dwelling units in accordance with the provisions of the Planning Act.
- b) For industrial or commercial developments, the parkland dedication shall be up to two percent (2%) of the land proposed for development.
- c) All lands dedicated to the Town for recreational purposes shall be located to the satisfaction of, and conveyed in a physical condition acceptable to the Town. In the approval of a plan of subdivision or condominium, the proponent will be required to prepare a plan of the parkland area showing the nature, size and location of facilities, landscape amenities, proposed grading and site drainage, and a cost estimate of the works. Upon approval of the above plan by the Town, the proponent shall prepare the necessary construction drawings for incorporation into the subdivision or site plan agreement. The development proponent is responsible for the cost of constructing such works.
- d) Instead of accepting a land dedication, the Town may request cash-in-lieu of such lands. The valuation of land and the use of such monies shall be in accordance with the applicable provisions of the Planning Act.
- e) In considering land severance applications, the Town will require the conveyance of lands for open space or recreational purposes or accept cash-in-lieu of land dedication.

4.9.7 Implementation

Areas designated as Open Space shall be placed in a separate category in the implementing Zoning By-law.

4.10 WASTE MANAGEMENT

4.10.1 General Principles

Within the Town of Greater Napanee there are a number of waste management related sites. These include landfills, sewage treatment works, and sewage sludge disposal facilities. The facilities are operated by both private and public sectors. Given the potential impacts associated with waste management facilities, Council encourages the development and operation of waste management sites based on a sound planning and environmental context. Applications for the development of new sites or expansion of existing sites will be considered based on compatibility with adjacent land uses consistent with generally accepted land use and environmental planning principles.

Given the broad range of planning, environmental, engineering, and socio-economic issues associated with the development of a waste management site, no attempt has been made to identify lands suited for future waste management activities. Rather, this Plan recognizes only those waste management sites which presently exist and operate in accordance with certificate of approval issued pursuant to the Environmental Protection Act. Development of a new facility or expansion of an existing facility will be considered pursuant to applicable legislation such as the Environmental Assessment Act, the Environmental Protection Act, and the Planning Act.

Known operating sites and closed sites are shown on Schedules 'B' and 'C' to this plan.

4.10.2 Uses Permitted

The uses permitted shall be limited to municipal or privately owned and operated waste management sites and may include transfer stations, waste processing facilities inclusive of facilities encompassing new proven waste technologies, landfill sites, salvage yards, sewage treatment plant, sewage disposal sites inclusive of sewage and sludge lagoons. Wastes permitted shall be limited to controlled non-hazardous wastes. Waste management sites shall not be used for the storage or disposal of nuclear or toxic waste.

Uses permitted include ancillary uses required for the operation of a site for waste management.

4.10.3 Waste Management Sites

- a) Council, in consultation with the community and the industry, promotes an integrated waste management strategy based on the following:
 - considering those waste management systems that are appropriate in size and type to accommodate present and future requirements;
 - the reduction, re-use and recycling of materials;
 - the development of waste management sites based on sound planning, environmental, resource management and engineering practices; and
 - participation, as deemed appropriate by Council, in the environmental approval process.
- b) Uses permitted within a waste management site are limited to those uses licensed under a certificate of approval under the Environmental Protection Act. Other uses permitted include agriculture, conservation, private open space, recreational activities, and reforestation either as an interim land use during site development or as a sequential land use following decommissioning and/or closure and post closure of a waste management site, subject to the approval of the Town and the Ministry of the Environment.
- c) Waste management sites which presently operate in accordance with a certificate of approval are designated on the Land Use Schedules. Expansion of an existing waste management site beyond the area designated for waste management purposes on Schedule 'A' or the development of a new waste management site, shall require an amendment to this Plan.
- d) Council will ensure that reasonable options are available to provide for the waste management needs of the Town.
- e) Sensitive land uses and/or receptors are discouraged on lands adjacent a waste management site so as to minimize the potential for land use conflicts. Where a sensitive land use and/or receptor is proposed on lands adjacent to a waste management site, Council may, as a condition of development, require that a notice be placed on the title of the lands to ensure that future tenants and purchasers are notified of the presence of the waste management site. Adjacent, for purposes of this Section, refers to the influence area applicable to waste management sites.
- f) In evaluating an application for an amendment to this Plan for expansion of a waste management site beyond the area designated for such purposes on Schedule 'A', Council will consider the effects of the proposal in accordance with the provisions of the Environmental Assessment Act, the Environmental Protection Act, the Planning Act, and other applicable legislation and regulations. Regard will be had for, but not limited to, the following:

- i) the potential impact upon the natural and manmade environment and the measures proposed to mitigate any potential effects;
 - ii) the compatibility of proposed waste management operations with adjacent and surrounding land uses;
 - iii) haulage routes, inclusive of ingress and egress driveways, the volume of traffic to be generated by waste management activities, the ability of the road to accommodate the additional traffic, and the nature and scope of any improvements which may be required;
 - iv) the need for and provision of services and related infrastructure and the potential financial impacts associated with the provision of such services and infrastructure;
 - v) plans for the development and operation, inclusive of progressive rehabilitation of the site; and
 - vi) the proposed decommissioning and/or closure and post closure plans for the site and sequential land uses.
- g) An application to amend this Official Plan shall be accompanied by studies, prepared by a professional qualified in the appropriate discipline, which address those matters set forth under paragraph (f) hereof and which demonstrate that:
- i) the site is capable of sustaining the proposed facility,
 - ii) the proposed operations are compatible with adjacent land uses both existing and proposed, or
 - iii) appropriate measures can and will be implemented to mitigate impacts to an acceptable level.
- h) Council will consult with the Ministry of the Environment in the identification of former waste management sites. Council will amend this Plan to reflect updated information with respect to the location of closed waste management sites.
- i) In the review of proposals for the development of lands previously used for waste management purposes or lands within the influence area of an active or closed waste management site, Council will consult with the Ministry of the Environment to determine the compatibility of the proposed use with existing uses. Council will have regard for such matters as soil and ground water conditions, air and ground water contaminants, and the migration of combustible gas.
- j) No use shall be made of land formerly used for waste management purposes, whether or not a period of twenty-five years or longer has transpired, without the approval of the Ministry of the Environment and the Municipality.

4.10.4 Sewage Treatment Facilities

- a) The sewage treatment facility located in part of Lot 19 of Concession 1 of the

geographic Township of Richmond is a municipal sewage treatment facility operated by the Greater Napanee Water Supply and Pollution Control Board. Development setback and the division of land adjacent this site shall have regard to the Ministry of Environment Guidelines on compatibility between sewage treatment facilities and sensitive land uses. The resulting separation distances will be reflected through the Zoning By-law.

- b) In the case of lagoons, the actual separation distance will be established in accordance with the Ministry of the Environment guidelines specifying separation distances between such facilities and sensitive land uses.

4.10.5 Waste Management Influence Area

- a) Waste Management Influence Areas shall include lands that may be influenced by an existing, proposed, or expanding waste management site. The area of influence is defined as 500 metres from the boundaries of the lands subject to the certificate of approval and as conceptually delineated on Schedules 'B' and 'C' to this Plan. This Plan also recognizes that potential impacts, and therefore the influence area, may exceed 500 metres. Consideration shall be given as part of the approval process to impacts which exceed 500 metres.
- b) The creation of new lots for sensitive land uses is discouraged on lands within the waste management influence area. A development application for lands within a waste management influence area shall not be approved unless it is demonstrated that measures may be implemented to mitigate potential environmental and nuisance effects associated with the use of adjacent lands for waste management purposes. Matters to be addressed include such items as:
 - i) potential environmental hazards and health and safety risks resulting from landfill generated gases, inclusive of the production and migration of methane gas;
 - ii) ground and surface water contamination; and
 - iii) odours and other nuisance effects.

The Town will notify the Ministry of the Environment and the owner and operator of the waste management facility prior to approving a development application within a Waste Management Influence Area.

- c) No building permit will be issued for a sensitive land use upon a vacant lot of record situated within a waste management influence area unless it is demonstrated that the potential environmental hazards and health and safety risks associated with the use of adjacent lands for waste management purposes can be mitigated to the satisfaction of the Town and the Ministry of the Environment. As a condition of the issuance of a building permit, the Town may require the owner to enter into an agreement with respect to the implementation of mitigative measures and further, a notice may be

placed on the title to ensure that future tenants and/or purchasers are notified of the presence of a waste management site on adjacent lands and the potential for adverse environmental and nuisance effects.

4.10.6 Salvage (Wrecking) Yards

4.10.6.1 Existing Salvage Yards

Existing salvage yards shall:

- be operated in and comply with the guidelines of the Ministry of Labour regarding buffering, disposal of fluids, etc.; and
- be adequately screened on all sides either naturally or by artificial means in order that no portion of the operation, including the storage area, may be seen from a public road.

4.10.6.2 New Salvage Yards

- a) Where a proposal is received to create a new salvage yard, Council will ensure that as part of the evaluation of the request, the following minimum requirements are met:
 - an amendment to the Official Plan is processed if the site is outside a designation permitting the use;
 - be located not less than 70 metres and preferably more than 300 metres of a sensitive receptor;
 - be located a sufficient distance from a waterbody so as not to cause or contribute to the pollution of the waterbody;
 - be located a sufficient distance from an aquifer discharge or recharge area so that pollution to the groundwater does not occur;
 - be adequately buffered on all sides either naturally or by artificial means in order that no portion of the operation including the storage area, may be seen from a public road; and
 - carry on all operations within the salvage yard in compliance with requirements of provincial legislation and regulations.
- b) The operations of salvage yards should be regulated through a comprehensive Municipal salvage yard by-law.

4.10.7 Implementation

Waste management uses shall be zoned in an appropriate category or categories in the implementing Zoning By-law.

PART 5

GENERAL DEVELOPMENT POLICIES

5.1 INTRODUCTION

There are a number of policy areas which have an impact on the use of land but which are not represented by a specific land use designation. These include watershed planning, stormwater management, preparation of secondary plans, provision of affordable housing, division of land by consents (severances), conflicting uses, and so on. These support and provide assistance in ensuring the evolving land use fabric is consistent with good planning practice.

Development or redevelopment is to comply with the following policies, where applicable.

5.2 ADVERSE IMPACTS

5.2.1 Buffering and Conflicting Uses

- a) Where conflicting land uses abut, the development proponent will be required to minimize conflicts between such uses. Buffering will be required for the purpose of reducing or eliminating the adverse effects of one land use upon another. A buffer shall be sufficient to accomplish the intended purpose. A “buffer” is defined in Part 8 of this Plan.
- b) Sensitive receptors shall be sufficiently buffered from an incompatible land use, whether existing or proposed.
- c) The Ministry of Environment guidelines and procedures respecting land use compatibility and separation distances will be used as a guide in the evaluation and approval of development proposals.
- d) Open storage areas and loading areas will be subject to appropriate landscaping and screening to ensure they do not detract from the visual amenity along provincial highways, visual amenity of sensitive land uses such as residential areas or areas of visual attraction such as the Loyalist Parkway.

5.2.2 Decommissioning of Sites

Potentially Contaminated Sites may include buildings, lands or structure which, for reasons of public health and safety or environmental quality, may have the potential for adverse effects to human health or the natural environment. Their rehabilitation is encouraged as

part of this Plan.

5.2.2.1 Re-Use of Potentially Contaminated Sites

- a) Potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, utility, or similar uses. Sources of site contamination can include 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.
- b) Mapping showing contaminated sites was not available at the time of drafting of this Plan. Where there is evidence that development is being proposed on lands that may be contaminated, Council shall require that an appropriate study be prepared in accordance with Provincial guidelines for the decommissioning and clean-up of the contaminated site, and submitted along with the development application.
- c) The separation distances specified for specific land uses are as follows:
 - i) 70 metres to 300 metres from a wrecking yard; and
 - ii) 500 metres from an existing or proposed waste disposal site.

Until site specific studies are carried out by a qualified professional, separation distances outlined in this Plan are held to be the minimum requirement. Council may vary these distances in accordance with recommendations of appropriate studies where approved by the Ministry of Environment and other agencies having jurisdiction. Development of the area so affected may then proceed in accordance with the policies of the underlying land use designation without an amendment to the Official Plan.

(OPA No. 27)

- d) Where the study produces reasonable evidence to suggest the presence of site contamination, the proponent may be required to undertake further appropriate technical studies as part of the development review process in order to:
 - identify the nature and extent of contamination,
 - determine potential human health and safety concerns as well as effects on ecological health and the natural environment,
 - demonstrate that the site can be rehabilitated to meet provincial standards, and
 - Establish procedures for site rehabilitation and mitigation of the contamination in accordance with the Ministry of Environment Guideline and provincial regulation.
- e) Upon completion of the study identified above, the proponent will be required to restore the site and to make it suitable for the use proposed prior to development.
- f) Mandatory filing of a Record of Site Condition in the Registry, by a qualified person, as defined in O.Reg.153/04, is required for a change in use of a property from

industrial or commercial to residential or parkland, as defined in the regulation, and will be acknowledged by the Ministry of the Environment (MOE). A site clean-up plan may be required and the site may need to be cleaned-up in accordance with O.Reg. 153/04 and with MOE guideline “Records of Site Condition – A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition” dated October 2000 or associated guidelines.

(OPA No. 27)

- g) There is the potential for existence of abandoned wells and other human made hazards. At the time of applications for development, the Town and/or applicant will consult the Oil, Gas and Salt Resources (OGSR) Library to obtain the best information available regarding the presence of human made hazards.

(OPA No. 27)

- h) The site is to be decommissioned or cleaned up to the satisfaction of the municipality and in accordance with Ministry of the Environment guidelines, and subject to the submission to the municipality of a Ministry of the Environment acknowledged “Record of Site Condition”.

5.2.3 Noise and Vibration

Major transportation corridors and some industrial and commercial enterprises, because of their nature, create unacceptable noise and/or vibration levels. Where it is anticipated that a development may be subjected to unacceptable noise and/or vibration, the potential impact shall be assessed and, appropriate mitigation to acceptable levels implemented.

- a) Council shall have regard for the development requirement of the Railway concerning buffering, safety, and setbacks. Council will ensure that development proposals are circulated to the appropriate Railway company for review and comment.
- b) Council will require, other than for development by consent or infilling on vacant lots of record, that:
- Appropriate noise and vibration controls to safeguard future residential development adjacent to railway lines, and
 - noise studies, where appropriate, for sensitive land uses adjacent major roads such as arterials and collectors;

be prepared and approved prior to development approval.

- c) Sensitive areas, generally include lands lying within:

- i) Railway
- 500 metres of a principal railway line,
 - 250 metres of a secondary mainline, and

- 100 metres from all other railway lines.
- ii) Other
- 250 metres of Highway 401, and any other provincial highway.
 - 100 metres from the right-of-ways of other roads,
 - 150 metres of a pit, and
 - 500 metres of a quarry.
- d) Noise and vibration studies, where required, shall be prepared in accordance with Provincial guidelines and to the satisfaction of Council.

5.3 CROWN LAND

5.3.1 General Principles

Crown Land includes lands owned and/or managed by the Federal Government, Province of Ontario, Quinte Conservation, and/or the County of Lennox and Addington.

5.3.2 Crown Land Policies

5.3.1.1 Permitted Uses

Uses permitted are those which contribute to the local economy and which will protect and preserve the area for the production of wood and wood products, provide for the proper environmental conditions for wildlife, recreation, erosion control, and the protection of water supplies.

5.3.1.2 Compatibility

This Plan recognizes that lands owned by the Crown are exempt from policies of the Plan and that such lands can be developed in accordance with the provisions of other Acts. However, it is the intent of this Plan that the fullest consultation possible with the Town will be undertaken to ensure that the development of Crown Lands is compatible with the objectives of this Plan.

5.3.1.3 Adjacent Land

Applications for developments, or changes in land use, adjacent to public land will be considered by Council, in consultation with the Ministry of Natural Resources or other appropriate public agencies to assess:

- i) concerns respecting the effect of the proposed development on public lands; and
- ii) mitigative measures required to resolve adverse effects on public land.

5.3.1.4 Occupation of Crown Land

Appropriate authorization for occupation or use of public land may be required from the Ministry of Natural Resources or other public agencies.

5.3.1.5 Zoning

Crown Land areas will be placed in an appropriate category in the implementing Zoning By-law.

5.4 DIVISION OF LAND

The Town is the approval authority with respect to the division of land. The Planning Act provides for land division to take place by plan of subdivision, consent to land severance, or removal of part lot control on a registered plan of subdivision.

The Planning Act also permits the deeming of old registered plans of subdivision.

5.4.1 Plans of Subdivision

Plans of subdivision recommend for approval will be required to be in conformity with the general policies and land use designation in this Plan. In evaluating plans of subdivision:

- a) Council will consider the information as specified in Section 51(24) of the Planning Act. Where deemed appropriate, additional information may be required.
- b) Council will approve only those plans of subdivision which conform with this Plan.
- c) Council will hold a public meeting prior to conditional approval of a plan of subdivision.
- d) As a general rule, plans of subdivision developed on private services, that is, wells and subsurface sewage disposal systems, will be limited to approximately 30 lots per plan of subdivision.

(OPA No. 27)
- e) Prior to final approval of a plan of subdivision, the Town will enter into a subdivision agreement with the developer whereby such internal and external services, as appropriate, will be provided by the developer in accordance with the specifications and financial securities contained in the agreement.
- f) As a general rule, a registered plan created for residential purposes will not be further subdivided so as to increase the number of lots unless further division is in keeping with the intent of this Plan, and is compatible with general development of the area.

g) Development which is not on full municipal services (piped water and sanitary sewers) will require a servicing options study to allow Council to consider all servicing options available. Where it has been determined that private services (wells and septic) or communal services are appropriate, development proposals shall be accompanied by a hydrogeological assessment and terrain analysis report. This report shall indicate the suitability of the site for development based on the ability of the land to provide on-site quantity and quality of potable water and sewage disposal facilities acceptable to the appropriate authorities. Such a report shall be prepared by a qualified consultant and shall comply with applicable legislation, regulations, policies and guidelines. The developer shall be responsible for the installation of services to the approval requirements of the municipality and other approval authorities. Communal systems are subject to the ownership and responsibility requirements of the Ministry of Environment.

(MMAH February 19, 2002)

h) When a plan of subdivision is proposed for property bordering a waterbody, the Town may require that the five percent (5%) parkland dedication permitted under the Planning Act be comprised of land abutting the waterbody.

5.4.1.1 Preliminary Engineering Studies

As a part of the review and conditional approval of a plan of subdivision, preliminary engineering information or studies may be required to ensure an orderly and logical sequence of development. Prior to conditional approvals and Zoning By-law amendments, Council may require the submission of engineering studies to address:

- a) the provision and distribution of piped municipal water, including any impacts and interrelationship to the overall water distribution supply for the Town;
- b) the provision and location of piped sanitary sewage collection, including any impacts and interrelationships to the existing piped system and sanitary treatment facilities;
- c) the proposed hydrology and stormwater management plan;
- d) the overall traffic impact and mitigation measures; and
- e) the relationship of proposals to existing built environment, and the identification of existing deficiencies and necessary improvements required to facilitate development.

Terms of reference for the preliminary engineering studies should involve a joint approach by the Town, developers, and by such other agencies who may have an interest.

5.4.2 Deeming of Plans of Subdivision

Where existing plans of subdivision have been registered for eight years or more, Council

may review the registered plan and, subject to the provisions of the Planning Act, may, by by-law, deem the plan of subdivision, whether in whole or in part, not to be a registered plan of subdivision.

5.4.3 Part Lot Control

Where a plan of subdivision has been registered and proposals are brought forth to further subdivide a block or lot into smaller land units, Council may approve such division provided:

- the proposal conforms to the Official Plan and Zoning By-law;
- an appropriate agreement is executed between the proponent and the Town;
- required securities are posted; and
- an appropriate by-law is passed under Section 50(7) of the Planning Act.

5.4.4 Condominiums

Development proposals submitted for approval under the Condominium Act, and which are in conformity with the policies and land use designations of this Plan, may be recommended for approval. Information required to evaluate a proposal must be supplied by the development proponent. The municipality may require the signing of a site plan and/or development agreement. New private roads or the extension of existing private condominium roads is only permitted where such roads are required as part of a condominium plan, which defines responsibility for the long term maintenance of the private road. New condominium roads must have access to publicly maintained roads.

(MMAH January 14, 2014)

5.4.5 Consents

Severances by consent will be considered only when Council is satisfied that a registered plan of subdivision is not necessary for the orderly development of the property. Those consent applications which conform to the requirements of Section 53 of the Planning Act, and the land use policies of this Plan will be considered for approval.

5.4.5.1 Applications

- a) A maximum of three (3) lots (inclusive of the retained parcel) may be created from a parcel of land as it existed on February 19, 2002. Development in excess of three lots will be required to proceed by way of a plan of subdivision in accordance with Section 5.4.2 of this Plan.

(MMAH January 14, 2014)

- b) The creation of not more than one new lot shall result from any one severance application.

- c) No limit to the number of consents applies in a Hamlet settlement area provided, in the Town's opinion, a plan of subdivision is not deemed to be required for the orderly development of the parcel, bearing in mind the potential for orderly development of adjacent lands.

(MMAH January 14, 2014)

5.4.5.2 Consent Policies

- a) Consents will be considered if required for technical or legal reasons such as easements, rights of way, corrections of deeds, quit claims, minor boundary adjustments, or other purposes that do not create a new lot.

(OPA No. 27)

- b) Consents should have the effect of "infilling" in existing developed areas, or result in the rounding out of developed areas, and not of unduly extending development areas.

- c) Consents shall not be granted where the effect is to create strip development or have the effect of extending strip development.

- d) Consents should not be considered on large multi parceled reference plans or on lands which are subject to a subdivision application.

- e) Consents should not be considered where the extension of a road or other public service or facility is required and considered uneconomic to provide.

- f) Minimum lot areas are subject to the appropriate land use policies in Part 4 of this Plan and the Groundwater Protection Policies of Part 5 of this Plan.

(OPA No. 27)

- g) Consents for development on private services will be considered only:

- where favourable comments have been received from the appropriate agency regarding the ability of the site to support adequate onsite sewage disposal facilities; and
- a well is established and pump tested to confirm there is a sufficient quantity of potable water available which meets health and aesthetic parameters of the Ministry of Environment's Drinking Water Objectives as a condition to approval.

- h) Consents shall comply with the Minimum Distance Separation Formulae.

