

# OFFICIAL PLAN



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**OFFICIAL PLAN  
OF THE  
TOWNSHIP OF MONTAGUE**

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**SCHEDULE C – Natural Heritage System**

## SECTION 1 INTRODUCTION

### 1.1 PLANNING ACT CONTEXT

1. Pursuant to Section 17 of the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended, Council is charged with the responsibility for preparing and adopting an Official Plan for the Township of Montague. Pursuant to Section 26 of the *Planning Act*, Council is also required to review and update its Official Plan not less than once every five years. This Official Plan has been prepared in response to Sections 17 and 26 of the *Planning Act* and replaces the 1987 Official Plan of the Township of Montague.
2. Pursuant to Section 26 of the *Planning Act, R.S.O., 1990, Chapter P.13*, as amended, Council shall adopt an implementing Zoning By-law no later than three years after the approval of the Official Plan. Such Zoning By-law shall be adopted no later than three years after any comprehensive (five-year) update to this Plan that comes into effect.
3. The *Planning Act* also provides that, where an Official Plan is in effect, no public work shall be undertaken and no by-law shall be passed for any purpose that does not conform to the Official Plan, with certain exceptions as provided by Section 24 of the *Planning Act*. This Plan will guide Council in its future decision making pursuant to this requirement.
4. In exercising its planning authority, Council shall address matters of Provincial Interest set out in Section 2 of the *Planning Act*. From a policy perspective, this Plan contains policies which are intended to be consistent with Provincial planning interest as expressed in the *2020 Provincial Policy Statement* issued under the authority of the *Planning Act*.
5. Section 17 of the *Planning Act* sets out required processes and procedures for amendments to Official Plans. Council shall be guided by these requirements in dealing with applications for Official Plan amendments from the public, as well as those amendments initiated by Council.

### 1.2 INTRODUCTORY STATEMENT

#### 1.2.1 Title and Components

1. This Plan shall be known as the:

Official Plan of the Township of Montague.

2. The Plan consists of six Sections and three Schedules:

- Section 1 Introduction
- Section 2 General Development Policies
- Section 3 Land Use Policies
- Section 4 Transportation
- Section 5 Implementation and Administration
- Section 6 Interpretation
- Schedule A
- Schedule B
- Schedule C

3. Section 1 is intended to be informative in nature and primarily describes the context, general purpose, and objectives of the Plan.

Section 2 sets out various general policies which apply to all new development, regardless of the land use designation in which it is situated. Among other matters, a number of the policies in Section 2 relate to considerations that must be addressed when undertaking development or site alteration due to the existence of various features, constraints, existing uses or land use designations, both on-site and on adjacent lands.

Section 3 contains policies for various land uses that are specific to the land use designations shown on Schedule A.

Section 4 deals with transportation-related policies.

Section 5 sets out policies for the implementation and administration of the Plan. Among other matters, the section sets out the policies applicable to the division of land.

Section 6 provides guidance with respect to the interpretation of the Plan.

Schedule A sets out the land use designations, road status and some of the features that have relevance to the policies in the Plan.

Schedule B is a constraints and opportunities map that identifies various natural features that should be considered in the planning process.

Schedule C is a natural heritage system map that identifies various natural features that should be considered in the planning process.

### **1.2.2 Application**

This Official Plan applies to the entirety of the Township of Montague and replaces the 1987 Official Plan, which was updated in 2012.

### **1.2.3 Intent**

1. This Plan is intended to support several broad land use planning goals aimed at supporting and enhancing the quality of life for those who live and work in, or visit, the Township of Montague. These goals include:
  1. To continue to wisely manage change and accommodate a modest quantity of growth and development in an efficient manner in response to anticipated needs, having regard to economic, social, cultural, environmental, and other considerations;
  2. To preserve and enhance the natural and cultural heritage resources of the Township, and minimize development-related impacts in recognition of the long-term environmental, economic, and other values of these resources; and
  3. To take a proactive approach to potential health, safety, and property damage concerns through either directing development away from areas associated with risks and/or requiring appropriate measures to reduce or eliminate risks.
  4. While pursuing the foregoing goals, the Township seeks to:
    1. Maintain and preserve the Township's character as a scenic rural community, complemented by small pockets of historical settlement areas, areas of cultural and natural heritage value, and a historic agricultural community;
    2. Foster environmentally-sustainable opportunities to live, work and visit in the Township;
    3. Ensure the continued financial health of the Township through responsible land use and other public policy decisions.
    4. Promote the development of the Township's hamlets, especially Rosedale and Andrewsville, as the preferred locations for new growth.
2. The Official Plan is intended to be of use to both private and public interests. Through the Plan, private interests will have a clearer understanding of Council's policies for future development and, hence, be able to plan accordingly. Public interests will benefit by possessing a documented policy framework by which to prepare comprehensive Zoning By-laws and other tools of implementation, make planning and land use decisions, as well as identify and program the delivery of needed services and facilities in a cost-effective way.



### **1.2.4 Scope**

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

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

### **1.2.5 Planning Period**

This Official Plan is intended to guide the future development of the Township to the year 2028. The reader is cautioned, however, that the Plan has been prepared on the basis of existing conditions and information available at the time of the Plan's preparation. An Official Plan should be viewed as a work in progress and it is intended that as conditions change, as new information becomes available, and as the understanding of issues and priorities change, there will be a need to review various policies from time to time. Pursuant to Section 26 of the *Planning Act*, Council intends to review this Plan not less than once every five years to determine the need to update the Plan.

## **1.3 BASIS AND OBJECTIVES**

### **1.3.1 General**

This Plan replaces the 1987 Official Plan which was prepared prior to a number of major Provincial policy and legislative changes that occurred from the mid-1990s through to 2008. Accordingly, while Council regards the philosophy and locally-oriented policy directions of many of the policies contained within the 1987 Official Plan as still being relevant, this new Plan ensures that current Provincial interests are addressed and that growth-dependent planning policies are appropriate. This Plan contains policies to address both provincial and local planning interests.

During the course of the preparation of this Official Plan, an Official Plan Steering Committee, composed of Council and members of the Economic Development Committee, met regularly as a working committee to provide advice and guidance on the development of this Plan. This Plan reflects their input, as well as that of stakeholders from the wider community of local interest groups and associations, governmental and other agencies, and the general public.

The policies set out in this Official Plan have been determined by historical development patterns, existing circumstances, and present trends, as well as certain fundamental

principles that have been identified in the preparation of the Plan. Collectively, the foregoing influences have shaped the direction of the basis and objectives of this Official Plan.

### **1.3.2 Basis of the Plan**

The Township of Montague is a rural municipality located in the southeastern corner of Lanark County. Sharing a common municipal boundary with the City of Ottawa, the Township lies immediately southwest of Canada's National Capital region. As a rural municipality of approximately 280 square kilometres, the Township is bordered by the Township of Beckwith to the northwest, and the Township of Drummond-North Elmsley and the Village of Merrickville-Wolford to the west and south respectively. The Township borders the historic and scenic Rideau River along the southern boundary, and shares common municipal boundaries with the Town of Smiths Falls and the Village of Merrickville-Wolford. All areas of the Township are within a one-hour drive of downtown Ottawa, offering Montague residents urban amenities within a short drive, as well as a peaceful rural atmosphere right at home. It is interesting to note that the Township is one of a number of municipalities in eastern Ontario that are connected by the historic Rideau Canal waterway.

The Township recognizes that the Anishinaabe peoples were the first to inhabit Montague Township and that historically significant places that hold sacred importance for indigenous communities may exist within Montague Township.

Montague Township was first settled by Loyalists in the late 1700s, followed by Irish immigrants in the early nineteenth century. Early settlement found the development of schools, churches, farmsteads, and cheese factories throughout the Township, but later these declined in favour of adjacent towns such as Smiths Falls, which grew more rapidly than traditional rural communities entrenched in an agricultural way of life. The landscape and soils of Montague presented limitations for sustaining agriculture, and as nearby urban centres provided new amenities and opportunities for employment, the Township's population began to decline.

The Township's rural landscape is marked by six settlement areas - Andrewsville, Kilmarnock, Nolan's Corners, Numogate, Rosedale and Walsh Station - most of which provide the historical context of early settlement. Quasi-urban areas on the periphery of the Town of Smiths Falls, though not defined as a settlement area by name, also exhibit settlement area qualities. These built-up areas once supported economic and social functions, however, today they are mostly exclusively residential in nature, and merely resemble 'pockets' of higher density rural residential development rather than possessing village-like qualities. The Township's rich history of early settlement is also observed today through many historical farmsteads, particularly along major historical roadways such as County Road No. 2 (Heritage Drive), County Road No. 43, and Rideau River Road.

The settlement areas of Rosedale and Andrewsville are viewed as the most desirable areas for new development. By virtue of its existing residential character, the presence of the community hall, proximity to the public school, and its central location to the Township, Rosedale is viewed as having the greatest potential to accommodate new growth. Andrewsville, by virtue of its proximity to the City of Ottawa, the Village of Merrickville, and the historic Rideau Canal, is also viewed as having the potential to attract growth opportunities. In fact, localized soil conditions in the Andrewsville area that provide for improved aquifer protection, make Andrewsville an ideal location for new development to occur, relative to other areas in the Township.

Montague's past and present is notable for its relationship with the Rideau River, portions of which comprise the Rideau Canal. The Rideau Canal, consisting of a series of rivers, lakes, and connecting man-made and natural channels that form a continuous 200 kilometre waterway from Kingston to Ottawa, comprises approximately 30 kilometres of shoreline along the southern boundary of the Township. Built by the British between 1826 and 1832, the Rideau Canal is now a UNESCO World Heritage Site that attracts visitors from around the world for its unique cultural and natural qualities. Several historic, yet operational Rideau River lockstations exist as cultural features along reaches of the Canal that border Montague. These lockstations are a unique form of built heritage, and when combined with historic farmsteads and reaches of largely unspoiled natural shorelines, the Township offers beautiful scenic vistas, glimpses of Montague's historic past, as well as wonderful recreational opportunities for outdoor enthusiasts. These features combine to create the unique blend of cultural and natural histories.

In recognition of its construction and survival, the Rideau Canal was designated a National Historic Site in 1926. In 2000, the Rideau River was designated a Canadian Heritage River, and in 2007, the Rideau Canal received a UNESCO World Heritage Site designation. This Official Plan recognizes the significance of the Rideau Canal and acknowledges that the *Rideau Canal Management Plan* is a critical component towards maintaining this valuable cultural and natural resource. Through policies contained within this Plan, together with the policies of the *Rideau Canal Management Plan* and the *Rideau Canal World Heritage Site Management Plan* the Township recognizes that there is a shared interest in promoting and protecting the Rideau Canal UNESCO World Heritage Site as an important natural and cultural resource, not only as a unique feature in eastern Ontario, but also as an internationally-recognized jewel.

Historically, the Township of Montague has attempted to preserve its rural flavour while accommodating a level of growth and development that is consistent with the abilities of the Municipality to provide an appropriate range and level of services to its ratepayers. This implies that this Plan will, in relation to matters of local interest and control, build upon the directions established in the 1987 Official Plan. Council's vision embraces the philosophy that a slower pace of rural life will attract urbanites who share an appreciation for country living within reach of the amenities of major-city and small-town urban environs.

The basis of this Plan is to continue to maintain the rural character, scenic qualities and rich natural and cultural heritage amenities of the Township while providing a modest growth in housing and employment opportunities. By building on the Township's strength as a bedroom community to the City of Ottawa and other small nearby urban centres such as Smiths Falls, Carleton Place and Perth, the Township aims to foster economic opportunities that stem from its relative proximity to nearby Ottawa. The Township intends to promote opportunities for home-based businesses, bed and breakfast establishments, as well as small-scale rurally-oriented commercial uses to serve residents and visitors to the Township.

The Township of Montague is fortunate to have an airport within its municipal borders. Known as the Russ Beach Smiths Falls/Montague Airport, the airport is located centrally to the Township, just off Roger Stevens Drive (County Road No. 4). The airport offers a 1200-metre (4000-foot) hard-surfaced runway equipped with lighting and airport-related services that can accommodate a range of aircraft up to small corporate jets. Given the proximity of the airport to major urban centres such as the City of Ottawa, and smaller urban centres in Lanark County, the Russ Beach Airport has tremendous potential to be an economic and social contributor to the Township and the surrounding area in general. To this end, this Plan incorporates policies that will promote the airport as an important component of the municipal infrastructure that has the potential to service local and regional economies.

This Plan encourages the growth and development throughout the Township, while recognizing constraints and limitations to development imposed by the natural environment. Extensive areas of wetland throughout the Township will continue to pose significant limitations on where rural development will occur. Further, for reasons related to water quality, findings from the 2003 *Renfrew County – Mississippi – Rideau Groundwater Study* and Provincial policy direction on servicing issues have an impact on the form and extent of appropriate development. The policies of this Plan are designed to promote rural development within this environmental context.

Montague is essentially composed of two distinct population groupings. The first group exists as a predominantly rural and widely-dispersed small-scale agricultural community, with longstanding, historical connections to the Township. The second group is a residential commuter population which makes its home on rural lots or at crossroads that once served as settlement areas, or on quasi-urban lots on the periphery of Smiths Falls. A number of this population work in Smiths Falls, Ottawa and/or at other places of employment in other nearby urban areas such as Merrickville, Carleton Place, or Perth. Perhaps a third, albeit small, readily-identifiable group of ratepayers are recreational property owners, who own seasonally-occupied cottages along the Rideau River.

Some observations and considerations in the development of policies to support the foregoing directions follow:

1. Little population growth is anticipated during the coming years. By the end of this Official Plan's planning period in 2028, the Township's population will be

approximately 4,565 permanent residents. Based on the 2006 census population of 3,595, this translates to an average annual increase of approximately 44 persons. Over the course of the planning period, the average household size is expected to decline in a manner consistent with broad demographic trends from 3.0 persons per household (2006) to approximately 2.7 by 2028. It is recognized however, that numerous variables outside the Municipality's control can influence population and household growth. Some of these are dependent on policies and trends in other jurisdictions that could have a significant impact on land use needs and requirements as set out in the Plan. These factors and the population allocations for the Township of Montague in the Sustainable Communities Official Plan shall be considered when evaluating the need to revise the Plan, pursuant to the "five-year review" requirement of the Planning Act.

2. While there has been considerable variation in lot creation on a year-to-year basis, residential development activity has remained modest in amount over the past decade, and the net increase in new dwellings is anticipated to continue at a rate of roughly twenty-one (net) dwellings per year.
3. Historically, there has been little apparent development interest or activity in the Municipality, with the majority of development occurring in Rosedale and throughout the rural areas of the Township. Observations indicate that some settlement areas such as Rosedale have experienced greater growth pressures than others, whereas places such as Walsh Station have exhibited virtually no new development. Accordingly, this Plan encourages the concentration of new development in settlement areas that exhibit qualities that would favour urban-style development and offer attraction by virtue of their location and function as municipal focal points. To provide for growth opportunities in these areas, the settlement areas of Rosedale and Andrewsville have been enlarged while Walsh Station has been removed from the settlement area designation.
4. In total, settlement areas represent a land area of approximately 437 hectares, with a conservative estimate of approximately 212 hectares being represented as vacant lands with the potential to accommodate new forms of development. Assuming that 15% of vacant lands are required for non-residential uses such as commercial, industrial, and open space, approximately 180 hectares remain available for new residential development. On the assumption that development will occur on the basis of an average residential lot area of 0.8 hectares, the Settlement Area designation provides the potential for the creation of approximately 225 new lots, with the bulk of new lot potential occurring within Rosedale and Andrewsville. After allowing for a modest supply of infill lot creation with Settlement Areas, the expanded Settlement Area designation is anticipated to allow for slightly greater than a 10-year residential lot supply.
5. The Lanark County Sustainable Communities Official Plan has a population allocation for the Township of Montague of 4,857 to the year 2038. The majority of future residential growth will be allocated to the Township's hamlet settlement areas

and primarily to the Hamlets of Rosedale and Andrewsville with limited residential development within the Rural designation of the Township.

6. Past development on the periphery of the Town of Smiths Falls has had the effect of creating quasi urban-style lots, which subsequently necessitated the introduction of piped water services on a remedial basis. In the absence of generally available public sewage services, growth in this area is restricted to the status quo, and will remain as such for the foreseeable future. Accordingly, this Plan includes policies to encourage growth in the other settlement areas located throughout the Township. Some expansion to these areas may be required as growth pressures dictate, subject to a comprehensive review in accordance with the policies of the *2020 Provincial Policy Statement*.
7. The role of the settlement areas has been limited in terms of their contribution towards economic development and the provision of local services to the broader rural community. This Plan recognizes that the Town of Smiths Falls and the City of Ottawa will continue in their present role as the major providers of goods, services and employment opportunities, but shall seek to create opportunities for its residents within the municipality.
8. Historically, the Township has had limited commercial or industrial enterprises within its borders, however, it recognizes the importance of economic activities in terms of contributions to the tax base and providing local employment opportunities. The Township has established the “Montague Business Park” located north of Smith Falls on Highway #15 as the Township’s primary employment lands. The Township shall promote the business park and encourage new commercial/industrial investment in efforts to achieve a balanced economic base.
9. Land-based and resource-based economic activities such as agriculture and mineral aggregate extraction remain important to the Township. Major resource-based industries such as mineral aggregate operations are likely to continue to be important economic and employment generators for many years to come. Although the Township has a long history of agriculture, today agriculture is not a significant source of employment. Given the limited quality of soils for agricultural purposes and the evolving nature of agriculture, agriculture is not regarded as a sector with significant growth potential.

### **1.3.3 Objectives of the Plan**

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

### General

1. To preserve and enhance the rural character and natural beauty of the Township through regulating the nature and form of new development and encouraging it to locate in designated Settlement Areas, wherever feasible and appropriate.
2. To protect existing land uses from the impacts of incompatible development and to ensure that new or expanding uses are well integrated into existing developed areas.
3. To establish detailed land use policies to be used as the basis for evaluating development proposals, particularly in those instances where such proposals may be in keeping with some objectives but in conflict with others.
4. To conduct planning with an open process, producing policies which are fair in their distribution of benefits and influences.
5. To promote development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.
6. The Township will work towards building a constructive, cooperative relationship with Indigenous Communities through meaningful engagement, to facilitate knowledge-sharing in land use planning processes and informed decision-making.

### Economic

1. To build on the Rideau Canal as a major international tourism attraction, by supporting opportunities for home-based businesses and businesses related to the travelling public. This includes opportunities for bed and breakfast ventures as a moderately-priced alternative for visitors and travellers to find lodging within a stone's throw of the Rideau Canal and Canada's National Capital.
2. To promote and encourage new development that will take advantage of the Russ Beach Airport.
3. To encourage steady, diversified and balanced economic growth that strengthens the non-residential component of the assessment base and provides a range of employment opportunities in order that young people will choose to stay in the Township, or return to it after pursuing educational opportunities in larger urban centres.
4. To ensure that land use designations and related policies foster economic growth and diversification, including opportunities for home-based and tourism-based businesses. This includes strengthening the role and enhancing the function of the settlement areas as local residential, social, commercial, and cultural centres that cater to local residents and travellers.

5. To support both existing local businesses and agricultural producers in recognition of their role in providing employment opportunities and locally-available goods and services.
6. To encourage both traditional and non-traditional agricultural businesses through protecting farmland as well as the farmer's right to develop the land.

#### Energy and Housing

1. To encourage, within the constraints imposed by reliance on private individual sewage and water services, the provision of an adequate supply and range of housing types and supporting amenities to satisfy the needs of existing and future residents.
2. To promote energy efficient development and foster the implementation of alternative and renewable energy sources in a manner that will be compatible with adjacent and surrounding land uses.
3. To support the maintenance and enhancement of services related to the elderly and those with special needs.
4. To promote environmentally-sound development and energy conservation practices through the planning and development approval processes.
5. To provide an appropriate range of opportunities for living in the rural area and settlement areas. In this regard, residential opportunities will be provided in an environmentally-sustainable manner, and on a basis consistent with the philosophy that only a limited quantity of new residential development should occur within the rural area.
6. To preserve the historical sense of community in the settlement areas, the rural area, and the Township as a whole.

#### Natural and Cultural Heritage

1. To ensure the conservation of the historic and scenic character of the Rideau Canal as a Canadian Heritage River, National Historic Site, and UNESCO World Heritage Site, and to ensure that new development sustains these values.
2. To provide for the wise use and protection of natural resources, such as agricultural lands, wooded areas, ground and surface water and mineral resources.
3. To identify and protect environmentally-sensitive areas and to ensure that development is compatible with such areas.



4. To protect significant natural heritage features such as wetlands, habitat of endangered and threatened species, significant woodlands, significant valleylands, significant wildlife habitats, and Areas of Natural and Scientific Interest from development-related impacts.
5. To conserve and protect cultural heritage resources, including a number of existing historic areas, buildings, sites, landmarks, landscapes and archaeological sites.
6. To ensure that significant cultural heritage resources are managed in a manner which protects their functional use while maintaining their heritage value, integrity, and benefit to the community.

#### Natural and Human-made Hazards

1. To minimize risks to persons and property arising from natural hazards such as flooding, organic soils and steep or unstable slopes.
2. To ensure that, in reviewing development proposals, adequate attention is paid to human-made hazards such as contaminated sites or abandoned mine sites, and that remediation of such sites is undertaken, where feasible.

#### Municipal Services

1. To work cooperatively with other public and private bodies, in developing and maintaining sufficient parkland, recreational trails, open space and community facilities to meet the needs of various age and socio-economic groups.
2. To promote a safe, efficient, and well-maintained road network, including the provision of facilities to accommodate cyclists, where appropriate.
3. To provide municipal services at a level consistent with the expectations of Township residents and the capacity of the Township to provide such services.
4. To ensure the continued sound financial and administrative management of the Township.

## SECTION 2 GENERAL DEVELOPMENT POLICIES

### 2.1 INTRODUCTION

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

### 2.2 ECONOMIC POLICY

Residential assessment makes up approximately 92% of the Municipality's tax base. Commercial/industrial assessment represents approximately 5% of the assessment, while the balance is composed of governmental grants in lieu of taxes and farm taxation. Due to the limited extent of commercial or industrial activity within Montague, the importance of economic enterprises in terms of contributions to the tax base, providing local employment and enhancing the tourism and recreational sectors of the economy is readily understood. This Plan contains policies that support economic development based on the encouragement of increased support to its existing commercial, industrial, tourism and recreation base.

Council regards Montague Township as a community where, in recent years, there has been a limited amount of growth in residential and commercial sectors. While aware of the need to maintain the pastoral and historic local landscapes for the enjoyment of residents and visitors alike, the Township seeks to assure its continued economic viability and augment opportunities for its residents to continue to make the Township their home and place of work. This Plan supports and encourages home based businesses as an important component of the Township's economic base. The Zoning By-law shall contain provisions which recognize home based businesses as economic incubators that are of an appropriate scale and nature to be located within residential and rural areas. The Zoning By-law shall also contain provisions which permit rural based home occupations within accessory buildings as a means of expanding economic activity in appropriate locations throughout the rural areas of the Township.

