

Official Plan of the County of Hastings



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COUNTY OF HASTINGS OFFICIAL PLAN

1.0 INTRODUCTION

The County of Hastings comprises both rural and urban municipalities that function co-operatively in advancing a common planning program. The County, as a unit, represents the "upper tier" level of planning responsibility and the local municipalities form the "lower tier". All municipalities in the County are governed by the policies of this Official Plan.

Development within each of the municipalities must conform to the policies of the Plan. However, conditions may change and uses of land not currently contemplated in the Plan may be proposed. In such cases, County Council shall consider an amendment to the Official Plan.

Zoning by-laws that implement the policies of the Official Plan are passed by the lower tier municipal Councils. The zoning by-laws include specific classes of land use, which conform to the designations of land in the Official Plan. They also provide development standards to ensure that new construction or changes to existing land uses are undertaken with regard for safety, privacy and the peaceful enjoyment of neighbouring land uses and the protection of ratepayers from undue expenses related to development.

1.1 Purpose of the Official Plan

The purpose of this Official Plan is to provide goals, objectives and policies to guide the physical development of Hastings County while having regard for relevant social, economic and environmental matters.

1.2 Geographic Location

Hastings County is located in southeastern Ontario between Haliburton, Peterborough and Northumberland Counties on the west and Lennox and Addington and Renfrew Counties on the east. The area extends 160 kilometres (100 miles) from Deseronto on the Bay of Quinte to the District of Nipissing in the north.

The Hastings County Official Plan includes the following municipalities:

- 1.2.1 Town of Bancroft
- 1.2.2 Town of Deseronto
- 1.2.3 Municipality of Hastings Highlands
- 1.2.4 Township of Carlow/Mayo
- 1.2.5 Municipality of Centre Hastings
- 1.2.6 Township of Faraday
- 1.2.7 Township of Limerick
- 1.2.8 Township of Madoc
- 1.2.9 Township of Marmora & Lake
- 1.2.10 Municipality of Stirling—Rawdon
- 1.2.11 Township of Tudor & Cashel

- 1.2.12 Municipality of Tweed
- 1.2.13 Township of Tyendinaga
- 1.2.14 Township of Wollaston

As a result of amalgamations in 1998 and 1999, several of the municipalities include urban serviced areas as well as a rural component. These urban areas are represented by the former Villages of Stirling, Madoc and Tweed, now within the Municipalities of Stirling-Rawdon, Centre Hastings and Tweed respectively, and Bancroft and Dungannon Townships, now the Town of Bancroft.

Within each of the municipalities are several designated Hamlets:

<u>Municipality</u>	<u>Hamlet</u>
Town of Bancroft	Detlor L'Amable
Carlow/Mayo	Boulter Ft. Stewart New Carlow Slab Town McArthur's Mills New Hermon
Centre Hastings	Crookston Fuller Ivanhoe Moir Roslin
Hastings Highlands	Purdy (Bangor) Maple Leaf (Wicklow) Lake St. Peter (McClure) Maynooth (McClure) Baptiste (Herschel) Birds Creek (Herschel & Monteagle) Maynooth Station (Monteagle) Monteagle Valley (Monteagle) Musclow (Monteagle)
Faraday	Pudash
Limerick	Ormsby St. Ola
Madoc	Bannockburn Cooper Eldorado
Marmora & Lake	Deloro (Marmora)
Stirling—Rawdon	Bonarlaw Spring Brook Wellman

Tudor & Cashel	Gilmour (Tudor) Gunter (Cashel) Millbridge (Tudor)
Tweed	Actinolite (Elzevir) Marlbank (Hungerford) Queensboro (Elzevir) Stoco (Hungerford) Sulphide (Hungerford)
Tyendinaga	Lonsdale Marysville Read Roslin Shannonville
Wollaston	Coe Hill Glen Alda Ormsby

1.3 Basis

Prior to the development of this Plan, a background study was prepared in conjunction with the local municipalities and all appropriate government ministries and agencies. This study provides a database on a wide variety of topics and illustrates the major planning issues in Hastings County. The results of this study formed the basis of this Plan and the major issues are summarized herein.

1.3.1 the population study indicates two significant trends:

- a) the predominance of rural growth over the past 20 years, and
- b) the gradual ageing of the population, especially within the urban centres. Population projections show that growth will occur primarily within the southern rural townships and, to a lesser extent, in the Bancroft area and the ageing trend will prevail for the duration of this Plan. The projected population is from 38,228 to 49,878 by 2016.

1.3.2 The County is predominantly rural in nature. The small scattered urban centres and hamlets serve primarily as market centres for the rural and recreational/residential communities. Development shall be directed to the urban centres provided adequate municipal services are available. Hamlet development on private services shall be limited to infilling within existing boundaries. Rural development, including in waterfront areas, shall be permitted outside of "Urban" and "Hamlet" areas in order to provide a range and choice of housing and economic development opportunities provided such development is environmentally sustainable.

1.3.3 South of Highway 7, the economy is diversified and is based upon a viable agricultural industry, while north of the Highway, the economy is dependent upon the primary sector and tourism, including recreational waterfront

development. The disparity in the economic base partially reflects the diversity of the County's physical geography.

- 1.3.4 Farming, directly and indirectly, supports a wide range of businesses and this activity shall continue to be encouraged on lands best suited to sustain the industry.
- 1.3.5 The utilization of natural resources for forestry, aggregate extraction and recreational uses shall be encouraged on lands best suited for the specific purpose.
- 1.3.6 Large tracts of Crown Land exist in the northern area of Hastings County. Co-operation among the Province, the County and local municipalities is essential.
- 1.3.7 It is anticipated that due to the predominantly rural nature of the County, changes in technology are unlikely to alter the present modes of transportation and servicing during the planning period.
- 1.3.8 A disproportionate amount of the County's finances is currently derived from residential assessment. Council shall continue to strive for a greater commercial/industrial assessment base.

1.4 Monitoring the Official Plan

A monitoring program shall be undertaken to determine from time to time the County's progress toward achieving the goals and objectives of the Plan.

1.4.1 Monitoring Framework

- a) The County shall prepare a monitoring schedule containing performance criteria designed to evaluate the following:
 - (i) the basic assumptions or major issues on which the Plan is based,
 - (ii) new issues which arise and which are not addressed in the Plan,
 - (iii) the Plan's goals and objectives in light of changing conditions,
 - (iv) the degree to which the policies of each section are being implemented.
- b) The monitoring schedule shall include the following:
 - (i) a summary of Official Plan and Zoning By-law amendments by type, purpose and location and their effects upon the intent of the Plan,
 - (ii) a summary of development trends, including statistical data, concerning construction and subdivision activity through both registered plans and consent of the Land Division Committee, indicating purposes, location, size and type of land developed,

- (iii) a summary of statistical data regarding population, economic variables (as available), tourism, natural resource utilization and environmental concerns,
 - (iv) an analysis and summary of the financial status of the County,
 - (v) a summary of policies and programs of other levels of government which could influence this Plan's objectives,
 - (vi) a groundwater database utilizing well and septic records shall be maintained and municipal sewer and water service capacities shall be recorded.
- c) The monitoring schedule shall be reviewed and modified as the need arises.

1.5 Planning Period and Official Plan Revision

The planning period of this Plan shall be to the year 2020; however, Council shall hold a special meeting at least every five years to consider the need for revision of this Plan.

2.0 GOALS AND OBJECTIVES

The goals and objectives of this Plan form the basis and provide direction to guide detailed policies and programs. The numbering of goals and objectives is for reference use only and does not denote priority.

2.1 Social

2.1.1 Goal

To encourage development in a manner consistent and compatible with the changing population and social needs to ensure a high quality of living environment.

2.1.2 Objectives

- a) To promote a sense of community identity and to recognize the desire of those residents who wish to live in close proximity as an extended family.
- b) To ensure provisions are made for the needs of the residents of the County, such as a variety of living accommodations and community support services and facilities to serve the elderly.

2.2 Settlement

Two significant changes have taken place in the County's settlement patterns. Since 1983, the rural population has increased at a higher rate than that of the urban centres. Specifically, growth has occurred in those townships surrounding the urban centres and around the recreational lakes. The urban centres, which have experienced modest growth, are now characterized by an ageing population profile.

2.2.1 Goals

- a) To encourage development on municipal services in the urban centres,
- b) To ensure that any conflict with traditional rural activities that may arise from rural residential development is minimized,
- c) To encourage infill development within "Hamlet" areas,

2.2.2 Objectives

- a) To encourage orderly permanent residential growth in urban centres or hamlets in order to facilitate the provision of community services,
- b) To promote a sense of community identity,
- c) To ensure an adequate supply and choice of housing to meet the needs of the residents of the County,
- d) To discourage isolated and strip residential development,

- e) To recognize the desire of the extended family to live in close proximity where economic benefit would result.

2.3 Economic Goals & Objectives

2.3.1 Goal

To maximize the economic and employment potential of the County by:

- a) Developing policies that enhance the primary resource capabilities of the County,
- b) Encouraging the development of a variety of secondary (manufacturing) and tertiary (service) enterprises throughout the County,
- c) Promoting year-round tourist and recreational activities,
- d) Promoting sustainable development and resource use.

2.3.2 Objectives

- a) To ensure that the economic utilization of the natural resources by primary industry is achieved in a manner which preserves and rehabilitates the natural environment,
- b) To safeguard resource reserves and existing resource-based industries by minimizing land use conflicts,
- c) To encourage the development and/or expansion of secondary industries based upon the primary sector,
- d) To encourage and promote the development of secondary and service enterprises in the urban centres and hamlets of the County,
- e) To strengthen the development of the existing commercial core within the urban centres,
- f) To encourage the continued operation and development of tourist related commercial establishments,
- g) To ensure that the location of recreational uses optimizes the economic potential of the area.
- h) To encourage the provision of private tourist resorts and recreational uses which provide access to water bodies or other unique features where they are compatible with the conservation of these features and promote the Goals and Objectives of Section 2.4 of this Plan,
- i) To encourage the provision of commercial establishments which cater to the needs of the travelling public,
- j) To develop scenic routes and trails for cars, snowmobiles and other recreational vehicles, cross-country skiing, horseback riding and hiking,

- k) To promote the tourist amenities and attributes of the County.

2.4 Environmental Protection

2.4.1 Goals

- a) To protect and preserve the County's natural heritage features, areas and related ecological functions, permitting only compatible uses that will not adversely affect them,
- b) To protect natural heritage features, environmentally sensitive areas and areas of provincial significance from incompatible development,
- c) To protect and enhance the indigenous wildlife and the biophysical and natural heritage features of the County,
- d) To direct development away from natural hazard areas,
- e) To encourage the development of a comprehensive Natural Heritage Plan in conjunction with Provincial Ministries and other appropriate bodies in order to effectively address other environmental issues such as significant valley lands and significant woodlands,
- f) To remediate known contaminated lands that may pose a threat to human health and safety.

2.4.2 Objectives

- a) To ensure that, when necessary, environmental impact statements are prepared before the development of land adjacent to or within identified natural heritage features and areas.
- b) To seek the co-operation of adjacent municipalities in protecting natural heritage features and areas which are only partially located in Hastings County.
- c) To work co-operatively with local authorities in identifying and directing development away from areas which may endanger human life and property, including those areas having steep slopes or which are prone to flooding, erosion or other similar physical limitations,
- d) To encourage landowners within and abutting natural heritage areas to maintain those lands in a manner which preserves their natural and cultural attributes,
- e) To work co-operatively with provincial ministries and public agencies to implement the Bay of Quinte Remedial Action Plan,
- f) To encourage the remediation of the Deloro mine site and other contaminated sites in co-operation with other relevant government agencies.

2.5 Agricultural

2.5.1 Goal

To preserve "Agricultural" land and to promote the agricultural industry,

2.5.2 Objectives

- a) To protect arable, productive agricultural land from urban encroachment. This shall be done by restricting, wherever possible, non-agricultural uses from locating on "Agricultural" land and encouraging the location of such uses in designated hamlets or urban centres or on nonproductive lands.
- b) To maintain land designated for agricultural purposes in economically viable units by preventing the fragmentation of such land,
- c) To discourage isolated or strip residential development from occurring on or immediately adjacent to agricultural operations or lands designated "Agricultural",
- d) To ensure the viability of livestock, and especially confinement livestock operations, by limiting potential conflicts of encroaching non-farm uses.
- e) To support and encourage agricultural stewardship initiatives that conserve and protect soil, water and nutrient resources.

2.6 Water

2.6.1 Goals

- a) To ensure that surface and groundwater quality and quantity are protected, conserved and managed in a sustainable fashion,
- b) To eliminate or minimize negative land use impacts on water recharge and discharge areas, ground water aquifers, producing wells, stream base flow and drainage patterns.
- c) To maximize the recreational potential of the aquatic environment without compromising ecological integrity.

2.6.2 Objectives

- a) To protect aquatic habitats by requiring mitigating measures, such as setbacks from shorelines, that shall minimize or eliminate negative impacts from development,
- b) To discourage development which would impair surface or subsurface water quality and quantity,
- c) To ensure adequate sewage disposal systems are established as required by the Ontario Water Resources Act and the Ontario Building Code,

- d) To work co-operatively with federal and provincial ministries and local agencies to promote water quality and quantity protection.

2.7 Historical Preservation

2.7.1 Goal

To conserve and protect archaeological resources, cultural heritage features and significant historical elements of the County's built environment.

2.7.2 Objectives

- a) To encourage the preservation of archaeological resources and historic sites,
- b) To encourage the establishment of Heritage groups and foster public awareness, participation and involvement in the conservation of cultural heritage resources,
- c) To encourage the development of a Cultural Master Plan and to facilitate research into the cultural heritage of the County,
- d) To support the creation of a heritage resource information base,
- e) To assess the need for the preparation of an adequate heritage and archaeological impact assessment when development proposals affect significant cultural heritage resources or areas having archaeological potential,
- f) To encourage the development of cultural and heritage tourism opportunities.

2.8 Transportation

2.8.1 Goal

To provide a transportation network that optimizes the movement of people and goods throughout the County.

2.8.2 Objectives

- a) To develop a transportation network consistent with identified demands at the local municipal level,
- b) Through good management, ensure that the long term capacity of arterial roads can accommodate the higher speeds and volumes that are necessary to provide convenient access to industry and tourism throughout parts of the County,
- c) To encourage the improvement of access to recreational areas compatible with preserving the function and integrity of natural heritage features,

- d) To ensure that the location and development of transportation facilities cause minimal environmental and community disruption,
- e) To encourage local municipalities to identify the functional classification of roads and provide an appropriate standard for each classification.

2.9 Community Improvement

2.9.1 Goal

Local municipal Councils are encouraged to improve, upgrade and correct deficiencies in municipal, social and recreational services and shall encourage improvement to private lands within their jurisdiction.

2.9.2 Objectives

- a) To improve and upgrade the urban and rural environment and, in particular, to address deficiencies with respect to the residential, commercial, industrial, recreational and community facility areas by:
 - (i) upgrading the municipal services,
 - (ii) increasing the efficiency of the movement of vehicular and pedestrian traffic,
 - (iii) making efforts to resolve land use conflicts,
 - (iv) enhancing the aesthetic quality,
 - (v) encouraging appropriate remediation of former industrial or commercial sites which are currently vacant, under-utilized, or abandoned.
- b) Through the giving of grants, loans, tax incentives, or waiving of fees or charges, Councils may undertake community improvement projects in a manner that is fiscally responsible, recognizing the anticipated growth and various functions of the community, including its social and economic roles.
- c) Local municipal Councils shall undertake a monitoring program to review budgeting and program direction in respect to the attainment of specific policies.

OPA# 7

2.10 Extractive (Aggregate and Minerals)

2.10.1 Goal

To protect significant aggregate and mineral resources to ensure their future economic development.

2.10.2 Objectives

- a) To designate significant resource areas for aggregate and mineral production.
- b) To protect significant aggregate and mineral resource areas by restricting incompatible development or uses on or adjacent to designated areas.
- c) To provide policies to achieve the proper management of aggregate areas.
- d) To ensure that the aggregate areas shall be rehabilitated by the operator to facilitate sequential use.

3.0 LAND USE POLICIES

The land resources within Hastings County shall be developed in accordance with the goals, objectives and policies of the Official Plan of the County of Hastings. The Official Plan text and Land Use Plan Schedules "A1" to "A17" identify the seven designations: "Environmental Protection", "Extractive", "Agricultural", "Rural", "Urban", "Hamlet" and "Waste Disposal". The "Urban" designation includes detailed land use policies and represents those areas that are, or will eventually be, serviced by municipal sewer and water services. Generalized land use concepts to guide development in the "Urban" areas are included as Appendices to the Plan. These Appendices are included for guidance only to interpret the land use policies of the "Urban" designation. In addition, sub-designations on the Land Use Schedules identify "Environmentally Sensitive Areas" and "Extractive (Reserve)" areas within the County. These are for the purposes of identification of the respective resources in the "Rural" designation.

3.1 Agricultural

The "Agricultural" designation means that the predominant use of the land in the areas so designated shall be for agricultural purposes and compatible uses which enhance the County's agricultural industry. The "Agricultural" designation has been applied to those lands that have a high capability to produce food and are generally lands predominantly comprised of large blocks of Class 1, 2 and 3 soils as identified in the Canada Land Inventory (CLI) for agriculture.

3.1.1 Permitted Uses

The permitted uses include agricultural operations (i.e. agriculture, aquaculture, horticulture or silviculture), the growing, producing or raising of livestock including poultry, rabbits, fur bearing animals, bees, deer, elk, game animals and birds and the production of agricultural crops, maple syrup and mushrooms, farm-related residences, accessory farm buildings, secondary uses such as home occupations, home industries and uses that produce value-added agricultural and woodlot products from the agricultural or forestry operation, conservation projects, passive open space uses which do not require structures, mineral and aggregate extraction, wayside pits and quarries and portable asphalt plants.

Agriculture related uses being those farm related commercial and farm related industrial uses that are small in scale and directly related to the farm operation and required in close proximity to the farm operation such as agricultural supply and service establishments, cold storage for fresh produce or grain drying, may be permitted, provided suitable alternative locations within the "Rural" designation are not available.

3.1.2 Minimum Distance Separation Formula

New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulas.

3.1.3 Agricultural Consents

Consents in the "Agricultural" designation shall conform to this section and the policies of Section 6.3.3.

3.1.4 Topsoil Stripping

Topsoil stripping and removal shall take place only in accordance with local municipal by-laws.

3.1.5 Agriculture Best Practices

With respect to sustainable agriculture, farmers are encouraged to adopt best management practices and to participate in farmer-led stewardship initiatives, such as the Environmental Farm Plan, which protect the long term productivity of soils and minimize or eliminate negative environmental impacts. In order to minimize negative impacts on water bodies, the agricultural community is encouraged to maintain appropriate setbacks or buffer strips from all water bodies. Renaturalization of shoreline is encouraged, especially in the 15 metres directly abutting a water body. Participation in federal and provincial programs is also encouraged in order to make continued agricultural uses more compatible with environmental objectives.

3.1.6 Zoning and Other By-laws

"Agricultural" lands shall be zoned in a separate classification in the implementing zoning and other appropriate by-laws.

3.2 Environmental Protection

The "Environmental Protection" designation comprises lands that play an important role in the preservation of the County's wetland natural heritage systems. This designation also includes natural hazard lands that may pose a threat to life and property because of inherent physiographic characteristics such as floodplains, erosion hazards, poor drainage, organic soil, steep slopes or other similar physical limitations. Those areas designated "Environmental Protection" and identified with the symbol 'W' on the Land Use Schedules delineate provincially significant wetlands in accordance with the Provincial Policy Statement.

The "Environmental Protection" designation also includes an overlay that identifies natural heritage areas and systems that should be protected and preserved in the long term. Such lands are described as "Environmentally Sensitive" and include lands identified to have significant biological, geological, zoological or other unique natural features such as wildlife habitat, areas of natural and scientific interest, habitat of threatened or endangered species, woodlands and valley lands. Development of these lands shall be in accordance with the underlying land use designation while having regard to the Environmentally Sensitive policies of this Plan.

3.2.1 Permitted Uses

The uses permitted on lands designated "Environmental Protection" are limited to agriculture, conservation, wildlife management and appropriate passive recreational uses. Other uses may be permitted in accordance with sections 3.2.2 b) below.

3.2.2 Buildings and Fill

- a) The erection of new buildings or structures or the removal or placing of fill in areas designated "Environmental Protection" shall not be permitted without the prior approval of the appropriate authority, except as permitted in 3.2.2 b) below.
- b) Buildings, structures or works associated with flood or erosion control, watercourse protection or bank stabilization may be permitted with the written approval of the appropriate authority.

3.2.3 Flood Plains and Flood Lines

Flood Plain and Flood Line mapping have been completed for portions of the County. Where Engineered Flood Plain and Flood Line mapping is approved by the appropriate authority and the necessary regulations have been adopted by the appropriate authority(ies), the following requirements shall apply:

- a) Flood plain and flood line mapping may be used to prepare local zoning by-laws. All lands within the engineered flood plain are designated "Environmental Protection" and shall be appropriately zoned in local by-laws.
- b) Where a major alteration is necessary to overcome the hazards within engineered flood lines, an amendment to this Plan shall be required.
- c) An amendment to this Plan shall not be required for minor filling within the flood plain, provided the appropriate authority(ies) approve(s) of such alteration.
- d) In the absence of detailed flood line mapping, the boundaries of the lands designated as "Environmental Protection" on the Land Use Schedules shall be used as guides for the preparation of the zoning by-law provisions which shall implement the policies of this section. An amendment to this Plan shall not be required for changes to the "Environmental Protection" boundaries deemed to be suitable by a Council after consultation with the appropriate authority. Where such changes are made, the appropriate abutting land use designation shall apply and the zoning by-law shall be amended accordingly.
- e) In general, development shall be directed to areas beyond a 30 metre setback from the high water mark or outside the regulatory flood elevation of lakes, rivers, streams or creeks, whichever is greater. Development shall generally be directed to areas at least 15 metres from the regulatory flood plain of the Bay of Quinte. The setbacks outlined above may be reduced, if it is demonstrated to be good planning, in accordance with a minor variance to the implementing zoning by-law and the written approval of the appropriate authority.
- f) The County shall encourage the local municipalities to use a one-zone approach to flood plain management. The creation of new lots in the flood plain shall not be permitted. Redevelopment on existing lots within the flood plain shall not be permitted without the approval of the local

conservation authority or County peer review agent, as the case may be. Filling and/or redevelopment within these areas may require a Fill, Construction and Alteration to Waterways Permit from the local conservation authority or the local municipality that administers related by-laws. A one-zone approach generally prohibits new development in the flood plain area, except where the structures are intended for flood or erosion control or are otherwise required by the County, local municipality or other public agency and meet the requirements of the local municipality and appropriate authority(ies).

Notwithstanding the above, the County recognizes that there are portions of flood plains which could potentially be safely developed with no adverse impacts. In these flood plain areas, as identified by the appropriate authority, a two-zone approach to flood plain management shall be encouraged. A two-zone approach requires the identification of a floodway and flood fringe zone, in which new development in the floodway zone is to be prohibited or restricted to structures intended for flood or erosion control, or which are otherwise required by the County, local municipality or other public agency, and meet the requirements of the local municipality and other appropriate authority(ies), and new development in the flood fringe zone may be permitted subject to requirements for floodproofing to the regulatory flood level.

The Town of Bancroft has used the two-zone approach.

The criteria used by local municipalities to consider and evaluate the feasibility of implementing a two-zone concept in flood plain areas shall include, but is not limited to:

- (i) flood susceptibility and hydraulic capacity,
- (ii) physical characteristics and environmental features of the flood plain and adjacent lands,
- (iii) local need for development,
- (iv) impact of development in the flood plain and the watershed area,
- (v) feasibility of floodproofing,
- (vi) constraints on the provision of services (i.e. watermains, sewers, drainage works, etc.),
- (vii) accessibility,
- (viii) changes in land use, and
- (ix) administrative capability (staff availability and expertise for implementation of two-zone concept).

3.2.4 Special Policy Areas

Strict application of the "Environmental Protection" policies may not always be appropriate. This is particularly evident where development already exists in floodprone locations. In such areas, it may be necessary and in the public interest to assume a higher degree of flood risk than would normally be acceptable elsewhere. The concept of a "Special Policy Area" within flood plains (as provided for in Section 9) may be recognized and controlled development may be permitted, once such areas are designated and approved by the appropriate authority(ies). Rawdon Creek, in the former Village of Stirling, is subject to a special policy.

- a) The designation of "Special Policy Areas" shall be considered for areas of development where a large component of a community's commercial, retail, industrial and residential development is located in the flood plain or floodway.
- b) Regard shall be given in the implementing zoning by-law to rehabilitation or redevelopment of structures in "Special Policy Areas" in order to continue the community's viability when major relocations are not considered feasible.
- c) Infilling in "Special Policy Areas" shall be permitted where approved flood proofing methods are used.
- d) "Special Policy Areas" shall be placed in separate classifications in the implementing zoning by-law.

3.2.5 Significant Wetlands 'W'

Several wetland areas in the County have been evaluated through the provincial Wetland Evaluation System as being Provincially Significant. Additional Provincially Significant Wetlands may be identified and added to the Official Plan by Official Plan amendment. Evaluated wetlands that have been classified as provincially significant are designated "Environmental Protection" and identified by the symbol 'W' on the Land Use Schedules. The County shall promote the continued protection of all significant wetlands to maintain and improve water quality, assist in flood control, provide important fish and wildlife habitat and contribute to substantial social and economic benefits which include selected outdoor recreational and tourism related activities.

The County shall require protection of all provincially significant wetlands and encourage the protection of locally significant wetlands, once identified through the evaluation process, through local zoning by-laws. The County shall require local municipalities to identify and zone all provincially significant wetlands as areas for environmental protection and conservation and shall encourage local municipalities to protect and conserve all other wetlands in order to maintain their hydrologic, social and special features and recreational benefits. In addition, local Councils are encouraged to pass by-laws under Section 223.1 of the Municipal Act (a by-law dealing with fill, grade and site alteration).

Development or site alterations are defined as the creation of a new lot, a change in land use or the construction of buildings and structures requiring

approval under the Planning Act and activities such as fill, grading and excavation that would change the landform and natural vegetative characteristics of the site.

- a) The following uses are permitted in designated wetlands:
 - (i) open space and open air recreational uses, including accessory structures and buildings which do not adversely affect the natural characteristics of the environment or require approval under the Planning Act;
 - (ii) conservation uses which improve the ecological functions of the wetland;
 - (iii) uses of a scientific or educational nature; and,
 - (iv) established agricultural uses such as the growing of crops, raising of livestock, aquaculture and associated on-farm buildings or structures.

- b) Development on a Provincially significant wetland located south and east of the Canadian Shield, as delineated on the Land Use Schedules, shall not be permitted. The County shall permit new development or site alteration within 120 metres of a Provincially significant wetland provided that it has been determined through an Environmental Impact Statement (EIS) completed by a qualified professional in accordance with this plan that the development will not result in:
 - (i) loss of wetland functions,
 - (ii) subsequent demand for future development which will negatively affect existing wetland functions,
 - (iii) conflict with existing site-specific wetland management practices,
 - (iv) loss of contiguous wetland area.

- c) Regarding Provincially significant wetlands located in the Canadian Shield, as delineated on the Land Use Schedules, development and site alteration in or within 120 metres may be permitted provided an Environmental Impact Statement has been completed as described in b) above and in accordance with Section 3.2.8, demonstrating that there will be no negative impacts to the wetland.

- d) Notwithstanding the above, on adjacent lands, established agricultural activities are permitted without an Environmental Impact Statement.

3.2.6 Environmentally Sensitive Areas

- a) Natural heritage lands in Hastings County that have unique natural or scientific features are identified as Environmentally Sensitive. These lands include fish habitat, significant woodlands, significant valley lands,

significant wildlife habitat and significant areas of natural and scientific interest.

- (i) A Council may allow development on 'Environmentally Sensitive' lands in accordance with the underlying land use designation when an Environmental Impact Statement prepared in accordance with Section 3.2.8 indicates that no adverse impacts on the natural features or the ecological functions shall result. For lands adjacent to lakes, a Lake Capacity Study prepared in accordance with Section 3.2.9 shall be required prior to development. Council may request a review of such statements and studies by the appropriate Provincial agencies. Some Lake Capacity Studies have been completed in the Township of Limerick and the former Townships of Bangor, Wicklow & McClure and Marmorata & Lake. These studies should be consulted when reviewing development proposals in these municipalities.

The following lands have been identified as Environmentally Sensitive and identified on the Land use Schedules (except 20).

1.	Conroy Marsh	Carlow
2.	Elzevir Peatlands	Tweed
3.	Lingham Lake	Bancroft
4.	Deer River Epidotized Bombs	Wollaston
5.	Stoco Fen	Tweed
6.	Bend Bay Valley	Centre Hastings
7.	Mellon Lake	Tweed
8.	Marmoraton Mine	<u>Marmorata & Lake</u>
9.	Moira Karst	Tyendinaga
10.	Salmon River Alvar	Tyendinaga
11.	Deer Concentration Areas	
12.	The "Gut" Conservation Area	<u>Marmorata & Lake</u>
13.	Marlbank Esker	Tweed
14.	Mount Moriah	Tweed
15.	Shannonville Inlier	Tyendinaga
16.	Westplain Mud Lake	Tyendinaga
17.	Thomasburg Esker	Centre Hastings
18.	Egan Chute	Bancroft
19.	All lands within 30 metres of the high water mark of warm water streams and lakes and cold water streams and 300 metres of cold water lakes (see Section 3.2.7 for a list of cold water lakes).	

- (ii) Development or site alterations that are proposed on lands within 300 metres of lakes identified in Subsection 3.7.2, Cold Water Lakes and Streams, shall be accompanied by a Lake Capacity Study prepared in accordance with Section 3.2.9. A Council may request a review of such studies by the County peer review consultant. Some Lake Capacity Studies have been completed in the Township of Limerick and the former

Townships of Bangor, Wicklow & McClure and Marmora and Lake. These studies should be consulted when reviewing development proposals in these municipalities.

- (iii) No development is permitted within an area identified as Environmentally Sensitive unless a Council approves the Environmental Impact Statement prepared in accordance with Section 3.2.8 or a Lake Capacity Study prepared in accordance with Section 3.2.9. Council may request a review of such statements by the appropriate Provincial agencies or the County peer review agent.
 - (iv) If a Council is satisfied, after reviewing the Environmental Impact Assessment or Lake Capacity Study, that there will be no negative impacts on the natural features or the ecological functions for which the area is identified, the development may proceed only on the basis of the appropriate land use policies of this Plan. A completed and accepted Environmental Impact Assessment or Lake Capacity Study does not ensure that the proposal will automatically be permitted.
 - (v) Where an environmental assessment for a proposal is being carried out under the Ontario Environmental Assessment Act or Federal Fisheries Act, that assessment shall be deemed to fulfill the Environmental Impact Statement or Lake Capacity Study requirements of this Plan.
 - (vi) For the purpose of this policy, development or site alterations are defined as the creation of a new lot, a change in land use or the construction of buildings and structures, requiring approval under the Planning Act and activities such as fill, grading and excavation that would change the landforms and natural vegetative characteristics of the site.
 - (vii) Severances in which the use of a severed property would adversely affect lands identified as Environmentally Sensitive shall be discouraged.
 - (viii) Private landowners with lands within or abutting Environmentally Sensitive areas shall be encouraged to maintain their lands in a manner which preserves the attributes of the Environmentally Sensitive lands.
 - (ix) The protection of Environmentally Sensitive lands from conflicting uses shall be undertaken through the inclusion of appropriate separation distances, if required, in the implementing zoning by-laws.
- b) Notwithstanding the provision of Section 3.2.6 a) (iii), development may be permitted in a deer concentration area within 100 metres (328 feet) of a public road. Development within deer concentration areas beyond 100 metres (328 feet) of a public road may be permitted where the landowner has entered into an agreement with the municipality in

consultation with the Ministry of Natural Resources for the protection of the deer concentration area.

- c) Amendments to Environmentally Sensitive Areas
 - (i) Updating (including mapping) and, where applicable, the deleting and addition from the list of Environmentally Sensitive areas shall be carried out in co-operation with the appropriate public agency.
 - (ii) Not all streams and water bodies have been shown on the Land Use Schedules. The policies of this Plan shall also apply to those water bodies and streams not shown on the Land Use Schedules.
- d) The boundaries of Environmentally Sensitive areas may be redefined without an amendment to this Plan after review and approval of the Environmental Impact Statement by the Ministry of Natural Resources.

3.2.7 Cold Water Lakes and Streams

- a) Cold water lakes and streams identified by a 'CW' symbol on the Land Use Schedules are considered by the Ministry of Natural Resources and Ministry of the Environment to be critical habitat for the maintenance of a healthy cold water fishery. County Council recognizes the importance of the cold water lakes and streams within the County; therefore, Council shall generally permit development to take place only in a manner that does not adversely affect habitat essential to the maintenance of a healthy cold water fishery.
- b) The Ministry of Natural Resources, in conjunction with the Ministry of Environment, shall monitor fish habitat, including water quality, in selected cold water lakes in the County, identified below. The results of the monitoring/modeling program shall determine the development capacity of each cold water lake. Development proposals within 300 metres of the following lakes should be accompanied by a cold water Lake Capacity Study prepared in accordance with Section 3.2.9 of this plan and should be reviewed by the appropriate authority prior to approval.

Thanet Lake	Lake Township
Wollaston Lake	Wollaston Township
Baptiste Lake	(former) Herschel Township
Bay Lake	Faraday Township
Big Mink Lake	(former) McClure Township
Buck Lake	(former) Bangor Township
Cashel Lake	Cashel Township
Diamond Lake	(former) Herschel Township
Dixon Lake	Limerick Township
Faraday Lake	Faraday Township
Grimsthorpe Lake	(former) Grimsthorpe Township
Holland Lake	(former) Dungannon Township
Jamieson Lake	(former) Dungannon Township

Jeffrey Lake	Faraday Township
John Lake	Limerick Township
Kamanisseg Lake (south of Ski I.)	(former) Bangor Township
Lake St. Peter	(former) McClure Township
L'Amable Lake	Faraday Township
Lavallee Lake	Faraday Township
Limerick Lake	Limerick Township
Limestone Lake	(former) Mayo Township
Little Mayo Lake	(former) Mayo Township
Mephisto Lake	(former) Mayo Township
Papineau Lake	(former) Bangor/Wicklows Twps.
Purdy Lake	(former) Bangor Township
Robinson Lake	Limerick Township
Dickey Lake	Lake Township
Whyte Lake	(former) Mayo Township

- c) Development proposals within 30 metres of cold water streams or any fish habitat, as identified on the Land Use Schedules, should be accompanied by an Environmental Impact Statement prepared in accordance with Section 3.2.8 of this Plan.
- d) Prior to constructing, funding or supporting public projects, such as municipal road or drainage works on land within or adjacent to identified lake trout lakes, County Council shall consult with the County peer review agent and the Department of Fisheries and Oceans or its agents to determine what design requirements, if any, are necessary to eliminate or mitigate adverse effects on cold water fishery habitat, including water quality requirements.

