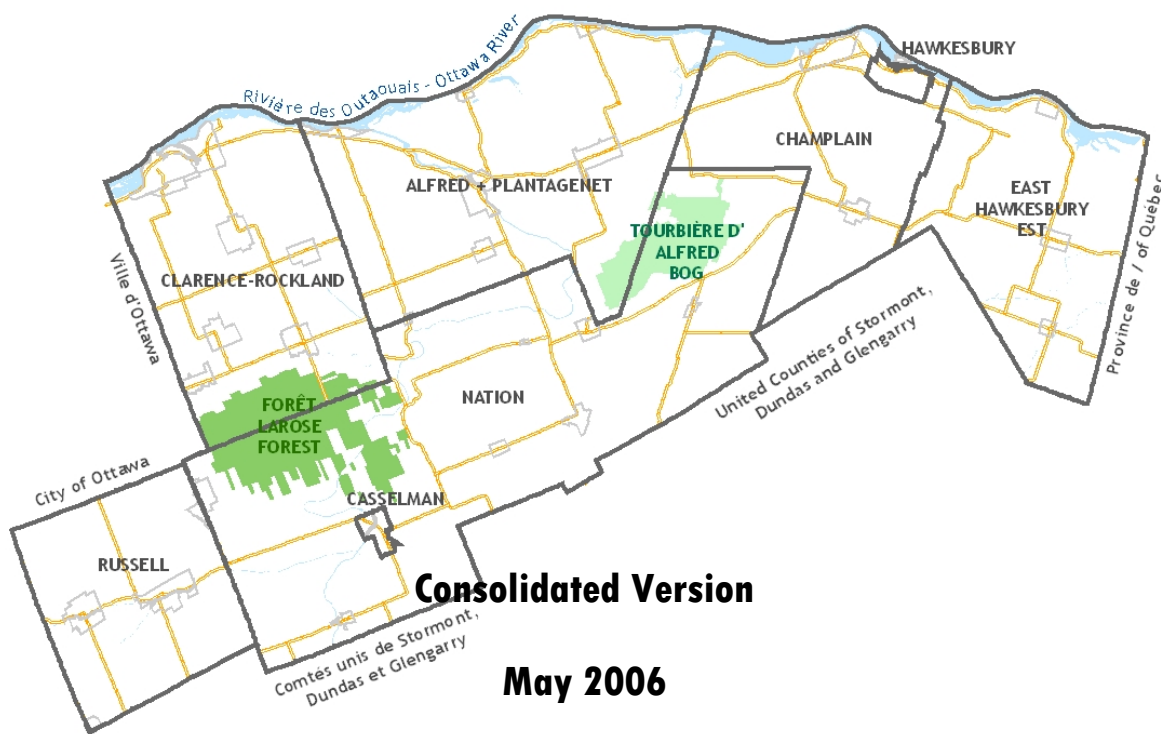


Prescott Russell

Official Plan



United Counties of Prescott and Russell
Planning Department
59 Court Street
P.O. Box 304
L'Orignal, Ontario K0B 1K0
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**THE CORPORATION OF THE UNITED COUNTIES
OF PRESCOTT AND RUSSELL
BY-LAW NUMBER 99-36**

A BY-LAW TO ADOPT THE UNITED COUNTIES OF PRESCOTT AND RUSSELL OFFICIAL PLAN.

WHEREAS pursuant to the provisions of Section 17(13) of the *Planning Act*, Chapter P. 13, R.S.O. 1990, as amended, the Corporation of the United Counties of Prescott and Russell was designated as a Prescribed County by the Minister of Municipal Affairs and Housing by Ontario Regulation 154/95 made under the *Planning Act*;


AND WHEREAS the Council of the Corporation of the United Counties of Prescott and Russell is required to prepare, adopt and submit an Official Plan to the Minister of Municipal Affairs and Housing for approval;

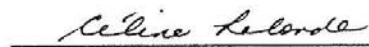
AND WHEREAS the Council of the Corporation of the United Counties of Prescott and Russell considers it desirable to adopt an Official Plan for the United Counties of Prescott and Russell;

NOW THEREFORE BE IT ENACTED by the Council of the Corporation of the United Counties of Prescott and Russell that:


1. The United Counties of Prescott and Russell Official Plan consisting of the attached text and map Schedules "A", "B", "C" and "D" is hereby adopted.
2. The Clerk is hereby authorized to make application to the Minister of Municipal Affairs and Housing for the approval of the United Counties of Prescott and Russell Official Plan.
3. This By-law shall come into force and take effect upon final reading thereof.

READ A FIRST, SECOND AND DULY PASSED UPON THE THIRD READING THIS 22nd DAY OF JUNE, 1999.


Gaston Patenaude, Warden


Jean-Pierre Pître, Clerk
Deputy

I, Céline Lalonde, Deputy Clerk of the Corporation of the United Counties of Prescott and Russell, do hereby certify that the above is a true copy of By-law Number 99-36 enacted by Council on the 22nd day of June, 1999.


Céline Lalonde, Deputy Clerk

**THE CORPORATION OF THE UNITED COUNTIES
OF PRESCOTT AND RUSSELL
BY-LAW NUMBER 2006-25**

**BEING A BY-LAW TO ADOPT AMENDMENT NO. 14 TO THE OFFICIAL PLAN OF
THE UNITED COUNTIES OF PRESCOTT AND RUSSELL**

REF: Official Plan Amendment No. 14 pursuant to Subsection 17(22) of the *Planning Act*, R.S.O. 1990 as amended.

WHEREAS the Official Plan of the United Counties of Prescott and Russell has been approved by the Ministry of Municipal Affairs and Housing on December 7, 1999;

AND WHEREAS following the public meeting held on the 21st of June 2005 Council determined that there was a need to undertake a review of the Official Plan

AND WHEREAS Official Plan Amendment No. 14 to the United Counties of Prescott and Russell Official Plan represents good planning and conforms with the intent of the Provincial Policy Statement;


NOW THEREFORE BE IT ENACTED by the Corporation of the United Counties of Prescott and Russell that:

1. The United Counties of Prescott and Russell Official Plan consisting of the attached text and map Schedules "A", "B", "C" and "D" is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

DONE AND PASSED in open Council this 23rd day of May, 2006.



Gary J. Barton, Warden



Stéphane P. Parisien, Clerk

I, Andrée Latreille, Deputy Clerk of the Corporation of the United Counties of Prescott and Russell, do hereby certify that the above is a true copy of By-law Number 2006-25 enacted by Council on the 23rd day of May 2006.



Andrée Latreille, Deputy Clerk

Table of Contents

1	INTRODUCTION	1
1.1	PLANNING AREA	1
1.2	PURPOSE AND STRUCTURE OF THE OFFICIAL PLAN	2
1.2.1	Purpose of the Official Plan	2
1.2.2	Title and Components of the Official Plan	3
1.2.3	Political and Administrative Framework	4
1.2.4	Provincial Policy Statement	4
1.3	PLANNING PERIOD	5
2	SUSTAINABLE COMMUNITIES	6
2.1	INTRODUCTION	6
2.1.1	Demographic Overview Forecasts	6
2.1.2	Growth Targets	8
2.1.3	Objectives	9
2.2	URBAN POLICY AREA	9
2.2.1	General	9
2.2.2	Urban Policy Area Boundaries	10
2.2.3	Urban Policy Area Boundary Expansions	10
2.2.4	Urban Policy Area Boundary Adjustments	10
2.2.5	Development on Adjacent Land	11
2.2.6	Municipal water and sewer services	11
2.2.7	Residential Policies	11
2.2.8	Community Core Policies	13
2.2.9	Commercial Policies	14
2.2.10	Industrial Development Policies	15
2.3	COMMUNITY POLICY AREA	16
2.3.1	General	16
2.3.2	Community Policy Area Boundaries	17
2.3.3	Expansion of Community Policy Area Boundaries	17
2.3.4	Community Policy Area Boundary Adjustments	17
2.3.5	Development on Adjacent Land	18
2.3.6	Municipal Water and Sewer Services	18
2.3.7	On-Site Private Water and Sewer Services	18
2.3.8	Residential Policies	19
2.3.9	Community Core Policies	20
2.3.10	Commercial Development Policies	21
2.3.11	Industrial Development Policies	22
2.4	TRADE AND INDUSTRY POLICY AREA	23
2.4.1	General	23
2.4.2	Trade and Industry Policy Area Boundaries	24
2.4.3	Trade and Industry Policies	24

2.4.4	Special Policies – Ivaco Rolling Mills	25
2.5	RURAL POLICY AREA	26
2.5.1	General	26
2.5.2	Rural Policy Area Boundaries	26
2.5.3	Non-residential Development Policies	27
2.5.4	Site Specific Exceptions	29
3	INFRASTRUCTURE POLICIES	31
3.1	INTRODUCTION	31
3.2	INFRASTRUCTURE PLANNING	31
3.2.1	Local Infrastructure Planning	32
3.3	TRANSPORTATION	32
3.3.1	Provincial Highways	32
3.3.2	Upper Tier Highways	33
3.3.3	Primary Artery	33
3.3.4	Major Collector Policies	34
3.3.5	Minor Collector Policies	35
3.3.6	Local Roads	35
3.3.7	Land Acquisition	36
3.3.8	Extension or improvements to Existing Roads	37
3.3.9	Addition of Roads	37
3.3.10	Conversion of Roads	37
3.3.11	Bridges	37
3.4	WATER, WASTE WATER AND STORMWATER SERVICES	37
3.4.1	General	37
3.4.2	Innovative Technologies	38
3.4.3	Watershed Planning	38
3.4.4	Surface Water Management Plans	38
3.4.5	Municipal Drains	39
3.5	WASTE MANAGEMENT POLICY AREA	39
3.5.1	Objectives	39
3.5.2	Permitted Uses	39
3.5.3	Policies	39
3.5.4	Land Use Adjacent to Waste Water or Solid Waste Management Sites	40
3.6	ENERGY	40
3.6.1	Wind energy	40
3.7	UTILITY AND COMMUNICATION FACILITIES CORRIDORS	41
3.7.1	General	41
4	RESOURCES	42
4.1	INTRODUCTION	42
4.2	AGRICULTURAL RESOURCE POLICY AREA	42
4.2.1	General	42