As the Township's primary employment lands, the Council shall undertake efforts to establish the Montague Business Park as being "investment ready". The term "Investment Ready" is used to identify lands which have been subject to a level of study which addresses the various policy requirements set out in the Official Plan. The Council may decide to undertake various studies related to servicing, natural environment, traffic, source water protection and archeological, in an effort to reduce the risk to investors and minimize the amount of effort necessary to obtain a building permit. The Township shall also undertake to identify, through the Zoning By-law, an appropriate range of uses for the Business Park that can be serviced by private well and septic system and which respect the Source Water Protection Policies of this Plan. The Council may consider it

appropriate to pre-zone Business Park lands in order to stimulate investment. The development of Business Park lands shall be subject to site plan control, in accordance with the policies of the Official Plan.

When considering any proposed development, and particularly when considering planning applications for new residential development, the Council shall be sensitive to the potential negative financial impacts that may result. It is understood that scattered residential development has limited financial benefits for the Township and may result in increased service demands which are beyond the means of the Township. An example would be where there has been a build-up of residential development along a gravel road which results in a demand/need for the road to be widened or receive a hard surface treatment. Council will attempt to direct development away from areas that may result in increased service level demands.

Council may establish policies which minimize the negative financial impacts of scattered rural residential development and may deem certain applications for residential development as premature until such time as it is satisfied that the development will not have a negative financial impact on the Township's resources. Where Council has concerns in this regard, it may request the proponents to undertake studies which examine these issues to Council's satisfaction.

From time to time, in consultation with the appropriate agencies, Council shall review any increase in municipal costs which is associated with the provision of services, and which is attributed to development activity. The results of these reviews shall serve, in part, as the basis for Council's decisions and recommendations regarding the approval of development proposals. Where appropriate, Council may impose such conditions as it regards necessary to minimize or eliminate such costs, including the adoption of a Development Charges By-law, pursuant to the provisions of the Development Charges Act.

## **2.3 ENERGY POLICY**

1. This Plan supports and encourages opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and renewable energy systems and alternative energy systems, to accommodate current and projected needs. Such facilities may be developed on a small-scale servicing local needs or on a large-scale servicing regional needs.
2. The construction and maintenance of energy production and distribution facilities such as hydro-electric structures, wind, biomass, geothermal and solar energy facilities, or other alternative energy systems that reduce harmful emissions shall generally be supported, provided that such systems comply with all applicable governmental requirements and are compatible with surrounding land uses.

3. In reviewing planning applications such as site plans and plans of subdivision, Council shall encourage the development of plans that support energy conservation and efficiency through techniques such as building design, lot orientation and the use of vegetation.
4. Development proposals that involve energy production and distribution will require the necessary approvals from the relevant approval authorities.

## **2.4 HOUSING POLICY**

1. Policies have been included in this Plan to ensure that:
  1. There is at least a ten-year supply of land designated and available for future residential development;
  2. A variety of housing options are accommodated to meet the needs of present and future residents, including those with special needs such as the elderly and physically handicapped, subject to the limitations imposed by servicing and environmental considerations; and
  3. The provision of new housing is encouraged to take place in the more built-up areas of the Township such as communities designated Settlement Area. The Township recognizes that some multiple-unit and higher density forms of housing may be better suited to urban, municipally-serviced municipalities situated within the regional market area.
2. There are significant existing servicing-related constraints to intensification and infilling within the existing built-up portions on the periphery of Smiths Falls. Accordingly, an attempt will be made to encourage new residential development to occur on vacant or underdeveloped lands in other areas designated as Settlement Area rather than in the settlement areas on the periphery of Smiths Falls and those lands designated Rural.
3. The comprehensive Zoning By-law that implements this Plan shall implement the housing policies referred to above.
4. It is acknowledged that the Township is unable to accommodate all forms of residential development. Further, it is recognized that higher density and multiple-unit residential developments are generally better suited to neighbouring urban, municipally-serviced communities.
5. Despite limitations on the types and forms of housing that can be accommodated, the Township will endeavour to contribute towards ensuring at least 25% of housing provided in the regional market area is affordable to low and moderate households.

This may be achieved through reviewing minimum dwelling unit area requirements in the comprehensive Zoning By-law, as well as through giving consideration to alternative design standards in the development of new subdivisions.

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

## 2.5 EDUCATIONAL FACILITIES

It is the intention of the Township to work closely with the relevant school boards to protect and retain existing educational facilities, determine the need and location for future educational facilities, and integrate educational facilities with the Township's other community facilities.

Where planning applications could significantly affect present or future educational facilities, the school boards will be consulted.

## 2.6 COMMUNITY IMPROVEMENT

1. It is Council's goal to maintain, rehabilitate and upgrade the physical environment in order to enhance the Township as an attractive place in which to live and work, as well as visit as a tourist or business traveler.
2. In order to achieve this goal, it is Council's intention to implement a program of community improvements, as defined in the *Planning Act*, which will fulfill the following objectives:
  1. Throughout the Township, to foster improvements by:
    1. Establishing and maintaining the physical infrastructure which is necessary and appropriate for the various areas and land uses, including storm drainage, roads, lighting, community facilities, etc. In relation to roadway and parking lot lighting, this may include 'dark skies' lighting initiatives on both public and private property in order to avoid light pollution and maintain the natural beauty of the Township's night sky;
    2. Encouraging property owners to take pride in the appearance of their own property and Township lands in general;
    3. Promoting the remediation of former industrial, commercial, and institutional lands that are contaminated, and where feasible, the adaptive reuse of buildings located on these lands;
    4. Encouraging tree-planting initiatives for aesthetic, environmental, solar protection, and other benefits;

5. Supporting and encouraging preservation, rehabilitation, and enhancement of cultural heritage features as spark plugs for the revitalization of their environs; and,
  6. Fostering the improvement of businesses and public spaces to remove barriers which may restrict their accessibility.
2. In traditional settlement areas, to foster improvements by:
1. Striving for an equitable distribution of social amenities to serve various parts of the Township in facilities which are well maintained, well located, and easily accessible;
  2. Ensuring the maintenance of the existing housing stock and encouraging the rehabilitation, renovation, and repair of older dwellings;
  3. Maintaining attractive communities with the necessary physical attributes to create pleasant, easily accessible local service areas;
  4. Providing incentives to foster a healthy local economy for area businesspersons;
  5. Ensuring that proposed changes (additions, alterations, etc.) to existing businesses enhance the area and are compatible with adjacent land uses;
  6. Encouraging the participation of the private sector in community improvement initiatives by involving local merchants, businesspersons, residents, and civic leaders;
  7. Ensuring that the undertaking of specific community improvement projects does not unduly burden the financial capability of the Township; and
  8. Ensuring that when undertaking community improvement projects, due regard is given to compatibility with neighbouring land uses.
3. This Plan designates the entire Township of Montague as a Community Improvement Policy Area.

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

4. Council may establish community improvement project areas, as local municipal resources allow and as government funding becomes available. Council recognizes that improvements will be undertaken gradually and that it will be necessary to select project areas on a priority basis. The following considerations shall be taken into account in determining high priority areas for community improvement:
  1. The level of deterioration of municipal infrastructure;
  2. The function of the Settlement Areas in terms of serving local shopping, employment, and social and cultural needs; and
  3. The existing or potential significance of the Settlement Areas in relation to serving tourism-based economic development objectives.
  
5. In order to achieve the objectives for community improvement, Council intends to use a variety of implementation techniques and to choose the appropriate technique(s) for each improvement initiative. Such techniques may include, but are not limited to, the following:
  1. Preparation and adoption of community improvement plans;
  2. Designation of community improvement project areas, by by-law;
  3. Application to the appropriate government agencies for funds to support the Township's programs;
  4. Municipal acquisition of land within the community improvement project area(s) and the clearing, grading, or preparing of the land for community improvement;
  5. Enforcement of by-laws dealing with property maintenance and enforcing the Township's policies for property maintenance and occupancy;
  6. Preparation and adoption of an appropriate comprehensive Zoning By-law;
  7. Encouraging private sector rehabilitation by providing residents and the business community with information on available local and upper tier government subsidies and programs;
  8. Utilization of financial tools to encourage the remediation of contaminated former industrial, commercial, and institutional lands, as contemplated in the *Brownfields Statute Law Amendment Act, S.O., 2001*;

9. Providing the framework for more flexible planning decisions by establishing zoning regulations which encourage both residential and commercial infill and a broad range of land uses within settlement areas; and
10. Designation of buildings or sites under the *Ontario Heritage Act*.

## 2.7 ACCESSORY USES

### 2.7.1 General

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory, or essential to that use shall also be permitted. The comprehensive Zoning By-law that implements this Plan shall provide zone standards applicable to the location and use of accessory structures.

Certain structures, such as docks, boathouses and other marine structures are only permitted subject to permit requirements of approval authorities such as the Department of Fisheries and Oceans Canada, the Ministry of Natural Resources and Forestry, the Rideau Valley Conservation Authority, and Parks Canada. Such accessory structures shall be designed and located in a manner which addresses the provisions of the **Natural Heritage Features**, **Natural Hazard Features** and **Cultural Heritage Features** sections of this Plan, as well as matters such as non-interference with navigation, fish and wildlife habitat, the natural flow of the water, potential damage from water levels and ice, narrow water body constraints, access from land and water and privacy impacts. Where structures extend beyond the high water mark so that they are located partly or entirely in the beds of water bodies, they shall be constructed and maintained in accordance with the regulations and conditions of the Federal or Provincial authority having jurisdiction. Along the Rideau Canal, all in-water works shall be subject to the *Rideau Canal Policies for In-Water and Shoreline Works* administered by Parks Canada.

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

Where a non-residential use is permitted as a principal use by the implementing Zoning By-law, permitted accessory uses may include a dwelling which is accessory to such non-residential use, except where incompatible for reasons of public health, public safety, or environmental impact.

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



### **2.7.2 Home-Based Businesses**

Home-based businesses are small-scale economic activities conducted on the site of a residential dwelling by the occupants. It is recognized that home-based businesses are significant economic generators that play an important function in the provision of local employment opportunities to Township residents. It is a policy of this Plan to encourage and support home-based business ventures.

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

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

### **2.7.3 Bed and Breakfast Establishments**

Bed and breakfast establishments are small-scale temporary lodging facilities typically conducted within the operator's dwelling. Bed and breakfasts are an important component of the Township's tourism strategy, and such facilities currently exist within the Township. Bed and breakfasts are a form of development that is compatible with, and complementary to, the picturesque landscapes and other natural and cultural heritage resources found throughout the Municipality.

A bed and breakfast establishment shall generally be permitted in land use designations that permit single-detached dwellings, provided that the physical character of such dwellings is not substantially altered. Pursuant to this policy, the implementing Zoning By-law shall define a bed and breakfast use as distinct from a rooming or boarding house and shall establish zone provisions which restrict the bed and breakfast use so that it is clearly an accessory use to the single-detached dwelling.

## **2.8 SPECIAL RESIDENTIAL USES**

### **2.8.1 Secondary Units**

Secondary units are self-contained dwelling units, often with a separate entrance, located within and subordinate to an existing single dwelling, semi-detached dwelling or rowhouse, or in a building or structure ancillary to the principal dwelling, that contains its own separate cooking and bathroom facilities in addition to the usual living quarters.

Secondary units are an efficient and cost-effective means of increasing the supply of affordable accommodations for rental purposes and for providing alternative living arrangements for those who, by virtue of their personal circumstances, require the support of others to live on their own.

In conjunction with a single dwelling, semi-detached dwelling or rowhouse, secondary units will be permitted 'as of right' in certain zones of the implementing Zoning By-law or by amendment to the implementing Zoning By-law. Notwithstanding this policy, the implementation of secondary units does not supersede the need for all development to be in conformity with the **Natural Hazard** policies of this plan. No new secondary units shall be permitted within land identified as being floodplain. Standards will be established in the Zoning By-law to govern compatibility with the main dwelling and surrounding land uses.

### 2.8.2 Group Homes

A group home is defined as a single housekeeping unit in a residential dwelling, in which approximately three to ten residents (excluding staff or receiving family) live together under responsible supervision consistent with the requirements of its residents. The group home shall typically be licensed or approved under Provincial Statute and shall be in compliance with Municipal by-laws, if any. The following policies shall apply to the establishment of group homes:

1. Group homes shall be permitted in single-detached dwellings in any designation in which a single-detached dwelling is permitted.
2. No person shall operate, or permit to operate, a group home without registering the group home with the Township Clerk in accordance with the Township of Montague's Group Home Registration By-law, if any.

## 2.9 PUBLIC AND INSTITUTIONAL USES

1. Except as provided elsewhere in this Plan, public utilities and other public, community, institutional or quasi-institutional uses which provide services such as education, government, hospitals, protection to persons or property, electricity, roads, airports, railways, wired and wireless telephone, gas, cable, but excluding waste disposal, to the general public shall be permitted in all land use designations on Schedule A provided that:
  1. Such use is necessary in the area, that it can be made compatible with its surroundings, and that adequate measures are taken to ensure that proposed sensitive land uses such as residences, day care centres and educational and health facilities satisfy the policies of the **Land Use Compatibility** section of this Plan;

2. Such use shall not be permitted within the significant portions of the habitat of endangered or threatened species;
  3. The construction of permanent buildings and structures shall be prohibited in any areas which are designated Natural Heritage A. The construction of permanent buildings and structures may be permitted within the Natural Heritage B designation subject to the provisions of the **Environmental Impact Assessments** section of this Plan. In the case of the Natural Hazard designation, the construction of buildings and structures associated with public and institutional uses which by their nature must be located on hazardous lands shall only be permitted in consultation with the Rideau Valley Conservation Authority;
  4. The development of new communication towers should be undertaken in accordance with Industry Canada's *Radio Communication and Broadcasting Antenna Systems* protocol, or an alternative Township-initiated protocol, if such is adopted;
  5. Development that includes institutional uses or essential emergency services or the disposal or manufacture, treatment or storage of hazardous substances shall not be permitted in the Natural Hazard designation;
  6. The general intent of the policies of this Plan, as well as its Site Plan Control requirements, shall be satisfied; and
  7. The requirements of applicable legislation such as the *Environmental Assessment Act* shall be satisfied.
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2. Notwithstanding the power of Federal, Provincial and County agencies or local Boards as defined in the *Planning Act* to undertake public works by authority granted under other statutes, Council shall endeavour to ensure that such development will follow the general intent of this Plan and will be compatible with the type, quality, and character of the development in the area in which it is proposed.
  3. Public and institutional uses shall be encouraged to locate within or near lands designated Settlement Area, except where the characteristics of such uses would clearly be incompatible with surrounding land uses.
  4. Public utilities shall be encouraged to place equipment and facilities in locations that do not detract from the visual character of cultural heritage resources or have a negative impact on the architectural integrity of those resources.
  5. Where development is proposed adjacent to major public facilities and utilities such as pipelines and hydro or communications infrastructure, proponents shall be encouraged to undertake early consultation with the relevant operating authority to ensure compliance with applicable regulatory requirements.

## 2.10 PARKS, TRAILS, AND RECREATIONAL FACILITIES

1. Parks, trails, bikeways, and recreational facilities shall generally be permitted in all land use designations. Where such amenities are permitted by this Plan in the Natural Heritage A, Natural Heritage B or Natural Hazard designation, they shall be subject to all applicable policies and regulations.
2. The Township views the development of park and recreational trail systems as an important resource to provide opportunities for outdoor leisure and recreation, tourism, and interpretation of the natural environment.
3. The Rideau Trail, which extends over 300 kilometres between Ottawa and Kingston, is the longest trail in eastern Ontario. The trail stretches for approximately 20 kilometres through the Township of Montague. The trail has been designed to enable the public to enjoy the scenic beauty of various parts of the Township from the vantage point of the natural environment. It is the policy of this Plan that when considering planning applications, planning decisions assist in retaining the connectivity and function of this popular trail. The Township may consult with relevant stakeholders when considering development applications.
4. The Township is proud to have frontage along the historic Rideau Canal UNESCO World Heritage Site. It is the policy of this Plan that when considering planning applications, planning decisions assist in retaining the historic character and modern function of this resource. In this regard, the Township shall consult with the relevant stakeholders when considering planning applications.
5. It is the Township's intention to provide park and recreation facilities on a basis consistent with the needs of the Municipality and to cooperate with other public, quasi-public and private agencies in the provision of parks, trails, bikeways, and recreational facilities.
6. The Township may request the dedication of parkland or cash-in-lieu thereof as a condition of the approval of planning applications, pursuant to the provisions of the *Planning Act*. Where the opportunity exists, such parkland dedications shall be designed to optimize linkages to existing public parks, trails, bikeways, or other recreational facilities, as well as to provide for the conservation of significant cultural heritage resources.
7. In the development of parks, trails and recreational facilities by the Township or other public agencies, adequate parking areas shall be provided and facilities such as ramps and walkways to enable persons with disabilities to reach amenities and facilities shall be provided where possible.
8. The Township shall investigate the public acquisition of abandoned railway rights-of-way, or sections thereof, for alternate uses by the public. Acquisition of such lands will be based upon the availability of public monies.

9. The Township supports the provision of public access to water bodies, where appropriate, by reason of need, location, accessibility, proposed amenities, and adjacent land uses. The Township shall consult with Parks Canada and the Rideau Valley Conservation Authority where consideration is being given to providing public access to the Rideau River.
10. In reviewing planning applications for lands abutting or adjacent to parks, trails, bikeways and recreational facilities, the approval authority shall have regard to proposed land uses and their physical relationship. The Township shall encourage uses that are complementary and shall attempt to ensure that site layout and design is appropriate to the preservation and enhancement of the park, trail, or recreational facility. The Rideau Valley Conservation Authority shall be consulted, as appropriate.
11. When developing, maintaining, and improving parks, trails and recreational facilities, consideration shall be given to the protection and enhancement of cultural heritage resources and cultural heritage landscapes, including potential impacts on archaeological sites and areas of archaeological potential.

## **2.11 CROWN AND CONSERVATION LANDS**

1. Crown and conservation lands include lands under Federal or Provincial jurisdiction and are managed by agencies such as the Ministry of Natural Resources and Forestry, the Rideau Valley Conservation Authority, and Parks Canada. In addition, some conservation lands are owned and managed by private not-for-profit organizations such as the Rideau Waterway Land Trust (RWLT). Crown and conservation lands are of major importance to the Township for their value as natural and cultural heritage resources. Some of these lands, such as the Lanark County Forest and Hornung Conservation Area, are identified on Schedule A for information purposes only.
2. Where a change to either the type or intensity of land use on crown or conservation lands is contemplated, consultation with the Township is encouraged. Similarly, where any consideration is given to the possibility of disposing of significant holdings of crown or conservation lands, consultation with the Township at the outset is seen as an important initiative that will enable the Municipality to respond proactively, rather than reactively, to changes.
3. Where development or site alteration is proposed adjacent to crown or conservation lands, the Township shall consult with the Ministry of Natural Resources and Forestry, Rideau Valley Conservation Authority and/or Parks Canada, as applicable.

## **2.12 WAYSIDE PITS, WAYSIDE QUARRIES, PORTABLE CONCRETE PLANTS AND PORTABLE ASPHALT PLANTS**

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

A portable asphalt plant is an asphalt plant which is not of permanent construction, but which is to be dismantled at the completion of a construction project and moved to another location at the conclusion of the project for which it was constructed. These facilities include equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and also includes the stockpiling and storage of bulk materials used in the process.

A portable concrete plant is a concrete plant which is not of permanent construction, but which is to be dismantled at the completion of a construction project and moved to another location at the conclusion of the project for which it was constructed. These facilities include equipment designed to mix cementing materials, aggregate, water, and admixtures to produce concrete, and also include the stockpiling and storage of bulk materials used in the process.

2. Wayside pits, wayside quarries, portable concrete plants and portable asphalt plants used on public authority contracts are permitted throughout the Township without amendments to the Plan or the Zoning By-law or development permits under the *Planning Act*, except in those areas designated as Natural Heritage A, Natural Heritage B, Natural Hazard or Settlement Area, or other areas characterized by concentrated existing development or environmental sensitivity that is incompatible with extraction and associated activities.
3. Where the creation of a wayside pit, wayside quarry, or the use of portable asphalt and/or concrete plant is proposed on lands located in an area of archaeological potential or adjacent to a known archaeological site, an archaeological assessment shall be required prior to the establishment of the use.
4. Lands used for the purposes of wayside pits, wayside quarries, portable concrete plants and portable asphalt plants shall be rehabilitated upon the completion of the project for which they were required.

## **2.13 USES NOT CONTEMPLATED BY PLAN**

1. It shall be a policy of this Plan that any proposed new development which would introduce a land use, different from those uses described in this Plan in terms of scale, purpose, or nature, and neither envisioned nor contemplated by Council, shall be subject to detailed land use and environmental impact studies, and any other studies deemed necessary by Council. Such studies, including the cost of any peer

review, as required, will be conducted at the proponent's expense. The intent of this policy is to place the onus on the proponent to demonstrate that the introduction of a new use into the community would not be to the detriment of the Township's economic, social, cultural, environmental, and financial base, would not have an adverse impact on municipal services, and would not require additional municipal or community services.

2. In addition, Council will encourage the proponent of such a use to consult informally with the public to provide information concerning the proposed development, as well as to obtain public input, prior to the submission of a formal application.
3. Any new use not contemplated by this Plan shall only be permitted through an Official Plan amendment.

## **2.14 EXISTING LAND USES**

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

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

### **2.14.1 Changes to Non-Conforming Uses and Extensions or Enlargements**

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

Applications for changes to non-conforming uses or enlargements or extensions to such uses shall only be considered where the use was: legally-established prior to the adoption of the Zoning By-law which rendered it non-conforming; continuous in nature since the use's establishment; and, located on lands owned and used in connection with the use on the day the Zoning By-law was passed. In considering applications, the following criteria shall be applied:

1. Any proposed change of use or extension or enlargement of the existing non-conforming use shall not aggravate the situation created by the existence of the use, especially in regard to the policies of this Plan and the requirements of the Zoning By-law applying to the area.
2. Any proposed extension or enlargement shall be in an appropriate proportion to the existing size of the non-conforming use.

3. The characteristics of the proposed non-conforming use or any proposed extension or enlargement of the existing non-conforming use shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation. Applications which would create or aggravate land use incompatibilities shall not be approved.
4. Neighbouring conforming uses shall be protected, where necessary, by the provision of areas for landscaping, buffering, or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc.
5. Traffic and parking conditions in the vicinity shall not be adversely affected by the proposal and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and by improvement of sight lines especially in proximity to intersections.
6. Adequate provisions have been or will be made for off-street parking and loading facilities.
7. Services such as storm drainage, roads and private sewer and water services are adequate or can be made adequate.