3.2.8 Environmental Impact Statements (EIS)

In considering any development or site alterations adjacent to a Provincially Significant Wetland, Threatened and Endangered Species, within or adjacent to an Environmentally Sensitive Area or cold water lake or stream, County Council shall require that an Environmental Impact Statement (EIS) be prepared by a qualified professional and approved by Council prior to consideration of the application. County Council and the local municipalities shall work co-operatively with other local agencies and the County peer review agent in reviewing the Environmental Impact Statements submitted. A site plan agreement or development agreement may be entered into between the developer and the local municipality to ensure that the recommendations of the Environmental Impact Statement are implemented. The Environmental Impact Statement may consist of:

- a) a description of the proposed development, its purpose, including site planning details, a general location map, proposed buildings, existing land uses and plans showing the existing vegetation, site topography, drainage, soils and fish and wildlife habitat areas,
- b) information on the environmental quality, uniqueness and character of the site in question including an environmental inventory,

- c) a description of how the Provincially Significant Wetland, Threatened or Endangered Species, Environmentally Sensitive Area or Cold water lake or stream will be affected, directly or indirectly,
- d) a description of the effects, both positive and negative, that will be caused or which might reasonably be expected to be caused to the environment,
- e) a description of the actions necessary or which might be expected to be necessary to prevent change or to mitigate or remedy the effects which might be expected to occur upon the environment as a result of the proposed development, and
- f) that provision be made for alternative plans for the development including an alternative site if the primary site cannot be used.

3.2.9 Lake Capacity Study

In considering any development, including an amendment to the Official Plan and/or Zoning By-law and any consent or subdivision application, within 300 metres of a cold water lake, as identified on the Land Use Schedules, to permit any use other than open space, County Council shall require a Lake Capacity Study to be prepared by a qualified professional and submitted by the applicant. The same requirement may apply to major development proposals on warm water lakes (those that involve more than two new residential building envelopes or non-residential developments of a similar impact from an original holding). The terms of reference for the Lake Capacity Study shall be determined by County Council in consultation with the County peer review agent and the appropriate public authorities and shall address the following:

- a) the effect the proposal will have on the cold water fishery habitat, including water quality requirements,
- b) methods by which any negative effects on the cold water fishery habitat can be minimized,
- c) the effect the proposal will have on the water trophic status.

Notwithstanding Section 3.2.7 b) or the above, no new development shall be permitted within 300 metres of the following at capacity lakes, except for the development of existing lots of record and in accordance with existing zoning:

Baptiste Lake (west basin)	(former) Herschel Township
Bay Lake	Faraday Township
Big Mink Lake	(former) McClure Township
Buck Lake	(former) Bangor Township
Cashel Lake	Cashel Township
Diamond Lake	(former) Herschel Township
Dixon Lake	Limerick Township
Faraday Lake	Faraday Township
Grimsthorpe Lake	(former) Grimsthorpe Township
Holland Lake	(former) Dungannon Township
Jamieson Lake	(former) Dungannon Township

Jeffrey Lake	Faraday Township
John Lake	Limerick Township
Kamaniskeg Lake (south of Ski Is.)	(former) Bangor Township
Limerick Lake	Limerick Township
Limestone Lake	(former) Mayo Township
Little Mayo Lake	(former) Mayo Township
Mayo Lake	(former) Mayo Township
Mephisto Lake	(former) Mayo Township
Purdy Lake	(former) Bangor Township
Lake St. Peter	(former) McClure Township
Thanet Lake	Lake Township
Whyte Lake	(former) Mayo Township
Wollaston Lake	Wollaston Township

On lakes determined to be 'at capacity', unique or special circumstances, such as the physical features of the property, may allow some limited development to be considered. In these circumstances, detailed studies are required to demonstrate that the physical features and the siting and design of the development shall result in no impact on the lake. The Ministry of Environment and Ministry of Natural Resources shall be consulted in these situations.

OPA #6

Notwithstanding any provisions of this plan to the contrary, including Section 3.2.9, a residential subdivision is permitted on lands comprising Part of Lots 12, 13 and 14, Concession 4, in the Township of Limerick, together with road access provided across Part of Lots 15 and 16, Concession 3 in the Township of Limerick, including all requisite planning approvals to implement same, subject to;

- (a) A maximum of 110 lots may be developed provided they are located beyond 300metres of the shoreline of Limerick Lake;

NOTE: THIS SECTION IS SUBJECT TO FURTHER POSSIBLE AMENDMENT BY THE ONTARIO MUNICIPAL BOARD IN ACCORDANCE WITH OMB DECISION/ORDER 1762, DATED JUNE 20, 2006

3.2.10 Zoning

"Environmental Protection" lands and "Environmentally Sensitive" areas shall be placed in separate classifications in the implementing zoning by-law.

3.2.11 Adjacency

Development that takes place adjacent to environmentally sensitive lands may adversely affect its features or functions. Development that is proposed on adjacent lands shall be permitted provided a satisfactorily completed Environmental Impact Statement is submitted demonstrating that there will be no negative impacts to the environmental feature or the ecological function for which the area is identified. The following measures of adjacency shall be used:

Fish Habitat	30 metres
Provincially Significant Wetlands	120 metres
Significant Woodlands	50 metres
Significant Valleylands	50 metres

Significant Wildlife Habitat (including habitat of Endangered/Threatened Species)	50 metres
Areas of Natural and Scientific Interest	50 metres

3.2.12 Groundwater

Groundwater is a vital part of the ecosystem providing baseflow to watercourses and lakes, as well as potable drinking sources. The County intends to seek opportunities and partnerships to undertake groundwater studies. Such studies shall identify recharge areas for groundwater supplies, map groundwater resources and detail methods of protection and conservation.

In the future, the use of groundwater may be a concern to local municipalities. The Ministry of the Environment is encouraged to consult with the County and local municipalities prior to issuing water-taking permits.

In addition, the following policies apply:

- a) Where the taking of water exceeds 50,000 litres per day, hydrogeological studies will be required to ensure the quality and quantity of ground and surface water available to adjoining users of the aquifer is maintained;
- b) In assessing applications, haulage routes for the transporting of water to processing and/or bottling plants and the subsequent distribution must be appropriate for the proposed use;
- c) In order to maintain the quality and quantity of the groundwater resource within the aquifer, the effect of land use proposals on the groundwater aquifer utilized by approved water taking operations will be considered before development is permitted; and,
- d) Subsections a) through c) above do not apply where a permit for the commercial taking of water currently exists at the date of adoption of this Plan and remain in place.

3.2.13 Endangered/Threatened Species

The County shall require protection of all Endangered and Threatened Species habitat through local zoning by-laws. In the consideration of development and/or site alteration applications, the County shall require municipalities to consult with the Ministry of Natural Resources to ensure that the significant portions of the habitat are protected, review available information on Endangered/Threatened Species location that is available from the Ministry of Natural Resources and do so in a confidential manner so as not to disclose the location information related to the species, accept updates of this information as it becomes available, and require the submission of an EIS prior to any consideration of the application.

3.3 Rural

3.3.1 General

- a) The policy of this Official Plan is to protect important natural resources wherever possible. Although many areas are separately designated as "Environmental Protection", other sensitive features are located in the "Rural" designation and have not yet been studied intensively. Council shall consider undertaking works programs to update relevant information in a timely fashion and incorporate relevant information collected by other public bodies.
- b) Limited development for uses described in Section 3.3.2 is permitted in the "Rural" designation. Applications for approval of these uses should be located in areas that do not create any adverse social, financial, environmental or public safety impacts.
- c) The "Rural" designation applies to most of the County and permits a range of uses. While it is not intended that sub-categories in the "Rural" designation be identified on the Land Use Schedules, particular areas of concern shall be described in the text and specific policies listed covering the future uses of land for those purposes.
- d) An important sub-category in the "Rural" designation is the Waterfront area. The Waterfront area attracts most of the second home cottage development and tourist commercial activity and is vulnerable to degradation through overuse. It is important to promote proper land use planning in the Waterfront area in order to maintain its long-term integrity. Where appropriate, this Plan has developed specific planning policies for the Waterfront area in order to achieve this objective.

Within the "Rural" designation, the Waterfront area is defined as those lands extending inland 300 metres from the high water mark of lakes and 30 metres from the high water mark of any other navigable water body. Where the land use relates physically or functionally to the water body, although it extends 30 metres beyond the water body, it shall be deemed to be within the Waterfront area. Lands that form part of the waterbed of any navigable water body shall generally be considered as part of the Waterfront area. The Waterfront area does not extend within any limit of an "Urban", "Hamlet" or "Agricultural" designation.

- e) Subdivisions or severances for development of permitted land uses shall be in accordance with the policies of this section and Section 6.3.
- f) Servicing for development of permitted land uses shall be in accordance with Section 4.0 of this Plan.

3.3.2 Permitted Uses

- a) The permitted uses are generally those that are traditionally rurally-oriented and require location in the rural area, including agricultural operations (i.e. agriculture, aquaculture, horticulture or silviculture), the growing, producing or raising of livestock including poultry, rabbits, fur bearing animals, bees, deer, elk, game animals and birds and the production of agricultural crops, maple syrup and mushrooms, farm-related residences, accessory farm buildings, secondary uses such as home occupations, home industries and uses that produce value-added

agricultural or forestry products from the woodlot or agricultural farm operation, conservation projects, passive open space and compatible non-agricultural uses that maintain the existing parcel size and do not require structures. Uses that are directly related and necessary in proximity to forestry or farm operations, such as agricultural supply and service establishments, cold storage for fresh produce or grain drying, may be permitted.

- b) The "Rural" designation shall also permit open space, conservation, recreational, community facility (assembly halls, churches, schools, but excluding uses that would require large sub-surface septic systems) and rurally oriented non-farm residential, commercial and industrial uses. The lands to be developed for such uses shall be rezoned in conformity with the municipality's Comprehensive Zoning By-law.
- c) Topsoil stripping shall be prohibited except as permitted by the appropriate municipal by-law.
- d) "Rural" development shall respect traditional features of the landscape, such as historic fencelines and treelines, and generally maintain the rural character of the area by maintaining, on average, large and flexible parcel sizes. Proposed rural parcels, except for rural non-farm residential lots, shall normally be a minimum of 6 hectares (approximately 15 acres), in order to be able to accommodate a variety of general rural uses.

3.3.3 Agriculture

- a) The County recognizes the value of agricultural lands for their productive capabilities, for the diversity which they add to the landscape and for their unique contribution to Hastings County's way of life. Farm and non-farm development shall comply with the Minimum Separation Distance Formulas I and II, as amended from time to time.
- b) With respect to sustainable agriculture, farmers are encouraged to adopt best management practices and to participate in farmer-led stewardship initiatives, such as the Environmental Farm Plan, which protect the long-term productivity of soils and minimize or eliminate negative environmental impacts. In order to minimize negative impacts on water bodies, the agricultural community is encouraged to maintain appropriate setback or buffer strips from all water bodies. Renaturalization of shoreline is encouraged, especially in the 15 metres directly abutting a water body. Participation in federal and provincial programs is also encouraged in order to make continued agricultural uses more compatible with environmental objectives.
- c) The County encourages the municipalities to prepare and adopt a by-law that shall require the submission and review of a nutrient management plan for intensive livestock operations.

3.3.4 Forestry

- a) Forest-related activities are a major source of employment and revenue in Hastings County. Forested areas also provide a rich natural environment important for wildlife conservation, recreation and water and soil retention. Hastings County contains some of the largest stands of hardwood forest in southern Ontario.

The permitted uses may include forestry management, such as the protection, cultivation, management and harvesting of timber on private land, municipal, County and Conservation Agreement Forests and conservation lands.

- b) The retention of forest cover along stream banks and river valleys shall be encouraged in order to establish an approximate width of 30 metres between the development area and the shoreline or stream bank.
- c) Development either by plan of subdivision or consent shall be discouraged in managed forests and plantations.
- d) Private forested lands are not to be considered free and open to the general public.
- e) The establishment and enforcement of appropriate tree-cutting by-laws shall be encouraged.
- f) An Environmental Impact Assessment (as described in Section 3.2.8) shall be required if the forested area has been designated as an "Environmentally Sensitive Area" in the Official Plan.
- g) The protection of forested lands from conflicting uses shall be undertaken through the inclusion of appropriate separation distances in the implementing zoning by-laws.

3.3.5 Residential

a) General Policies

- (i) The single detached house shall continue to be the predominant form of residential use in Hastings County. No attempt shall be made to distinguish between seasonal and year-round residences. Instead, the concept of limited services shall be used, recognizing that road-dependent public services may only be provided to property which abuts a maintained public road.
- (ii) Residential development should not take place on lands having environmental constraints and is discouraged in areas possessing important natural characteristics. Buildings should be set back far enough from the crest or toe of steep slopes to ensure structural stability and to avoid erosion hazards and visual intrusion into the landscape. Natural features should be altered as little as possible.

- (iii) Residential development should take place a reasonable distance from railway lines (in accordance with Section 6.3.7 of this Plan), industrial uses and “Environmental Protection” areas and Environmentally Sensitive areas and hazard lands in order to avoid adverse impacts. Development shall comply with the Minimum Distance Separation I Criteria. Separation distances from Pits, Quarries and Waste Disposal Sites should be sufficient to minimize potential impacts. Specific distances shall be established in the Zoning By-law.

The Ministry of the Environment guideline, “Compatibility Between Industrial Facilities and Sensitive Land Uses” shall be referred to in establishing separation distances.

- (iv) Development shall be at a low density in order to avoid overcrowding of the rural areas and environmental problems resulting from the cumulative effects of individual servicing. Care shall be taken to ensure land use compatibility and to provide an alternative lifestyle to the urban and hamlet areas of the County.

Generally, a maximum of one dwelling unit per lot shall be permitted.

- (vi) Residential development shall be encouraged to locate in “Urban” and “Hamlet” areas, although a limited amount of development may be permitted in the rural areas to provide a choice in residential environment.

Rural residential development may be permitted in the form of lot severances by consent of the County Land Division Committee in accordance with the Consent Policies of this Plan and where it can be determined that no additional financial burden shall be incurred by the local municipal Council or other public authority. The minimum lot area shall be 0.4 hectare (1 acre).

Due to increasing concerns over impacts on ground water supplies, surface water quality and on the natural environment generally, new Waterfront lots and retained lots shall have a minimum area of .4 hectares (1 acre) and a minimum water frontage of 46 metre (150 ft.). In Waterfront areas that contain wetlands, sensitive fish or wildlife habitat, extreme slopes or other natural constraints, frontage requirements may be increased.

- (vii) Residential lots shall be placed in a separate classification in the implementing zoning by-law.

b) Waterfront Residential

- (i) In Waterfront areas, no lot shall be approved adjacent to a narrow water body unless the water frontage is at least 100 metres in order to ensure safe boating and swimming conditions, to avoid an overdeveloped appearance in a constricted area and to help ensure a reasonable separation between residential uses. A narrow water body is an area where the minimum average distance from shoreline to shoreline is 150 metres for a lake and 50 metres for a river. Guidelines for measuring narrow water bodies are included in Appendix '3'.
- (ii) In order to avoid an overdeveloped appearance and to keep buildings in proportion to their surroundings, lot coverage in the Waterfront areas shall be kept to a low level. Specific regulations shall be established in the Zoning By-law.
- (iii) In Waterfront areas, residential dwellings shall be set back as far from the shoreline as is practical, taking into consideration the size, shape and topography of the lot in question. Wherever feasible, the setback should be at least 30 metres from the high water mark. Where the placement of an existing road will not allow this setback, the distance may be reduced to half the distance between the road and the water body, subject to approval of a variance to the implementing Zoning By-law and to site plan approval and provided the setback is not less than 20 metres. Residential infill structures may be set back from the high water mark in accordance with the established building line.
- (iv) In Waterfront areas, a natural vegetative buffer strip 15 metres in width should be maintained wherever possible adjacent to the shoreline to filter pollutants from run-off. Within this buffer area, the clear cutting of trees shall be discouraged. Any cutting of vegetation to create a view of the water shall respect the aesthetic and ecological character of the shoreline and should not create erosion problems. A greater buffer area may be required as determined by an Environmental Impact Statement.
- (v) In Waterfront areas, filling of the shoreline shall not be permitted for the purpose of creating new developable space along the shoreline or artificially increasing the surface area of a shoreline private property.
- (vi) Residential development shall be encouraged to proceed in Waterfront areas according to a plan of subdivision. In considering such proposals, a Council shall require an overall study of the site that examines the physical conditions, access to the site, impact on the water quality of the abutting water body, the suitability of the shoreline for active recreation, natural preservation, commercial docking and other types of uses. Applicants may be required to commission independent professional studies of impacts on matters such as wetlands, fish

and wildlife habitat, water quality, boating and other natural and cultural heritage features.

- (vii) consents for waterfront residential uses shall be permitted in accordance with Section 6.3.3 of this Plan.
- (viii) Second-tier or backlot residential development shall not be permitted in Waterfront areas where adequate and open access to the shoreline is not available.
- (ix) In addition to the above criteria, development in Waterfront areas on cold water lakes and streams shall take place in accordance with Section 3.2.7 of this Plan.
- (x) The preparation of Secondary Plans or Land Management Plans is encouraged where significant development is anticipated.
- (xi) Waterfront residential development shall have regard for the Environmentally Sensitive policies of this Plan (Section 3.2.6).
- (xii) Waterfront residential development shall be placed in a separate classification in the implementing zoning by-law.

c) Group Homes

(i) Definition

A group home shall mean a residence that is licensed or approved under an Act of the Parliament of Canada or the Province of Ontario, for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit, and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement.

(ii) Considerations

Where it can be demonstrated that a group home living arrangement will be beneficial to the municipality, a group home may be a permitted use. Group homes shall generally be directed to areas where health, emergency, recreation and other services are conveniently available.

(iii) Zoning

Group homes shall be zoned in a separate classification in the implementing zoning by-laws in accordance with the statute under which they are established.

3.3.6 Commercial

- a) Commercial development includes uses which are economically dependent on or associated with vehicular traffic, uses that cater to the rural and local economy and uses catering to the tourist industry.
- b) Commercial development should not take place on lands having environmental constraints and is discouraged in areas possessing important natural characteristics. Buildings should be set back far enough from the crest or toe of steep slopes to ensure structural stability and to avoid erosion hazards and visual intrusion into the landscape. Natural features should be altered as little as possible.
- c) Rural commercial uses shall be encouraged to locate in compact nodes at centralized areas, such as major road intersections and grouped in such a manner that the surrounding rural landscape and scenic views are retained.
- d) Access points to and from roads shall be limited to safe locations and restricted in number.
- e) Advertising signs, lighting fixtures and other site features shall be carefully located in keeping with good site design and highway safety practices in order to maintain a high level of safety and a pleasing appearance. Local municipalities are encouraged to adopt sign by-laws.
- f) Adequate off-street parking shall be provided relative to the needs of the individual uses.
- g) Where commercial uses abut residential uses, an adequate buffer shall be provided to protect the amenities of the residential uses.
- h) Tourist commercial uses shall be located so that, wherever possible, they are readily accessible to tourist traffic either by water or by public road without passing through residential areas in order to avoid disruption of the residential area. The standard of road shall be adequate for the proposed use or shall be upgraded at the applicant's expense.
- i) A residential dwelling may be permitted on commercial properties for use by either the owner or operator of such establishments.
- j) In reviewing applications for tourist commercial development, a local Council shall ensure that the area is suitable for recreation use and that the natural environment, open space character and scenic qualities of the area are protected.
- k) Tent and trailer parks include seasonally operated parks for tents and recreational vehicles and may include such facilities as an accessory dwelling, docks and convenience stores catering to the day-to-day needs of the visitors.

An amendment to the Zoning By-law shall be required to permit the establishment of any new tent and trailer park or the expansion of an

existing one. The Council shall review how the proposed tent and trailer park is able to satisfy the following development criteria, in addition to the other relevant sections of the Official Plan, prior to adopting the Zoning By-law Amendment:

- (i) the minimum lot area shall be 4 hectares and the maximum number of campsites should be 50 in order to avoid excessive concentrations of development in Waterfront areas,
- (ii) campsites should have sufficient area and frontage along the internal park road to avoid overcrowding and to ensure minimal environmental impact, generally not less than 200 square metres for each site,
- (iii) no campsite, building or structure, except a marine facility for launching and/or servicing of boats, is permitted within 30 metres of the high water mark of any water body. All docking and boat launching structures/facilities shall require the approval of the appropriate federal, provincial or public agency,
- (iv) no tent and trailer park shall be permitted where the existing public roads leading to the site are not capable of safely handling the anticipated traffic,
- (v) adequate provision for recreational facilities shall be made in any new tent and trailer park or major expansion of an existing one. These may be beaches, swimming pools, tennis courts, major open space areas or a combination of these and/or similar features. A tent and trailer park located in the Waterfront area shall provide a waterfront park adequate to meet the needs of the proposed number of campsites but shall generally provide not less than 2 metres of waterfront for each site. In considering the suitability of beach or open space areas, Council shall consult with its peer review agent,
- (vi) the design of any tent and trailer park shall exhibit sensitivity to existing neighbouring uses and adequate buffering shall be provided between the tent and trailer park and any adjacent residential areas,
- (vii) a professional site sketch shall be prepared by the applicant for Council's consideration at the time of application and a more detailed site plan shall be required before development proceeds,
- (viii) all tent and trailer sites, comfort stations, accessory buildings with water using fixtures or any facilities requiring a sewage disposal system shall require a Certificate of Approval from the Ministry of the Environment and/or its agents, or a permit under the Building Code Act from the municipality, as the case may be, for water taking, water works and sewage works approvals. The Ministry of the Environment requires responsibility agreements for large sewer and water works for year round trailer sites.

- l) Tourist establishments are motels, hotels, rental cabins or other roofed accommodation, including accessory facilities such as docks, eating establishments, and convenience stores. An amendment to the implementing Zoning By-law shall be required in order to permit any new tourist establishment or the expansion of an existing one. The Council shall review how the proposed tourist establishment is able to satisfy the following development criteria, in addition to the other relevant sections of the Official Plan, prior to adopting the Zoning By-law Amendment:
 - (i) the minimum lot area shall be 2 hectares,
 - (ii) the preferred density should be one unit per .4 hectare (1 acre), provided the Ministry of the Environment or its agents approve of the sewage disposal systems which are used on a seasonal basis only,
 - (iii) The site design shall be sensitive to existing neighbouring uses and adequate buffering shall be provided between the tourist establishment and any adjacent residential uses,
 - (iv) No building, structure, septic tank or tile field, except a marine facility for the launching and/or servicing of boats shall be located closer than 30 metres to the high water mark of any water body. All docking and boat launching structures/facilities may require the approval of the appropriate federal, provincial or public agency.
 - (v) adequate provision shall be made for recreational amenities similar to those required in Section 3.3.6 k) (v),
 - (vi) a professional site sketch shall be prepared by the applicant for Council's consideration at the time of the application and a more detailed plan shall be required before development proceeds.
- m) Water and sewage works shall require approvals from the Ministry of the Environment or the County peer review agent, as the case may be.
- n) Commercial uses shall be zoned in separate classifications in the implementing zoning by-law.

3.3.7 Industrial

- a) The permitted industrial uses shall be of the dry type (relying minimally on ground water) and include rural-related industries and light industries that can operate on private water supply and sewage disposal services without danger of pollution or a serious drawdown of groundwater supplies and that create no obnoxious sound, odour, dust, vibrations, fumes, smoke or solid waste disposal problems. The County peer review agent shall be consulted when deemed necessary.

For the purposes of this plan, "dry" industrial uses shall mean those where the only water required is for domestic purposes for the use of

employees and/or visitors. Non-dry industry shall be directed to locations with municipal services. Exceptions may be made provided the County peer review agent is satisfied that the hydrogeological conditions of the site are adequate to support the proposed land use.

- b) Industrial development should not take place on lands having environmental constraints and is discouraged in areas possessing important natural characteristics. Buildings should be set back far enough from the crest or toe of steep slopes to ensure structural stability and avoid erosion hazards and visual intrusion into the landscape. Natural features should be altered as little as possible.
- c) The use shall be appropriate in the location proposed and shall be compatible with surrounding uses. Adequate buffering and/or setbacks shall be required in accordance with the Ministry of Environment Guideline of Separation Distance between Industrial Facilities and Sensitive Land Uses for residential uses.
- d) Proper industrial waste treatment facilities and sewage disposal systems shall be installed and operated to the satisfaction of the local municipality and the Ministry of the Environment or its agents.
- e) Adequate off-street parking and loading facilities shall be provided.
- f) Safe access to industrial sites shall be from a public road of a construction and standard to adequately service the traffic associated with the use. Sites should be sought that minimize the impact of truck traffic on residential uses and avoid existing communities. Access points and entrances shall be approved by the appropriate road authority.
- g) Industrial uses shall be subject to site plan control.
- h) Industrial uses and areas subject to water taking permits shall be zoned in a separate classification in the implementing zoning by-law.

3.3.8 Wrecking Yards

- a) Wrecking yards may be permitted in the "Rural" designation provided they are not visible from neighbouring properties, any water body or any public road. In this regard, the Ministry of the Environment guidelines on industrial use setbacks shall be consulted.
- b) Wrecking Yard development should not take place on lands having environmental constraints and is discouraged in areas possessing important natural characteristics. Buildings should be set back far enough from the crest or toe of steep slopes to ensure structural stability and avoid erosion hazards and visual intrusion into the landscape. Natural features should be altered as little as possible.
- c) A wrecking yard shall not be located where it may contribute to the pollution of any water body.

- d) Wrecking yards shall be placed in a separate category in the Zoning By-law and shall be subject to site plan control.

3.3.9 Hauled Septic Disposal

- a) Septic waste means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet or portable toilet or a sewage holding tank.
- b) Hauled septic waste disposal sites may be considered in the "Rural" designation only by amendment to the Zoning By-law. Prior to granting the zoning by-law amendment, local Council must be satisfied that the following requirements have been or can be met:
 - (i) The applicant has prepared appropriate environmental studies which demonstrate the suitability of the site for this purpose in accordance with the guidelines of the Ministry of Environment's permit process,
 - (ii) all sites shall be adequately screened on all sides either naturally or by artificial means,
 - (iii) all sites shall be located so that ingress and egress points do not create a traffic hazard,
 - (iv) the location of the proposed septic disposal site shall generally be a minimum of 500 metres from any adjacent residential, institutional or commercial use unless impacts on such uses have been assessed to the satisfaction of the approval authority,
 - (v) the proposed hauled septic waste site shall be subject to site plan control,
 - (vi) The County shall strongly encourage regulating authorities to carefully monitor hauled septic disposal sites and haulers to ensure that hauled septic waste goes onto approved sites.

3.3.10 Parks and Outdoor Recreational Uses

- a) The permitted uses shall include public parks, roadside parks, hiking, cross-country skiing and snowmobile trails, conservation areas, golf courses, hunting and fishing camps and other open space activities. In addition, public access areas for swimming, picnicking and boat launching may be permitted. Accessory uses may be permitted if they are deemed necessary for the operation of the permitted use.
- b) Parks and Outdoor Recreational development should not take place on lands having environmental constraints and is discouraged in areas possessing important natural characteristics. Buildings should be set back far enough from the crest or toe of steep slopes to ensure structural stability and avoid erosion hazards and visual intrusion into the landscape. Natural features should be altered as little as possible.

- c) Council shall play a lead role in ensuring that abandoned railway rights-of-way and other transportation corridors remain in the public sector.
- d) Council shall be encouraged to develop trails for a variety of recreational pursuits. Such trails may be developed in conjunction with or by entering into an agreement with private landowners or government agencies.
- e) Open space linkages should be established between existing parks, trail systems and appropriate natural environment areas in consultation with the appropriate agency.
- f) Where parks and outdoor recreational use projects are designed for public or private use, adequate automobile parking areas shall be established and maintained. Access to parking areas and to all recreational areas shall provide for the adequate movement of vehicular and pedestrian traffic.
- g) The provision of adequate public access to water bodies shall be ensured. Closing road allowances leading to water should generally be discouraged. Prior to the closing of a road allowance leading to a body of water, however, Council shall ensure that public access to that body of water is not impaired.
- h) Open space uses shall be placed in a separate classification in the implementing zoning by-law.

3.3.11 Mobile Home Parks

- a) Comprehensively planned mobile home parks may be permitted in the Rural designation as a form of permanent year-round or seasonal residential development.
- b) Mobile Home Park development should not take place on lands having environmental constraints and is discouraged in areas possessing important natural characteristics. Buildings should be set back far enough from the crest or toe of steep slopes to ensure structural stability and to avoid erosion hazards and visual intrusion into the landscape. Natural features should be altered as little as possible.
- c) Where the individual sites/lots are to be sold, development shall take place by registered plan of subdivision with adequate water and sewage disposal systems. Where the sites are to be rented or leased, a Site Plan under Section 41(2) of the Planning Act shall be prepared by the developer for approval by the municipal Council.
- d) The developer of a Mobile Home Park shall be responsible for the installation of water and sewage disposal systems, subject to the approval of the Ministry of Environment and the County peer review agent. Communal water and sewage systems may be considered by local Council subject to the approval of the Ministry of Environment. The developer shall be required to enter into a responsibility agreement with the municipality.

- e) Mobile Home Residential development shall be placed in a separate classification in the implementing zoning by-laws.

3.4 Hamlet

3.4.1 General

- a) It is the intent of this Plan to protect and promote Hamlets as traditional rural service and commercial centres.
- b) The following communities are designated “Hamlet” on the Land Use Schedules:

<u>Schedule</u>	<u>Township</u>	<u>Hamlet</u>
A1a	(former) Bangor Twp.	Purdy
A1b	(former) Wicklow Twp.	Maple Leaf Maynooth
A1c	(former) McClure Twp.	Lake St. Peter Maynooth
A2	(former) Herschel Twp.	Baptiste Birds Creek Maynooth
A3	(former) Monteagle Twp.	Birds Creek Maynooth Maynooth Station Monteagle Valley Musclow
A4	(former) Carlow Twp.	Boulter Fort Stewart New Carlow Slab Town
A5	Faraday Twp.	Paudash L'Amable
A6	(former) Dungannon Twp.	Detlor L'Amable
A7	(former) Mayo Twp.	McArthur's Mills New Hermon
A8	Wollaston Twp.	Coe Hill Glen Alda Ormsby

A9	Limerick Twp.	Ormsby St. Ola
A10a	Tudor Twp.	Gilmour Millbridge
A10b	(former) Cashel Twp.	Gunter
A12	Marmora Twp.	Deloro
A13	Madoc Twp.	Bannockburn Cooper Eldorado
A14a	(Former) Elzevir	Actinolite Queensboro
A14 c & d	(Former) Hungerford	Marlbank Stoco Roslin Thomasburg
A15	Stirling-Rawdon Twp.	Spring Brook Wellman Bonarlaw
A16	Centre Hastings	Ivanhoe Roslin Moir Fuller Crookston
A17	Tyendinaga	Blessington Lonsdale Marysville Melrose Milltown Roslin Shannonville Read

- b) Traditionally, most Hamlets have not been serviced by piped municipal water and sewers. Soil conditions in hamlets exhibit varying abilities to support development on individual wells and sewage disposal systems. For this reason significantly large-scale developments shall be directed toward areas of full services. Otherwise, new development in hamlets shall be on larger lots than required in the past in order to prevent future environmental problems and the need for unplanned service infrastructure.

Local Councils may consider communal sewer and water services for large-scale developments (more than five lots).

3.4.2 Permitted Uses

The following uses are permitted in the "Hamlet" designation:

- a) low density residential uses defined as single detached dwellings, semi-detached or duplex dwellings or an apartment associated with a commercial establishment,
- b) community facilities such as parks, schools, community centres, churches and meeting halls,
- c) commercial uses that serve the needs of surrounding residents and tourists, including retail, service and highway commercial uses,
- d) "dry" industrial uses which serve the surrounding rural area.

3.4.3 Pattern of Development

- a) Traditionally, hamlets have developed with a compact central core of business and institutional uses surrounded by residential uses. This traditional form shall be maintained as much as possible.
- b) Care shall be taken to ensure that commercial, industrial and residential uses permitted in hamlets are mutually compatible. New commercial or industrial uses shall not be permitted in areas which have developed predominantly with residences or in the logical path of future residential uses or in areas where they could have an adverse effect on surrounding uses. Where industrial and commercial uses abut residential uses, adequate buffering shall be provided in accordance with Ministry of the Environment compatibility guidelines.
- c) The perimeter of the hamlet shall be well defined and ribbon or strip development on the hamlet's periphery shall be discouraged. Natural features, wetlands and forests should be maintained as a buffer between the hamlet and the abutting agricultural and rural land.
- d) All future residential development should be encouraged in depth rather than in strips along the main roads with provision for access from the main road to a second or third tier of lots behind the existing hamlet development.
- e) Infill structures may be set back from a public road allowance a distance in keeping with the established building line in the area.
- f) Service and retail commercial uses and smaller community facilities shall be encouraged to locate in the centres of the hamlets either as infilling in, or as an extension of, the existing business core.
- g) Community and recreational facilities that require large parcels of land should be located on or near a major road adequately buffered from residential uses and adjacent to each other wherever possible.

- h) Recreational trails pass through many of the hamlets in Hastings County. Wherever possible, commercial uses that serve the travelling public should be encouraged to locate near the trails and establish appropriate links to the trails.
- i) Adequate off-street parking and loading space shall be provided for commercial, industrial and community facility uses.
- j) The various land uses permitted in hamlets shall be placed in separate classifications in the implementing zoning by-law.

3.4.4 Development Policies

- a) Development in hamlets shall generally take place on private individual services; however, local Councils may consider communal systems designed and constructed in accordance with provincial regulations. Future development in hamlets should be carefully planned to avoid the degradation of the natural environment, especially ground and surface water quality and the resultant need for the installation of costly remedial public infrastructure.
- b) The minimum lot size for each dwelling unit or land use shall be appropriate for the proposed or long term use, the minimum area being .4 hectare (1 acre) if serviced by individual wells and sewage disposal systems or by public water and individual sewage disposal systems. This lot standard may be increased or decreased depending on the result of a hydrogeological study.
- c) Private water supply and sewage disposal services shall meet or exceed the current standards of the Ontario Building Code. Council may, however, require a hydrogeology study and may impose greater restrictions if it deems necessary to ensure that there is an adequate private water supply and that the use will not adversely affect the water supply of neighbouring uses.

Where a private septic system is required to handle more than 10,000 litres/day in accordance with Ontario Regulations as amended from time to time, an Environmental Impact Assessment Report may be required providing justification that the undertaking meets the criteria of the Ministry of the Environment policy on the reasonable use of ground water. This report should demonstrate soil suitability, sufficient area for effluent treatment and site suitability. The report shall be reviewed and approved in conjunction with the Ministry of the Environment.

- d) The creation of new lots for residential, commercial and industrial development may be permitted in hamlets in accordance with Section 6.3 of this Plan.

3.4.5 Expansion

"Hamlet" areas shall be expanded only in situations where the existing designated areas do not have sufficient land supply to accommodate projected

growth. "Hamlet" expansions or major development in "Hamlet" areas shall only take place by amendment to the Official Plan. Before granting the Official Plan amendment, Council shall require a settlement capacity study that provides the following information:

- a) a hydrogeological analysis of the area to determine the availability and quality of groundwater,
- b) an assessment of the impact of future development on existing groundwater quality and quantity and on existing sources of drinking water,
- c) an assessment of the long-term suitability of the soil conditions for effective operation of private sewage disposal systems,
- d) an assessment of surface drainage,
- e) an assessment of servicing alternatives,
- f) an assessment of the impact on agricultural lands and the identification of directions for growth which shall minimize such impacts,
- g) land needs assessment,
- h) an assessment of potential impacts on agricultural lands, provincially significant natural areas and features, mineral and aggregate resources and cultural heritage and archaeological resources,
- i) an assessment of the natural or man-made hazards which may have a detrimental effect on the expansion area,
- j) other information as may be required by the County or other public bodies.