4.2.2	Identifying Agricultural Resource Policy Areas	42
4.2.3	Permitted Uses	43
4.2.4	Lot Area	44
4.2.5	Residential Uses	44
4.2.6	Intensive Livestock Operations	44
4.2.7	Site Specific Exceptions	45
4.2.8	Lot Creation	45
4.2.9	Zoning and Development Control	46
4.3	MINERAL AGGREGATE RESOURCE POLICY AREA	46
4.3.1	Basis General	46
4.3.2	Identifying Mineral Aggregate Resource Policy Areas	47
4.3.3	Review of Mineral Aggregate Policy Area Designation Policies and Boundaries	47
4.3.4	Permitted Uses	47
4.3.5	Prohibited Uses	48
4.3.6	New or Expanded Mineral Aggregate Resource Policy Areas	48
4.3.7	Adjacent Land	49
4.3.8	Mineral Aggregate Resource Extraction and Agricultural Resources	49
4.3.9	Mineral Aggregate Resource Extraction and Significant Woodlands	49
4.3.10	Rehabilitation of Extraction Sites	49
4.3.11	Wayside Pits and Quarries and Portable Asphalt Plants	50
4.3.12	Zoning and Development Control	50
5	NATURAL HERITAGE	51
5.1	INTRODUCTION	51
5.2	DETERMINATION OF SIGNIFICANCE	51
5.3	PRINCIPLES	51
5.4	GENERAL LAND USE POLICIES	52
5.5	LANDFORM SPECIFIC LAND USE POLICIES	52
5.5.1	Wetlands Policy Area	52
5.5.2	Endangered or Threatened Species Habitat	54
5.5.3	Areas of Natural and Scientific Interest (ANSI's)	54
5.5.4	Significant Wildlife Habitat	55
5.5.5	Natural Sites of County Significance	55
5.5.6	Significant Woodlands	56
5.5.7	Fish Habitat	57
5.5.8	Ground Water Protection and Enhancement	58
5.5.9	Groundwater Recharge Areas	58
5.5.10	River Corridors	59
5.6	ENVIRONMENTAL IMPACT ASSESSMENTS	60
5.6.1	Introduction	60
5.6.2	Environmental Impact Assessment Study	60
5.7	BEST MANAGEMENT POLICIES	60
5.7.1	Introduction	60

5.7.2	Policies _____	61
6	PUBLIC HEALTH AND SAFETY _____	63
6.1	INTRODUCTION _____	63
6.2	OBJECTIVE _____	63
6.3	IDENTIFYING HAZARD AREAS _____	63
6.4	GENERAL _____	64
6.5	HAZARDOUS LANDS – FLOODING AND EROSION _____	64
6.5.1	Defining Areas Subject to Floods and Erosion _____	64
6.5.2	Permitted Uses _____	64
6.6	UNSTABLE SLOPES, UNSTABLE BEDROCK AND ORGANIC SOILS _____	65
6.6.1	Policies _____	65
6.7	POTENTIAL RETROGRESSIVE LANDSLIDE AREAS _____	65
6.7.1	Policies _____	65
6.8	CONTAMINATED SITES _____	68
6.8.1	Closed Waste Disposal Sites _____	68
6.8.2	Site Decommissioning and Clean-Up _____	68
6.8.3	Other Contaminated Sites _____	69
6.9	OTHER HEALTH AND SAFETY CONCERNS _____	69
6.9.1	Abandoned Pits and Quarries _____	69
6.9.2	Noise and Vibration _____	70
6.9.3	Incompatible Land Uses _____	70
7	IMPLEMENTATION _____	71
7.1	INTRODUCTION _____	71
7.2	GENERAL _____	71
7.3	PERMITTED USES _____	72
7.3.1	ACCESSORY USES _____	72
7.3.2	Existing Land Uses and Non-Conforming Uses _____	72
7.3.3	Extension or Enlargement under Section 34(10) of the Planning Act, R.S.O.1990	73
7.3.4	MINOR VARIANCE OR PERMISSION _____	74
7.3.5	LOTS OF RECORD _____	74
7.3.6	PUBLIC USES _____	74
7.4	DEVELOPMENT CONTROL _____	75
7.4.1	Plans of Subdivision _____	75
7.4.2	Consents _____	76
7.4.3	Site Plan Control _____	77
7.4.4	General Intent _____	77
7.4.5	Development Criteria _____	79
7.4.6	Safety and Security Criteria _____	80
7.4.7	Cash-in-lieu _____	80

7.4.8	Holding Provisions	81
7.4.9	Temporary Use By-laws	81
7.4.10	Interim Control By-laws	82
7.4.11	Community Improvement	82
7.4.12	Maintenance and Occupancy Standards	83
7.4.13	Building Permits	84
7.4.14	Zoning By-law	84
7.5	ECONOMIC DEVELOPMENT	84
7.5.1	Introduction	84
7.5.2	Goal Statement for Economic Development	84
7.5.3	Objectives for Economic Development	84
7.5.4	General Economic Development and Promotion Policies	84
7.5.5	Home Based Business	85
7.5.6	Brownfield Redevelopment	86
7.6	SOCIAL AND CULTURAL POLICIES	86
7.6.1	Affordable Housing	86
7.6.2	Group Homes	87
7.6.3	Heritage Conservation	87
7.6.4	Municipal Heritage Committee	87
7.7	ADMINISTRATION OF THE OFFICIAL PLAN	88
7.7.1	Amendments to this Official Plan	88
7.7.2	Consultation	88
7.7.3	Review and Monitoring of the Official Plan	88
7.7.4	Land Use Designation Boundaries	89
7.7.5	References to Statutes	89
7.7.6	References to Ministries and Review Agencies	89
7.7.7	Interpretation of figures, quantities and uses	89

1 Introduction

1.1 PLANNING AREA

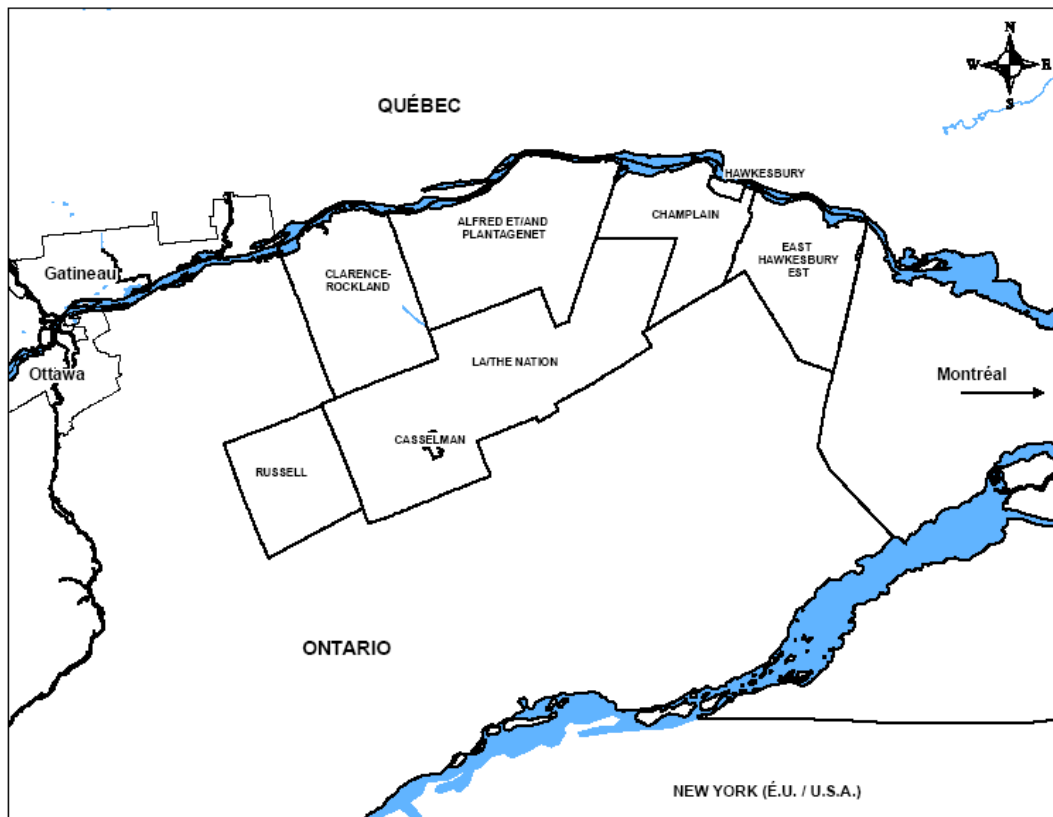
The United Counties of Prescott and Russell is the easternmost county in Ontario. Covering an area in excess of 2,000 square kilometres, it is located between the City of Ottawa on the west, the Province of Quebec on the east, the Ottawa River on the north and the United Counties of Stormont, Dundas, and Glengarry on the south. Prescott and Russell are composed of eight local municipalities. They are: The City of Clarence-Rockland, the Town of Hawkesbury, the Village of Casselman, the Township of Alfred and Plantagenet, the Township of Champlain, the Township of East Hawkesbury, the Nation Municipality, and the Township of Russell. (Figure 1 shows the regional context of the United Counties of Prescott and Russell.)