- i) Consents shall not be considered in areas which are not suitable for the proposed use because of flooding (inclusive of wave uprush), erosion, steep slopes or other hazardous conditions, or in areas of significant environmental features or environmental sensitivity.

- j) Consents shall be considered only where the land fronts on an existing public road which is maintained year round.
- k) Consents will not be permitted where the entrances would create a drainage problem or traffic hazard due to limited sight lines, grades or proximity to intersections. A report from the governing road authority will be sought.
- l) Direct access from local, County, and Provincial roads shall be in accordance with the written recommendation and requirements of the appropriate road authority.
- m) Consents which would result in landlocking a parcel will not be considered.
- n) Consent situated within a waste management influence area, as delineated on Schedules 'B' or 'C' are subject to the policies of Section 4.9 of this Plan.
- o) Approval of a consent may be subject to such conditions as are appropriate and authorized under the Planning Act or other applicable statutes, including:
 - the provision for entering into an agreement with the municipality to address such matters as internal and external services;
 - financial matters;
 - dedication of land for park purposes and/or cash-in-lieu; and
 - requirement for rezoning or minor variance.

5.5 ENVIRONMENTAL MANAGEMENT

5.5.1 Subwatershed Planning

The Town will respect watershed systems to ensure that water resources are available in sufficient quantity and quality for environmental, social, and economic benefits. The Town also respects the integrity of aquatic, riparian and related terrestrial ecosystems and encourages that they be maintained or enhanced, and that human life and property are not threatened by water or water-related hazards. To this end:

- a) the need to prepare a subwatershed plan for any given area should be determined following consultation with the Conservation Authority, and provincial agencies;
- b) terms of reference for a subwatershed plan should be determined in consultation with the Conservation Authority, and Provincial agencies;
- c) a public consultation process will occur;
- d) subwatershed plans for undeveloped areas should have regard to the portion of the affected watershed that has already been developed or committed for development through this Plan;

- e) environmental designations will be updated as new information becomes available;
- f) the quality of stormwater runoff from development shall comply with the water quality standards of approval agencies having jurisdiction.

5.5.2 The Bay of Quinte Remedial Action Plan (QRAP)

The Bay of Quinte has been identified by the International Joint Commission as a Great Lake area of concern. The Bay of Quinte extends from the Murray Canal to the eastern limits of Adolphus and Long Reach. The Bay of Quinte water quality impairment is related to four (4) problems: eutrophication; bacteriological contamination; persistent toxic contaminants; and destruction of fish and wildlife habitats. The Napanee River, the Salmon River, Little Creek, and Wilton Creek are examples of systems which flow through Greater Napanee and eventually lead to the Bay of Quinte.

Greater Napanee supports the Remedial Action Plan to restore and enhance the ecosystem of the Bay of Quinte. In doing so, the Town will:

- a) protect all wetlands and update the designation of wetlands within the Town which ultimately impact on the Bay;
- b) encourage the retention of fish and wildlife habitat and riparian zones along the Town's shorelines in as natural a state as possible, utilizing management practices recommended by the Conservation Authority and the Ministry of Natural Resources;
- c) develop, in cooperation with the appropriate government agencies, strategies for achieving and maintaining nutrient loading limits to approved levels;
- d) ensure, in cooperation with the appropriate government agencies, that the quality of stormwater runoff from development does not further pollute water quality with respect to nutrient, bacterial, and toxic contaminants;
- e) support measures to reduce agricultural, industrial, and municipal phosphorus loadings, bacterial contamination, and toxic contaminant inputs to the Bay; and
- f) participate with senior levels of government and other agencies in implementing remedial action and abatement programs.

5.5.3 Stormwater Management

Stormwater management plans shall be consistent with the recommendations of a Subwatershed Plan, when one exists, the Bay of Quinte Remedial Action Plan for lands draining into the Napanee River, Salmon River, Wilton Creek, Little Creek, and other smaller streams and waterbodies draining into the Bay of Quinte, and be prepared prior to development occurring.

While all development proposals should consider stormwater management, the scope of the review will not vary with the size and complexity of the development proposal.

Developments such as plans of subdivision, condominium, and rural areas subject to site plan control with a land area greater than one (1) hectare, must provide for stormwater management. Consent applications may not require this condition if the municipality, in consultation with the Conservation Authority, determines that development can proceed without adversely affecting stormwater management in the area. In evaluating development proposals, Council will require that:

- a) developments incorporate methods of stormwater management in accordance with the standards of the municipality, local conservation authorities, and provincial agencies;
- b) developments minimize, as required by the approval agency:
 - nutrient enrichment,
 - bacteriological contamination,
 - toxic contamination,
 - sediment and phosphorous loading, and
 - changes in flood levels and base flows in waterbodies;
- c) stormwater management reports be prepared by a professional qualified in the field and be submitted with plans of subdivision prior to draft approval; and
- d) development proponents submit a drainage and grading plan where deemed appropriate by the municipality and/or Conservation Authority.

5.5.4 Flood Plain Mapping

Council, in consultation with the Conservation Authorities, will examine, from time to time, the need to upgrade and/or prepare hazards mapping.

(MMAH February 19, 2002)

5.5.5 Flood and Erosion Prone Lands - Additions or Reconstruction

Reconstruction due to damages caused by fire or natural causes, or additions will be located outside flood prone areas where practical. Where this is not practical, flood or erosion protection should be provided to minimize or eliminate the impacts of future damage due to flooding or erosion.

In flood or erosion prone areas:

- a) Development below the one hundred year flood level is strongly discouraged. Any

application for such development will require the approval of the Conservation Authority and other appropriate approval authorities, and will require appropriate flood mitigation measures such as floodproofing of buildings to a required minimum elevation opening and finished floor elevation.

(MMAH January 14, 2014)

- b) Minor additions to existing development or reconstruction in flood and erosion prone areas may be permitted where it has been demonstrated to the satisfaction of the Town and Conservation Authority, that:
 - i) the hazard can be safely addressed using accepted flood or erosion protection standards and procedures;
 - ii) new hazards are not created and existing hazards are not aggravated on-site or on upstream or downstream properties;
 - iii) minimal adverse environmental impacts will result on-site or on upstream or downstream properties; and
 - iv) safe access can be provided during times of flooding, erosion, and other emergencies as well as for normal maintenance and repair to any protection works.

5.5.6 Development Adjacent to Water Bodies

Development adjacent to waterbodies shall be guided by the following:

- a) Shoreline areas will be protected from insensitive development that may have the effect of removing natural vegetation, disturbing the existing soil mantle and impairing water quality in the adjacent waterbody.
- b) The Conservation Authority and appropriate public agencies are to be consulted on all development proposals affecting shoreline areas.
- c) Development should be creatively designed to enhance and protect the sensitive nature of shoreline resources, avoiding the crowding of buildings, the removal of vegetation and the pollution of ground and surface waters.
- d) Development and/or site alteration and redevelopment of existing lots should be set back a minimum of:
 - i) 30 metres from the high water mark to:
 - Provide a naturalized buffer of undisturbed soil and vegetation along the shoreline to help to filter overland runoff and near-surface groundwater flows,
 - Prevent soil erosion, and
 - Provide for and protect fish and wildlife habitat.

A 30 metre water setback is the accepted standard in the absence of floodplain mapping in order to direct development away from areas that may be subject to inundation. This setback is also the recommended minimum natural vegetated cover adjacent to fish habitat (Natural Heritage Reference Manual, 2010). In some circumstances, greater distances for natural cover may be needed (e.g. type of development, fish habitat sensitivity, presence of endangered/threatened species, associated wetlands, enhancing natural corridor and significant valleylands, etc.). An EIS, as per Section 4.3.2 (e) and outlined in Appendix 1, may be required to determine appropriate setback distances and to demonstrate no negative impacts on fish habitat and associated natural features or their ecological functions.

Where the floodplain has been defined, a minimum setback of 15 metres from the floodplain will generally be required, provided that the required setback is not less than 30 metres from the high water mark, in order to provide a factor of safety since:

- Engineering models used to define the floodplain may change;
- Variation along a watercourse or shoreline, or events such as the accumulation of ice in the spring, or beaver activity, may result in greater flooding than anticipated by the models; and/or
- The regulatory event (1:100) for this part of Ontario may change.

Within the Town of Greater Napanee there are a number of locations where a 30 metre setback from the highwater mark does not encompass the regulatory (1:100 year) floodplain. A greater setback is required for development in those locations where this is known to occur. The setback will be the greater of the 30 metre setback from the highwater mark or 15 metre setback from the floodplain. The distances herein may be altered in consultation with the Conservation Authority.

(MMAH January 14, 2014)

- e) The construction and components associated with subsurface disposal systems shall have the same setback requirements as new buildings and structures. Where a new septic system is required to replace a substandard or malfunctioning system, and where there is no other location on the property (as assessed by the appropriate approval authority), the replacement construction may be less than 30 metres, but should not be less than 15 metres from the high water mark and, wherever feasible, above the flood line elevation where one has been defined by the Conservation Authority.
- f) Subject to the approval of the appropriate agency, buildings, structures, and uses requiring proximity to water, such as docks, boat houses or similar accessory uses, may be located within the 30 metre setback from the high water mark of the waterbody and within the 15 metre floodline setback as defined by the Conservation Authority. The Ministry of Natural Resources should be contacted to determine if a work permit under the Public Lands Act is required for any of these structures.

(MMAH January 14, 2014)

- g) A natural vegetative buffer strip of 15 metres should be maintained adjacent to the water's edge to filter pollutants from runoff. Within this buffer area, clear cutting of trees is not permitted.
- h) Land covered by water and forming the bed of a waterbody should be left in an undisturbed condition. No dredging, filling or alteration of the shoreline of any waterbody shall be permitted without the approval of the appropriate federal or provincial ministry and/or the Conservation Authority.
- i) The Town will attempt to acquire and maintain public access to waterbodies.
- j) As areas adjacent to selected water bodies usually have the potential for identification of significant archeological resources, the need for an archeological assessment by a licenced archeologist will be considered as part of the development process.
- k) In cases where natural hazards that have not been previously mapped are identified through the review of a development application; an assessment of whether development will be permitted should occur. A study based on accepted geotechnical, engineering and scientific principles may be required.

(MMAH February 19, 2002)

5.5.7 Forestry

Although there is no forestry designation on Schedule "A", forestry is essential to land reclamation, erosion control, water retention, wildlife habitats, fibre production, fuel, furniture, recreation and aesthetic value of the Town. Hence it is the intention of this Plan to encourage forestry as a use of land.

5.5.7.1 Policies

- a) Due to the shallowness of soils many areas of the Town are unsuitable for agriculture. Because of the benefits identified above, owners are encouraged to reforest those lands that are determined to be suitable for tree planting based on past features and functions. Furthermore, owners are encouraged to enter into management agreements with the appropriate ministry and/or conservation authority to facilitate the reforestation of suitable idle lands.
- b) Council encourages the appropriate public agencies to develop and more widely promote reforestation programs to facilitate the achievement of environmental goals such as maintaining and enhancing natural heritage systems, restoring core forested areas, creating linkages and corridors, erosion control, land reclamation, and water recharge.

- c) Council encourages public and private landholders to maintain the forested appearance of the landscape and to manage wooded areas in accordance with proper forest management practices as defined under the Forestry Act.
- d) Council encourages forestry as an interim activity within areas suitable for Aggregate uses and as an end use when the resource extraction has been completed.
- e) Council endorses the protection and development of treed areas along waterbodies and lands designated in an Environmental category on the Land Use Schedules through the planting of trees native to the area and the provision of development setbacks from waterbodies and land designated in an Environmental category.
- f) Development should be carried out in a manner that encourages the protection and management of woodlands. Development applications affecting significant woodlands as identified by the Conservation Authority should:
 - i) be accompanied by a strategy maximizing the woodland areas to be protected;
 - ii) identify planning and economic construction measures which may be used in the retention of existing wooded areas;
 - iii) identify potential tree planting to mitigate losses; and
 - iv) identify, and wherever practical, protect hedgerows along lot lines.

Where significant woodlands are identified, they shall be incorporated into this Plan by amendment.

- g) In considering any development or site alteration within a significant woodland, Council, in consultation with the Conservation Authority, may require an EIS to assess the impact of the proposed development or site alteration on the significant woodland including proposed mitigation measures.
- h) Butternut is an endangered species and known to occur within the Town. Where there is potential for butternut to exist, a site assessment is to be completed at an appropriate time of the year to determine the presence/absence of butternut and whether or not a development will have an impact on this species at risk or its habitat and to provide recommendations for avoidance or mitigation.

Prior to the removal of a Butternut tree, a health assessment must be completed by a qualified person for all trees to be removed or impacted. Based on the health assessment, a determination will be made by MNR as to whether a permit or exemption will be required under the Endangered Species Act.

For Butternut trees not to be impacted by on site activities, a suitable protective buffer,

as determined by the site and health assessment and in consultation with the Ministry of Natural Resources, from the bole of each Butternut is required to prevent root disturbance. Within the protective buffer, activities that would remove or significantly impact the roots and soil and cause direct harm to the Butternut are not permitted. Removal of other vegetation and logging practices are permitted.

(MMAH January 14, 2014)

5.5.8 Tree Planting

Council recognizes the benefits which accrue from tree planting and landscaping associated with new and existing development. This is reflected in the Urban Design Policies of this Plan. Council also recognizes the aesthetic and environmental benefits that tree planting and landscaping can provide to the existing urban community. Accordingly, it is the intention of Council to develop tree planting policies and landscaping standards.

5.5.8.1 Policies

- a) Council may require the submission of a landscape and/or tree planting plan as part of the approval of new subdivision development consistent with the intent of the Urban Design Policies of this Plan.
- b) Council will develop a plan for tree planting and/or landscaping for road allowances and public areas such as parks and civic properties. Such tree planting and/or landscaping plan will take into account the functionality of the existing spaces and location of existing infrastructure.

5.5.9 Soil Preservation

Soil is a valuable resource in the municipality as evidenced by the ongoing viable agricultural activity. To protect soil from erosion, Council may enact a by-law under the Topsoil Preservation Act in order to protect the soil resources of the municipality.

5.5.10 Groundwater Protection and Source Water

Groundwater is an important source of potable water for residents of Greater Napanee. The Town is located on two hydrological zones, Vermulan and Bobcaygeon. The Town is concerned with protecting groundwater quality and access for current and future generations.

Source water generally refers to the protection of areas that serve as a source of potable water for residents such as in Sandhurst and the urban portions of the Town. The work on policy development is ongoing. The Town is concerned with protecting its sources of potable water for existing and future urban residents.

5.5.10.1 Groundwater Policies

- a) Lands outside the serviced area may have constraints to development on individual on-site water and sewage systems, including in some areas, limited well yields, water quality issues, and susceptibility to groundwater contamination.
- b) Development within areas of very high vulnerability to potential groundwater contamination will require site-specific hydrogeological analysis to support such development. Such analysis must be completed by a qualified professional and satisfy provincial regulations, Ministry of Environment guidelines, and municipal policies as amended.
- c) Minimum lot size is 0.8 hectares.
- d) New lots are permitted by way of wells that meet Ministry of Environment regulations and guidelines, and comply with applicable municipal policies.
- e) Updated policies related to Groundwater Protection may be added to this Official Plan following the approval of the source protection plans that cover the Town.

(OPA No. 27)

5.5.10.2 Source Water Policies

The Town will, at the time the Source Water Protection Plans are prepared and approved by the Ministry of the Environment, amend the Official Plan and Zoning By-law to implement policies and recommendations outlined in the Source Water Protection Plans.

(MMAH January 14, 2014)

5.5.11 Endangered and Threatened

Under the Endangered Species Act, 2007, all species listed as Endangered or Threatened on the Species at Risk of Ontario (SARO) list are provided species protection. All species included on the SARO list at the time of the passing of the ESA, 2007 is also afforded habitat protection. In addition, species-specific habitat regulations may apply to protect other species habitats.

- a) New development and/or site alteration proposals shall require an appropriate level of site assessment where the potential for endangered and threatened species exists. These site assessments serve to identify potential presence or absence of endangered or threatened species and their potential habitats. Where potential habitat is identified, a more detailed site assessment will be required to be conducted by a qualified professional at an appropriate time of year to provide information on current habitat conditions, to address any applicable permit requirements under the ESA (as appropriate), and to delineate significant habitat for approval by MNR.

(MMAH January 14, 2014)

5.6 HERITAGE CONSERVATION

Greater Napanee has a rich cultural heritage that includes First Nations, the migration of the United Empire Loyalists and Native Americans following the American Revolution. The recognition of historical and cultural elements is important as our heritage tells us who we are, where we have come from, and what we have accomplished.

Elements of cultural heritage, value, or interest may include old farmsteads and buildings recognized as being of cultural and/or architectural merit, archaeological sites, cemeteries and burials, building and structural remains of historical and architectural value, human made rural, village and urban districts or landscapes of historic interest, and natural features of the Town. Their identification and evaluation should be undertaken in order to ensure their integrity for future generations.

It is the intention of this Plan to preserve that heritage and establish a strategy that will guide the management of the Town's cultural heritage resources and will preserve that heritage where feasible. All new development within the Town will be accommodated in a manner which respects the Municipality's existing cultural heritage.

(MMAH January 14, 2014)

5.6.1 Policies

- a) Council recognizes that there is a possible link between heritage resources and economic development particularly, but not limited to, tourism.
- b) Pursuant to the Ontario Heritage Act, Council shall consult with the Town's municipal heritage committee for advice on cultural heritage matters. Council may also consult other heritage groups or organizations for further assistance, as required.
- c) Council may designate individual properties or landscapes, either on its own initiative or on the recommendation of the municipal heritage committee, as being of cultural heritage value or interest. Council may also designate areas within Greater Napanee as Heritage Conservation Districts (HCD). The Town will follow the provincial criteria for heritage evaluation and designation, as outlined in Ontario Regulation 9/06.
- d) When considering development applications for properties designated under Part IV of the Ontario Heritage Act, or which are located wholly or in part within a Heritage Conservation District (designated under Part V of the Ontario Heritage Act), Council shall require the preparation of a Heritage Impact Assessment by a qualified professional.

(MMAH January 14, 2014)

5.6.2 Archaeological Resources

Council recognizes that there may be archaeological resources that constitute valuable records of past human activity and settlement. Council will require archaeological assessments for any development proposed on lands that are deemed to have archaeological potential or contain archaeological resources.

In accordance with provincial guidelines:

- i) Archaeological assessments and the ensuing reports are to be undertaken by a professionally qualified consultant archaeologist licensed under the Ontario Heritage Act.

(MMAH January 14, 2014)

5.6.3 Cultural Resources

- a) Council, as is feasible, will take measures to rehabilitate, enhance, and maintain cultural heritage resources owned by the municipality. As deemed appropriate by council, relevant by-laws, programs, and public works undertaken by the municipality will conform to and further the heritage objectives and policies of this Plan.
- b) Council, where feasible and desirable, will consider incentives in exchange for preservation of significant cultural heritage resources. This may include permitting increased densities, density transfers, and other means considered appropriate in exchange for heritage resource conservation.
- c) In situ preservation is the preferred option for protecting archaeological resources. As such, development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the heritage integrity of the site is maintained. Council understands that there may be times when significant archaeological resources must be removed. Prior to removal, Council shall require full documentation of the site.
- d) Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.
- e) Council shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Tourism and Culture and the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services when an identified and marked or unmarked cemetery is affected by lands use development. The provision under the Ontario Heritage Act and the Cemeteries Act

shall apply.

- f) Council may provide for measures which enhance public appreciation of the Town's heritage resources and public efforts at heritage conservation.
- g) Council may adopt by-laws under Section 34(1) 3.3 of the Planning Act for prohibiting any land use activities on land that is the site of a significant archaeological resource.
(MMAH January 14, 2014)

5.6.4 Cultural Heritage Management Plan

Council recognizes the importance of identifying the various heritage elements which exist in the Town. Heritage elements may include:

- Residential, industrial, commercial, institutional, or agricultural buildings;
- Monuments, such as a cenotaph, public art, or a statue;
- Natural features that have cultural heritage value or interest;
- Structures, such as a water tower, culvert, fence, or bridge;
- Spiritual sites;
- Cemeteries, gravestones, or cemetery markers;
- Cultural heritage landscapes;
- Building interiors;
- Ruins;
- Archaeological sites, including marine archaeology;
- Areas of archaeological potential; and
- Any other built/immoveable fixture or chattel attached to real property.

Council recognizes the need for a Master Plan to provide an inventory, mapping, evaluation, heritage conservation/ promotion policies, heritage conservation guidelines, and other relevant recommendations and strategies for heritage conservation.

(MMAH January 14, 2014)

5.6.5 Heritage Conservation Districts

- a) Pursuant to the Ontario Heritage Act, Council may, by by-law:
 - i) define the municipality, or any area or areas within the municipality as an area to be examined for designation as a Heritage Conservation District; and
 - ii) designate the municipality, or any areas within the municipality, as a Heritage Conservation District.
- b) An area may be examined as a potential Heritage Conservation District if it satisfies at least one of the following criteria:

- i) it represents a group of architecturally significant buildings due to their craftsmanship, originality, style, or age (representative of a particular period);
 - ii) it is associated with events or individuals of heritage value;
 - iii) it is locally recognized as an area of special interest;
 - iv) it can be associated with a former way of life which is of significance to the Town;
 - v) it is an aesthetically pleasing environment that contributes positively to the texture of a particular area within the Town by means of offering diversity and interest within its contemporary setting; or
 - vi) it contains human modified heritage features which collectively constitute a significant cultural heritage or landscape.
- c) Once an area has been chosen as a potential Heritage Conservation District, Council may undertake the necessary study for the preparation of a Heritage Conservation District Plan for the area selected. Such study will consider, but is not necessarily limited to the following:
- land use;
 - pedestrian and vehicular movement systems;
 - the condition and historical and/or architectural significance of individual buildings and sites;
 - ownership patterns;
 - the visual environment;
 - the socio-economic characteristics of the area as a whole;
 - physical condition of the properties;
 - current and proposed restoration improvements;
 - present and potential development proposals;
 - planning restrictions;
 - method of financing a proposed action; and
 - method of implementation.
- d) Once a Heritage Conservation District Plan has been prepared, Council may implement the Plan by passing an appropriate by-law under the Ontario Heritage Act in consultation with the appropriate heritage committee or group.
- e) Should it be necessary for Council to amend the Zoning By-law under Section 34 of The Planning Act to implement the District Plan, Council will proceed with the appropriate amendments.