3.5 Urban

3.5.1 Designated "Urban" Areas

The County recognizes that in order to efficiently utilize existing services and facilities, achieve minimum population thresholds to support commercial activities and protect and conserve natural resources and features, future growth should be directed to those settlement areas that can accommodate or have the potential to accommodate new development with servicing and infrastructure. The County and the local municipalities have identified the following urban serviced areas for future growth reflecting servicing, environmental, population and other considerations:

- a) Urban area of the Town of Bancroft
- b) Town of Deseronto
- c) Urban area of the Township of Marmora & Lake (former Marmora Village)

- d) Urban area of the Municipality of Centre Hastings (former Madoc Village)
- e) Urban area of the Township of Stirling—Rawdon (former Stirling Village)
- f) Urban area of the Municipality of Tweed (former Tweed Village)

The boundaries of the “Urban” designations were delineated on the basis of the following considerations:

- a) services and utilities,
- b) economic development opportunities,
- c) agriculture and the need to protect high priority agricultural lands.

The intent of the “Urban” designation is to provide detailed urban development policies for all areas identified above. These policies replace the former Secondary Plans for these areas and provide local Councils with a policy framework when considering development applications, including zoning by-law amendments, to implement the policies of this Plan. In addition to detailed development policies, local Councils shall be guided by the generalized land use maps included as appendices only to this Plan when considering zoning by-law amendments and development proposals. Amendments to the Official Plan are not required when considering land use changes within the “Urban” designation.

3.5.2 “Urban” Area Development Policies

Development on lands designated “Urban” shall be guided by the following:

- a) Urban Recreation
 - (i) Permitted Uses

The permitted uses shall be limited to conservation and recreational uses, including public and private parks, passive and active recreational activities, picnic areas, recreational trails, golf courses and other similar open space activities. In addition, open space accessory uses, including commercial establishments to serve the needs of the users of the open space area and a residence for the watchman or caretaker, may be permitted.

Development of utility right-of-way corridors for passive parkland or open space uses may be encouraged subject to the easement rights.

- (ii) Zoning

Urban Recreation areas shall be zoned in a separate category in the implementing zoning by-law.

b) Urban Residential

(i) Permitted Uses

The permitted uses shall be limited to single detached dwellings, semi-detached or duplex dwellings, multi-unit dwellings, including triplexes, fourplexes, townhouses and low rise apartments and home occupations. Other uses considered necessary to serve residential areas may be permitted, including open space and community facilities such as parks and playgrounds, places of worship, cemeteries, libraries and local commercial uses.

(ii) Location Criteria for Single Detached, Semi-detached, Duplex Dwellings

Single detached, semi-detached and duplex dwellings shall be located where their impact on adjacent commercial, industrial and medium density residential uses is minimized. In general, single detached, semi-detached and duplex dwellings should be located on local or collector roads only.

(iii) Locational Criteria for Multi-unit Dwellings

Multi-unit dwellings shall be located where their impact on adjacent lower density residential uses is minimized. In general, multi-unit dwellings should be located on arterial or collector roads or have access to arterial or collector roads without the necessity of passing through areas of lower residential density.

In considering development applications, Council shall ensure that the proposed multi-unit dwelling will not create a traffic hazard and that its impact on low-density residential areas will be minimal.

(iv) Development Process

While development shall be undertaken primarily by registered plan of subdivision, where residential uses are compactly grouped, infilling may be permitted in accordance with the policies of Section 6.3 of this Plan provided Council is satisfied that a plan of subdivision is not required.

(v) Access

Urban residential uses shall be serviced by a municipally assumed road network constructed to municipal standards.

(vi) Servicing

Urban residential development should be undertaken on municipal sanitary sewer and water systems only unless currently approved and/or zoned for private services.

Notwithstanding the above, the extension of partial services may be permitted to limited areas where the extension of full services is impractical due to physical and/or economic constraints or is necessary to address failed systems. Areas to be serviced by partial services shall be identified in a separate zone in the implementing zoning by-law.

(vii) Buffering

Adequate buffering shall be provided between proposed multi-unit residential uses and adjacent uses, especially adjacent detached residential uses. Such buffering may include grass strips, screening and the planting of a berm or fence or separation distance.

(viii) Development Criteria for Local Commercial Uses in Residential Areas

- Permitted Uses

The permitted uses shall be limited to commercial uses that provide for the sale of convenience goods and services to meet the daily living needs of the adjacent residential area for foods, sundries and personal services.

- Location Criteria

Local commercial uses shall be located where their impact on adjacent residential uses is minimized. Generally, local commercial uses should be located on the fringe of residential development where access to a major road is assured.

- Compatibility

Local commercial buildings, signs and parking areas shall be designed and arranged to ensure minimal disruption to adjacent residential areas. All on-site lighting shall be directed away from adjacent residential areas.

- Grouping

Local commercial uses shall be encouraged to locate in groups but no more than two local commercial uses shall be located on any one site or on adjacent sites.

- Buffering

Adequate buffering shall be provided between local commercial uses and adjacent land uses and roadways. Such buffers may include grass strips, screening and planting of trees and shrubs and a berm or fence.

(ix) Zoning

Low density residential uses, multiple family residential uses and local commercial uses shall be zoned in separate categories in the implementing zoning by-law.

c) Urban Community Facility

(i) Permitted Uses

The permitted uses shall include public, separate and private schools, places of worship, municipal government facilities, community centres, libraries, public or private clubs or association halls, cemeteries, nursing homes, hospitals, public parks and similar community-oriented uses.

(ii) Buffering

Adequate buffering shall be provided between community facility uses and adjacent land uses and roadways. Such buffers may include grass strips, screening and the planting of trees and shrubs and a berm or fence.

(iii) Zoning

Urban Community Facility uses shall be zoned in a separate category in the implementing zoning by-law.

d) Urban Commercial

(i) General

This Plan intends that a variety of commercial uses be located within the "Urban" designation to serve the commercial needs of the residents of the entire municipality. The Plan also intends that major commercial activity be strategically located in the downtown core or on arterial roads serving the urban area to ensure minimal disruption to the residential components of the urban areas.

(ii) Commercial Policies

- Permitted Uses

The permitted uses shall include those commercial establishments offering goods and services, which serve the whole of the municipality's market area, such as retail commercial establishments, personal service

shops, recreational uses, motels and hotels, places of entertainment, taverns, business and professional offices, eating establishments, funeral homes, motor vehicle service stations, motor vehicle dealerships, service shops, building supply outlets, tourist homes, medical clinics and other such similar uses. In addition, residential uses shall be permitted to locate in either the upper storeys or in the rear of the ground storey of buildings in which commercial uses are permitted.

The following development policies shall apply to commercial development within the "Urban" designation.

- Location Criteria

Commercial uses shall generally be restricted to the central business districts and major arterial roads serving the "Urban" area. Commercial uses in the downtown areas should remain as compact as possible in order to serve pedestrians most effectively. New commercial development may take place as an extension or as infilling within the existing business area but it should not be allowed to infiltrate unnecessarily into adjoining residential areas.

Where new development is proposed adjacent to a residential area, it shall be demonstrated that the commercial use will not create a traffic hazard and that its impact on the residential area will be minimal.

- Parking and Loading

Adequate off-street parking and loading facilities shall be provided. Access points to parking and loading areas shall be limited in number and designed to minimize the danger to vehicular and pedestrian traffic.

Although it is intended that new development within commercial areas provide adequate off-street parking facilities, this plan also recognizes that the provision of such facilities in established commercial areas is often difficult due to lot area limitations. So as not to unduly constrain the commercial expansion of the central business areas of the "Urban" areas, therefore, local Councils shall endeavour to provide public parking areas.

- Buffering

Adequate buffering shall be provided between commercial uses and adjacent land uses. Such buffers may include grass strips, screening and the planting of trees or shrubs and a berm or fence.

- Zoning

Urban commercial uses shall be zoned in separate categories. Local Council may utilize various commercial zones that recognize the difference between local, general and highway commercial uses.

e) Urban Industrial

(i) General

Light industrial uses are intended to be located on land designated "Urban" to facilitate the provision of adequate industrial resources and employment opportunities for residents of the County. The type of industrial use shall be limited to those having a minimal adverse impact on adjacent land uses as the result of emissions into the environment and soil, and liquid waste disposal.

(ii) Permitted Uses

The permitted uses shall be limited to industrial uses such as workshops, service shops, manufacturing, processing and assembly operations, storage and warehousing facilities, motor vehicle repair garages and research establishments and similar uses. In addition, uses accessory to the various permitted uses may be permitted including commercial uses servicing an industrial area, business offices, a residence for a caretaker or a watchman and a retail commercial outlet for the purpose of the sale of goods or materials produced on the premises.

(iii) Locational Criteria for Urban Industrial Uses

Industrial uses shall be encouraged to locate on a municipally assumed road network that has direct access to an arterial or collector road and is situated within an approved industrial plan of subdivision. In the case of individual development proposals, industrial uses generally shall be located on arterial or collector roads, although Council may give consideration to the use of other public roads where they are satisfied that no suitable alternative locations are available. In all cases, it shall be demonstrated that the proposed use will not create a traffic hazard and that the impact of the proposed use on adjacent land uses, especially residential uses, will be minimal.

(iv) Environmental Impact

No industrial use shall be permitted which creates an adverse impact on adjacent land uses as the result of the emission of contaminants into or onto the air, water or land. Adjacent uses shall be adequately protected from industrial emissions in

accordance with and subject to the regulations of the Ministry of the Environment and Council.

Where deemed necessary, a report(s) prepared by a professional engineer(s), biologist(s) or other qualified professional(s) shall be prepared showing the anticipated impact of the proposed operation on the environment, including air and water pollution, noise, changes in the water table, changes in surface drainage both on and off site and the effectiveness of the proposed mitigating measures.

Reference should be made to the Ministry of Environment's guideline, "Compatibility Between Industrial Facilities and Sensitive Land Uses" to determine whether separation distances may be required from industrial uses to sensitive uses.

(v) Buffering and Setbacks

Adequate buffering and setbacks shall be provided between the industrial use and adjacent uses and roadways. Such buffers may include grass strips, screening and planting of trees and shrubs and a berm or fence.

(vii) Amendment Criteria

Where an amendment to the implementing zoning by-law is required to permit a new industrial use, prior to the approval of such amendments, appropriate studies shall be prepared which demonstrate to the satisfaction of Council that the matters contained within this section, in addition to all other pertinent Official Plan criteria, have been addressed.

(viii) Visual Nodes

Where a proposed industrial or commercial use is to locate at a major intersection or other significant visual impact area, special setbacks and enhanced landscaping requirements are encouraged. Uses that cannot be adequately developed to provide a positive visual impact shall be prohibited by the local municipality.

(ix) Parking and Loading

Parking and loading provisions for industrial uses shall be included in the local zoning by-law.

(x) Zoning

Industrial areas shall be zoned in a separate category in the implementing zoning by-law. In addition, commercial uses which are accessory to a permitted industrial use or which service an industrial area shall be zoned in separate categories.

3.5.3 Urban Servicing

a) General

Municipal Services including water, sewers, sewage treatment and storm water management allow land uses to serve their intended function and provide a safe, healthy, and convenient living environment for residents of the County residing in the "Urban" areas.

This Plan intends to ensure that services are provided to the residents of the "Urban" areas of the County in a manner that is efficient, cost-effective and environmentally sound.

b) General Servicing Policies

(i) The provision, expansion and enhancement of municipal services shall be:

- planned to ensure existing development is adequately accommodated by the systems,
- co-ordinated with planned future development to ensure that growth and redevelopment takes place in an efficient, cost-effective and environmentally sound manner,
- planned to minimize conflicts with other land uses through their location, design and buffering,
- planned to accommodate growth and redevelopment in adjacent areas, where appropriate,
- carried out in accordance with a Capital Budget.

(ii) New development and redevelopment shall proceed only if local Council is satisfied that sufficient reserve water and sewage plant capacity is available to accommodate proposed development or redevelopment.

(iii) In determining adequacy of municipal service systems, local Council shall consider not only the proposed development or redevelopment but also the potential that exists within the same servicing area for development or redevelopment.

(iv) Limitations in the capacity of service systems shall be recognized, when applicable, as effectively constraining the timing of new development, redevelopment, conversion or intensification of land uses.

(v) Developers shall be financially responsible for providing services to new development sites and shall also be wholly or partially financially responsible for providing adequate services to redevelopment sites.

- (vi) Development charges may be levied by the local municipality to offset the costs of servicing new development or redevelopment.
- (vii) The preferred level of servicing is municipal sewers and water for all lots in the "Urban" areas. Where site conditions are suitable, communal services are the preferred means of servicing large-scale developments in areas where full services are not available over the long term.
- (viii) Lot or unit creation may be serviced by individual on-site systems where the use of communal systems is not feasible and where site conditions are suitable over the long term.
- (ix) Notwithstanding (vii) above, the extension of partial services is generally discouraged but may be permitted to limited areas where the extension of full services is impractical due to physical or economic constraints or is necessary to address failed systems. Partial services may be made available to small-scale developments that are near or adjacent to existing developments and where service to the landholding is currently available. Areas to be serviced by partial services shall be identified in a separate zone in the implementing zoning by-law.
- (x) The hierarchy of preferred forms of servicing shall be full, communal, private services and partial. Partial services shall be discouraged except where necessary to address failed services or because of physical or economic constraints or to serve a limited amount of development in an area where partial services have been established previously.

3.5.4 Water Treatment and Distribution Systems

- a) The local Councils shall co-operate with the appropriate authorities, where applicable, to provide safe, good quality, palatable water free from bacteria and viruses to all properties within the "Urban" areas in an efficient and cost-effective manner.
- b) Water treatment facilities shall be expanded to meet needs as required, in an efficient and cost-effective manner.
- c) Distribution systems shall continue to be upgraded to ensure a continuous water supply at sufficient pressure. Upgrading of the systems shall be co-ordinated with other public works wherever possible.
- d) Any expansion of the distribution systems into a new pressure zone shall be carefully studied before being put in place. The developer may be required to carry out the study or share in its cost.
- e) Any new reservoirs or water towers shall be designed to be safe and aesthetically pleasing.

3.5.5 Sanitary Sewer System

- a) New development in "Urban" areas shall be allowed to proceed only if enough capacity exists in the sewer lines and the sewage treatment plant.
- b) Prior to any expansion and upgrading of the sanitary sewer system or any of its individual components, it may be necessary for the "Urban" areas to develop and implement a program that provides for the orderly and equitable phasing of development. In developing any phasing program, the local Council shall have regard for the following:
 - (i) the percentage of the capacity available that would be used by the proposed or anticipated development or redevelopment,
 - (ii) the need for the proposed or anticipated development or redevelopment,
 - (iii) the cost to the municipality of providing sewer service and other services to the proposed or anticipated development or redevelopment,
 - (iv) the appropriateness of the proposed or anticipated development or redevelopment,
 - (v) the timing of public works which would increase the available capacity.
- c) Local municipalities should plan for the long term upgrading and expansion of the sewage treatment plants to ensure adequate capacity for new development and redevelopment in urban municipalities in an efficient and cost-effective manner.

3.5.6 Urban Expansion

Prior to considering an expansion to the "Urban" designation, a needs assessment shall be undertaken by the proponent to determine the land consumption and servicing requirements of the housing and employment area.

3.6 Waste Management

3.6.1 Goal

To provide for the development of waste management facilities in a sound environmental manner, to support the reduction, reuse and recycling of materials, and to maximize the use of existing waste management sites.

3.6.2 General Policies

- a) Local Councils, in consultation with residents, business and waste management industry representatives, shall promote the development and implementation of an integrated waste management system, which encourages the following:

- (i) initiatives that support the reduction, reuse and recycling of waste materials,
 - (ii) the development of environmentally and technically sound waste management facilities.
- b) In planning for future economic growth, County Council shall recognize the importance of waste management as an integral component of the infrastructure necessary to sustain development.
- c) County Council shall recognize open and closed waste management sites as an integral component of the land use system and implement measures to discourage the introduction of incompatible forms of land use on adjacent lands in order to minimize the potential for land use conflicts. Reference shall be made to the Ministry of the Environment guideline, "Land Use On or Near Landfills and Dumps".
- d) An application for an amendment to this Plan to provide for the expansion of an existing waste management site beyond the boundary of the area designated for waste management purposes on the Land Use Schedules forming part of this Plan, or the designation of a new waste management site shall be reviewed by County Council and the local municipal Council in the context of the applicable requirements of the Environmental Assessment Act, the Environmental Protection Act and such other legislation and regulations as may be established from time to time by the Province of Ontario.
- e) The policies and provisions of this Plan shall apply equally to waste management undertakings proposed by either the public or private sectors.

3.6.3 Land Use Policies

- a) For the purposes of this Plan, the following definitions shall apply:
 - (i) Waste Management may include any one or more of the transfer, processing, separating, recycling, composting, material recovery, reclamation or landfilling of solid, non-hazardous waste together with such other ancillary uses as an equipment maintenance depot, administrative offices, weigh scales and scale house, leachate and landfill gas management facilities including non-utility electrical co-generation facilities, stockpiling of overburden materials and similar uses as may be required for the operation of a waste management site in a sound environmental manner.
 - (ii) Waste Management Site shall mean any lands and/or facilities used for waste management at which there is, or has previously been, landfilling in accordance with a Provisional Certificate of Approval issued and administered by the Ministry of the Environment.

- b) The uses permitted within a waste management site shall be limited to those licensed at any time under a Provisional Certificate of Approval for the site. Other uses permitted shall include agriculture and farm related uses, conservation, private open space and recreational activities and reforestation, either as an interim form of 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 Ministry of the Environment.
- c) The policy of this Plan is to designate on the Land Use Schedules only those waste management sites which currently exist and operate in accordance with a Provisional Certificate of Approval issued pursuant to the provisions of Part V of the Environmental Protection Act, as administered by the Ministry of the Environment. Expansion of an existing waste management site beyond the boundary of the area designated for waste management purposes on the Land Use Schedules forming part of this Plan, or the development of a new waste management site shall require an amendment to this Plan.
- d) In considering an application for an amendment to this Plan to provide for the designation of a new waste management site or the expansion of an existing waste management site beyond the boundary of the area designated for waste management purposes on the Land Use Schedules forming part of this Plan, County Council shall consider the potential effects of the proposal upon the environment in accordance with the provisions of the Environmental Assessment Act, the Environmental Protection Act or other applicable Provincial legislation and regulations. Specific regard shall be had for the following matters:
 - (i) the potential impact upon the environment and the measures proposed to mitigate any potential environmental effects,
 - (ii) the compatibility of the proposed waste management operations with adjacent and surrounding land uses,
 - (iv) haul routes, including ingress and egress driveways and the volume of traffic to be generated by the waste management activities,
 - (v) the need for and provision of services and related infrastructure and the potential financial impacts associated with the provision of such services and infrastructure,
 - (vi) plans for development and operation, including progressive rehabilitation, of the site, and
 - (vii) the proposed decommissioning and/or closure and post closure plans for the site and sequential land uses.
- e) County Council shall request the assistance of the Ministry of the Environment in the identification of former waste management sites and the determination of potential environmental effects associated with such sites. Where such sites are under the ownership of the County of

Hastings or a local municipality, County Council shall consult with the Ministry of the Environment regarding the establishment of appropriate decommissioning and/or closure and post-closure programs. County Council shall further consider the need to amend this Plan to ensure that adequate information is available to the public with respect to the location, nature, age, contents and decommissioning and/or closure history of those waste management sites identified on the Land Use Schedules forming part of this Plan.

- f) Prior to considering any proposal for the development of lands previously used for waste management or lands within the immediate vicinity of a closed waste management site, County Council shall consult with the Ministry of the Environment to determine the compatibility of the proposed use with the former waste management activity. In particular, regard shall be had for the soil and ground water conditions, air and groundwater contaminants and the migration of combustible gas.
- g) Sensitive land uses such as residential dwellings, institutional uses such as schools, daycare centres or other similar uses shall be discouraged on lands adjacent to land used for waste management purposes or a closed waste management site and shall only be permitted where adequate measures are implemented to protect such uses from noise, odour, dust and other potential environmental effects.
- h) Waste Management Industrial areas shall be zoned in a separate zoning classification in the implementing by-law wherein suitable provisions and regulations shall be prescribed to govern the future development and use of the lands for such purposes having regard for the provisions of Part V of the Environmental Protection Act and the approvals issued by the Ministry of the Environment.

3.7 Waste Management Assessment Area

3.7.1 General

- a) The Waste Management Assessment Area is an overlay designation applied in the vicinity of waste management sites (landfill sites). It is based on Guideline D-4 "Land Use on or Near Landfills and Dumps" of the provincial Ministry of the Environment.
- b) The purpose of a Waste Management Assessment Area is to implement a study area for proposals for new development within the vicinity of waste management sites, in order to protect the health, safety, convenience and welfare of persons near such facilities. Within a Waste Management Assessment Area, assessment studies may be required to provide for the identification and assessment of the potential impacts associated with operating and/or closed waste management sites upon new development. New development shall not be permitted, unless it can be demonstrated that there are no significant adverse effects from the waste management site.

- c) New development shall not be allowed to proceed on lands identified as containing waste until the requirements of the Ministry of the Environment are met.
- d) Waste management sites, and their associated Waste Management Assessment Areas, are depicted on Schedules "A1a" to "A17-1" as "waste disposal sites". The assessment area shall be defined as 500 metres from the perimeter of the fill area of the waste management site, unless otherwise noted in this Section or on Schedules "A1a" to "A17-1" of the Plan. The assessment area may be determined to be greater or less than 500 metres, based on factors such as ground and surface water contamination from leachate, hydrogeology, production and migration of methane gas, odour, noise, other air emissions, vermin, etc.

3.7.2 Definitions

For the purposes of Section 3.7 "new development" means a change in land use requiring an amendment to the Official Plan and/or a new zoning by-law or an amendment to a zoning by-law and also includes applications for approval of a plan of subdivision or condominium, a consent to a land severance, and site plan approval. "New development" does not include the construction of public works, infrastructure authorized under an environmental assessment process, or works subject to the Drainage Act.

3.7.3 Permitted Uses

The uses permitted in the "Waste Management Assessment Area" designation are those allowed in the underlying designations, subject to the policies of this Section.

3.7.4 Assessment Study

- a) An assessment study may be required to support a development application for new development within a Waste Management Assessment Area.
- b) The need for and the nature and scope of the assessment study shall be determined by the County of Hastings at the time any new development is proposed, based on the type and/or scale of the proposed development, the sensitivity of the new development, existing data on the waste management facility, and potential waste management impacts.

The assessment study shall be prepared by a consultant acceptable to the County and retained by the proponent. The study would address factors, as determined by the County, such as:

- The sensitivity and scale of the proposed development;
- The type and nature of wastes contained within the waste management site;
- The hydrogeology of the site and environs, including the potential for surface and/or groundwater contamination;
- The potential for adverse effects upon the proposed use including potential landfill-generated gases, ground and surface water contamination from leachate, odour, litter, contaminant discharges from

- vehicular traffic, visual impact, dust, noise, other air emissions, fires, surface runoff, vermin, etc.;
 - The production and migration of methane gas;
 - The impact of any water taking from the proposed development on leachate migration;
 - Proposed remedial measures to deal with the adverse impacts;
 - Monitoring; and
 - Such other matters as the County of Hastings considers appropriate in the circumstances.
- c) No new development shall be approved by the County of Hastings or the Local Municipality until the assessment studies required in accordance with section 3.7.4(a) and (b) have been completed to the satisfaction of the county of Hastings. Prior to approving any new development within a Waste Management Assessment Area, the Council of the Local Municipality shall consult with the County of Hastings to confirm:
- i) that the assessment studies referred to in Section 3.7.4(a) and (b) have been completed to the satisfaction of the County of Hastings; and,
 - ii) that the proposed means of implementation of any mitigative measures or other enhancements identified through the studies are acceptable to the County of Hastings.

3.7.5 Notice of development applications

The County of Hastings and local municipalities shall endeavour to provide notice of development applications within the Waste Management Assessment Areas to owner/operators of waste management sites.

3.7.6 Zoning

The municipal zoning by-laws shall provide for uses permitted in the underlying designations.

3.8 Extractive

3.8.1 General

For the purposes of this Plan, a distinction in policy is not made between operations established under the Mining Act or Aggregate Resources Act. The policy applies to the associated extraction uses and activities.

Lands designated "Extractive" include licensed or permitted mines, pits and quarries that involve the extraction of either minerals or aggregates. A quarry, pit or mine shall be defined in accordance with the Mining Act or Aggregate Resources Act, as may apply.

Lawfully existing mineral or aggregate operations shall be permitted to continue without the need for an Official Plan amendment, rezoning or development permits under the Planning Act, in accordance with Section 34 (9) of the Planning Act.

Areas of the County with a high mineral or aggregate potential are identified as "Extractive (Reserve)". within the "Rural" designation on the individual Land Use Schedules. These mineral and aggregate resources are to be protected for future extraction by discouraging the location of any land use on or adjacent to the areas, which would significantly preclude or hinder future extraction. Extraction operations will be permitted by amendment to the Plan.

Extraction activities should not be established in areas where an adverse impact on adjacent uses is expected.

3.8.2 Permitted Uses

- a) The uses permitted within the "Extractive" designation shall include pits and quarries, wayside pits and quarries, mines, portable asphalt plants, concrete batching plants, washing plants, agricultural uses excluding any accessory building or structure, forestry uses excluding any accessory building or structure, conservation and natural resource management uses excluding any accessory building or structure, value-added operations to mineral and aggregate resources, including but not limited to drying, colouring, cutting, and bagging and uses accessory to an aggregate extraction operation, such as crushing and screening operations and aggregate storage areas.
- b) Incompatible uses on lands surrounding and within "Extractive" areas shall be discouraged through careful review of amendments to the Official Plan and zoning by-laws, applications for consent and plans of subdivision and other development proposals, in consultation with the Ministry of Natural Resources, the Ministry of Northern Development and Mines, the Ministry of the Environment and the County peer review agent, as may be required.
- c) The concept of a potential "influence area" surrounding "Extractive" and "Extractive (Reserve)" areas (300 metres for a pit and 500 metres for a quarry) shall be used in order to protect affected land uses from proposed extraction activities and to protect existing extraction uses from encroachment by incompatible uses. In areas of "Extractive (Reserve)", development that would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - (i) resource use would not be feasible, or
 - (ii) the proposed land use or development serves a greater long term public interest and
 - (iii) issues of land use compatibility, public health, public safety and environmental impact are addressed.

The protection of lands designated "Extractive" and lands identified as "Extractive (Reserve)" from conflicting uses, shall be undertaken through the inclusion of appropriate separation distances in the implementing zoning by-laws.

- d) The rehabilitation of extraction sites to a condition compatible with the adjacent land uses shall be required, preferably by progressive means. In "Agricultural" areas, on prime agricultural land, extraction of mineral aggregate is permitted as an interim use provided that rehabilitation of the site shall be carried out, restoring substantially the same areas and same average soil quality for agriculture.

On these prime agricultural lands, complete agricultural rehabilitation is not required if:

- (i) a substantial quantity of minerals or aggregates exists below the water table warranting extraction, or
- (ii) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible, and
- (iii) other alternatives have been considered by the applicant and found unsuitable, and
- (iv) agricultural rehabilitation in remaining areas is maximized.

3.8.3 Amendments to the Official Plan

An amendment to this Plan, and an amendment to the implementing zoning by-law shall be required for a new or expanded extraction (mineral or aggregate) operation in accordance with the following policies:

- a) Area, Location and Potential

Areas identified as "Extractive" or as "Extractive (Reserve)" on the Land Use Schedules of this Plan shall be used as a guide in determining the location of new mines, pits or quarries. The proponent shall furnish County Council with an estimate of the quantity and value of material available.

- b) Excavation Boundaries

No mine, pit or quarry may be excavated in such a way that its face is at a point less than the minimum distance permitted in the implementing zoning by-law from the limit of any road or other property boundary.

- c) Impact Assessments

Councils shall have regard for the potential adverse impacts of the proposal to on-site and off-site conditions including adjacent uses, structures, facilities or the natural environment. To determine conformity with this policy, Councils shall require the assessment of the following:

- i) noise, dust, vibration, air or water discharges, bright light, erosion, sedimentation, and
- ii) potential for interference with wildlife, vegetation, hydrogeology, surface drainage, roads, and aesthetic appearance.

d) Cultural and Heritage Resources

Before beginning extraction works, an assessment of cultural and heritage resources of any lands affected by the operation shall be completed, as may be required, in accordance with Provincial Cultural and Heritage Resources guidelines.

e) Site Development Plan and Agreement

An application to operate a mine, pit or quarry shall be accompanied by a Site Development Plan that shall include the following information:

(i) Physical Features

A sketch map illustrating the shape, topography, contours, dimensions, area, location of the property to be developed and the extent of adjacent property intended for future extractive operations.

(ii) Existing Land Use

A sketch map indicating the existing use of all land and the location and use of all buildings and structures lying within a minimum of 300 metres of the boundary of a property on which a pit is proposed (or 500 metres, in the case of a proposed quarry).

(iii) Characteristics of Operation

A description of the location, height, dimension and use of all buildings or structures existing or proposed to be erected on the property as well as existing and anticipated final grades of excavation and cross-sections shown by contours, where necessary, excavation setbacks, stockpiles, drainage provisions and proposed entrances, exits and trucking routes to and from the operation.

(iv) Hydrogeological Assessment

A hydrogeological assessment prepared by a qualified professional indicating any impacts on groundwater and its availability, in support of cold water fish habitat. Cold water streams require sources of groundwater and pits should not interfere with the quantity and quality of groundwater that reaches these streams. Where extraction is not proposed within 2 metres of the established groundwater table, the application must be accompanied with information respecting the elevation of the existing water table.

(v) Environmental Impact Study

An Environmental Impact Study shall be conducted to identify

and mitigate any adverse impacts on any natural heritage features or areas that may be influenced by on site activities. An assessment of cultural resources of any lands affected by the operation shall be completed.

(iv) Restoration and Future Use

A description of the proposed rehabilitation of the property upon the termination of operations including leveling, grading and replacing of topsoil and the intended future use of the land shall be included.

(vii) Development Agreement

An agreement shall be entered into between the extractor and the local municipal Council to address matters contained in this Plan, including scale and timing of the operation. In addition, this agreement may provide for the requirements of the Ministry of the Environment, the Ministry of Northern Development and Mines and the Ministry of Natural Resources, as may apply, including provision for groundwater monitoring, blasting, noise and dust control, vegetative buffers and/or berms to mitigate off-site influences and minimum separation between conflicting land uses. An agreement shall be entered into before the rezoning of the land to ensure that provision is made for site rehabilitation and to address the impact assessments noted above and as follows:

- Rehabilitation

The rehabilitation of worked-out areas to an approved after use, preferably by progressive means, shall be guaranteed.

- Screening

Adequate screening by vegetation and/or earth berms and the protection of the public by the erection of adequate signs and fences shall be required. Such screening shall be an effective visual barrier between the proposed pit or quarry and any adjacent land use areas. Until such screening has been provided, no excavation other than for earth berm construction shall be permitted.

- Water, Wastes and Emissions

All pit and quarry operations shall satisfy the Ministry of the Environment or the County peer review agent, as the case may be, concerning pumping and dewatering, water supply, waste water, solid and liquid waste disposal and all emissions to the atmosphere including dust, noise and vibration.

- Municipal Road Maintenance

Provisions shall be made for the adequate protection and continued maintenance of “haul route” roads to ensure that they are maintained to an acceptable municipal standard at all times. A traffic impact assessment may be required by the local Council in consultation with the County peer review agent.

- Extraction below Roads

If a proposal to extract includes deposits located below a road or road allowance or other municipal land, the proponent shall provide an estimate of the quantity and value of the material and shall enter into an agreement to compensate the local municipality.

3.8.5 Wayside Pits and Quarries

Notwithstanding the “Extractive” policies of this Plan, in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction or associated activities, a wayside pit or quarry shall be permitted without the need for an Official Plan amendment, rezoning or development permit under the Planning Act.

Development of a wayside pit or quarry, as defined in the Provincial Policy Statement, February 1, 1997, shall be in accordance with the requirements of the Aggregate Resources Act, where applicable.

3.8.6 Extractive (Reserve)

Areas identified on Land Use Schedules of this Official Plan as “Extractive (Reserve)” are lands that have a high potential for future extraction. These lands shall be protected for future use by preventing the location of any land use on or adjacent to these areas that would significantly preclude or hinder future extraction. County, local Councils and the Land Division Committee should be satisfied that any rezoning, subdivision or land severance does not preclude future development of “Extractive (Reserve)” areas for future extraction purposes.

3.8.7 Zoning

Lands designated “Extractive (Active)” or as “Extractive (Reserve)” shall be placed in separate classifications in the implementing zoning by-laws. The zoning by-law shall establish a setback for incompatible uses as may be determined by the technical impact assessments or licensing.

In the absence of site-specific assessment of impacts, a general buffer between incompatible uses and any adjacent mine, pit or quarry and related processing uses shall be established in the local zoning by-laws. An appropriate “influence area” shall also be established relating to “Extractive” and “Extractive (Reserve)” areas as identified by this Plan.

3.8.8 Rehabilitation and Mine Hazards

- a) Abandoned mines may pose a hazard to the public. In reviewing development applications, County Council should ensure that the applicant has provided information with respect to identification of the potential hazard and any remedial works required. County Council is encouraged to work toward the identification and designation of abandoned mine sites that may be hazardous. The Ministry of Northern Development and Mines shall be consulted in this regard.
- b) No development shall take place on rehabilitated mine sites without the consent of the Minister of Northern Development and Mines.
- c) Applicants for site-specific development proposals in areas of known or suspected abandoned mine hazards shall be required, through appropriate engineering studies, to confirm the presence of hazards that may affect development and that shall require mitigation measures, to be approved by the Ministry of Northern Development and Mines.
- d) Development on abutting or adjacent lands affected by mine hazards or former mineral resource operations shall be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed.
- e) Development shall be restricted on other abandoned mine sites, subject to determining site-specific requirements to overcome the associated mine hazard.
- f) Applicants for development proposals affecting lands within 1 kilometer of known abandoned mine hazards shall, in consultation with the Ministry of Northern Development and Mines, conduct an impact assessment to determine whether hazards exist and, if so, whether they can be mitigated sufficiently to permit development to proceed.

3.8.9 Zoning for Abandoned Mines

Abandoned mines that may pose a threat or danger to human health shall be placed in a separate zone category.

4.0 SERVICING

4.1 Private And Communal Sewer And Water Servicing

4.1.1 Although development located outside of lands designated "Urban" will likely occur on private services, council will consider all servicing options. The type of servicing shall be determined through a servicing options study, completed to the satisfaction of council. For lands that are to be developed with full public services, an amendment to the "Urban" designation shall be required. Extension of sewage or water services beyond the boundary of a municipality shall generally be discouraged. Municipal servicing in areas designated "Urban" shall be guided by the policies in Section 3.5.2, 3.5.3 and 3.5.4 and 3.5.5 of this Plan.

4.1.2 Prior to granting approval to create new lots and prior to granting approval for new development, the County Planning Advisory Committee and local municipality shall be satisfied that an adequate on-site supply of potable groundwater exists and that soils and lot sizes are adequate for the required sewage disposal system.