#### **2.14.2 Minor Variances**

Where existing or proposed uses that conform to the use provisions of the Zoning By-law implementing this Plan are non-complying with respect to performance standards, the Committee of Adjustment may authorize minor variances from the provisions of the implementing Zoning By-law provided that the general intent and purpose of the Official Plan and Zoning By-law are maintained and that the variances are minor and desirable for the appropriate development of the lands.

#### **2.15 EXISTING UNDERSIZED LOTS**

1. The Zoning By-law which implements this Plan may include provisions to permit the development of existing lots of record that do not meet the minimum size requirements of this Plan, provided that zoning provisions such as yards, water setbacks and lot coverage can generally be met.
2. In the case of existing undersized waterfront lots of record, the Zoning By-law which implements this Plan may include a floor space index provision that limits the maximum floor area of buildings in relation to the size of the lot.
3. Lot additions or enlargements to existing undersized lots of record shall be encouraged even though the enlarged lot may not comply with the minimum size requirements of this Plan.



4. Proposed development on existing undersized waterfront lots that would require relief from multiple zoning provisions will be discouraged.

## **2.16 ROAD ACCESS**

A year-round, publicly-maintained road represents the optimal means of providing access to properties from the perspective of convenience, safety and general welfare of users. Historically, some waterfront development has occurred with private road access. Additionally, some isolated non-waterfront uses related to agriculture, forestry, conservation, and mineral resource exploitation have obtained access by private roads.

The Township views public road access as the preferred form of access to properties and it will normally be required in order for development to proceed, except in relation to agriculture, forestry, mineral resource and conservation uses not having an accessory dwelling or any building or structure to which the public has access. A building used on an occasional basis as a hunt camp may be permitted as a conservation use.

## **2.17 LAND USE COMPATIBILITY**

### **2.17.1 Development Adjacent to Mineral Aggregate Resources**

1. It is a policy of this Plan that existing or potential mineral aggregate resources will be protected from activities that would preclude or hinder their establishment, expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. This policy shall apply in the following development contexts:
  1. Development adjacent to Mineral Aggregate Resource designations, as identified on Schedule A;
  2. Development adjacent to existing Mineral Aggregate Resources;
  3. Development within or adjacent to potential bedrock sources of mineral aggregate, as identified on Schedule B.

The development of an incompatible or conflicting land use such as residences, day care centres and educational and health facilities in the foregoing development contexts shall be permitted only if it can be demonstrated to the satisfaction of the approval authority that all issues relating to public health, public safety and environmental impacts can be addressed through setbacks or other mitigation measures without precluding or hindering the use of, or access to, the mineral resource.

2. The concept of an influence area is recognized as a means of protecting against incompatible land uses in the vicinity of mineral resources and to protect existing pits and quarries from the encroachment of incompatible land uses. Although an influence area is that area where impacts may occur or be experienced, it is not a strict buffer or setback area where development adjacent to the Mineral Aggregate Resource designation or operations is automatically prohibited. The proponent of a mineral or mineral aggregate operation, or the proponent of a proposed encroaching incompatible land use, as applicable, shall be required to identify the potential impacts and to assess whether they can be mitigated to an appropriate level when measured against Provincial standards. The influence area applies between an incompatible or conflicting land use and extractive operations and vice versa.
  1. The influence area in relation to pits is 300 metres, except in the case of Class B pits where excavation is above the water table, in which case the influence area is 150 metres. The influence area in relation to quarries is 500 metres.
  2. The influence areas for resource lands designated Mineral Resource or identified as a potential bedrock source of mineral aggregate shall be dependent upon the nature of the resource. The influence area shall be 300 metres or 500 metres for lands designated or identified on the basis of surficial or bedrock resources, respectively.
3. Development which would preclude or hinder the establishment of new operations or access to mineral or mineral aggregate resources will only be permitted if:
  1. Resource use would not be feasible due to qualitative, quantitative or other constraints; or
  2. The proposed land uses or development serves a greater long term public interest; and
  3. Issues of public health, public safety and environmental impact can be addressed.
4. Land use compatibility studies shall be required in accordance with Provincial standards in relation to the development contexts identified in Subsection 1. The types of studies that may be required include, among others, hydrogeological assessments, noise impact assessments, blast impact assessments (including pre-blast surveys), and mineral or mineral aggregate quality and quantity assessments to determine the extent of the resource.

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

It is a policy of this Plan to address land use compatibility issues related to non-agricultural and agricultural uses through the application of the Minimum Distance Separation I (MDS

I) and Minimum Distance Separation II (MDS II) formulae, as may be amended from time to time, to new non-agricultural uses and new or expanding agricultural uses, respectively. The implementing Zoning By-law may include provisions exempting properties from the application of MDS I and MDS II, as applicable. Exemptions may include situations such as when rebuilding after non-voluntary building destruction, development within settlement areas, and development on existing lots of record. The Municipality may require that restrictive covenants and/or notices be registered on title as a condition of an approval of a planning applications, where deemed appropriate.

### **2.17.3 Development Adjacent to Open or Closed Waste Disposal Sites and Sewage Treatment Facilities**

1. At the time of adoption of this Plan, there are no existing or former waste disposal sites in the Municipality. If any waste disposal sites are identified in the future, such locations will be identified on Schedule A to this Plan.
2. Waste disposal sites have the potential to generate impacts on the surrounding area related to such issues as air and water quality, aesthetics, noise, and traffic. For policy purposes, the influence area of a waste disposal site is 500 metres. Noise, hydrogeological and other environmental studies shall be required in relation to any proposal to develop new sensitive land uses such as residences, day care centres, educational and health facilities and other uses requiring potable water within the influence area. Required studies shall be prepared in accordance with the relevant Ministry of the Environment, Conservation and Parks guidelines.
3. Sewage treatment facilities such as waste stabilization ponds and sewage treatment plants have the potential to generate impacts on the surrounding area related to such issues as air and water quality, aesthetics, noise, and traffic. Consequently, separation distances between sewage treatment facilities and new sensitive land uses such as residences, day care centres, educational and health facilities and other uses relying on private individual wells for potable water are normally required. The minimum separation distance for a sewage treatment plant shall be 100 metres, however, this distance may be increased or decreased as a consequence of site-specific investigations and conditions, as well as the application of the relevant Ministry of the Environment, Conservation and Parks guidelines. For waste stabilization ponds, the recommended separation distance varies from 100 to 400 metres or more, depending upon the type and size of pond and characteristics of the waste.
4. The implementing Zoning By-law shall include provisions to prohibit the establishment of new incompatible uses within the influence area of waste disposal sites or within the recommended separation distance for sewage treatment facilities.

#### **2.17.4 Other Land Use Compatibility Policies**

1. It is a policy of this Plan to minimize conflicts between incompatible land uses. To this end, distance separations and buffering will be provided for the purpose of mitigating the adverse effects of one land use upon the other. A buffer may be a simple horizontal separation, a berm, a wall, a fence, planting materials, a land use different from the conflicting uses, but compatible with both, or any combination of the aforementioned sufficient to accomplish the intended purpose. This policy shall be implemented through various provisions in the implementing Zoning By-law, as well as the mechanism of Site Plan Control, as appropriate.
2. In addition, certain land uses such as residences, day care centres and educational and health facilities may be particularly sensitive to the effects of odour, noise, vibration, and other emissions associated with facilities such as rail and road transportation corridors and various classes of industries. Recommended separation distances for these classes of industries are included in the relevant Ministry of the Environment, Conservation and Parks D-series land use compatibility guideline. Where proposed development is likely either to have or to be subject to a significant influence relating to an adjacent incompatible land use, a feasibility study which includes mitigation measures shall be undertaken in accordance with the relevant D-series guideline and to the satisfaction of the Township. Where required, a legally-binding commitment to implement mitigation measures shall be secured.

### **2.18 CULTURAL HERITAGE AND ARCHAEOLOGICAL RESOURCES**

#### **2.18.1 Cultural Heritage Resources**

1. Cultural heritage resources consist of historic buildings, structures, and other human-made features of importance to the Township. The Township possesses many examples of important sites and features, and recognizes the importance of these built heritage resources. The Township also recognizes the importance of cultural heritage landscapes, and the role that they play in making the Township a place of historic and cultural interest to both local residents and visitors to the area. Accordingly, the Township will encourage the identification, protection, maintenance, restoration, and enhancement of cultural heritage landscapes such as, but not limited to, heritage conservation districts, villages, parks, cemeteries, trailways, and agricultural or industrial complexes of cultural heritage value.
2. In reviewing planning applications, the Township will consider the relationship of proposed development to the contextual environment of existing buildings and landscapes having cultural heritage interest. The Ministry of Tourism, Culture and Sport and/or Parks Canada, will be consulted, as appropriate. New development will be planned so as to preserve, complement and enhance cultural heritage resources, particularly within the historic areas of settlement and along the Rideau Canal.

3. The Algonquins of Ontario and/or First Nations shall be consulted and provided an opportunity to provide input on all Archaeological Assessments related to proposed developments where areas of Algonquin Interest and/or Native Values and/or the potential for aboriginal artifacts to be encountered have been identified through the use of the Ministry of Tourism, Culture and Sport or appropriate Ministry/agency archeological potential checklist. In addition, the Algonquins of Ontario and/or identified First Nations shall be notified by the proponent and/or the Township should any artifacts of aboriginal interest, burial sites or human remains be discovered which are considered to be of potential aboriginal origin.
4. For new development (i.e., planning applications) an Archaeological Assessment may be required to be completed by a licensed consultant archaeologist if the property(ies) or project area contains archaeological resources or has archaeological potential. The Ministry of Tourism, Culture and Sport has developed a checklist titled *Criteria for Evaluating Archaeological Potential* and a checklist titled *Criteria for Evaluating Marine Archaeological Potential*, which must be completed to determine the archaeological potential.
5. Development and site alteration shall not be permitted on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and demonstrated that the heritage attributes of the protected heritage property will be conserved.
6. In the context of site planning, the Township shall consider the massing of buildings and structures so as not to conflict with existing built heritage resources, particularly in historic areas of settlement and along the Rideau Canal. New development and redevelopment should complement the character of existing buildings, structures, and the surrounding landscape.
7. The Township shall seek the advice of a Municipal Heritage Committee, if such a committee is formed, to assist and advise Council on cultural heritage resource conservation issues. Council, in consultation with the Committee, may by by-law adopted pursuant to the provisions of the *Ontario Heritage Act*, undertake the following:
  1. Designate properties of cultural heritage value or interest, including historic or architectural value, contextual value, or interest;
  2. Define parts of the Township as areas to be studied for designation as heritage conservation districts;
  3. Designate areas of the Township as heritage conservation districts in order to control any development that may adversely affect the heritage features of the area; and

4. The Township shall develop a municipal register of all properties of cultural heritage value and interest designated under the *Ontario Heritage Act*.
5. It is recognized that elements such as architectural style and building cladding and colour are important components in the design of development that is sensitive to and reinforces the contextual environment. To the extent that the legislation provides for controls such as those pursuant to the *Ontario Heritage Act*, as well as through the Township's support for the development and distribution of appropriate design guidelines by relevant agencies and organizations, the Township will endeavour to encourage development that is contextually supportive. Where appropriate, the Township will ensure cultural landscape conservation and sympathetic design through the policies of the **Site Planning and Design Guidelines** section of this Plan.
6. Where economically feasible, Council intends to set an example to the community by restoring and maintaining Township-owned buildings and properties of historic or architectural value in accordance with the intent of the policies of this section, whether or not such buildings or properties have been designated. Council may explore upper tier government programs where such initiative is undertaken.
7. Council shall identify and, where feasible, conserve cultural heritage resources when undertaking municipal public works projects.
8. Council, in co-operation with the Municipal Heritage Committee, may also implement a program to recognize outstanding achievements in the preservation of buildings and properties of historic or architectural value.
9. The approval authority shall require the preparation of a Heritage Impact Assessment, by a qualified professional, for a development proposal on lands adjacent to significant cultural heritage resources.

#### **2.18.2 Archaeological Resources**

1. It is recognized that certain areas of the Township have the potential to contain archaeological resources. At the time of adoption of this Plan, there were five existing archaeological sites in the Township that have been registered with the Ministry of Tourism, Culture and Sport. These sites are not identified on Schedule A in order to protect the archaeological resources for which they have been registered. These resources may include the remains of buildings, structures, activities, places, or cultural features which, due to the passage of time, are on or below the surface of land or water and are significant to the understanding of a people or place. Some of these resources are of particular interest as they may provide an enhanced understanding of the history of First Nations peoples and the early settlement of the Township. It is a policy of the Plan that Council will require the preparation and undertaking of an archaeological assessment for properties with

known archaeological sites and/or potential for archaeological resources which may be affected by a development proposal. An archaeologist licensed by the Ministry of Tourism, Culture and Sport must perform all archaeological work according to the terms and conditions or their licence to the satisfaction of the Ministry of Tourism, Culture and Sport. Significant archaeological resources identified through such work must be preserved in situ (i.e. in the natural or original place/position) or conserved through removal and documentation to the satisfaction of the Township and the Ministry of Tourism, Culture and Sport.

Archaeological assessments shall normally be required for site alteration and new development involving planning applications for an Official Plan or zoning by-law amendment, plan of subdivision, condominium, or consent, as well as for the undertaking of new infrastructure works (ie. new road, road widening, municipal or communal water or sewage systems, waste disposal sites) when the subject lands contain or are located within at least one of the following:

1. 250 metres of a known archaeological site;
2. 300 metres of a primary water source such as a lakeshore, river, large creek, etc.;
3. 300 metres of an ancient water source indicated by a beach ridge, river bed, etc.;
4. 200 metres of a secondary water source such as a wetland, marsh, small creek, spring, etc.;
5. 10 metres of a cemetery which was established prior to 1945;
6. Elevated topography (knolls, drumlins, eskers, plateaus, etc.);
7. Pockets of sandy soil in a clay or rocky area;
8. Unusual land formations (mounds, caverns, waterfalls, etc.);
9. An extractive area (for food or scarce resources);
10. Non-aboriginal settlement features (monuments, cemeteries, etc.);
11. Historic transportation features (road, rail, portage, etc.);
12. Designated property (refer to Municipal Heritage Committee or Township Clerk's office); and
13. Local knowledge associating property with historic events, activities, or occupations.

For consent applications, Official Plan amendments, and Zoning By-law amendment applications relating to existing developed properties where no new development or site alteration is proposed, archaeological assessments shall not be required unless the property contains a designated heritage resource, a cemetery or burial place or known archaeological site.

Where significant archaeological resources are found, the evaluation must contain mitigation measures relating to their preservation or removal.

2. Where significant archaeological resources must be preserved in situ, only development and site alterations which maintain the heritage integrity of the site will be permitted.
3. Pursuant to the relevant provisions of the *Planning Act*, sites containing significant archaeological resources may be zoned to restrict or prohibit uses, buildings or structures which might conflict with the preservation of such resources.
4. When an identified marked or unmarked cemetery is affected by development, the Township shall ensure that adequate archaeological site assessment is undertaken, in consultation with the Ministry of Tourism, Culture and Sport. The provisions of the *Cemeteries Act* and *Ontario Heritage Act* shall apply, as appropriate.
5. Pursuant to the provisions of a municipal-provincial data sharing agreement, the Township shall update municipal mapping for new archaeological sites as they are identified through land development and on the Provincial archaeological sites database.
6. The Algonquins of Ontario shall be consulted and provided an opportunity to provide input on any Stage 2 Archaeological Assessment Report that identifies areas of historical interest or potential for aboriginal artefacts. In addition, the Algonquins of Ontario shall be notified by the proponent and/or the Township should any burial sites or human remains be discovered which are considered to be of potential aboriginal origin.

## **2.19 NATURAL HAZARD FEATURES**

### **2.19.1 Flood Plains**

Flooding is a natural occurrence along all water bodies and watercourses in the Township. It becomes a hazard when buildings and structures are placed where there is a risk of inundation. Minor flooding occurs on a seasonal basis. The 1:100 year event is used for planning purposes in this area of the Province and is referred to as the regulation limit. Flood plain management policies are intended to prevent the loss of life, to minimize property damage and social disruption, and to encourage a coordinated approach to the use of land and the management of water.



1. The regulation limit (expressed in Geodetic Survey of Canada (G.S.C.) elevations) have been established for the Rideau River. The areas within existing mapped regulation limit are designated as Natural Hazard on Schedule A and are subject to the policies of the associated **Natural Hazard** section of this Plan.
2. Lands within and adjacent to lands subject to natural hazards are subject to the Section 28 Regulation, known as the “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation”, pursuant to the *Conservation Authorities Act* and administered by the Rideau Valley Conservation Authority. While adjacent lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site shall occur without the written permission of the Rideau Valley Conservation Authority in accordance with the Section 28 Regulation.

Any development within the Section 28-regulated area must be floodproofed to the satisfaction of the Rideau Valley Conservation Authority.

3. Where lands comprise provincially-significant wetlands and are within the regulation limit, there will be an overlap between the policies of the **Natural Hazard** and **Natural Heritage A** sections of this Plan. Where this is the case, the policies of the **Natural Heritage A** section shall take precedence.
4. Development setbacks from the regulatory flood plain may be required in order to provide an additional safety factor. Where such setbacks are required, they shall typically range up to 15 metres.

### 2.19.2 Organic Soils

1. Lands with the potential for organic soils include those lands identified as possessing organic soils from the Canada Land Inventory for Agricultural Capability and are shown on Schedule B to the Plan. Where lands that are the subject of development proposals have been identified as potentially possessing organic soils, development will be encouraged to locate outside of areas identified with organic soils, where feasible. Where development is proposed in areas containing organic soils, the approval authority may request sufficient soils and geotechnical engineering information to indicate that the lands are either suitable or can be made suitable for development.
2. Development and site alteration in areas containing organic soils shall only be permitted where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with Provincial standards, as determined by the demonstration and achievement of all of the following:

1. Such development and site alteration is carried out in accordance with floodproofing standards, protection works standards and access standards;
2. New hazards are not created, and existing hazards are not aggravated;
3. No adverse environmental impacts will result; and
4. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies, as applicable.

### 2.19.3 Steep Slopes and Erosion Hazards

1. Lands characterized by steep slopes can pose risks to persons and property as a result of potential slope instability or erosion. In addition to the obvious potential dangers to persons and property, development on steep slopes or erosion-prone lands can have significant negative impacts on features such as fish and wildlife habitat, soils and vegetation, surface water quantity and quality, wetlands and ANSIs, and other resources discussed in the **Natural Heritage Features** section of the Plan.
2. Appropriate setbacks from steep slopes are important to minimizing risks to persons and property. In the absence of detailed mapping, a general standard of a 3:1 (horizontal:vertical) stable slope allowance shall apply, plus a 6-metre erosion allowance or 10-metre from the top of slope, whichever is greater. In certain cases, such as along watercourses with active erosion or a meander belt, additional setbacks may be necessary. In considering planning applications, the approval authority will ensure that erosion potential is included in the issues to be considered and may require a geotechnical analysis by a qualified expert.
3. Sites possessing steep slopes represent a challenge, since they are often regarded as desirable for development, particularly where they abut water bodies. Lot creation or development on a portion of a site where the applicable stable slope and erosion allowances are not met shall require the submission of a geotechnical report prepared by a qualified expert to ensure that the property is suitable for development. Such report shall be prepared to the satisfaction of the approval authority, the Rideau Valley Conservation Authority, and where applicable, Parks Canada. Development and site alteration shall only be permitted on lands affected by steep slopes or erosion hazards where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with Provincial standards, as determined by the demonstration and achievement of all of the following:
  1. Such development and site alteration is carried out in accordance with floodproofing standards, protection works standards and access standards;
  2. New hazards are not created, and existing hazards are not aggravated;

3. No adverse environmental impacts will result; and
  4. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies, as applicable.
4. It is a policy of this Plan that lot creation and development and site alteration shall be undertaken so that a fit into the natural contours of the land is achieved. This will affect the massing and location of buildings, structures, driveways, and other features, limit the extent of alteration to the landscape and natural vegetation, and avoid more complex storm water management techniques than would otherwise be required. In general, the greater the slope, the more emphasis shall be placed on these elements of site development.

#### **2.19.4 Unstable Bedrock**

Unstable bedrock includes areas known as Karst topography. Karst topography is an area of limestone plain marked by sinks, or karst holes, interspersed with abrupt ridges and irregular protuberant rock, usually underlain by caverns and underground streams. This irregular topography is developed by the solution of surface and ground water eroding limestone.

1. In addition to the other policies of this Plan, where Karst topography exists, the following policies, will apply prior to development taking place:
  - a) sufficient soils and engineering information, usually in the form of a geotechnical study, to demonstrate to the satisfaction of the Township that the lands are suitable, or that the hazard can be mitigated to make the lands suitable, for development;
  - b) information which demonstrates that alterations to the site will not create adverse environmental impacts;
  - c) an amendment to the Zoning By-law, if necessary, setting out applicable provisions (such as a setback), will be completed to the satisfaction of the Township;
  - d) a site plan, and site plan control agreement, if necessary, will be completed to the satisfaction of the Township;
  - e) septic systems will be required to be designed by an engineer and the design should make specific reference to the findings of the geotechnical study.

### 2.19.5 Wildland Fire

The Provincial Policy Statement defines hazardous forest types for Wildland Fire as forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ministry of Natural Resources and Forestry, as amended from time to time. Development shall generally be directed to areas outside of lands that are unsafe due to the presence of hazardous forest types for wildland fire. However, development may be permitted in lands with hazardous forest types where the risk is mitigated in accordance with the *Wildland Fire Risk Assessment and Mitigation Reference Manual* prepared by the Ontario Ministry of Natural Resources and Forestry, 2017 or such updated manual or checklist prepared by the Township which shall be consistent with the PPS (2020).

Proponents submitting a planning application for lands that contain forested areas may be required to undertake a site review to assess for the risk of high to extreme wildland fire behaviour on the subject lands and adjacent lands (to the extent possible). A general indication of hazardous forest types for Wildland Fire are identified on Schedule B – Constraints and Opportunities, to this Plan. If development is proceeding where high to extreme or pine (needs assessment) risks for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated.

Wildland fire mitigation measures shall not be permitted in provincially significant wetlands.

Wildland fire mitigation measures shall not be permitted in significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

In order to implement any mitigation measures that may be required, site plan control may be used.