The landscapes of Prescott and Russell are numerous and varied. There are rapidly growing urban areas such as the communities of Rockland and Embrun and the Village of Casselman, urban and industrial centres such as the Town of Hawkesbury, historic communities such as L'Orignal and Vankleek Hill, areas of environmental importance such as the Alfred Bog, the Larose Forest, the Ottawa River and the South Nation River, important agricultural and mineral resource sectors and large expanses of wooded areas.

The diversity of Prescott and Russell's landscapes is matched by the diversity of its inhabitants. Although the area is predominantly Francophone, recent years have seen an increase in English speaking residents as well as growing numbers of many other cultural and linguistic groups. The linguistic and cultural evolution of Prescott and Russell continues as the region maintains a strong growth rate.

This first Official Plan for the United Counties of Prescott and Russell will seek to build on our strengths and diversity as growth and development continues into the next millennium.

The United Counties adopted its first Official Plan in 1999. Since the date of adoption the province has developed a new Provincial Policy Statement. The *Planning Act* requires that municipal land use planning policies be consistent with provincial policy and as such the Official Plan has been revised. In 2006 the Plan was reviewed and subjected to a comprehensive consultation process which yielded many policy changes. In addition all of the textual and schedule amendments approved during the Plan's first 5 years were included. Finally the Official Plan has been re-organized for clarity and ease of use.

Figure 1

1.2 PURPOSE AND STRUCTURE OF THE OFFICIAL PLAN

1.2.1 Purpose of the Official Plan

The *Planning Act* requires that the United Counties of Prescott and Russell prepare and adopt an Official Plan which covers the full extent of its territory. The *Planning Act* also identifies matters of provincial interest which are further defined by the Provincial Policy Statement.

The Counties' Official Plan must be consistent with the policies in this Statement. The goal of the Official Plan is to provide guidance and direction to growth and development, redevelopment and/or conservation activities in the United Counties. The Official Plan does not regulate land use but provides the policy framework for regulatory tools such as zoning by-laws, plans of subdivision and consents, capital works programs, municipal budgets and various municipal by-laws. This Official Plan was prepared by the United Counties of Prescott and Russell in partnership with the residents of the United Counties, its community organizations, the provincial government and its agencies, and most importantly the constituent municipalities of Prescott and Russell. As such, the policies of the Official Plan represent a balance of interests and points of view.

1.2.2 Title and Components of the Official Plan

This document shall be known as the Official Plan for the Corporation of the United Counties of Prescott and Russell. The United Counties of Prescott and Russell Official Plan is divided into eight major components as follows:

Part 1 Introduction:

Provides an overview of the planning area and the organization of the plan and explains the political and administrative framework within which land use planning is carried out on Ontario.

Part 2 Sustainable Communities:

Addresses residential and non-residential development and the infrastructures required to support long term sustainability. These policies are generally designed to guide land use in towns, villages and hamlets as well as in rural areas which are not required for resource development, the protection and enhancement of our natural heritage or which must be avoided to ensure the protection of persons and property.

Part 3 Infrastructures

These policies address the need to provide appropriate infrastructures to ensure sustainable development for the safety and security of residents. Policies include water, waste water, surface water and transportation infrastructures as well as waste management, communication, energy and other required services.

Part 4 Resources:

These policies are designed to ensure sustainable use of resources lands for agriculture, aggregate extraction and forestry.

Part 5 Natural Heritage:

These policies seek to ensure the preservation and enhancement of natural heritage features such as wetlands, woodlands and wildlife habitat.

Part 6 Public Health and Safety;

This section addresses constraints to development such as floodplains and unstable slopes which could result in threats to persons and property.

Part 7 Implementation of the Official Plan

Addresses the various tools available to ensure that the Official Plan's policies are properly implemented.

Part 8 Schedules

There are four map schedules which provide a geographical reference for the Plan's policies. They are:

Schedule A - Land Use Designations
Schedule B - Environmental Resource Areas
Schedule C – Public Health and Safety
Schedule D – Transportation

1.2.3 Political and Administrative Framework

The United Counties of Prescott and Russell Official Plan is a detailed set of land use policies which is consistent with the Provincial Policy Statement. The level of detail is sufficient to reflect the interests of the eight constituent municipalities. The Plan recognises that a greater level of detail or more comprehensive policy direction may be desirable at the local municipal level. A local Council may choose to adopt an Official Plan for the municipality or a specific part of the municipality such as an urban area. Alternatively municipalities may decide to repeal an existing Official Plan and rely solely on the policies in this Plan. The Plan recognises the need to be flexible in order to ensure that each local municipality may work with a land use policy framework which is best suited for its needs.

The Council of the United Counties has been assigned Delegated Authority under the *Planning Act*. The United Counties of Prescott and Russell has final approval authority for Counties' Official Plan amendments and further has the authority to approve local Official Plans and Official Plan Amendments. Local Official Plans will be required to conform to the policies of the Counties' Plan.

Administration of this Official Plan is the responsibility of the United Counties of Prescott and Russell. Planning Department personnel are available to respond to questions and to provide advice regarding the Plan's policies and the implementation of those policies.

1.2.4 Provincial Policy Statement

The preparation and adoption of an Official Plan is subject to Provincial law. As such the Official Plan was drafted, reviewed and adopted in conformity with the requirements of the *Planning Act* and the content of the Plan is consistent with the Provincial Policy Statement issued under Section 3 of the *Planning Act* which came into effect on March 1, 2005.

A municipal government's authority for land use planning is subject to the Provincial Policy Statement (PPS). Land use planning decisions must be consistent with the PPS. The "must be consistent with" provision replaces the previous "must have regard to" approach which had been the standard test of the planning merits of all land use decisions since the concept of Provincial policy statements was introduced in the 1983 *Planning Act*. The "must be consistent with" approach is expected to result in more consistent land use planning decisions as there will be less room for interpretation of planning policies.

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

1.3 PLANNING PERIOD

The United Counties of Prescott and Russell Official Plan is intended to guide land use for a twenty year period, i.e. until the year 2026.

2 SUSTAINABLE COMMUNITIES

2.1 INTRODUCTION

The Sustainable Communities policies are intended to guide residential and non-residential development in areas of the United Counties which are not required for resource development or for their natural heritage values. The policies are designed to help manage change and to promote efficient use of scarce land resources. It is the objective of these policies to strengthen our communities through effective use of our infrastructures and by striving to achieve efficient development patterns. Protecting our natural and environmental resources as well as the distinct character of our towns, villages, hamlets and rural countryside will contribute to the long term goal of developing sustainable communities.

This section of the Plan applies to the Urban Policy Area, the Community Policy Area, The Trade and Industry Policy Area and the Rural Policy Area designations.

2.1.1 Demographic Overview Forecasts

The United Counties of Prescott and Russell have experienced tremendous growth over the last three decades.

Rapid growth often results in social, political, economic and environmental pressures that can threaten the very qualities that attracted so many to settle in this region. Indeed Prescott and Russell must resolve many growth related problems such as water and sewer service restrictions, landfill capacity, environmental impacts and development pressure on our resource areas.

The policies in this section are based on population projections and estimated housing requirements. Population and housing projection tables which summarize expected growth from 2006 to 2026 follow. The tables are based on Statistic Canada census years in order to facilitate monitoring of population and development activity and include low and high growth scenarios. The Low Growth scenario uses figures prepared by the Ontario Ministry of Finance (MOF) while the high growth projections were developed using the MOF projections as a base.

Table 1 Population Projections								
Historical			Growth Scenario	Projection				
1996	2001	2004		2006	2011	2016	2021	2026
74,014	76,446	82,900	Low	84,700	89,100	93,000	96,700	100,000
74,014	76,446	82,389	High	85,122	90,881	96,320	101,874	107,204

The distribution of growth between municipalities is an important consideration. Although it is difficult at best to develop projections for small geographic areas, such as a village or township, it is reasonable to distribute the total projected population growth for the United Counties between the eight local municipalities. Table 2 shows high and low population forecasts for each local municipality based on historical population distribution and linear growth projections of actual

population for the period between 1996 and 2004. Table 3 provides an estimate of housing requirements based on 2.6 persons per dwelling unit. (Note: The average number of persons per dwelling in Prescott and Russell was 2.7 in 2001. The average is expected to fall over the life of the Official plan as the population ages.)

Table 2 – Historical and Projected Population Growth Distributed by Municipality

	1996	2001	2004*	Growth Scenario	2006	2011	2016	2021	2026
Clarence -Rockland	18633	19612	21486	Low	22062	23498	24756	25962	27016
				High	22186	23968	25640	27340	28959
Hawkesbury	10163	10314	11065	Low	11247	11701	12099	12480	12813
				High	11310	11935	12531	13142	13735
Casselman	2877	2910	3112	Low	3159	3278	3381	3481	3567
				High	3177	3344	3502	3666	3824
Alfred-Plantagenet	8315	8593	9314	Low	9516	10019	10459	10881	11250
				High	9569	10219	10832	11458	12059
Champlain	8375	8591	9282	Low	9465	9922	10321	10705	11040
				High	9518	10120	10689	11273	11834
East Hawkesbury	3296	3415	3712	Low	3796	4005	4189	4365	4518
				High	3817	4085	4339	4597	4843
Nation	10478	10599	11339	Low	11513	11946	12326	12690	13008
				High	11578	12186	12766	13363	13944
Russell	11877	12412	13551	Low	13889	14732	15469	16177	16796
				High	13967	15026	16021	17036	18004
UCPR	74014	76446	82861	Low	84647	89100	93000	96740	100010
				High	85122	90881	96320	101874	107204

The population and housing projections are provided as a baseline for the identification of growth and settlement areas and employment lands, to assist in the development of capital budgets for municipal infrastructure programs and for planning and support for public services such as schools and other institutions. Although the growth projections are part of the basis for the policies of this Plan, they are intended to be interpreted as a formal policy of the Plan. As such population and/or housing forecasts may be revised and such revision, by and of itself, will not require an Official Plan amendment. It is a policy of this Plan, however, that the Sustainable Communities and Infrastructures policies will be reviewed should subsequent census population figures prove to diverge significantly from the projections provided in Tables 1, 2 and 3.