(MMAH February 19, 2002 and January 14, 2014)

5.6.6 Loyalist Parkway - Provincial Highway No. 33

Council promotes the development of Highway No. 33 in a manner that is compatible with its designation as the Loyalist Parkway by:

- a) encouraging designation of heritage structures along the Parkway under the Ontario Heritage Act to permit municipal input into alterations of heritage structures, thereby encouraging retention of the Parkway's heritage theme;
- b) circulating to the Group of Advisors for the Loyalist Parkway and the Ministry of Transportation, any Official Plan and Zoning By-law Amendments with properties fronting onto the Loyalist Parkway;
- c) requiring draft plans of subdivision proposed for land adjacent to the Loyalist Parkway to be appropriately landscaped in order to minimize visual impact; and
- d) buildings and structures associated with new industrial or major institutional development in the area on the north side of Highway No. 33 should be setback 100 metres from the northern limit of the road allowance and such area be effectively landscaped through the use of planting strips, trees, and earthen berms in order to reduce the visual impact of industrial or major institutional structures.

5.7 HOUSING

This Plan encourages the provision of an adequate supply of affordable housing by type, tenure, location, and cost to meet the needs of present and future residents of the Town consistent with the principles outlined in the Provincial Policy Statement. To this end, the Town will also seek to reach an intensification target of 10%. This Plan also recognizes that many dwelling units also serve as the place of employment for some citizens. This will be recognized through policies on Home Occupations.

(MMAH January 12, 2014)

5.7.1 Housing Supply and Affordability

- a) Council will:
 - i) maintain at all times a minimum of a ten (10) year supply of residentially designated and developable land within the urban area;
 - ii) endeavor to maintain a three (3) year supply of draft approved and/or registered lots and blocks in plans of subdivision for new residential developments within the urban area; and
 - iii) maintain at all times a minimum of adequate water and sewage capacity to allow the achievement of the above targets.
- b) When evaluating requests for new residential development or redevelopment, Council will:
 - i) encourage a minimum of 25% of new residential development to be affordable,

- that is affordable to households within the lowest 60% of the income distribution as defined from time to time by the appropriate provincial agency; and
- ii) encourage housing forms and densities designed to be affordable.
- c) Council encourages the provision of non-profit housing by private or non-profit housing corporations at appropriate locations, consistent with good planning principles and in keeping with the general neighbourhood character. The concentration of non-profit housing projects shall be discouraged.
 - d) Council will make all reasonable efforts to ensure the time taken to process residential applications is kept to a minimum.
 - e) Innovative measures will be considered to promote the production of affordable housing. Such measures may include:
 - reduced road right-of-way widths on local streets,
 - innovative zoning standards in suitable locations while ensuring harmony with existing development,
 - innovative housing designs, and
 - review of construction standards.
 - f) Council will monitor:
 - i) the adequacy of the supply of lands designated for residential use; and
 - ii) the range of housing produced by type, tenure and affordability.

(MMAH January 14, 2014)

5.7.2 Home Occupations/Bed and Breakfast Establishments

Home occupations are important generators of employment and income. They also act as incubators for businesses which may grow beyond the home location. Home occupations refer to those economic activities conducted primarily by the occupants within a residential dwelling unit. Home occupations are intended to allow people to set up offices and conduct small scale businesses from their home location. They are not intended to permit economic activities that are more appropriately located in commercial or industrial areas.

Bed and breakfast establishments also generate income and draw tourists, creating further economic spinoffs.

This Plan supports the location of home occupations and bed and breakfast establishments as follows:

- a) Home occupations and bed and breakfast establishments are allowed in all residential, commercial, hamlet, agricultural, and rural designations.

- b) In permitting a home occupation, it is Council's intent that:
- i) "home occupation" means a use which is clearly incidental or secondary to the residential use of a dwelling;
 - ii) it does not change the residential character of the dwelling;
 - iii) it does not create or become a public nuisance in regard to noise, noxious odours, emission of smoke, traffic, parking or signage;
 - iv) there are no goods, wares or merchandise publicly offered or exposed for sale on the premises outside of any buildings;
 - v) the home occupation is carried on by a resident(s) of the dwelling unit and may include a maximum of two (2) employees not resident of the dwelling;
 - vi) adequate off street parking is provided;
 - vii) the amount of the dwelling unit that may be occupied by the home occupation will be specified in the zoning by-law.
- c) Home occupations and bed and breakfast establishments will be regulated by the implementing Zoning By-law which shall establish an appropriate definition and provisions for home occupation uses.

5.7.3 Housing for Social Needs

Council recognizes that existing residential care facilities provide a valuable and much needed living arrangement in the community for that specialized segment of the population who must live away from their families for periods of time due to health or other reasons.

5.7.3.1 Policies

Community-based care facilities cater to the needs of persons who require specialized living arrangements. This includes Group Home and Special Care facilities.

5.7.3.1.1 Group Homes

- a) Group Homes shall be licenced or approved under Provincial Statute and shall comply with Municipal By-laws.
- b) Group Homes may be permitted in all residential designations.
- c) Group Homes may be permitted in Commercial and Institutional designations.
- d) Group Homes are to be registered in accordance with a By-law passed under the Municipal Act.

(MMAH January 14, 2014)

5.7.3.1.2 Special Care Facilities

Special Care facilities generally accommodate more than ten (10) persons and do not

include Group Homes. These facilities may be permitted in all residential designations and in those designations which allow Institutional uses and Commercial uses as outlined below.

(MMAH January 14, 2014)

5.7.3.1.3 Policies for Special Care Facilities

The development of any community-based care facility or the conversion of an existing building (including any additions) shall comply with the following:

- a) Community based Special Care facilities such as a Crisis Care Shelter, Detoxification Centre, Recovery Home, and Residential Care Facilities are permitted in Residential, Institutional, and Commercial designations. Corrections Residences are permitted in the Institutional and Commercial designations.
- b) The location of any new facilities shall be subject to applicable minimum separation distance between such facilities as may be provided for in the Zoning By-law.
- c) All facilities shall be included in an appropriate zoning category.
- d) Such facilities shall occupy the whole of:
 - A single detached dwelling house,
 - A converted single detached dwelling house,
 - A semi-detached dwelling house (only one of the dwelling units), and
 - A building constructed specifically to accommodate such a facility.
- e) Such facilities may be subject to Site Plan Control.
- f) Site services, such as sewage disposal, water, gas, electricity, shall be adequate for the facility, or capable of being made adequate.
- g) Adequate parking facilities shall be provided in accordance with the requirements of the Zoning By-law.
- h) The siting and design of new buildings or additions, in terms of character, massing, scale and height, shall be compatible with adjacent buildings and the streetscape.
- i) Adequate buffering shall be provided so as to minimize any adverse impacts on adjacent properties.
- j) Community-based care facilities shall be operated in accordance with the following policies:

- No owner/operator is to commence operation without having registered the proposed facility according to a By-law passed under the Municipal Act for that purpose; and
- The owner or operator is to provide the Town with written notification of the date on which any such facility ceases operation or changes.

(OPA No. 27)

5.7.3.2 Day Nurseries

Day Nurseries, as defined by the Day Nurseries Act are permitted in all designations except in Environmental Protection Areas provided that such uses are necessary in the area and can be made compatible with surrounding uses.

5.7.4 Increased Height and Density Provisions

- a) Council may pass Zoning By-laws in accordance with the Planning Act to permit an increase in the maximum height or density of a development, in exchange for the provision of such facilities, services or matters as are set out in the By-law.
- b) The facilities, services, or matters provided in exchange for increased height or density of a development project shall be directly linked to the nature of the development and shall be located on the lands which are being developed.
- c) The transfer of increased height and density provisions from one site to another site or from one project to another project is not permitted.
- d) Development resulting from the application of increased height or density provisions shall meet all other applicable Zoning By-law provisions and regulations.
- e) Before passing a Zoning By-law to allow an increase in height or density of a development project, Council will have regard to the following matters:
 - i) the type or types of development to which increased height or density provisions may apply;
 - ii) the area or areas of the Town where these provisions may apply;
 - iii) the facilities, services, or matters which may be provided in exchange for increased height or density; and
 - iv) the extent of the increases in height or density which may be granted.
- f) Development resulting from the application of increased height or density provisions shall be compatible with adjacent uses and meet the general intent and purpose of this Plan.
- g) The facilities, services, and matters which are to be provided shall be commensurate with the increased height or density which may be granted for each development

project.

- h) As a condition to the application of increased height or density provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the Town, to be registered against the title to the land. The agreement will deal with the facilities, services, and matters that are to be provided, the timing of their provision, and the increase in height or density to be given.
- i) Any proposal for increased height and density shall require a site specific amendment to this Plan to establish an appropriate policy framework with respect to the permitted height or density increase and the facilities, services, and matters to be provided.

5.8 INSTITUTIONAL

Institutional uses include, but are not necessarily limited to, schools, churches, nursing homes, cemeteries, accessory offices, public uses and utilities systems.

5.8.1 Policies

- a) Institutional uses are encouraged to locate in lands designated major institutional, residential, commercial, and hamlet categories. They are also permitted in the Rural designation.
- b) Institutional uses shall be required to provide onsite servicing at levels acceptable to the appropriate approval authority.
- c) Institutional uses shall conform to the provisions of the implementing Zoning By-law.
- d) Buffering may be required between institutional uses and sensitive receptors.
- e) Schools are encouraged at locations appropriate relative to the needs of the catchment area. Regard should be had for the following criteria in selecting the location for a school site:
 - i) school sites should be adjacent to neighbourhood or community parkland so as to maximize both the recreational opportunities and effective utilization of facilities;
 - ii) elementary schools be located, wherever practical, so as to promote pedestrian access within the community which they serve; and
 - iii) school sites should not be located adjacent to areas which pose a health and safety hazard for students.

5.9 SECONDARY PLANS AND NEIGHBOURHOOD PLANS

The policies of this Plan are not, in all cases, sufficiently detailed to address specific land use and development issues for newly developing areas, or existing areas should servicing methods change, a fringe area designation be brought into development, a hamlet require a more in depth review, or areas of conversion from seasonal to year round use require particular consideration. The preparation and adoption of a neighbourhood plan or secondary land use plan may be required for such areas, prior to extensive development or redevelopment being approved.

Such plans are intended to provide detailed strategies to address and coordinate matters such as:

- definition of the boundaries of the planning unit;
- type and location of proposed land uses;
- density of development;
- land ownership pattern;
- road design including the location of arterial and collector roads;
- traffic impacts and improvements required to accommodate new development;
- subdivision of land;
- servicing;
- environmental concerns and stormwater management;
- provision of recreational and community facilities;
- heritage conservation and urban design;
- timing and staging of growth;
- appropriateness of intensification initiatives;
- integration with adjacent established land uses; and
- strategies for implementation.

Secondary Plans shall be incorporated into this Plan and may contain land use classifications or policies which are reflective of special circumstances within the individual planning units.

In preparation of secondary plans, Council shall seek public and agency input. The process for informing and involving residents and agencies in the development and review of a proposed secondary plan will be established by Council prior to the commencement of any such study, and will be consistent with the notification procedures set out for Official Plan Amendments under The Planning Act. Secondary Plans should be sufficiently flexible to permit minor deviations or adjustments in land use boundaries, road alignments, and density provided the general intent of both this Plan and the Secondary Plan are maintained.

In cases other than development in the fringe area designation or where the method of servicing changes from private services (wells and septic) to partial or full municipal

services (piped water and/or sanitary sewers), Council may consider adopting a development strategy based on a neighbourhood plan. Neighbourhood plans which are not adopted as Secondary Plans to the Official Plan have no legal status under the Planning Act, although they continue to serve as guidelines for land use and coordination of development in areas covered by such plans.

5.9.1 Selby Creek Secondary Plan

The lands generally bounded by Selby Creek to the north, Belleville Road (County Road No. 1) to the west, the CNR mainline to the south, and the existing development designated Arterial Commercial along Main Street (County Road No. 41) is established as a secondary plan area. Prior to development of these lands, a secondary plan is to be prepared and implemented by way of an official plan amendment. These lands represent a logical extension of existing serviced development. The lands will be required to meet the Town's needs for employment lands within the planning horizon of this Official Plan.

In addition to the list of matters to be addressed in accordance with Section 5.9, the secondary plan will consider:

- a) The range of employment uses and complementary land uses to be permitted that contribute to the establishment of the area as a vibrant activity centre, to promote walkability, reduce vehicle trips, and foster economic diversity.
- b) Preparation of design guidelines that establish an identity for the area and address such matters as, but not limited to:
 - Building height, mass, and bulk;
 - Architectural details, such as building materials, transparency, and orientation;
 - Outdoor pedestrian amenities;
 - Landscaping and signage;
 - Gateways and entry features;
 - Parking area design; and
 - Environmental design of both buildings and landscapes to protect and integrate natural features, minimize energy use, and maximize environmental benefit.
- c) Discouraging retail and service commercial uses that are not considered complimentary to employment uses consistent with the intent of the PPS and that would be more appropriately located in the Central Business Commercial designation or the Arterial Commercial designation.

(OPA No. 27)

5.10 PORTABLE ASPHALT PLANTS

Portable asphalt plants used on public authority contracts will be permitted, without the need for official plan amendment, rezoning or development permit under the Planning Act in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction associated activities. A portable Asphalt plant:

(MMAH February 19, 2002)

- a) is permitted to exist in any one location for a period of time not exceeding the completion of the specific road contract. Such period of time is limited to one (1) year unless a specific approval for a longer period has been approved by Council;
- b) shall be removed within 7 days of the completion of the road construction project;
- c) shall comply with Ministry of the Environment and Energy separation distances and must first obtain a certificate of approval under the Environmental Protection Act from that Ministry; and
- d) shall be located no closer to a sensitive receptor than the distance specified in the certificate of approval.

All sites upon which such plants have been erected shall be rehabilitated to their former use and condition.

The Zoning By-law will define portable asphalt plants and may specify provisions for separation distances to sensitive receptors.

5.11 WAYSIDE PITS AND QUARRIES

Wayside pits and quarries will be permitted, without the need for official plan amendment, rezoning or development permit under the Planning Act in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities. A portable asphalt plant is permitted within a Wayside Pit or Wayside Quarry subject to compliance with the policies herein on portable asphalt plants.

(MMAH February 19, 2002)

A wayside pit or quarry established upon lands designated as Agricultural and comprised of soil Classes 1, 2 or 3 shall be rehabilitated to substantially the same area and same average soil capability for agriculture.

5.12 Accessibility

The Town of Greater Napanee is committed to improving the accessibility of its environs through the removal and prevention of barriers. A "barrier" is anything that stops a person with a disability from fully taking part in society because of that disability. Residents of the Town should have equal access to facilities, buildings, and open spaces. In recognition of this, the Town of Greater Napanee has been working with the County of Lennox and Addington and other member municipalities to strategically address accessibility.

5.12.1 Improving Accessibility

Universal physical access to publicly accessible spaces and buildings will be ensured 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 Town streets;
- b) Requiring that plans for all new buildings, subdivisions and additions meet the guidelines set out on the County of Lennox and Addington Accessibility Plan;
- c) Retrofitting over time all existing Town owned buildings and open spaces that are open to the public and open spaces to make them universally accessible, and encouraging the owners of private buildings and spaces to do likewise through public education and retrofit programs.

It may not be possible or practical in all cases to ensure universal accessibility as:

- 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.
- In some natural heritage areas, public access will damage natural features and functions.
- Some locations are largely inaccessible today due to adverse topography such as steep slopes, and in the absence of benign, non-intrusive technology, making them accessible would be impractical.

(OPA No. 27)

PART 6

COMMUNITY IMPROVEMENT

6.1 GENERAL PRINCIPLES

Community Improvement generally encompasses those public and private activities which serve to maintain, rehabilitate and redevelop the existing physical environment in urban built up areas to accommodate the social and economic priorities within the community.

It is important to recognize that declining public sector revenues, the cyclical performance of Ontario's economy, and increasing demand for services are requiring all government levels to plan for maximum efficiency in the use and maintenance of services. The need for improvement to infrastructure, and need to establish coordinated intergovernmental priorities in infrastructure improvement, make it essential that priorities are set when allocating the expenditure of limited financial resources.

Community Improvement Policies are a prerequisite to the designation of specific Community Improvement Project Areas, the preparation of detailed Community Improvement Plans, and municipal participation in Provincial and/or Federal funding programs. The Community Improvement process encourages a strategic planning approach to ensure that potential improvement projects fit into a long range framework of community goals and objectives. The inclusion of community improvement policies in this Plan represents a statement of Greater Napanee's commitment to the ongoing maintenance and upgrading of its developed areas in a planned, coordinated, and fiscally prudent manner.

6.2 CRITERIA FOR COMMUNITY IMPROVEMENT AREA DESIGNATION

The criteria to be used in Community Improvement Area boundaries selection or modification should be established on the basis of a review and analysis of existing deficiencies, and the identification of conditions within the Town that could further benefit from enhancement activities. Criteria for improvement, redevelopment and revitalization are:

- a) deficiencies in hard services including roads, sidewalks, curbs, gutters, water distribution system, sanitary collection system, and storm sewers;
- b) deficiencies in municipal services such as fire protection, lighting or other public utilities;
- c) the presence of sub-standard building conditions and housing in need of improvement and revitalization;

- d) the opportunity to expand the housing stock and/or improve the mix of housing types through the redevelopment or conversion of underutilized lands and/or buildings;
(OPA No. 27)
- e) the presence of vacant lands/buildings that could be developed, redeveloped or converted to another use;
- f) the need to upgrade the streetscape or aesthetics of an area;
- g) the need to upgrade elements of the transportation system, including but not limited to, sub-standard road conditions and road widths, and poorly designed intersections;
- h) the need to provide or improve recreational and cultural facilities and public open space, including parkland acquisition, facilities improvement, and trails enhancement;
- i) the presence of incompatible land use activity;
- j) the presence of hazard lands which have an impact on the Town's pattern of development, or areas requiring improvements because of poor drainage conditions, including ditching and floodproofing;
- k) the presence of buildings or lands of architectural and/or historical merit and sites of archaeological significance or interest, in need of improvement or revitalization;
- l) areas requiring shoreline improvements to enhance public usability while furthering public efforts at shoreline management along waterbodies;
- m) the presence of points of interest and/or special visual amenities (ie: waterfront) and major trails such as the Waterfront Trail and Cataraqui Trail, that provide an opportunity for tourism, and which could benefit from protection and enhancement;
- n) the presence of environmental contamination;
- o) the opportunity to improve the energy efficiency of an area;
- p) the opportunity to provide affordable housing; and
- q) the opportunity to increase the accessibility of buildings and/or properties.
(OPA No. 27)

The above listing is not to be construed as indicating that areas selected for community improvement must meet all the above criteria. The criteria should not be treated as being of equal importance. Weighting of criteria will vary with funds available, the severity of the problem, and the relationship of community improvement to other policies in this Plan and capital expenditure priorities of the Town.

6.3 SELECTION OF COMMUNITY IMPROVEMENT AREAS

The criteria outlined in the above section were applied to Greater Napanee. The resulting Community Improvement Areas are shown on Schedule 'F' and are described as follows:

- a) The urban area with the exception of newer residential neighbourhoods;
- b) Sandhurst;
- c) the Hamlets of :
 - Adolphustown,
 - Conway,
 - Dorland,
 - Forest Mills,
 - Roblin,
 - Selby, and
 - West Plain.
- d) Built up areas in the shoreline designation:
 - Le Nid Pont,
 - Sherman's Point,
 - Plan 29R-60 and area in Lots 19 to 21 of Concession 3 of the former Township of Adolphustown; and
 - Residential community in Lots 24 to 27 of Concession 5, and Lots 24 to 28 of Concession 6 of the former Township of North Fredericksburgh.
- e) Trails:
 - the Cataraqui and Waterfront Trail although not shown on Schedule 'D'.

The actual limits of Community Improvement "Project" Areas shall be established at the implementation stage of the community improvement process.

6.4 COMMUNITY IMPROVEMENT POLICIES

It is the policy of Council to:

- a) maintain and improve municipal services, public utilities and social and recreational facilities;
- b) encourage improvement activities which contribute to a strong economic base including tourism, commercial and industrial development;

- c) encourage the maintenance of the existing housing stock, and promote the rehabilitation, renovation and repair of older buildings;
- d) preserve historically and/or architecturally significant buildings or areas;
- e) improve traffic and parking patterns to make them more compatible with surrounding uses and needs;
- f) improve conditions in older predominantly residential areas;
- g) improve the overall streetscape and/or aesthetics of commercial areas of the Town;
- h) ensure improvements made are carried out in such a way as to be compatible with other goals, policies and objectives of this Plan;
- i) encourage, where feasible, energy efficient conservation through energy efficient land uses and buildings;
- j) provide advice and guidance on maintenance and rehabilitation of buildings and structures and on energy conservation;
- k) encourage public participation in the community improvement planning process;
- l) undertake a monitoring program to review budgeting and program direction in respect to the attainment of specific policies;
- m) work with business groups to identify and facilitate improvements.

6.5 PHASING OF IMPROVEMENTS

Phasing priorities are dependent on two major criteria. These relate to priority in terms of area chosen and priority in terms of work to be undertaken.

- a) Community Improvement Areas are ranked as follows in terms of areas chosen, given their overall need for improvement:
 - The urban area with the exception of newer residential neighbourhoods;
 - Sandhurst;
 - the Hamlets of :
 - Adolphustown,
 - Conway,
 - Dorland,

- Forest Mills,
 - Roblin,
 - Selby, and
 - West Plain.
- Built up areas in a residential/shoreline designation:
 - Le Nid Pont,
 - Sherman's Point,
 - Plan 29R-60 and area in Lots 19 to 21 of Concession 3 of the former Township of Adolphustown; and
 - Residential community in Lots 24 to 27 of Concession 5, and Lots 24 to 28 of Concession 6 of the former Township of North Fredericksburgh.
 - Trails:
 - the Cataraqi and Waterfront Trails.

This ranking is to be used as a guide only. Financial constraints, onsite project necessities and funding may require a re-ordering of priorities. The ranking listed in this Plan may be changed without an amendment to the Plan.

b) Council will give priority to:

- i) making improvements to publicly owned buildings, structures and facilities;
- ii) integrating community improvement projects into other municipal improvement programs and capital works budgeting; and
- iii) determining specific community improvement project priorities and the budget allocation as part of the annual municipal budgeting process.