## 2.20 HUMAN-MADE HAZARD FEATURES

### 2.20.1 Contaminated Sites

1. Where a planning application for a change of use from industrial or commercial to residential or parkland is made in relation to a known, suspected or potentially contaminated site or property adjacent to such site, the approval authority shall not grant any planning approvals until:
  1. A Record of Site Condition signed by a certified engineer has been filed in the Provincial Registry;

2. A Phase 1 Environmental Site Assessment (ESA) shall be carried out at any site which may be contaminated, and a Phase 2 ESA shall be completed, if required; and
  3. Clean-up of contaminated sites shall be done in accordance with the *Record of Site Condition Regulation* (O. Reg. 153/04) and the Ministry of the Environment, Conservation and Parks guideline *Records of Site Condition – A Guide on Site Assessment, the Cleanup of Brownfield Sites and the Filing of Records of Site Condition*, dated October, 2004 and associated guidelines.
2. The Township may develop an inventory of sites where current or past uses may have, or are known to have, contributed to the presence of contaminants.

### **2.20.2 Abandoned Mines and Mineral Resource Operations**

1. Abandoned mine sites and mineral resource operations can vary widely in nature, from little more than minor ground disturbances to major excavations and/or shafts. In the case of more major disturbances, a risk to public safety may exist. At the time of adoption of this Plan, there are no known abandoned mine or abandoned mineral resource operation hazards in the Township. If such hazards are identified in the future, they shall be identified on Schedule B.
2. In reviewing planning applications, the Township shall attempt to ensure that development on or within 1 kilometre of lands affected by potentially hazardous abandoned mines or mineral resource operations will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or completed. The Ministry of Mines shall be consulted for abandoned mines and the Aggregate Producers Association of Ontario shall be consulted for abandoned pits and quarries.

## **2.21 NATURAL HERITAGE FEATURES**

Natural heritage features include wetlands, areas of natural and scientific interest (ANSIs), fish habitat, wildlife habitat, woodlands, valleylands and portions of the habitat of endangered and threatened species. This Plan recognizes that these features should not be viewed in isolation. Rather, they form part of a natural heritage system that is linked by natural corridors that are an essential part of the maintenance of biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These features are important to the unique rural character and diversity of the natural environment found in the Township and possess or perform ecological functions. While all natural heritage features are important to the Township, some have also been identified as having Provincial significance.

The policies of this Plan are intended to address the requirements which must be met in order to ensure that natural heritage features are adequately protected. These policies

may be amended from time to time as additional information is gathered with respect to the significance or sensitivity of various natural heritage features.

As a general policy, established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to all natural heritage features and areas, but new or expanded agricultural buildings or structures or the clearing, draining, or filling of additional lands, any of which require the approval of a planning application, are only permitted subject to addressing the requirements of the **Environmental Impact Assessments** section of this Plan.

### **2.21.1 Wetlands and Adjacent Lands**

1. All wetlands in the Municipality that have been evaluated by the Ministry of Natural Resources and Forestry are considered to be Provincially significant, and have been designated as Natural Heritage A on Schedule A. This designation is subject to the policies of the associated **Natural Heritage A** section of this Plan, which effectively prohibits development and site alteration within the designation. In the event that any locally-significant wetlands are identified by the Ministry of Natural Resources and Forestry, they shall be identified as Natural Heritage B on Schedule A through an amendment to this Plan. Locally-significant wetlands are subject to the policies of the associated **Natural Heritage B** section of this Plan.
2. Development and site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site on lands adjacent to the Natural Heritage A designation shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the wetland's natural features or ecological functions. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
3. In the Rideau Valley watershed, development in and within 120 metres of a Provincially-significant wetland is regulated under the *Conservation Authorities Act*, through the "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations". Development activities, including construction and site alteration, will require a permit from the Rideau Valley Conservation Authority.
4. For the purposes of this Plan, adjacent lands are those lands lying within 120 metres of any Provincially-significant wetland identified on Schedule A.

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

1. At the time of adoption of this Plan, the Numogate Mud Lake Fen was the only approved Area of Natural and Scientific Interest (ANSI) in the Township. Three other candidate ANSIs have been identified but have not been approved. If any

additional ANSIs are identified and subsequently approved by the Ministry of Natural Resources and Forestry, such ANSI shall be designated as Natural Heritage B on Schedule A and shall be subject to the policies of the associated **Natural Heritage B** section of this Plan.

2. Development and site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site on lands within or adjacent to the Natural Heritage B designation shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the ANSI's natural features or ecological functions. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
3. For the purposes of this Plan, adjacent lands are those lands lying with 120 metres of any provincial Area of Natural and Scientific Interest – Life Science and 50 metres of any provincial Area of Natural and Scientific Interest – Earth Science, as identified on Schedule A.

### **2.21.3 Fish Habitat and Adjacent Lands**

1. The spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes constitute fish habitat. Fish resources have large value to the Township for their vital role in the food chain, their contribution to the diversity of species, their function as a natural water quality indicator, as well as for commercial and sport fishing activities. The Township has considerable interest in protecting fish habitat from harmful alteration, disruption, and destruction.
2. Most of the Township lakes, rivers, streams, ponds, watercourses, and wetlands that provide fish habitat have been identified by the Ministry of Natural Resources and Forestry. Fish habitat has not been identified on Schedule A. Consequently, all applications for development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site adjacent to any water body will be screened by the approval authority for the presence of fish habitat. Where such fish habitat is identified, no development or site alteration shall be permitted within 120 metres of the habitat, unless it can be demonstrated that there will be no negative impacts. Negative impacts include the harmful alteration, disruption, or destruction of fish habitat, except where authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity. An environmental impact assessment will be required in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan when the approval authority, in consultation with other agencies such as the Rideau Valley Conservation Authority and the Department of Fisheries and Oceans determines that it is necessary.

3. Where development or site alteration may potentially affect fish habitat, the Department of Fisheries and Oceans or the Rideau Valley Conservation Authority, as applicable, shall be consulted and the required approvals obtained.
4. It is recognized that storm water management and drainage measures, although frequently located some distance from fish habitat, have significant potential to affect it. When evaluating storm water and drainage activities, consideration shall be given to potential impacts upon fish habitat.
5. Storm water management approaches that maximize natural infiltration and minimize runoff, both during and after construction will be utilized. The Rideau Valley Conservation Authority shall be consulted in this regard.

#### **2.21.4 Significant Wildlife Habitat and Adjacent Lands**

1. The Township recognizes the importance of conserving wildlife habitat. Wildlife habitat includes natural corridors for the purposes of maintaining connectivity and ecosystem diversity. Many social and economic benefits accrue from maintaining habitat, related to tourism, nature observation and education, and hunting and trapping.
2. Wildlife habitat includes areas where flora and fauna live and the latter find food, shelter, and physical space sufficient to sustain their population, particularly at times during their annual life cycle when they may be more vulnerable. Some specific wildlife habitats are particularly important and should be considered significant. These are habitats that support important wildlife species or that are particularly susceptible to impacts. Human activities such as clearing of wooded areas, grading and drainage works, filling, forestry operations, introduction of non-native species, the fencing of properties and road construction are examples of activities that can have a detrimental effect on wildlife habitat and associated natural corridors.
3. This Plan recognizes that a variety of wildlife habitat exists throughout the Township, and that all habitat environments may have significance for a variety of biological reasons. In recognition of the complexity of habitat over the landscape, the Township has identified areas of significant wildlife habitat on the basis of information made available through the Ministry of Natural Resource's Natural Heritage Information Centre. The Ministry of Natural Resource's Natural Heritage Information Centre compiles and maintains data on rare species for Ontario. The data includes non-specific locational information for rare species of flora and fauna at risk due to factors such as declining population or habitat. Species at risk include a number of plants and animals that are nationally or provincially listed as threatened, endangered or of special concern. The mapping associated with this data provides a useful indicator of significant wildlife habitat and has been used as the basis for the identification of significant wildlife habitat on Schedule B. The Township shall use this information to screen planning applications for the presence of significant wildlife habitat.



4. It is recognized that, while Provincial rare species data and other information on winter deer habitat and known bird nest sites provides a useful resource in mapping significant wildlife habitat, there are other public and private information sources that may also be valuable. These sources, which include naturalist clubs, sporting associations, conservation authorities, etc. collect information that could be used to both expand upon and refine the significant wildlife habitat mapping shown on Schedule B through amendment to this Plan.
5. The Township seeks to preserve the function of significant wildlife habitat without unduly restricting development. Accordingly, prior to permitting any development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site within a significant wildlife habitat or natural corridor area identified on Schedule B or adjacent lands, the approval authority shall require an environmental impact assessment demonstrating that no negative impacts on the natural features or their ecological functions. The assessment required pursuant to this policy will be completed in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
6. The “natural corridors” and “linkages” noted on Schedule C were identified using the Land Information Ontario (LIO) database and air photo interpretation by a qualified biologist. For the purpose of this Plan, the natural corridors and linkages are considered to be significant wildlife habitat.
7. For the purposes of this Plan, adjacent lands are those lands lying within 120 metres of any significant wildlife habitat or natural corridor identified on Schedule B.

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

1. Endangered and threatened species are those species listed as such in the *Species at Risk in Ontario* list under the *Endangered Species Act, 2007*. The significant habitat of these species is protected through the *Endangered Species Act, 2007* and through this land use policy.
2. The Township encourages property owners to consult the Natural Heritage Information Centre database prior to undertaking development or site alterations. The Centre makes data available to the public on the Province’s rare species, vegetation communities, and natural areas. The database includes information on the occurrence of endangered and threatened species and is an important screening tool for assessing the likelihood of the presence of endangered and threatened species habitat.
3. At the time of adoption of this Plan, the Loggerhead Shrike, Blandings Turtle, Butternut tree, and Eastern Prairie Fringed Orchid have all been identified as endangered species, and the Eastern Ratsnake, Stinkpot Turtle, and Least Bittern have all been identified as threatened species. The Black Tern and Milksnake have been identified as species of special concern.

4. This Plan recognizes that endangered and threatened species may exist throughout the Township, and the Township's policy with respect to endangered or threatened species is as follows:
  1. This Plan recognizes that endangered and threatened species may exist throughout the Township, however, the habitat of such species shall not be identified on Schedule A to this Plan in order to protect the species. The environmental impact study process associated with natural heritage features may identify the presence of endangered or threatened species habitat. In other cases, a screening map showing areas of documented occurrences of endangered and threatened species and their related habitats provided to the Township by the Ministry of Natural Resources and Forestry, will be used as a screening tool for reviewing planning applications.
  2. Environmental impact studies undertaken to assess various natural features identified on Schedule B may identify endangered or threatened species habitat. In other cases, Ministry of Natural Resources and Forestry mapping that is reviewed in relation to a proposal for development or site alterations such as filling, grading, or excavating that would change the landform and natural vegetative characteristics of the site may identify the existence of endangered and threatened species habitat. Where endangered or threatened species habitat has been identified through an environmental impact study or screening process, the proponent shall retain a qualified professional to conduct a preliminary ecological site assessment to delineate the significant habitat within or adjacent to the area of proposed development or site alteration in support of the planning application. The Township will consult with the Ministry of Natural Resources and Forestry on the findings of the report as to the extent of significant habitat present. If significant habitat of endangered and threatened species is identified, no development or site alterations shall be permitted within the significant habitat. The amount of habitat required for the survival of endangered and threatened species is determined on a species-specific, case-by-case basis. Development or site alterations shall not be permitted on adjacent lands unless the ecological function of such adjacent lands has been evaluated through the completion of an environmental impact assessment and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. The assessment required pursuant to this policy will be completed in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
  3. When any endangered or threatened species habitat is identified in the Township, the Ministry of Natural Resources and Forestry and Township shall develop a mutually acceptable process to be implemented for the protection of the species.

4. A site inventory for butternut, an endangered tree species, will be required prior to disturbance or removal of trees. Where harm to (cutting branches, root disturbance, etc.) or removal of butternut is proposed, prior assessment of the health of the species by a qualified Butternut Health Assessor is required. If the butternut is determined to be “not retainable”, a certificate from the assessor indicating that the tree can be removed will be required. If, however, the butternut is ‘retainable’ a permit will be required for its removal pursuant to the *Endangered Species Act, 2007*.
5. The Township encourages all property owners to consult the *Endangered Species Act, S.O., 2007*, and related *O.Reg 230/08*. The purpose of the Act is to identify species at risk, to protect such species and their habitats, to promote species recovery and to foster stewardship activities to assist in the protection and recovery of species at risk.
6. For the purposes of this policy, adjacent lands are those lands lying within 120 metres of the significant habitat of endangered or threatened species.

#### **2.21.6 Significant Woodlands and Adjacent Lands**

1. Montague possesses many large, contiguous woodland areas, scattered throughout the Township. These areas provide many environmental and economic benefits. Ecological functions include contributions to water quality and quantity by decreasing storm water runoff, soil erosion, flooding, and also removing nutrients, sediments and toxins. Woodlands provide important habitat that is essential to the survival of many species of flora and fauna, including certain endangered or threatened species, as well as contributing to improved fish habitat. Woodland areas also contribute to the forest-covered character of portions of the Township and enhance the scenic and recreational qualities of the area to the benefit of residents, local businesspersons, and visitors alike. Finally, it is noted that many of the significant woodlands in Montague are geographically coincident with Provincially-significant wetlands and locally-significant wetlands.
2. Significant woodland areas are important ecologically, in terms of species composition, age and stand history, functionally, in terms of their broader landscape function due to location, size and linkage to other woodlands, and economically, due to their quality, species composition and past management history. Significant woodlands have been identified on Schedule B to this Plan, using the criteria and methodology developed by the Kemptville District of the Ministry of Natural Resources and Forestry. The criteria include woodland size, woodland interior (core habitat that is 100 metres from a woodland edge), proximity to other significant woodlands, linkages, uncommon woodland characteristics, and woodland age.
3. The boundaries of significant woodlands as shown on Schedule B were identified using digital data provided by the Ministry of Natural Resources and Forestry and

were not field checked for accuracy. In this regard, site assessments will be an integral part of environmental impact studies to verify the presence of significant woodlands.

4. Prior to permitting development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site within a significant woodland area identified on Schedule B or adjacent lands, the approval authority shall require an environmental impact assessment demonstrating that there will be no negative impacts on the natural features or their ecological functions. The assessment required pursuant to this policy will be completed in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
5. For the purposes of this Plan, adjacent lands are those lands lying within 120 metres of any significant woodland identified on Schedule B.

#### **2.21.7 Significant Valleylands and Adjacent Lands**

1. For the most part, the Township of Montague does not contain vast areas of valleylands, with the exception of one notable valleyland along a reach of the Rideau Creek in the southeastern portion of the Township. This area has been identified as a significant valleyland on Schedule B for its qualities as a landscape feature unique within the Township. Characterized by a low gradient channel within a well-defined valley cross-section, this valley is significant for its ecological functions, natural heritage values and visual qualities.
2. Prior to permitting development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site within a significant valleyland area or adjacent lands, the approval authority shall require an environmental impact assessment demonstrating that there will be no negative impacts on the natural features or their ecological functions. The assessment required pursuant to this policy will be completed in accordance with the requirements of the **Environmental Impact Assessments** section of this Plan.
3. For the purposes of this Plan, adjacent lands are those lands lying within 120 metres of any significant valleyland identified on Schedule B.

#### **2.21.8 Environmental Impact Assessments**

1. The various interrelated features that comprise the natural heritage system vary considerably in terms of their sensitivity to development. Many features and areas can accommodate some development, while others are highly sensitive. The process of undertaking environmental impact assessments is intended to assist in making that determination.

2. The nature and scale of proposed development, and the contextual (ie. built versus natural) environment in which it is to occur, are important considerations in the context of establishing the appropriate level of study to be associated with an environmental impact assessment. Additionally, the number, nature, and sensitivity of natural heritage features within an area will have a significant bearing on the extent of assessment required.
3. The Township shall require the undertaking of an environmental impact assessment for any development or site alterations that require the approval of a planning application. The scope and scale of an environmental impact assessment shall be as determined by the approval authority, in consultation with the Rideau Valley Conservation Authority, but shall be appropriate to both the type and size of proposed development and the nature of the natural feature(s) to be assessed. In all cases, an environmental impact assessment shall provide sufficient information on a proposed development to ensure that there are no negative impacts on the natural features or ecological functions for which the area is identified.
4. Through consultation with the approval authority, potential negative impacts on the identified natural heritage feature or area will be examined through a process of environmental impact assessment, conducted on a case-by-case basis, prior to the approval of development. In certain cases, the requirements for an environmental impact assessment may be satisfied through the completion of an environmental screening checklist, such as the checklist contained in the Ministry of Natural Resources and Forestry's *Natural Heritage Reference Manual*, submitted to the approval authority as part of a planning application. The purpose of the checklist will be to provide a screening of the likelihood of negative impacts.
5. Subsequent to the review of the checklist by the approval authority, an environmental impact study, prepared by a qualified individual, may be required in order to assess the potential negative impacts on the natural features and ecological functions of the area in question. Such environmental impact study shall be required prior to the consideration of the planning application by the approval authority.
6. An environmental impact study shall:
  1. Define the nature and the boundaries of any significant features, ecological functions, and values on, or adjacent to, the site;
  2. Describe and map the proposed development activities, including building location, excavation, site grading, landscaping, drainage works, roadway construction, paving, sewage, and water servicing in relation to the various environmental considerations;
  3. Predict the effects of the proposed development on the various components of the environment on and adjacent to the site, such as wildlife, fish, vegetation,

soil, surface water, ground water, air, and any other relevant factors, taking into consideration effects during and after site alteration;

4. Evaluate the significance of all predicted and negative and positive effects on the various environmental considerations;
5. Evaluate the cumulative effect that the project (and any other known projects or activities) may have on the natural features and ecological functions identified for protection; and
6. Conclude with a professional opinion on whether negative effects on the natural features and ecological functions will occur.
7. Where an environmental impact study demonstrates that there are no negative impacts on the natural features or their ecological functions and that development may proceed, the approval authority may use various planning controls such as site-specific zoning provisions or site plan control to ensure that development and site alterations, as well as any required monitoring activities, occur in accordance with the environmental impact study recommendations.
8. In reviewing environmental impact assessment submissions, the approval authority will consult with independent professionals and other bodies such as the Rideau Valley Conservation Authority, as required.
9. The Algonquins of Ontario shall be consulted on any Environmental Impact Studies related to proposed developments where areas of Algonquin interest and/or Native Values and/or the potential for aboriginal artifacts to be encountered have been identified.

## **2.22 GROUND WATER SUPPLY, SEWAGE DISPOSAL AND OTHER SERVICES**

### **2.22.1 Ground Water Supply and Sewage Disposal**

1. Except in relation to specific areas on the periphery of the Town of Smiths Falls, there are no municipal water or sewage services available in the Township. It is unlikely that such services will be provided, except on an isolated basis. Accordingly, since private services will likely remain as the only generally available method of servicing, this Plan recognizes that private services may present limitations to the extent of infilling within existing built-up areas as well as to the extent of new development that can be accommodated in areas of future growth.
2. Communal services may be permitted as a form of servicing for five or more units/lots. Communal service systems shall be owned, operated, and managed by the Township, another public body, a condominium corporation, or a single owner which has entered into an agreement with the Township or public body, pursuant to

Section 51 of the *Planning Act*. Such agreement shall provide for financial securities to protect the ratepayers in the event that the municipal/public body is required to assume the operation of the communal services in the event of default by the owner. It is recognized that the implications for municipal responsibility for communal systems resulting from Provincial policy can present challenges to both the developer and the Township, and as such, the Township is not obligated to approve the use of communal systems. Once a communal system is approved, the use and operation of the communal system and the role and responsibilities of the Township shall be governed by the agreement. The need to develop on private services may place limits on the amount, distribution and type of development which may take place.

3. The protection of groundwater is of major interest to the Township, given the importance of ground water source potable water to permanent residential development, as well as all commercial, industrial, and institutional uses. This interest extends across municipal boundaries. The Mississippi Rideau Source Protection Plan (MRSPP), which is described in greater detail in Section 2.22.2 of this Plan, identified areas within the Township that may be a part of either a Highly Valuable Aquifer (HVA) or a Significant Groundwater Recharge Area (SGRA). Due to the predominance of shallow overburden, the vast majority of the Township, with the exception of some areas around Andrewsville and along the Rideau River, is considered as having Highly Valuable Aquifers. There are also a few areas that have been identified as being Significant Groundwater Recharge Areas due to gravel deposits and other soil features. The policies for these areas are not legally binding under the MRSSP, but it is in the Township's best interest to ensure the protection of the groundwater. Schedules "L" and "M" of the MRSPP identify the lands that may be of concern. When hydrogeological or terrain analysis studies are required to support applications under the *Planning Act* or Building Code within these areas, the HVA and/or SGRA should be considered when determining the scope of the study to ensure the goals of the MRSPP are met.
4. A Hydrogeological and Terrain assessment is required when any of the following apply:
  1. The development involves the creation of a lot less than 1 ha in size to be serviced with a private septic system, and a private well for drinking water purposes;
  2. The development is taking place in an area of potential or known hydrologic sensitivity;
  3. The development involves the creation of more than one building lot. A building lot is defined as a parcel of land suitable for residential development with a lot size less than or equal to 1 hectare. For the purpose of clarity, where a development proposal involves the creation of more than one lot, and one or

both of the lots is greater than one hectare, a hydrogeological assessment will not be required unless triggered by other criteria of this Section.

4. The development is located within a 150m circumference (i.e. circle) of seven (7) other existing developments serviced with private well and septic systems. The measurement of the circle will be from the midpoint of the proposed severed lot.

The requirements or scoped requirements of hydrogeological and terrain assessments will be determined in discussions with the peer reviewer of hydrogeological assessments for the Township and will ensure a minimum standard review to address adequacy for wells and appropriate construction methods.

5. Throughout the Municipality, except in the context of properties already serviced by municipal water and sewer, high water users which would be best served by municipal water and sanitary sewers will not be permitted. In addition, uses with significant potential to contaminate ground water sources will be discouraged, particularly where they would be adjacent to residential areas.

In reviewing planning applications, the cumulative impacts of private services shall be monitored to ensure sustainability of development.

6. The minimum lot size for development shall be in accordance with the requirements of this Plan and the implementing Zoning By-law, although the approval authority may require larger lots or impose special conditions or restrictions on development where deemed necessary to address health, safety or other issues related to the proper functioning of water and sewage services.
7. The Township will encourage the regular maintenance of sewage disposal systems and the upgrading or replacement of substandard systems. Where the upgrading or replacement of an existing system cannot reasonably be undertaken in compliance with the policies of this Plan with respect to water setbacks due to site-specific constraints, such sewage system improvements may be permitted with reduced setbacks, subject to meeting the requirements of the *Building Code Act*.
8. The Township supports initiatives of both public and private interests to encourage the efficient and sustainable use of water resources, including water conservation practices.
9. The Township will monitor the development of alternative sewage system technologies. Individual treatment systems designed to improve effluent quality, as well as small shared systems, may have significant implications for retrofit situations on existing single lots and more intense cluster development forms, respectively. The Township will review its servicing and development policies as required to accommodate new technologies and development forms.