For zones permitting residential uses, a well constructed in accordance with Regulation 903 of the Ontario Water Resources Act shall be required. The well shall produce a minimum of 3.5 gallons of water per minute which meets the Ontario Drinking Water Quality Objectives as contained in Appendix 2 to this Plan. The landowner shall furnish an affidavit that confirms the location from where water samples and related reports have been taken. Notwithstanding the above, exceptions may be made for forms of development not reliant on groundwater sources, for larger lot sizes and where a well can be constructed to meet typical water demands through special design considerations. Such an exception shall be implemented by an agreement entered into with the local municipal Council ensuring the operation and maintenance of the system.

4.1.3 Private sewage disposal systems or any development that involves a large septic system may require a detailed hydrogeological study to determine on-site soil and groundwater conditions, to determine if soils can suitably accommodate sewage systems and whether the proposed sewage systems and wells will have any negative impacts on surrounding uses. A detailed hydrogeological study shall be required prior to draft approval for all subdivisions where private services are proposed. The detailed hydrogeological study shall be undertaken by a qualified professional and shall consist of a detailed description of the nature, topography, stratigraphy and drainage characteristics of the surface materials based on an analysis of grain size and test pit information and of chemical and bacteriological water quality tests. Particular emphasis shall be placed on distinguishing poorly drained soils from well-drained soils and on identifying areas subject to periodic flooding.

4.1.4 Proposals requiring large septic systems shall be assessed according to the Ministry of the Environment's standards. The suitability of a proposal shall be determined by, among other issues, comparing projected rates of water use to the availability of groundwater and the ability of the soil to accommodate septic effluent. Proposals on unsuitable sites or proposals that may impact negatively on surrounding uses shall not be permitted.

- 4.1.5 Communal systems serving more than one use may be permitted where satisfactory to the local municipality provided they conform to the standards of the Ministry of the Environment and are subject to a development agreement setting out the basis for the system's operation and maintenance responsibilities. In the event of default of the communal system, the agreement shall permit the municipality to assume responsibility for the system and retain any or all of the financial assurances that the developer shall have deposited.
- 4.1.6 The local Council, under the Health Protection and Promotion Act and the Ontario Building Code, may require property owners to upgrade or replace existing sewage disposal systems which no longer meet standards due to, but not limited to, a malfunctioning system and/or increased daily sewage flows.
- 4.1.7 Applications proposing alternative servicing methods may be considered by the local municipality provided they meet the standards of the local municipality, the County peer review agent, the Ministry of the Environment and the general intent of this Plan.

4.2 Storm Water Management

The following storm water management policies shall apply when the County or local municipalities are considering development proposals.

- 4.2.1 Prior to approving any development proposal, the County and local municipality, in consultation with the appropriate authority where applicable, shall be satisfied that adequate storm water management and drainage to a suitable outlet is provided.
- 4.2.2 The impact of any development proposal, including any increases in runoff from the subject area, shall be minimized. The impact of any proposed development on local and area-wide drainage patterns shall be identified. An appropriate method of managing surface runoff shall be developed in consultation with the County peer review agent, where appropriate, and implemented as a condition of approval in accordance with the following policies:
 - a) developments shall incorporate methods of storm water best management practices in accordance with the quality and quantity standards of the municipality, County peer review agent, the Ministry of Natural Resources and the Ministry of the Environment, as the case may be,
 - b) the stormwater management report (SMR) shall be prepared by a qualified professional to the satisfaction of the County and local municipality in consultation with the peer review agent and appropriate public body, as may apply. The SMR, which shall be prepared in accordance with best management practices, shall address erosion and sedimentation control. In addition, the SMR shall have regard for the effects of development on watershed flow regimes and impacts on groundwater.
 - c) the retention of existing tree cover or natural vegetation and the provision of significant grassed and natural areas shall be encouraged to facilitate absorption of surface water into the ground and erosion and

siltation control measures shall be incorporated into any grading and drainage scheme,

- d) for developments which could have a significant impact on surface drainage, stormwater management reports showing methods of surface water disposal and any impacts on adjacent or affected properties shall be provided, and
- e) prior to approving an Official Plan amendment, Zoning By-law amendment or entering into a site plan agreement, the County and/or local municipality shall ensure that the proposal has been made available to the appropriate public agencies or County public review agent. This review should determine the degree to which the proposal meets the above policies. In reviewing the proposal, agencies may recommend additional specific requirements on a case-by-case basis.

4.2.3 All stormwater management plans shall be consistent with the goals, objectives and policies of the Bay of Quinte Remedial Action Plan, where applicable.

5.0 TRANSPORTATION

The transportation network shown on Land Use Plan Schedules A1-A17 generally reflects the inter-relationship of land use and transportation in Hastings County. The road network is designed to facilitate the satisfactory movement of both people and goods. Local municipalities are encouraged to provide a functional classification system for the future use of roads.

5.1 Provincial Highways

Provincial highways are indicated on the Land Use schedules. These highways can be generally divided into separate categories of Primary, Secondary, and Special Controlled Access but have not been so differentiated in this Official Plan.

5.1.1 Corridor Management Plan

To facilitate orderly development and safe access, Corridor Management Plans are encouraged. These plans shall:

- a) comprehensively review and map the safe and orderly location of access and types of entrance,
- b) provide for the optimal development of adjacent lands,
- c) establish site standards for the enhancement of special landscapes.

5.1.2 Corridor Management Plans shall be conducted in consultation with the Ministry of Transportation.

5.2 Local Arterial Roads

5.2.1 Local Municipalities are strongly encouraged to pass the appropriate by-laws to establish roads that are to be managed on the basis of function, particularly for arterial roads. Arterial roads shall permit the movement of large volumes of traffic from municipal roads to provincial highways or other arterial roads at relatively high operating speeds. Arterial roads should have a minimum right-of-way width of either 26 or 30.5 metres (86 ft. or 100 feet), or as may be determined by a Roads Needs Study. New entrances shall be established with adequate separation distances in order to ensure safe turning distances and the continued convenient movement of large volumes of traffic.

5.2.2 Municipalities are strongly encouraged to undertake Roads Needs Studies to determine required road improvements. Such studies shall guide short and long-term capital works programs and identify specific road right-of-way widening that may be required. New roads and major alterations to existing roads shall be subject to the requirements of the Environmental Assessment Act, as amended. Results of Road Needs Studies and any major improvements, extensions, or assumptions shall be implemented by amendment to this Plan and have regard to the cost-benefit effects for the Municipality.

5.2.3 In those municipalities where Entrance Permits are used, an Entrance Permit for access onto a local road shall be granted subject to the approval of the appropriate road authority. Any road alterations or changes, culverts or ditch changes, major signs, or fill/excavation on adjacent lands shall require approval of the appropriate road authority. In this regard, local municipalities are encouraged to pass implementing by-laws.

5.3 Municipal Roads, Maintained

Such roads shall serve the movement of a medium volume of traffic generated from the area in both urban and rural locales and connect with major traffic arteries. To facilitate this function, access to adjoining lands shall be permitted. The minimum right-of-way width for municipal roads shall generally be 20 metres (66 feet) or as may be determined by a Roads Needs Study.

5.4 Road Assumptions

Assumption of new roads, unless part of a plan of subdivision, is strongly discouraged; however, a municipal Council may consider the assumption of rights-of-way which meet the minimum acceptable engineering standards. Assumptions shall be made by local by-law and have regard to the financial cost-benefit effects for the municipality. The County Planning Department shall continue to monitor municipal road assumptions and amend the land use schedules on an as-needed basis.

5.5 Implementation

5.5.1 In plans of subdivision, the number of intersections with major roads shall be minimized.

5.5.2 Minor road widening, realignments and bypasses shall not require an amendment to this Plan.

5.6 Zoning

Local municipal zoning by-laws shall provide for adequate setbacks from roadways and the establishment of rights-of-way for future road improvements in order to minimize the disruption to adjacent lands. Setbacks shall maintain the character of the area and have regard to safety, noise, odours and dust.

5.7 Other By-Laws

Local Councils are encouraged to adopt by-laws that address maintenance and construction standards for the various classes of roads.

5.8 Rail Lines

Wherever possible, abandoned rail lines should remain as one holding for possible long-term use for vehicular transportation, utility corridors or recreational uses. Abandoned rail lines shall not be used as the principal means of access to residential or commercial uses.

5.9 Shore Road Allowances And Road Allowances Leading To Water

- 5.9.1 Municipalities shall continue their practice of leasing or closing and selling shore road allowances, subject to consideration of the policies in this section.
- 5.9.2 Generally, Council shall not consider the sale or lease of shore road allowances in the following circumstances:
- a) where any portion of an allowance on or leading to water is used or will be used for public waterfront recreational purposes, public access, emergency access, public travel, portage or other municipal purposes.
 - b) where any portions of a road allowance contain, abut or provide access to an important fish spawning area, wildlife habitat or other environmentally sensitive feature, unless approved by the Ministry of Natural Resources,
- 5.9.3 Closure of shore road allowances shall be implemented by a by-law passed under the Municipal Act.

6.0 GENERAL DEVELOPMENT POLICIES

This section includes policies that apply to all designations and more specific policies that apply to certain land uses that may take place in a variety of designations. The General Development Policies must be read in conjunction with other policies of this Plan.

6.1 Existing Land Use

- 6.1.1 Uses of land, buildings or structures that lawfully existed at the date of the approval of this Plan and are not recognized by this Plan may be recognized in the implementing Zoning By-law and minor extensions or enlargements may be permitted.
- 6.1.2 This Plan is not intended to necessarily prevent the continuation, expansion or enlargement of existing uses that legally existed at the date of adoption of this Plan. The municipality may allow for the continuation, expansion or enlargement of such existing uses.
- 6.1.3 Prior to amending the implementing Zoning By-law to permit the continuation, expansion or enlargement of any legal non-conforming use, the municipality shall have regard for the following matters:
 - a) that the proposed extension or enlargement of the established use shall not adversely affect the general intent and purpose of the Plan,
 - b) that the proposed extension or enlargement shall be in appropriate proportion to the size of the existing use,
 - c) that the proposed extension or enlargement is compatible with surrounding uses, and
 - d) that the site planning and design shall minimize the effect of the proposed extension or enlargement on adjacent conforming uses and, where necessary, appropriate spatial separation, buffer planting, screening and fencing are provided.

6.2 Cultural Heritage Resource Conservation

Heritage resources of natural historical, architectural, cultural or archaeological significance shall be appropriately protected and/or preserved.

- 6.2.1 In areas described by the Cultural Heritage Conservation guidelines to have archaeological potential, archaeological assessments completed by a qualified licensed professional may be required prior to development. Also, if significant built heritage resources are adversely affected by development, a statement of impact shall be submitted.
- 6.2.2 Notwithstanding 6.2.1, for small-scale development proposals, such as those that involve two or fewer development applications, an archaeological assessment will be required only if the property contains a known archaeological resource or heritage feature, or in accordance with a *Cultural Heritage Master Plan* that has been adopted by County Council.

- 6.2.3 Wherever feasible, the County shall participate in the conservation of cultural heritage resources by:
- a) conserving heritage buildings, cultural heritage buildings, cultural heritage landscapes and archaeological resources that are under County or municipal ownership and/or stewardship,
 - b) when undertaking public works, conserving and mitigating impacts to all significant cultural heritage resources,
 - c) respecting the heritage resources recognized or designated by federal and provincial agencies.
- 6.2.4 The County shall work with local municipalities to create and maintain an inventory of cultural heritage resources for land use planning and conservation, including but not limited to:
- a) heritage resources designated under the Ontario Heritage Act,
 - b) sites or areas having historical, archaeological, cultural, scenic or architectural merit,
 - c) cemeteries,
 - d) support a local committee to address heritage matters as appropriate.
- 6.2.5 Local municipalities shall be encouraged to zone sites containing significant cultural heritage features to ensure preservation in accordance with Section 34 (1) 3.3 of the Planning Act.
- 6.2.6 Pursuant to the Ontario Heritage Act, the municipality may, by by-law:
- a) designate properties to be of historic or architectural value or interest,
 - b) 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
 - c) designate the municipality or any area within the municipality as a heritage conservation district.
 - d) Where feasible and desirable, incentives may be provided to land developers in exchange for preservation of significant cultural heritage resources by allowing increased densities, density transfers and other means considered appropriate, in exchange for resource preservation, through the application of the relevant provisions of the Planning Act.

6.3 Division Of Land

6.3.1 General Policies

- a) Applications for the division of land shall be considered only when the Council is satisfied that the proposed development will not adversely affect the County's financial status. Development shall not be considered where the undue extension of public services or facilities or other expenditures by the County or local municipalities are required and are proven uneconomic.
- b) Subject to the detailed consent policies for each land use designation outlined in Section 6.3.3 (including waterfront residential development) and all other relevant policies of this Plan, a maximum of 2 lots from the original land holding may be created by consent(s). When the original two lots are fully developed with a habitable structure, a further two lots may be considered by the approval authority (a total of four plus the retained parcel). Development proposals for the creation of more than four new lots may be made by plan of subdivision.
- c) Development by Plan of Condominium shall be permitted only on land where municipal or communal water and sewer services in accordance with a municipal responsibility agreement are to be provided. Individual on-site services may be permitted for proposals that involve detached structures provided the municipality is satisfied that the lot is capable of accommodating adequate on-site sewer and water facilities.
- d) Where different land uses abut, every effort shall be made to avoid conflicts between them. Where deemed necessary, buffering or screening should be provided for the purpose of reducing or eliminating the adverse effects of one land use upon another.
- e) County Council is encouraged to prepare guidelines for a complete application for severance and subdivision applications. Applications that are not complete or that do not clearly meet the intent of this Plan shall not be accepted.

6.3.2 Plans of Subdivision and Plans of Condominium

- a) Council shall only approve those plans of subdivision and condominium that conform to the policies and land use designations in this Plan.
- b) In evaluating plans of subdivision and condominium, the Council shall consider all information as specified in the Planning Act and the Condominium Act. Additional support studies as outlined in this Plan may be required by Council or a government agency. Such studies may be required prior to the draft approval of a subdivision or condominium or as a condition to its draft approval.
- c) The local Council shall hold a public meeting to inform the public about a proposed plan of subdivision or condominium in order to gain public input prior to deciding what conditions to request as part of the draft approval of the subdivision or condominium.
- d) Water and sewer services for subdivision development shall be provided in accordance with Section 3.5.3 for "Urban" areas and Section 4.0 for "Rural" and "Hamlet" areas.

- e) Storm water management shall be addressed during the design and development of the plan of subdivision in accordance with Section 4.2.
- f) Access for lots in a plan of subdivision shall primarily be on an internal, publicly owned road maintained year-round that is constructed by the developer to current municipal and Provincial standards. Buildings within a plan of condominium may gain access onto a publicly owned road maintained year-round or on an internal road that is owned and maintained by the Condominium Corporation. The subdivision agreement shall contain provisions detailing how the internal roads for the subdivision are to be designed, constructed and maintained.
- g) The local municipality should obtain public road allowances in strategic locations of a plan of subdivision or condominium in order to accommodate future roads where extension of development in the area could be a possibility. The municipality may require that any dead ends and open sides of road allowances created by a plan of subdivision to terminate in a .3 metre (1 foot) reserve be conveyed to, and held in trust by, the municipality.
- h) The road network onto which access to and from the proposed internal road is to be gained must have the capacity to support the additional traffic generated by the development. Adequate provisions should be placed in the subdivision agreement between the local municipality and the developer to ensure that the developer provides the necessary engineering and construction work to upgrade the existing affected road network.
- i) Subdivisions and condominiums may be developed in phases so that the development proceeds in an orderly and timely fashion. The phasing of the development may be addressed through provisions in the subdivision agreement and/or through the use of a holding symbol ("H" or "h").
- j) The provision of a lot(s) for a community facility to accommodate present and future needs should be addressed by the relevant School Boards and the local Council when reviewing draft plans of subdivision.
- k) Municipalities are encouraged to take part or all of the five percent parkland dedication for residential development and two percent dedication for commercial/industrial development as permitted under the Planning Act to provide parkland or facilities. When a plan of subdivision or condominium is proposed for property bordering a water body, the municipality may require that the five percent parkland dedication be land bordering the water body. Wherever possible, parkland and open spaces from one subdivision or neighbourhood to another should be linked to form corridors, especially along shorelines. As an alternative, municipalities may accept cash-in-lieu of the five percent land dedication.
- l) The municipality shall enter into an agreement with the developer as a condition of the approval of a plan of subdivision or condominium, setting out all matters that the local municipality wishes to have addressed including the provision of on- and off-site services and

obligations required of the developer and how the environmental impacts of the development (i.e. water quantity and quality, the operation and efficiency of septic systems, drainage conditions, etc.) shall be addressed and monitored. Adequate financial security shall be required by the municipality in the subdivision agreement to cover the potential expenses associated with compliance with the subdivision agreement.

- m) As a general rule, a registered plan of subdivision created for residential purposes shall not be further subdivided to increase the number of lots unless further division is in keeping with the policies of this Plan, will not adversely impact the environment and will be compatible with the general development of the area.
- n) A site plan agreement with the municipality shall be required to develop by plan of condominium.
- o) All existing and abandoned wells shall be identified. Water wells that are not intended to be used should be properly closed. A record of abandonment may be required as a condition of draft approval.
- p) To ensure that all proposed developments proceed expeditiously and do not unduly tie up municipal water and sewage allocations, in giving approval to a draft plan of subdivision or condominium, the County shall provide for the lapsing of the approval at the expiration of a specified time period in accordance with the provisions of the Planning Act, as amended.

6.3.3 Consents

- a) General Policies Applicable to all Land Use Designations
 - (i) Consents shall only be granted when it is clearly not necessary in the public interest that a plan of subdivision be registered. In order to avoid creating a subdivision by the consent process, the Approval Authority should take care not to allow a landholding or a general area to be fragmented over time.

A land holding is defined as any property as it existed December 31, 1998.
 - (ii) Where a parcel of land has more than one detached dwelling in existence at the time of adoption of this Plan, the severance of a parcel of land including the additional dwelling may be permitted subject to all other policies of this Plan, including Section 6.3.1 b) of this section. Notwithstanding the preceding policy, a surplus residence upon lands designated as Agricultural may only be severed if the residence to be severed existed prior to 1978 or it is an existing residence that is rendered surplus as a result of a farm consolidation.
 - (iii) No consent shall be given where development on the severed lot will contravene the Minimum Distance Separation Formula as amended from time to time.

- (iv) The size of any parcel of land created by consent shall be appropriate for the uses proposed. No parcel of land created as a result of a consent shall be less than that prescribed in the respective land use designations of this Plan, except for parcels created as lot additions or for technical reasons.
- (v) Only consents that provide for a satisfactory geometric design of the severed and retained parcels should be granted.
- (vi) Consents shall be set back from all rail lines a distance that is acceptable to the appropriate rail authority, in order to ensure public health and safety and the efficiency of rail transport across the County.
- (vii) Consents shall not be granted for a parcel of land which is subject to flooding or erosion or other physical hazard when the use of the parcel requires that a building be erected. The advice of the appropriate authority shall be sought in this regard.
- (viii) All applications for consent shall be accompanied by a sketch showing the dimensions to scale of the lots to be created (severed and retained) by the proposed consent. In addition, existing buildings and setbacks from the property lines and major topographic and land features such as an escarpment, creek or wetland should be shown. For those applications that constitute an addition to a holding, the sketch shall show the location, size, use and ownership of the lot to be enlarged.
- (ix) Where questions arise concerning the information contained in a severance application or if further information is required to assess the appropriateness of the use relative to any matter, including traffic sight lines and drainage patterns, the applicant may be required to provide clarification through professional sources to the Approval Authority and the appropriate commenting agency prior to the granting of a decision.
- (x) No more than two lots in total (i.e. including severed and retained) shall result from any one severance application for a new lot. Where a planned legal right-of-way is not part of a proposed new lot, a separate application for consent shall be required. If a landowner is applying for the creation of two new lots and a retained, two applications are required.
- (xi) Amended applications may be recirculated by the Approval Authority to those impacted by the application and whose comments are necessary in the review of the file.
- (xii) Consents that result in landlocking a parcel shall be denied. All new lots, except waterfront lots, shall front onto and gain direct access from an existing public road that reflects a reasonable standard of pavement or gravel construction and is maintained year round by the local municipality or province.

- (xiii) Consents should not be granted for land adjacent to a road from which access is to be obtained where a traffic hazard would be created because of limited sight lines on curves or grades.
- (xiv) Consents should not contribute to ribbon or strip residential development and should not preclude the comprehensive planned development of an area. Nevertheless, consents to permit infill lots may be permitted in accordance with the policies of this Plan. Development proposals shall not create lot configurations that encourage future infilling situations.
- (xv) Direct access from Provincial Highways should be discouraged, especially where access can be obtained from a Municipal Road.
- (xvi) Mutual driveways shall be permitted provided they meet all requirements of the appropriate road authority.

b) Consents within the "Agricultural" Designation

Within the "Agricultural" designation, the following three (3) categories of consents are permitted: farm consents, residential consents (farm related and non-farm related), and those for other uses.

The following policies shall apply:

(i) Farm Consents

Farm lot size shall be kept as large as practical and farm consents shall only be considered where the municipality is satisfied that:

- both the retained and severed lots are for agricultural purposes and of an appropriate size for the agricultural activity in the area.
- the proposed consent does not create or promote inappropriate agricultural land fragmentation, and
- development upon the retained and lands to be severed will comply with the Minimum Distance Separation formula as amended from time to time.

(ii) Residential Consents

Limited farm and non-farm related residential consents may be permitted in the "Agricultural" designation on a property existing as of December 31, 1998. The existing property shall be eligible for one (1) residential consent provided it relates to a viable farm operation of approximately 30 hectares. A residential consent shall be for a farm-related residential use. Consents for non-farm related residential uses may be made where they constitute infilling as defined below and in accordance with

Section 6.3.3 b) (ii). Consents to land severance for lot adjustments which do not create new lots shall not make a lot ineligible for a consent to land severance so long as the intent of the Plan is maintained. New residential lots shall be a minimum of 0.4 hectares in size. In addition, a maximum lot size may be determined by the authority granting the consent to land severance.

- Farm Related Residential Consents

A consent for a farm related residential use may be considered in accordance with the following:

- The lot to be created is to be used for a retirement lot for a farmer. A farm retirement lot shall mean one lot from a farm operation for a full time farmer of retirement age who is retiring from active working life, was farming on or before January 1, 1994 and has owned and operated the farm operation for a substantial number of years.
- Where a lot is created under the provisions of this Section for the purpose of a single detached dwelling, the consent to land severance may be conditional on the approval of an amendment to the implementing Zoning By-law rezoning the subject lands to an appropriate residential zone.

- Non-Farm Related Residential Consents

Consents for non-farm residential uses shall be limited to infilling within existing residential concentrations. Such consents may be considered only in accordance with the following:

- Infilling
Infilling within existing concentrations of residential development shall be permitted. In the "Agricultural" designation, infilling shall refer to situations in which the lands under consideration front upon a public road, are between existing non-farm residential buildings separated by not more than approximately 100 metres and located on the same side of the road.

(iii) Farm Related Industrial and Commercial Consents

In accordance with the policies of this Plan, other non-residential uses specifically referred to under Section 3.1 of this Plan may be permitted within the "Agricultural" designation. In granting

consents to land severances related to such uses, regard shall be had for the policies of Section 6.2.3.1 and the following:

- a consent to a land severance may be considered by the Land Division Committee to allow the establishment of agricultural service and supply industries and other such uses as may be permitted provided such use does not jeopardize the viability of an adjacent farming operation and that the proposed use shall comply with the Minimum Distance Separation I Criteria as amended from time to time and is compatible with adjacent land uses, and
- a lot created under the provisions of this Section shall be conditional on the approval of an amendment to the implementing Zoning By-law rezoning the lands to an appropriate zone classification.

c) Consents within the "Rural" Designation

Within the Rural designation, a consent may be granted in accordance with the policies of the "Rural" designation and the following:

(i) Farm and Resource Based Consents

Notwithstanding subsection Section 6.3.1 b), the creation of farm or resource based lots, except for those uses specifically allowed in the "Extractive" designation, shall be permitted in the "Rural" designation provided:

- The minimum lot size is approximately 6 hectares,
- The lot size and frontage is considered characteristic of the general area,
- The lands provide viable opportunities for resource based recreational or economic activities.

(ii) Residential Consents – Non-Farm or Non-Resource Based

- A maximum of one or two new lots from a holding that has a minimum area appropriate to a rural holding (for example, a larger area, a minimum of approximately 6-12 hectares). Lots permitted under (i) above are permitted in addition to the maximum of two permitted in this subsection. For the purpose of this section, an original land holding is defined as a property existing as of December 31, 1998.
- In addition to the above, infilling within existing concentrations of residential development shall be permitted. For the purposes of this Plan, infilling in the "Rural" designation shall refer to situations in which the

lands under consideration front upon a public road and are between existing residential buildings or an existing residential building and a natural or man-made barrier such as a public road, a navigable stream or a railway right-of-way, separated by not more than approximately 100 metres and located on the same side of the road where the lot existed prior to December 31, 1998.

(iii) Consents in Waterfront Areas

- Consents shall only be granted in Waterfront areas where the lots can be easily serviced with an individual well or alternative potable water supply in accordance with Ministry of the Environment guidelines and a private sewage disposal system that shall have no adverse impact on the water quality of any adjacent water body. Each proposed lot must have sufficient area outside any floodplain, environmentally sensitive area, wetland or steep slope area to accommodate a building, sewage disposal system and accessory uses.
- A consent shall not be approved in Waterfront areas on the basis of water access only unless the applicant provides a mainland location on the water body for the parking of cars and docking/launching of boats for the exclusive use of the lot purchasers. Alternatively, prior to final approval of a proposal, local Council may acknowledge the availability of other areas that make similar accommodations.
- A consent shall not be approved in Waterfront areas if the resulting development could adversely affect important wildlife habitats, fish habitat areas, wetlands or other similar features. The Ministry of Natural Resources or County peer review agent or the Conservation Authority, as the case may be, shall be consulted.
- A consent shall not be approved in Waterfront areas where the terrain constraints require dwellings, sewage disposal systems, driveways or significant vegetation alteration within 30 metres of the high water mark of any water body, depending upon factors such as slope, soil depth and soil type.
- New waterfront building lots may be permitted on existing private rights-of-way if the existing private road has the capacity for additional traffic and is constructed to a local municipal standard. Development on new private rights-of-way shall be prohibited except that a limited amount may be permitted where the local Council has adopted and registered with the County a by-law to permit such development. The by-law shall

identify the forms of development that are permitted, establish title description provisions and long-term maintenance provisions. New and existing waterfront lots on existing private rights-of-way shall be rezoned to a limited service residential zone. No other development shall be permitted on a private right-of-way.

(iv) Other Uses

Consents for the development of other uses in the "Rural" designation shall only be permitted in accordance with the policies of Section 6.3.3 and the relevant policies of the "Rural" designation.

d) Consents within the "Urban" and "Hamlet" Designations

Development in "Urban" and "Hamlet" designations shall take place primarily by registered plan of subdivision. A limited number of consents to land severance may be permitted in accordance with the policies of Section 6.3.3 and the policies of the "Urban" and "Hamlet" designations.

e) Consents within the "Environmental Protection" Designation

Consents shall only be permitted within the "Environmental Protection" designation if the municipality or the County peer review agent has reviewed the application and has determined that the result of the consent will not be incompatible with the intent of the "Environmental Protection" designation.

f) Consents within the Extractive (Reserve) Areas

Consents within or in proximity to "Extractive (Reserve)" areas shall not, in the opinion of the municipality and the Ministry of Natural Resources, preclude the extraction of the aggregate resource.

g) Lot Additions, Easements, Rights-of-Way

Consents for minor adjustments to property lines to recognize existing lines of occupancy or to enlarge a lot should be evaluated based on:

- (i) the policies of this Plan,
- (ii) the requirements of the local Zoning By-law;
- (iii) the effect on the retained lot with respect to the provision of services and the use of land, and
- (iv) the use of the benefiting lot.

h) Conditions of Consent Approval

- (i) The County Land Division Committee may approve a severance application subject to proof of potable water for domestic

purposes. In order to fulfil the condition of severance approval, the information required under Appendix 3, as provided for in the relevant County by-law, shall be submitted prior to endorsing of the property deed.

- (ii) Where a municipal piped water or sewage system is proposed to be utilized to provide water or sewage treatment for a new lot, the County Land Division Committee may approve a severance application subject to one or more of the following:
 - the extension of a municipal water or sewer main to the satisfaction of the local municipality,
 - written approval from the local municipality or the Ministry of Environment that the municipal treatment facility (ies) and distribution system(s) is/are of sufficient capacity to service the proposed development (both severed and retained), and
 - written confirmation from the local municipality that the lot (severed or retained) is connected to the municipal water or sewer service.
- (iii) The local Municipality may require an agreement to be entered into to cover such matters as the upgrading of roads, servicing and other matters normally addressed in a subdivision agreement.
- (iv) Prior to the granting of a consent, the land (both severed and retained) shall be appropriately zoned or, as a condition of consent being granted, the land (both severed and retained) shall be rezoned or a minor variance obtained.
- (v) For a lot that is being severed from a farm that is designated "Agricultural" on the premise that the lot is for a retiring farmer farming since 1985, the County Land Division Committee may apply a condition requiring proof of sale of the balance of the farm (the retained holding).
- (vi) The County Land Division Committee may impose a condition that a road widening be conveyed to the satisfaction of the local municipality or Province.
- (vii) The County Land Division Committee may impose a condition that the applicant obtain any necessary entrance or building permits from the Ministry of Transportation.
- (viii) The County Land Division Committee may require the removal or relocation of any building(s) which is/are either dilapidated and in disrepair or is/are too close to or on a new or proposed lot line or roadway.

- (ix) For a lot addition to another holding, the County Land Division Committee shall impose a condition that the part of the holding being severed shall be consolidated through title registration with the lot to be expanded.
- (x) The County Land Division Committee may establish additional conditions that in the opinion of the Authority are in the interest of good planning and in keeping with the intent of the Planning Act and this Plan.

6.3.4 Community Facilities, Public Uses and Utilities

- a) The municipality may make provisions for the acquisition, improvement or management of public parks and recreational facilities in any of the land use designations of this Plan.
- b) Public uses including utility buildings and facilities, railway lines and facilities, buildings or facilities of the municipality, County of Hastings, the Province of Ontario and the Government of Canada or any department, agency, board or commission thereof, including Hydro One, shall be permitted in all land use designations subject to the following:
 - (i) the municipality is satisfied that the building or facility is appropriate in scale, magnitude, function and character and that appropriate services are available,
 - (ii) the municipality is satisfied that the building or facility does not create an adverse impact on adjacent land uses with regard to setbacks, parking, access, lighting or emissions such as noise, odour, dust or vibration and may require landscaping, including buffering and screening plantings and fencing,
 - (iii) the building or facility shall meet all pertinent Provincial or Federal requirements,
 - (iv) the implementing Zoning By-law may establish zoning provisions or classifications pertaining to public uses, and
 - (v) notwithstanding the above, all electric power facilities including all works as defined in the Power Corporation Act shall be permitted in all land use designations without requiring an amendment to the Plan provided such facilities conform to the relevant Provincial Acts or Regulations and municipal requirements such as the implementing zoning by-law and site plan control.
- c) Community facilities shall be permitted in all land use designations, except in the "Environmental Protection", "Extraction" or "Agricultural" designations. The implementing Zoning By-law may establish zoning provisions or classifications pertaining to community facility uses.
- d) Community facilities, public uses and utilities shall be directed away from lands designated "Agricultural".

6.3.5 Housing

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

- a) Provision for the varying needs and lifestyles of the residents, such as a variety of living accommodations and support services and facilities,
- b) The minimization of potential conflicts between various housing forms and between residential and non-residential uses,
- c) Accessibility between residential areas and major employment, shopping, educational and recreational areas,
- d) The availability of housing sufficient to meet the needs of the community through means in accordance with Section 1.2 of the Provincial Policy Statement and the policies of this Plan, including:
 - (i) adequate supply of appropriately serviceable land for housing,
 - (ii) adequate range of housing types,
 - (iii) potential for residential intensification,
 - (iv) potential for affordable housing,
 - (v) adoption of a reduced processing time frame for residential applications, where appropriate, and
 - (vi) involvement in a municipal housing study when such a study is required.
- e) This Plan seeks to promote residential and urban unity by encouraging a high standard of property maintenance and the provision of an ample and varied supply of dwelling types to cater to the needs of all income groups. While it is expected that single detached housing will continue to be the dominant form of housing, a demand for multi-unit housing is also recognized. In providing for these demands, this Plan encourages an appropriate mixture of densities and locational arrangement to minimize conflict between different forms of housing.
- f) Non-profit and social housing programs and developments shall be supported only if a local need is demonstrated.

6.3.6 Bed and Breakfast Establishment

- a) Bed and Breakfast establishments are permitted in areas designated "Urban", "Hamlet", and "Rural" and in existing dwellings as an accessory use to a farm operation in areas designated "Agricultural".
- b) Bed and Breakfasts are encouraged to locate within or near heritage buildings or districts and tourism districts, along scenic routes and trails,

near cultural and recreational facilities and within or near central commercial districts.

- c) Bed and Breakfasts are discouraged from locating within or near industrial areas (including pits and quarries), waste management sites, environmentally sensitive areas, hazard lands, noise sources or where a conflict with agricultural uses would be created (if not locating in an existing farm dwelling on an active farm, the minimum distance separation criteria apply to all new Bed and Breakfasts).
- d) Bed and Breakfasts shall be placed in an appropriate zone classification.
- e) Adequate off-street parking shall be provided for Bed and Breakfast establishments.
- f) An identification sign for a Bed and Breakfast may be permitted provided that the sign is in character with the residential use.

6.3.7 Development Adjacent to Railway

Development within 500 metres of a railway right-of-way shall be subject to the following policies:

All proposed development within 500 metres of a main railway right of way and 250 metres of a secondary railway right of way shall be required to undertake a noise study and the appropriate railway authority shall be consulted. A noise study, if required, shall be satisfactory to the County peer review agent. Any works required to mitigate noise nuisances identified by the study shall be a condition of approval.

- a) Development within 75 metres

Proposed development within 75 metres of a railway right-of-way may be required to undertake vibration studies satisfactory to the County peer review agent in consultation with the appropriate railway authority, and shall undertake appropriate measures to mitigate any adverse effects from vibration, if any have been identified.

- b) Other Considerations

Any necessary attenuation measures and any other pertinent measures shall be implemented through conditions in a subdivision agreement, site plan agreement or other appropriate agreement with the municipality, to the satisfaction of the municipality in consultation with Canadian Pacific and the Canadian National Railway in accordance with Ministry of the Environment noise or vibration guidelines.

Safety concerns shall also be satisfactorily addressed and may require mitigation measures such as appropriate setbacks, buffer and/or fencing as conditions of draft approval for plans of subdivision or other development approvals. The site-specific characteristics of the land, building and uses proposed by each application shall be taken into account with regard to safety and other relevant concerns.

6.3.8 Development Adjacent to Pipelines

- a) All development adjacent to a pipeline right-of-way shall be set back appropriately from the right-of-way limits. This setback, which shall be established in the implementing zoning by-law, shall be exclusive of any working or access easements.
- b) All works, including excavations, blasting or moving of heavy equipment and all development proposals, including subdivisions, zoning by-law amendments and site plans on or within 30 metres of a pipeline right-of-way shall be circulated to the pipeline company for review and comment.