6.6 IMPLEMENTATION

The Community Improvement policies will be implemented by means of powers conferred upon Council under the Planning Act, the Building Code Act, the Heritage Act, the Municipal Act, the Drainage Act, and other applicable statutes.

Implementation may include the following:

- a) designation, by by-law, of community improvement project area(s) and adoption of community improvement plan(s) for the project area(s);
- b) the acquisition of land and/or buildings within community improvement project areas where a Community Improvement Plan is in effect, and the subsequent:

- i) clearance, grading or environmental remediation of these properties;
- ii) repair, rehabilitation, construction or improvement of these properties;
- iii) sale, lease, or other disposition of these properties to any person or governmental authority,
- iv) other preparation of land or buildings for community improvement.

(OPA No. 27)

- c) seek funds from other levels of government such as the county, provincial, and the federal government where their programs facilitate the implementation of the community improvement plan;
- d) enactment and enforcement of a property standards by-law with respect to residential, commercial and industrial building stock and lands;
- e) encouragement of public participation in the preparation of community improvement plan(s);
- f) encouragement of private sector use of government programs where they complement community improvement efforts;
- g) encouragement of infill development of vacant and/or under utilized properties in community improvement areas;
- h) the provision of public funds such as grants, loans and other financial instruments to registered and assessed owners, and tenants of lands and buildings located within a community improvement area;
- i) the provision of information on municipal initiatives, financial assistance programs, and other government assistance programs; and
- j) holding land within the community improvement project area acquired before or after the passing of the by-law designating the project area.

(OPA No. 27)

PART 7

INFRASTRUCTURE POLICIES

7.1 INTRODUCTION

This Section sets out policies related to the development of services and utilities which are essential to the proper functioning and well being of the municipality. Infrastructure includes land, buildings, and structures devoted to providing recreational opportunities, piped water and sanitary sewer services, stormwater management facilities, transportation facilities, energy facilities, and other similar services and facilities which support the land use fabric.

Infrastructure and public service facilities shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs. Planning for infrastructure and public service facilities shall be integrated with planning for growth so that these are available to meet current and projected needs. The use of existing infrastructure and public service facilities should be optimized, wherever feasible, before consideration is given to developing new infrastructure and public service facilities.

Certain projects carried out by the Town or by others within the Town, may be subject to the Environmental Assessment Act, the Green Energy and Green Economy Act, the Environmental Protection Act, and/or other statutes. Council will endeavour to ascertain the status of each proposal under the relevant Act prior to proceeding with, or approving of, an undertaking. Nothing in this Plan shall be interpreted to mean that any undertaking may be proceeded with until it has complied with the relevant Act.

(OPA No. 27)

7.2 ENERGY AND UTILITIES

There are a number of Federal, Provincial authorities or regulated authorities, and private entities within the Town, as well as municipal bodies which are responsible for the delivery, regulation, and maintenance of essential services. Such services include electric power generation and distribution, supply of natural gas, communication systems, water distribution, sewage collection, and stormwater facilities. It is important that such agencies be involved in the planned development of the Town to ensure that residents receive the benefits of the coordinated provision of all services.

(OPA No. 27)

7.2.1 Energy

- a) All existing power facilities and the development of new electrical power facilities directly related to the provision of electricity such as transmission lines, transformer stations, and distributing stations shall be permitted provided that development satisfies the provision of the Environmental Assessment Act, including regulations made under that Act and any other relevant statutes and are in keeping with the general intent of this Plan.
- b) Ontario's Green Energy and Green Economy Act is intended to promote the growth of renewable energy projects, remove barriers to such projects, and promote a green economy. The Town will work with the Province and renewable energy project developers to ensure that such projects benefit the Town while minimizing any potential impact. Council:
 - promotes the design and orientation of *development* that:
 - i) maximizes passive *solar energy* gain and minimizes energy loss;
 - ii) explores opportunities for *renewable energy infrastructure* on a site-specific or district-wide basis.
 - promotes landscaping and tree planting programs that help to moderate summer and winter micro-climatic conditions.
 - The Town promotes construction techniques that allow development to accommodate more affordable renewable energy technologies in the future.
 - The Town encourages the use of energy audits to evaluate the energy efficiency of buildings.
- c) Encourage, where feasible, the joint use of public rights-of way as utility corridors.
- d) All structures adjacent to a pipeline right-of-way will be located as per the setback requirement of the pipeline. The setbacks will be implemented through the zoning by-law.
- e) All permanent structures and excavations must be located a minimum of 10 metres from the limits of a pipeline right-of-way.

(MMAH January 14, 2014)

7.2.2 Communication

Telephone and television communication are provided by private corporations regulated through the Canadian Radio and Television Commission. The distribution systems are

allowed in the Rural and Agricultural designations shown on Schedule 'A' to this Plan, subject to development approval by the Town.

7.2.3 Public Utilities

- a) Public utilities, for purposes of this Section, refers to water supply, sanitary collection, and stormwater detention. Such uses and facilities are permitted in all land use designations provided that:
 - i) such use is necessary in the proposed location and that due consideration has been given to alternative locations;
 - ii) the public utility will be designed and developed in such a manner that it will be as compatible as practical as well as sensitive to surrounding land uses;
 - iii) in order to ensure compatibility with adjacent land uses, measures required as part of development may include adequate buffering; and
 - iv) there is regard as to the nature of existing uses on adjacent lands, and the massing and design of public uses related thereto.
- b) Utility lines and required plants shall be installed in an efficient and economical manner with minimal disruption to existing development.
- c) Council, within the urban area, encourages the appropriate public and private agencies to place electric power, telephone lines, multi-use cables and other similar utility services underground wherever economically feasible and desirable. Where overhead wires presently exist, the placing of such electric power and communication lines underground will be encouraged where economically feasible and practical when major street improvements are undertaken.
- d) New public uses and facilities such as maintenance yards, public works depots, offices or other similar uses shall be located on lands designated and zoned for the intended use.
- e) Land within or adjacent to utility corridors may be subject to development restrictions or approvals of the respective agencies. The respective utility should be consulted by persons having an interest in the development of such lands.
- f) Council shall encourage the appropriate authorities to locate new power facilities and other public utilities outside of areas designated Agricultural and Environmental Protection, as described in Part 4 of this Plan.
- g) All facilities located within or crossing a Provincial right-of-way corridor are subject to the requirement of the Public Transportation and Highway Improvement Act. Any such installations must satisfy the requirements of the Ministry of Transportation regarding location and permits.

- h) All existing water treatment plants and the development of new water treatment plants will adhere to guidelines established in the Safe Drinking Water Act and Sustainable Water and *Sewage Systems Act*.

(OPA No. 27)

7.2.4 Servicing of Development

- a) All development in the urban area of Schedule ‘A’, unless specifically stated otherwise in this Plan, shall be on full services; that is, piped water, sanitary sewers, and stormwater systems.
- b) Planning for sewage and water services shall:
- i) Direct and accommodate expected growth in a manner that promotes the efficient use of existing municipal sewage and municipal water services.
 - ii) Ensure that these systems are provided in a manner that:
 - Can be sustained by the water resources upon which such services rely;
 - Is financially viable and complies with all regulatory requirements;
 - Protects human health and the natural environment;
 - Promotes water conservation and water use efficiency;
 - Integrate servicing and land use considerations at all stages of the planning process;
 - Permits lot creation only if municipal sewage and water systems have sufficient reserve capacity.
 - iii) Allow lot creation only if there is confirmation of sufficient reserve sewage system and water system capacity within municipal services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.
- c) Development outside of the Urban area will be primarily based on private wells and private septic systems referred to as individual on-site water and sewer services. In accordance with provincial regulations and in accordance with accepted planning practice, such services will be permitted if conditions are adequate to support such systems to be determined as follows:
- i) The Town will request that a Servicing Options Statement be prepared in compliance with MOE Procedure D-5-3 to determine the suitability of the servicing proposed for multi-lot or multi-unit development;

- ii) The Town will request that a hydrogeological study be prepared in compliance with MOE Procedure D-5-5 to determine the suitability of groundwater supply for any proposed development;
 - iii) The Town will request that a terrain analysis study be prepared in compliance with MOE Procedure D-5-4 to determine the potential impact on groundwater quality of any proposed individual on-site sewer services.
 - iv) All new wells will be constructed in accordance with the minimum requirements of Ontario Regulation 903 (Wells) and amended by Regulation 128/03 under the Ontario Water Resources Act.
 - v) Development on communal services is subject to Section 7.2.5 of this Plan.
- d) Partial services shall only be permitted:
- i) Where they are necessary to address failed individual on-site sewage service and individual on site water services in existing development,
 - ii) Within settlement areas to allow for infilling and rounding out of existing development provided:
 - The development is within the reserve sewage system capacity and reserve water system capacity, and
 - Site conditions are suitable for the long term provision of such services.
- (MMAH January 14, 2014)

7.2.5 Communal Systems

The use of communal water and sewer systems is being recommended by Provincial authorities for small scale housing development where the situation warrants. At present no such systems exist in the Town and none have been proposed. Such systems are not to replace the municipal piped water supply and sanitary sewage systems of the Town. Communal systems may only be considered where they meet the following requirements:

- a) are outside lands intended to be developed on full municipal services (water and sewer) as outlined in this Official Plan; and/or
- b) solve an existing servicing problem and municipal services (water and sewer) cannot be extended by the Town; or
- c) are recommended as part of a servicing options review study as part of the approval of a development in the rural portions of the Town; and

- d) communal water supply and sewage disposal shall be subject to the Ministry of Environment's responsibility/ownership requirements and the Council is willing to implement those requirements.

7.2.6 Growth Management

To guide and efficiently manage urban development within the Town, Council shall:

- a) prepare strategic servicing plans for the long term economic expansion of existing water, sewer, and storm system;
- b) provide for phased sequential development within the urban area, and within a given neighbourhood;
- c) ensure that development and public works are undertaken in accordance with a phasing program; and
- d) ensure an acceptable level of service in the provision of water, sanitary sewers, stormwater services, and other utilities as may be required.

7.3 RAILWAYS

Rail service is an essential element for local industry and residents. Conflicts, however, can arise between railways and sensitive land uses. To minimize potential conflicts between rail, vehicular and pedestrian traffic, and adjacent land uses:

- a) Council will have regard for the development requirements of CNR and CPR concerning safety, buffering, and setbacks. Council will ensure that development proposals are circulated to railways for review and comment.
- b) Council will require appropriate noise and vibration controls to safeguard future development of sensitive uses adjacent to the railway lines.

7.3.1 Railroad Crossing Improvements

Wherever possible, railroad crossings are to be improved through the construction of grade separations or by other protective measures such as visibility triangles, signals, or gates. To this end:

- a) the Town will work towards the elimination of all grade crossings at arterials and collector roads; and
- b) where new development is proposed near these locations, the railroad and appropriate road authority will be consulted.

7.4 **RECREATION**

The Town recognizes the need for the provision of open space for a variety of purposes, including active areas for organized sports and similar activities, as well as passive and protected areas intended for peaceful enjoyment.

The policies which follow are intended to achieve an integrated system of areas and corridors across the Town for recreational and open space functions.

In conjunction with the review of new applications for Medium and High Density Residential development, the Town shall encourage the provision of private park and open space areas to meet the future needs of the residents of such developments. The encouragement of private park and open space areas should not be at the expense of the wider goals and objectives of the neighbourhood recreation needs.

7.4.1 **Standards**

Park and open space areas shall be provided on an overall Town basis as described in the Recreation Master Plan. Such standards and possible park locations may be incorporated into this Plan by amendment. Such park and open space areas will include the following type of parks:

- a) Neighbourhood Parks should serve from 3,000 to 4,000 people and range in size from 1.6 to 4.0 hectares. The form in which neighbourhood parks are provided may consist of a single park or a combination of a single park and one or more parkettes.

Neighbourhood park and open space areas are intended to serve the immediate recreational needs of the neighbourhood and should be within walking distance of the area being served.

Neighbourhood parks shall have frontage onto a collector or local road and should be adjacent an elementary school playground.

In non-urban areas of the Town, the standard for neighbourhood park and open space areas may be increased to 1.2 hectares (3 acres) per thousand persons as these Hamlet and Rural parks often serve as combination community and neighbourhood parks.

- b) Community Parks are intended to serve more than one neighbourhood and may be designed for both active and passive recreational activities. Community parks should range in size from 4 to 10 hectares.

Community parks should, wherever possible, be located on an arterial road and be adjacent to secondary schools and major indoor sports facilities.

- c) District Parks are intended to serve the Town as a whole and may connect to an open space system in abutting municipalities and includes areas owned and operated by the Conservation Authority or other public bodies who may operate parks and open space areas available to the general public.

District parks may be designed to serve the specialized passive and active recreational needs of the population by conserving large tracts for major competitive sports needs, agricultural fair grounds, trail systems, and enjoyment of the natural environment.

Sites for district parks shall, wherever possible, be located on arterial roads or provincial highways and/or in areas with unique or distinct natural features.

7.4.2 Parkland Acquisition

Council may adopt an acquisition program and set monies in a special fund to assist in securing open space lands to implement the objectives and policies of this Plan. In addition to obtaining park/open space lands by conveyance of such lands whenever development or redevelopment occurs, Council may allocate funds in the municipal budget for such land acquisition. Council will also seek to obtain park/open space lands by way of donations, gifts, and bequests of individuals and/or corporations and other appropriate means.

Through the development and redevelopment approvals, Council may acquire lands based on the following standards:

- a) Up to 5% of the lands being subdivided for residential purposes;
- b) Where residential development proposals exceed 15 units per net residential hectare of land, the Town will require a land dedication for recreational purposes at the rate of one (1) hectare per 300 dwelling units in accordance with the provisions of the Planning Act;
- c) For industrial and commercial development, the parkland dedication shall be up to two percent (2%) of the land proposed for development;
- d) Instead of land dedication, the Town may accept cash-in-lieu of such lands. The valuation of lands and use of monies shall be in accordance with the provisions of the Planning Act; and
- e) In considering land severance applications, the Town will require the conveyance of lands for open space or recreational purposes or require cash-in-lieu of the land dedication.

7.4.3 Community Services

Community services and facilities to meet civic, cultural, recreational, social, and emergency service needs of Town residents will be monitored on an ongoing basis. Where Council deems that such services or facilities are warranted or require enhancement or expansion, they will be planned for and provided in an orderly manner in keeping with the financial capabilities of the Town.

Where possible and as may be appropriate, Council will consider providing such services and facilities in cooperation with appropriate public and private agencies and other levels of government.

7.4.4 Education Facilities

Education facilities in the Town generally are under the jurisdiction of the Boards of Education. The School Boards are involved in the long range planning of schools, and determine the provision of school facilities. It is the intention of Council to work closely with the School Boards in the context of the land development process to determine the need for future facilities, and encourage the provision of an appropriate range of joint-use facilities in the Town.

7.5 TRANSPORTATION

The Town's transportation system will be strengthened and broadened by:

- a) promoting a safe, integrated, accessible transportation system consisting of a network of roads, parking facilities and pedestrian pathways to accommodate various modes of transport such as automobiles, public transit, bicycles, and walking;
- b) ongoing monitoring of the existing ferry service from the Town to Prince Edward County;
- c) encouraging land use patterns which support the viability of public transit in the long term; and
- d) ensuring that the design or redesign of roadways safely accommodates vehicular and pedestrian needs.

The Town may participate in joint area studies related to transportation and, where appropriate, the relevant findings of such studies may be incorporated into this Plan by amendment.

7.5.1 Roads

7.5.1.1 General

Road ownership within Greater Napanee falls under three (3) jurisdictions:

- the Town,
- the County, and
- the Province.

For purposes of clarity, Schedules ‘A’, ‘B’ and ‘C’ show a simplified road pattern of provincial highways, existing principal roads, future principal roads and future local roads. The designation and function of these roads is shown on Schedules ‘D’ and ‘E’.

The transportation network is set out in Schedules ‘D’ and ‘E’. The Transportation Plan, generally reflects both the existing and anticipated future inter-relationships of land use and transportation. The road pattern is intended to facilitate the safe and efficient movement of both people and goods within the municipality, as well as through traffic movement.

The road network is classified by function so as to facilitate future planning and development of the Town.

The general alignment of existing and proposed freeways, arterials, and collectors is shown on Schedules ‘A’ and ‘E’.

7.5.1.2 Classification Principles

The roads are classified according to their anticipated ultimate function, bearing in mind jurisdictional authority. The functional road classification is based on a hierarchy in accordance with the following principles:

- a) The overall road pattern should be in harmony with the proposed road pattern of the adjoining municipalities, the County road system, and the provincial highway system.
- b) Freeways and provincial highways should permit the movement of large volumes of traffic through the planning area to and from the major traffic generating areas.
- c) Arterial roads should permit the movement of medium volumes of traffic between major traffic generating areas and local roads as well as serving a local service function.
- d) Collector roads should permit the movement of medium volumes of traffic between arterial and local roads.

- e) Local roads should provide land access only to the areas in which they are located and should not serve major traffic generating areas.

7.5.1.3 Classification of Roads

The existing roads within the Town are classified on Schedules ‘D’ and ‘E’ according to their ultimate function. The road right-of-way width should be appropriate for the intended road function and is subject to the approval of the public road authority having jurisdiction bearing in mind proper engineering and environmental concerns. Where additional land is required for widening and extensions, such land shall be obtained, wherever possible, in the course of recommending and approving applications for development under the Planning Act. The functional road classification is as follows:

a) Provincial Highways

The designation applies to roadways under the jurisdiction of the Ministry of Transportation. These roads are designed to facilitate through traffic movement of medium to high volumes.

Any development located on property adjacent to Provincial Highways 401 and 33 is subject to the permit control of the Ministry of Transportation as per The Public Transportation and Highway Improvement Act. As such, all permits must be obtained from the Ministry of Transportation prior to any grading and construction being undertaken. In the case of Highway 33, direct access to the highway will only be considered to those properties that meet the minimum geometric and safety requirements of the Ministry of Transportation. Traffic impact studies that address the anticipated traffic volumes of the proposed development, as well as stormwater management plans which show the intended treatment of the calculated runoff, may be required by the Ministry of Transportation as part of their review and approval of any development plans.

b) Roads Under Municipal Jurisdiction

Municipal roads, whether under Town or County jurisdiction are classified and defined as follows:

i) Major Arterial Roads

Major arterial roads are existing and proposed roads of two (2) or four (4) traffic lanes with a design right-of-way width of 35 to 45 metres. Major arterial roads are designed to collect and carry large volumes of traffic at relatively high operating speeds to and from major traffic generating sectors. To facilitate this function, direct access to abutting properties is generally prohibited.

ii) Rural Arterial Roads

Rural arterial roads are existing and proposed roads of two (2) and four (4) lanes with a design right-of-way width of 26 to 36 metres. Rural arterial roads are designed to collect and carry high volumes of traffic, at relatively high operating speeds to provincial highways and major arterial roads and/or to distribute traffic to collector and local roads. New direct entrances to rural arterial roads should generally be discouraged. However, limited access to existing abutting properties may be permitted under certain circumstances.

iii) Urban Arterial Roads

Urban arterial roads are existing and proposed roads of two (2) and four (4) lanes with a design right-of-way width of 26 to 36 metres. Such roads are designed to carry relatively high volumes and provide for movement between principal traffic generators and the interconnection of provincial highways, and major and rural arterial roads. Normally the operating speed for vehicles is 60 kilometres per hour or less. New direct entrances onto an urban arterial road should generally be discouraged and only permitted where approval has been received from the road authority having jurisdiction or where no alternative means of access is available or where the entrance would provide for the logical infilling of development.

iv) Rural Collector Roads

Rural collector roads are existing and proposed roads of two (2) traffic lanes with a design right-of-way width of 26 to 30 metres. Rural collector roads are designed to collect and distribute traffic at moderate to relatively high operating speeds to and from local roads and arterial roads. Rural collector roads are designed to tolerate limited direct access to adjacent properties.

v) Urban Collector Roads

Urban collector roads are existing and proposed roads of two (2) traffic lanes with a design right-of-way width of 26 to 36 metres. Urban collector roads are designed to collect and distribute traffic at relatively low operating speeds to and from local roads and arterial roads and further provide for the interconnection of rural, arterial, and collector roads. Direct access to abutting properties is generally permitted.

vi) Local Roads

Town roads provide primarily for land access to abutting properties. The minimum right-of-way width is 20 metres unless otherwise approved by Council.

7.5.1.4 Development Policies

- a) In considering development or redevelopment along public roads, Council shall require appropriate setbacks, safe ingress and egress and buffering where such is necessary to mitigate negative effects.
- b) Council shall not assume any roads which do not meet municipal standards as established by Council and consistent with accepted engineering practice. The municipality shall be under no obligation to assume roads which exist or may be constructed within the Town.
- c) Access, setbacks, and other development issues along roads shall meet or exceed the requirements of the road authority having jurisdiction.

7.5.1.5 Road Improvements

- a) In the course of approving a subdivision, a consent, and in exercising Site Plan Control, Council may require the dedication of lands for the widening and extension of roads to provide for a right-of-way width in accordance with the designated functional classification. Although road widenings may be obtained through the exercise of site plan approval, road extensions will be secured by way of the subdivision or consent process.
- b) Where a road widening is required, such widening should normally consist of one half of the difference between the existing road width and the width required for the designated functional classification described above.
- c) Road allowance widths specified in Section 7.5.1.3 shall increase on approaches to major intersections as required for channelization and additional turning lanes.
- d) Provision shall be made in the implementing Zoning By-law for adequate setbacks from the centreline of roads.
- e) In order to maintain a satisfactory transportation system, Council will pursue a program of improving road alignments, sight triangles, surface treatment, proper signing, signalization, and acquiring adequate road allowances for existing and new roads as future development warrants.
- f) The establishment of new local roads, road widenings, re-alignments, and minor bypasses will not require an amendment to this Plan.
- g) The establishment of collectors or arterials not shown on Schedule 'E' will require an amendment to this Plan.
- h) Consideration shall be given to the impact of road improvements on the character of

streetscapes and heritage features.

- i) The Town encourages, where feasible, the joint use of public right-of-way or utility corridors.