10. It is expected that the Ministry of the Environment, Conservation and Parks (MECP) will release guidelines in the future with regard to sufficient treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services. Once these guidelines are released, it shall be the intent of the Township to consider amendments to the Official Plan to be consistent with the Sewage and Water policies of the *Provincial Policy Statement*.

### 2.22.2 Source Water Protection Policies

The Mississippi-Rideau Source Protection Plan (MRSSP) provides policy and direction on protecting sources of drinking water within the Mississippi and Rideau watersheds, covering an area of 8,500km<sup>2</sup> and affecting thirty-one (31) local municipalities. The MRSSP provides a series of legally and non-legally binding policies that are designed to give local municipalities the direction and tools required to mitigate drinking water threats. The Township of Montague recognizes the importance of these policies and is committed to implementing the legally binding policies of the MRSSP.

The MRSSP has identified the following vulnerable areas within the Township of Montague:

- **Smiths Falls Intake Protection Zone (IPZ)** is an area upstream of the intake at the Smiths Falls water treatment plant on the Rideau River where land use activities have the potential to affect the quality of water at the intake.
- **Merrickville Wellhead Protection Area (WHPA)** is an area to the northwest of the municipal wells which service the urban area of the Village of Merrickville-Wolford and where land use activities have the potential to affect the quality of water supplying the municipal wells.
- **Highly Vulnerable Aquifer (HVA)** is an aquifer that is vulnerable to surface contaminants due to thin or absent overlying soils or bedrock that is fractured. Most of the municipality is considered to be within an HVA.
- **Significant Groundwater Recharge Area (SGRA)** is an area where an aquifer is replenished through the infiltration of rainfall and snowmelt due to gravel deposits and other soil features.

The Township will use the following policies to guide land-use planning activities as they relate to source water protection:

1. The Intake Protection Zone upstream of the water intake area for the Town of Smiths Falls and the Wellhead Protection Area for the Merrickville municipal wells are identified on Schedule “B” of this Plan as overlay constraints. These identified IPZs and WHPAs represent areas where the Township is legally required to implement the MRSSP.

2. In the Intake Protection Zone and Wellhead Protection Area, applications under the *Planning Act* and *Building Code Act* will require a clearance notice from the Risk Management Official (RMO). This is to ensure activities prohibited under Section 57 of the *Clean Water Act* and activities requiring a Risk Management Plan under Section 58 of the *Clean Water Act* (to reduce risks to drinking water sources) do not proceed until these requirements have been met and Council will uphold any prohibitions indicated in the MRSSP. An application may proceed without a notice from the RMO if the applicant demonstrates to the satisfaction of the planning authority or the Chief Building Official that a designated drinking water threat activity will not be engaged in. A Source Water Protection Checklist can be used for this purpose.
3. The Township will appoint a Risk Management Official or maintain an enforcement transfer agreement with another body which has an appointed Risk Management Official (such as the Conservation Authority or Health Unit). An RMO is required to enforce the Source Protection Plan policies that invoke Part IV of the *Clean Water Act*. These policies either prohibit activities under Section 57 or require a Risk Management Plan (to reduce risks to drinking water sources) under Section 58 of the *Act*.
4. Council shall establish policies in the Zoning By-Law to implement the policies of this Plan and ensure the appropriate review of development applications in the IPZ and WHPA.
5. In considering site plan applications under Section 41 of the *Planning Act*, the Township will encourage the minimization of impervious surface area requiring the application of salt during winter, particularly in the Intake Protection Zones identified on Schedule "B".
6. By January 1, 2016, the Township will establish an education program to raise awareness about drinking water sources and good stewardship practices to protect them. Once established, the education program shall be ongoing with materials disseminated periodically as deemed appropriate by the Township.
7. As resources permit, Council may implement the non-legally binding policies described in the Source Protection Plan. These policies recommend the development of a Road Salt Management Plan and the promotion of Smart About Salt within the HVA, installing Drinking Water Protection signs along roads and waterways within the IPZ, collaborating with the Source Protection Authority on an education program targeted at businesses that transport potential contaminants through the IPZ and WHPA and updating the Emergency Information Plan with information about the IPZ and WHPA.

8. By February 1 of each year the Township will provide the Source Protection Authority with a summary of implementation activities for the previous calendar year related to the legally binding policies, where the Township is responsible for implementation.
9. The Township will amend the policies of this Official Plan to reflect any changes to the MRSSP regardless of the policies contained within the Official Plan.

### **2.22.3 Other Services**

1. Development shall be encouraged to take place in settlement areas where other services are either already available or can be readily provided. Among others, such services may include but are not limited to public roads, waste collection, disposal and recycling, fire protection, police protection, ambulance service, education, school bussing and parks and other recreational facilities.

## **2.23 SURFACE WATER QUALITY AND QUANTITY**

### **2.23.1 Development Adjacent to Water Bodies**

1. In addition to the policies of the **Fish Habitat and Adjacent Lands** section of this Plan, which are aimed at protecting fish habitat, the Township has a direct concern with the issue of surface water quality impacts related to water-oriented development, whether located directly on the waterfront of the Rideau River, smaller creeks and rivers, or adjacent to these water bodies. Further, it is recognized that there is a relationship between surface water and ground water quality.
2. Over the years, various research has been undertaken with respect to the issue of surface water quality, and its relationship with waterfront development practices. Policies to address water setback and water frontage follow:

#### **1. Water Setback**

1. An adequate water setback serves an important function in relation to the protection of the natural and cultural heritage characteristics and water quality of the water bodies in the Township. The intent of a water setback is to prevent the disturbance of the shoreline area as a result of the placement of buildings and structures, including new and replacement sewage systems, or the removal of the soil mantle and natural vegetation. In addition to preserving the natural aesthetic qualities of the shoreline as viewed from the water, an appropriate water setback can reduce phosphorus and other nutrient loads to the lake and, in combination with vegetation, prevent erosion and sedimentation. Development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site shall generally occur a minimum distance of 30

metres from the normal high water mark of any water body. The quantitative element of this setback shall be implemented through the comprehensive Zoning By-law, while the qualitative elements shall be addressed through the Site Plan Control process.

2. Where site-specific conditions suggest that it would be appropriate, the minimum water setback may be increased. Examples of the latter would include sites with steep slopes, limited soil depth, sub-optimal (i.e. very high or very low) soil percolation rates or limited vegetative cover. Sites along the Rideau Canal may also require setbacks greater than 30 metres in order to address Conservation Authority guidelines and the World Heritage Site buffer zone policies.
3. Development or site alteration may be permitted less than 30 metres from a water body in situations where existing lots or existing developments preclude the reasonable possibility of achieving the setback. In such cases, proponents will be encouraged to achieve the greatest possible setback for all development and site alteration, including septic systems, given existing site constraints such as lot size, lot shape and terrain. Extensions and enlargements to existing structures within the 30 metre water setback will be regulated through the Zoning By-law and shall not have the effect of further reducing a deficient waterbody setback.
4. Applications to further reduce an existing water setback of less than 30 metres will not be permitted. In order to achieve the greatest setback possible, proponents will be encouraged to seek variances to reduce minimum yards not adjacent to water rather than reducing existing water setbacks.
5. New lots shall be capable of accommodating the 30-metre water setback except for those proposed lots where the presence of an existing building means that the 30-metres setback cannot be achieved. In these instances, the policies of this plan shall apply to ensure that any subsequent development does not further reduce the deficient setback and that the greatest possible setback is achieved.
6. On existing lots of record, any proposal for development or site alteration proposed to occur less than 30 metres from a water body shall be subject to the policies of the **Fish Habitat and Adjacent Lands** and **Environmental Impact Assessments** sections of this Plan. Where a lesser water setback is contemplated, priority shall be given to sewage disposal system over buildings, in terms of meeting the water setback requirement.
7. It is the intention of this Plan to encourage increased water setbacks for replacement septic systems, where they are less than 30 metres from a water body.

8. Water setback requirements shall not apply to docks, boathouses, pump houses and other marine facilities accessory to permitted uses. Depending upon their location in relation to the water, such structures may require permits from approval authorities such as Fisheries and Oceans Canada, the Ministry of Natural Resources and Forestry, the Rideau Valley Conservation Authority, and Parks Canada, in addition to, or instead of, approvals from the Township. Any proposed structures along the Rideau Canal, shall be subject to the *Rideau Canal Policies for In-Water and Shoreline Works*, administered by Parks Canada.
9. It is the policy of this Plan to encourage the protection of existing natural vegetation from disturbance and the revegetation or naturalization of altered or disturbed shoreline areas through the development approval process. Among other tools, tree cutting or forest conservation by-laws, site alteration by-laws and Site Plan Control may be utilized by the Township for this purpose.
10. It is a policy of this Plan to encourage protection of cultural heritage resources when considering waterfront development. Where deemed appropriate, the water setback may be increased to preserve and/or enhance the aesthetic and cultural heritage resources associated with the Rideau Canal UNESCO World Heritage Site.
11. Through the mechanism of Site Plan Control, the Township shall attempt to ensure the provision of a strip of substantially undisturbed and naturally-vegetated area abutting the length of the shoreline on waterfront properties, interrupted only by required water-related structures such as docks, pump houses and boathouses. This strip will contribute to protecting the riparian and littoral zones and their associated habitat, prevent erosion, siltation, and nutrient migration, and assist in maintaining the natural appearance of the shoreline area. This strip will form part of the 30-metre minimum water setback required pursuant to this section and is intended to ensure the protection of the most environmentally-sensitive portion of the setback area. The Rideau Valley Conservation Authority shall be circulated planning applications, as applicable.

## **2. Water Frontage**

1. As a general rule, the minimum water frontage for any new waterfront lot shall be 50 metres. This requirement may be increased where site-specific conditions suggest that it would be appropriate and shall be implemented through the Zoning By-law.
2. Where the creation of more than three non-waterfront lots from a waterfront holding is proposed, a user-in-common deeded waterfront parcel of land shall

generally be provided, such parcel to have a minimum water frontage of 10 metres per non-waterfront lot, or as otherwise determined by the Township.

### **2.23.2 Storm Water Management**

1. Storm water management is an important part of the Township's broader interest in protecting water quality. Due to the fact that development affects the quality and quantity of storm run-off, the Township will ensure that adequate consideration is given to storm water management, including off-site impacts.
2. The Rideau Valley Conservation Authority plays a leadership role in facilitating the development of Watershed Plans for subwatersheds within its jurisdiction. The Middle Rideau watershed is the largest subwatershed in the Township, while the Jock River and Lower Rideau subwatersheds represent smaller land areas. As resources permit, the Rideau Valley Conservation Authority intends to produce a watershed plan for the Middle Rideau watershed, which will document its condition and pinpoint water quality and quantity issues requiring further attention. The Township supports this initiative. In the interim, it will rely on input from the Conservation Authority in response to the circulation of planning applications, as well as on relevant guidelines of the Ministry of the Environment, Conservation and Parks, in establishing and revising storm water design criteria and standards.
3. Prior to recommending plans of subdivision for draft approval, the Township may request that conceptual storm water management plans and reports be prepared for review by the Rideau Valley Conservation Authority and approval authorities. The conceptual storm water management report will include a statement of the design objectives to be applied and a description of the storm water management practices to be applied, in accordance with the relevant Provincial policies. Applicants are encouraged to consult with the approval authority and the Rideau Valley Conservation Authority prior to submitting a draft plan of subdivision.
4. Prior to final approval of plans of subdivision, detailed storm water design plans will be required. Such plans will be prepared in accordance with the requirements of the Rideau Valley Conservation Authority and approval authorities. Design criteria will be based upon methods and procedures contained in the relevant Provincial planning and design manuals used by these agencies.
5. The Township shall encourage storm water management practices that minimize storm water volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.
6. The Township will evaluate site plans according to an approved storm water design plan, or where no such plan exists, may request the following:
  1. A design for the provision of storm water management facilities;

2. A determination of the impact of the development and associated storm water management facilities on the receiving water body, both during and after construction, in respect of flooding, pollution, erosion, and sedimentation; and
3. Measures for mitigating any adverse impacts on a receiving water body, if such are likely to result from the proposed development.
7. Planning applications having potential impacts on the storm drainage system along County roads or Provincial highways shall be circulated to the County Engineer or the Ministry of Transportation for review, as applicable.
8. The design of new stormwater management facilities in the Intake Protection Zone shall minimize the risk of contaminating drinking water by encouraging grading and drainage designs that reduce ponding and direct the discharge of any stormwater run-off outside of vulnerable areas.
9. The Township will partner with appropriate authorities to prepare for the impacts of climate change by evaluating the impacts to water resources and the effective management of stormwater.

## **2.24 RIDEAU CANAL UNESCO WORLD HERITAGE SITE**

In 2007, the Rideau Canal was inscribed on the United Nations Education, Scientific and Cultural Organization (UNESCO) World Heritage List for its construction technology and role in defending Canada. “The Canal is the best preserved slackwater canal in North America and is the only canal from the great North American building era of the early 19<sup>th</sup> century that remains operational along its original line with most of its structures intact” (UNESCO).

Extending 202km from Lake Ontario in Kingston to the Ottawa River in Ottawa, the Rideau Canal is administered by Parks Canada and includes the bed of the Canal up to the upper controlled water elevation and 23 lockstations. Requirements for protection and management for the World Heritage Site include a 30m buffer zone. While not part of the site itself, the buffer zone acts as a mechanism that provides the site an added layer of protection.

The Rideau Corridor Landscape Strategy, a collaborative working relationship comprising First Nations, federal and provincial agencies, counties, municipalities, and conservation authorities, seeks to identify, understand, and preserve the cultural heritage resources, landscape character and scenic views along the Rideau Canal and its environs. Schedule B of this Official Plan identifies the Rideau Canal Corridor as an overlay. The Official Plan acknowledges that the Rideau Canal is a National Historic Site, a Canadian Heritage River and also a World Heritage Site. The Rideau Canal was designated a national historic site in 1926 in recognition of its construction, survival of a high number of original

structures and the unique historical environment of the canal system. In 2000, the Canal was designated a Canadian Heritage River for its outstanding human heritage and recreational values.

It is recognized that part of the value of the Rideau Canal lies in its rich historic environment, diverse landscapes, and natural beauty. With the Township of Montague, these include agricultural lands, extensive wetlands, the Rideau Migratory Bird Sanctuary and the view from the Canal and Canal lands to the heritage shore-lands and communities between Becketts Landing and Kilmarnock lockstation.

The Township recognizes the importance of waterways and islands to the culture of First Nations and accordingly, may engage First Nations on matters related to these features in the Rideau Corridor.

### **2.24.1 Goals**

1. To recognize, protect and promote the natural and cultural heritage, scenic and recreational values of the Rideau Canal as a Canadian Heritage River, National Historic Site and UNESCO World Heritage Site.
2. To protect and enhance the integrity of the Rideau Canal by supporting development that respects the heritage character of the landscape setting of the Rideau Canal.
3. To work collaboratively to enhance the tourism development potential of the World Heritage Site to the benefit of all stakeholders.

### **2.24.2 General Policies**

1. To preserve and respect the cultural heritage, natural heritage and scenic features and vistas of the Rideau Canal, the Township:
  - a) Recognizes the lands located adjacent to the Rideau Canal as a special area. The policies of this section apply to the Rideau Canal, the lockstations, and all other lands adjacent to the Canal;
  - b) Will work with Parks Canada to identify the cultural heritage, natural heritage and scenic features and vistas of the Rideau Canal landscape, and will protect those values through appropriate land use policies and designations, land division policies, cultural and natural heritage policies, design guidelines and view protection policies;
  - c) Where deemed appropriate, will consult Parks Canada and the Conservation Authority on proposals and development applications affecting the Rideau Canal;



- d) May adopt design guidelines for new development on lands adjacent to the Rideau Canal; and,
- e) Requires Site Plan Control for all development on lands adjacent to the Rideau Canal. An application for Site Plan Control should be accompanied by a plan identifying the location of all buildings, driveways, and private water and sewage systems, if applicable, the location of access to the shoreline, the extent to which vegetation within 30 metres of the shoreline will remain undisturbed, and mitigation measures to be implemented where the shoreline and shoreline vegetation have been previously altered or will be disturbed as a result of the proposed development.

### **2.24.3 Cultural Heritage Policies**

1. To recognize and protect the cultural heritage value of the Rideau Canal, the Township will:
  - a) Identify and protect the cultural heritage landscapes and built heritage resources directly associated with the Rideau Canal;
  - b) Require that both the terrestrial and marine archaeological resources associated with the Rideau Canal be conserved; and,
  - c) Require that development or site alteration on lands adjacent to the Rideau Canal demonstrate that the cultural heritage resources will be conserved and respected.
2. The Township may require that a heritage impact statement be prepared by a qualified person to the satisfaction of the Municipality for any development proposal that has the potential to adversely affect the cultural heritage value of the Rideau Canal. The scope of the heritage impact statement is to be determined in consultation with the Township and must include information relevant to the circumstances, including alternative development approaches or mitigation measures to address any impact to the Rideau Canal and its associated cultural heritage landscape and built heritage resources.

### **2.24.4 Development, Site Alteration & Shoreline Management**

1. The Township will prohibit any development or site alteration that would:
  - a) Alter the size, shape and/or configuration of the Rideau Canal
  - b) Interfere with the safe and efficient navigation of the Rideau Canal
2. Land uses that require the following activities should be directed away from the Rideau Corridor:

- a) Pits and quarries
- b) Outside storage
- c) Large, paved areas
- d) Activities that produce noise, fumes, or dust
- e) Cell/telecommunication towers
- f) Large-scale renewable energy projects

It is recognized that items (e) and (f) above are subject to the approval of other jurisdictions, however the Township is often called upon to provide a position on the proposal.

- 3. Lot creation will be discouraged where the natural channel is less than 100 metres wide in order to ensure that waterfront development will not interfere with navigation.
- 4. New buildings and septic systems must be set back a minimum of 30 metres from the Rideau Canal.
- 5. Where deemed appropriate, such as along narrow channels, the Township may increase the development setback from the water to preserve and/or enhance the aesthetic and cultural heritage resources associated with the Rideau Canal.
- 6. The Township will require the replacement of an existing, non-complying building to conform to the 30-metre setback requirement unless lot size and physical constraints do not provide sufficient space.
- 7. Any additions or expansions to an existing, non-complying building shall not encroach further into the area of the water setback. Regulations regarding limits on development within the floodplain will be detailed in the Zoning By-law.
- 8. Projects involving the repair, renovation, reconstruction or enlargement of non-complying buildings or structures shall incorporate measures, where possible, to establish a 15-metre strip of unaltered, naturalized land abutting the shoreline.
- 9. For new lots created in accordance with the policies of this Plan, retain, as a minimum, all-natural vegetation 30-metres from the shoreline in its natural state and only allow access to the waterfront by way of a natural path with minimal disturbance to the natural features.
- 10. For development on an existing vacant lot of record, retain, as a minimum, all-natural vegetation 15 metres from the shoreline in its natural state and allow only 25% of the shoreline or 15 metres, whichever is less, may be developed for access to, and use of, the waterfront.
- 11. New buildings and associated services should be located within existing naturally open areas on the site, beyond the 30-metre setback from the Rideau Canal.

12. New buildings should be designed to complement the landscape character and cultural heritage value of the surrounding area. Buildings should be in proportion to the size and frontage of the property and fit in with the surrounding built environment. New buildings should be low profile and not exceed the height of the tree canopy.
13. Under the federal Historic Canals Regulations, Parks Canada oversees all in-water works along the Rideau Canal. Marine facilities such as docks, water access and boathouses, where permitted, must adhere to Parks Canada's *Policies for In-Water and Shoreline Works and Related Activities* and require a permit from Parks Canada before work can begin. Such activities must avoid negative impacts to fish, wildlife, navigation, and the natural and visual qualities of the shoreline.

#### **2.24.5 Economic Development, Tourism and Recreation**

1. The Township will work with Parks Canada, the 12 other municipalities located adjacent to the Rideau Canal, and other agencies having jurisdiction, to sustainably develop and promote the tourism potential of Ontario's only UNESCO World Heritage Site.
2. The Township supports opportunities for public access to the Rideau Canal. Existing public access to the shoreline will be retained and new access points, at strategic locations, may be secured at the time of development via land acquisition or access easements.

## SECTION 3 LAND USE POLICIES

### 3.1 INTRODUCTION

The Township of Montague shall develop in accordance with the land use pattern shown on the Land Use and Roads Plans, attached as Schedule A to this Plan. The Schedule establishes the pattern of development in general terms by dividing the Township into seven land use designations:

Mineral Resource  
Natural Heritage A  
Natural Heritage B  
Natural Hazard  
Rural  
Settlement Area  
Agriculture

The policies governing the use of the lands within these designations, as shown on Schedule A, are contained in this section of the Plan, but should be read in conjunction with all other sections of the Plan. Particular regard should be had to the **General Development Policies** section of this Plan which sets out various policies which apply to all development, regardless of the land use designation in which it is situated. Among other matters, a number of the policies contained in the **General Development Policies** section relate to considerations that must be addressed in undertaking development or site alteration due to the existence of various on-site or adjacent area features, constraints, existing uses or land use designations. Some of these features and constraints are identified on Schedule B.

In addition, certain Public and Institutional uses may be permitted in land use designations, in accordance with the policies of this Plan dealing with **Public and Institutional Uses**.

### 3.2 MINERAL RESOURCE

#### 3.2.1 Intent of the Designation

The importance of mineral aggregates and minerals and their protection for long term use is recognized through the Mineral Resource designation. This designation is intended to be assigned to lands occupied by licensed pits or quarries, as well as lands containing deposits of mineral aggregates or minerals. Lands have been designated on the basis of information on the extent of resources and existing operations supplied by the Ministry of Mines.

Lands designated on the basis of existing licensed pits and existing licensed quarries are designated as Mineral Resource – Aggregate on Schedule A. In general, the Township

is virtually devoid of natural granular material, and it is recognized that as surficial sand and gravel aggregate resources within and adjacent to the Township are exhausted, bedrock sources may become of interest. Official Plan Amendment applications to develop these bedrock aggregate resources may, therefore, be expected.

Mapped bedrock information has been provided to the Township through the Ministry of Natural Resources and Forestry. Vast areas of the Township are predominated by the Oxford and March bedrock formations. From the mapping supplied, the Township has identified areas of the municipality where there are potential sources of bedrock aggregate that could be exploited. The Oxford formation, a bedrock resource that is generally suitable for all industry uses, is considered to be the most probable bedrock source of aggregate that has the potential to be quarried to serve local aggregate needs. After having given regard to environmental constraints imposed by the presence of significant wetlands, settlement areas and major water bodies such as the Rideau River, this potential bedrock aggregate resource has been identified on Schedule B. Accordingly, Official Plan amendment applications to develop these bedrock resources may be expected and will be generally supported by the Township, subject to meeting the amendment criteria set out in this Plan. Where development is proposed within or adjacent to an area of potential bedrock source as identified on Schedule B, the policies of the **Land Use Compatibility** section of the Plan shall apply.