6.3.9 Wayside Pits and Quarries and Portable Asphalt and Concrete Plants

- a) A "wayside pit" or "wayside quarry" means a temporary pit or quarry opened and used by a public road authority or its agent solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
- b) The development of a wayside pit or quarry shall be permitted in accordance with the Aggregate Resources Act within the "Agricultural", "Rural" or "Extractive" designations without the need for an amendment to this Plan.
- c) A portable asphalt or concrete plant may operate on a site within the "Agricultural", "Rural" or "Extractive" designations without the necessity of an amendment to this Plan.
- d) The implementing Zoning By-law shall permit the development of a wayside pit or quarry and the use of the site for a portable asphalt or concrete plant in the land use designations set out above.
- e) Prior to recommending that the Ministry of Natural Resources permit the establishment of a wayside pit or quarry, the municipality shall be satisfied that:
 - (i) the wayside pit or quarry has minimal impact on nearby landowners,
 - (ii) the wayside pit does not impact on environmentally sensitive areas.
- f) Lands designated as "Agricultural" and comprising Class 1, 2 and 3 soils shall be rehabilitated for agriculture and substantially the same area and average soil capability for agriculture shall be restored.

6.3.10 Community Improvement

This Plan recognizes that the built-up areas of the County are aging and that a need exists to provide for the upgrading and improvement of the physical infrastructure, buildings, recreational facilities and the arrangement of the

existing land uses. Other needs to be addressed through a community improvement plan may be determined by the local municipal Council.

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- a) Community improvement programs shall be implemented pursuant to Section 28 of the Planning Act, S.O. 1990, or applicable sections of the Municipal Act, 2001, S.O. 2001, c.25.
- b) In designating by amendment to this Plan a community improvement policy area, the local Council shall have regard for deterioration due to age or condition and deficiencies of:
 - (i) streets, sidewalks, lighting,
 - (ii) housing, community facility, commercial and industrial structures and,
 - (iii) municipal services such as water and sewer facilities.
- c) In addition, consideration may be given to the following:
 - (i) conflicting and encroaching land uses,
 - (ii) poor access,
 - (iii) environmental problems such as flood susceptibility,
 - (iv) man-made hazards (e.g. level crossings, abandoned buildings, etc.),
 - (v) vacant or under-utilized lots or blocks,
 - (vi) commercial areas containing a Business Improvement Area,
 - (vii) deficiencies in off-street parking.
 - (viii) preservation and/or rehabilitation of natural heritage features and areas.
- d) Implementation
 - (i) Local municipal Councils shall designate a community improvement policy area by amendment to this Plan, based on the general criteria outlined in Section 6.3.10 b) above.
 - (ii) The local municipal Council may designate Community improvement project areas by by-law.
 - (iii) Local municipal Councils shall utilize public funding available from various government agencies and programs, wherever appropriate,

- (iv) Local municipal Councils shall encourage the participation of the private sector in the implementation of community improvement plans.
- (v) Local municipal Councils shall incorporate other municipal programs and objectives into the community improvement plan, where appropriate.
- (vi) Local Municipal Council may encourage community improvement initiatives by offering financial incentive programs under an approved Community Improvement Plan. The Community Improvement Plan may include grants, loans, tax assistance, including the offset of fees or charges, which are offered to property owners, tenants, or assignees under applicable sections of the Planning Act and Municipal Act.
- (vii) For the purposes of this section, the term “rehabilitation” shall mean any effort that results in the productive reuse of lands, building, facilities or infrastructure within the Community improvement project area.

6.3.11 Land Management Plans

Local Council may initiate Land Management Plans for major development. Land Management Plans shall be guided by the intent and purpose of this Plan and shall be presented for review at a public meeting. After taking into consideration the concerns of the public, it shall be considered for approval by both the local municipal and County Councils. Development shall not be permitted until both Councils approve the Plan.

6.3.12 Development of Contaminated Lands

Recognizing that municipalities have an interest in protecting public health and safety when rendering decisions on land use planning matters, County Council believes it is necessary to ensure that the appropriate level of information regarding the suitability of a site is made available to the local municipality.

On planning proposals considering the reuse or redevelopment of a property where historical land use activity may have caused contamination of soils, building and/or the groundwater, local and County Council shall require the completion of a Phase 1 and Phase 2 Environmental Site Assessment (ESA) to determine the suitability of the property for the intended use. A qualified professional retained by the proponent shall prepare this Study, which shall be completed prior to any Council decision associated with a planning application.

All costs associated with the preparation and review of Reports and the remediation of the property shall be the responsibility of the applicant.

Prior to approving any planning documents, the municipality should request that the proponent complete a Record of Site Condition which confirms that the site has been cleaned in accordance with the Ministry of Environment’s guidelines. This Record of Site Condition should be submitted to the Ministry of Environment

prior to allowing any development on the site. If site clean-up is required, it should be in accordance with the Ministry of Environment's "Guideline for Use at Contaminated Sites in Ontario".

6.3.13 Highway Noise

- a) Council shall require a noise feasibility study under the following circumstances:
 - (i) if sound levels resulting from surface transportation noise affecting land proposed to be developed exceed Ministry of Environment noise criteria by more than 10 dba.
 - (ii) if proposed development lands are within 100 metres of Highway #401

- b) Council shall require a detailed noise study under the following circumstances:
 - (i) if sound levels resulting from surface transportation noise affecting the proposed development lands exceed the noise criteria by more than 5 dba
 - (ii) if proposed development lands are within 500 metres of Highway #401

- c) Council may require that a noise study be undertaken if it does not meet the thresholds described in a) and b) above. The option to require a detailed noise study or noise feasibility study shall be at the discretion of Council.

7.0 IMPLEMENTATION

7.1 General

- 7.1.1. The County shall utilize the powers conferred upon it by the Planning Act, the Municipal Act and such other statutes as may be applicable, to implement this Plan. The County Official Plan, once approved by the Minister of Municipal Affairs and Housing, shall be binding on all local municipal and County agencies and departments.
- 7.1.2. Following adoption of this Plan, each municipality shall enact comprehensive zoning by-laws and other appropriate by-laws in conformity with the policies and designations of this Plan. Such by-laws shall make provision for adequate development standards and establish specific zones and permitted uses reflecting the policies and designations of this Plan.
- 7.1.3. Land Use Plan Schedules of this Official Plan designate the uses of land within the County of Hastings. It is not intended that each area be zoned at present for its ultimate use.
- 7.1.4. In recognizing that development takes place at various intensities and scales, County Council is encouraged to develop and adopt technical guidelines. Such guidelines would describe the level and type of detail that would be required in approving a submitted impact assessment report and would provide the public with clarity and direction on impact assessments required for fisheries, wetlands and habitats, transportation corridors, noise and vibration and surface and groundwater and other matters.

7.2 By-Laws

The local municipal Councils are encouraged to adopt specific policies indicating under what circumstances the following types of by-laws shall be used:

7.2.1 Holding By-law

- a) Pursuant to Section 36 of the Planning Act, local municipal Councils may pass a holding by-law for the purpose of delaying development within a zoned area until certain criteria have been fulfilled.

b) Objectives for Holding Provisions

A local municipal Council may pass a holding by-law to achieve one or more of the following objectives:

- (i) to allow for the phasing of development or redevelopment,
- (ii) to allow for the provision of water, sewer or other services,
- (iii) to allow for the implementation of special design features in specific locations or developments,
- (iv) to allow for other specific objectives identified by the local municipality.

c) Application of Holding Provisions

(i) Location Criteria

The holding provisions may be applied to an area zoned in the implementing zoning by-law due to its:

- specific location or relationship to adjacent activities or particular use,
- lack of appropriate servicing,
- accessibility or relationship to a roadway, road intersection or water body, or
- undeveloped nature.

(ii) Removal of the Holding Provisions

The holding provision shall not be removed from the lands so zoned until the general objectives of the holding provision have been achieved and until the specific objectives identified in the holding bylaw have been met to the satisfaction of the local municipal Council.

d) Implementation

(i) Lands subject to holding provisions shall be identified within the implementing zoning by-law by the placement of "h" or "H" adjacent to the zone category.

(ii) Interim Uses

- The permitted uses within an area subject to the holding by-law shall be limited to the existing uses at the time of the adoption of the holding by-law. The holding by-law may limit the expansion of an existing use.
- A local municipal Council may permit development when it deems the use to be similar to or compatible with the desired use of the land.

7.2.2 Interim Control By-law

Pursuant to Section 38 of the Planning Act, a local municipal Council may pass an interim control by-law for the purpose of controlling development for a period of one year or, with an extension, a total of two years, for the undertaking of a study, review or revision of land use policies within a defined area or areas.

7.2.3 Temporary Use Provisions

A local municipal Council may zone land or buildings for a temporary use for renewable periods of up to three years, subject to the requirements of Section 39 of the Planning Act.

7.2.4 Increased Height and Density By-law

Pursuant to Section 37 of the Planning Act, a local municipal Council may authorize increases in the height and density of development beyond that otherwise permitted by the implementing zoning by-law in exchange for assistance in meeting specific public objectives. The cumulative result of proposed height and density bonuses shall be in conformity with the policies of the Plan. In addition, the local Councils are encouraged to adopt policies, indicating how such a by-law shall be used.

a) Objectives of Increased Height and Density Provisions

A local municipal Council may pass a by-law to allow increased height and density in order to achieve one or more of the following objectives:

- (i) to allow for the provision of a wide range of housing types, including family-type housing, assisted housing or senior citizens' housing,
- (ii) to assist in the preservation of the unique character of areas containing buildings with historical or architectural significance,
- (iii) to encourage innovative building design,
- (iv) to allow for the provision of community and recreational facilities such as small parks, day care centres or community centres,
- (v) to encourage the efficient use and/or conservation of energy,
- (vi) to pursue other specific objectives identified by the local municipal Council.

b) Implementation

A by-law to allow increased height and density shall:

- (i) establish the detailed development standards that shall apply when the increased height or density is awarded,
- (ii) establish the conditions to be met to allow the bonus standards to apply to the site,
- (ii) detail the matters to be addressed in an agreement between the developer and the local municipal Council. Such an agreement may not be entered into until the standards have been established and the bonus has been awarded. When such an agreement has been established, rezoning shall not be required.

7.2.5 Cash-in-lieu of Parking Facilities

A local municipal Council may enter into an agreement with an owner of land permitting a "cash-in-lieu" payment for parking facilities, subject to the requirements of Section 40 of the Planning Act.

7.2.6 Proposed Site Plan Control Areas: Section 41

a) Where an area is designated in this Plan as a proposed Site Plan Control Area, the local municipal Council may pass a by-law, pursuant to Section 41 of the Planning Act to designate the whole or any part of the area as a Site Plan Control Area. The local Councils are encouraged to adopt specific policies indicating how such a bylaw shall be used.

b) Site Plan Control shall apply to the following land uses: residential development greater than nine units, mobile home parks, tent and trailer parks, industrial (includes waste management sites), commercial, aggregate or extraction areas, recreation, community facilities, development in the "Environmental Protection" designation, development within or adjacent to Environmentally Sensitive areas and waterfront residential development.

c) Road Widening

Section 41(9) of the Planning Act shall apply only when the proposed road allowances will not be exceed:

(i) 20.12 metres (66 feet) for a local township road,

(ii) 26.21 metres (86 feet) for an arterial road, and

(iii) a width that may be established as required by an approved Road Needs Study.

7.2.7 Amendments

An amendment to a zoning by-law shall be permitted if the proposed use:

a) does not adversely affect adjacent complying uses,

b) does not constitute a danger to surrounding uses due to its hazardous nature,

c) does not pollute the air, water and/or soil,

d) conforms to the Official Plan as amended.

7.2.8 Property Maintenance and Occupancy By-law

A by-law may be passed by a local municipal Council setting out minimum standards for the maintenance and occupancy of property within the municipality and for prohibiting the occupancy or use of property that does not conform to the standards. The by-law may require that the property that does not conform

with the standards be repaired and maintained to conform with the standards and it may require that sites be cleared of all buildings, debris, structures or refuse and left in a graded and leveled condition. The by-law may prohibit the removal from any premises of any sign, notice or placard placed thereon pursuant to the by-law.

7.3 Existing Land Uses

Existing land uses that are not designated in this Official Plan may be zoned in the implementing zoning by-laws for their use at the date of the passing of the by-law.

7.4 Adjacent Uses

Regard shall be had for the compatibility of a proposed use with uses in adjacent areas and the effect of the proposed use on the surrounding area.

7.5 Ontario Building Code

75.1 All construction shall comply with or exceed the regulations of the Ontario Building Code as may be established by the municipality.

7.5.2 A local municipal Council shall provide the authority for the establishment and enforcement of the Ontario Building Code. An agreement may be entered into with another local municipality, the County or the Provincial Government for the provision of enforcement.

7.6 Land Division Committee

The Land Division Committee, acting on behalf of the County Council, shall be guided by the intent and purpose of this Plan and the implementing zoning by-laws in addressing matters arising from Section 53 of the Planning Act.

7.7 Committees Of Adjustment

Committees of Adjustment shall be established and shall be guided by the intent and purpose of this Plan and the implementing zoning by-laws in addressing matters arising from Section 45(1) and (2) of the Planning Act.

7.8 Development Charge

A local municipal Council may implement development charges in accordance with the Development Charges Act.

7.9 Planning Advisory Committee

The Planning Advisory Committee shall be guided by the intent and purpose of this Plan when advising County Council on planning matters, pursuant to Section 8 of the Planning Act.

7.10 Plans Of Subdivision

Development shall generally take place by plan of subdivision. County Council shall approve only those plans of subdivision which comply with the intent and purpose of this Plan.

7.11 Local Parks And Park Dedication

7.11.1 A maximum of five percent of the land contained in a residential plan of subdivision and two percent in a non-residential plan of subdivision shall be conveyed to the municipality for park purposes. A "cash-in-lieu" payment in accordance with the regulations under Section 42 of the Planning Act may be required.

7.11.2 Lands to be dedicated to the local municipal Council as a condition of approval of a plan of subdivision shall be in a satisfactory physical condition and located in a manner that provides for its use by the public.

7.11.3 A local municipal Council may make provision for the establishment and management of parks providing recreational opportunities to residents within its jurisdiction. The local Conservation Authorities and other appropriate agencies may provide overnight camping facilities on their own land holdings.

7.12 Crown Lands

As this Plan recognizes that the Ministry of Natural Resources administers Crown Land within the County, its policies, guidelines and resource management techniques shall be recognized and encouraged within the context of this Plan.

7.13 Capital Works Budget

The implementation of the policies of this Plan shall involve the local municipal Councils directly in the financing of specific projects.

7.13.1 A local municipal Council shall establish a staged program for the development of public works and community facilities. A five-year capital improvement program shall be adopted, to be implemented systematically. The program shall be reviewed annually as part of the capital budget procedure.

7.14 Public Information

In order to adequately inform the general public of the policies and proposals of this Plan, once approved by the Minister of Municipal Affairs and Housing, County Council shall reproduce the Plan for distribution to the public.

7.14.1 To provide the required notice to identified landowners for the prescribed matters falling under the Planning Act, the use of the electronic assessment roll (CD-OASYS or CD-ROLL) or other electronic medium furnished by the authority of the Regional Assessment Office may be used.

7.14.2 When a zone amendment or minor variance has been submitted, the purpose of which is to seek relief from a setback requirement in the zoning by-law or other

by-law implementing this Plan, notification shall include the owner of the lands from which setback relief is being applied for.

7.15 Legislation Pursuant To The Municipal Act

Each local municipal Council shall review existing legislation pursuant to the Municipal Act governing land use and, where necessary, amend existing by-laws or pass new by-laws to ensure such uses are properly regulated or controlled.

8.0 INTERPRETATION

8.1 Land Use Boundaries And Roads

8.1.1 The boundaries of the land use designations shown on Schedules are to be considered as approximate and absolute only where bounded by roads, railways, rivers, lakes, all lot and concession lines, township boundaries and other similar features.

8.1.2 The location of roads indicated on the Schedules are to be considered approximate and not absolute. Amendments to the Official Plan shall not be required for minor adjustments to the land use boundaries or the location of roads, provided the overall intent of the Plan is preserved.

8.2 Accessory Uses

Uses, buildings or structures normally incidental, accessory and essential to a permitted use shall also be permitted.

8.3 Subsequent Legislation

Where any Act or portion thereof is referred to in this Plan, it is intended that such references should be interpreted to include any subsequent legislation that may replace the specific Act.

8.4 Measurement

All measurements in this Plan are in metric form with the approximate non-metric equivalent included for reference purposes only.

8.5 Official Plan Amendment Procedure

Amendments to this Plan shall not be considered unless initiated by the Planning Committee and County Council or where substantial evidence can be presented to justify such amendment. Should changing conditions necessitate an amendment to the Official Plan, the following procedures shall be followed to ensure that the general public receives adequate notification:

8.5.1 Notification to Ratepayers

Before recommending an amendment to County Council, the Planning Committee shall prepare the amendment and notify affected ratepayers pursuant to Sections 17 and 21 of the Planning Act. The notice of the amendment and the public meeting shall generally be in the form of an advertisement placed in a newspaper having general circulation in the area affected and/or through first class perpaid mail using the CD-OASYS.

8.5.2 Public Meeting

A record of the public meeting shall be appended to the amendment prior to its submission to the Council.

8.5.3 Notification of Adoption

Following approval of the amendment by Council, the requirements of Section 17(8) of the Planning Act shall be followed.

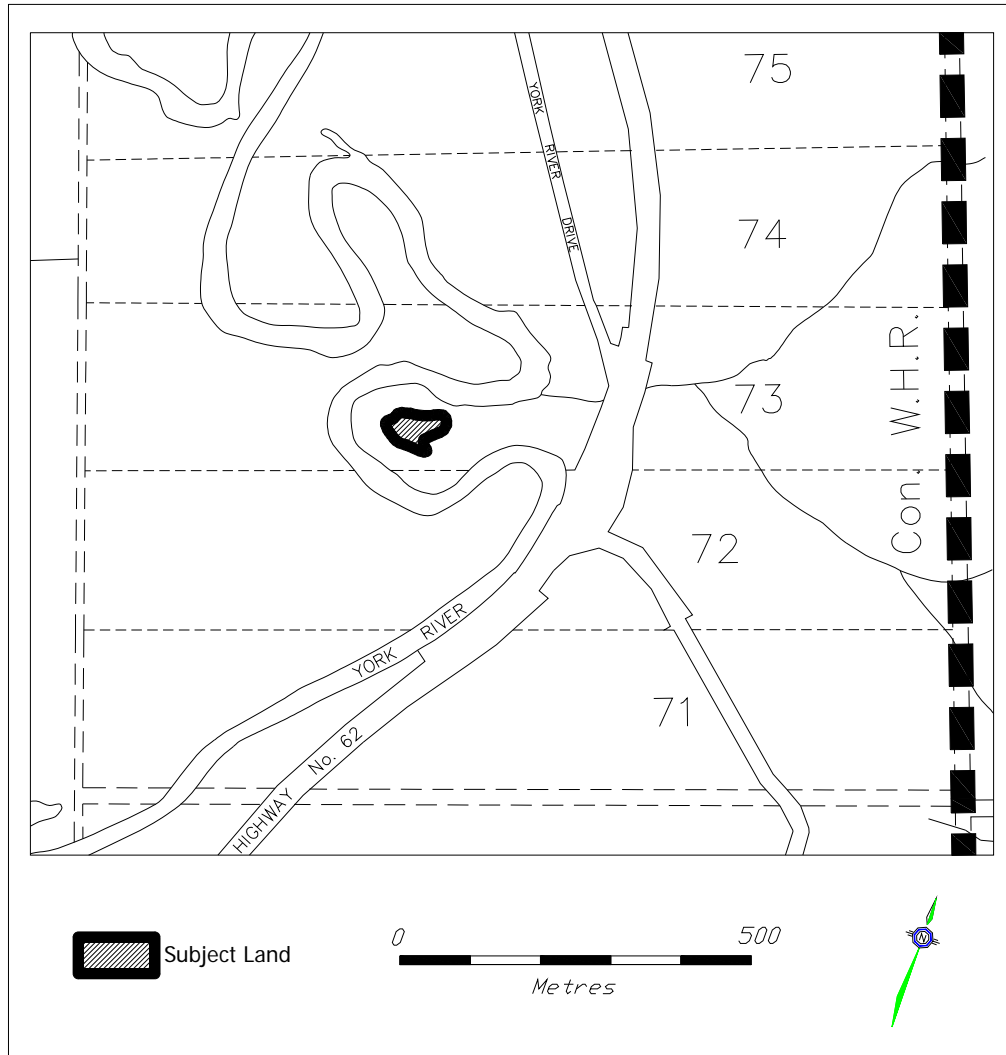
9.0 SPECIFIC LAND USE POLICIES

The policies of this Plan apply in whole to the following lands, except as permitted hereunder:

- 9.1 Lands in part of Lot 1, Concession A in the Town of Bancroft (R.C.P. 2196, Lot 57 and part of Lot 56) on the west side of Mill Street South, as shown on the attached plan, shall be developed by registered plan of subdivision for medium density residential uses. As a condition of draft plan approval, an agreement shall be entered into with the local Council for development to proceed in phases in accordance with municipal servicing capacity.



- 9.2 In part of Lot 73, Concession W.H.R. in the Town of Bancroft, on the west side of North Hastings Road, no change in land use nor any extension of the existing building shall be permitted except through an amendment to this policy. Development is permitted only above the 327.05 metre (1,073 foot) datum G.S.C.



- 9.3 In parts of Lots 1 and 2, Concessions 15 and 16, parts of Lots 70, 71 and 72, Concession W.H.R. and part of the road allowance between Concessions 15 and 16 and Concession W.H.R., between of the Hastings Heritage Trail and the York River as shown on the accompanying map, a "Special Development Area" has been identified in which the permitted uses shall be a hotel/resort, golf course and residential development together with accessory uses such as a pool, cross-country skiing/hiking/ trails and similar recreational uses.

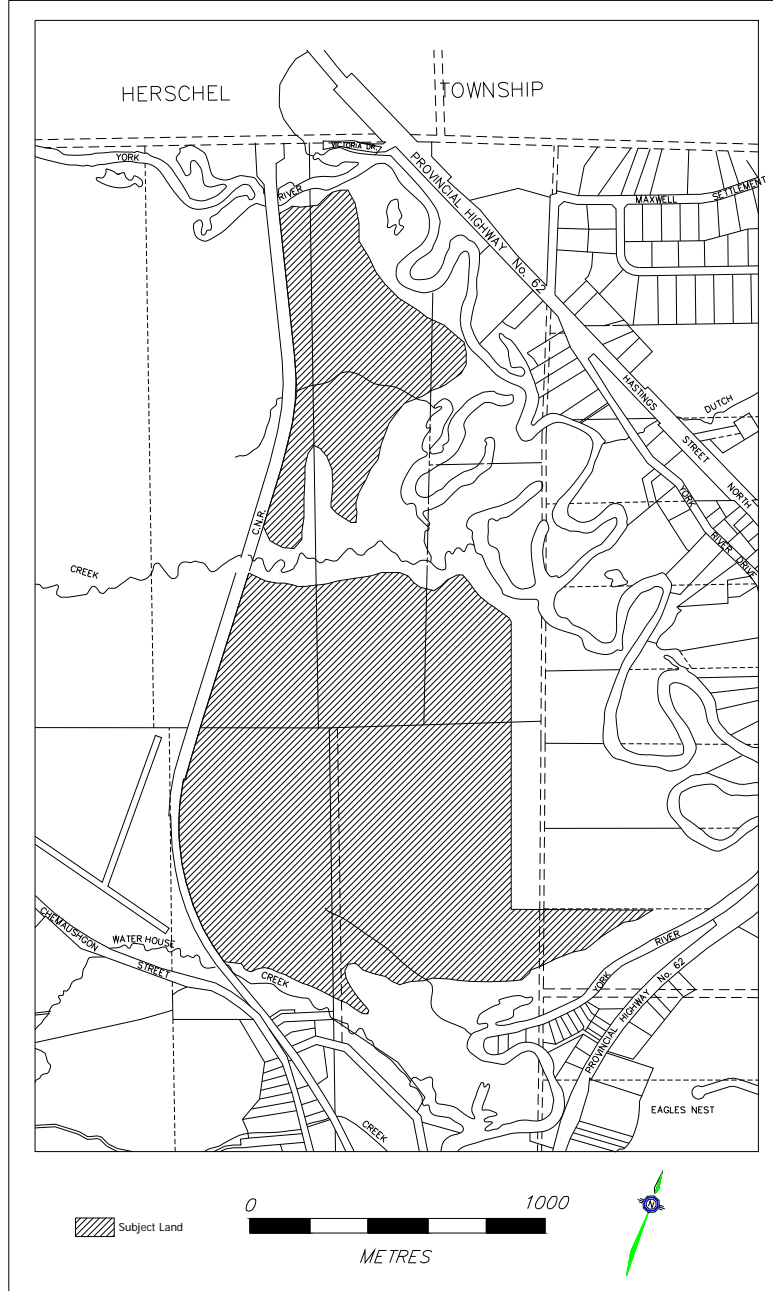
Within the "Special Development Area", no development shall take place until an agreement has been entered into between the landowner and the local municipal Council addressing access, sewer and water services, drainage and site planning.

Water and sewer services shall be provided by extension of municipal piped water subject to available capacity and municipal piped sewers subject to capacity; alternatively, a privately built communal system may be used, provided arrangements are made through an agreement for the Town of Bancroft to assume ownership of any privately built communal sewage system or a combination of public and private servicing may be considered, subject to the approval of a servicing justification report.

Easements shall be provided for in the agreement between the landowner and the municipal Council where access to private lands is necessary.

Prior to development, an assessment of cultural heritage resources, satisfactory to the Ministry of Citizenship, Culture and Recreation shall be completed. As conditions of draft plan approval or site plan approval may be required to protect cultural heritage resources, any draft plan of subdivision shall be circulated to the Ministry of Citizenship, Culture & Recreation.

The subject lands shall be rezoned to appropriate land use categories. If necessary, an "H (Holding)" provision may be applied until the development agreement is completed. All lands within at least 30 metres of the high water mark shall be zoned "H (Hazard)".



9.4 Town of Deseronto Community Improvement Policies

OPA #7

The Community Improvement Area for the Town of Deseronto shall be all of the area designated as "Urban" in this Plan as shown below.

9.4.1 Goals and Objectives

The goals and objectives for community improvement form the basis of subsequent community improvement policies. They provide broad guidelines for the direction of community improvement for the Town of Deseronto.

a) Community Improvement Goal

To promote the co-ordinated implementation of community planning and land use planning programs, comprising maintenance, rehabilitation and redevelopment of the physical, social and economic environments.

b) Community Improvement Objective

The intent of this Plan is to provide for the ongoing maintenance, improvement, rehabilitation and upgrading of residential, commercial and industrial areas in the Town of Deseronto. Various objectives have been identified which are briefly stated as follows:

- (i) to improve and maintain the quality of the physical environment by upgrading the standards and availability of municipal services,
- (ii) to rehabilitate and restore the existing building stock to comply with the provisions of the minimum standards by-law,
- (iii) to promote and enhance viable commercial and industrial areas and thereby maintain and reinforce the local economic base of the Town of Deseronto,
- (iv) to stabilize and improve the property and business tax base through private investment stimulated by an effective program of community improvements, and
- (v) to increase the amenities of older residential neighbourhoods by providing an appropriate level of recreational and social facilities.
- (vi) To improve pedestrian, vehicular and visual linkage between the core commercial area and the waterfront and to promote and enhance public access along the waterfront.

9.4.2 Criteria for Designation

The criteria which must be considered in the identification of a Community Improvement Area are defined as follows:

- a) the community contains areas of incompatible land use either in the form of industrial/residential or commercial/residential conflicts which may prejudice the

functional or economic role of the area for residential, commercial or industrial purposes,

- b) the area has been identified as being deficient in terms of the level of municipal services provided, such as watermains, sanitary and/or storm sewers, in that such services do not conform with municipal standards relative to the level of service required to meet the needs of the area,
- c) the area has been identified as being deficient in terms of streets, streetlighting and/or sidewalks which do not conform to municipal standards or which require substantial improvements relative to the level of service required to adequately service the area,
- d) the area has been identified as being deficient in terms of neighbourhood and/or community parkland, recreational or community facilities including such facilities as swimming pools, athletic fields, day care centres, senior citizen facilities or other similar social and/or recreational facilities,
- e) the community or a portion thereof lies within a flood susceptible area or has natural drainage characteristics which require that such measures as floodproofing or storm water management be undertaken to alleviate storm related flooding situations,
- f) the area contains man-made hazard, such as poor intersection design or vacant and abandoned buildings or structures, which should be eliminated in order to ensure a greater degree of public safety and to further enhance the community function,
- g) the area contains vacant and underutilized lands and buildings or structures which could be developed through infilling or redeveloped in a manner which reinforces the functional role of the area, provides opportunities for energy conservation and, at the same time, provides for the enhancement of the municipal tax base,
- h) the area has been identified as one where the housing stock or commercial or industrial buildings are approaching the end of their functional life, which buildings should either be rehabilitated and restored for sequential uses in keeping with the nature of the area or demolished so as to allow for redevelopment or infilling to a use more compatible with adjacent uses,
- i) the area includes commercial or industrial areas which are in need of upgrading and/or streetscape improvements to improve the area's economic viability as a central place in the community,
- j) the area has been identified as having deficiencies in terms of off-street parking and loading facilities in relation to commercial and industrial land uses,
- k) the area has been identified as being deficient with regard to pedestrian, vehicular and visual linkages between the core commercial area and the waterfront, or is deficient with regard to public access along the waterfront.

9.4.3 Delineation of a Community Improvement Area

- a) Based on the application of the criteria specified in Section 9.4.2 above, a Community Improvement Area has been identified within the Town and is shown on the attached map as "Community Improvement Area".
- b) An amendment to this Plan shall be required to change the boundaries of the Community Improvement Area. Council shall have regard for the criteria set out in Section 9.4.2 prior to any redesignation of the Community Improvement Area.

9.4.4 Priorities for Community Improvement

The following projects are considered to be priorities within the municipality. Council may, by by-law, designate the land within a Community Improvement Area as (a) "Community Improvement Project Area(s)" and therefore may prepare a Community Improvement Plan for this area or areas as one means of implementing community improvement objectives. Additions or deletions to this list may be considered without the need to amend the Official Plan if background information is provided to support any such changes. The following projects are all high priority and not listed in order of preference.

- a) Capital Works Program for Municipal Infrastructure Improvements

There is a need to prepare a capital works program for the Town of Deseronto which will establish priorities and a program for the improvement of the municipal infrastructure, including roads, sidewalks, streetlighting, water distributions system, sanitary sewers and storm sewers. The capital works program would provide a co-ordinated and cost-effective approach to remedying the various deficiencies that have been identified in the municipal infrastructure.

- b) Deseronto Community Centre

The Deseronto Community Centre is a well-used recreational and social facility that requires a number of improvements to continue its important role in the community.

- c) Centennial Park

Centennial Park is the primary passive open space and waterfront access facility in the community. The improvement of existing facilities and the addition of new recreational amenities are required.

- d) Municipal Offices

An expansion of Council chambers and office space and improved barrier-free access are required to facilitate municipal administration and accommodate public participation.

- e) Deseronto Co-op Nursery School

Deficiencies which should be corrected to adequately accommodate the program of this community facility include the installation of main floor windows and the renovation and expansion of kitchen facilities.

- f) Deseronto Public Library

Renovations and expansion are needed to accommodate the programs of the library and the planned community archive.

g) Façade and Marketing Study

A façade study of the downtown area is needed to investigate the potential for enhancement of existing commercial buildings, together with an assessment of downtown area and waterfront market forces and potentials for commercial and tourist development.

h) Streetscape Enhancement

Commercial core area streetscape improvements are required to enhance the physical attractiveness of the downtown shopping environment which could help strengthen the economical viability of this area.

i) Under-utilized and Abandoned Buildings and Land

A number of under-utilized or abandoned buildings and lands, both public and private, have been identified as being in need of renovation and/or redevelopment to contribute to the long-term economic, social and recreation objectives of the community. These include the old steamboat dock, site of the former vegetable processing plant and locomotive shop on Mill Street, the abandoned theatre on Main Street and the transformer station on the unopened extension of Water Street.

j) Commercial Core Area Parking

The supply and accessibility of core area of-street parking should be improved. The feasibility of purchasing private lands to the rear of core area establishments or entering into lease agreements should be investigated.

k) Bay of Quinte Water Quality

The waters of the Bay of Quinte are a vital recreational resource for both Town residents and tourists. To this end, an on-going water quality monitoring program and possible remedial measures should be initiated, including the potential remedial action options identified in the latest issue of the Bay of Quinte Remedial Action Plan, Progress Report.

l) Shade Tree Program

There is a need to rejuvenate and reinforce the Town's existing street tree network. A comprehensive street tree maintenance and planting program will ensure that appropriate species and planting locations are established.

m) CNR Lands

CNR lands which were abandoned for rail use in 1986 have been identified as being desirable for improvements for pedestrian and traffic circulation, parking and possibly redevelopment for water-oriented open space, commercial and

residential use. To facilitate these improvements, Council should actively pursue the acquisition of these lands.

n) Swimming Pool Facilities

The Community has indicated at various times that swimming pool facilities are inadequate in the local area. The feasibility of developing such a facility, possibly as a joint effort with area municipalities, should be investigated.

o) Marina Facilities

A preliminary assessment of marina facilities and boating characteristics in the Quinte region has shown that there may be potential for improved and expanded marina facilities along Deseronto's shoreline. The feasibility of further marina development in the Town should be assessed.