Table 3 –Projected Dwelling Unit Requirements – 2006 - 2026

	2006 - 2011		2011 to 2016		2016 - 2021		2021 - 2026	
	Low	High	Low	High	Low	High	Low	High
Clarence - Rockland	552	685	484	643	464	654	405	623
Hawkesbury	175	240	153	229	147	235	128	228
Casselman	46	64	40	61	38	63	33	61
Alfred-Plantagenet	193	250	169	236	162	241	142	231
Champlain	176	232	153	219	148	224	129	216
East Hawkesbury	80	103	71	98	68	99	59	95
Nation	167	233	146	224	140	230	122	223
Russell	324	407	283	383	272	390	238	373
UCPR	1713	2214	1499	2093	1439	2136	1256	2050

2.1.2 Growth Targets

In order to achieve balanced growth in accordance with Council's objectives and in a manner which is consistent with provincial objectives, development targets, expressed as a percentage of total growth, have been developed. The intent is to distribute growth between the rural and community areas. This approach allows for advance planning of required infrastructures and the protection of resource and environmental areas.

A ratio of 70-30 urban / rural split has been established. In essence it is the objective of the Official Plan to guide 70% or more of population growth to the Urban Policy Area and the Community Policy Area and 30% or less to the Rural Policy Area. This change from the initial growth distribution policies of 60% Urban 30% Rural and 10% Agricultural, reflects the new Provincial Policy Statement which restricts growth in areas of prime agricultural land resources. The 70 – 30 split is reflective of the Plan's overall objective of encouraging growth in existing communities.

The development targets are intended to achieve a number of beneficial outcomes. Firstly this approach is intended to maximize development on available infrastructures. Directing growth to our communities will result in compact development which in turn helps to ensure efficient use of infrastructures. Compact development patterns will also help to ensure that future infrastructure expansions will take place in a more cost efficient manner. Secondly the target recognizes traditional non-urban development and provides for continued development in the rural areas of the Counties.

The 70 - 30 target ratios are consistent with available land resources and infrastructure capacities when considered on a planning area basis. The development targets can only be achieved through the careful implementation of all of the policies of this Official Plan. However Council will be vigilant in ensuring that development outside of the Urban and Community Policy Areas is justified and that development criteria and limitations will be respected.

It must be noted that these ratios are not intended to impose development quotas on individual municipalities. The growth target ratios represent an objective for the entire planning area and the Plan recognizes that regional differences may emerge.

2.1.3 Objectives

The following are the objectives that Council is seeking to achieve through the implementation of the policies of the Sustainable Communities policies of this Plan:

1. We will strengthen our communities by directing growth and development to areas with existing or planned water and sewer infrastructures.
2. We will strive to achieve a 70 - 30 of growth distribution in accordance with the growth targets described in Part II, Section 2.1.2 by ensuring that development decisions are consistent with the policies of this Plan.
3. A three year supply of serviced land will be maintained at all times as part of the ten year supply of land designated for residential development.
4. A broad range of housing types will be permitted in order to meet the requirements of a growing population.
5. A sufficient supply of land will be designated for land uses which facilitate employment growth in the urban areas.
6. Economic development will focus on increasing total employment within the United Counties as a whole but more specifically within the urban areas.
7. Priority will be given to growth and development which can take place on existing water, sewer and waste disposal infrastructures.
8. Economic development will be supported by giving priority for infrastructure expansion to areas with strong economic growth potential.
9. The distinct character of our towns, villages, hamlets and rural areas will be maintained.
10. Significant natural heritage sites and areas will be protected from incompatible land uses.
11. Development shall be directed away from areas of natural or man-made hazards where there is an unacceptable risk to public health or safety or of property damage.

These objectives are consistent with the Provincial Policy Statement.

2.2 URBAN POLICY AREA

2.2.1 General

The Urban Policy Area designation applies to Towns and Villages with populations of 1000 or more and which have been developed primarily on the basis of municipal water and sewer systems. The Urban Policy Area is intended to absorb a significant part of future growth in the United Counties.

The Urban Area policies are intended to create a planning framework which will encourage and support diversified, mixed use communities. The policies are intended to ensure that local Councils will have the ability and authority to shape their communities in accordance with local needs and local characteristics. The policies are also intended to permit continued development

while also ensuring that costly unplanned engineered water and sewer infrastructures will not be required to resolve environmental problems in the future.

2.2.2 Urban Policy Area Boundaries

These policies apply to the Urban Policy Area designations as shown on Schedule A. These areas reflect the boundaries of settlement areas as designated by local municipalities in their local Official Plans. Some minor changes to the original boundaries were made to reflect existing conditions such as contiguous development or the need to limit incompatible development. Subject to section 7.7.4, alterations to the boundaries of the Urban Policy Area designation as shown on Schedule A shall require an Amendment to this Plan.

2.2.3 Urban Policy Area Boundary Expansions

When considering expansions to an Urban Policy Area boundary which would increase the total development potential of the community in question, Council shall require sufficient information to allow for a comprehensive review of the proposed expansion and the following studies shall be required in support of the Official Plan Amendment:

1. an overall concept plan which demonstrates how the expanded area will be developed including a street and lot layout with appropriate linkages to the existing community;
2. a review of demographic projections and distribution provided in section 2.1.1 which demonstrates the need for urban area expansions to accommodate growth;
3. an analysis of the alternatives to urban area expansion including intensification and redevelopment;
4. a study which establishes water, waste water and stormwater servicing requirements on the basis of reviewed population projections and which examines municipal financial impacts and environmental impacts which would result from the proposed expansion. If private or communal water and waste water treatment services are proposed, a study will also be required to determine the capability of the soils to support the safe and long-term use of these systems and to confirm that there is a supply of water of sufficient quality and quantity to support the increase in development capacity without adversely affecting existing development in the community;
5. the expansion complies with the requirements of the MDS formulae.

Urban Policy Area boundaries will be expanded only where existing designated areas in the municipality do not have sufficient land supply to accommodate the growth projected for the municipality. Expansions into prime agricultural areas are permitted only where:

1. there are no reasonable alternatives which avoid prime agricultural areas; and
2. there are no reasonable alternatives with lower priority agricultural lands in the prime agricultural area.

2.2.4 Urban Policy Area Boundary Adjustments

Urban Policy Area boundary adjustments which do not increase the overall area of the community in question may be permitted through an Official Plan Amendment where it is demonstrated that such boundary shifts will result in improved infrastructure efficiencies and/or more efficient linkages to the existing community. Such boundary modifications shall ensure that policies respecting prime agricultural lands as stated in section 2.2.3 are respected.

2.2.5 Development on Adjacent Land

In order to protect the integrity of Urban Policy Area designations, residential development on lands located outside of the Urban Policy Area designation but within 500 metres of Urban Policy Area limits will be restricted to the creation of lots by consent, in accordance with the policies in Section 7.4.2, and development on existing lots of record in accordance with the relevant policies of this Plan. Where adjacent lands located within 500 meters of the Urban Policy Area designation limits is designated Community Policy Area the development restriction does not apply.

Non-residential development may be permitted within 500 meters of Urban Policy Area designations where such development is located on a primary collector such as a County Road, provided that appropriate studies are carried out which demonstrate that the development will not have a negative impact on the viability of the Urban Policy Area's commercial core area nor shall it result in significant constraints to the long term orderly expansion of the Urban Policy Area. In addition the approval authority shall be satisfied that necessary infrastructure and public service facilities are or will be available to meet any additional needs which may be generated by the proposed development.

2.2.6 Municipal water and sewer services

Development shall be permitted only where it is confirmed by the local municipality that there is sufficient reserve capacity in the municipal water and sewer services in accordance with Ministry of the Environment guidelines and regulations.

Some Urban Policy Areas include lands where development has proceeded on the basis of municipal water only, or on private services. The Plan recognizes such areas as exceptions in the Urban Policy Area. Development on municipal water or on private water and septic services will only be permitted where the following conditions are met:

1. a local Official Plan specifically identifies the lands in question, either through a textual description or on mapping which forms part of the plan, and further describes the related level of water and sewer services;
2. a local Official Plan includes appropriate policies which address the need to ensure long term water and waste water servicing needs
3. the municipality is satisfied that there will be no additional pressure for costly unplanned extension of full municipal services to the subject lands
4. local zoning by-laws include provisions for larger frontages and lot areas.

Partial services shall only be permitted where they are necessary to address failed individual on-site water and/or sewage services and within an Urban Policy Area to allow for infilling and rounding out of existing development on partial services. There must be reserve sewage or water system capacity and site conditions must be suitable for the long-term provision of services.

2.2.7 Residential Policies

Council's objectives respecting residential development in the Urban Policy Area are as follows:

1. To ensure the provision of an adequate supply of residential land;
2. To provide for a range and mix of low, medium and high density housing types;

3. To provide for neighbourhood facilities and amenities which are appropriate to a residential living environment;
4. To ensure the provision of roads and other municipal services necessary to the development of functional neighbourhood areas.