7.5.1.6 Road Closings

There are a number of unopened road allowances throughout the Town. Such road allowances may be closed after giving consideration to such matters as:

- a) Ensuring that abutting parcels are not land locked.
- b) Ensuring that the road allowance is not required for service easements, utility corridors or future roads.
- c) That the unopened road allowance is not required for recreational activities i.e. pathways, trail systems, and access to environmental areas.
- d) That the unopened road allowance is not required for access to future developments such as opening up aggregate areas or industrial areas.
- e) The unopened road allowance does not provide access to water.

7.5.2 Transit Supportive Development Guidelines

The urban (fully serviced) area is the sole area where public transit may, at some time in the future, become available. This may or may not happen within the 20 year time frame of this Plan.

The following transit supportive guidelines should be considered in the planning of land uses and roads as part of the urban expansion within Greater Napanee.

- a) Collector and arterial roads should be designed to be as straight and direct as possible to prevent circuitous transit routes.
- b) Ninety percent (90%) of residences, jobs, or other activities/uses should be located within 400 metres (1,300 feet) walking distance of a potential transit stop.
- c) Medium and high residential densities should be considered and encouraged along transit routes (arterials and collectors).
- d) Local road patterns should provide for convenient pedestrian access to transit routes (at arterials and collectors).

7.5.3 Pedestrian and Bicycle Circulation

Council encourages the development of a pedestrian and bicycle circulation system which links the various activity and open space nodes such as schools, parks, and commercial areas by a system of pedestrian paths, sidewalks, and bicycle routes.

- a) Council shall cooperate with the adjoining municipalities in the development of a pedestrian and bicycle circulation plan which promotes well defined linkages between focal points of public activity and interest.
- b) Council may prepare a pedestrian and bicycle circulation plan and proceed with the development of such facilities. The pedestrian and bicycle circulation plan may address such matters as:
 - i) provisions for safe and unobstructed pedestrian walkways and paths;
 - ii) minimization of potential conflict with other modes of transportation;
 - iii) integration of the pedestrian and bicycle circulation system with natural amenities such as open spaces; and
 - iv) policies for the acquisition and dedication of lands to be developed as part of the pedestrian and bicycle circulation system.
- c) Council supports the development of bicycle lanes as part of new road construction or reconstruction, particularly along arterials and collectors.

7.5.4 Parking

Parking shall be provided for any land use in the Town in the quantity and subject to the policies herein and the provisions of the implementing Zoning By-law.

7.5.4.1 Shared Parking

- a) Shared use parking arrangements may be considered where uses are compatible and peak parking demand characteristics are complementary, so as to provide for more efficient use of parking facilities. Such arrangements are restricted to cases where the uses are located along roadways designated as arterial roads or collector roads, and the businesses requesting shared use parking arrangements are located on the same side of the street.
- b) Requests to amend the Zoning By-law to permit shared parking arrangements shall be supported by appropriate site specific parking analyses which demonstrate the complementary nature of parking demands for existing and proposed uses on-site and the ability to provide safe movement of pedestrians between uses.

7.5.4.2 Parking for Disabled

Parking for persons with disabilities is encouraged at locations close to the building entrances. Such spaces should be clearly signed.

7.5.4.3 Interconnection Between Adjacent Uses

The provisions of vehicular and pedestrian interconnections between adjacent uses is encouraged where it is suitable and where zoning is compatible, both to facilitate walking between sites and to discourage unnecessary vehicle turning movements to and from the adjoining roadways.

7.5.4.4 Parking and the Central Business District

- a) The Plan recognizes the current Town policy respecting Town involvement in the provision of parking within the Central Business District. Council proposes an on-going program to provide sufficient and adequate off-street parking facilities to serve the needs of the non residential uses in the Central Business District. Whether the program is developed entirely by the Town, by private enterprise, or jointly by the Town and private enterprise, reasonable facilities are to be established and maintained, consistent with the demand.
- b) As a means to provide increased off-street parking in the Central Business District, Council may utilize the provisions of Section 40 of the Planning Act by entering into an agreement with an owner or occupant of a building where parking is required, for cash-in-lieu of parking payment. Such agreement shall set out the terms of payment, the method of calculation and shall indicate the number of parking spaces the owner or occupant is exempted from providing. The agreement may be registered on title and subject to fulfilling the terms of the agreement, the Town shall provide a certificate to the signatory of the agreement.
- c) Monies received for cash-in-lieu of parking shall be set into a special reserve for that purpose.
- d) The location of entrances and exits to off-street parking facilities should be so located as to minimize the interference with street traffic and in general should not be close to major intersections.
- e) Parking lots should be arranged in such a way as to permit easy access to the rear of business establishments and business owners are encouraged to provide entrances to these lots.

7.5.4.5 Parking Screening

The buffering of parking areas is encouraged, so as to help screen and visually enhance these facilities.

PART 8

SUSTAINABILITY

This section represents the sustainability element to the Official Plan and has been prepared in conjunction with the Official Plan 5-year Update. The purposes of the sustainability elements are to increase sustainability within the Town and to become eligible for funding through such mechanisms as the federal Gas Tax Fund.

8.1 INTRODUCTION

Although there are many definitions of sustainability, the Brundtland Commission definition is most often used and reads: “Meeting the needs of the present generation without compromising the ability of future generations to meet their needs.”

Sustainability is about maintaining what we have by using resources more efficiently and equally valuing our shared economic, environmental, social, and cultural future. Sustainability requires the participation of residents, local government, businesses, and industry. To successfully move toward greater sustainability, the residents of the Town of Greater Napanee need to be active participants in defining the future of the Town.

As a result of stakeholder consultation conducted in July 2009, a sustainability vision and a series of sustainability priority areas and objectives have been identified as a first step toward achieving greater sustainability within the Town.

The vision, priority areas, and objectives address the four pillars of sustainability: economy; environment; social; and culture. The priority areas and objectives are principle-based and seek to establish a direction for which the Town can move toward greater sustainability. It is important to note that achieving greater sustainability is an iterative process. As such, while the objectives do not contain measurable goals and targets at this time, goals and targets may be established in the future as a result of a more detailed process.

While the sustainability priority areas and objectives address many elements already present in this Official Plan, they represent the first consolidated and expanded articulation of sustainability within the Plan. The Official Plan is the Town’s strategy for development and provides the framework within which decisions on how to grow, provide public services and facilities, and protect and enhance the environment must be made. As such, the sustainability priority areas and objectives are incorporated in this Plan for ease of implementation and monitoring.

The sustainability priority areas and objectives are to be read in conjunction with the existing goals and objectives (Part 3), policies (Part 4 to 7), and implementation means (Part 9) of this Plan. The sustainability priority areas and objectives are intended to complement, reinforce, and broaden the Official Plan goals, objectives, and policies to holistically address sustainability in the Town.

The Town of Greater Napanee has a number of other documents that address sustainability to varying degrees. These documents include:

- Economic Development Strategy (2009)
- A Long Term Waste Management Plan (2009)
- Master Fire Plan (2009)
- Roads Needs Study (2008)
- Recreation Master Plan (2001)

These documents generally speak to one of the four pillars of sustainability. A synopsis of the documents and how they relate to sustainability is provided below in the respective sustainability priority area. The sustainability priority areas and objectives are intended to be read and utilized in the same fashion as the documents listed above: that is, to provide strategic direction.

Drafting a Capital Investment Plan will be one of the next steps that the Town embarks on to achieve greater sustainability and address commitments made under the Federal Gas Tax Agreement. The Association of Municipalities of Ontario (AMO) and the Government of Canada have signed the Federal Gas Tax Agreement. The Federal Gas Tax Agreement stipulates that all municipalities complete a Capital Investment Plan. The Agreement defines a Capital Investment Plan as:

“A document, such as a capital plan, created through a public process, with approval from municipal elected officials, providing a detailed understanding of anticipated investments into tangible capital assets that are considered “priorities”, along with a rationale.”

The Town’s Capital Investment Plan will direct funding for sustainability-based projects. The Town is also responsible for outlining a timeline for the completion of the Capital Investment Plan.

At a later date, the Town may complete an Integrated Community Sustainability Plan (ICSP). An ICSP involves a consultative process with the community to refine the sustainability objectives to define end-state goals for where the Town wants to be in 25, 50, and 100 years. An ICSP serves as a road map to sustainability by incorporating measurable targets and strategies to achieve the targets.

(MMAH January 14, 2014)

8.2 SUSTAINABILITY VISION

The Town of Greater Napanee is a sustainable community that strives to balance its environmental, economic, social, and cultural assets.

The Town is rich in built, natural, and agricultural heritage and it will work to preserve and celebrate these key components of the community that are vital to its sense of local identity. The residents of Greater Napanee are stewards of its air, water, soil, wildlife, natural spaces, ecological health, and biodiversity and they recognize these elements are essential to the sustainable success of the community.

Greater Napanee is a thriving and diverse community that is supportive of the young and old and sustains a high quality of life for all. Greater Napanee is a community for both living and working, it encourages diverse business opportunities while preserving its natural environment, character, and enviable quality of life. The Town will grow in an efficient, compact manner that will maximize existing infrastructure, preserve the rural landscape, reduce the dependence on fossil fuels, maintain affordability, and respect the unique natural features of the area.

The Town of Greater Napanee's unique heritage, culture, natural setting, location, small town feel, inclusiveness, cleanliness, sense of caring and safety make it an exceptional place to call home.

8.3 SUSTAINABILITY PRIORITY AREAS

Nine sustainability priority areas and associated objectives for the Town of Greater Napanee have been identified as a result of stakeholder consultation conducted in July 2009. These priority areas and objectives are summarized below.

8.3.1 Climate Change

Climate change is affecting our world at all levels from the local to the global. Environment Canada defines climate change as “a long-term change in average weather conditions over time.” At the local level climate change is resulting in agricultural uncertainty (e.g. crop failure), contraction or expansion of plant and/or animal species, a rising trend of hotter days, and overall increasing weather uncertainty. Human activity, through the burning of fossil fuels and subsequent release of carbon monoxide, is the largest contributor to climate change. The Town of Greater Napanee and its residents can take steps to mitigate the effects of climate change by reducing the amount of fossil fuels that are burned. This can be accomplished by:

- Prioritizing growth within the Town that makes use of existing infrastructure and limits sprawl;

- Mixing land uses to promote walkability, reduce vehicle trips, and vehicle kilometers per trip;
- Educating the community about climate change and what actions they can take;
- Working with the community to derive community based solutions to climate change; and
- Working to reduce the carbon footprint of the Town of Greater Napanee.

8.3.2 Energy

The concept of peak oil suggests that we have reached the point of maximum oil extraction and that the extraction of oil resources will only decline from this point onwards. As a result, oil prices will increase, placing pressure on all sectors of our society – business, industry, residential, and manufacturing. The Province of Ontario has been exploring opportunities to add renewable energy to the electrical grid in anticipation of dwindling non-renewable energy resources. As energy is an integral component to the function and prosperity of the Town of Greater Napanee, opportunities should be sought to reduce energy consumption, support renewable energy technologies, and support local production.

The Town of Greater Napanee will work to:

- Concentrate areas of growth and urban development to promote energy efficiency and reduce energy use;
- Promote walking, cycling, and other forms of non-motorized transportation to reduce energy consumption;
- Support greater energy efficiency standards through better urban form and better building design, such as the incorporation of LEED principles of neighbourhood and building design, in order to reduce energy consumption;
- Explore new energy technologies and systems when they become available such as district energy, or integrated community energy systems;
- Promote the use of energy efficient materials in new homes, commercial, institutional, and municipal buildings;
- Explore opportunities to use energy from waste such as biogasification plants;
- Build awareness about the benefits of local food production as it uses less energy;
- Educate the community about consuming locally produced products; and
- Educate the community about the benefits of consuming goods with less packaging.

8.3.3 Economy

The economic vitality of the Town is integral to its long term viability as a place to live, work, and play. Economic growth and stability are important characteristics to retain and attract residents to the Town of Greater Napanee. The long-term success of the Town lies with fostering a diverse local economy by: supporting local entrepreneurs, businesses, and industry; broadening tourism opportunities; and supporting agricultural production and

agricultural tourism.

The Town of Greater Napanee will work to:

- Balance growth and development while preserving the built, agricultural, and natural heritage;
- Foster and support local job creation;
- Promote sustainable business, industry, and agriculture;
- Become a place where residents can live and work;
- Maintain and create local employment;
- Support local businesses but not at the expense of local ownership;
- Investigate incentives to support local businesses;
- Foster economic diversity;
- Expand tourism opportunities;
- Support the creation of sustainable, lasting businesses;
- Promote recreational tourism;
- Support local innovation and enterprise;
- Foster information technology (IT) and high-tech education and training; and
- Promote the Town as a great place to retire due to good access to health care resources.

Existing Documents

The Town's Economic Development Strategy (2009) addresses the economic pillar of sustainability. The Economic Development Strategy outlines priorities for economic development in the Town of Greater Napanee. These strategies include business attraction, retention and expansion, an expanded tourism base and diversification of agriculture. The Economic Development Strategy is premised on "building a sustainable community" and acknowledges the need to conduct sustainable development. The Economic Development Strategy priorities are complimented and enhanced by the sustainability objectives.

The Town's Master Fire Plan (2009) addresses the issue of economic sustainability through the steps taken to preserve buildings and spaces within the Town. In terms of sustainability the Master Fire Plan acknowledges the monetary and non-monetary value of buildings, public spaces, and green/open space within the community. The preservation of these spaces is key to the sustainability of the Town from the very basic level.

8.3.4 Land Use

Managing our use of the land is central to developing a sustainable community. Directing development to areas that have existing infrastructure will aid the Town of Greater Napanee in growing smarter by maintaining valuable wildlife corridors, reducing the distance that residents need to travel to work or to get groceries, and maintaining the small town quality of life.

The Town of Greater Napanee will work to:

- Prioritize growth within the Town that makes use of existing infrastructure and limits sprawl;
- Prioritize infill development within the Town’s existing urban boundary;
- Direct development away from rural, agricultural, significant natural heritage features, and natural heritage corridors;
- Support the mixing of uses in the urban boundary to promote greater walkability reduce vehicle trips, and vehicle kilometers per trip;
- Support the development of buildings that use energy more efficiently; and
- Improve accessibility in the built environment by reducing physical and architectural barriers.

8.3.5 Waste

The continued reduction and diversion of residential, commercial and institutional waste from landfills will result in an economic and environmental benefit to the Town of Greater Napanee. Reducing the amount of waste flow to the Roblin and South Fredericksburgh transfer and disposal sites will extend their operating time, offsetting financial costs to the Town. There will be local and global scale environmental benefits to the reduction and diversion of waste. Locally there will a reduction in land devoted to transfer and disposal sites. Globally, there will be less of a drain on renewable and non-renewable resources. In addition, there will be a reduction in methane produced by the landfill (methane contributes to global warming).

The Town of Greater Napanee will work to:

- Support residents to re-cycle, reduce waste by purchasing goods with little or no packaging;
- Investigate opportunities to divert waste from the transfer and disposal sites (recycling of more residential goods, composting, commercial, and institutional waste recycling); and
- Work with the community to promote the benefits of re-cycling and expanded waste diversion.

Existing Document

The Town’s *A Long Term Waste Management Plan* (2009) examined current waste management practices and options to improve them. The Plan suggests that a community education program be launched to educate the community about reducing waste by purchasing goods with less packaging, reusing items, and swapping, or exchanging “waste” that is no longer needed. A composting program was recommended as well as expanding the items collected by the Town’s blue box recycling program.

The recommendations of the Plan are complimentary to the sustainability objectives as they seek to limit the impact of the Town's waste on the natural environment.

8.3.6 Transportation

Creating a sustainable transportation system requires creating an interdependent relationship between land use systems and transportation systems. To have a successful, functional, and sustainable transportation system development should be directed to areas within the Town that have existing infrastructure. To develop a sustainable transportation system the Town of Greater Napanee will work to:

- Create a multi-modal, integrated network that supports the movement of people and goods within the Town of Greater Napanee;
- Direct transportation system development to areas with existing infrastructure;
- Explore opportunities for shared transportation and integration;
- Increase population levels in designated areas to cater to shared transportation;
- Provide goods and services that are local and accessible to the general population;
- Foster greater walking and cycling infrastructure;
- Create an equitable transportation system for all residents; and
- Create a cost effective and energy efficient transportation system.

Existing Document

The *Roads Need Study* (2008) provides an overview of all the roads contained within the Town of Greater Napanee including their condition, structural adequacy, drainage, and surface provisions. The Roads Need Study falls into the realm of transportation sustainability because it addresses transportation infrastructure. While sustainability is not explicitly mentioned in the report, there are overtures made of the need to focus on maintaining the existing roads system, rather than expanding it.

8.3.7 Culture – Local and Regional Identity

The local and regional identity of the Town of Greater Napanee is shaped by its natural, agricultural, and built heritage. The proximity of the Town to natural heritage features such as lakes, rivers, fields, and forests provides residents access to nature and natural ecosystems. The Town's rich agricultural heritage continues to bear the fruits of time honoured harvests. The built heritage provides a window into the past and the future of the Town. The Town's rich architectural history fosters a unique sense of place that is desirable to both residents and visitors. These three elements influence the lives of Town residents, who in turn influence the natural, agricultural, and built heritage. The residents of Greater Napanee contribute to the local and regional identity through their neighbourliness, festivals, art, theatre, recreational events and competitions, community groups, and volunteering. The Town of Greater Napanee will work to:

- Preserve cultural heritage resources, including the built heritage cultural heritage landscape, and archaeological resources;
- Preserve natural heritage systems and parks throughout the Town;
- Explore opportunities for the architectural integration of new buildings with the existing built heritage; Educate the community about the natural heritage systems that transect the Town;
- Integrate the natural, agricultural, and built heritage in complementary ways;
- Enhance the sense of place for residents and tourists through murals, public art, sidewalk furniture, and wayfinding (signage);
- Support sports and recreation to promote health and well-being within the community, enhance the quality of life and derive economic benefit;
- Promote the local identity by supporting community arts and theatre; and
- Enhance the awareness of the Town’s history through museums.

8.3.8 Social and Health

The human element of sustainability relates to human health and social well-being. The Town of Greater Napanee is a robust community that supports the health and well-being of its residents. This includes equal access to health care, supportive services, recreation, education, and employment.

The Town of Greater Napanee will work to:

- Promote a culture of health and well-being in the Town;
- Promote opportunities for residents to pursue active living, recreation, and health from children to the elderly;
- Support a high quality of life for all Town residents;
- Promote equitable access to health care services for rural and Town residents;
- Promote equitable access to services outside if not provided locally;
- Support equity and diversity within the Town;
- Support lifelong learning for all community members;
- Promote high quality education;
- Address housing affordability by growing smarter, not necessarily growing outwards;
- Work towards systematically removing barriers to accessibility that prohibit movement within the Town’s exterior environment (lack of wheelchair parking spots, poor sidewalk connectivity, etc.) and movement within the Town’s interior environment (ramps, narrow hallways, etc.);
- Encourage residents to participate in the sustainability process;
- Support community service groups and other cooperative networks to support sustainability within the Town; and
- Promote linkages and information sharing within the community through local media and information technology.

Existing Document

The Recreation Master Plan (2001) addresses the social and cultural aspects of sustainability. The Plan acknowledges the need to provide opportunities for participation across the age spectrum. Inter-generational participation in social and cultural activities is paramount for supporting local culture and inter-generational knowledge transfer. The Plan proposes that the Town integrate recreational and cultural activities. By integrating recreational and cultural activities the social and cultural elements of the Town are given equal importance.

8.3.9 Natural Environment

The natural environment can be conceived of as a natural heritage system. Natural heritage systems are made up of natural features and areas, linked by natural corridors and restored linkages necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These ecological systems also function to help protect water resources and to provide for flood damage reduction and the conservation of soil. Incorporating natural heritage systems into land use planning decisions will support sustainable growth and development of the Town.

The Town of Greater Napanee will work to:

- Maintain and enhance natural and park space within the Town;
- Protect natural assets that are vulnerable to development, e.g. water (lakes, rivers, streams, groundwater for quality and quantity), land (forests, lowlands, agricultural lands, natural corridors and linkages, and soil quality) and biodiversity (wildlife and plants) by limiting development in designated areas;
- Promote a culture of local stewardship through natural resource management (water extraction/ aggregates/ forestry/ wildlife/ land);
- Contain urban growth to urban areas, to hamlets or other areas designated areas for such use and away from good agricultural land;
- Foster food security by supporting local food production;
- Strike a balance between natural and human systems (social/cultural/ economic); and
- Create a balance between respect for land ownership/rights and the needs of the community.

PART 9

IMPLEMENTATION AND INTERPRETATION

9.1 INTRODUCTION

If the goals, objectives and policies of this Plan are to provide a meaningful guide in making decisions affecting land use, then legal and financial means must be used to ensure implementation.

The Plan will be implemented by means of the powers conferred upon the Town of Greater Napanee by The Planning Act, the Municipal Act, the Development Charges Act, the Heritage Act, the Local Improvement Act, and such other statutes as may be applicable.

9.2 PROVINCIAL, COUNTY AND AGENCY POLICIES

The Town will have regard to the Provincial Policy Statement, County policies, and relevant agency programs and, where appropriate, reflect these in the Official Plan.

9.3 COMMITTEES

9.3.1 General

The Town intends to facilitate the implementation of this Plan through the establishment of appropriate committees to perform specific planning responsibilities.

9.3.2 Planning Advisory

Council may, in accordance with Section 8 of the Planning Act, appoint a planning advisory committee of such persons as Council may determine. The Committee may:

- a) advise and make recommendations to Council on planning matters;
- b) hold public meetings as required under the Planning Act; and
- c) review, evaluate, and make recommendations to Council with respect to Planning approvals required under the Planning Act.

9.3.3 Committee of Adjustment

Council may appoint a Committee of Adjustment in accordance with the provisions of

Section 44 of the Planning Act, to deal with the following matters:

- a) applications to allow a minor variance from the provisions of the Zoning By-law or any other By-law that implements the Official Plan;
- b) applications to allow the extension or enlargement of a legal non-conforming use;
- c) applications to allow a change in the use of buildings or land from a legal non-conforming use to another non-conforming use; and
- d) applications for consent under Section 53 of the Planning Act, R.S.O. 1990, as amended.

9.4 ZONING BY-LAW

Council will adopt a new Zoning By-law to implement this Plan. Such by-law shall make provision for adequate development standards and establish specific zones and permitted uses consistent with this Plan. Within each land use designation separate zones may be established to ensure that compatible uses will be appropriately grouped, and that the use of land and the character, location and use of buildings and structures is appropriately regulated.