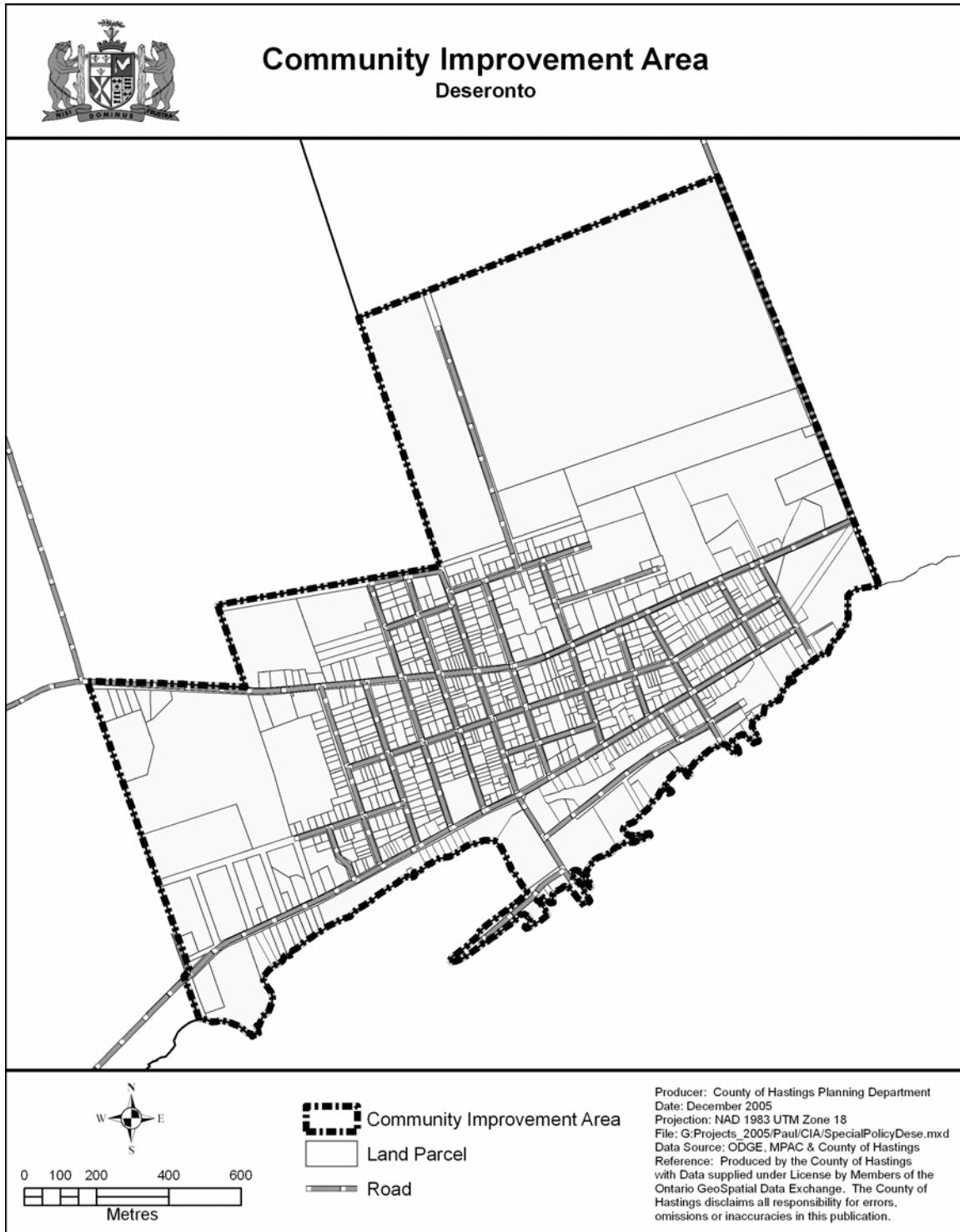
9.4.5 Implementation

Council shall implement the general principles and policies of Community Improvement as follows:

- a) through the application of the "Urban" policies of the Official Plan, which provides updated guidelines and policies concurrent with the present and near future circumstances and directions,
- b) through the identification of specific community improvement projects and the preparation of Community Improvement Plans,
- c) through participation in programs with senior levels of government,
- d) through reinforcement of the municipality's Property Standards By-law,
- e) through the acquisition of land to implement the objectives of these policies,
- f) through the establishment of a Business Improvement Area (BIA) and through the extension of support and co-operation to the BIA,
- g) through the encouragement of the orderly development of lands as a logical and progressive extension of development which provides for infilling of underutilized lands,
- h) through the encouragement of the private sector to utilize available government programs and subsidies,
- i) through the periodic updating of the comprehensive Zoning By-law which provides for a range of appropriate uses, for the intensification and integration of land uses and which stimulates the economic and/or functional role of the neighbourhood,
- j) through the encouragement of rehabilitation of existing buildings and structures which may adapt to an alternative use compatible with the surrounding community,

- k) through the initiation of necessary additional studies or assessments, such as those regarding marketing, architectural facades, parking in the commercial core and central waterfront area and possible marina and swimming pool facilities,
- l) through the application of the Ontario Heritage Act in terms of the creation of a Local Architectural Conservation Advisory Committee and subsequently, the possible designation of buildings and heritage districts in accordance with the Act and policies of Section 9.4 herein,
- m) through entering into agreements with developers regarding Site Plan Control and the subdivision approval procedures,
- n) Council shall have regard for the phasing of improvements in order to permit a logical sequence of events to take place without unnecessary hardship on area residents and the business community. The improvements should be prioritized having regard for need and availability of municipal funding,
- o) In selecting community improvement projects, Council shall review each project to ensure that it adequately fulfills the objectives of Community Improvement specified in Section 9.4.1.

Lands subject to Community Improvement Policies – Town of Deseronto



9.5 Town of Deseronto Waterfront Development Policy

The area bounded by Main Street to the north, Boundary Road to the east, the Bay of Quinte to the south and West Street to the west is identified as a "Waterfront Development Area" and is shown in greater detail on the accompanying map. This area currently contains a mixture of vacant industrial lands, vacant lots, parklands, marine-related and core area commercial, hazard lands and single-unit residences.

A planning study completed in 1987 identified a number of concerns, as well as opportunities, within the area of Deseronto adjacent to the shoreline. For example, vacant lands and buildings could be redeveloped and rehabilitated for different uses and a number of incompatible land uses could be addressed, in accordance with the Community Improvement Policy, to enhance the appearance and usage of the waterfront area for both residents and tourists.

To this end, the following Waterfront Development policies apply to the area identified on the attached map:

9.5.1 Waterfront Development

The predominant use of land in the waterfront development area shall be water-related commercial, residential and industrial uses.

a) Permitted Uses

The permitted uses are those directly relating to waterfront activity or compatible with such waterfront location and may include retail commercial establishments, personal service shops, business and professional offices, eating establishments, public and institutional uses, hotels, recreational uses, workshops, marinas and medium and high density residential uses.

b) Services

New waterfront development uses shall be permitted only on lots with municipal services.

c) Emissions

(i) approval of the Ministry of the Environment shall be required for any emissions of contaminants into the air, water or land.

(ii) Uses adjacent to waterfront development uses shall be adequately protected from the emission of smoke, noise, vibration or odour originating from the waterfront development use.

d) Parking and Loading Facilities

Adequate off-street parking and loading facilities shall be provided for all permitted uses.

e) Buffer Planting or Screening

Adequate buffer planting and screening shall be provided between commercial, industrial, institutional and higher density residential uses and lower density residential uses in the waterfront development area. Such buffer shall include grass strips, berms, screening and/or appropriate planting of trees and shrubs.

f) Open Storage

The open storage of goods or materials shall generally be discouraged.

g) Location

Waterfront development uses are those having frontage on the Bay of Quinte or being in proximity to the Bay and which are either in or in close proximity to the existing central business area in order to serve the pedestrian more effectively.

h) Appearance

In order that the waterfront development area may attract investment and serve to initiate positive redevelopment along the central waterfront area, a high quality of development and an attractive appearance should be encouraged within the area.

i) Waterfront Access

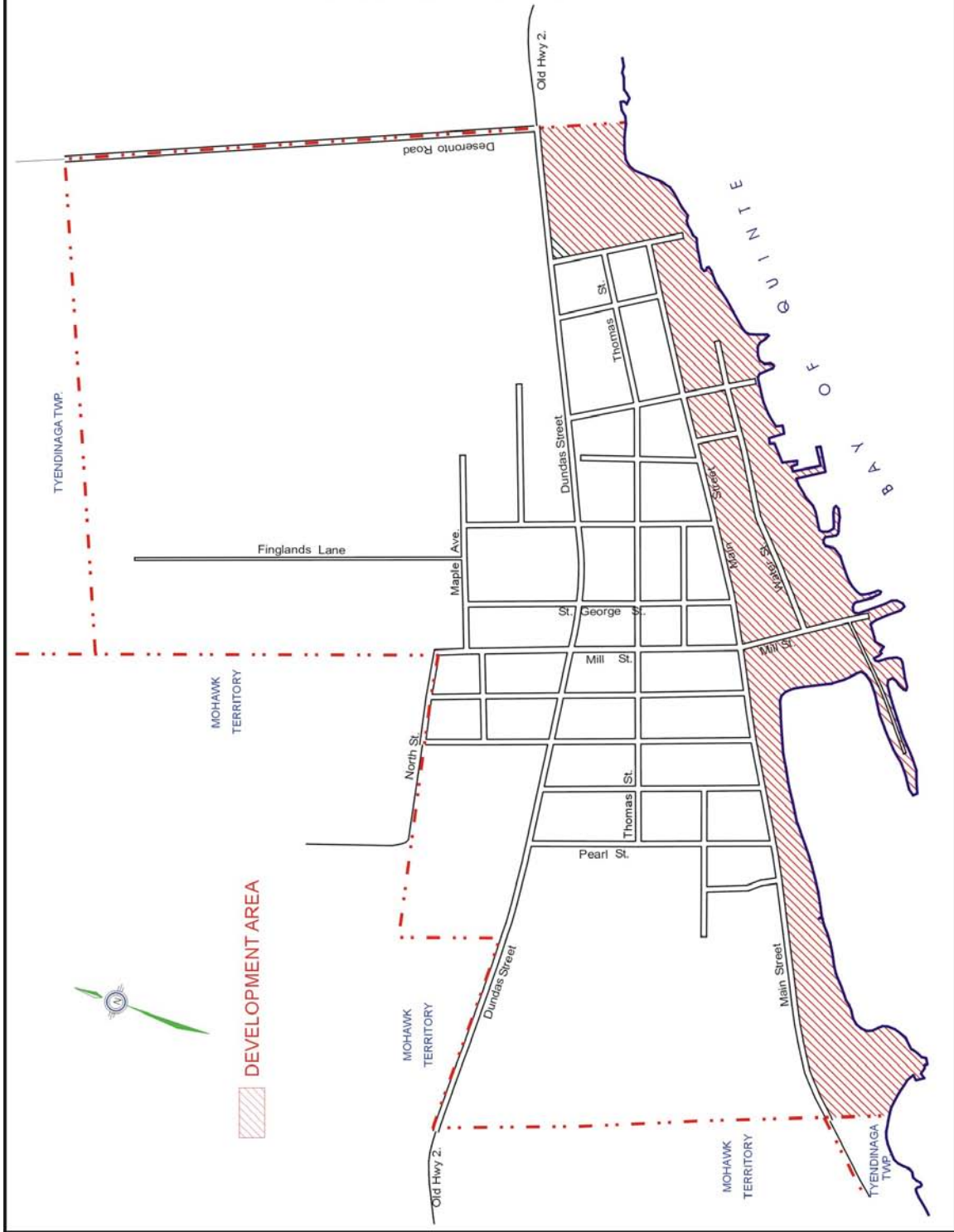
Waterfront access shall be provided on lands immediately adjacent to the shoreline. This access shall provide for continuous pedestrian movement generally parallel to the water's edge, allowing for access to and from adjacent waterfront property or public access points. The minimum width of such access shall be 6 metres. It is preferable that such access be located at the water's edge; however, in any event, visual contact with the waterfront from the public access shall not be unduly restricted.

j) Zoning

Waterfront development uses shall be identified in separate classifications in the implementing zoning by-law.

TOWN OF DESERONTO

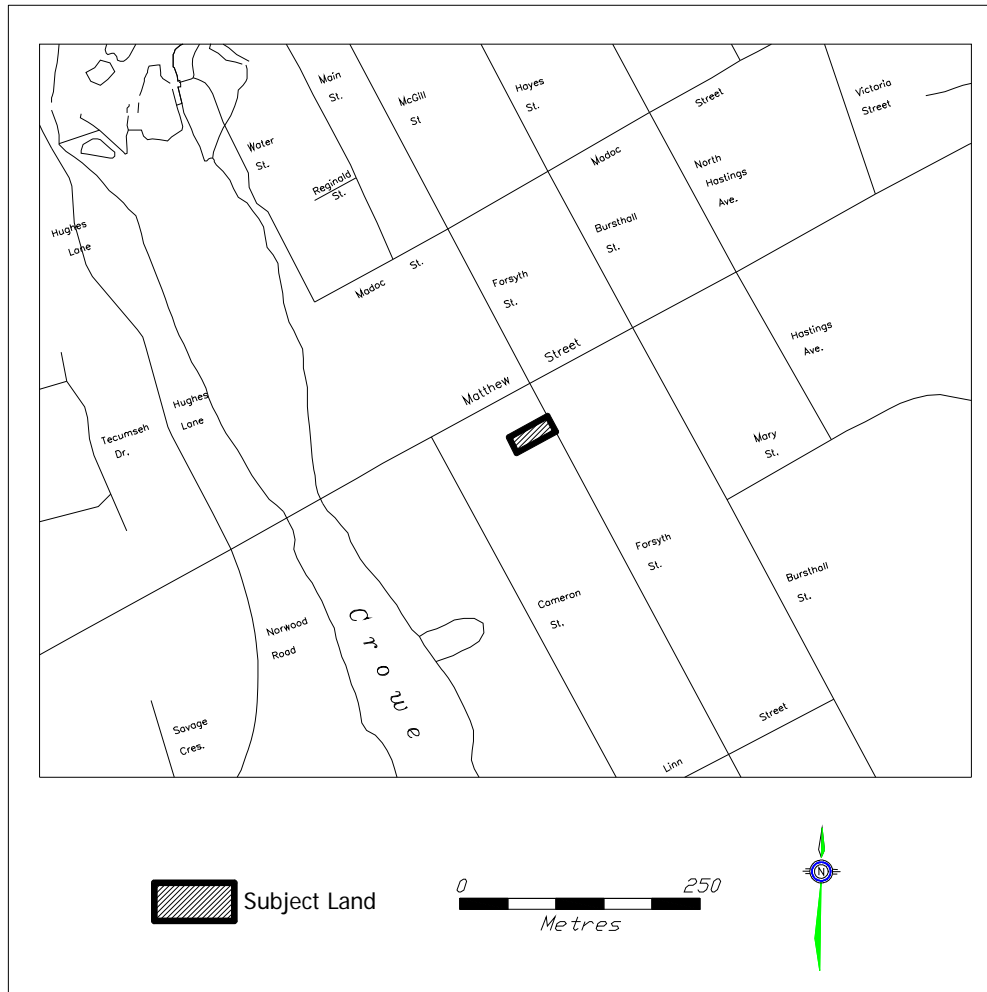
WATERFRONT DEVELOPMENT AREA



- 9.6 In part of Lot 20, Block A and part of Lot 57, Block B on R.P. 162 in the Town of Deseronto, residential development shall be permitted provided a by-law to require floodproofing construction measures is in force and a stormwater management plan addressing the requirements of the Bay of Quinte Remedial Action Plan has been completed to the satisfaction of the municipality in consultation with the Conservation Authority.



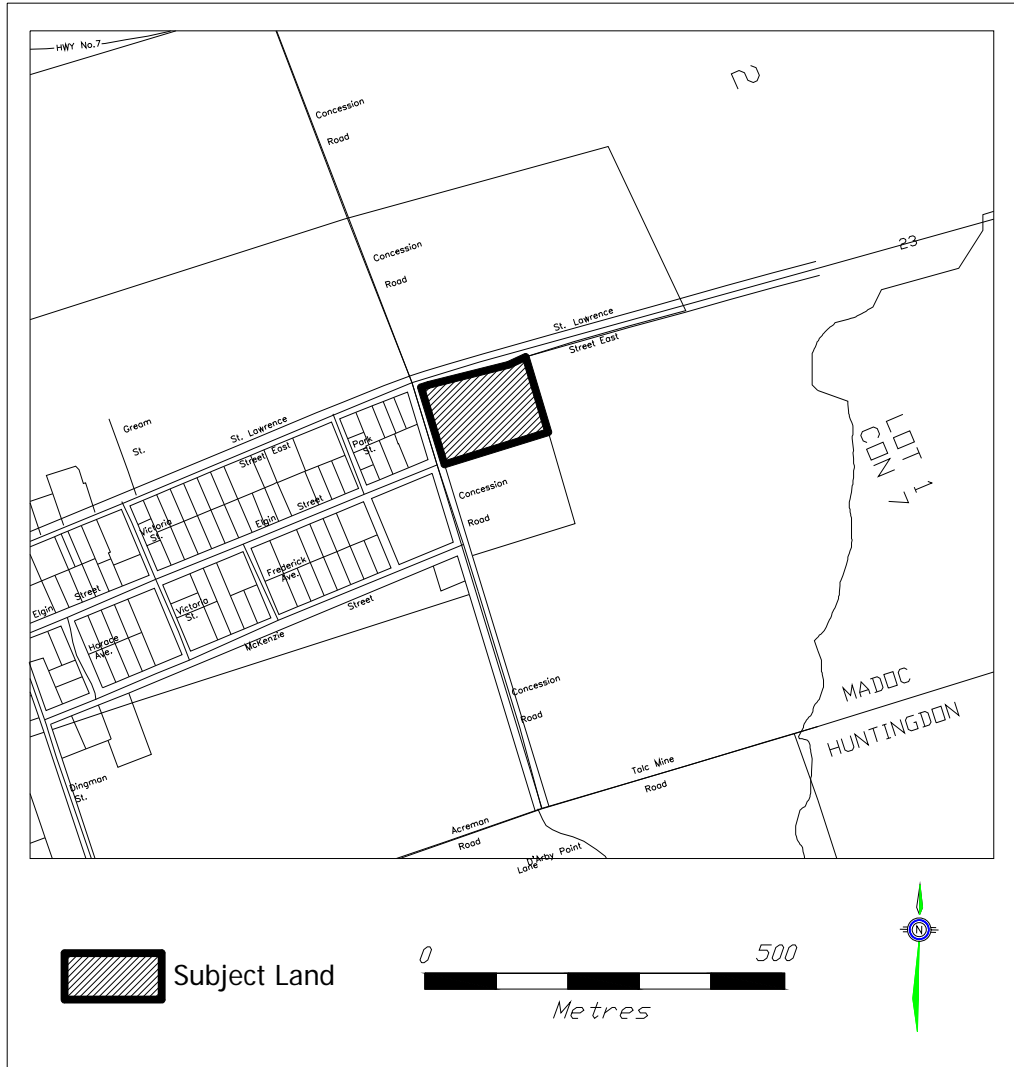
9.7 In Lot 11, R.P. 83 in the Village of Marmora, on the west side of Forsyth Street, south of Matthew Street, the permitted uses shall be limited to a teahouse, antique display and a chiropractic office.



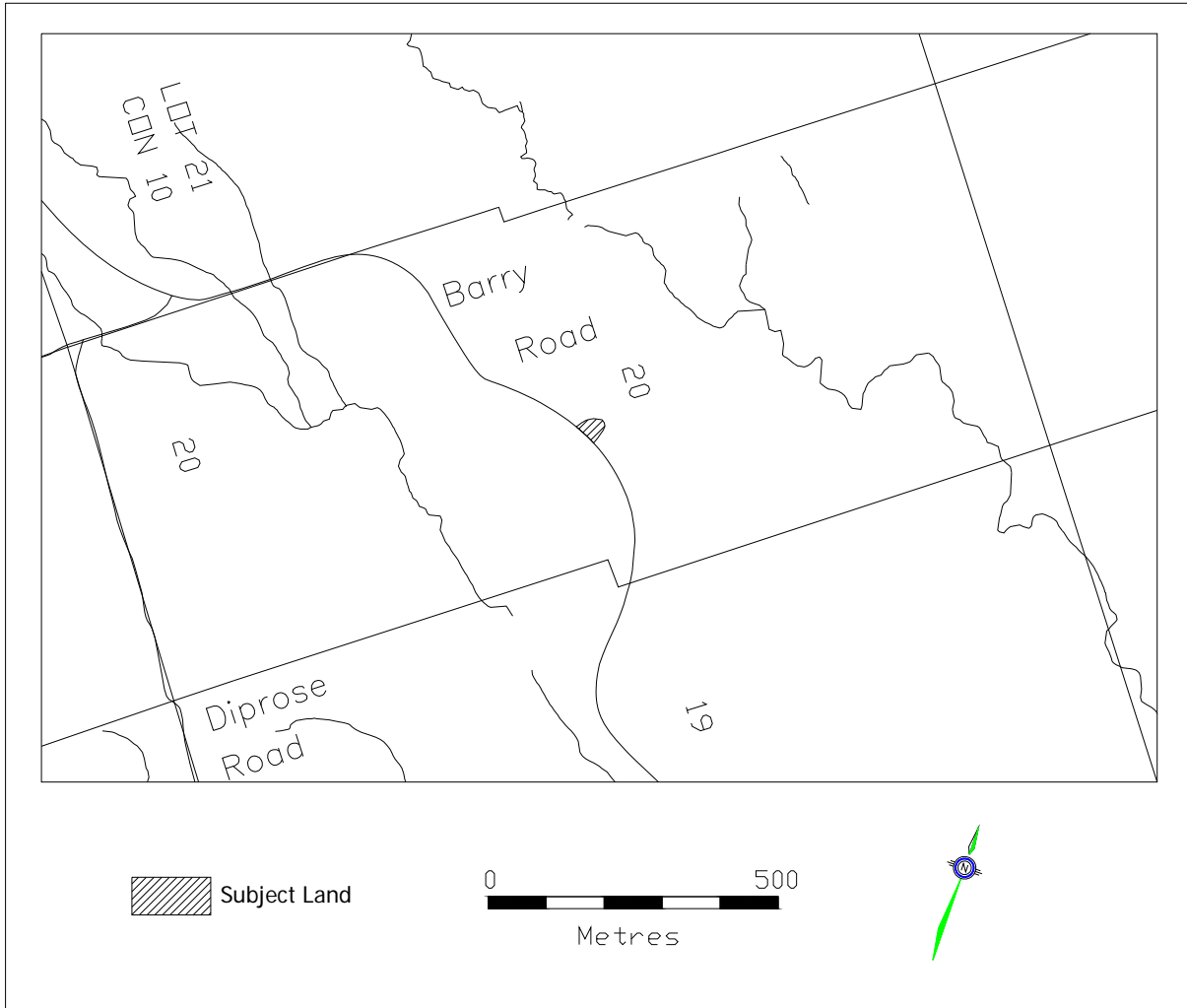
9.8 In Block H, R.P. 218 in the Municipality of Centre Hastings (former Village of Madoc), at the northwest corner of Highways 7 and 62, development shall be permitted only when approval is obtained from the appropriate authorities for access from Highways 7 and 62, for stormwater management and for sanitary sewer and water supply.



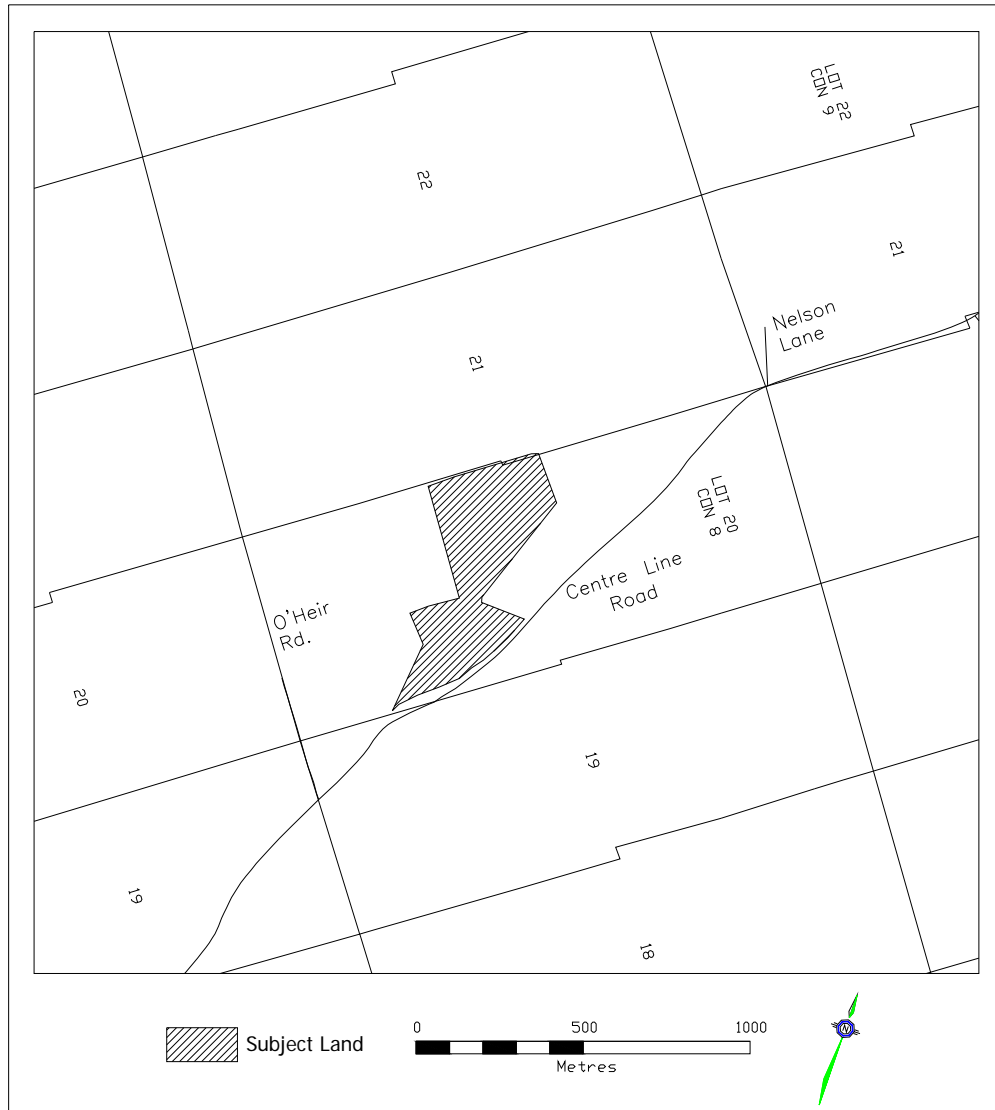
9.9 In part of Lot 1 in Concession 7 in the Municipality of Centre Hastings (former Village of Madoc) at the southeast corner of St. Lawrence Street East and Concession Road, development shall not proceed until fencing satisfactory to the local municipal Council and Sacred Heart Church is installed along their common boundaries with the subject lands.



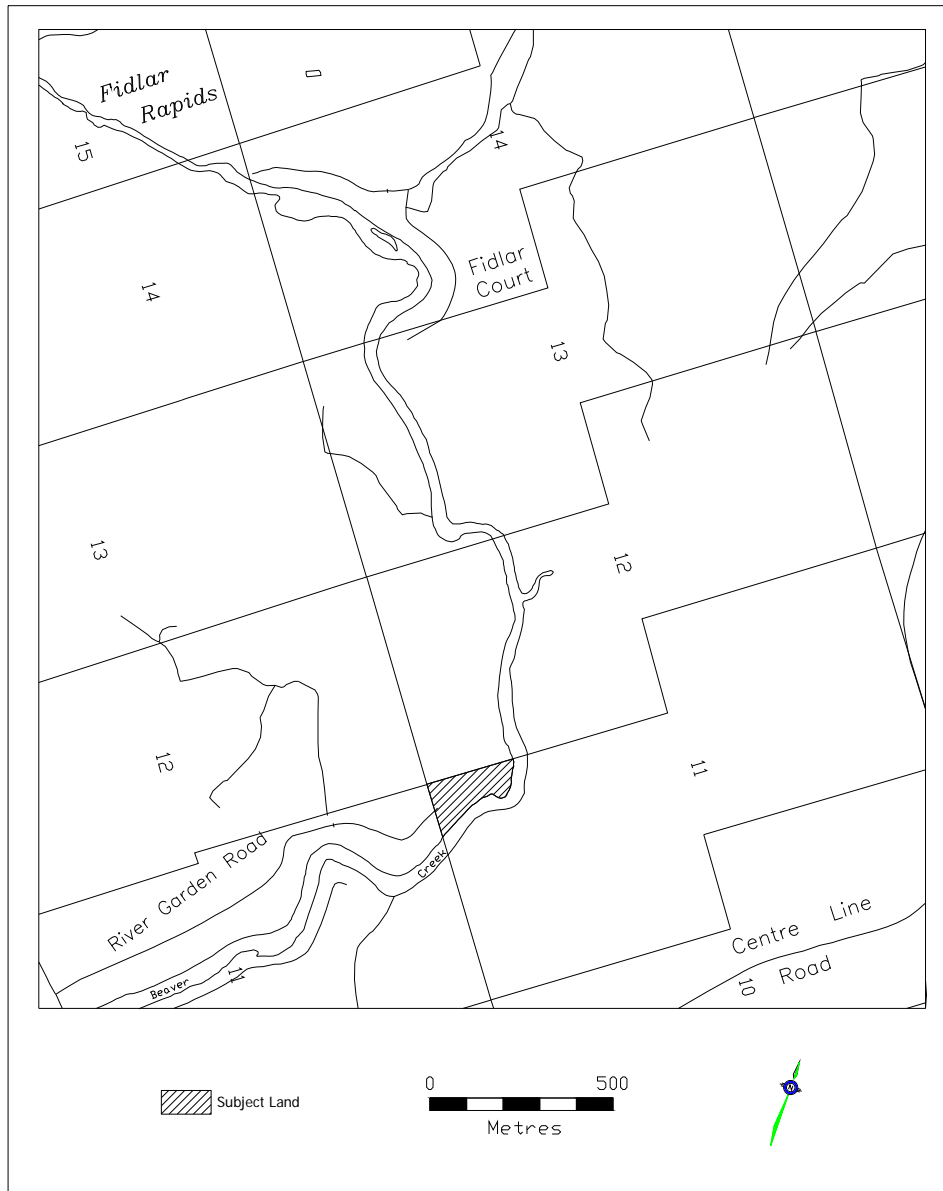
9.10 In part of Lot 20, Concession 10 in the Township of Madoc on the east side of Barry Road, notwithstanding the policies of the "Extractive" designation, a single unit residence and ancillary structures are permitted. In the event that the residence ceases to exist and the subject lands are no longer used for residential purposes, the special policy shall cease to apply and permitted land uses shall be restricted to those permitted within the "Extractive" designation.



- 9.11 Gravel extraction on the north side of Centreline Road in part of Lot 20, Concession 8 in the Township of Marmora shall be permitted no closer than 145 metres (475.7 feet) from any adjacent residence.

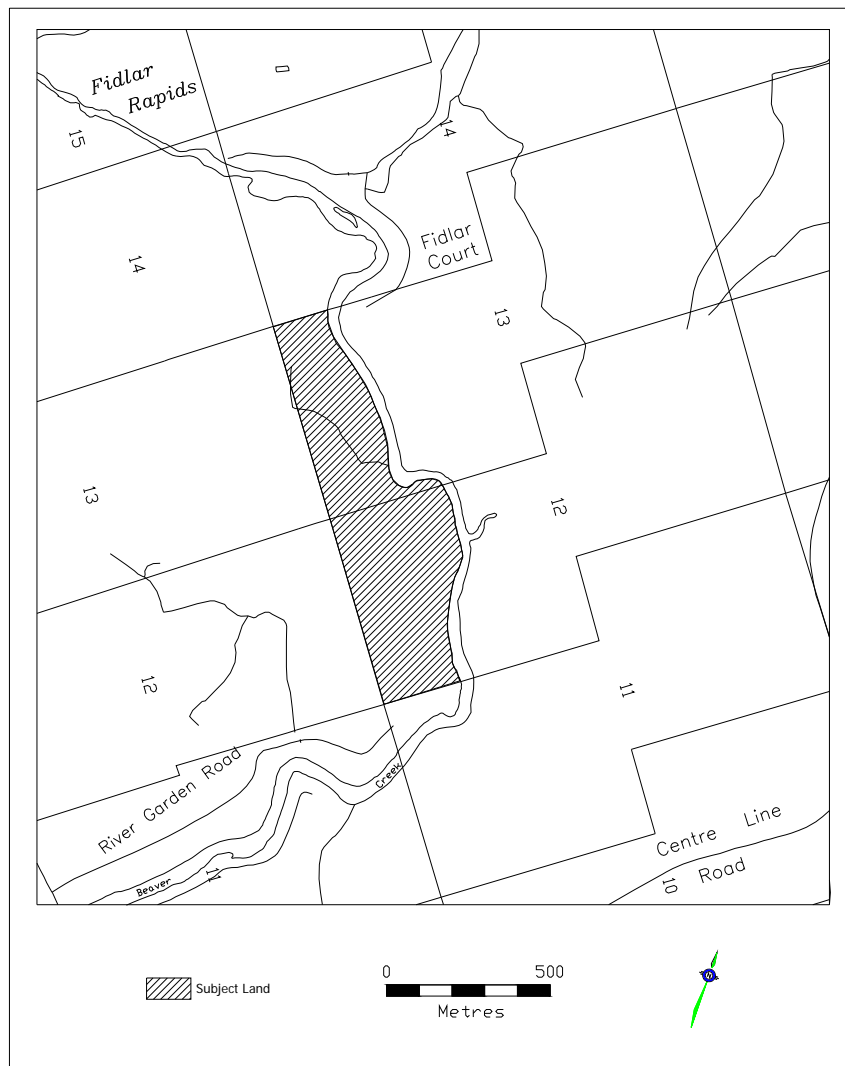


- 9.12 In part of Lot 11, Concession 5 in the Township of Marmora north of Beaver Creek and south of River Garden Road, as shown on the attached plan, the "Rural" designation applies to lands above 602.2 feet datum G.S.C. Below the 602.2 datum G.S.C., the "Environmental Protection" policies of this Plan shall apply.



9.13 In part of Lots 12 and 13 in Concession 5 on the west side of Beaver Creek in the Township of Marmora as shown on the attached plan, the "Hazard" designation shall apply below the 602.2 foot datum G.S.C. where no development shall be permitted.

Above the 602.2 foot datum G.S.C. the "Rural" designation shall apply except that development shall only be permitted by means of a registered plan of subdivision and fill shall only be permitted in minimal amounts as necessary for the accommodation of buildings and septic systems.



- 9.14 In Concession 2, Part Lot 6 in the Municipality of Stirling—Rawdon on the west side of Goods Road, south of Evergreen Road, the following special policies apply within the “Agricultural” designation:

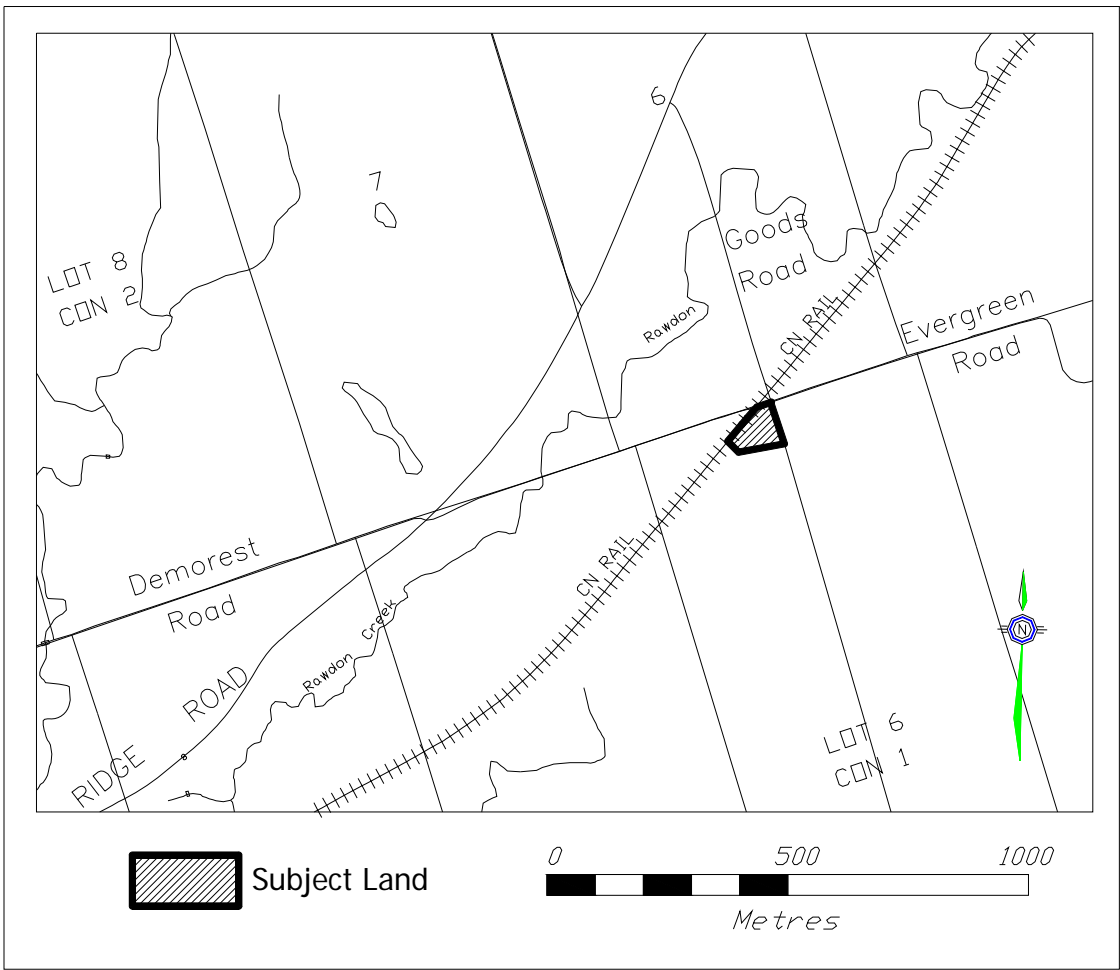
Notwithstanding the provisions of Section 3.1 of the Official Plan, the extension of an existing commercial building and associated parking shall be permitted and an application to the County Land Division Committee to accommodate the proposed development may be considered.