At the time of adoption of this Plan, no lands have been designated Mineral Resource on the basis of minerals. Should minerals be identified in the future that should be protected by a Mineral Resource designation, they shall be identified through an amendment to this Plan which designates them as Mineral Resource - Mineral, in order that they are protected for long term use. Any non-mineral development proposed in areas designated on the basis of minerals would only be permitted to occur if the Ministry of Mines and the Township determined that such development would not compromise objectives with respect to the protection of minerals for extraction.

Council shall have regard for cultural heritage resources in considering the establishment of new areas for mineral extraction or the expansion of existing operations. Where necessary, Council will require satisfactory measures to mitigate any negative impacts on significant cultural heritage resources.

### **3.2.2 Permitted Uses**

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

asphalt plants, concrete plants, and aggregate transfer stations, as well as accessory uses to extractive operations including asphalt plants, concrete batch plants, recycle stockpile areas for glass, asphalt, and concrete and aggregate transfer stations.

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

Land uses such as agriculture, forestry, conservation, and outdoor recreation uses shall be permitted, provided that such uses shall not generally include buildings or activities that would preclude or hinder the establishment of new mineral mining or mineral aggregate operations or access to mineral resources or hinder the expansion or continued use of an existing mineral mining or mineral aggregate operation.

If in the future, lands are designated Mineral Resource - Mineral, on the basis of potential minerals, development proposals for other land uses may be permitted in accordance with the **Rural** section of this Plan, subject to the agreement of the Ministry of Mines and the Township.

### 3.2.3 Policies

1. On lands designated Mineral Resource - Aggregate, the area to be zoned and licensed under the *Aggregate Resources Act* for a pit or quarry must be generally located within the limits of the designated area. Any new designation or significant expansion proposal involving lands beyond the limits of the designated area shall require an amendment to this Plan.
2. Existing licensed pits and quarries and other existing mineral resource operations will be zoned in the Zoning By-law to permit such uses. New operations, as well as expansions to existing operations will be established through an amendment to the Zoning By-law. In evaluating the application, the Township shall review studies submitted by the applicant in support of the related license application pursuant to the *Aggregate Resources Act*.
3. Lands within the Mineral Resource designation that are not zoned for mineral aggregate or mineral mining operations shall be placed in an appropriate zoning category in the Zoning By-law which will allow rurally-oriented uses, but which will not allow sensitive land uses such as residences, day care centres and educational and health facilities. Notwithstanding the foregoing, sensitive uses may be permitted, subject to the agreement of the Ministry of Mines, as applicable, and the Township and provided further that:
  1. A mineral resource use would not be feasible due to qualitative, quantitative, or other constraints; or
  2. The proposed land use serves a greater long term public interest; and

3. All issues related to public health and safety, as well as environmental impact, can be addressed.
4. All pit and quarry operations shall be licensed by the Ministry of Natural Resources and Forestry under the *Aggregate Resources Act*.
5. Access to mineral aggregate or mineral mining operations shall be encouraged to locate on County roads, wherever possible. Where access is to be obtained from a Township road, it must be of an adequate standard of construction to support the anticipated truck traffic.
6. An application for an amendment to the Official Plan to change the designation from Mineral Resource to another designation shall be supported by reports which demonstrate that:
  1. A mineral resource use would not be feasible due to qualitative, quantitative, or other constraints; or
  2. The proposed land use serves a greater long term public interest; and
  3. All issues related to public health and safety, as well as environmental impact, can be addressed; and
  4. The proposed redesignation shall not preclude the potential to use adjacent lands designated Mineral Resource for mineral or mineral aggregate extraction.
7. Mineral aggregate operations shall be required to undertake progressive rehabilitation to accommodate subsequent land uses.
8. Mineral mining operations, including associated processing facilities, shall undertake rehabilitation, including progressive rehabilitation where feasible, to accommodate subsequent land uses.
9. In evaluating an amendment to the Official Plan to change the designation of lands to Mineral Resource from another designation, the Township shall require the provision of sufficient information to evaluate the application, including the following:
  1. The quality and quantity of mineral resource;
  2. The type and location of neighbouring land uses, having regard to land use compatibility;
  3. The location and adequacy of proposed access routes, any proposed improvements and the traffic flow and volume;

4. Proposed operational plans and site plans for extraction activities;
5. Potential sources and sensitive receptors of noise, dust, and vibration;
6. Hydrogeology and surface water quality and quantity, predicted changes and sensitivity to such changes, investigated on a basis consistent with whether extraction is to occur above or below the water table;
7. The location of natural heritage features and ecological functions, their type, value, and sensitivity to change;
8. The presence of archaeological remains or cultural heritage resources; and
9. Mitigation measures.

Information that may be required shall not include any demonstration of need for mineral aggregates (i.e. any type of supply and demand analysis).

10. It is a policy of this Plan that existing incompatible land uses, including sensitive land uses such as residences, day care centres and educational and health facilities shall be protected from the establishment of new mineral aggregate and mining operations or expansions where such establishment or expansion would be incompatible for reasons of public health, public safety, or environmental impact. Similarly, established pits and quarries and resource areas are the beneficiaries of reciprocal policies contained in the **Land Use Compatibility** section of this Plan intended to protect them from encroachment by incompatible sensitive land uses. Influence areas in relation to pits are 300 metres, except in the case of Class B pits where excavation is above the water table, in which case the influence area is 150 metres. The influence area in relation to quarries is 500 metres.
11. On lands designated Mineral Resource on the basis of minerals rather than mineral aggregates, all planning applications shall be circulated to the Ministry of Mines. Subject to the agreement of the Ministry and the Township, development for purposes not related to mineral resources may be permitted in accordance with the provisions of the Rural designation, provided that such lands are not licensed for a pit or quarry under the *Aggregate Resources Act* and provided further that:
  1. A mineral resource use would not be feasible due to qualitative, quantitative, or other constraints; or
  2. The proposed land use serves a greater long term public interest; and
  3. All issues related to public health and safety, as well as environmental impact, can be addressed.



### 3.2.4 Special Exception Areas

*(Reserved)*

## 3.3 NATURAL HERITAGE A

### 3.3.1 Intent of the Designation

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

Wetlands are those lands which are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. Periodically soaked lands used for agricultural purposes and which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water-tolerant plants.

The four major types of wetlands are swamps, marshes, bogs, and fens. Wetlands are important for their role in the recharge and discharge of groundwater, water quality improvement, flood and erosion damage reduction, wildlife habitat and recreational and tourism opportunities such as hunting, fishing, bird watching, hiking, and boating.

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

Similarly, other portions of Provincially-significant wetlands designated as Natural Heritage A in this Plan include lands within 1:100 year flood lines, as mapped by the Rideau Valley Conservation Authority. While, in general, flood plain lands are designated Natural Hazard by this Plan, where they are geographically coincident with Provincially-significant wetlands, they are designated Natural Heritage A and subject to the policies of the Natural Heritage A designation, thereby reflecting the more restrictive policy environment of the latter designation.

Approved ANSIs are not included in the Natural Heritage A designation, but rather are designated Natural Heritage B.

Other natural heritage features such as fish habitat, wildlife habitat, endangered and threatened species habitat, woodlands and valleylands are discussed in the section of this Plan dealing with **Natural Heritage Features**. While not included in the Natural Heritage A designation for policy or practical reasons, such features are nevertheless considered significant. Policies relating to fish habitat, wildlife habitat and endangered and threatened species habitat are included in the **Natural Heritage Features** section, as are policies relating to development on lands adjacent to wetlands and ANSIs which are designated either Natural Heritage A or Natural Heritage B.

While this Plan encourages appropriate growth and development within the Rural area, it also recognizes constraints and limitations to development resulting from the need to protect and preserve various Natural Heritage Features. Extensive areas of wetland and natural heritage features are found throughout the Township and shall be protected, presenting significant limitations on where and how rural development may occur. The **Natural Heritage Feature** policies of this Plan are designed to promote the protection of natural environmental features.

### 3.3.2 Permitted Uses

The permitted uses include only those related to conservation, wildlife management and passive outdoor recreation activities that do not require alteration to the natural features. Minor accessory structures relating to these uses, such as nesting platforms, which are designed to minimize impacts on the natural features and functions of the area may be permitted subject to the provisions of the **Environmental Impact Assessments** section of this Plan.

### 3.3.3 Policies

1. Development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site shall be prohibited within the Natural Heritage A designation.
2. Development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site may be permitted on lands adjacent to the Natural Heritage A designation, subject to the provisions of the **Natural Heritage Features** section of this Plan and if supported by an Environmental Impact Assessment. Adjacent lands means those lands within 120 metres of the Natural Heritage A designation.
3. Development or site alteration within or adjacent to wetland areas is subject to the Section 28 Regulation made pursuant to the *Conservation Authorities Act* and administered by the Rideau Valley Conservation Authority.

4. Where land designated as Natural Heritage A is held under private ownership, there is no implication that the land is open to the general public or that it will be acquired by any public agency.
5. Established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to the Natural Heritage A designation, but the expansion of agricultural buildings or structures or the clearing or draining of additional lands are only permitted subject to the **Environmental Impact Assessments** section of this Plan. In no case shall new agricultural buildings or structures be permitted within the Natural Heritage A designation.

### 3.3.4 Special Exception Areas

*(Reserved)*

## 3.4 NATURAL HERITAGE B

### 3.4.1 Intent of the Designation

The Township's natural heritage consists of a variety of features and areas which are important for their environmental and social value. These features and areas include wetlands, Areas of Natural and Scientific Interest (ANSIs), fish habitat, wildlife habitat and the habitat of endangered and threatened species. Some of these features and areas are considered particularly significant by the Province of Ontario and/or the Township. The Natural Heritage B designation is assigned to areas of natural and scientific interest (ANSIs) in order to protect them from development or site alteration, unless it can be demonstrated that there will be no negative impacts on the natural features or ecological functions for which the area is identified.

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

ANSIs that have been approved by the Province are included in the Natural Heritage B designation. At the time of adoption of this Plan, the Numogate Mud Lake Fen is the only approved ANSI in the Township. The Numogate Mud Lake Fen ANSI is designated Natural Heritage B on Schedule A, where it is not geographically coincident with the South Mud Lake Provincially-significant wetland. Where the ANSI coincides with the South Mud Lake wetland, the Natural Heritage A designation has been applied.

As wetlands are evaluated by the Ministry of Natural Resources and Forestry and deemed to be locally significant, and as additional ANSIs are identified and approved by the Ministry of Natural Resources and Forestry, as the case may be, this Plan will be amended to designate them as Natural Heritage B.

Subject to the undertaking of an Environmental Impact Study in accordance with the provisions of the **Environmental Impact Assessments** section of this Plan, development and site alteration may be permitted to occur within the Natural Heritage B designation.

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

### 3.4.2 Permitted Uses

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

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

### 3.4.3 Policies

1. Development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site shall not generally be permitted within the Natural Heritage B designation. Development or site alteration may be permitted, subject to the **Environmental Impact Assessments** section of this Plan and an amendment to the Zoning By-law.
2. Development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site may be permitted on lands adjacent to the Natural Heritage B designation, subject to the provisions of the **Natural Heritage Features** and **Environmental Impact Assessments** sections of this Plan. Adjacent lands means those lands within 120 metres of the Natural Heritage B designation, except for a provincially significant Area of Natural and Scientific Interest – Earth Science, for which adjacent lands means those lands within 50 metres.
3. Development or site alteration within or adjacent to wetland areas is subject to the Section 28 Regulation made pursuant to the *Conservation Authorities Act* and administered by the Rideau Valley Conservation Authority.

4. Where land designated as Natural Heritage B is held under private ownership, there is no implication that the land is open to the general public or that it will be acquired by any public agency.
5. Established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to the Natural Heritage B designation, but new or expanded agricultural buildings or structures or the clearing or draining of additional lands are only permitted subject to the **Environmental Impact Assessments** section of this Plan.

#### 3.4.4 Special Exception Areas

*(Reserved)*

### 3.5 NATURAL HAZARD

#### 3.5.1 Intent of the Designation

Natural Hazard lands are lands which could be unsafe for development because of their physical characteristics, and which pose a potential risk for loss of life, property damage, and social disruption if developed. Lands within the regulation limit (1:100 flood plain), as mapped by the Rideau Valley Conservation Authority, are designated as Natural Hazard on Schedule A. Generally, it is intended that no development or site alteration occur in the designation.

Steep slopes and organic soils as identified in the Canada Land Inventory also have the potential to constitute a natural hazard and are discussed in the section of this Plan dealing with **Natural Hazard Features**. Policies relating to steep slopes and organic soils are included in the **Natural Hazard Features** section. Typically, lands exhibiting steep slopes or organic soils pose constraints to development which may be overcome, either through siting buildings and structures outside the constraint-affected portions of the lands or through appropriate engineering to address constraints. Accordingly, such lands will not normally be included in the Natural Hazard designation.

In situations where Natural Hazard lands are geographically coincident with Provincially-significant wetlands, they are designated Natural Heritage A and subject to the policies of the Natural Heritage A designation, thereby reflecting the more restrictive policy environment of the latter designation.

Karst topography is an area of limestone plain marked by sinks, or karst holes, interspersed with abrupt ridges and irregular protuberant rock, usually underlain by caverns and underground streams. Mapping has been provided by the Ministry of Natural Resources and Forestry which identifies potential areas of karst topography, identified on Schedule B to this Official Plan.

### 3.5.2 Permitted Uses

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

No development is permitted other than flood or erosion control structures, shoreline stabilization, water intake facilities and minor recreational facilities such as docks, all as approved by the appropriate approval authorities, such as Fisheries and Oceans Canada, the Ministry of Natural Resources and Forestry, the Rideau Valley Conservation Authority, and Parks Canada, where applicable.

### 3.5.3 Policies

1. The boundaries of the Natural Hazard designation as identified on Schedule A will be used as a guide for the preparation of Zoning Bylaw provisions which will implement the policies of this section. Building setbacks will be imposed from the boundary of land designated as Natural Hazard related to the extent or severity of the hazard, as set out in the **Natural Hazard Features** section of this Plan. No new lots shall be created that lie solely in areas susceptible to flood hazards or that cause adverse impacts on upstream or downstream lands. In accordance with Provincial policies, all relevant policies of this Plan, the *Conservation Authorities Act* and any associated regulations which may be adopted, no buildings or structures except those related to flood and erosion control shall be constructed or enlarged, and no other development or site alteration shall be permitted on lands within or adjacent to the Natural Hazard designation, except as approved by the Rideau Valley Conservation Authority.
2. Lands within and adjacent to lands affected by natural hazards are subject to the Section 28 Regulation made pursuant to the *Conservation Authorities Act* and administered by the Rideau Valley Conservation Authority. While adjacent lands are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site shall occur without the written permission of the Rideau Valley Conservation Authority in accordance with the Section 28 Regulation.
3. Although lands adjacent to the Natural Hazard designation are designated for various land uses, no buildings or structures shall be constructed or enlarged, and no development or site alteration such as filling, grading, and excavating that would change the landform and natural vegetative characteristics of the site shall occur on

lands within or adjacent to the Natural Hazard designation without the written permission of the Rideau Valley Conservation Authority, as set out in the **Natural Hazard Features** section of this Plan.

4. Where land designated Natural Hazard is held under private ownership, there is no implication that the land is open to the general public or that it will be acquired by any public agency.
5. Where development is proposed on a site, part of which has physical or environmental hazards, then such land shall not necessarily be acceptable as part of the required parkland dedication under the *Planning Act*. All lands dedicated to the Township shall be conveyed in a physical condition satisfactory to the Township. Where an open watercourse is involved, adequate space shall be provided for maintenance and operation.
6. The Township shall encourage the owners of existing development to address potential hazards in accordance with the policies of this Plan. Specifically, buildings that are located within a regulation limit should provide floodproofing protection for such buildings and any proposed additions in consultation with the Rideau Valley Conservation Authority.
7. The regulation limit for the Rideau River have been mapped by the Rideau Valley Conservation Authority. Where new, updated, or additional regulation limit mapping is undertaken, it shall be incorporated into this Plan by amendment.
8. An application for the redesignation of Natural Hazard lands to permit development shall only be considered if it can be demonstrated to the satisfaction of the Township and Rideau Valley Conservation Authority that the lands are not subject to a natural hazard.
9. In addition to the above noted policies, for those lands identified on Schedule B as having potential for karst topographic features, the policies of Section 2.19.4 shall also apply.

### **3.5.4 Special Exception Areas**

*(Reserved)*

## **3.6 RURAL**

### **3.6.1 Intent of the Designation**

The lands designated Rural represent the bulk of lands within the Township and include a wide variety of land types and activities at a relatively low density. These lands are characterized by their historical role in accommodating the farm and rural communities,

as well as recreational uses. The intent of this Plan is to retain the rural and recreational flavour of Rural lands while providing for a modest amount of compatible and orderly new development. Land uses in the Rural area will generally relate to the management and use of resources, resource-based recreational activities, and commercial, industrial, and limited residential uses. The overall amount of development permitted will be consistent with the retention of the natural and cultural heritage and landscapes of lands within the designation, including maintenance of both its characteristic tree-covered and large open areas.

While this Plan encourages appropriate growth and development within the Rural area, it also recognizes constraints and limitations to development resulting from the need to protect and preserve various Natural Heritage Features. Extensive areas of wetland and natural heritage features are found throughout the Township and present significant limitations on where and how rural development may occur. The Rural policies of this Plan are designed to promote development recognizing the limitations of natural environmental features.

### **3.6.2 Permitted Uses**

Within the Rural area, a variety of land uses shall be permitted including agriculture, forestry, management or use of resources, conservation, various outdoor recreational uses, and commercial, industrial and limited residential uses, subject to the following use-specific policies.

### **3.6.3 Agriculture Policies**

1. Agricultural uses such as the growing of crops, including nursery and horticultural crops, the raising of livestock and other animals for food, including poultry and fish, fur or fibre, aquaculture, apiaries, agro-forestry, maple syrup production, and associated on-farm buildings and structures are permitted. Secondary uses that produce value-added agricultural products from the farm operation on the property are also permitted.
2. Agriculture-related commercial and agriculture-related industrial uses are permitted uses. Examples of permitted uses include grain drying, handling and storage facilities, and value-added agricultural products enterprises such as custom meat shops, pick-your-own operations, produce markets and packing operations. Abattoirs, livestock marketing or sales yards, seed cleaning plants, agricultural produce warehouses and similar agri-businesses are permitted. Agri-tourism uses are also permitted.
3. A dwelling accessory to any of the foregoing uses and located on the same lot shall be permitted.



4. The Township encourages all nutrient generators and users to undertake the preparation of nutrient management plans and engage in best management practices.
5. Agricultural uses shall comply with the **Land Use Compatibility** section of this Plan.

#### **3.6.4 Residential Policies**

1. Permitted residential uses shall generally be restricted to single dwellings developed on the basis of one dwelling per lot.
2. Rural lands are intended for low density residential development that complements the character of the rural environment. Where appropriate, however, such as in the case of infill development or development located immediately adjacent to lands designated Settlement Area, consideration may be given to permitting somewhat higher density residential development than is generally contemplated for the Rural designation, subject to addressing the policies of the **Ground Water Supply, Sewage Disposal and Other Services** section of this Plan.
3. Land division for the creation of residential lots may take place through both the consent and subdivision process in accordance with the **Land Division** section of this Plan.
4. Given that residential uses are sensitive land uses, special regard shall be given to the policies of the **Land Use Compatibility** section of this Plan.
5. Residential uses shall be placed in an appropriate zoning category in the Zoning By-law.

#### **3.6.5 Commercial Policies**

##### **1. General Commercial Policies**

1. A variety of commercial uses including locally-oriented, rurally-oriented and highway commercial uses shall be permitted. These commercial uses are engaged in the buying and selling of goods and services primarily to area residents, farms, businesses and the travelling public. Among other uses, permitted uses shall include automobile sales and service, gas bars, hotels, motels, eating establishments, retail uses, business and professional offices, service shops and farm-related commercial uses. In addition, small-scale businesses engaged in the custom production of articles such as artists' or artisans' studios shall be permitted. An accessory dwelling for the owner or operator shall be permitted.
2. Commercial uses must be appropriate for the proposed location.

3. Commercial uses shall be subject to addressing the policies of the **Ground Water Supply, Sewage Disposal and Other Services** section of this Plan.
4. Vehicular access to commercial uses shall be carefully controlled in terms of the design and number of access points in order to ensure public safety.
5. Adequate off-street parking, loading and other facilities shall be provided.
6. Where commercial uses abut residential or other sensitive land uses, adequate buffering through setbacks or screening shall be required.
7. The outdoor storage of goods and materials shall be strictly controlled. Open storage areas shall be adequately buffered from adjacent roads and properties
8. Commercial uses shall generally be permitted by amendment to the Zoning By-law.

## **2. Tourist Commercial Policies**

1. Tourist commercial uses shall include the full range of uses that cater primarily to the tourist trade or recreational needs. Permitted uses shall include all types of tourist lodging facilities such as hotels, motels, resorts, rental cottages and campgrounds, summer camps, clubs, places of entertainment, and recreational facilities such as golf courses, hunt camps, sports and recreation areas and facilities, parks and marinas. Buildings, structures, or sites of historic interest, uses such as museums and related facilities are also permitted. An accessory dwelling for the owner or operator of a tourist commercial use shall also be permitted.
2. Tourist commercial uses shall be subject to addressing the policies of the **Ground Water Supply, Sewage Disposal and Other Services** section of this Plan.
3. Tourist commercial uses must be appropriate for the proposed location. In this regard, uses shall be located so that they are readily accessible to tourist traffic with a minimum of disruption to adjacent residential uses.
4. Vehicular access to tourist commercial uses shall be carefully controlled in terms of the design and number of access points in order to ensure public safety.
5. Adequate off-street parking, loading and other facilities shall be provided.
6. Where tourist commercial uses abut residential or other sensitive land uses, adequate buffering through setbacks or screening shall be required.

7. In reviewing applications for tourist commercial development, regard shall be given to the protection of cultural and natural heritage features. In particular, efforts shall be made to integrate waterfront tourist commercial uses with the shoreline environment so as to minimize visual and other impacts.
8. Where applications for tourist commercial development involve significant boat docking facilities such as those associated with marinas and large resorts, the preparation of a boat impact assessment shall be required to evaluate the suitability of the site and its land/water environs for docking or mooring facilities and associated boat traffic. Approval will be required from Fisheries and Oceans Canada, the Ministry of Natural Resources and Forestry, and Parks Canada, where applicable.
9. Where tourist commercial uses comprise facilities for accommodation, they constitute a sensitive land use and, as such, special regard shall be given to the policies of the **Land Use Compatibility** section of this Plan. Tourist commercial uses shall generally be permitted by amendment to the Zoning By-law.