Subject to Section 24 of The Planning Act, no zoning by-law shall be passed unless it is in conformity with this Plan.

9.4.1 Use of the “H” Symbol

It is not intended that all land use areas designated in the Official Plan will be immediately zoned and available for such uses, and no provision of this Plan shall be interpreted to require Council to zone any land within the municipality so as to permit the immediate development of such lands for a designated use. Areas may be further specified in the Zoning By-law in a Holding (H) category pursuant to Section 36 of The Planning Act, and in accordance with the following policies:

- a) Lands may be placed within a Holding category in the implementing Zoning By-law by use of the “H” symbol when the principle of development has been established, in order to achieve one or more of the following objectives:
 - i) identify areas that may be developed in the foreseeable future;
 - ii) reserve their use until necessary municipal services become available;
 - iii) effect the phasing and/or proper design of residential, commercial, or industrial development;
 - iv) ensure servicing and financial agreements are in place; and/or
 - v) delay development until such time as it is determined that identified development

constraints can be overcome to the satisfaction of Council.

- b) Lands shown in a Holding (H) category in the implementing Zoning By-law:
- i) should be restricted to existing uses, and
 - ii) new development proposed on such lands shall not be permitted until Council deems it appropriate to remove the Holding symbol through a by-law enacted under Section 36 of the Planning Act, and in accordance with Subsection (c) below.
- c) Removal of Holding Zones

An application for removal of the Holding symbol will be reviewed by Council in accordance with the following criteria:

- i) conformity of the proposed use with the provisions of the Zoning By-law;
- ii) availability of required services;
- iii) agreement on the phasing and design of the proposed development;
- iv) development constraints which have been identified can be overcome to the satisfaction of Council;
- v) fulfilment of the financial requirements of the municipality; and
- vi) that any necessary agreements, such as subdivision agreements and/or site plan control agreements have been executed and/or registered on title.

9.4.2 Development Zones

Where it is considered premature to introduce a Holding (H) category, such as may be the situation where a lengthier time frame is expected until development occurs, or where information is insufficient to adequately outline zone boundaries of areas and subsequent application of an “H”, certain areas designated for specific land use in this Plan may be zoned within a “Development Zone” or other similar category, permitting a limited range of use. Under the “Development”, or similar category, lands may be used for agriculture, open space and their existing use, with restrictions limiting enlargement.

It is intended that the uses permitted within a Development Zone, or similar category, will not exert any adverse effect on adjacent existing uses and will not jeopardize the future development of the land in conformity with the designations outlined in this Plan. Such areas may be rezoned for their designated use, or rezoned to a Holding (“H”) Zone, when they appear to be ready for such a change, and when the standards appropriate to the designated use can be applied.

9.4.3 Non-Conforming Uses

9.4.3.1 Recognition of Existing Land Uses

It is not the intent of this Plan to unnecessarily prevent the continuation, expansion or enlargement of existing uses which do not conform with the land use designations or related policies of this Plan and thereby create situations of unnecessary hardship. Council may, where deemed advisable, zone those uses legally existing at the date of adoption of the Official Plan and/or legally existing prior to the adoption of an implementing zoning by-law, so as to recognize the use existing, provided this does not result in an increased adverse effect on the use of adjacent lands.

9.4.3.1.1 Existing Non-Conforming Land Uses

Any land use existing at the date of approval of this Official Plan that does not conform with the land use designations as shown on the Land Use Schedules or the policies related thereto, as a general rule, should cease to exist in the long run. Elimination of non-conforming uses may, among other means, be achieved by purchase or exchange of land, or they may disappear by voluntary termination in the course of time. In special instances, however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship, provided the general intent of the Plan is maintained. Extensions and enlargements shall be handled through the use of Section 34(10) or Section 45 of The Planning Act.

a) Section 34(10) of The Planning Act

Any application, in accordance with Section 34(10) of The Planning Act for the extension or enlargement of a use which does not conform to the implementing Zoning By-law (hereinafter called a non-conforming use), and which existed at the time of passing of such by-law, shall be dealt with in the following manner:

- i) Council shall determine the feasibility of acquiring the property concerned at the time of application, or possibly at some future date, and of holding, selling, leasing or redeveloping the property in accordance with the provisions of The Planning Act.

Consideration will be given to the re-establishment of the use in a different location, where it would be able to perform and produce under improved conditions in accordance with the policies of this Plan.

- ii) If acquisition does not appear to be feasible, and if the merits of the individual case make it desirable to grant permission for the extension or enlargement of the non-conforming use, Council may consider the passing of a Zoning By-law pursuant to Section 34(10) of The Planning Act, and such By-law may then be

passed without the necessity to amend the Official Plan, providing it complies with the policies below.

- iii) Prior to making any decision on the application, Council may refer such application to the Planning Advisory Committee for a report on the various aspects of the matter for the information of Council. Council shall be satisfied that those of the following requirements which are relevant to the application for the extension or enlargement of the non-conforming use are, or will be, fulfilled in order to safeguard the wider interests of the general public:
- that the proposed extension or enlargement of the established non-conforming use will not unduly aggravate any conflicts created by the existence of the use, having regard to the policies of the Official Plan and the provisions of the Zoning By-law;
 - that the proposed extension or enlargement will be in an appropriate proportion to the size of the non-conforming use established prior to the passing of the implementing Zoning By-law;
 - that an application which would affect the boundary areas of different land use designations on the Land Use Schedule will only be processed under these policies if it can be considered as a “minor adjustment” permitted under the flexibility of interpretation in the interpretation section of this Plan without the need for an amendment. Any major variations will require an amendment to the Official Plan;
 - the characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odors, lighting and traffic generation. An amendment to the implementing by-law may be refused if one or more of such nuisance factors will be created or increased so as to add essentially to the incompatibility of the use with the surrounding area;
 - that the neighbouring conforming uses will be protected, where necessary, by the provision of buffering, and provisions for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. Such provisions shall be applied to the proposed extension or enlargement and, wherever feasible, be also extended to the established use in order to improve its compatibility with the surrounding area;
 - that adequate provisions have been, or will be, made for traffic, off-street parking, and loading facilities; and
 - that applicable municipal services are adequate or can be made adequate.
- iv) Council will not pass an implementing Zoning By-law pursuant to Section 34(10) of The Planning Act, unless satisfied that such extension will not unduly adversely affect adjacent land uses.

b) Section 45 of The Planning Act (R.S.O. 1990 c.P.13)

In addition to certain other powers relating to minor variances, consents, and to the interpretation of uses described in general terms, the Committee of Adjustment may authorize a minor variance from the provisions of the by-law for the enlargement or extension of a non-conforming use, building or structure, provided such enlargement or extension does not go beyond the limits of the land owned and used in connection therewith on the day the by-law was passed.

The Committee of Adjustment may also permit a change of use on non-conforming land or in a non-conforming building or structure, provided the new use is not less compatible with the Zoning By-law than the existing use.

In evaluating applications related to non-conforming uses, the Committee of Adjustment shall be guided by the matters outlined in Subsection 8.4.3.2 above.

9.5 TEMPORARY USE BY-LAWS

Council, in accordance with the provisions of Section 39 of The Planning Act may pass by-laws to authorize the temporary use of land, buildings or structures for any purpose. Applications for temporary uses will be evaluated on the basis of the following:

- a) the proposed use must be temporary in nature, compatible with surrounding uses, and consistent with the intent of this Plan;
- b) the special circumstances which may apply to the subject property or the proposed temporary use;
- c) the appropriateness of the proposed use to the subject property;
- d) the difficulty involved in terminating the proposed use when the authorizing by-law expires;
- e) the difficulty in restoring the subject lands, buildings and structures to either their initial state or an improved state;
- f) the availability of services for the subject property, and the impact of the proposed use on adjoining roads and other municipal services available;
- g) appropriate means of minimizing any potential adverse effects of the proposed use on adjoining properties;
- h) the need for a Site Plan Agreement prior to the approval of the temporary use; and
- i) the need to enter into a temporary use agreement with the municipality for the duration

of the temporary use period, which is not to exceed the time of duration from the day of the passing of the temporary use by-law, as specified in The Planning Act, but which may be renewed in accordance with Section 39 of The Planning Act.

Council may specify those lands which are the subject of a Temporary Use By-law by using the letter “T” in conjunction with any zone symbol in the Zoning By-law.

9.6 INTERIM CONTROL BY-LAW

Council may pass an interim control by-law, as provided for in Section 38 of The Planning Act, for prohibiting the use of land, buildings, or structures within a defined area or areas of the Town for or except for such purposes as are set out in the By-law. The interim control by-law may be considered and enacted for the purposes of undertaking such plans and/or studies in any areas where, in the opinion of Council, circumstances dictate a need to review land use policies within a defined area.

The term of the by-law shall be as set out in The Planning Act and may not exceed one year from the date of its passing. Council may extend the duration period of the interim control by-law such that the total time it is in effect is two years.

When considering a proposal to enact an interim control by-law, Council will:

- a) consider the planning justification which demonstrates the need to carry out the study; and
- b) be satisfied that the required study can be carried out expeditiously.

9.7 SITE PLAN CONTROL

Pursuant to Section 41 of The Planning Act (R.S.O. 1990 c.P.13), the entire area within the Corporate limits of the Town of Greater Napanee is a proposed site plan control area.

- a) 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 for the Town. 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.
- b) It is generally intended that the following uses be exempted from the site plan control requirements unless approval conditions as part of the creation of a new lot by plan of subdivision or consent to land severance require they be subject to site plan approval:
 - i) a single unit dwelling;

- ii) a semi-detached dwelling;
- iii) a duplex dwelling;
- iv) permitted agricultural buildings and structures used in non intensive farming operations; and
- v) accessory buildings, minor renovations, and extensions to the above uses.

In areas designated Environmental Protection or Environmentally Sensitive, 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.

(MMAH February 19, 2002)

- c) Council may require site plan drawings, elevations and cross-sections for all residential buildings containing three (3) or more dwelling units.
- d) In accordance with Section 41 of The Planning Act, the Infrastructure section and Schedule “F” of this Official Plan, sufficient road widening will, where feasible, be required to ensure roads meet the road allowance widths specified in the Infrastructure section of this Plan.
- e) 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.
- f) 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.
- g) 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.
- h) Pursuant to Section 41(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.

9.8 CONSULTATION AND APPLICATION REQUIREMENTS

9.8.1 Mandatory Pre-Consultation

The Town shall, by by-law, require applicants to consult with the Town prior to formal submission of any development application for which the Town is the approval authority.

9.8.2 **Development Applications: Required Information and Material**

- a) 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:
- Official Plan Amendments;
 - Zoning By-law Amendments;
 - Applications for Plan of Subdivision or Condominium;
 - Applications for Site Plan Control;
 - Consent Applications; and,
 - Applications for Minor Variance.
- b) Development application for a planning approval listed in Section 9.8.2 a) 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 to for the application to be deemed complete. Such information and materials include, but is not limited to the following:
- Description of the applicant's interest in the land (owner, tenant, purchaser);
 - Identification of the registered land owner, if different from the applicant;
 - Owner's authorization / consent to apply for the planning approval, if the owner is not the applicant;
 - Identification of the agent for the applicant, if any, with written authorization from the applicant;
 - Identification of the applicant's planner, if any;
 - Owner's authorization / consent to use and disclose personal information and to allow site visits;
 - Written confirmation of pre-consultation with the municipality;
 - Assessment Roll Number of the subject land(s);
 - The existing Official Plan designation and zoning for the lands;
 - Description and sketch of any existing or proposed easements and/or rights-of-way;
 - Description and/or sketch of existing uses, previous uses, and complete description (e.g. frontage and depth) of the subject lands;
 - Description and/or sketch of the existing land uses adjacent to and within 500 metres of the subject lands;
 - 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, wooded areas, etc.); and,
 - Any studies identified by the Town under Section 9.8.3 of this Plan.

c) In addition to the information required in Section 9.8.2 b), an application for a Plan of Subdivision or Condominium must also provide the following:

- Identification of the Ontario Land Surveyor, if any;
- Outline of housing affordability; and,
- Preliminary Stormwater Management Report.

(OPA No. 27)

9.8.3 Development Applications: Additional Information – Studies and Assessments

a) In addition to the requirements of Section 9.8.2, additional information in the form of the studies or assessments may be required in order to consider a planning application complete.

b) 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.

c) 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.

d) The additional information or material that may be required includes, but is not limited to, the studies and assessments listed below:

- Assessment of Adequacy of Public Services/Conceptual Site Servicing Study;
- Servicing Options Report;
- Hydrogeological and Terrain Analysis;
- Erosion and Sediment Control Plan;
- Geotechnical Study/Slope Stability;
- Impact Assessment of Adjacent Waste Disposal / Former Landfill Site;
- Mineral Resource Impact Assessment;
- Noise Control Study;
- Noise/Vibration Study;
- Transportation Impact Study or Brief or Community Traffic Study;
- Market Impact Study or Brief;
- Heritage Impact Assessment;
- Minimum Distance Separation;
- Planning Rationale;
- Environmental Impact Study;

- Agrology and Soil Capability Study;
 - Integrated Environmental Review Statement;
 - Phase 1 Environmental Site Assessment (ESA);
 - Phase 2 Environmental Site Assessment (ESA);
 - Record of Site Condition;
 - Wellhead Protection Plan;
 - Reasonable Use Study;
 - Groundwater Impact Assessment;
 - Stormwater Site Management Plan;
 - Archaeological Assessment;
 - Tree Preservation and Protection Plan;
 - Assessment of Landform Feature;
 - Aggregate Resource Impact Assessment;
 - Ecological Assessments;
 - Mine Hazard Study / Abandoned Pit or Quarry;
 - Proximity to or location within the hazard distance of a propane facility; and
 - Concept Plan showing ultimate use of land.
- e) Notwithstanding the required studies and assessments listed above in Section 9.7.3.d), Council may ask for any additional information that is considered reasonable and necessary in order to make a decision on a development application.
- f) The Town may require any of the studies or assessments noted in Section 9.8.3.d) to be peer reviewed on behalf of the Town at the proponent's expense.

(MMAH January 14, 2014)

9.9 PROPERTY CONDITIONS

Council encourages the development and maintenance of an efficient and pleasant environment for living, working, shopping, and recreation. Although the quality of property and its maintenance is generally high, there is an ongoing need to ensure that adequate standards of maintenance will be pursued in the future to safeguard the values built into the physical community. To this end, it is the intention of Council to implement a property standards program.

The key element of this program will be the preparation, enactment and enforcement of a by-law relating to property conditions. The purpose of this By-law is to prescribe minimum standards for the maintenance and occupancy to conserve, sustain and protect existing and future development in the Town.

The Property Standards By-law, as executed under the Building Code Act (S.O. 1992, C.23, as amended) will be applicable to all property and may contain requirements and

provisions for:

- i) garbage disposal;
- ii) pest prevention;
- iii) structural maintenance of buildings;
- iv) safety of buildings;
- v) cleanliness of buildings;
- vi) services to buildings such as plumbing, heating and electricity;
- vii) keeping lands and waterfront properties free from rubbish, debris, and wrecked, discarded or dismantled objects and materials such as vehicles, boats, trailers, and mechanical equipment;
- viii) maintaining yards, lands, parking and storage areas;
- ix) maintaining fences, swimming pools, accessory buildings and signs;
- x) occupancy standards; and
- xi) administration and enforcement of the by-law.

The Town will appoint an Officer who will be responsible for administering and enforcing the standards for the Property Standards By-law.

The Town will also appoint a Property Standards Committee for the purpose of hearing appeals against any Order of the Standards Officer.

The measures to be used generally in achieving the property maintenance program may include:

- i) an education and public relations program to show people the benefits of continued property maintenance;
- ii) the provision of information showing what improvements can be made without increasing assessment;
- iii) the establishing and/or seeking out of community and/or home improvement related rehabilitation assistance programs; and
- iv) such other measures as deemed suitable and desirable by Council.

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

9.10 PART LOT CONTROL BY-LAWS AND DEEMING BY-LAWS

- a) By-laws for the removal of part lot control require the approval of the Town of Greater Napanee. Only the by-laws in conformity with this Plan and the Planning Act will be adopted by Council.

- b) Where appropriate, registered plans may be deemed not to be plans of subdivision for the purposes of the Planning Act.

9.11 EXISTING VACANT LOTS

In keeping with the intent of this Plan, the development of existing vacant lots is encouraged prior to further approvals being recommended.

Existing lots may be developed where:

- a) the lot complies with the servicing policies of this Plan;
 - b) the proposed use complies with the designations and land use policies in this Plan;
 - c) the proposed use conforms to the access policies of this Plan;
 - d) the lot complies with the Minimum Distance Separation Formula for those lands designated as Agricultural and/or Rural; and
 - e) meets the requirement of agencies such as the Conservation Authority.
- (MMAH February 19, 2002)

9.12 VALIDATION

Should validation of a lot be necessary, the municipality may issue a certificate of Validation under Section 57 of The Planning Act. All development on plans where validation is necessary shall be subject to the following criteria:

- a) compliance with the Ontario regulations implementing Section 57 of the Planning Act;
- b) scattered development resulting in a demand for services which are not possible or economical to provide or maintain shall be discouraged. Services may include items such as garbage collection, police and fire protection, snow removal, road construction, road maintenance, park facilities and transportation to and from school;
- c) prevention of ribbon development along arterial and collector roads;
- d) validation shall not be obtained where a traffic hazard would be created because of limited site lines, curves, or grades;
- e) validation will be discouraged in areas designated in an Environmental category;
- f) in no instance shall any parcel be validated which does not conform with the provisions of the Zoning By-law; and

g) validation shall not be used as a substitute for the consent or plan of subdivision process.

9.13 LAND ACQUISITION

Council may acquire land to implement any feature of this Plan in accordance with the provisions of the Municipal Act, the Planning Act, or any other Act.

9.14 MUNICIPAL ACT LEGISLATION

Council will continue to review existing legislation pursuant to the Municipal Act governing such uses as salvage yards, waste disposal sites, pits and quarries, trailers, signs, swimming pools, places of amusement, and so on. Where necessary Council will amend existing By-laws or pass new By-laws as may be required to ensure such uses are properly regulated.

9.15 FINANCE AND PUBLIC WORKS

The implementation of the policies of this Plan will involve the Town directly in the financing of certain projects. The text and Schedules of this Plan outline the nature and scope of these projects which include the provision of piped water and sanitary sewers, the development of parks and playgrounds, the upgrading of roads and the improvement of intersections. No public work is to be undertaken unless it is in conformity with this Plan and meets the requirements of Section 24 of the Planning Act.

Implementation is to be achieved in a fiscally efficient and prudent manner. To this end, long term financial management strategies are to be implemented and financial implications are to be monitored on an ongoing basis.

a) Capital Works

It is intended that the Town will establish a priority list for the implementation of projects, with estimates of cost (land acquisition, construction and maintenance costs) wherever possible.

One year, five year and ten year capital works programs shall be developed to be carried out systematically, adopting initially the first year of the program as part of the overall municipal budget. It is intended that the program be reviewed annually as part of the capital budget procedure, which shall conform to the aims and policies of this Plan.

b) Finance

It is the intent of this Plan that:

- i) a balanced taxable assessment ratio between non-residential and residential assessment be maintained consistent with long term municipal financial planning;
- ii) the cost of providing the additional services and costs related to growth be provided by development proponents where appropriate;
- iii) where development requires the extension of existing services such as roads, piped water/sanitary sewers, stormwater systems, electrical utilities, telephone lines, cable television, and so on, the funding of such service extension be in accordance with the policies of and to the satisfaction of the governing agency;
- iv) the costs of providing additional services, which are not related to growth, be funded from taxation, user fees or other appropriate methods;
- v) prior to any development proceeding, all agreements be executed, including front-end agreements, financial agreements and development agreements to provide for the servicing infrastructure to accommodate the growth caused by the development;
- vi) the Town will continue to investigate financial mechanisms and initiatives to ease the burden on the general tax levy including user fees, development charges, public/private partnership, government grants and subsidies and other sources of funding;
- vii) the Town will monitor the fiscal impacts of growth and development to ensure that current objectives and policies reflect changing fiscal circumstances;
- viii) the Town may require the preparation of an economic impact analysis in conjunction with consideration of any significant proposal, as determined by Council. The purpose of such an analysis is to determine the likely impact of the proposal on municipal operating and capital costs over both the short and long term.

9.16 PUBLIC PARTICIPATION AND NOTICE PROCEDURES

In order to adequately inform the general public as to the policies and proposals contained herein, Council will, upon receiving the Minister's approval of this Plan, reproduce this Plan and make it available to the public.

a) Objectives

To provide a public participation process which allows individuals and organizations to be made aware of planning proposals and to be provided an opportunity to express their views to Council.

b) Program Elements

The elements of a program for public involvement in municipal planning will ensure:

- i) public participation;
- ii) provision of accurate and objective information;
- iii) provision of opportunities to express opinions;
- iv) information is presented in non-technical language;
- v) consideration is given to public responses;
- vi) flexibility in the process; and
- vii) acknowledgment of the interests and views of the participants.

c) Provision of Planning Documents

Council shall make available to the public planning documents specified in The Planning Act such as the Official Plan, Community Improvement Plans, Secondary Plans, and Zoning By-laws to foster a greater awareness and knowledge of planning matters.

d) Public Participation

To facilitate public participation in planning issues, Council may employ, in addition to any required public meetings, appropriate methods at varying stages of the decision-making process such as, but not limited to, informal public meetings, open houses, workshops, displays, municipal-wide advertising, working committees, task forces, consultation with neighbourhood/ratepayers associations, early agency consultation, and posting of affected properties.

e) Notification Procedures

The requirements of The Planning Act for public notice procedures as set out in the respective Sections and regulations shall apply.

f) Exemptions

Council may, by resolution, forego public notification in connection with Official Plan, Community Improvement Plan, and Zoning By-law Amendments if such amendments relate to matters which 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:

- i) altering punctuation or language to obtain a uniform mode of expression;
- ii) correcting clerical, grammatical, dimensioning or typographical errors;
- iii) altering and/or correcting the number and arrangement of any provision;
- iv) inserting historical footnotes or similar annotations to indicate the origin and approval of each provision;
- v) changing the format of a document;
- vi) consolidating amendments; and
- vii) transferring Official Plan, Community Improvement Plan, and Zoning By-law designations to new base maps.