The proposed development shall only be permitted in accordance with a site plan agreement entered into with the Council of the Corporation of the Municipality of Stirling—Rawdon pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended.

The Site plan agreement and appropriate zoning shall provide for:

- 1) a 15 metre construction setback from the watercourse to the west,
- 2) a drainage plan and grading that will prevent runoff from flowing directly into the watercourse and will prevent backup flooding at peak flow,
- 3) maintenance of a natural buffer along the watercourse a minimum of 7.5 metres on each side of the watercourse,
- 4) the parking area between the building and the watercourse to remain unpaved and to be graded to facilitate sheet drainage away from the watercourse,
- 5) provision for buffering between the loading, deck area and neighbouring residential land uses, satisfactory to the local municipality and an agreement to take steps to prevent interference with the livestock operation to the south and west,
- 6) other issues of concern to the local municipality, including access, sewage disposal and solid waste disposal.

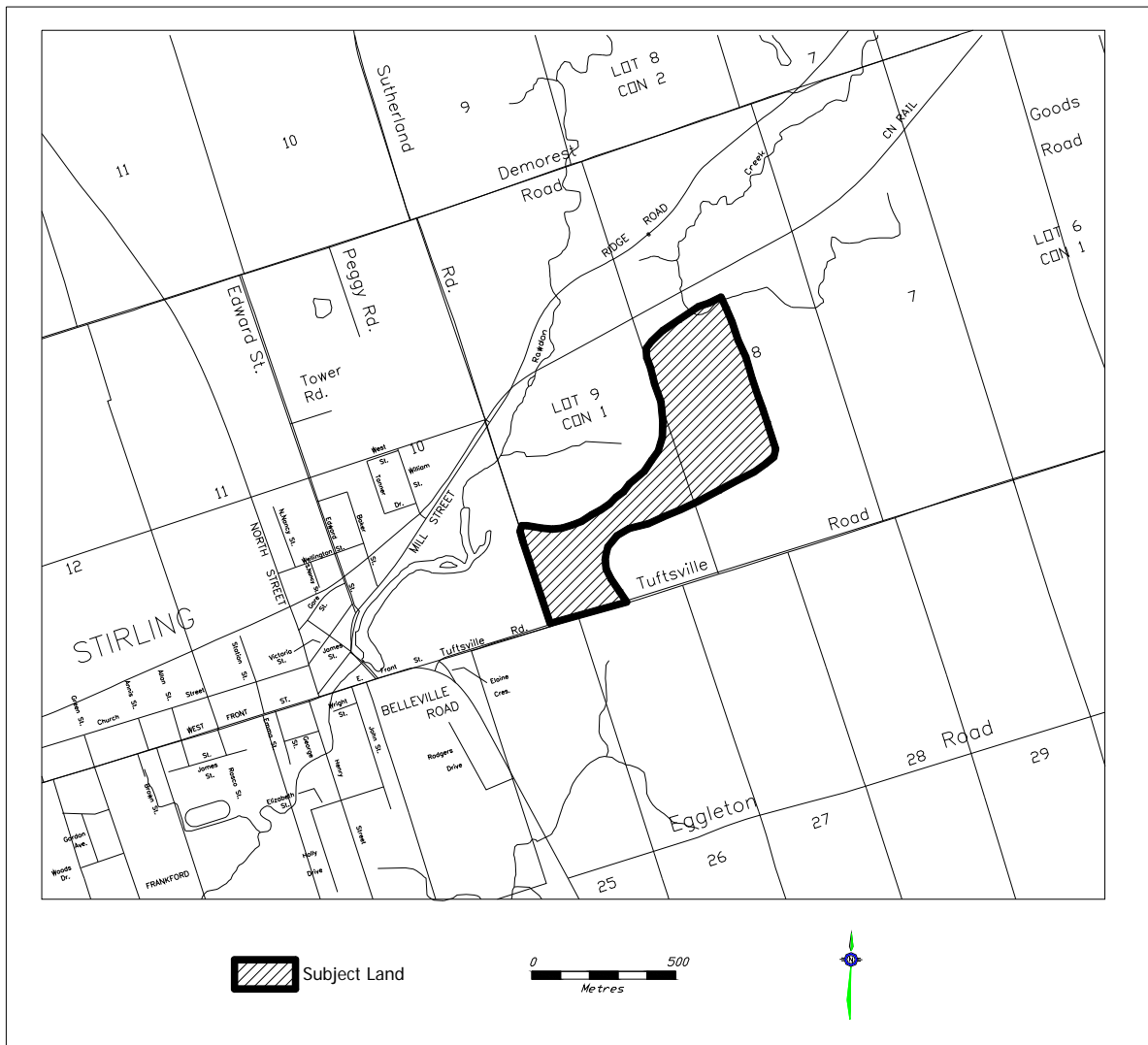
An archaeological assessment of the entire development property as set out in the Archaeological Assessment Technical Guidelines shall be carried out as a condition of consent of the lot addition. Adverse impacts on any significant archaeological resource found shall be mitigated, through preservation or resource removal and documentation.



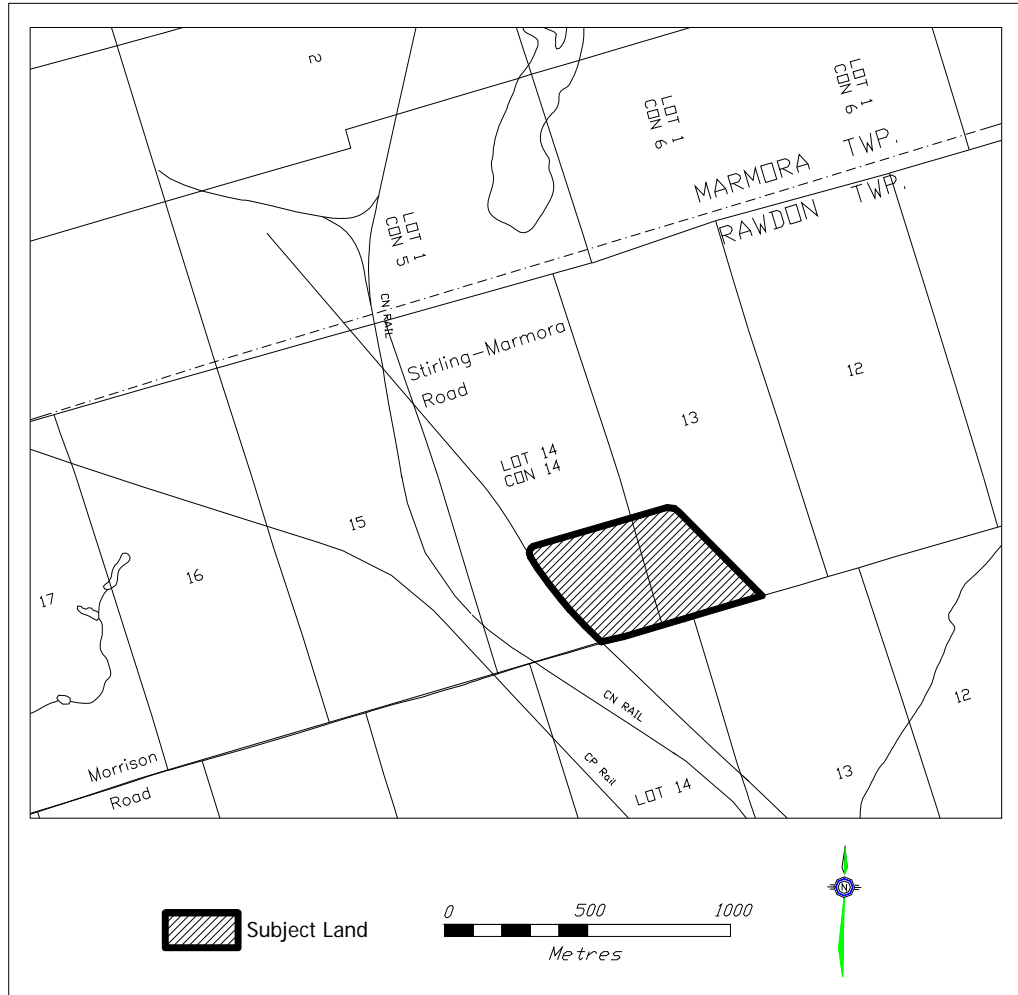
9.15 In parts of Lots 8 and 9, Concession 1 in the Municipality of Stirling—Rawdon, south of Rawdon Creek and the former CN rail line, a holding zone shall be applied until drainage and grading plans are approved by the Ministry of Natural Resources, the Lower Trent Region Conservation Authority and the local municipal Council.

Lands within 15 metres of all watercourses shall be rezoned to “H (Hazard)” in the implementing zoning by-law to provide a buffer area for existing watercourses and wetland areas.

The property shall also be assessed by an archaeologist licensed by the Ministry of Citizenship, Culture and Recreation under the provisions of the Ontario Heritage Act and any significant sites found shall be properly mitigated, through avoidance or excavation, prior to site plan approval and construction, servicing, landscaping or other such development disturbance.

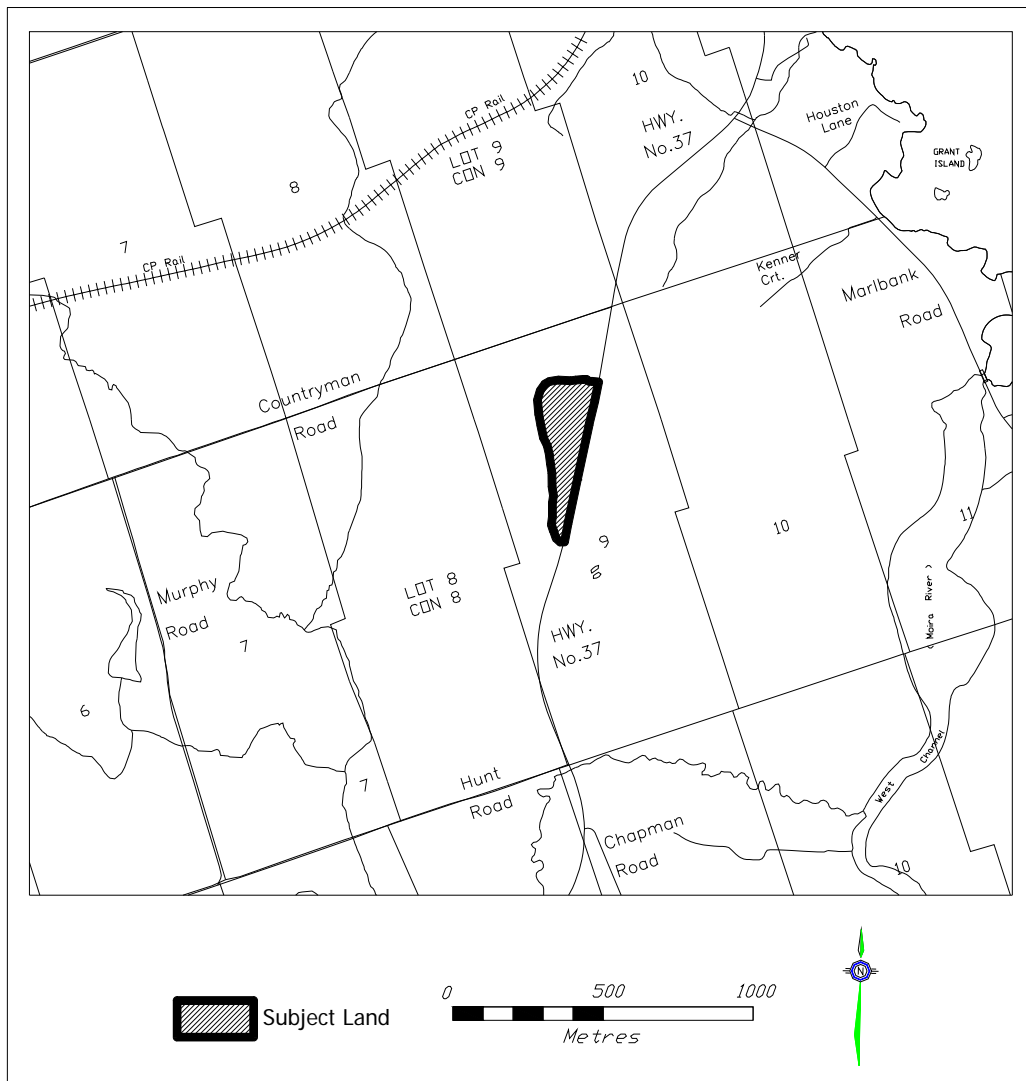


- 9.16 In parts of Lots 13 and 14 in Concession 14 in the Municipality of Stirling—Rawdon, on the east side of the Stirling—Marmora Road, within the area designated “Extractive”, gravel extraction shall be permitted no closer than 210 metres (700 feet) to a neighbouring residential land use.



9.17 In part of Lot 9 in Concession 8 of the Municipality of Tweed (former Township of Hungerford) on the west side of Highway 37, designated "Extractive" in this Plan, the extraction and processing of aggregate material shall be permitted only in accordance with a site-specific zoning by-law which shall recognize the distance from the subject site and a site zoned "M2 (Extractive Industrial)" on the east side of Highway 37 in part of Lot 9, Concession 8 to an existing residential lot identified as Roll No. 15-092 and the lot immediately to the south identified as Roll No. 15-091.

The effect of the site-specific zone shall be to ensure that the use of the two lots (Roll No.'s 15-091 and 15-092) for residential purposes is not precluded by the existence of the aggregate extraction activities to the north and west. This recognition of site-specific setbacks for the two lots does not, however, supercede any other requirements that must be met in order for a Building Permit to issue, such as provision of potable water and sewage disposal services.



OPA #7

9.18 Community Improvement Policies: Tweed Urban Centre

The Community Improvement Area for the Municipality of Tweed shall be all of the area designated as "Urban" in this Plan as shown below.

The following community improvement policies are intended to support efforts to ensure the maintenance and reinforcement of community identity, structure and future growth and investment in the urban area of the Municipality of Tweed (former Village of Tweed):

9.18.1 Goals and Objectives

a) Goals

In the future, the urban area's community improvement development will be directed toward the following goals:

- (i) To stabilize and enhance existing development by providing a safe, convenient and attractive environment for municipal residents.
- (ii) To provide for and encourage the ongoing maintenance, improvement, rehabilitation and renewal of the municipality's residential, commercial and industrial areas.

b) Objectives

To achieve the goals outlined above, several objectives have been formulated, as follows:

- (i) To encourage the maintenance and improvement of the existing housing stock in a safe and attractive form and in compliance with the provisions of the maintenance and occupancy standards by-law,
- (ii) To encourage the provision, maintenance and upgrading of the physical, infrastructure and public services and utilities,
- (iii) To ensure that the population is served by an adequate supply of community and recreational facilities,
- (iv) To alleviate or eliminate any problem resulting from existing incompatible land uses within the urban centre,
- (v) To enhance the visual and environmental characteristics of the urban centre, and
- (vi) To provide a framework to guide the expenditures of public and/or private funds on community improvement activities.

9.18.2 Criteria for the selection of Community Improvement Areas

In order to achieve Community Improvement goals and objectives, Community Improvement Areas will be identified on the basis of some or all of the following criteria:

- a) The existence of sanitary and storm sewers and water systems requiring upgrading or construction,
- b) The existence of roads, curbs, sidewalks or other municipal services and/or utilities requiring construction or upgrading,
- c) The existence of inadequate parks or community facilities, including those serving the needs of special groups,
- d) The existence of incompatible land uses,
- e) The existence of building stock showing signs of deterioration and requiring rehabilitation and upgrading,
- f) Lands with potential for infill development or improvement to underutilized properties or buildings,
- g) Significant aesthetic improvements required,
- h) Lack of off-street parking and/or street parking.

9.18.3 Delineation

The criteria for the selection of Community Improvement Areas were applied to the urban area of the Municipality of Tweed. Based on the application of the criteria, the entire Urban Area is designated as a Community Improvement Area.

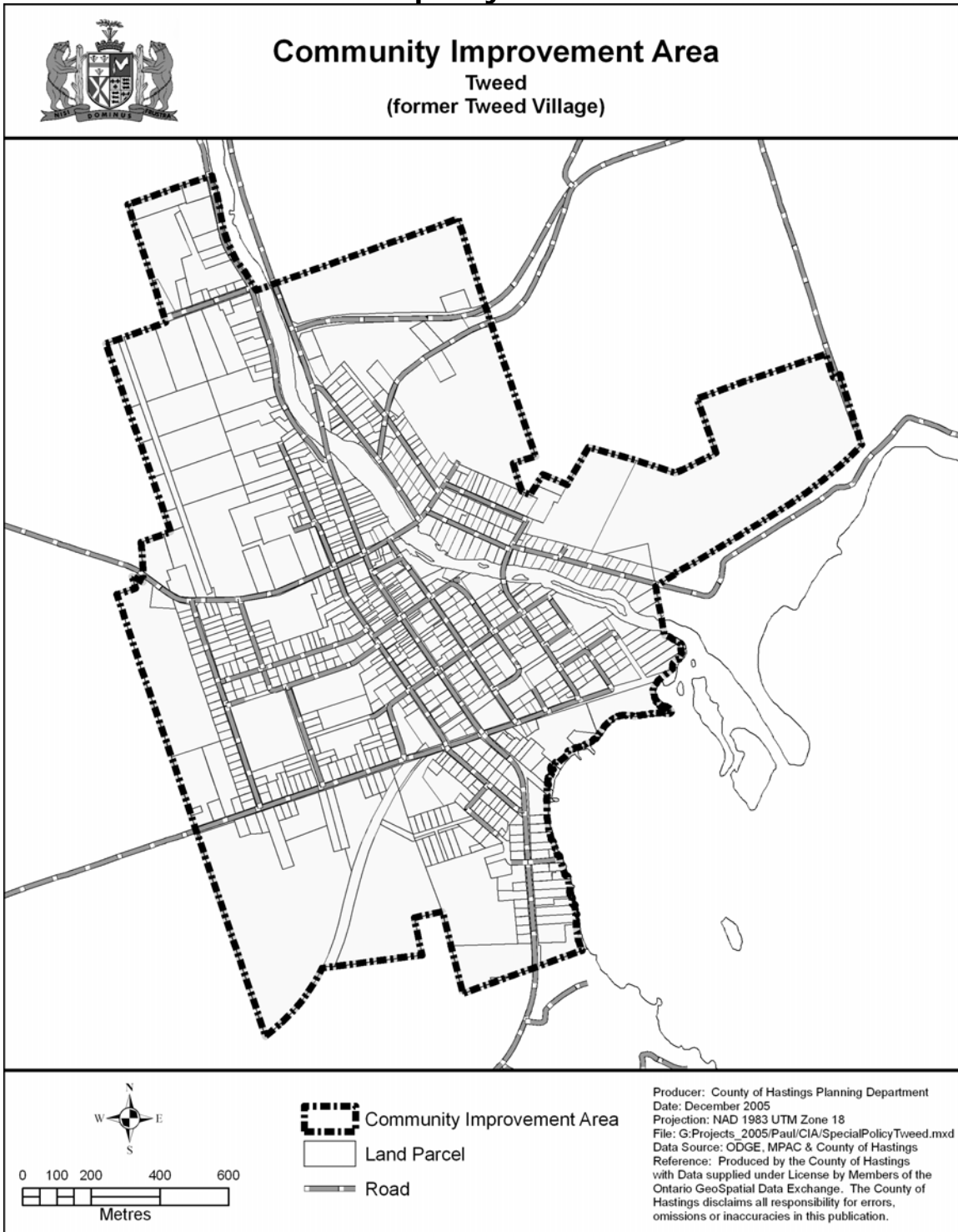
9.18.4 Implementation

The Municipality of Tweed intends to implement these policies within the urban area in order to achieve its Community Improvement objectives by one or more of the following methods:

- a) the designation by by-law of the whole or any part of the Community Improvement Area for the purpose of preparation and implementation of Community Improvement Plans pursuant to Section 28 of the Planning Act,
- b) participation in available Provincial funding programs to assist in the implementation of Community Improvement Plans,
- c) enforcement of the municipality's Maintenance and Occupancy Standards by-law,
- d) encouragement of private initiatives that meet the objectives of a Community Improvement Plan, including infilling and redevelopment projects,
- e) support for and co-operation with local service clubs and other organizations in the development of recreation and other community facilities and services in a Community Improvement Area,
- f) the acquisition, preparation or disposal of land and buildings to implement approved community improvement plans,

- g) the upgrading and provision of utilities, municipal services, recreation and community facilities,
- h) application of the Ontario Heritage Act to support the preservation of historic or architecturally significant buildings and the use of funding programs under the Act,
- i) the area has been identified as having deficiencies in terms of off-street parking and loading facilities in relation to commercial and industrial land use.

Lands subject to Community Improvement Policies – Municipality of Tweed



9.19 Community Improvement Policies: Urban Area of Municipality of Centre Hastings

OPA #7

The Community Improvement Area for the Municipality of Centre Hastings shall be all of the area designated as "Urban" in this Plan as shown below.

9.19.1 Goals and Objectives

The goals and objectives for community improvement form the basis of subsequent community improvement policies. They provide broad guidelines for the direction of community improvement for the urban area of the Municipality of Centre Hastings.

a) Community Improvement Goal

To promote the co-ordinated implementation of community planning and land use planning programs, comprising maintenance, rehabilitation and redevelopment of the physical, social and economic environments.

b) Community Improvement Objectives

The intent of this Plan is to provide for the ongoing maintenance, improvement, rehabilitation and upgrading of residential, commercial and industrial areas in the urban area of the Municipality of Centre Hastings. Various objectives have been identified which are briefly stated as follows:

- (i) to improve and maintain the quality of the physical environment by upgrading the standards and availability of municipal services,
- (ii) to rehabilitate and restore the existing building stock to comply with the provisions of the minimum standards by-law,
- (iii) to promote and enhance viable commercial and industrial uses and thereby maintain and reinforce the local economic base of the Municipality of Centre Hastings,
- (iv) to stabilize and improve the property and business tax base through private investment stimulated by an effective program of community improvements, and
- (v) to increase the amenities of older residential neighbourhoods by providing an appropriate level of recreational and social facilities.

9.19.2 Criteria for Designation

The criteria that must be considered in the identification of a Community Improvement Area are defined as follows:

- a) the community contains areas of incompatible land use either in the form of industrial/residential or commercial/residential conflicts which may prejudice the functional or economic role of the area for residential, commercial or industrial purposes,
- b) the area has been identified as being deficient in terms of the level of municipal services provided, such as watermains, sanitary and/or storm sewers, in that such

services do not conform to municipal standards relative to the level of service required to meet the needs of the area,

- c) the area has been identified as being deficient in terms of neighbourhood and/or community parkland, recreational or community facilities including such facilities as swimming pools, athletic fields, day care centres, senior citizen facilities or other similar social and/or recreational facilities,
- d) the community or a portion thereof lies within a flood susceptible area or has natural drainage characteristics which require that such measures as floodproofing or storm water management be undertaken to alleviate storm related flooding situations,
- e) the area contains man-made hazards, such as level railway crossings, poor intersection design or vacant and abandoned buildings or structures, which should be eliminated in order to ensure a greater degree of public safety and to further enhance the community functions,
- f) the area contains vacant and underutilized lands and buildings or structures which could be developed or redeveloped in a manner which reinforces the functional role of the area, provides opportunities for energy conservation and, at the same time, provides for the enhancement of the municipal tax base,
- g) the area has been identified as one where the housing stock or commercial or industrial buildings are approaching the end of their functional life, which buildings should either be rehabilitated and restored for sequential uses in keeping with the nature of the area or demolished so as to allow for redevelopment of the area for a use more compatible with adjacent uses,
- h) the area includes commercial or industrial areas which are in need of upgrading and/or streetscape improvements to improve the area's economic viability as a central place in the community,
- i) the area has been identified as having deficiencies in terms of off-street parking and loading facilities in relation to commercial and industrial land use.

9.19.3 Delineation of a Community Improvement Area

- a) Based on the application of the criteria specified in Section 9.19.2 above, a Community Improvement Area has been identified within the Urban Area of the Municipality of Centre Hastings and is shown on the attached map as "Community Improvement Area".
- b) An amendment to this Plan will be required to change the boundaries of the Community Improvement Area. Council shall have regard for the criteria set out under Section 9.19.2 hereof prior to any redesignation of the Community Improvement Area.

9.19.4 Priorities for Community Improvement

While the following projects are considered to be priorities within the municipality, additions and deletions to this list may be considered during the preparation of a Community Improvement Plan without the need to amend the Official Plan if background

information can be provided to support any changes. Note that the following projects are all high priority and are not listed in order of preference.

a) Capital Works Program for Municipal Infrastructure Improvements

There is a need to prepare a capital works program for the Municipality of Centre Hastings which will establish priorities and a program for the improvement of the municipal infrastructure, including roads, sidewalks, streetlights, sanitary sewers, storm sewers and waterworks. A co-ordinated and cost-effective capital works program would remedy the various deficiencies that have been identified.

b) Downtown Parking Area

The acquisition and construction of a municipal off-street parking area is recommended, subject to the recommendations of a parking study,

c) Façade and Streetscape Study

A façade study of the downtown area is needed to investigate the enhancement of architecturally significant features of existing commercial buildings, together with a study of the possible consolidation of hydroelectric lines now attached to commercial buildings.

d) Municipal baseball park

A variety of improvements to the existing baseball park have been identified. These improvements include the upgrading of the baseball diamonds and playground area as well as the lands along Deer Creek that are suitable for park purposes. Consideration should also be given to the acquisition and development of some property to the west of Deer Creek for future park purposes.

e) Cenotaph park

Proposed improvements include the provision of additional picnic tables, washrooms, tennis courts and the installation of a storm sewer along the west side of the park to replace an existing open ditch.

f) Madoc parkette

Landscaping and the provision of park furniture are desirable.

g) Community Information Booth

A new, larger information booth with washroom facilities is needed. The booth should be located at a new site in the urban area that is in the public ownership and has sufficient area for on-site vehicle parking.

9.19.5 Implementation

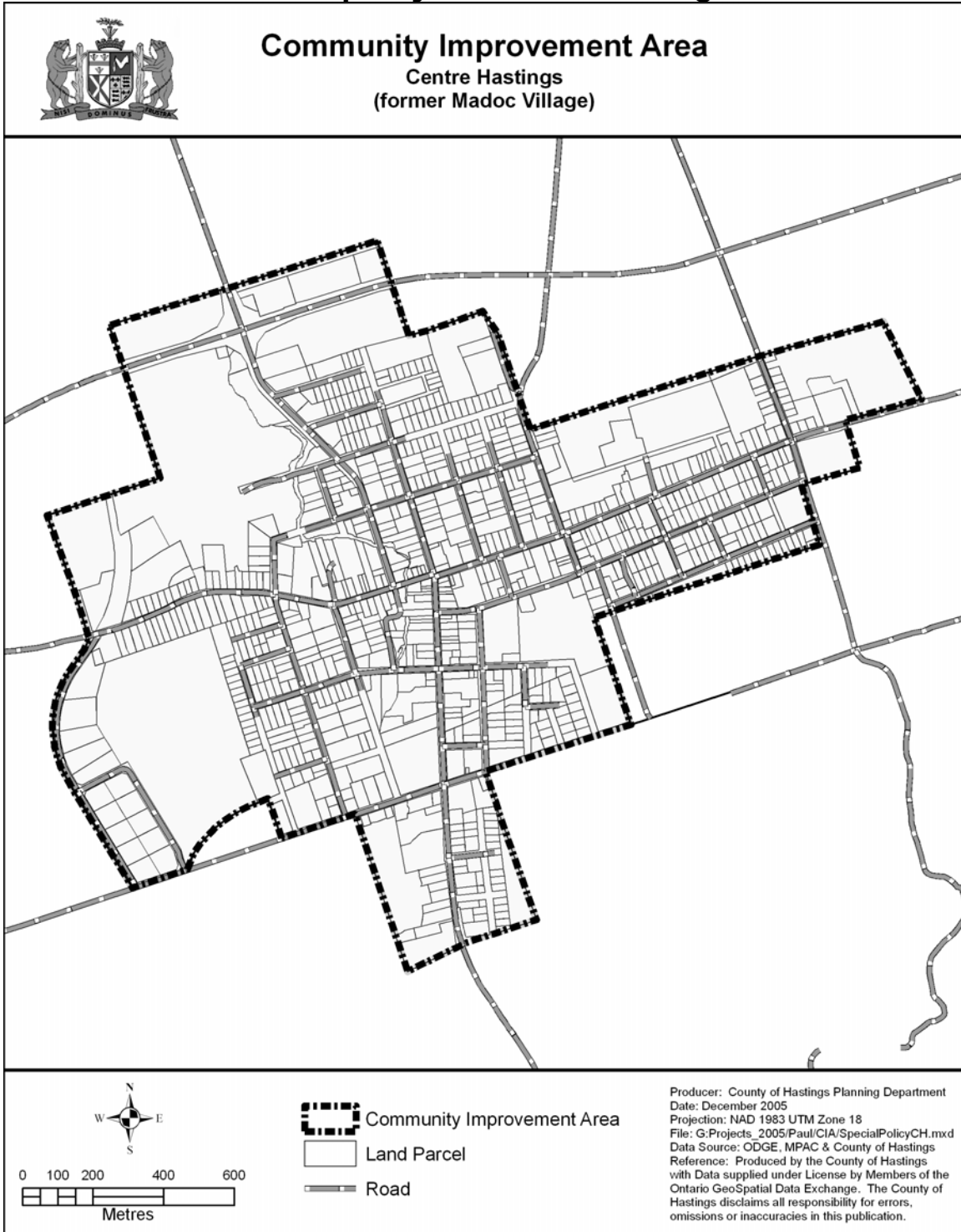
Council shall implement the general principles and policies of Community Improvements as follows:

- a) through the enactment of a review of the Official Plan which will provide updated guidelines and policies concurrent with the present and near future circumstances and direction,
- b) through the identification of specific community improvement projects and the preparation of Community Improvement Plans,
- c) through participation in programs with senior levels of government,
- d) through enforcement of the municipality's Property Standards By-law,
- e) through the acquisition of land to implement the objectives of these policies,
- f) through encouraging the establishment of a Business Improvement Area to maintain and enhance the viability of the central business district,
- g) through the encouragement of the private sector and local Clubs to utilize available government programs and subsidies,
- h) through the regular review of comprehensive zoning by-law which provides for a range of appropriate uses which provides for the intensification and integration of land uses, and which stimulates the economic and/or functional role of the neighbourhood,
- i) through the encouragement of rehabilitation of existing buildings and structures which may adapt to an alternative use compatible with the surrounding community,
- j) through the application of the Ontario Heritage Act in terms of both the designation of buildings and heritage districts in accordance with the policies of Section 9.19.2 above.
- k) through entering into agreements with developers regarding Site Plan Control and subdivision approval procedures,
- l) Council shall have regard for the phasing of improvements in order to permit a logical sequence of events to take place without unnecessary hardship on area residents and the business community. The improvements should be prioritized having regard for the need and municipal funding available,
- m) Council is selecting community improvement projects shall review each project to ensure that it adequately fulfills the objectives of Community Improvement specified in Section 9.19.1 above.

9.19.6 Delineation of a Community Improvement Area

The criteria for the selection of Community Improvement Areas were applied to the urban area of the Municipality of Centre Hastings. Based on the application of the criteria, the entire Urban Area is designated as a Community Improvement Area.

Lands subject to Community Improvement Policies – Municipality of Centre Hastings



9.20 Community Improvement Policies: Urban Area of Municipality of Stirling--Rawdon

9.20.1 Goals and Objectives

The goals and objectives for community improvement form the basis of subsequent community improvement policies. They provide broad guidelines for the direction of community improvement for the (former) Village of Stirling.

a) Community Improvement Goal

To promote the co-ordinated implementation of community planning and land use planning programs, comprising maintenance, rehabilitation and redevelopment of the physical, social and economic environments.

b) Community Improvement Objectives

It is the intent of this Plan to provide for the ongoing maintenance, improvement, rehabilitation and upgrading of residential, commercial and industrial areas in the (former) Village of Stirling. Various objectives have been identified which are briefly stated as follows:

- (i) to improve and maintain the quality of the physical environment by upgrading the standards and availability of municipal services,
- (ii) to rehabilitate and restore the existing building stock to comply with the provision of the minimum standards by-law,
- (iii) to promote and enhance viable commercial and industrial areas, in particular the Central Business District, and thereby maintain and reinforce the local economic base of the Municipality of Stirling—Rawdon.
- (iv) to stabilize and improve the property and business tax base through private investment, stimulated by an effective program of community improvements,
- (v) to increase the amenities of older residential neighbourhoods by providing an appropriate level of recreational and social facilities, and,
- (vi) to encourage the development of an adequate supply of affordable housing which will meet the needs of local residents and ensure that the existing housing stock is used as efficiently as possible.

9.20.2 Criteria for Designation

The criteria which must be considered in the identification of a Community Improvement Area are as follows:

- a) the community contains areas of incompatible land uses either in the form of industrial/residential or commercial/residential conflicts which may prejudice the functional or economic role of the area for residential, commercial or industrial purposes,

- b) the area has been identified as being deficient in terms of the level of municipal services provided, such as watermains, sanitary and/or storm sewers, in that such services do not conform to municipal standards relative to the level of service required to meet the needs of the area,
- c) the area has been identified as being deficient in terms of streets, streetlighting and/or sidewalks which do not conform to municipal standards or which require substantial improvements relative to the level of service required to adequately service the area,
- d) the area has been identified as being deficient in terms of neighbourhood and/or community parkland, recreational or community facilities,
- e) the area contains man-made hazards, such as poor intersection design, which should be eliminated in order to ensure a greater degree of public safety and to further enhance the community functions,
- f) the area contains vacant and underutilized lands and buildings or structures which could be developed through infilling or redeveloped in a manner which reinforces the functional role of the area, provides opportunities for cultural, economic or tourist-related development, provides opportunities for energy conservation and, at the same time,
- g) provides for the enhancement of the municipal tax base,
- h) the area includes commercial or industrial areas which are in need of upgrading and/or streetscape improvements to improve the area's economic viability as a central place in the community,
- i) the area has been identified as having deficiencies in terms of off-street parking and loading facilities in relation to commercial and industrial land uses,
- j) the lands and/or buildings may require detailed environmental site assessments or designated substance surveys and the implementation of appropriate and necessary remediation.