Residential areas shall be defined through the local municipal zoning by-law. Local Councils shall zone land for specific types of residential uses and shall ensure that permitted non-residential uses are appropriately zoned. Where a secondary plan or local Official Plan applies, areas designated for residential development shall be identified on the required map schedule. Local zoning by-laws shall establish residential zones within the Urban Policy Area which shall provide for the following uses:

1. Low density residential uses ;
2. Home based businesses subject to Section 7.5.5;
3. Medium density residential uses ;
4. High density residential uses ;
5. Rooming and boarding houses;
6. Schools, parks and churches;

Local commercial uses may be permitted in residential areas provided that such uses are located on an appropriate collector road, are appropriately zoned and provided that they are not detrimental to the economic well-being of the Town, Village or Hamlet core area zones in communities which choose to define such areas through the local municipal zoning by-law in accordance with the relevant policies of this Plan.

In order to meet the varied housing requirements of Prescott and Russell residents and to provide for orderly residential development, it is the policy of this Plan that, subject to the availability of water and waste water services, zoning regulations be designed to provide for a mix of 70% low density residential development, 20% medium density residential development and 10% high density residential development in the Urban Policy Area.

For the purposes of this section, low density development is defined as up to 16 units per net hectare. Medium density development is up to 30 units per net hectare and high density is defined as more than 43 units per net hectare. A net hectare is defined as the actual land used for the development of residential land use exclusive of land required for roads, parks or other amenities.

Vacant land may be identified for future residential development and local Councils may zone such land by using the Holding provisions of Section 7.4.5. Appropriate conditions for removing the holding provisions shall be established. Where such areas are large or where there are complex issues to resolve such as infrastructure capacities, fractured ownership patterns or environmental considerations, supporting studies and reports may be required by the Council of local municipality prior to the removal of the Holding restriction.

Local Councils through the development of municipal zoning by-laws and the application, where required, of site plan control, shall regulate the development of residential neighbourhoods. The use of subdivision and condominium control by local Council where such authority has been delegated shall also apply. The implementation of this Official Plan through zoning regulations,

subdivision and condominium control and site plan control shall be based on the following criteria:

1. permit and zone a range of housing types and sizes;
2. identify and zone areas exclusively reserved for residential development;
3. ensure adequate buffering of residential areas from incompatible non-residential uses through separation distance, landscaping or other appropriate means;
4. identify and zone permitted non-residential uses;
5. where applicable identify and zone mixed-use areas in selected areas of the municipality;
6. permit increased housing densities through redevelopment of existing residential and non-residential buildings;
7. permit accessory apartments subject to available infrastructures and amenity space;
8. provide for open space and parkland and the protection of natural heritage features;
9. allow residential infill and redevelopment provided there is sufficient reserve capacity in water and waste water facilities;
10. regulate the physical character of infill or redevelopment projects to ensure their compatibility with established communities;
11. when reviewing applications for redevelopment or infill, consider the impact of the proposed development on the neighbourhood in terms of parking, traffic, open space, and proposed uses;
12. when reviewing development applications consider the development criteria stated in Sections 7.4.4 and 7.4.5.

2.2.8 Community Core Policies

Local municipalities are encouraged to identify and support the development of a core area in each community. Core areas are generally older neighbourhoods characterized by a main traffic artery and mixed land uses. The objective of these policies is to provide the framework for long term planning efforts which can, over time, help to establish compact, mixed-use and pedestrian friendly activity nodes in each of the towns, villages and hamlets of the United Counties.

The following uses may be permitted in community core areas defined in local zoning by-laws:

1. institutional uses such as churches, schools, nursing or senior's homes and medical clinics;
2. community facilities such as community centres, libraries, town halls, day care centres;
3. retail, service and business uses;
4. medium and high density residential uses including seniors dwellings;
5. recreational facilities such as arenas and public swimming pools;
6. open space suitable for public gatherings;
7. other appropriate or compatible core area uses.

Mixed uses such as ground level business or retail uses with residential uses on upper levels are encouraged

Local Councils through the development of municipal zoning by-laws and the application, where required, of site plan control, shall regulate the development of Community Core Area designations. The use of subdivision and condominium control by local Council where such authority has been delegated shall also apply. The implementation of this Official Plan through zoning regulations, subdivision and condominium control and site plan control shall be based on the following criteria:

1. permit and zone a range of residential and non-residential uses;
2. permit increased housing densities through redevelopment of existing residential and non-residential buildings;
3. permit accessory apartments subject to available infrastructures and amenity space;
4. provide for the protection of natural heritage features;
5. regulate the physical character of infill or redevelopment projects to ensure their compatibility with the Community Core Area;
6. when reviewing applications for redevelopment or infill, consider the impact of the proposed development on the area in terms of parking, traffic, open space, and proposed uses;
7. when reviewing development applications consider the development criteria stated in Sections 7.4.4 and 7.4.5.

2.2.9 Commercial Policies

Commercial development shall be encouraged and supported throughout the United Counties and whenever possible it should be directed to Urban Policy Areas and more specifically to those communities where piped water and waste water services can be provided.

Council's objectives for commercial development in Urban Policy Areas are as follows:

1. to permit commercial uses which are compatible with the surrounding community;
2. to permit commercial development which can be appropriately serviced;
3. to ensure a broad range of commercial uses in order to provide local employment opportunities;
4. to facilitate local control over the location and character of commercial development;
5. to encourage large retailers and large commercial uses to locate within established commercial areas in an effort to maintain the viability and cohesiveness of existing commercial areas and specifically core area retail and business uses.

Local municipalities shall permit a wide variety of commercial uses in the Urban Policy Area and shall define and regulate such development through the use of local zoning by-laws and site plan control. The following types of commercial uses shall generally be permitted in the Urban Policy Area designation:

1. retail uses and retail complexes
2. service commercial

3. office commercial
4. restaurants and eating establishments
5. entertainment facilities
6. vehicle sales and repair
7. commercial trade shops
8. recreational uses
9. tourist commercial
10. parks and open space
11. other appropriate or compatible commercial uses

Notwithstanding the above list of permitted uses, local Councils may exclude some commercial uses from the permitted use section of the zoning by-law which implements the Urban Area policies where the location or scale of such uses may have a negative impact on the viability of identified community core areas.

Municipal zoning by-laws shall include provisions to maintain the character and scale of commercial development and to ensure appropriate regulatory control. Zoning by-laws shall address the following:

1. permit a range of commercial uses;
2. identify commercial zones in selected areas;
3. ensure the protection of natural heritage features in accordance with the policies of this Plan.

Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded commercial uses in order to regulate the physical character of commercial development and to ensure compatibility with established neighbourhoods.

2.2.10 Industrial Development Policies

Council's objectives for industrial development in Urban Policy Area designations are as follows:

1. to permit industrial uses which are compatible with the surrounding community;
2. to permit industrial development which can be appropriately serviced;
3. to help develop a range of local employment opportunities.

Local municipalities shall permit a variety of industrial uses in the Urban Policy Area designation and shall define and regulate such development through the use of local zoning by-laws and site plan control. The following industrial uses shall generally be permitted in the Urban Policy Area designation:

1. manufacturing and processing
2. warehousing and wholesaling of bulk products

3. transportation depots
4. heavy equipment sales and service
5. business or industrial parks
6. other appropriate or compatible industrial uses
7. related and or accessory commercial uses.

Notwithstanding the above list of permitted uses, local Councils may exclude some industrial uses from the permitted use section of the zoning by-law which implements the Urban Area policies where the location or scale of such uses can reasonably be considered to present environmental problems or where the presence of industrial uses is incompatible with the community.

Local Councils through municipal zoning by-laws and site plan control shall endeavour to maintain the character and scale of industrial development and to ensure appropriate regulatory control. The review of site development and the development of zoning by-laws shall address the following:

1. permit a range of industrial uses;
2. identify industrial zones in selected areas of municipalities which are well removed from residential and community core areas or which can be developed in a manner which will not result in land use conflicts in accordance with Ministry of the Environment Guideline on Compatibility Between Industrial Facilities and Sensitive Land Uses;
3. ensure the protection of natural heritage features.

Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded industrial uses in order to regulate the physical character of industrial development and to ensure compatibility with established land uses. Particular attention will be placed on appropriate buffering of the industrial use from adjacent land uses as well as ensuring that there is efficient and immediate access to transportation links which separates industrial traffic from normal community traffic.

2.3 COMMUNITY POLICY AREA

2.3.1 General

The Community Policy Area designation applies to partially serviced and un-serviced Villages and Hamlets. These communities can vary in population from a few hundred to approximately one thousand residents and will continue to experience modest growth. However the policies recognize that the lack of full water and sewer infrastructures can represent a significant constraint to growth.

The Community Policy Area policies are intended to create a planning framework which will encourage and support diversified, mixed use communities. The policies are intended to ensure that local Councils will have the ability and authority to shape their communities in accordance with local needs and local characteristics. The policies are also intended to permit continued development while also ensuring that costly unplanned engineered water and sewer infrastructures will not be required to resolve environmental problems in the future.

2.3.2 Community Policy Area Boundaries

These policies apply to the Community Policy Area designations as shown on Schedule A. These areas reflect the boundaries of settlement areas as designated by local municipalities in the local Official Plans in place when the UCPR Official Plan was approved in 1999. Some minor changes to the original boundaries were made to reflect existing conditions such as contiguous development or the need to limit incompatible development.

Subject to section 7.7.4 alterations to the boundaries of the Community Policy Area designations as shown on Schedule A shall require an Amendment to this Plan.