9.17 OFFICIAL PLAN AMENDMENTS AND REVIEW

a) Amendment

Council may amend this Plan to reflect changing conditions, or amend the Plan as deemed necessary to keep abreast of changes and trends whether originating within the Town or beyond the Town boundaries.

The Official Plan may also be amended based upon decisions made by Council regarding specific requests. When considering a specific request for amendment, Council will have regard to:

- i) the need for the use;
- ii) alternative locations for the proposed use;
- iii) compatibility of the use with surrounding uses;
- iv) impact on resources;
- v) impact on natural heritage features;
- vi) the adequacy of water supply and sewage disposal services required by the proposed use;
- vii) vehicular and pedestrian access; and
- viii) financial impact on the municipality.

b) Review and Monitoring

The Town will monitor, on an annual basis, all development activity in the municipality, including the creation of lots, issuance of building permits and changes in land use, and prepare an annual report outlining these activities.

In accordance with Section 26 of The Planning Act, Council shall, not less frequently than every five (5) years, hold a special meeting of Council, open to the public, for the purpose of determining the need for a comprehensive review and update of this Official

Plan.

9.18 CHANGES TO AGENCY NAMES, RESPONSIBILITIES, AND LEGISLATION

9.18.1 Agency Names and Responsibility

From time to time, the names of various government ministries and agencies may change. In addition, responsibilities may shift from one ministry to another. The names of various ministries responsible for programs, regulations, and approvals are given in this Plan as of the date of adoption of this Plan. It is not intended to amend this Plan each time a change of name or responsibility occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, or to their successors, as conditions dictate.

9.18.2 Legislation

Provincial and Federal Statutes are amended and legislation section numbers may change. It is not intended to amend this Plan each time such a change is made. This Plan shall be interpreted so as to refer to subsequent legislation as amended from time to time.

9.18.3 Amendment to the Plan

The changes mentioned in Subsection 8.17.1 and 8.17.2 may be incorporated into the Plan in accordance with Part 8, Section 15(f) of this Plan.

9.19 INTERPRETATION: BOUNDARIES AND QUANTITIES

- a) It is intended that the boundaries of the land use designations shown on the Schedules to this Plan be considered as approximate, or absolute only where bounded by roads, railways, rivers, lakes or other similar natural physical barriers.
- b) It is intended that the location of roads as indicated on Schedules “D” and “E” be considered as approximate and not absolute.

(MMAH February 19, 2002)

- c) Amendments to this Plan will not be required in order to make minor adaptations to the approximate land use boundaries or the location of roads, provided that the overall intent of this Plan is preserved. Site specific adaptations may be established at the time of preparation of a new Zoning By-law to implement this Official Plan, or as part of the evaluation of a development or redevelopment proposal.
- d) Wherever a use is permitted in a designated area, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use also be permitted.

- e) Such terms as reasonable, limited and appropriate will be interpreted by the Council to ensure that the overall intent of this Plan is maintained.
- f) All minimum size criteria such as lot area and measurements are to be considered as approximate and not absolute. Amendments to this Plan will not be required for any minor variation.
- g) All measurements in this Plan are in metric form and it is the intent of this Plan that the metric format be used in the preparation of the implementing Zoning By-law.
- h) All words in the singular shall include the plural and all words in the plural shall be interpreted to include the singular.
- i) The terms `consent' and `severance' are used interchangeably.

9.20 DEFINITIONS

The definition of terms contained in this Plan are as follows:

9.19.1 “ADJACENT LANDS” means

- a) For the purposes of polices related to Natural Heritage, 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 the adjacent lands may be recommended by the province or based on municipal approaches which achieve the same objectives; and
- b) For the purposes of polices related to protected heritage property, those lands contiguous to a protected heritage property or as otherwise defined in this plan.

(MMAH January 14, 2014)

9.19.2 “AGRICULTURAL USES” means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; ago-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

9.19.3 “AGRICULTURE-RELATED” means those farm related commercial and farm related industrial uses that are small in scale, directly related to the farm operation, and required in close proximity to farm operation.

9.19.4 “AREAS OF NATURAL and SCIENTIFIC INTEREST (ANSI)” are areas that have been identified by the Ministry of Natural Resources as being important for natural heritage protection, appreciation, scientific study or education. They include areas that exhibit significant Earth or Life Science features which are outstanding representations of

Ontario=s natural landforms and landscapes.

9.19.5 “BARRIER” refers to anything that stops a person with a disability from fully taking part in society because of that disability. Some barriers include:

- Physical barriers, for example a step at the entrance to a store;
- Architectural barriers, for example no elevators in a building of more than one floor;
- Information or communications barriers, for example a publication that is not available in large print;
- Attitudinal barriers, for example assuming people with a disability can't perform a certain task when in fact they can ;
- Technological barriers such as traffic lights that change too quickly before a person with a disability has time to get through the intersection; and
- Barriers created by policies or practices, for instance not offering different ways to complete a test as part of job hiring.

9.19.6 “BED and BREAKFAST ESTABLISHMENT” means a dwelling unit in which the owner and/or operator who occupies the dwelling provides no more than three guest rooms

9.19.7 “BERM” means high embankment or ridge of earth functioning as a protective barrier.

9.19.8 “BUFFER” means an open space, berm, wall, fence, plantings, distance separation or land uses different from the conflicting ones but compatible with both or any combination of the aforementioned that is sufficient to accomplish the intended purpose.

9.19.9 “COUNCIL” means the elected Council of the Town of Greater Napanee, while “Municipality” refers to the Town of Greater Napanee and its Council.

9.19.10 “DEVELOPMENT” means:

- i) a change in land use;
- ii) the construction, erection or placing of a building or structure of any kind;
- iii) the making of an addition or alteration to a building or structure that has the effect of changing the size or usability of it;
- iv) activities such as site grading, excavation, removal of topsoil or peat and the placing or dumping of fill;
- v) drainage works, except for the maintenance of existing municipal and agricultural drains.

9.19.11 “ENDANGERED OR THREATENED SPECIES” means a species of fauna or flora that is listed or categorized as an “Endangered Species” or a “Threatened Species” on the Species at Risk in Ontario List, O.Reg 230/08.

9.19.12 “ENVIRONMENT” refers to any combination of: air, soils and water; plant and animal life; social and cultural conditions; buildings or structures.

- 9.19.13 “EROSION HAZARD”** means a loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.
- 9.19.14 “EXISTING LOTS OF RECORD”** means a lot legally existing at the date of adoption of this Official Plan.
- 9.19.15 “FARM CONSOLIDATION”** means the merging of two contiguous properties into a single property under the same ownership and does not include properties which are not contiguous.
- 9.19.16 “GROUP HOME”** means a single housekeeping unit in a residential dwelling in which up to ten (10) persons (excluding supervisory staff or receiving household) live under responsible supervision consistent with the particular needs of its residents. The home is licenced or approved under Provincial statutes. See also Special Care Facilities.
- 9.19.17 “HERITAGE FEATURES”** include but are not necessarily restricted to archaeological sites, Aboriginal and Non-Aboriginal cemeteries and burials with historic significance, buildings and structural remains of historical and architectural value, and human-made rural, hamlet and urban landscapes and cultural heritage landscape features.
- 9.19.18 “INFILLING”** means the development of new residences to be located between two houses which are located on the same side of a public road and which are separated by a distance of not more than 100 metres.
- 9.19.19 “INFLUENCE AREA”** and **“POTENTIAL INFLUENCE AREA”** means the area(s) at, above, or below grade, associated with a facility or use that is subject to one or more adverse effect(s) which may be of varying duration, frequency and distance of dispersal. This is an actual influence area. A potential influence area identifies where adverse effects are generally expected to occur. An influence area or potential influence area acts as a constraint for sensitive land use, or conversely on the establishment of a facility or use, unless evidence is provided that adverse effects are not a problem, or can be satisfactorily mitigated to the level of trivial impact.
- 9.19.20 “LOCALLY GROWN”** means fruit or fruit juice used in the production of wine that consists primarily of fruit in the first instance grown on the same farm as the winery and secondarily within the municipal boundaries of the Town of Greater Napanee and/or in the Designated Viticulture Area (DVA). Minor amounts of fruit or fruit juice may consist of product from outside the DVA. (OP Amendment #3)
- 9.19.21 “NATURAL HERITAGE FEATURES AND AREAS”** means features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands, significant valleylands, significant habitat of endangered species and threatened

species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

9.19.22 “NATURAL HERITAGE SYSTEM” means a system made up of natural features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

9.19.23 “PASSIVE OUTDOOR RECREATIONAL USES” means uses such as hiking and ski trails, riding clubs, nature observation locations and open space as opposed to (for example) tennis courts, golf courses, and baseball diamonds.

9.19.24 “PIT” means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes but does not include a wayside pit.

9.19.25 “PORTABLE ASPHALT PLANT” means a facility:

- 1) with equipment to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stock piling and storage of bulk materials used in the process;
- 2) which is not of permanent construction but which is to be dismantled at the completion of the construction project; and
- 3) which does not remain at one location for more than one year

9.19.26 “PROPERTY” means a separate and distinct parcel of land legally capable of being conveyed.

9.19.27 “QUARRY” means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes but does not include a wayside quarry or open pit metal mine.

9.19.28 “REGULATORY FLOODPLAIN” means:

- a) For river and stream systems (including local inland lakes), the area affected by the anticipated regulatory (1:100 year) water elevation, plus an allowance for water-related hazards (for example, ice jams);
- b) For Lake Ontario, the area affected by the regulatory (1;100 year) water elevation plus an allowance for wave uprush and other water-related hazards.

9.19.29 “SECONDARY AGRICULTURAL USE” means the use of land secondary to the principal use of the farm that produces value-added agricultural products from the farm

operation on the property.

(OP Amendment #3)

9.19.30 “SECONDARY UNIT” means a dwelling unit that is also known as an accessory unit or basement apartment, a secondary suite or inlaw suite. Such units are self contained residential units with kitchen and bathroom facilities.

9.19.31 “SENSITIVE LAND USE AND/OR RECEPTOR” means any building or structure used as a residence, seasonal residence, hotel, motel, nursing home, retirement home, hospital, school, place of worship, day care, or any lands used for camp grounds or picnic areas.

9.19.32 “SETTLEMENT AREAS” means urban areas and rural settlement areas such as fully serviced areas, villages and hamlets that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in the official plan for development over the long term planning horizon.

9.19.33 “SIGNIFICANT” means

- a) In regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) In regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- c) In regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history; and
- d) In regard to other natural features and areas, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.

9.19.34 “SITE ALTERATIONS” means activities, such as fill, grading and excavation, that would change the landform and natural vegetative characteristics of a site.

9.19.35 “SPECIAL CARE FACILITIES” includes the following:

- 1) Crisis Care Shelter – a single housekeeping unit for persons in a crisis situation requiring shelter, protection, assistance, counselling or support, and short term accommodation of a transient nature.
- 2) Detoxification Centre – a facility to house persons addicted to chemical substances and/or alcohol who are admitted for withdrawal, treatment and/or rehabilitation, and who live together under responsible twenty-four (24) hour supervision consistent with their requirements.
- 3) Recovery Home – A single housekeeping unit offering a group living arrangement, treatment and education for persons with alcohol or drug related problems and/or dependencies, under responsible twenty-four (24) hour supervision.
- 4) Corrections Residence – A group living arrangement in a secure facility for individuals who have been placed on probation, who have been released on parole, who are admitted to the facility for correctional or rehabilitation purposes, or who are awaiting trial and live together under responsible twenty-four (24) hour secure supervision and accepted standard for secure detention.
- 5) Residential Care Facility – A group living arrangement in a single housekeeping unit for eight (8) or more individuals (exclusive of staff and/or receiving family), who live under responsible supervision consistent with their particular needs. The facility is licenced or approved under Provincial statutes.

9.19.36 “SUSTAINABLE DEVELOPMENT” means development that meets the requirements of the present without compromising the ability of future generations to meet their own needs.

9.19.37 “WATERBODY” means all classes of lakes, ponds, rivers, creeks, and streams having defined and permanent banks and beds.

9.19.38 “WAYSIDE PIT or QUARRY” means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and which is not located on the road right-of-way. Such wayside pit or quarry shall be opened and operated only by the Ministry of Transportation of Ontario, the County of Lennox and Addington, or Greater Napanee or their agents for the purposes of specific public projects.

9.19.39 “WILDLIFE HABITAT” means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species

concentrate at a vulnerable point in their annual or life cycle; and areas that are important to migratory or non-migratory species.

9.19.40 “WINERY” and “FRUIT-BASED WINERY” means buildings or structures used for the processing of grapes or fruit in the production of wines or ciders, including the fermentation, production, bottling, aging or storage of wine and wine-related products as a secondary agricultural use to a vineyard and/or fruit farm. The winery may include a laboratory, winery administrative offices and similar uses secondary there to. The zoning by-law may differentiate between types of wineries such as an Estate Winery and Farm Winery.

(OP Amendment #3)

9.19.41 “WOODLANDS” means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas, and vary in their level of significance at the local, regional and provincial levels.

PART 10

APPENDIX 1

4
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10.1 SAMPLE TERMS OF REFERENCE– ENVIRONMENTAL IMPACT STUDY (EIS)

In considering any development or site alteration within an EP or ES designated area, Council, in consultation with the appropriate agencies, may require the proponent to undertake an Environmental Impact Study (EIS). The scale and subject matter of the EIS required will vary with the scale and type of development proposed. This shall be determined in pre-consultation with the Conservation Authority and the municipality prior to the EIS proceeding. Such a study shall:

- a) Be prepared by a qualified professional who has been educated in, and has current knowledge of, biology, ecology, landscape ecology and any other relevant fields of study, as required (the professional shall also have an understanding of the natural heritage system of the region);
- b) Include a detailed description of the development proposal;
- c) Be consistent with the intent of the 2005 Provincial Policy Statement;
- d) For areas on and immediately adjacent to the site, include descriptions and clearly legible, scaled maps of the existing land uses, existing Official Plan designations, and the proposed development and site alteration, including all proposed buildings, structures, driveways and parking areas, and sources of human intrusion, light, noise, dust, etc.;
- e) Illustrate the precise location of all of the natural features/areas on, or adjacent (as defined by the 2005 PPS and supporting documents) to the site on clearly legible, scaled maps, including identification of vegetation communities using the Ecological Land Classification system;
- f) Provide a thorough field inventory, mapping of species features on site including general location information regarding species at risk occurrences, special life and earth science features, and species lists of flora and fauna and related habitat (which

is to be completed during the growing season during the appropriate time of year for specific species, using Provincial survey protocols or other acceptable methodology and preferably in more than one of spring, summer, and fall – additional field work may be required during the winter for specific attributes, for example, deer wintering yards), as well as relevant information on soils and geology, slope, hydrology, and hydrogeology;

- g) Include the best information available from others (as recorded in reports and databases, or as identified via personal communication) regarding the items listed in (d) and (e) above;
- h) Review the ecological functions of the natural features identified above, including the habitat needs of species that utilize adjacent lands (as defined by the 2005 PPS and supporting documents), and an assessment of how the site contributes to the natural heritage system of the area (e.g. subwatershed) and the region;
- i) Discuss the significance, as defined in the 2005 PPS, of the natural features/areas and functions identified in (d), (e), (f), and (g) above, and assess any apparent trends in the ecological health of same;
- j) Predict the positive and negative impacts of the proposed development and/or site alteration on the various attributes of the environment on and adjacent to the site, such as habitat, vegetation, soil, surface and ground water, air, and any other relevant attributes, taking into consideration the sensitivity of the attributes, impacts both during and after construction, and where appropriate, the role of flooding and erosion hazards;
- k) Predict the cumulative impacts of the proposal and any other existing or known future proposals in the vicinity;
- l) Evaluate the significance of all predicted positive and negative impacts on the environment;
- m) Recommend extents of land where: (1) disturbance must be avoided, and (2) disturbance must be limited, in order to maintain the natural features and ecological functions of the area, supported by a detailed rationale;
- n) Explore opportunities for enhancement of the natural heritage system;
- o) Discuss the merits of alternative development options, and recommend feasible and cost-effective measures that could be implemented to avoid or mitigate the predicted negative impacts of the selected option (e.g. timing of work, fencing, erosion and sediment control, pathway routing, etc.);
- p) Where appropriate, outline a program through which the mitigation measures and the long-term impacts associated with the proposal can be monitored and assessed; and

- q) Conclude with an independent professional opinion as to whether or not impacts of the development and site alteration is adverse, and whether the development proposal is consistent with the intent of the 2005 Provincial Policy Statement.

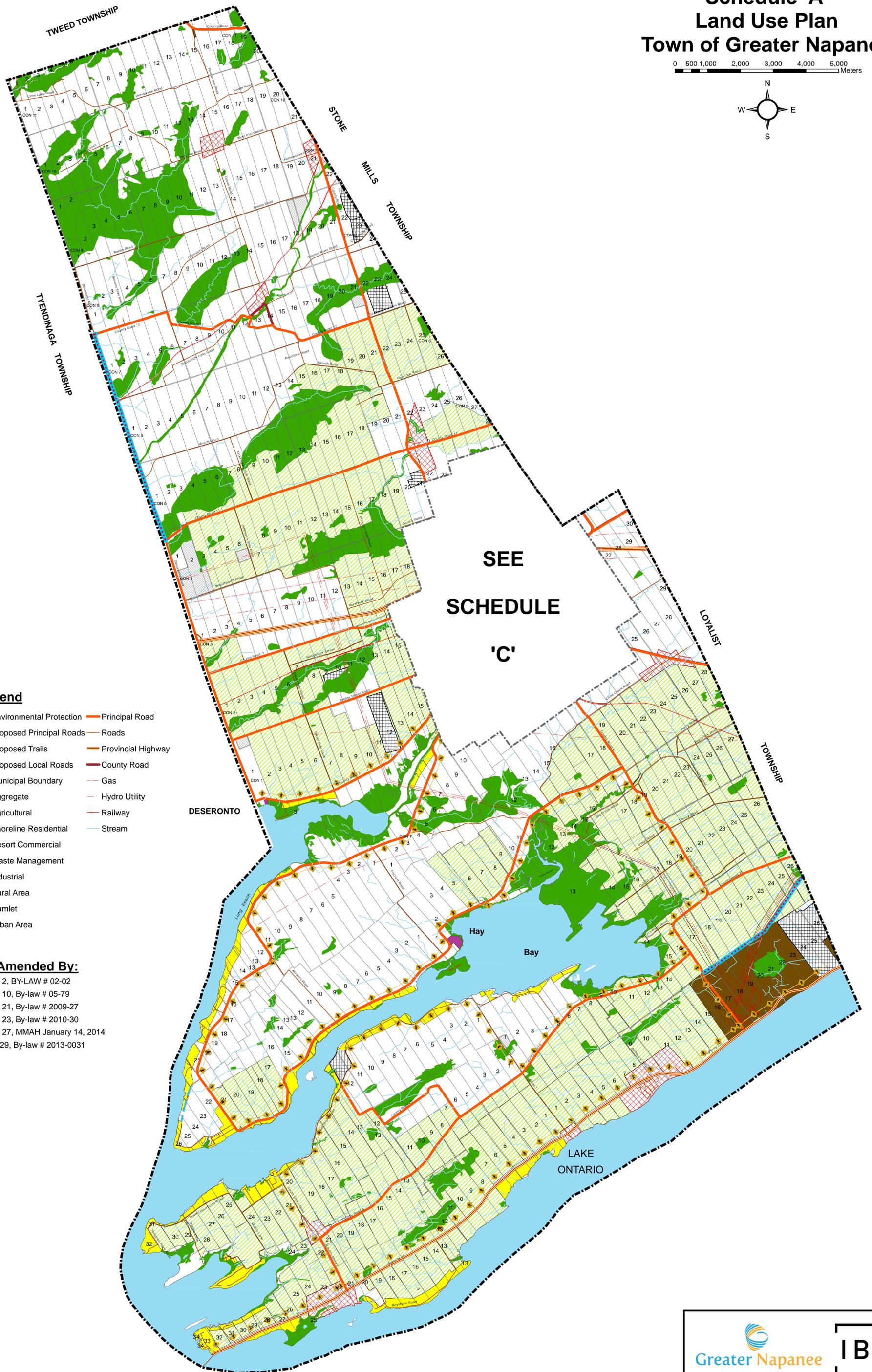
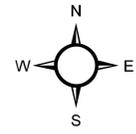
Sensitive information regarding the habitat of endangered or threatened species, or the habitat of other species at risk, shall be utilized and considered by the author, but shall not be shared in a manner that could further endanger the species or its habitat. Changes to the boundary of an evaluated Area of Natural and Scientific Interest or wetland shall be subject to the approval of the Ministry of Natural Resources. The completion and acceptance of an EIS shall not guarantee that a development or site alteration proposal will automatically be permitted. Input from other agencies may be required, and Council or their designate have approval authority for applications under the Planning Act.

Any approved development or site alteration shall be constructed in accordance with the recommendations of the approved EIS. An implementing Agreement between the proponent and the municipality will normally be required (e.g. a Subdivision, Site Plan, or Development Agreement). The municipality may require that funds be held in reserve for the purpose of long-term monitoring, which may occur following the completion of the development or site alteration.