#### 3.6.6 Industrial Policies

1. Permitted industrial uses shall be those which are oriented to the rural economy, such as those which use local resources or serve local businesses and residents such as sawmills, feedmills, agricultural processing facilities, open storage, warehousing, farm service businesses, builders' supply yards, bulk storage yards, contractors' yards, transportation terminals and similar uses. An accessory dwelling for the owner or operator of an industrial use may also be permitted, where compatible.
2. In order to address potential land use conflicts between industrial and other uses, industrial development shall comply with the **Land Use Compatibility** section of this Plan.
3. Industrial uses shall be subject to addressing the policies of the **Ground Water Supply, Sewage Disposal and Other Services** section of this Plan.
4. Adequate off-street loading facilities and employee parking and other facilities shall be provided.
5. Open storage areas shall be adequately buffered from adjacent roads and properties.
6. Vehicular access to industrial uses shall be carefully controlled in terms of the design and number of access points in order to ensure public safety. Particular regard shall be had to the needs of truck traffic.

7. Industrial uses shall generally be permitted by amendment to the Zoning By-law.
8. The Montague Business Park is a 12.5-hectare parcel of land located in Part of Lots 28 and 29, Concessions 5 and 6, north of the Town of Smiths Falls, with access to Provincial Highway No. 15. These lands represent the Township's primary employment lands. Notwithstanding any other industrial use policies of this Plan, the following policies shall apply to the Montague Business Park:
  1. Uses permitted within the Business Park shall include a wide range of commercial and industrial uses appropriate for private services including agricultural processing plants, builder's supply yards, bulk storage yards, contractor yards, transportation terminals, motor vehicle repair garage, sawmill, warehousing, and other similar uses. Traditional light industrial uses such as assembly plants, fabricating plants, manufacturing plants, wholesale establishments, tradesperson's shop, which are of a scale that can be supported by private services, shall also be permitted. Limited office and retail uses accessory to a permitted use may also be permitted. Residential uses, including accessory residential uses, shall not be permitted within the Business Park.
  2. The Business Park lands are located within the Smith Falls Intake Protection Zone (IPZ) 8, under the regional Source Water Protection Plan. Development within these lands shall be subject to the **Source Water Protection Policies** of this Plan. The following activities shall require an approved Risk Management Plan:
    - a. Land application of organic nutrients (agriculture & non-agriculture).
    - b. Storage and application of pesticides.
    - c. Stormwater Management Ponds servicing an area greater than 40 ha (100 acres).

The Council shall establish zoning for the Business Park that reflects the IPZ 8 limitations on the use of the lands.

3. Generally, industrial uses which result in nuisance by way of noise, illumination, odour, dust, vibration, fumes, or smoke will require a mitigation plan in order to be accommodated in in the Business Park. A mitigation plan shall be required for any permitted use that may result in nuisances. The *Environmental Protection Act* "D-6 Compatibility between Industrial Facilities" and the **Land Use Compatibility** policies of this Plan shall apply to minimize nuisance activities on surrounding land uses.

4. It is Council's desire to have the Business Park as an attractive and appealing location to invest and operate a business. In order to achieve this, development within the Township's Business Park shall be subject to site plan control. Site Plan control shall detail building locations, parking, servicing, signage, open storage, landscaping, screening/buffering and other site features to ensure that the lands are developed and maintained in a manner that is aesthetically appealing.
5. Council may wish to pre-zone Business Park lands, using the Holding (-h) symbol to require site plan control. The holding symbol would ensure that Council reviews development proposals prior to the issuance of building permits. The use of the holding symbol would provide potential investors with confidence that zoning is in place to permit development. The use of the holding symbol on Business Park lands is an element of ensuring the lands are "investment ready" and also recognizes the lands are within a Source Water Protection Zone.
9. Through the mechanism of Site Plan Control, regard shall be had to aesthetic, functional, safety, and land use compatibility considerations. Special site plan requirements may be applied where industrial development would abut residential uses.

### **3.6.7 Airport Policies**

The Russ Beach Airport is a community airport located in Part of Lots 15 and 16, Concession 4, just off County Road No. 4. The airport has a 1200-metre long paved runway that is capable of handling small corporate jet aircraft. The Township supports the development of lands on and adjacent to the airport with complementary uses to strengthen the importance of the airport in the local and regional economy. Policies for development and use of lands on and in the immediate vicinity of the airport follow:

1. The range of permitted uses for Airport Lands shall be detailed in the Zoning By-law and shall generally focus on aviation-related or complementary activities. Aviation-related uses include, but are not limited to, the production and sale of general aviation aircraft, avionics and associated equipment and the provision of support services such as flight schools, aircraft maintenance and fixed base operators. In addition, a range of compatible commercial and industrial uses appropriate for private services including contractor yards, transportation terminals, warehousing, wholesale establishment, tradesperson's shop, assembly plants, fabricating plants, manufacturing plants, and wholesale establishments, which are of a scale that can be supported by private services and compatible with aviation activities shall also be permitted. Limited office and retail uses accessory to a permitted use may also be permitted.

2. New development adjacent to the airport, which may include commercial and industrial development, in accordance with the relevant policies of this Plan, shall be undertaken in a manner such that it does not negatively impact the operation of the airport or its future expansion.
3. In reviewing planning applications for lands adjacent to the airport, the long-term protection and enhancement of the airport function shall be paramount, including opportunities for runway expansion.
4. New aviation-related, and complementary commercial and industrial land uses shall generally be permitted by amendment to the Zoning By-law. Council may pre-zone airport lands to encourage investment.

### **3.6.8 Mobile Home Parks Policies**

1. A mobile home park is a property developed for the placement of mobile homes on permanent foundations. Mobile home parks, including uses which are incidental to a mobile home park such as a park management office, accessory commercial uses such as a convenience store, recreational facilities, a laundromat, storage facilities and other similar uses, may be permitted.
2. Mobile home parks may be developed for ownership either as a single entity or on a freehold basis.
3. Where a mobile home park is owned as a single entity, ownership and maintenance of the roads, operation and maintenance of servicing systems, snow ploughing, waste collection, landscaping and other amenities and services shall rest with the owner of the park.
4. Sewer and water services shall be provided to the satisfaction of the Township and the relevant approval authorities for such services. Notwithstanding the policies contained in the **Groundwater Supply, Sewage Disposal and Other Services** section of this Plan, the Township will not approve the development of any mobile home park on the basis of communal sewage and/or water services.
5. Internal roads will be constructed to Township standards.
6. All mobile home sites will have frontage on an internal road.
7. Where the park is to be owned as a single entity, development will take place in accordance with a site plan approved by the Township. Where the park is to be owned on a freehold basis, development will take place by plan of subdivision.
8. Lot area, density, site size, yard and parking requirements and other matters shall be regulated through the implementing Zoning By-law.

9. A minimum of 5% of the total area of the park should be provided in a consolidated form for recreational purposes.
10. The establishment of any new mobile home park shall require an amendment to the Official Plan to a Special Exception Area, as well as an amendment to the Zoning By-law. In considering such amendments, the Township shall have regard to the following criteria:
  1. The compatibility of the proposed park with existing land uses and designations of the surrounding area, including compliance with the **Land Use Compatibility** section of this Plan;
  2. The park shall have frontage on a public road which is of a suitable standard of construction, and any access to the public road shall be located so as not to create a safety hazard;
  3. The suitability of the proposed site with respect to servicing considerations, and the implications for the Township in terms of potential responsibility for services; and
  4. The adequacy of the layout of the park in relation to aesthetic, functional and other matters, as reflected in the proposed site plan or plan of subdivision.

### **3.6.9 Waste Disposal Sites Policies**

1. Waste disposal sites shall be restricted to existing closed or open waste or sanitary landfill sites as identified on Schedule A, if applicable. Ancillary uses such as recycling depots and transfer stations shall also be permitted. Disposal of liquid industrial, radioactive, or toxic waste shall not be permitted.
2. Waste disposal sites shall be operated and maintained in accordance with the standards set by the Ministry of the Environment, Conservation and Parks.
3. No use shall be made of land used as a waste disposal site for a period of 25 years from the year in which the waste disposal use ceased without the approval of the Ministry of the Environment, Conservation and Parks.
4. Development of lands adjacent to a closed or open waste disposal site shall be subject to the **Land Use Compatibility** section of this Plan.
5. The establishment of any new waste disposal site shall require an amendment to the Official Plan to a Special Exception Area, as well as an amendment to the Zoning By-law.

### 3.6.10 Wrecking Yards Policies

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

### 3.6.11 Special Exception Areas

*(Reserved)*

## 3.7 SETTLEMENT AREA

### 3.7.1 Intent of the Designation

The communities designated Settlement Area include the villages of Andrewsville, Kilmarnock, Nolan's Corners, Numogate, and Rosedale, as well as two areas on the periphery of the Town of Smiths Falls. These areas have historically served as local focal points where they provided a mix of local retail, service, and social-cultural and residential opportunities for their surrounding communities. Today, they still play important roles as social and cultural centres for the Township.

The Township intends that this role continue, by supporting and encouraging more concentrated development than would typically be found or permitted within the Rural designation, subject to servicing constraints. The amount and type of development



permitted will, however, be consistent with the maintenance of the character of Settlement Area lands. While the boundaries of the Settlement Area designation are intended to include a modest allowance for new development to occur, the boundaries of Rosedale and Andrewsville are intended to allow for significant new development possibilities. The settlement areas on the periphery of the Town of Smiths Falls provide no opportunity for expansion. Any expansions to the settlement area boundaries as indicated on Schedule A of this Plan shall be subject to a comprehensive review, in accordance with the policies of the *2020 Provincial Policy Statement*. During the consideration of any expansion to any Settlement Area, the Township shall ensure that significant groundwater recharge areas are protected from incompatible development.

Council may consider the establishment of a program to incent the development of the Rosedale and Andrewsville settlement areas. The use of Community Improvement Plans (CIP), development charges, and other initiatives, authorized under the *Municipal Act*, may be considered to incent the development of these settlement areas.

### **3.7.2 Permitted Uses**

Permitted uses within the Settlement Area designation shall include residential, commercial, tourist commercial, institutional, public uses, community facilities, parks, and recreation, limited light industrial, on-farm diversified uses and agricultural-related uses, and existing agricultural activities. In addition, uses accessory to permitted residential uses including secondary dwelling units, home-based businesses and bed and breakfast establishments shall be permitted in accordance with the provisions set out in the Zoning By-law.

### **3.7.3 Residential Policies**

1. A variety of residential uses, ranging from single-detached dwellings to multiple unit dwellings and including dwellings units within non-residential buildings, shall be permitted, subject to the completion of hydrogeological, terrain analysis and impact assessment reports in relation to more intense development forms. Such studies will be to the satisfaction of the relevant approval authority for sewage and water services.
2. The creation of new lots in Settlement Areas shall generally occur through plans of subdivision or consent. The use of consent provisions shall generally be limited to infill development, rounding out of existing development and where the land has the potential for the creation of three or less lots.
3. The **Land Division** policies of this Plan shall apply to all lot creation.
4. New development shall be encouraged to take place as a logical extension of existing development.

5. Residential uses shall be zoned with an appropriate zoning category in the Zoning By-law.

### **3.7.4 Commercial Policies**

1. General Commercial and Tourist Commercial uses permitted in the Rural designation shall be permitted.
2. Commercial uses, particularly those of a retail commercial nature, shall be encouraged to locate along the main streets and at major intersections. Tourist Commercial uses shall be encouraged to concentrate in groupings along the main roads and at intersections.
3. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where commercial development would abut residential uses.
4. Open storage shall not generally be permitted.

### **3.7.5 Industrial Policies**

1. In general, industrial uses shall not be permitted in the Settlement Area designation. Small-scale light industrial uses such as a tradesperson's workshop may be permitted. In addition, light manufacturing, transportation, warehousing, and storage uses on the periphery of the villages may also be permitted, provided that such uses are not heavy water uses and that they do not generate emissions that would be incompatible with surrounding land uses.
2. No industrial use shall be permitted that would create a nuisance by way of noise, illumination, odour, dust, vibration, fumes, or smoke. In this regard, the policies of the **Land Use Compatibility** section of this Plan shall apply.
3. Industrial uses shall be encouraged to locate along a main road on the periphery of the settlement area.
4. An amendment to the Zoning By-law shall be required to establish any new industrial zone.
5. Through the mechanisms of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where industrial development would abut residential uses.
6. Open storage shall not generally be permitted.

### **3.7.6 Expansions to Settlement Area Boundary**

1. The Township may identify a new settlement area or allow for the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:
  1. Sufficient opportunities for growth are not available through intensification, redevelopment, and designated growth areas to accommodate the projected needs over the identified planning horizon;
  2. The infrastructure and public service facilities which are planned or available are suitable for the development over the long term and protect public health and safety;
  3. In prime agricultural areas:
    1. the lands do not comprise specialty crop areas;
    2. there are no reasonable alternatives which avoid prime agricultural areas; and
    3. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.
  4. Impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

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

### **3.7.7 Special Exception Areas**

*(Reserved)*

## **3.8. AGRICULTURE**

### **3.8.1. Intent of Designation**

The Agriculture designation is used to identify prime agricultural areas. Prime agricultural areas are areas predominately characterized by lands containing soil classes 1-3 in the Canada Land Inventory (CLI) for agricultural capability. This designation may also include

some lands containing CLI soil classes 4-7 and other areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. The Township intends that these lands will be protected and preserved for agricultural purposes.

### **3.8.2. Permitted Uses**

1. Agricultural, agri-tourism, agriculture-related and on-farm diversified uses shall be permitted in the Agriculture designation.
2. Agricultural uses shall include the growing of crops, including nursery, biomass, and horticultural crops, raising of livestock, raising of other animals for food, fur or fibre, including poultry and fish, aquaculture, apiaries, agri-forestry, maple syrup production, and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.
3. Agriculture-related uses shall include those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.
4. On-farm diversified uses shall include uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses. Agri-tourism uses shall include those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.
5. All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.
6. New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae.

### **3.8.3. Lot Creation**

- 1 Lot creation is discouraged and shall only be permitted in one of the following instances:
  1. Agricultural uses, provided that the lots are of a size appropriate for the type of agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.

Generally the Township shall maintain a minimum lot size of 40 hectares for new lots created for agricultural uses;

2. Agricultural-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
  3. A residence surplus to a farm operation as a result of farm consolidation, provided that the Township ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance, and
  4. Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
2. Lot adjustments in the Agriculture designation may be permitted for legal or technical reasons.
  3. The creation of new residential lots in the Agriculture designation shall not be permitted, except in accordance with Policy 3.8.3(1) (3).

#### **3.8.4. Removal of Land from Prime Agricultural Areas**

1. In evaluating a proposed amendment to the Official Plan to change the designation from Agricultural to another land use designation, the Township shall only consider the following instances:
  1. The amendment is required for an expansion of, or identification of, a settlement area, as recommended by a successful comprehensive review.
  2. The amendment is required for extraction of minerals, petroleum resources and mineral aggregate resources (subject to policy 3.8.5 - Extraction in Prime Agricultural Areas).
  3. The amendment is to allow for limited non-residential uses, provided that:
    1. The land does not comprise a specialty crop area;
    2. There is a demonstrated need within the planning horizon of the Official Plan for additional land to be designated to accommodate the proposed use;
    3. There are no reasonable alternative locations which avoid prime agricultural areas; and

4. There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.
2. Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands should be mitigated to the extent feasible.

### **3.8.5. Extraction in Prime Agricultural Areas**

1. In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that rehabilitation of the site will be carried out so that substantially the same areas and same average soil quality for agriculture are restored.

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

1. There is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible:
2. Other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Classes 1, 2 and 3; and
3. Agricultural rehabilitation in remaining areas is maximized.

## **SECTION 4 TRANSPORTATION**

### **4.1 GENERAL**

A safe, convenient, and functional road network is the key element in facilitating the movement of both people and goods to and from the various areas within the Township and between the Township and neighbouring municipalities. This Section establishes the general transportation policies for the Township.

The existing road pattern within the Township, as shown on Schedule A, largely reflects the historical interrelationship between land use and transportation routes. The road system is classified on the basis of the jurisdiction of responsibility. Public roads within the Township are classified as either Provincial Roads, County Roads or Township Roads. Where additional land is required for widening and extension, such land shall be obtained, where possible, in the course of approving planning applications under the *Planning Act*.

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

It is the intention that railroad crossings be improved where warranted by the appropriate railway regulatory authority. Improvements may be in the form of grade separations or other protective measures such as daylighting triangles, signals or gates, or combinations thereof.

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

When road improvements are undertaken by the various responsible authorities, the Township shall encourage efforts to preserve and enhance the scenic qualities of roads such as County Road Nos. 2, 4, 23, and 43, while ensuring that functional and safety concerns are addressed.

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

### **4.2 PROVINCIAL HIGHWAYS**

Provincial highways are intended to carry a high volume of traffic at relatively high speeds. Proposed development adjacent to a provincial highway or in the vicinity of an intersection

is subject to the requirements and permit control of the Ministry of Transportation. All development proposals relating to lands adjacent to a provincial highway or in the vicinity of an intersection shall be circulated to the Ministry of Transportation for comment. The preparation of traffic studies and storm water management plans may be requested by the approval authority.

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

Highway No. 15 is the only provincial highway in the Township of Montague. The minimum right-of-way width shall be as determined by the Ministry of Transportation.

### **4.3 COUNTY ROADS**

County Road Nos. 2, 4, 23 and 43 presently serve the Township and are under the jurisdiction of the County of Lanark.

Where development is proposed adjacent to a County road, approval for an entrance must be obtained from the County of Lanark in accordance with the County requirements and policies of this Plan. These requirements and policies shall also be used in determining building setbacks from County roads.

The minimum County road right-of-way shall be 26 metres.

### **4.4 TOWNSHIP ROADS**

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

The minimum right-of-way for Township roads shall be 20 metres.

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

### **4.5 PRIVATE ROADS**

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



purposes. Except as described below, the Township shall not assume any liability for such road.

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

Lot creation as infilling may be permitted on a private road existing as of the date of adoption of the Plan and which has direct access to a publicly maintained road.

The creation of a private road or extension of an existing private road is not permitted. For the purposes of interpreting this policy, the establishment of a right-of-way to provide shared driveway access to two abutting properties, each of which has frontage on a public road, shall not constitute the creation of a private road. In addition, a consent application, the sole purpose of which is to legally identify the location of an existing private road, as defined in this Plan, shall not constitute the creation of a new private road.

Notwithstanding the foregoing policy prohibiting the creation or extension of a private road, the creation of a new private condominium road shall be permitted where such road is within a registered plan of condominium pursuant to the *Condominium Act, 1998*, as amended, and where it connects directly to an existing public road and where the subject land has legal frontage on the same existing public road.

Known private roads are shown on Schedule A for information purposes only.

#### **4.6 PROPOSED ROAD WIDENINGS**

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

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

#### **4.7 ROAD ALLOWANCES ABUTTING WATER BODIES**

The Township supports the provision of public access to water bodies, however, where road allowances abutting the shores of lakes and rivers are not required in the long term and public access would not be appropriate for reasons such as physical unsuitability or

land use incompatibility, such road allowances may be closed by the Township and disposed of in accordance with the procedures and requirements as set out in the *Municipal Act*.

## **SECTION 5 IMPLEMENTATION AND ADMINISTRATION**

### **5.1 INTRODUCTION**

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

### **5.2 LAND DIVISION**

#### **5.2.1 Introduction**

The County of Lanark is the approval authority for plan of subdivision, plan of condominium and consent applications.

The division of land can occur by the consent (severance) process or by plan of subdivision. The division of land by the consent process is intended for the creation of not more than three new lots, as well as for situations such as lot line adjustments and the creation of easements. Except in circumstances specifically contemplated in this Plan, where the division of land results in the creation of four or more new lots, it will be necessary to proceed by plan of subdivision.

There are certain general policies that apply to all lot creation, whether the lots are created by consent or by plan of subdivision. All decisions of the approval authority shall be consistent with the *2020 Provincial Policy Statement*.

While this Plan encourages appropriate growth and development throughout the Township, it also recognizes constraints and limitations to development resulting from the need to protect and preserve various natural heritage features. Extensive areas of wetland and natural heritage features are found throughout the Township and shall be protected, presenting significant limitations on where and how development may occur. The Land Division policies of this Plan are designed to promote development within this environmental context.

#### **5.2.2 General Policies**

1. The frontage, size and shape of any lot created shall be appropriate for the proposed use and conform to the provisions of the Zoning By-law. As a rule, the minimum lot area shall be 0.4 hectares. In exceptional situations, consideration may be given to a smaller lot size, such as in the case of land uses which do not require water or sewage services or where a tertiary treatment system is proposed to improve

effluent quality. A larger lot size may be required depending upon the nature of the use, topography, soil conditions, servicing considerations and/or other development constraints and considerations.

2. The creation of new lots adjacent to the Rideau River shall not interfere with safe and efficient navigation. Generally, new lot creation will be discouraged where the natural channel is less than 100 metres wide in order to ensure that waterfront development will not interfere with navigation.
3. No land division shall result in the landlocking of any parcel of land or a situation where a lot would have unusually limited road frontage relative to its width or area, such that the existing or potential ability to use the lot in an appropriate fashion is undermined by such limited road frontage.
4. No land division shall be permitted where safe vehicular access from the proposed lot to the adjacent road cannot be provided due to conditions such as limited sight lines, traffic volumes, grades or proximity to intersections or rail crossings, in accordance with the policies of the **Transportation** section of this Plan.
5. No land division shall create a financial burden on the Township with respect to the provision of Municipal services or facilities, as set out in the **Economic Policy** section of this Plan.
6. All land division shall meet the requirements of this Plan for the dedication of parkland or cash-in-lieu thereof, as set out in the **Parks, Trails and Recreational Facilities** section of this Plan.
7. All land division shall address land use separation and compatibility concerns, as set out in the **Land Use Compatibility** section of this Plan.
8. No land division shall result in the creation of a lot subject to natural hazards such as flooding, organic soils or steep slopes with potential for instability or erosion, unless development would be permitted by the **Natural Hazard Features** section of this Plan.
9. No land division shall result in the creation of a lot affected by soil contamination or hazards related to former mining or mineral resource operations, unless development would be permitted by the **Human-made Hazard Features** section of this Plan.
10. No land division shall result in a negative effect on the natural features or the ecological functions for which the area is identified such as wetlands, areas of natural and scientific interest (ANSIs), woodlands, valleylands, fish habitat, wildlife habitat and endangered and threatened species habitat. The policies of the **Natural Heritage Features** section will be adhered to in this regard.