2.3.3 Expansion of Community Policy Area Boundaries

When considering expansions to a Community Policy Area boundary which would increase the total development potential of the community in question, Council shall require sufficient information to allow for a comprehensive review of the proposed expansion and the following studies shall be required in support of the Official Plan Amendment:

1. an overall concept plan which demonstrates how the expanded area will be developed including a street and lot layout with appropriate linkages to the existing community;
2. a review of demographic projections and distribution provided in section 2.1.1 which demonstrates the need for urban area expansions to accommodate growth;
3. an analysis of the alternatives to urban area expansion including intensification and redevelopment;
4. a study which establishes water, waste water and stormwater servicing requirements on the basis of reviewed population projections and which examines municipal financial impacts and environmental impacts which would result from the proposed expansion. If private or communal water and waste water treatment services are proposed, a study will also be required to determine the capability of the soils to support the safe and long-term use of these systems and to confirm that there is a supply of water of sufficient quality and quantity to support the increase in development capacity without adversely affecting existing development in the community.

Community Policy Area boundaries will be expanded only where existing designated areas in the municipality do not have sufficient land supply to accommodate the growth projected for the municipality. Expansions into prime agricultural areas are permitted only where:

1. there are no reasonable alternatives which avoid prime agricultural areas; and
2. there are no reasonable alternatives with lower priority agricultural lands in the prime agricultural area.

2.3.4 Community Policy Area Boundary Adjustments

Community Policy Area boundary adjustments which do not increase the overall area of the community in question may be permitted where it is demonstrated that such boundary shifts will result in improved infrastructure efficiencies and/or more efficient linkages to the existing community. Such boundary modifications shall ensure that policies respecting prime agricultural lands as stated in section 2.3.3 are respected.

2.3.5 Development on Adjacent Land

In order to protect the integrity of Community Policy Area designations, residential development outside of the Community Policy Area designation but within 500 metres of the Community Policy Area limits will be restricted to the creation of lots by consent, in accordance with the policies in Section 7.4.2, and development on existing lots of record in accordance with the relevant policies of this Plan. Where adjacent lands located within 500 meters of the Community Policy Area designation limits are designated Urban Policy Area the development restriction does not apply.

Non-residential development may be permitted within 500 meters of Community Policy Area designations where such development is located on a primary collector such as a County Road provided that appropriate studies are carried out which demonstrate that the development will not have a negative impact on the viability of the Community Policy Area's commercial core area nor shall it result in significant constraints to the long term orderly expansion of the Community Policy Area. In addition the approval authority shall be satisfied that necessary infrastructure and public service facilities are or will be available to meet any additional needs which may be generated by the proposed development.

2.3.6 Municipal Water and Sewer Services

Some communities in the Community Policy Area designation were developed on the basis of communal sewage treatment services or municipal water services. The principal reason for the development of partial servicing in these communities was the need to resolve groundwater contamination problems. Continued development may take place in these communities on the basis of partial services provided that there is sufficient capacity in the existing infrastructure and provided that there is no negative impact on groundwater resources. Council may require evidence, in the form of a hydrogeology study or an Impact Assessment Study which confirms that the proposed development is feasible from a health and environment standpoint.

Development on private services in partially serviced communities shall not be permitted without an amendment to this Official Plan.

Development of five residential units or lots or more on communal water or communal waste water services may be permitted, subject to the provisions of section 7.4.1, where municipal water and/or waste water services cannot be provided and where site conditions are suitable over the long term. Communal systems are subject to the requirements of the *Safe Drinking Water Act*. Subsurface sewage disposal systems with a design capacity greater than 10,000 litres per day require approval under the *Ontario Water Resources Act*.

The expansion of the service capacity of the existing municipal or communal system in these communities for the purpose of increasing the development capacity of the community in question may be permitted without an amendment to this Official Plan provided that the limits of the designation are not altered. Where an expansion to the limits of the Community Policy Area is proposed, the policies of Section 2.3.3 shall apply.

The expansion of communal or municipal water or sewer services is permitted within the limits of the policy area where the expansion is required for health or environmental purposes.

2.3.7 On-Site Private Water and Sewer Services

Continued development on the basis of private on-site water and sewer services is permitted provided that it can be demonstrated that the aquifer can provide a long term sustainable ground

water supply of acceptable quality in accordance with Ministry of Environment guidelines and regulations, and that there is no negative environmental impact (or cumulative negative impact) resulting from the use of on site private water and sewer services. A hydrogeological study prepared by a qualified professional may be required by the approval authority. Such study, when required, shall be prepared in support of a development application.

2.3.8 Residential Policies

Council's objectives respecting residential development in the Community Policy Area are as follows:

1. To ensure the provision of an adequate supply of residential land;
2. To provide for a range and mix of low, medium and high density housing types;
3. To provide for neighbourhood facilities and amenities which are appropriate to a residential living environment;
4. To ensure the provision of roads and other municipal services necessary to the development of functional neighbourhood areas.

Residential areas shall be defined through the local municipal zoning by-law. Local Councils shall zone land for specific types of residential uses and shall ensure that permitted non-residential uses are appropriately zoned. Where a secondary plan or local Official Plan applies, areas designated for residential development shall be identified on the required map schedule.

Local zoning by-laws shall establish residential zones within the Community Policy Area which shall provide for the following uses:

1. Low density residential;
2. Home based businesses subject to Section 7.5.5;
3. Medium density residential;
4. Rooming and boarding houses;
5. Schools, parks and churches.

Local commercial uses may be permitted in residential areas provided that such uses are located on an appropriate collector road, are appropriately zoned and provided that they are not detrimental to the economic well-being of the Town, Village or Hamlet core area zones in communities which choose to define such areas through the local municipal zoning by-law in accordance with the relevant policies of this Plan.

In order to meet the varied housing requirements of Prescott and Russell residents and to provide for orderly residential development, it is the policy of this Plan that, subject to the availability of water and waste water services, zoning regulations be designed to provide for a mix of 70% low density residential development and 30% medium density residential development in the Community Policy Area.

For the purposes of this section, low density development is defined as up to 16 units per hectare and medium density development is up to 30 units per net hectare. A net hectare is defined as the actual land used for the development of residential land use exclusive of land required for roads, parks or other amenities.

Vacant land may be identified for future residential development and local Councils may zone such land by using the Holding provisions of Section 7.4.7. Appropriate conditions for removing the holding provisions shall be established. Where such areas are large or where there are complex issues to resolve such as infrastructure capacities, fractured ownership patterns or environmental considerations, supporting studies and reports may be required by the Council of local municipality prior to the removal of the Holding restriction.

Local Councils through the development of municipal zoning by-laws and the application, where required, of site plan control, shall regulate the development of residential neighbourhoods. The use of subdivision and condominium control by local Council where such authority has been delegated shall also apply. The implementation of this Official Plan through zoning regulations, subdivision and condominium control and site plan control shall be based on the following criteria:

1. permit and zone a range of housing types and sizes;
2. identify and zone areas exclusively reserved for residential development;
3. ensure adequate buffering of residential areas from incompatible non-residential uses through separation distance, landscaping or other appropriate means;
4. identify and zone permitted non-residential uses;
5. where applicable identify and zone mixed-use areas in selected areas of the municipality;
6. permit increased housing densities through redevelopment of existing residential and non-residential buildings;
7. permit accessory apartments subject to available infrastructures and amenity space;
8. provide for open space and parkland and the protection of natural heritage features;
9. encourage residential infill and redevelopment;
10. regulate the physical character of infill or redevelopment projects to ensure their compatibility with established communities;
11. when reviewing applications for redevelopment or infill, consider the impact of the proposed development on the neighbourhood in terms of parking, traffic, open space, and proposed uses;
12. when reviewing development applications consider the development criteria stated in Sections 7.4.4 and 7.4.5
13. ensure the availability of adequate water and waste water treatment services.

2.3.9 Community Core Policies

Local municipalities are encouraged to identify and support the development of a core area in each community. Core areas are generally older neighbourhoods characterized by a main traffic artery and mixed land uses. The objective of these policies is to provide the framework for long term planning efforts which can, over time, help to establish compact, mixed-use and pedestrian friendly activity nodes in each of the towns, villages and hamlets of the United Counties.

The following uses may be permitted in community core areas defined in local zoning by-laws:

1. institutional uses such as churches, schools, nursing or senior's homes and medical clinics;

2. community facilities such as community centres, libraries, town halls, day care centres;
3. retail, service and business uses;
4. medium density residential uses including seniors dwellings;
5. recreational facilities such as arenas and public swimming pools;
6. open space suitable for public gatherings;
7. other appropriate or compatible core area uses.

Mixed uses such as ground level business or retail uses with residential uses on upper levels are encouraged.

Local Councils through the development of municipal zoning by-laws and the application, where required, of site plan control, shall regulate the development of Community Core Area designations. The use of subdivision and condominium control by local Council where such authority has been delegated shall also apply. The implementation of this Official Plan through zoning regulations, subdivision and condominium control and site plan control shall be based on the following criteria:

1. permit and zone a range of residential and non-residential uses;
2. permit increased housing densities through redevelopment of existing residential and non-residential buildings;
3. permit accessory apartments subject to available infrastructures and amenity space;
4. provide for the protection of natural heritage features;
5. regulate the physical character of infill or redevelopment projects to ensure their compatibility with the Community Core Area;
6. when reviewing applications for redevelopment or infill, consider the impact of the proposed development on the area in terms of parking, traffic, open space, and proposed uses;
7. when reviewing development applications consider the development criteria stated in Sections 7.4.4 and 7.4.5
8. ensure the availability of adequate water and waste water treatment services.

2.3.10 Commercial Development Policies

Commercial development shall be encouraged and supported throughout the United Counties and whenever possible it should be directed to Community Policy Areas and more specifically to those communities where piped water and waste water services can be provided.

Council's objectives for commercial development in Community Policy Areas are as follows:

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

5. to encourage large retailers and large commercial uses to locate in the Urban Policy Area in an effort to maintain the viability and cohesiveness of existing Community Policy Area commercial areas and specifically core area retail and business uses.