9.20.3 Delineation of a Community Improvement Area

- a) Based on the application of the criteria specified in Section 9.20.2 above, a Community Improvement Area has been identified within the Urban Area of the Municipality of Stirling—Rawdon and is shown on the map below as "Community Improvement Area".
- b) An amendment to this Plan will be required to change the boundaries of the Community Improvement Area. Council shall have regard for the criteria set out under Section 9.20.2 prior to any redesignation of the Community Improvement Area.

9.20.4 Priorities for Community Improvement

The following projects are considered to be priorities within the municipality. Council may, by by-law, designate the land within a Community Improvement Area as (a) "Community Improvement Project Area(s)" and thereafter may prepare a Community

Improvement Plan for such area or areas as one means of implementing community improvement objectives. Additions or deletions to this list may be considered without the need to amend the Official Plan if background information is provided to support any such changes. The following projects are all high priority and are not listed in order of preference.

The purposes of these suggested project areas, as outlined in Section 9.20.1, are to improve the level of municipal services in the community, to develop a co-ordinated approach to downtown commercial core revitalization which will focus on the unique features of Stirling—Rawdon's downtown core, to develop a co-ordinated approach to community open space and recreation facilities which will not only improve local amenity value, but also create a more attractive environment for visitors, and finally, to strengthen the heritage and cultural amenity value in the community by upgrading important municipally owned structures such as the Public Library and Community Service Building and the Stirling Railway Station.

Potential spin-offs from these projects are outlined in Section 2.9 of the Background Report. Briefly, they include the following:

Downtown revitalization will increase retail employment, create additional commercial assessment and enhance the cultural and social health of the downtown core. Improvements to heritage and cultural facilities will also serve to attract tourists and visitors into the community and improvements to recreation and open space facilities will improve the amenity value of residential neighbourhoods and the commercial core and may potentially create additional tourist attractions for the community.

a) Municipal Infrastructure

Improvements to the municipal infrastructure, including roads, sidewalks, streetlights, water distribution system, sanitary sewers and storm sewers are required. Where applicable, these projects should be included in the municipality's capital works program so that a co-ordinated and cost-effective approach to remedying these deficiencies can be instituted.

b) Streetscape Enhancement

Commercial Core area streetscape improvements are required to improve the physical attractiveness of the downtown shopping environment which could help to strengthen the economic viability of this area.

c) Façade and Marketing Study

A façade study of the downtown area is needed to investigate the potential for enhancement of existing commercial buildings, together with an assessment of downtown area market forces and potentials for commercial and tourist development.

d) Commercial Core Area Parking

The efficiency and accessibility of core area off-street parking should be improved. The municipality should explore the possibility of improving existing parking areas. The feasibility of leasing or purchasing private lands convenient to core area establishments should also be investigated.

e) Stirling Railway Station

The Old Railway Station, now abandoned, is recognized as a unique historical building. The building requires some exterior and structural repairs to restore it to a usable condition. Restoration of this building could induce additional visitor and tourist traffic into Stirling—Rawdon and enhance awareness of local history and heritage. The municipality has already purchased the land on which the building is located.

f) Open Space/Recreation Areas

The municipality shall continue to improve landscaping, recreational facilities and outdoor furniture in the public parks. Required playground equipment, seating and picnicking facilities, lighting and other improvements will be provided as funds become available.

The Mill Pond: The Mill Pond, located north of the Municipal Offices, and Rawdon Creek, which runs through the centre of the urban area, should be considered as recreation-oriented resources which could be developed in the future. The Mill Pond could be developed as a year-round recreation facility with passive and active outdoor recreation and possibly fishing in the summer, as well as skating in winter. As the pond is located at the Belleville Road entrance to the urban area and is adjacent to the downtown core, a recreation facility at this location would act as an attraction for out-of-town motorists and would enhance the viability and attractiveness of the downtown in the Mill Street, James Street and Front Street East area.

Rawdon Creek: Rawdon Creek could become the focus for a linear walking or bicycle path and could be used to link existing and proposed open space areas such as the Mill Pond and Henry Street Park. Environmentally sensitive areas surrounding the creek could form the basis for this park system.

The initial stages of this project could be undertaken in conjunction with proposed downtown core streetscape renovations, specifically those relating to improving visual and physical access to the creek from Mill Street and providing new commercial facilities at the rear of buildings adjacent to the creek. Spin-offs would include increased recreation opportunities for residents and enhancement of the downtown core, which would help to attract out-of-town shoppers and strengthen local commercial activities.

g) CN Railway Allowance

The CN railway allowance, which runs through the centre of the urban area, is now abandoned. There is potential in the future of opening this allowance as a municipal road to service currently landlocked properties. This project will involve purchasing the CN allowance and constructing the road (part of which might be funded as a local initiative project).

h) Shade Tree Program

There is a need for ongoing rejuvenation of the municipality's existing tree network. A comprehensive street tree maintenance and planting program will ensure that appropriate species and planting locations are established.

i) Lands of the Brown Shoe Company

The lands located at #27 Elaine Crescent are recognized as having significant potential for redevelopment and contributing to the employment base of the Community,

9.20.5 Implementation

Council shall implement the general principles and policies of Community Improvement as follows:

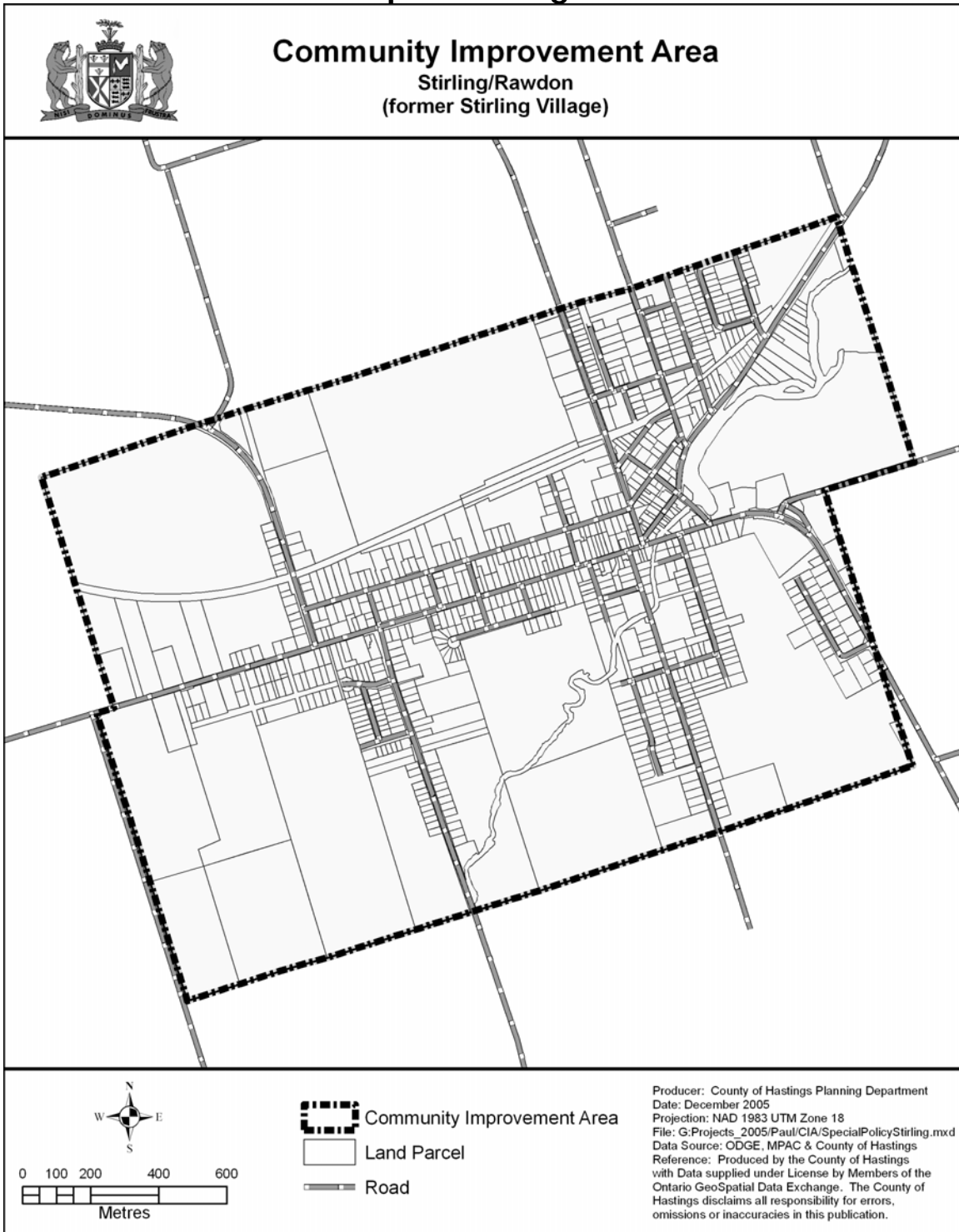
- a) through the identification of specific community improvement policies and the preparation of Community Improvement Plans,
- b) through participation in programs with senior levels of government,
- c) through enforcement of the municipality's Property Standards By-law,
- d) through the acquisition of land to implement the objectives of these policies,
- e) by encouraging the establishment of a Business Improvement area (BIA) to enhance the viability of the central business district through streetscape improvements and a marketing assessment,
- f) through the encouragement of the orderly development of lands as a logical and progressive extension of development which provides for infilling of underutilized lands,
- g) through regular review of Official Plan and zoning documents to ensure that enough industrial and commercial land is identified to satisfy future demand, that current policies and regulations facilitate and encourage growth in the commercial and industrial sectors and to ensure that current planning regulations allow for conversion of underutilized commercial or residential uses to more intensive residential uses,
- h) through the encouragement of the private sector to utilize available government programs and subsidies,
- i) through the encouragement of rehabilitation of existing buildings and structures which may adapt to an alternative use compatible with the surrounding community,
- j) through the application of the Ontario Heritage Act in terms of the creation of a Local Architectural Conservation Advisory Committee and subsequently, the possible designation of buildings and heritage districts in accordance with the Act and policies of Section 9.20.3,

- k) through the initiation of necessary additional studies or assessments, such as those regarding marketing, architectural facades, streetscape enhancement and water quality improvements in Rawdon Creek and the Mill Pond,
- l) through entering into agreements with developers regarding Site Plan Control and subdivision approval procedures,
- m) Council shall have regard for the phasing of improvements in order to permit a logical sequence of events to take place without unnecessary hardship on area residents and the business community. The improvements should be prioritized, having regard for the need and municipal funding available.
- n) in selecting community improvement projects, Council shall review each project to ensure that it adequately fulfills the objectives of Community Improvement specified in Section 9.20.1 as stated above.
- o) Local Municipal Council may encourage community improvement initiatives by offering financial incentive programs under an approved Community Improvement Plan. The community Improvement Plan may include grants, loans, or tax assistance, including the offset of fees or charges, which are offered to property owners, tenants, or assignees under applicable sections of the Planning Act and Municipal Act.
- p) Council Shall encourage the rehabilitation of environmentally compromised land or buildings through appropriate remediation.
- q) For the purposes of this section, the term "rehabilitation" shall mean any effort that results in the productive reuse of lands, building, facilities or infrastructure within the Community Improvement Project Area.

9.20.6 Delineation of a Community Improvement Area

The Community Improvement Area for the Municipality of Stirling-Rawdon shall be all of the area designated as "Urban" in this Plan as shown below.

Lands subject to Community Improvement Policies – Township of Stirling-Rawdon



9.21 York River Flood Plan Policy: Town of Bancroft

It is the policy of this Official Plan and the Ontario Government to regulate development in hazardous areas. These are those areas which have inherent environmental hazards such as flood susceptibility, erosion susceptibility, unstable soils or other physical conditions which, if developed, pose a risk of loss of life, property damage and social disruption. These areas are therefore generally undesirable for urban development.

Floodprone lands are a specific category of hazard which are delineated on the attached map as the “floodway” and “flood fringe” of the York River.

9.21.1 Floodway Policies

The following policies apply to the “floodway” area adjacent to the York River:

- a) The uses permitted within the floodway are limited to activities or facilities for such land uses as conservation, nurseries, wildlife areas, public or private parks and outdoor recreation facilities. Fill, major alteration of existing contours and new construction are prohibited except where required to accommodate the activities of a public utility or authority subject to the approval of the municipal Council pursuant to the Flood Damage Reduction Program.
- b) Within the floodway, the renovation of existing development and the restoration of any building damaged or destroyed by fire or an act of nature may be permitted subject to the approval of Council in conformity with the Flood Damage Reduction Program and may require the implementation of satisfactory flood damage reduction measures.
- c) Where the renovation or restoration of existing structures is to be undertaken, the flood damage reduction measures may include:
 - (i) structural design to withstand hydrostatic forces and preferably no basements,
 - (ii) building materials not subject to deterioration, if flooded,
 - (iii) sanitary sewers should be tight against inflow and the capacity of any sewage pumping station should be adequate to prevent sanitary sewers from surcharging and causing basement flooding,
 - (iv) no building opening to habitable portions of residential buildings shall be below the Regulatory Flood Level,
 - (v) in connection with the renovation or restoration of existing structures, where site conditions do not permit a building elevation above the regulatory Flood Level, special measures may be permitted for non-residential buildings. Such measures may include:
 - doors and windows designed to withstand hydrostatic forces,
 - all mechanical, electrical and heating equipment located above the Regulatory Flood level,

- access and parking areas shall be floodproofed to a minimum of .3 metres below the Regulatory Flood level,
- all building contents should be capable of being floodproofed or moved above the Regulatory Flood level.

9.21.2 Flood Fringe Area

The flood fringe area identifies lands where development may take place provided the following requirements are satisfied:

- a) approval of the municipal Council in conformity with the Flood Damage Reduction Program is obtained prior to development,
- b) the development incorporates flood damage reduction measures, such as:
 - (i) structural design to withstand hydrostatic forces and preferably no basements,
 - (ii) building materials not subject to deterioration,
 - (iii) sanitary sewers should be tight against inflow and capacity of any sewage pumping station should be adequate to prevent sanitary sewers from surcharging and causing basement flooding,
 - (iv) no building opening to residential buildings shall be below the Regulatory Flood Level subject to consideration of N.H.A. floodproofing criteria where appropriate,
 - (v) where the renovation or restoration of existing structures is to be undertaken where site conditions do not permit a minimum opening elevation above the Regulatory Flood Level, special measures may be permitted for Non-residential buildings. Such measures may include:
 - doors and windows designed to withstand hydrostatic forces,
 - all mechanical, electrical and heating equipment located above the Regulatory Level,
 - all building contents should be capable of being floodproofed or moved above the Regulatory Level,
 - no building opening shall be more than 1 metre below the Regulatory Level,
 - access and parking areas shall be floodproofed to a minimum of 0.3 metres below the Regulatory Flood Level.

9.21.3 Implementation

The policies for the floodway and flood fringe areas shall be implemented as follows:

- a) by provisions in the municipal zoning by-law and the use of an "f" appended to the basic zone category (e.g. "R1(f)") to denote lands which may be developed in conformity with the requirements of the applicable zone once provision has been made for the incorporation of appropriate flood damage reduction measures,
- b) where required, by site plan control and subdivision agreements pursuant to Sections 41 and 51(b) of the Planning Act,
- c) by land dedication through the subdivision and consent processes,
- d) by acquisition of land by the Town of Bancroft, the Ministry of Natural Resources and/or by other public or private groups or agencies,
- e) by placing "Hazard" lands in a separate classification in the implementing zoning by-law.

York River Flood Plan Policy: Town of Bancroft



9.22 Stirling—Rawdon Special Policy Area

9.22.1 Basis

Lands in the vicinity of Rawdon Creek within the former Village of Stirling were originally designated as being susceptible to flooding and, hence, development control, on the basis of the Regional (Timmins 1961) storm criteria. Although for the most part, the use of the Timmins storm floodline presented no problems, it did serve to severely limit development in the downtown area. Therefore, the Secondary Plan for the Stirling Urban Centre made provision for the use of the less onerous 1 in 100 year floodline in selected parts of the village (i.e. the downtown) when it became available.

The 1 in 100 year mapping was completed in August, 1985 by the Lower Trent Region Conservation Authority (LRTCA) and the Secondary Plan was modified to allow the 1 in 100 year data to be used as the standard for development control in the area bounded by Front Street and Mill Street in the south, Victoria Street in the north, North Street in the west and Edward Street in the east, as follows:

- a) lands above the 1 in 100 year floodline may be developed without the need for the use of flood proofing measures,
- b) Development of those lands to the north of Rawdon Creek which are situated below the defined 1 in 100 year floodline shall be permitted where such development is floodproofed to .3 metres above the defined 1 in 100 year floodline,
- c) Development of those lands to the south of Rawdon Creek situated below the 1 in 100 year floodline shall be permitted provided such development is floodproofed and providing the design of such development will not affect the anticipated flow of water across the lands in the event of a major storm event. This more restrictive floodproofing requirement was considered appropriate for this area in that the lands will provide the drainage course for waters overspilling the Rawdon Creek during a storm event that exceeds the 1 in 100 year event, and
- d) The accompanying map serves to ensure that the general public is aware that even though development is to be permitted within the “special policy area”, the lands are still at risk from flooding in the event of the occurrence of a “Timmins Storm” event.

9.22.2 Details

Engineered floodline mapping based on “Timmins” and “1 in 100 year” storm criteria has been prepared by the Lower Trent Region Conservation Authority (LRTCA) for Rawdon Creek within the (former) Village of Stirling. It is the intent of this Plan that the floodline mapping based upon the “Timmins” storm criteria generally be utilized as the basis for the preparation of the implementing zoning by-law. However, recognizing the importance of the urban area’s central business district (CBD) to the economic well being of the community, this Plan further intends that the CBD be established as a “Special Policy Area” in which the floodproofing level based upon a minimum of the 1 in 100 year storm event shall provide the basis for the application of zoning.

The accompanying map in conjunction with the engineered floodline mapping prepared by the LTRCA shall be used in the preparation of the implementing zoning by-law that will implement the policies of this section. As more detailed floodline mapping becomes available, local Council shall amend the zoning by-law accordingly, as development proposals are made.

a) Special Policy Area

The provincial government has established policies for the management of floodplain lands in Ontario. The objectives of the provincial policies are to prevent the loss of life, to minimize property damage and social disruption and to encourage a co-ordinated approach to the use of land and the management of water.

The government's policy is that the regulatory flood for designation of floodplains in Ontario be defined as the Regional Flood or the 1 in 100 Year Flood, whichever is greater. As a rule, within the floodway of the floodplain, no new development is to be permitted.

Conservation Authorities in Ontario and the Ministry of Natural Resources, in co-operation with the affected municipality, have the option of the selective application of the "Two Zone" concept of a Floodway—Flood Fringe delineation of the floodplain.

In such cases, the floodway may be based on the 1 in 100 Year Flood for those areas where the Two Zone concept is adopted to control land use. New development in the Flood Fringe is to be protected to the level of the Regulatory Flood by suitable flood damage reduction measures.

However, it is also the government's policy that where a strict application of the regulatory flood or a Two Zone concept is not feasible and adequate justification to depart from the stated objectives is rationalized, a concept of a "Special Policy Area" status may be recognized and flood controlled development may be permitted subject to the approval of the local Conservation Authority, the Ministry of Natural Resources and the Minister of Municipal Affairs & Housing. Such approval is confirmed as a matter of policy in the local Official Plan in effect after full public involvement.

Given the above, because the Regulatory Floodline is extensive and encompasses substantial portions of the urban area's Central Business District (CBD) and because floodproofing to the Regulatory Floodline would not be feasible due to its aesthetics and the elevation that is required, the Two Zone concept was not considered practical for application in the commercial core. Consequently, in accordance with Provincial guidelines and on the basis of the recommendations set out in the 1985 report addressing the Rawdon Creek floodplain, prepared by Kilborn Limited for the Lower Trent region Conservation Authority, the area in the Central Business District of the urban area of the Municipality of Stirling—Rawdon bounded approximately by Front and Mill Streets in the south, Victoria Street in the north, North Street in the east and Edward Street in the east has been identified on the accompanying map as a "Special Policy Area" for the watershed of Rawdon Creek.

Within the "Special Policy Area" it is intended that development be permitted in accordance with the land uses identified on Appendix "E" of this Plan that are located within the boundary of the Special Policy Area. To ensure clarity, this Plan intends that development be permitted on lands floodproofed to a minimum of the 1 in 100 Year Floodline and that development below the defined 1 in 100 Year Floodline only be undertaken in accordance with the "Environmental Protection" policies of this Plan.

Notwithstanding that development will be permitted within the defined Special Policy Area, individuals intending to erect new buildings or renovate existing buildings should be aware that flooding to the "Timmins Storm" flood level is a real possibility and that the remedial works that have been undertaken along the Rawdon Creek shoreline and the floodproofing works contemplated by Sections d) (i), (ii) and (iii) as follow will not prevent properties within the Special Policy Area from flooding in the event of the occurrence of a "Timmins Storm" event.

- b) The boundaries of the flood fringe area north of Rawdon Creek are based on the engineered "1 in 100 year" floodline prepared by the Lower Trent Region Conservation Authority (LTRCA) and the boundaries of the flood fringe area south of Rawdon Creek are based on the engineered "Regional Storm" floodline prepared by the LTRCA. The lands included within these areas have been identified as having potential for development providing certain remedial measures are taken to protect buildings and structures from flooding and to ensure minimal problems in the event of a major storm event.
- c) Existing buildings, structures and uses located in areas of the flood fringe north of Rawdon Creek shall be recognized as legally conforming uses in the implementing zoning by-law. The enlargement or expansion of existing buildings, structures or uses in this area shall conform to the applicable floodproofing measures, as follow:
- d) The following policies shall apply to development within the flood fringe areas both north and south of Rawdon Creek:
 - (i) The development or redevelopment of lands within the flood fringe shall only be permitted if all buildings or structures are floodproofed. For the purposes of this Plan, "floodproofed" shall mean measures that are taken to ensure that a building or structure is safe from flooding which more specifically means that openings of any kind such as windows, doors, vents, in and out coming services and utility installations shall be located a minimum of 0.3 metres above the engineered 1 in 100 year floodline of Rawdon Creek as delineated on the floodline mapping forming part of the "Flood Damage Reduction Study for Rawdon Creek" prepared by Kilborn Limited, for the Lower Trent Region Conservation Authority, in August 1985.

Prior to the establishment of development, a Site Plan and/or Profile Plan acceptable to the municipality, shall be submitted by the developer/applicant indicating:

- the location and use of all existing and proposed structures,

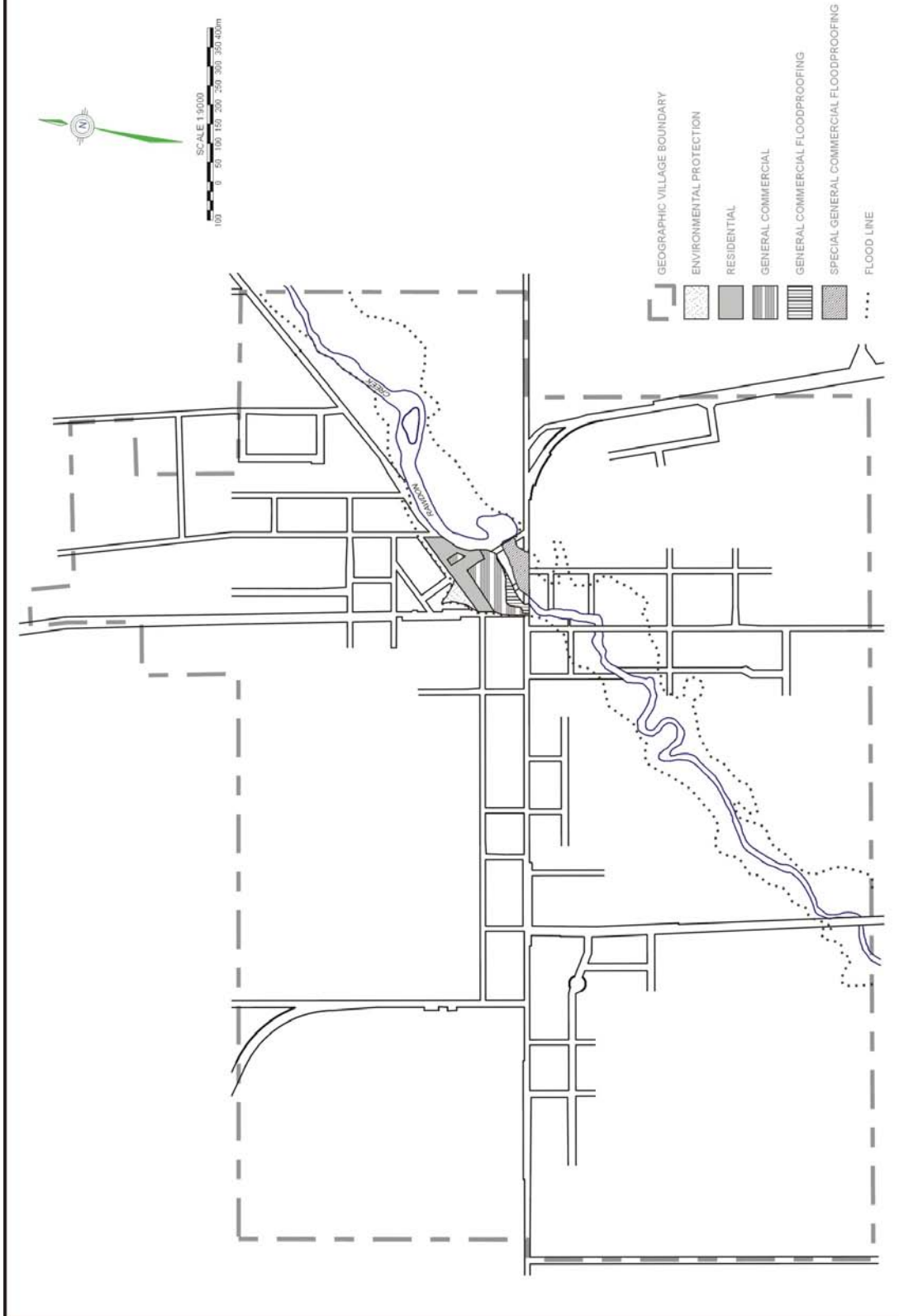
- the finished building grades, the elevation of building openings and areas to be filled,
- the existing and final contours at 0.5 metre intervals,
- the erosion and siltation control procedures, and
- the location of the flood elevations.

In addition, the municipality may request technical advice and/or information on flood prone lands from the Lower Trent Region Conservation Authority.

- (ii) In addition to the requirements of (i) above, development or redevelopment on lands in the flood fringe south of Rawdon Creek shall only be permitted when Council, in consultation with the Lower Trent Region Conservation Authority, is satisfied that the nature of the proposed works will not affect the anticipated flow of water across the lands in the event of a major storm event.
- (iii) The development or redevelopment of lands located in the flood fringe to the north of Rawdon Creek shall only be permitted if all buildings or structures are floodproofed to the regulatory flood level where practical/feasible but in no situation shall floodproofing be less than the 100 year.
- (iv) Lands situated within the "Rawdon Creek Special Policy Area" shall be zoned in the implementing zoning by-law in separate categories which may be the same or similar to the land uses delineated on Appendix "E".
- (v) Pursuant to Section 35 of the Planning Act, the implementing zoning for lands within the flood fringe area may provide for the use of holding (h) zones which will denote that lands so zoned may be developed in conformity with the requirements of the applicable zone once the provisions of the "h" symbol have been satisfied. The "h" symbol provisions may be satisfied after consultation with the Lower Trent Region Conservation Authority and once provision has been made for the appropriate design of the proposed works and/or the undertaking of appropriate floodproofing measures.

STIRLING-RAWDON - VILLAGE OF STIRLING

SPECIAL POLICY FLOOD MAP

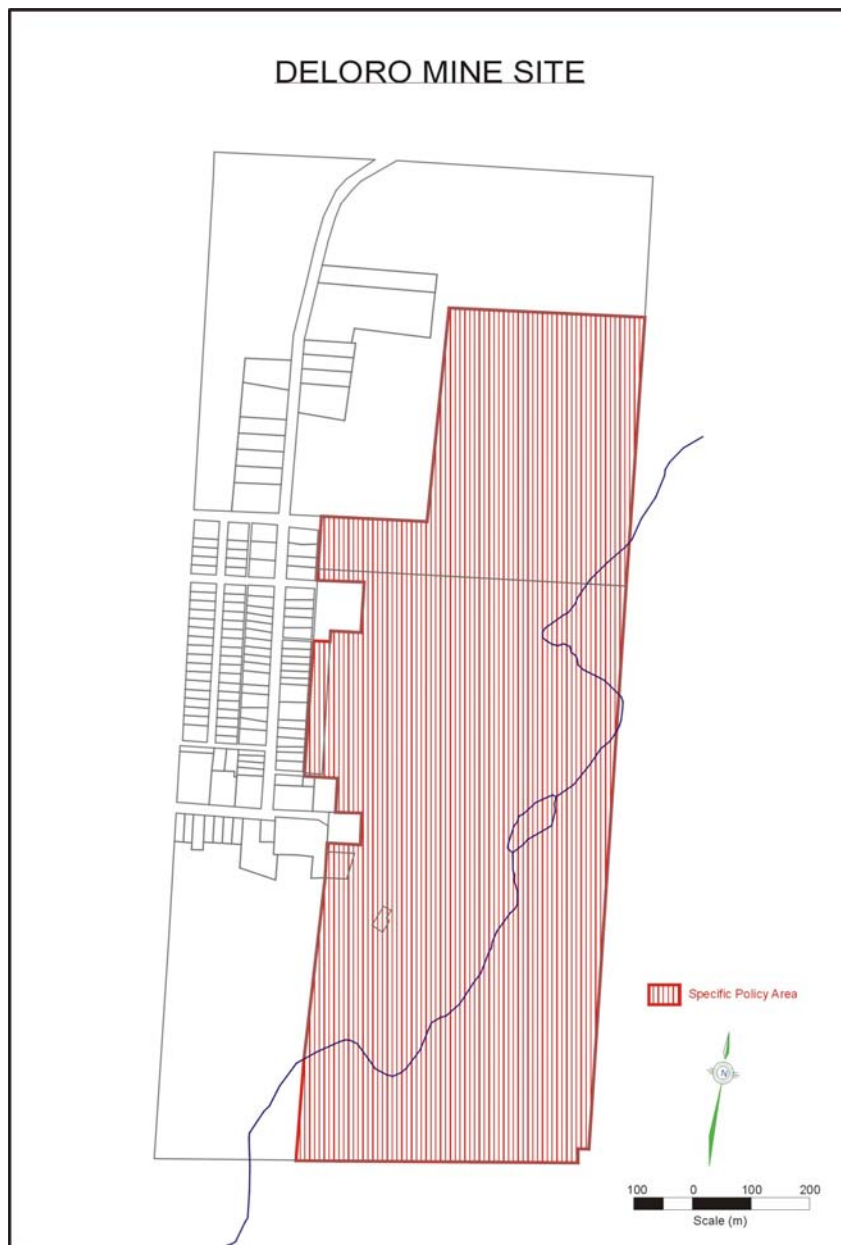


9.23 Deloro Mine Site

Within the “Hamlet” area of Deloro, specific policies apply to the site of the former Deloro mine, identified on the map below. This area contains a variety of identified inorganic contaminants, deposited as a result of the past mining and processing activities on the site.

The need for rehabilitation has been recognized and activities are ongoing to contain, remove and/or remediate the contaminated materials.

Permitted uses in the subject area shall therefore be limited to the rehabilitation and remediation of the lands in accordance with the program of the Ministry of the Environment, which includes the storage of hazardous wastes which originated on the site of the Deloro mine and its associated operations only.



Appendices

Appendix 1
Urban Area Land Use Schedules

Appendix 2
Ontario Drinking Water Quality Objectives

TABLE 1: HEALTH-RELATED BACTERIOLOGICAL PARAMETERS

PARAMETER	Ontario Drinking Water Objective (See Note 1)	COMMENTS
<i>Escherichia coli</i>	0	Indicators of contamination
<i>Fecal coliforms</i>	0	
<i>Total coliforms</i>	0	Indicator of possible or potential contamination

-
1. These are expressed as the plate count per 100 ml of sample. Every bacteriological sample must be submitted for analyses for all the above and the lab reports must be accompanied by a report of the chlorine residual as measured at the time of sampling.

Exceedances must be explained and any re-sampling must be fully documented with respect to chlorine residual, rates and duration of pumping, etc.

While the stated ODWO for Total Coliform is 0 counts per 100 ml of sample, it is recognized that the objective has been set as an indicator of inadequate disinfection within the distribution systems associated with water works. For private water wells not subject to approval under the OWRA, the MOEE and Health Units have historically used the limit of <5 counts per 100 ml in the absence of a chlorine residual as indicating acceptable water quality. For the purposes of the assessment described by this Guideline, Total Coliform counts of less than 6 per 100 ml of sample (and 0 for *E. coli* and fecal coliforms) shall be considered as indicative of acceptable water quality.

The chlorine residual must be zero before any bacteriological sample can be taken.

TABLE 2: HEALTH-RELATED CHEMICAL AND PHYSICAL PARAMETERS

PARAMETER	Ontario Drinking Water Objective (See Note 2)	COMMENTS
<i>Nitrate (as N)</i>	10.0 mg/L	contamination indicator; exceedance may be dangerous to infants and others
<i>Nitrite (as N)</i>	1.0 mg/L	contamination indicator
<i>Nitrate plus Nitrite (as N)</i>	10.0 mg/L	contamination indicators
<i>Sodium</i>	20 mg/L (see note 3)	levels may be significant for persons with medical conditions requiring low-salt diets
<i>Turbidity</i>	1 NTU or 1 FTU (see note 4)	could indicate problems in well construction or a naturally occurring problem; may interfere with water treatment
<i>Other parameters</i>	(see note 5)	

2. Except for sodium, the Ontario Drinking Water Objective for parameters in Table 2 are Maximum Acceptable Concentrations under the Ontario Drinking Water Objectives. Units of measure and, where required, conversion factors must be provided. For more information on the Objectives, refer to the MOEE publication entitled "Ontario Drinking Water Objectives".

3. This health-related limit is a "warning level" only. Exceedance calls for a recommendation that the local Medical Officer of Health be notified in order to alert persons with relevant medical conditions. Sodium also has an Aesthetic Objective of 200 mg/L (see Table 3).

If water softening is used, a separate tap supplying unsoftened water should be used for drinking purposes.

4. NTU = Nephelometric turbidity unit; FTU = Formazin turbidity unit. These terms are interchangeable. NTU is the term used in the ODWOs. For the purposes of this guideline, the consultant must note that if turbidity is present, particular care must be taken during testing to ensure that the bacteria requirements of Table 1 are met.

5. See also section 5.5.1: "Raw Water Quality", above, regarding the responsibilities of the proponent or consultant to add parameters where necessary; the consultant must also provide the relevant information on any drinking water quality limits, including those from other jurisdictions.