11. In considering land division applications, regard shall be had to the **Cultural Heritage and Archaeological Resources** section of the Plan, including requirements with respect to the identification and preservation of significant archaeological resources.
12. All land division shall comply with the **Ground Water Supply, Sewage Disposal and Other Services** section of the Plan concerning the provision of appropriate water and sewage services and the availability of other services.
13. No land division shall create a lot which cannot comply with the minimum lot frontage and water setback requirements contained in the **Development Adjacent to Water Bodies** section of this Plan.
14. Road widening dedications may be requested by the County or Township as a condition of the approval of any land division application.
15. The preservation of existing vegetation and in particular, mature trees, may be a condition of approval of any land division application.

### 5.2.3 Consent Policies

1. A maximum of three new lots (excluding the retained lot) may be created from a land holding as it existed on January 1, 2001. Within the Settlement Area designation, consents shall generally be limited to infill development, rounding out of existing development and where the land has the potential for the creation of three or less lots.
  - a. Notwithstanding the above policy, where an application for consent has frontage on a Township Road that has been classified as “deficient” (a condition rating of 4) in the 2020 Roads Needs Study, as amended, Council shall limit the number of consents to a maximum of 1 new lot (excluding the retained lot) from a land holding as it existed on January 1, 2001.
2. Existing lots that inadvertently merged due to common ownership may be separated to reflect the original lot configuration provided the subject property is still in the same ownership as when such merging occurred, and provided that the lots to be separated can satisfy the zone provisions of any implementing Zoning By-law. A consent for this purpose shall not count in determining the maximum number of new lots permitted by this Plan.
3. Consents in the Rural designation that have the effect of creating or extending areas of strip development will be discouraged.

Strip development within the Rural designation may have negative impacts on the rural character and aesthetics of the area, creating a more suburban visual

appearance verses the rural aesthetics which attracted people to the area. Strip development causes a linear extension of development which fragments the rural land base and impacts the sense of open space and privacy typical of the rural area. With multiple entrances onto roadways, strip development may also contribute to traffic hazards and road safety issues, school busing issues and demands for reduced speed limits. The cumulative impact of strip development is known to contribute to the costly delivery of services.

For the purpose of this Official Plan, strip development shall be defined as a series of four or more developed or undeveloped residential lots located on one side of a public road within a 300-metre length along the public road. The 300-metre distance shall be measured between the two lot lines located at either end of the strip. No new residential lot shall be created within a 300-metre distance of a strip residential development located on the same side of the road.

4. Consents requiring direct access onto County roads shall be restricted. Wherever possible, new lots shall obtain access from Township roads.
5. Lots created by consent shall front onto existing maintained public roads, however, consents may be permitted for waterfront residential lots on existing private roads, subject to the **Development Adjacent to Water Bodies and Private Roads** and **Road Access** sections of this Plan.
6. No consent shall be granted that would require the creation of a new private road or the extension of an existing private road.
7. No consent shall be granted on an existing private road that would result in the creation of a lot not fronting directly on a water body.

#### **5.2.4 Cluster Lot Development Policy**

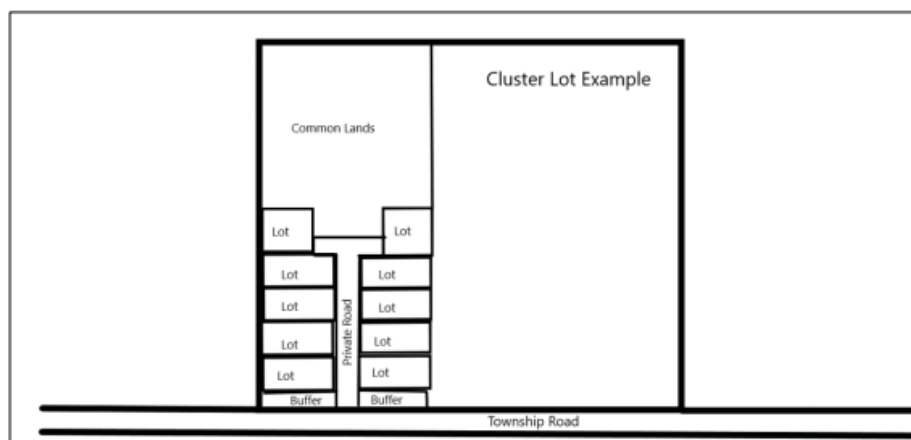
A cluster lot development is a grouping of five (5) to ten (10) lots created through the plan of subdivision or condominium process for clustered rural residential development and shall be available for lands within the “Rural” or “Settlement Area” designation. The main purpose of this alternative form of rural residential development is to direct housing away from public roads, reduce the visual impact of strip development, and increase the financial viability of scattered rural residential development.

Since the cluster lot development is a new approach to rural residential development, it will be treated initially as a pilot project. The maximum number of residential lots which can be created under the pilot project within Montague shall be 40. The cluster lot development policies and the success of their implementation shall be assessed during the five-year review of this Plan. If necessary, appropriate changes to the policies will be made following the review of this Plan.

The following policies shall apply to cluster lot development proposals:

1. The parent property from which the cluster lot development proposal is created shall have a minimum lot area of 20 ha (50 acres).
2. The single internal road serving the cluster lot development shall be a common element condominium road built and maintained to *Ontario Building Code* standards or such private road standards established by the Township.
3. The access point to the development from the public road must be located so that no safety hazards are created at the intersection. The appropriate road authority for the entrance location shall be consulted prior to submission of an application for a plan of subdivision or condominium approval. A Traffic Impact Statement supporting the proposed development may be required.
4. Lots are to be serviced either by private individual water and sewage systems or by communal systems. A communal water and sewage system shall be established in accordance with the requirements of this Plan. Appropriate servicing studies, including a hydrogeological review, shall be required.
5. The overall density of development shall be approximately one residential lot per hectare of land, excluding the retained parcel. The size of the individual freehold lots may be as small 0.4 hectares provided sufficient common land is provided to meet the overall density of one residential lot per hectare of land. The minimum lot size shall not include lands within a Natural Hazard or within a provincially significant wetland.
6. Generally, the placement of dwellings within the cluster lot development shall be determined based on the following considerations:
  - (i) houses should either be set back from the nearest public road a minimum of 30 metres, or the dwellings must be screened from such road by topography or mature vegetation;
  - (ii) the siting of dwellings shall take into consideration the significant landscape features, vegetation, wildlife habitats or other resources on the property and avoid such areas;
  - (iii) the siting of dwellings shall blend as much as possible with the natural landscape so that the rural character is relatively undisturbed;
  - (iv) when the 30-metre setback can be reduced due to a screen of mature vegetation, agreements must be entered into that ensure the screening effect of the vegetation is not compromised. The site plan control process may be used to carry out this requirement.

7. Cluster lot development shall be subject to MDS requirements of this Plan.
8. The cluster lot development may include land held in common ownership to be used as open space for recreation, as a site for communal systems or for an access road right-of-way. Such land shall be managed under a “common elements condominium”.
9. The Agriculture, Mineral Resource, Natural Heritage, and Natural Hazard policies of this Plan shall apply to all cluster lot development proposals.
10. Any necessary supporting studies, identified through the pre-consultation process, including EIS, Stormwater, Servicing, Archeological, Hydrogeological and Terrain Analysis will be required to be submitted with the application for consent and not as conditions of consent approval.
11. Proponents of cluster lot development proposals shall be required to submit an accurate site plan which identifies lot sizes, frontage, lands to be held in common ownership, proposed building and septic system envelopes, natural features including treed areas, slopes, watercourses, drainage courses and low areas subject to ponding/flooding.
12. Understanding that the cluster lot development is through the consent process and that conditions associated with a consent application must be completed within one year of the decision, it is very important that cluster lot development proposals go through a rigorous pre-consultation to ensure that all necessary studies are completed upfront. Applications for cluster lot developments will be required to submit the necessary supporting documents in accordance with the policies of this Plan.





### 5.2.5 Subdivision Policies

1. Development by plan of subdivision shall be permitted in the Settlement Area and Rural designations.
2. Access to a proposed plan of subdivision shall be from a maintained public road, built to an adequate standard to accommodate the additional traffic requirements. Where, in the opinion of the Township or approval authority, such public road access is not adequate, upgrading of the road at the proponent's expense shall be a condition for final approval of the plan of subdivision.
3. Access to individual lots in a plan of subdivision shall be by internal public roads, built to Township standards. Where design considerations necessitate it, limited direct lot access to an existing public road abutting the subdivision may be granted.
4. Where a subdivision is proposed on lands adjacent to a County or Provincial highway, the subdivision should be designed such that the lots back onto the highway and front onto the internal local street.
5. The road layout in a plan of subdivision shall avoid cul-de-sacs, where possible, and provide opportunities for future road connections to abutting lands, where requested by the Township.
6. In reviewing parkland dedication requirements for plans of subdivision, preference shall be given for parklands which provide connections to existing public parks, trails, bikeways, and other recreational facilities, as well as to water bodies, where applicable.
7. All plans of subdivision shall comply with the policies of the **Storm Water Management** section of this Plan.
8. Development by plan of subdivision shall meet the requirements set out in the **Ground Water Supply, Sewage Disposal and Other Services** section of the Plan.
9. The approval authority may include provisions for the phasing of development within a plan of subdivision to ensure that it proceeds in an orderly, cost-efficient pattern.
10. The approval authority may apply lapsing provisions to any draft plan of subdivision, pursuant to the provisions of the *Planning Act*.

### 5.3 DEEMING PLANS OF SUBDIVISION

Under the authority of the *Planning Act*, the Township may pass a deeming by-law which has the effect of declaring part or all of a plan of subdivision not to be registered for conveyance purposes, provided that the subdivision is a registered plan within the

meaning of the *Planning Act* and that it has been registered for a period of eight or more years.

#### 5.4 SITE PLAN CONTROL

1. Site Plan Control is a site design and approval process intended to be used in cases where the type of development proposed or the characteristics of the particular site require a more detailed level of attention to, and control over, the siting of buildings, structures, facilities and other features than would be possible or practical through the mechanism of a Zoning By-law.
2. It is the intention of the Township to use Site Plan Control as a planning tool complementary to the Zoning By-law to ensure that:
  1. Proposed buildings and structures are well sited vis-à-vis adjacent land uses, including elements to enhance land use compatibility;
  2. Design details, such as accessory buildings and structures, lighting, walkways, vehicular accesses, parking, loading, waste facilities, grading, drainage, landscaping materials, fencing, etc., are adequate for the uses proposed, in terms of functional, safety and aesthetic considerations;
  3. Development occurs with minimal impact on, and is compatible with, natural and cultural heritage resources, particularly where development is proposed in immediate proximity to water bodies such as the Rideau Canal, or on or adjacent to properties with heritage significance;
  4. Detailed policies of this Plan can be properly implemented; and
  5. Development is undertaken and maintained as approved by the Township.
3. The Township may control the design and details of development proposals through the use of a Site Plan Control By-law. The entire Township of Montague shall be considered a Proposed Site Plan Control Area except that certain types of development such as the following may be exempt from Site Plan Control:
  1. Agricultural uses;
  2. Single-detached, semi-detached, and duplex dwellings and buildings or structures accessory thereto, in cases where no development or site alteration is proposed adjacent to a water body or within or adjacent to lands designated as Natural Heritage A, Natural Heritage B or Natural Hazard; and
  3. Minor additions or alterations to existing buildings and structures.

The above exceptions to site plan control do not apply to uses which have been subject to an Environmental Impact Assessment triggered by this Plan where the recommendations of the assessment direct the specific location of structures on a lot. In these instances, site plan control shall apply.

4. In imposing Site Plan Control, the Township will seek to regulate the general site layout of the property and, where appropriate, the massing and conceptual design of all buildings and structures on the property. Site plan drawings shall be required in all cases. Floor plan, elevation, and cross-section drawings, as well as drawings that detail exterior design elements may be required for any development, as determined by the Township.
5. In processing Site Plan Control applications, the Township will consult with various public bodies, including the Rideau Valley Conservation Authority and Parks Canada, as appropriate. Without limiting the generality of the foregoing, the Rideau Valley Conservation Authority shall be circulated all Site Plan Control applications for waterfront properties. In addition, Parks Canada shall be circulated all Site Plan Control applications for properties with waterfront along the Rideau Canal.
6. As a condition of the approval of a site plan, the County or Township may require the dedication of land for public road widening purposes.
7. The Township may enter into Site Plan Control agreements with the owners of lands for which site plans have been approved and register such agreements on the title of the lands to which they apply.

## **5.5 SITE PLANNING AND DESIGN GUIDELINES**

A comprehensive Zoning By-law is a major tool in the implementation of an Official Plan and sets many quantitative-type performance standards that are important in achieving the Township's development objectives. It is also recognized that site planning and architectural design are important and complementary components in a successful Official Plan implementation strategy. It is primarily through meticulous attention to site planning and architectural elements that qualitative matters related to development are addressed.

In recognition of the importance of good site planning, and in order to ensure that Site Plan Control applications adequately address the technical requirements and design objectives of the Township, site plan application guidelines may be developed. These guidelines would be used as a tool by both applicants and approval authorities for the preparation and processing of applications, respectively. The guidelines would address various functional, safety, aesthetic, and other issues relevant to the appropriate development of various land uses.

In addition to developing site plan guidelines, the Township may prepare architectural design guidelines for specific areas of the Township such as core areas within Settlement Areas and areas adjacent to the Rideau Canal UNESCO World Heritage Site. The Township would encourage the use of the guidelines as a tool in developing lands and buildings in a contextually-sensitive manner.

## **5.6 ZONING BY-LAWS AND HOLDING PROVISIONS**

### **5.6.1 General**

It is intended that a comprehensive Zoning By-law to implement this Plan shall be prepared and adopted in accordance with the provisions of the *Planning Act*. Such by-law shall contain land use zones in accordance with the policies contained within this Plan and will establish regulations to control the use of land and the character, location, and use of buildings and structures. In accordance with the *Planning Act*, Council shall amend the zoning by-law no later than three years after any comprehensive update to this Plan that comes into effect.

### **5.6.2 Holding Zones**

It is not intended that all land use areas designated in this Plan will be zoned for such uses immediately in the Zoning By-law. Areas may be zoned for their existing uses or in a Holding category pursuant to Section 36 of the *Planning Act*, and in accordance with the criteria which follow:

1. It is the intention of Council to place certain lands within a Holding category in the Zoning By-law when the principle of development has been established, in order to:
  1. Delay the development of lands until any necessary municipal infrastructure become available;
  2. Affect the phasing and/or proper design of large-scale residential, commercial, or industrial development;
  3. Ensure that proper financial and other agreements are in place; and/or
  4. Delay development until such time as it is determined that identified development constraints can be overcome to the satisfaction of Council.
2. Lands which are subject to Holding provisions shall be identified in the Zoning By-law by an “h” symbol, in conjunction with the appropriate zone symbol denoting the eventual use of the land, and shall be subject to the following policies:
  1. Lands which are shown to be in a Holding category shall generally be restricted to existing uses;

2. New development proposed on land zoned in a Holding category shall not be permitted unless Council deems it appropriate to remove the Holding symbol through an amending by-law.
3. An application for removal of the Holding symbol shall be reviewed by Council in consideration of the following:
  1. That the proposed use is in conformity with the requirements of the Zoning By-law;
  2. That the required municipal infrastructure is available or will soon be available;
  3. That the financial and other requirements of the municipality have been fulfilled;
  4. That the phasing and design of the proposed development is to Council's satisfaction; and/or;
  5. That any development constraints which have been identified can be overcome to the satisfaction of Council.

### **5.6.3 Interim Control By-laws**

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

### **5.6.4 Temporary Use By-laws**

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

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

## 5.7 COMMITTEE OF ADJUSTMENT

A Committee of Adjustment has been appointed to consider applications for relief from any Zoning By-law implementing this Plan. The Committee will be guided by Section 44 of the *Planning Act*, and by the rules of procedure and regulations issued from time to time by the Minister of Municipal Affairs and Housing.

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

## 5.8 PLANNING APPLICATIONS – REQUIRED INFORMATION AND MATERIALS

1. In addition to the information and materials required pursuant to the *Planning Act* and associated O. Regs, and any other legislation, as amended, the Township may require development proponents to provide additional information to accompany applications as part of a complete application. Notwithstanding the generality, additional studies and materials may be required for Official Plan amendment, Zoning By-law amendment, Minor Variance, Site Plan Control, consent, subdivision, and condominium applications.
2. The number and scope of studies and assessments to be required for the submission of a complete application shall be appropriate and in keeping with the scope and complexity of the application.
3. The additional information that may be required in support of an application includes, but is not limited, to the following:
  - Aggregate Studies
  - Agricultural Soils Assessment
  - Archaeological Assessment
  - Boat Capacity Study
  - Contaminated Site Assessment / Environmental Site Assessment
  - Cultural Heritage Assessment
  - Environmental Impact Assessment
  - Environmental Site Assessment
  - Erosion and/or Sedimentation Plan
  - Geotechnical Report
  - Grading and Drainage Plan
  - Groundwater Impact Assessment
  - Heritage Impact Assessment
  - Hydrogeological Assessment
  - Lake Capacity Assessment

- Landscaping Plan
  - Land Use Compatibility Assessment
  - Minimum Distance Separation (MDS) Calculations
  - Noise/Vibration/Blast Study
  - Parking Study
  - Planning Rationale
  - Record of Site Condition
  - Servicing Options Report
  - Stormwater Management Plan
  - Surface Water Impact Assessment
  - Terrain Analysis
  - Traffic Impact Assessment
  - Tree Conservation and Protection Plan
  - Visual Impact Assessment
4. The Township may require any of the required studies to be peer reviewed on behalf of the Township, at the sole expense of the proponent.
  5. The Township encourages consultation with the Township prior to submitting planning applications. Failure to do so may result in the application being deemed incomplete in accordance with provisions in the *Planning Act*.

## **5.9 PUBLIC PARTICIPATION AND PUBLIC NOTICE PROCEDURES**

1. Council shall make planning documents specified in the *Planning Act* such as the Official Plan and Zoning By-law available to the public to foster a greater awareness and knowledge of planning matters. Where amendments to these documents are made, Council shall endeavour to ensure that up-to-date consolidations of the amended documents are made available.
2. Council shall, as a minimum, follow the requirements of the *Planning Act* as they apply to public notification and participation in relation to such matters as Official Plans, Community Improvement Plans, Zoning By-laws, amendments to the said Plans and By-laws, and Plans of Subdivision.
3. In order to facilitate public participation, Council will employ appropriate methods at varying stages of the decision-making process such as, but not limited to, delegations to Committees of Council, formal and informal public meetings, open houses, workshops, displays, municipal-wide advertising through paper and/or electronic means, working committees, task forces, consultation with community, ratepayer or business associations, and posting affected properties with information signs.

## 5.10 PUBLIC WORKS AND CAPITAL WORKS PROGRAM

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

It is intended that Council, on the basis of the policies of this Plan dealing with municipal facilities, will establish a priority list for the implementation of these projects with estimates of cost (land acquisition, construction and maintenance costs wherever possible). A five-year capital works program will then be developed which the Council should carry out systematically.

It is intended that the program will be reviewed annually as part of the capital budget procedure.

## 5.11 MAINTENANCE AND OCCUPANCY BY-LAW

1. It is the policy of Council to encourage the maintenance of the Township as a pleasant environment in which to live, work or visit. Continued maintenance of property is essential to the welfare of the Township.
2. It is the intention of the Township to support the private efforts of property maintenance and to eliminate any existing hazards to building occupants through the introduction of by-laws specifying standards for all properties within the Township for property maintenance and occupancy under Section 15.1 of the *Building Code Act* and/or under the *Municipal Act*.
3. Council will endeavour to support further property maintenance and safe occupancy by:
  1. Utilizing available government programs, where applicable, to provide financial and administrative support to individuals seeking to improve their properties;
  2. Undertaking education and public relations programs as needed to demonstrate the benefits of property maintenance; and
  3. Maintaining municipally-owned buildings, properties and community facilities, and providing or maintaining municipal services in good repair.
4. Upon adopting a maintenance and occupancy by-law, Council will appoint a Property Standards Officer who will be responsible for administering and enforcing the by-law.



5. Council will also appoint a Property Standards or Property Committee for the purpose of hearing appeals against an order of the Property Standards Officer.
6. The by-law will be administered using a standard recording form for building or property condition to provide a clear and equitable procedure for evaluating building condition.
7. The maintenance and occupancy by-law may prescribe standards for the following matters and any others that may be considered necessary:
  1. The keeping of yards, vacant lands, parks, waterfront areas, laneways, and passageways, free from debris, rubbish, weeds, abandoned or derelict vehicles, trailers, boats, barges, mechanical equipment or similar material;
  2. The adequacy of sanitation control, including garbage disposal, sewage, and drainage;
  3. The maintenance of parking and storage areas;
  4. The maintenance of all buildings and structures, including structural standards of walls, floors, ceilings, foundations, insulation, electrical systems, plumbing, heating, adequacy of protection from weather, natural lighting and ventilation, condition of chimneys, fire protection standards and general cleanliness and upkeep;
  5. The maintenance of fences, swimming pools, accessory buildings, and signs; and
  6. The establishment of occupancy standards including pest prevention, adequacy of food preparation facilities, access, ventilation, maximum number of persons per dwelling unit, minimum floor spaces and room heights.

## 5.12 THE MUNICIPAL ACT

The *Municipal Act* provides some significant opportunities for the Township in relation to regulatory control over a range of matters and interests. These include various land uses, signage, trees, site alteration, economic development and a wide range of other matters of relevance to planning. Where necessary and desirable, the Township shall amend existing By-laws or pass new By-laws as may be required to ensure such matters are properly regulated and controlled.

## SECTION 6 INTERPRETATION

1. It is intended that the boundaries of the land use classifications shown on Schedule A be considered as approximate. Where bounded by roads, railways, rivers or streams or other similar geographical barriers, boundaries shall be considered absolute. It is recognized that the Schedule is subject to the typical and inherent inaccuracies associated with rural base mapping sources and digitized assessment parcel information. Accordingly, amendments to the Official Plan will not be required in order to make minor adjustments to the parcel fabric, physical features or approximate land use boundaries shown on the Schedule, provided that such adjustments do not, in the Township's opinion, compromise the intent of the Plan.
2. Typographical, grammatical, and formatting modifications to this Plan may be undertaken without an Official Plan amendment, provided that such modifications do not, in the opinion of the Township, affect the intent of the Plan.
3. Private roads and unopened road allowances have been identified on Schedule A for information purposes. In the event that a private road or unopened road allowance has incorrectly been identified as a public or open public road, this shall not signal an intention by the Township to change the status of the road, nor shall any amendment to the Plan be required to make a correction.
4. It is intended that all figures and quantities herein shall be considered as approximate only, unless otherwise indicated as being absolute. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures not intended to be taken as absolute.
5. Where any doubt exists with respect to the intended meaning of any word or phrase used in this Plan, the *2020 Provincial Policy Statement* shall be used as a guide to interpretation.
6. Where any Act or portion of an Act is referred to in this Plan, such references shall be interpreted to refer to any subsequent renumbering of sections in the Act and/or changes in the date of the Act.