PART 11
SCHEDULES

Schedule 'A' Land Use Plan Town of Greater Napanee

0 500 1,000 2,000 3,000 4,000 5,000 Meters



SEE
SCHEDULE
'C'

Legend

- | | |
|--------------------------|--------------------|
| Environmental Protection | Principal Road |
| Proposed Principal Roads | Roads |
| Proposed Trails | Provincial Highway |
| Proposed Local Roads | County Road |
| Municipal Boundary | Gas |
| Aggregate | Hydro Utility |
| Agricultural | Railway |
| Shoreline Residential | Stream |
| Resort Commercial | |
| Waste Management | |
| Industrial | |
| Rural Area | |
| Hamlet | |
| Urban Area | |

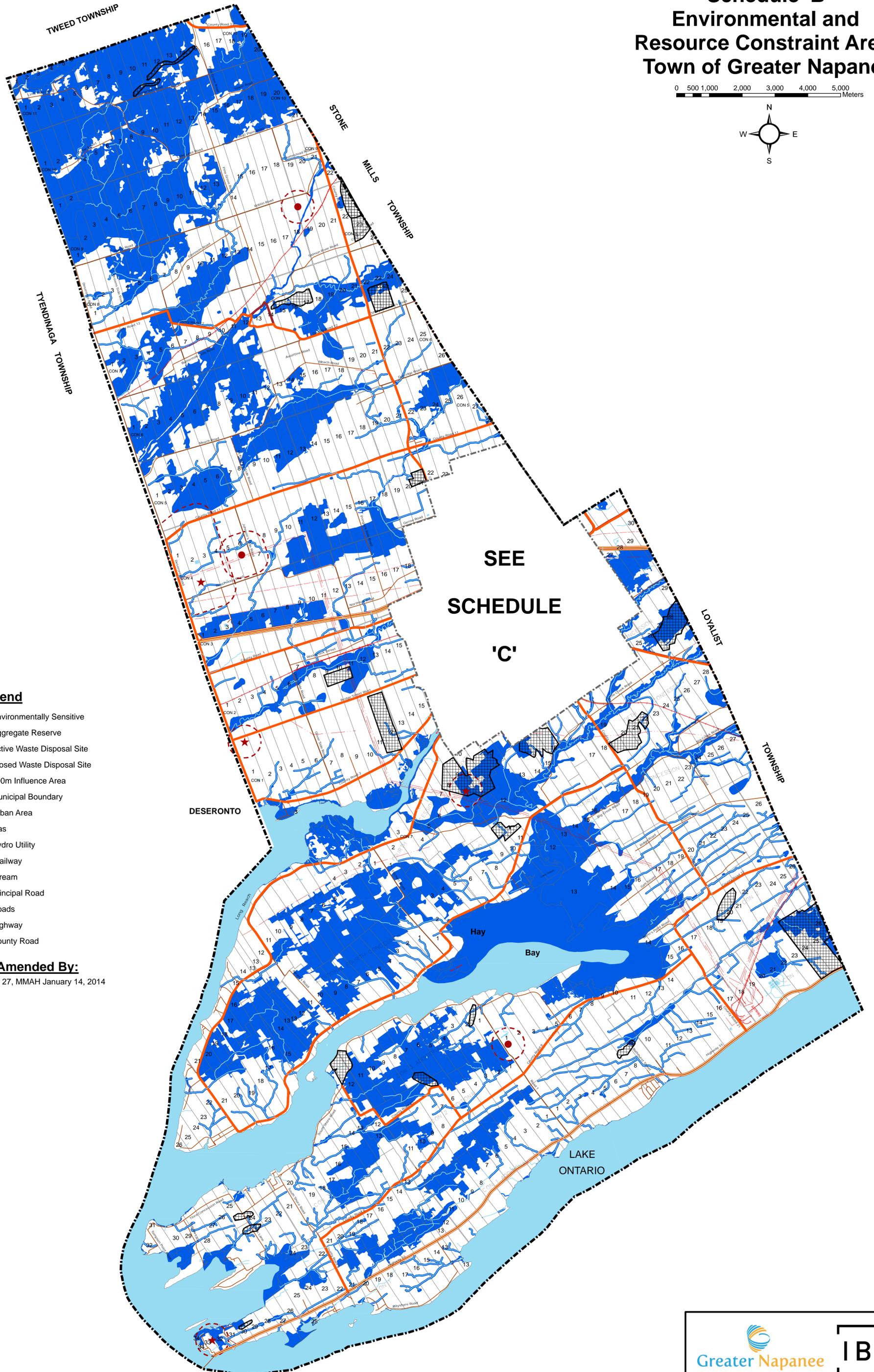
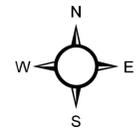
As Amended By:

- OPA # 2, BY-LAW # 02-02
- OPA # 10, By-law # 05-79
- OPA # 21, By-law # 2009-27
- OPA # 23, By-law # 2010-30
- OPA # 27, MMAH January 14, 2014
- OPA #29, By-law # 2013-0031



Schedule 'B' Environmental and Resource Constraint Areas Town of Greater Napanee

0 500 1,000 2,000 3,000 4,000 5,000 Meters



SEE
SCHEDULE
'C'

Legend

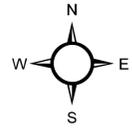
- Environmentally Sensitive
- Aggregate Reserve
- Active Waste Disposal Site
- Closed Waste Disposal Site
- 500m Influence Area
- Municipal Boundary
- Urban Area
- Gas
- Hydro Utility
- Railway
- Stream
- Principal Road
- Roads
- Highway
- County Road

As Amended By:
OPA # 27, MMAH January 14, 2014



Schedule 'C' Land Use Plan Town of Greater Napanee

0 150 300 600 900 1,200 1,500 Meters



Legend

- Aggregate
- Arterial Commercial
- Neighbourhood Commercial
- Central Business
- Low Density Residential
- Medium Density Residential
- Industrial
- Rural
- Fringe Area
- Major Institutional
- Environmental Protection
- Environmentally Sensitive
- Open Space
- Urban Area
- Municipal Boundary
- Existing Principal Roads
- Provincial Highway
- County Road
- Gas
- Hydro Utility
- Abandoned Railway
- Railway
- Stream
- Selby Creek Secondary Plan Area
- Future Principal Roads
- Future Bridge

As Amended By:

- | | |
|--------------------------|----------------------------------|
| OPA # 2, By-law # 02-02 | OPA # 16, By-law # 07-15 |
| OPA # 4, By-law # 04-09 | OPA # 18, By-law # 08-59 |
| OPA # 5, By-law # 03-53 | OPA # 22, By-law # 09-61 |
| OPA # 9, By-law # 05-50 | OPA # 24, By-law # 2011-04 |
| OPA # 11, By-law # 05-55 | OPA # 25, By-law # 2011-18 |
| OPA # 12, By-law # 06-11 | OPA # 26, By-law # 2011-69 |
| OPA # 13, By-law # 06-26 | OPA # 27, MMAH, January 14, 2014 |
| OPA # 14, By-law # 06-35 | OPA # 28, By-law # 2013-0011 |
| OPA # 15, By-law # 06-44 | |

Greater Napanee
GREATER FOR MANY REASONS

IBI

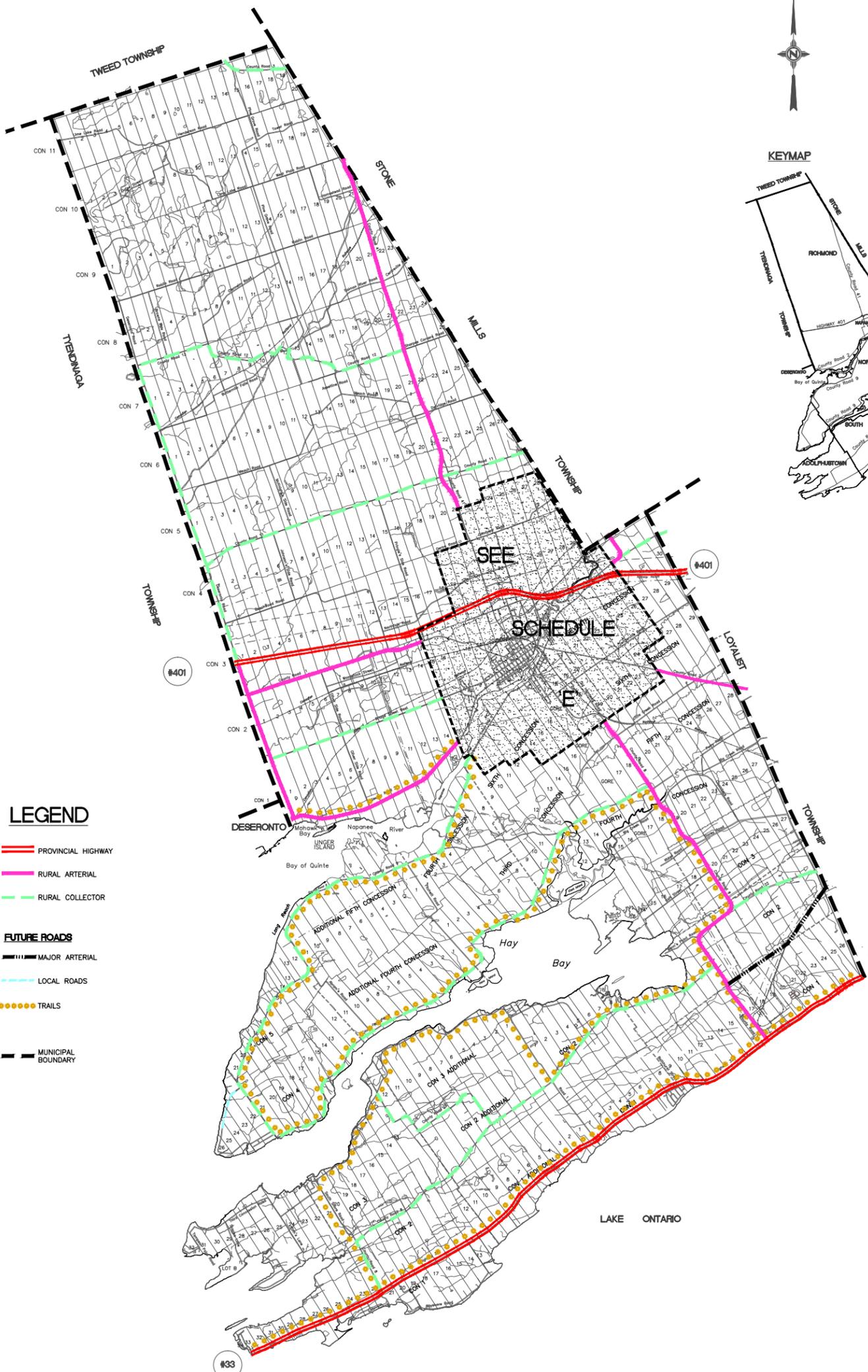
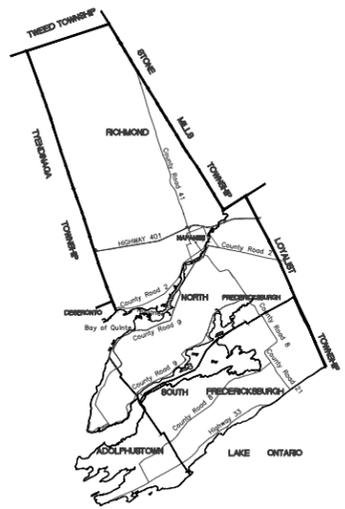
Date: May 2014 Project: 31401 Drawn By: ATC

SCHEDULE 'D' TRANSPORTATION PLAN RURAL AREA TOWN OF GREATER NAPANEE

SCALE = 1:150,000



KEYMAP



LEGEND

- PROVINCIAL HIGHWAY
- RURAL ARTERIAL
- RURAL COLLECTOR
- FUTURE ROADS**
- - - - MAJOR ARTERIAL
- - - - LOCAL ROADS
- TRAILS
- MUNICIPAL BOUNDARY



Greater Napanee
GREATER FOR MANY REASONS

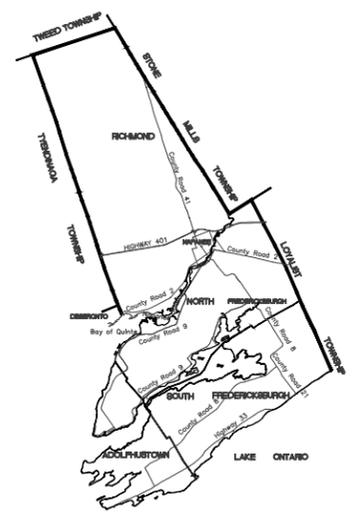


SCHEDULE 'E' TRANSPORTATION PLAN URBAN AREA TOWN OF GREATER NAPANEE

SCALE = 1:50,000
400m 0 400m 800m 1200m 1600m 2000m



KEYMAP



LEGEND

- PROVINCIAL HIGHWAY
- RURAL ARTERIAL
- RURAL COLLECTOR
- URBAN COLLECTOR

- FUTURE ROADS**
- URBAN COLLECTOR
- RURAL COLLECTOR
- POTENTIAL BRIDGE CROSSING
- TRAILS
- URBAN BOUNDARY



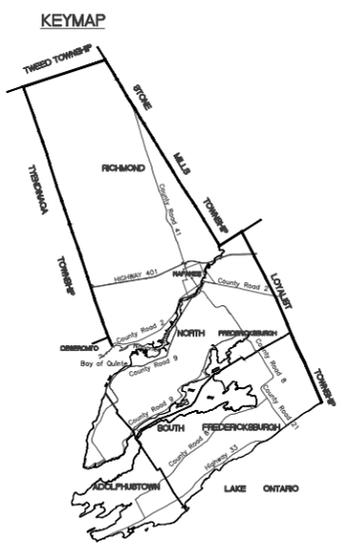
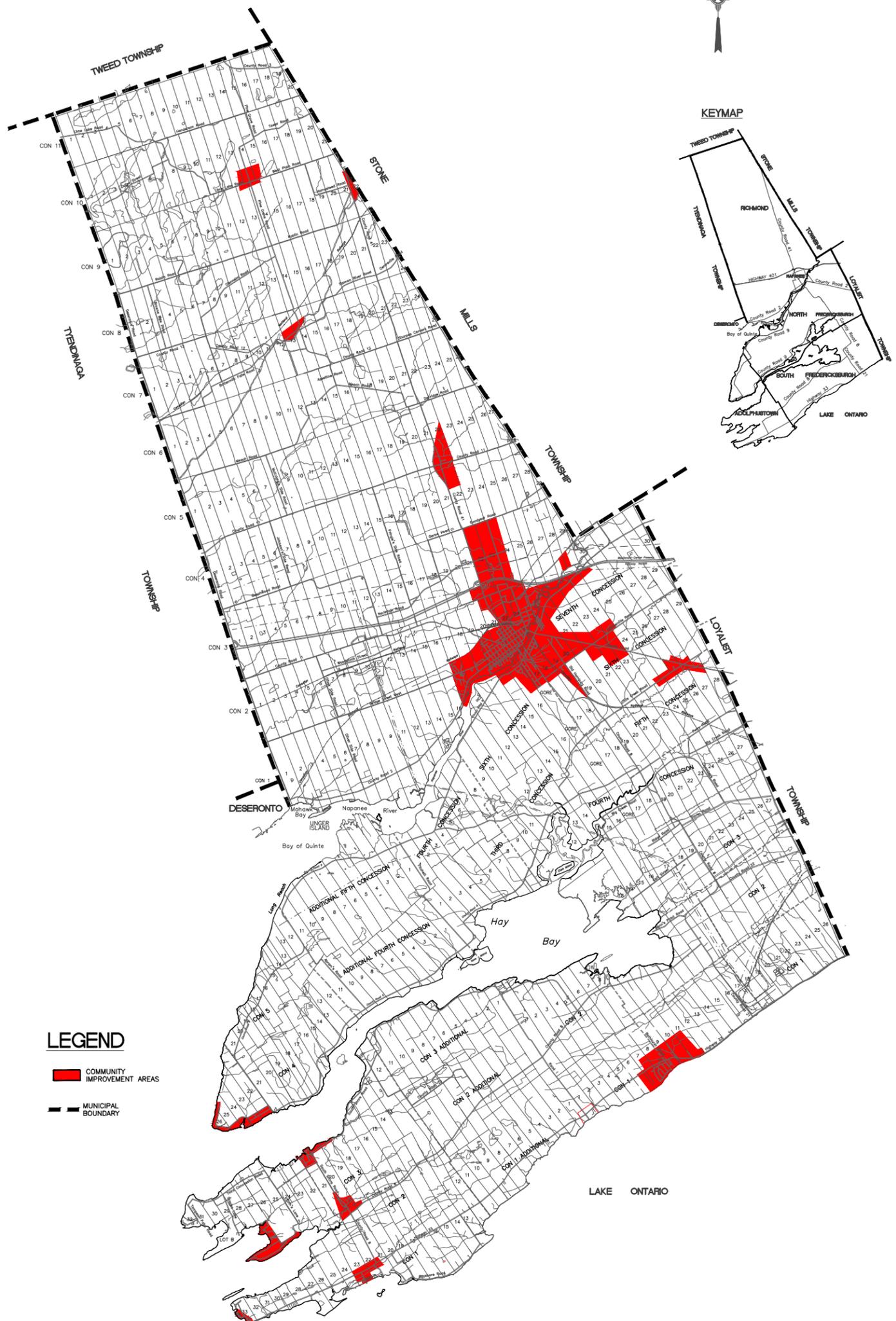
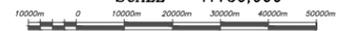
Greater Napanee
GREATER FOR MANY REASONS



Project No. 31401
Cad File: 8446-schedEred
Date Issued: MAY 2014

SCHEDULE 'F' COMMUNITY IMPROVEMENT AREAS TOWN OF GREATER NAPANEE

SCALE = 1:150,000



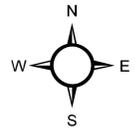
LEGEND

- COMMUNITY IMPROVEMENT AREAS
- MUNICIPAL BOUNDARY



Schedule 'G' Site Specific Policies Town of Greater Napanee

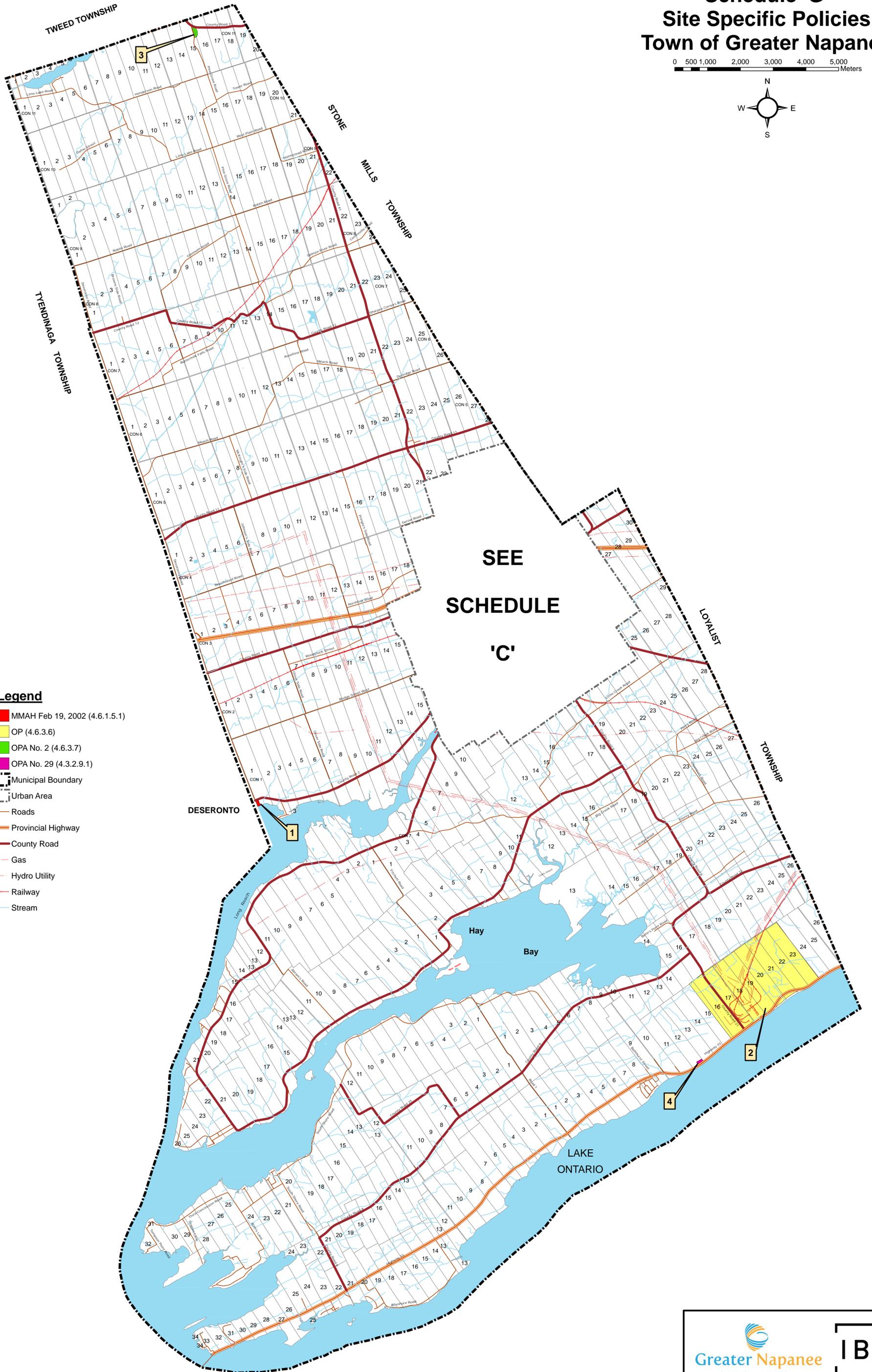
0 500 1,000 2,000 3,000 4,000 5,000 Meters



SEE
SCHEDULE
'C'

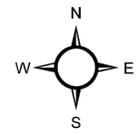
Legend

- ① ■ MMAH Feb 19, 2002 (4.6.1.5.1)
- ② ■ OP (4.6.3.6)
- ③ ■ OPA No. 2 (4.6.3.7)
- ④ ■ OPA No. 29 (4.3.2.9.1)
- Municipal Boundary
- Urban Area
- Roads
- Provincial Highway
- County Road
- Gas
- Hydro Utility
- Railway
- Stream



Schedule 'GI' Site Specific Policies Urban Area Town of Greater Napanee

0 150 300 600 900 1,200 1,500 Meters



- Legend**
- ① OP (4.6.4.3.4.a)
 - ② OP (4.6.4.3.4.b)
 - ③ OPA No. 5 (4.6.4.3.4.d)
 - ④ OPA No. 7 (4.6.1.5.2)
 - ⑤ OPA No. 11 (4.6.1.5.3)
 - ⑥ OPA No. 12 (4.6.2.3.1)
 - ⑦ OPA No. 16 (4.6.1.5.4)
 - ⑧ OPA No. 18 (4.6.1.4.2)
 - ⑨ OPA No. 24 (4.6.4.3.4.e)
 - ⑩ OPA No. 26 (4.6.1.4.3)
 - ⑪ OPA No. 27 (4.6.4.3.4.c)
 - ⑫ OPA No. 28 (4.4.1.10)
 - Urban Boundary
 - Municipal Boundary
 - Provincial Highway
 - County Road
 - Gas
 - Hydro Utility
 - Abandoned Railway
 - Railway
 - Stream