Local municipalities shall permit a wide variety of commercial uses in the Community Policy Area and shall define and regulate such development through the use of local zoning by-laws and site plan control. The following types of commercial uses shall be permitted in the Community Policy Area designation:

1. retail uses and retail complexes
2. service commercial
3. office commercial
4. restaurants and eating establishments
5. entertainment facilities
6. vehicle sales and repair
7. commercial trade shops
8. recreational uses
9. tourist commercial
10. parks and open space
11. other appropriate or compatible commercial uses

Notwithstanding the above list of permitted uses, local Councils may exclude some commercial uses from the permitted use section of the zoning by-law which implements the Community Policy Area policies where the location or scale of such uses may have a negative on the viability of identified community core areas.

Municipal zoning by-laws shall include provisions to maintain the character and scale of commercial development and to ensure appropriate regulatory control. Zoning by-laws shall address the following:

1. permit a range of commercial uses;
2. identify commercial zones in selected areas;
3. ensure the protection of natural heritage features in accordance with the policies of this Plan.

Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded commercial uses in order to regulate the physical character of commercial development and to ensure compatibility with established neighbourhoods.

2.3.11 Industrial Development Policies

Council's objectives for industrial development in Community Policy Area designations are as follows:

1. to permit industrial uses which are compatible with the surrounding community;
2. to permit industrial development which can be appropriately serviced;
3. to help develop a range of local employment opportunities.

Local municipalities shall permit a variety of industrial uses in the Community Policy Area designation and shall define and regulate such development through the use of local zoning by-laws and site plan control.

The following industrial uses shall generally be permitted in the Community Policy Area designation:

1. manufacturing and processing
2. warehousing and wholesaling of bulk products
3. transportation depots
4. heavy equipment sales and service
5. business or industrial parks
6. other appropriate or compatible industrial uses
7. related and or accessory commercial uses

Notwithstanding the above list of permitted uses, local Councils may exclude some industrial uses from the permitted use section of the zoning by-law which implements the Community Policy Area policies where the location or scale of such uses can reasonably be considered to present environmental problems or where the presence of industrial uses is incompatible with the community.

Local Councils through municipal zoning by-laws and site plan control shall endeavour to maintain the character and scale of industrial development and to ensure appropriate regulatory control. The review of site development and the development of zoning by-laws shall address the following:

1. permit a range of industrial uses;
2. identify industrial zones in selected areas of municipalities which are well removed from residential and community core areas or which can be developed in a manner which will not result in land use conflicts in accordance with Ministry of the Environment Guideline on Compatibility Between Industrial Facilities and Sensitive Land Uses;
3. ensure the protection of natural heritage features.

Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded industrial uses in order to regulate the physical character of industrial development and to ensure compatibility with established land uses. Particular attention will be placed on appropriate buffering of the industrial use from adjacent land uses as well as ensuring that there is efficient and immediate access to transportation links which separates industrial traffic from normal community traffic.

2.4 TRADE AND INDUSTRY POLICY AREA

2.4.1 General

Council recognizes the need to provide for economic development opportunities in areas located outside of the Urban Policy Area and the Community Policy Area.

The Trade and Industry policies are intended to create a planning framework which will encourage and support mixed use employment areas which can accommodate serviced or un-serviced commercial, industrial or tourism related uses.

2.4.2 Trade and Industry Policy Area Boundaries

These policies apply to the Trade and Industry Policy Area designations as shown on Schedule A. Subject to section 7.7.4 alterations to the boundaries of the Trade and Industry Policy Area designations as shown on Schedule A shall require an Amendment to this Plan.

Official Plan Amendments which propose to change Trade and Industry Policy Area lands to other uses shall require a study demonstrating that the lands are not required for employment generating purposes over the life of the Official Plan and that the alternative use or uses proposed are required.

2.4.3 Trade and Industry Policies

The objectives of the Trade and Industry Policy Area are as follows:

1. to provide for commercial and industrial uses which require larger land areas;
2. to ensure access to efficient transportation links;
3. to provide commercial and industrial development opportunities which will not result in land use conflicts in accordance with Ministry of the Environment Guideline on Compatibility Between Industrial Facilities and Sensitive Land Uses;
4. to enhance economic development opportunities within the United Counties of Prescott and Russell.

Development within the Trade and Industry Policy Area shall generally take place in the form of an industrial or business or commercial park. Permitted uses include a broad range of uses which generally do not require large amounts of water or produce large amounts of waste water.

The following uses shall generally be permitted in un-serviced Trade and Industry Policy Area:

1. manufacturing and processing
2. warehousing and wholesaling of bulk products
3. transportation depots
4. heavy equipment and recreational vehicle sales and service
5. open storage
6. automobile and commercial vehicle service centres
7. service commercial uses ancillary to the above
8. other commercial uses appropriate or compatible with an industrial/commercial mixed use area or business park

In addition to the above noted uses, new heavy industrial uses may be permitted in the Trade and Industry Policy Area without an amendment to the Official Plan provided that there is evidence demonstrating that all environmental issues normally related to heavy industrial land uses have been resolved.

Where full or partial municipal services are available the following additional uses shall be permitted:

1. retail uses and retail complexes
2. service commercial
3. restaurants and eating establishments
4. entertainment facilities

Permitted uses shall be subject to local zoning by-law provisions. Local Councils may require that proposed uses be supported by a market retail study prepared by a qualified professional which demonstrates that the proposed development will not negatively impact the commercial core of areas designated Urban Policy Area or Community Policy Area.

Permitted uses proposed on full or partial services shall be subject to the availability of sufficient water and waste water capacity. Where only partial services are provided there shall be no negative impact on groundwater resources. Council may require evidence, in the form of a hydrogeology study or an Impact Assessment Study which confirms that the proposed development is feasible from a health and environment standpoint.

Local Councils through municipal zoning by-laws and site plan control shall endeavour to maintain the character and scale of development in the Trade and Industry Policy Area and to ensure appropriate regulatory control. The review of site development and the development of zoning by-laws shall address the following:

1. permit a range of uses in accordance with the policies in 2.4.3;
2. identify Trade and Industry zones;
3. ensure the protection of natural heritage features.

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

2.4.4 Special Policies – Ivaco Rolling Mills

Lands associated with an existing heavy industrial use, the Ivaco Rolling Mills, located in Champlain Township, have been designated as Trade and Industry Policy Area. The designated area includes lands owned by the industry as well as adjacent lands which were designated industrial in the former Township of Longueuil's Official Plan. The following policies address the future expansion potential of this existing use and provide additional policies which shall apply to adjacent lands which are located within Ivaco's influence area.

1. Notwithstanding the permitted uses stated in Section 2.4.3, on lands designated Trade and Industry Policy Area in the former Township of Longueuil, which lands are currently the site of Ivaco Rolling Mills, the existing heavy industrial use is permitted.
2. On lands adjacent to the property owned by the Ivaco Rolling Mills and which are also designated Trade and Industry Policy Area, existing uses are permitted in addition to the uses stated in Section 2.4.3. Such uses may be zoned accordingly in the implementing zoning by-law.

3. On lands adjacent to the property owned by the Ivaco Rolling Mills and which are also designated Trade and Industry Policy Area, the creation of new residential lots is not permitted.
4. On lands identified as “subject to Section 2.4.4” on Schelude A, the creation of new residential lots is not permitted.

2.5 RURAL POLICY AREA

2.5.1 General

The United Counties of Prescott and Russell is characterized by its largely rural and agricultural nature. The Official Plan policies in Part II are intended to provide for the long term orderly development of the rural area in a manner which is consistent with ensuring the protection of natural and environmental resources and which will respect the objective of protecting the character of our rural and urban areas.

2.5.2 Rural Policy Area Boundaries

The Rural Policy Area is composed of lands which are located outside of the primary development and resource areas, that is to say lands which are outside of the Urban Policy Area and Community Policy Area and the Trade and Industry Policy Area and lands which are not subject to the Resources policies of Part IV or the Natural Heritage policies of Part V. Lands which are subject to the Public Health and Safety policies of Part VI may be designated “Rural Policy Area”, but development, or certain uses, may be constrained or prohibited.

The expansion or reduction of the boundaries of the Rural Policy Area boundaries can only be accomplished through an amendment to the Official Plan.

The rural area is not the principal sector for residential development. Population growth is intended to be directed to the Urban Policy Area and Community Policy Area. The intent of this Official Plan however is not to prohibit residential development in the rural areas, but rather to provide a framework for appropriate country lot development which will support the objective of preserving the identity and character of the rural and urban areas.

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

Residential development in the Rural Policy Area shall generally proceed on the basis of private water and waste water systems.

Communal services which are not connected to full municipal sewage and/or water services, may be permitted provided that they are for the common use of more than five residential units/lots and are owned, operated, and managed by the municipality, another public body, or a condominium corporation or single owner which has entered into an agreement with the municipality or public body, pursuant to Section 51 of the *Planning Act*. Such agreement shall provide for municipal/public body assumption of the communal services in the event of default by the owner. It is recognized that local municipalities may not have the financial or human resources to own, operate and manage such systems and as such local municipalities are not obligated to accept communal systems. The need to develop on private services may place limits on the amount, distribution and type of development which may take place.

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

1. single dwelling units
2. semi-detached and duplex dwellings
3. individual mobile homes may be permitted subject to a local zoning by-law amendment or through a temporary use by-law.
4. accessory apartments
5. mobile home parks subject to a local zoning by-law amendment

Notwithstanding the residential uses permitted in Section 2.5.3, in the Township of Champlain mobile home parks and individual mobile homes are not permitted.

Local Councils through the development of municipal zoning by-laws shall regulate residential development. The use of subdivision and condominium control, by local Council, where such authority has been delegated, shall also apply as will the granting of consents by the appropriate consent granting authority. The implementation of this Official Plan through zoning regulations, subdivision and condominium control and consents shall be based on the following criteria:

1. permit and zone a range of housing types and sizes;
2. ensure adequate buffering of residential areas from incompatible non-residential uses through separation distance, landscaping or other appropriate means;
3. identify and zone permitted non-residential uses;
4. permit accessory apartments subject to available infrastructures and amenity space;
5. ensure the protection of resources from incompatible uses through appropriate setbacks and the use of Minimum Distance Separation formulae where appropriate;
6. ensure the protection of natural heritage features.
7. when reviewing development applications consider the development criteria stated in Sections 7.4.4 and 7.4.5

Lot frontage, depth and area shall meet local zoning by-law requirements.

The minimum lot area required in the Rural Policy Area for residential development shall be based on the area required to ensure adequate private water and septic waste water disposal systems. The minimum lot area shall generally be 0.4 hectares or more. Minimum lot areas of less than 0.4 hectares may be permitted in local zoning by-laws depending on sustainable ground water quantity and acceptable quality, and the soil conditions and their ability to accommodate the effluent load from a septic field along with its replacement area, as demonstrated by a hydro-geology study prepared by a qualified professional. The approval authority may require the preparation of a hydro-geology study in support of a lot creation application by consent or plan of subdivision.

2.5.3 Non-residential Development Policies

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

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

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

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

Resource Uses

1. agricultural uses in accordance with the *Nutrient Management Act* and Minimum Separation Distance standards established by the Ministry of Agriculture Food and Rural Affairs.
2. uses which are secondary to a principal agricultural use and which add value to agricultural products or support the agricultural resource use
3. hobby farms in accordance with local zoning by-laws
4. forestry uses subject to section 5.7.2
5. parks and open spaces
6. recreational trails
7. wind energy turbines subject to a local zoning by-law amendment and site plan control
8. wayside pits and quarries, portable asphalt plants and concrete plants used on public authority contracts shall be permitted except in areas of existing development or particular environmental sensitivity as identified in local zoning by-laws.

Commercial and Industrial Uses

1. agriculture-related commercial and industrial uses
2. non-agricultural industrial and commercial uses which meet the needs of the travelling public, or which relate to local resources
3. custom workshops
4. kennels and veterinary clinics
5. motor vehicle sales and service establishments
6. tourism commercial uses (motel, hotel, eating establishments, etc.)
7. recreational commercial uses such as marinas, golf courses and campgrounds
8. communication towers

Institutional Uses

1. institutional uses such as churches, cemeteries and community halls

Infrastructure Uses

1. waste disposal facilities subject to the relevant policies of section 3.5.

Notwithstanding the list of commercial and industrial uses permitted in section 2.5, in the Township of Champlain industrial or commercial uses requiring large tracts of land are permitted subject to the completion of hydrogeology investigations but shall not permit industrial, commercial or business parks.

Notwithstanding the above list of permitted uses, local Councils may exclude some uses in Rural Policy Area where the location or scale of such uses can reasonably be considered to present environmental problems or where the permitted use is generally incompatible with the scale and character of the community. In such cases local Council may choose not to permit such uses in local zoning by-laws which implement this Official Plan.

Council may use zoning provisions to implement minimum setbacks from the limits of developed areas including Urban Policy Areas or Community Policy Areas or from to reduce potential impacts from permitted agricultural uses which include large or intensive livestock operations.

Local Councils through municipal zoning by-laws and site plan control shall endeavour to maintain the character and scale of non-residential development and to ensure appropriate regulatory control. The review of site development and the development of zoning by-laws shall address the following:

1. permit a range of non-residential uses;
2. ensure the protection of resources from incompatible uses
3. ensure the protection of natural heritage features.
4. when reviewing development applications consider the development criteria stated in Sections 7.4.4 and 7.4.5.

Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to non-residential uses in order to regulate the physical character of development and to ensure compatibility with established land uses.

2.5.4 Site Specific Exceptions

1. On lands located in lots 6 and 7, concessions 3 and 4 in the former Township of North Plantagenet now in the Township of Alfred and Plantagenet and further identified as the Plantagenet High School property with parcel number (02-31-0200030-29-00) in the land assessment roll, full municipal services are permitted.
2. Notwithstanding the list of permitted uses in policy 4 in 5.5.6, in the City of Clarence-Rockland, on lands located in Lots 26 and 27, Concession 3 in the former Township of Clarence and further identified as a portion of parcel number (03-16-0160030-86-00) in the land assessment roll, an outdoor theatre and accessory buildings for the presentation of a multi-media theatrical pageant by a not for profit corporation, the purpose of which is to raise funds for hospitals and community organizations as well as to promote economic and community development in the United Counties of Prescott and Russell, is permitted. The use may revert to the uses permitted in policy 4 of section 5.5.6 without amendment to this Official Plan."

3. The provision of municipal water services is permitted on lands located on Part of Plan 15 PT FARM Lot 17, 18 and 19; INCL RP46R391 Part 1 to 8; INCL RP46R419 Part 1 to 15 in the former Township of Longueuil now in the Township of Champlain and further identified as the property of Ivaco Rolling Mills with parcel number (0209000700304800) in the land assessment roll.
4. Notwithstanding the list of commercial and industrial uses permitted in section 2.5.4, a biosolids transfer station, processing and storage facility is permitted on the land located on Part of Lot 16, Concession 15, in the former Township of South Plantagenet, now in the Nation Municipality, and identified as parcel number 02-12-0260150-49-00 in the land assessment roll. The use may revert to the uses permitted in section 2.5.4 without amendment to this Official Plan.
5. On lands located on Lots 25, 26, 27 and 28 of Concession 4 in the former Township of Cambridge now in The Nation Municipality identified as the Aquatic Park Properties, full services are permitted
6. Notwithstanding the list of land uses permitted in Sections 2.5.3 and 3.5.2 of the Official Plan, on lands described as Part of Lot 17 of Concession 5 in the former Township of Clarence now in the City of Clarence-Rockland, being Parcel number 03-16-0160050-66-00 in the land assessment roll, the permitted land uses shall also include a waste transfer station for the inter-vehicle transfer of waste and the parking of those vehicles; and an accessory commercial use consisting of the storage and on-site cleaning and rental of portable toilets. The waste transfer station shall be operated only in accordance with a valid Certificate of Approval issued by the Ministry of Environment. All permitted uses shall be subject to site plan control and shall comply with the Zoning By-Law as amended.

Amendment
No. 20
By-Law
2007-60

Amendment
No. 19
OMB Case No.
PL071088

3 INFRASTRUCTURE POLICIES

3.1 INTRODUCTION

Infrastructure refers to the construction and maintenance of roads, bridges, structures and railway lines required for transportation services, the physical supply and distribution of water, the collection and treatment of waste water and the management of storm water, the collection and disposal of solid waste, the construction and maintenance of energy production and distribution facilities such as hydro-electric structures, wind and solar energy facilities and gas pipelines and finally the development of communication facilities such as transmission towers and underground telephone and fibre optic lines. Infrastructure policies also take into consideration the on-going development of multi-purpose recreational trails by the United Counties and local municipalities.

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

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

3.2 INFRASTRUCTURE PLANNING

The provision of transportation, water, waste water, solid waste, energy and communication infrastructures are crucial to ensuring that the United Counties can continue to accommodate growth in a manner which is environmentally, socially and economically sustainable. The completion of regional level studies is required in order to plan future capital improvements.

It is Council's intent to support the undertaking of the following studies:

1. Undertake a detailed inventory of infrastructure services across the United Counties;
2. In consultation with local municipalities, prepare a detailed analysis of the technical, financial and environmental characteristics of each component of water, waste water and surface water infrastructures;
3. Establish a servicing master plan for water, waste water, services which set out optimum service levels based on growth priorities and the ability to finance system expansions;
4. Initiate an analysis which will review how water and waste water services are delivered and administrated and recommend the most effective and efficient method for the provision of these infrastructure services. Upon final approval of the Official Plan, the United Counties of Prescott and Russell shall initiate a Transportation Needs Study which will determine optimum transportation servicing levels for County roads. Subject to adequate technical and financial support from the province, this study could include a

- comprehensive traffic analysis to identify and assess long term traffic implications on the provincial highway system.
5. Council may also proceed with the development of a solid waste master plan should this solid waste management responsibilities be transferred to the upper tier.
 6. The United Counties will prepare any required amendments to the Official Plan based on the recommendations of the above noted studies.
 7. It is the intention of Council to ensure that an increase in the need for eligible services and infrastructure may be recoverable through the enactment of a development charge by-law under the *Development Charges Act, 1997* by the United Counties of Prescott and Russell and/or a local municipality. In short, eligible public works and municipal services may be in part or in whole funded through development charges. Local municipalities will be encouraged to plan and provide for short and long term capital expenditures by enacting development charge by-laws under the *Development Charges Act, 1997*.

A comprehensive study of ground and surface water resources is expected to be completed within the next five years by local Conservation Authorities. These studies will provide important information which may lead to amendments to certain land use provisions of this Official Plan. There are several areas where studies should be undertaken in order to improve regional and local infrastructures.

3.2.1 Local Infrastructure Planning

Council recognizes that the responsibility for the planning, construction and maintenance of some infrastructures is the responsibility of local municipalities. Council is aware of on-going efforts to resolve local infrastructure problems. Continued efforts to find solutions to local infrastructure problems by local municipalities are considered to be appropriate and in conformity with the policies of the United Counties Official Plan.

3.3 TRANSPORTATION

The management of the roadway infrastructure in Prescott and Russell is shared between the Province, the United Counties and local municipalities. The transportation system is composed of Provincial highways, County roads, local public roads opened and maintained on a year round basis, seasonal roads which are not maintained during the winter maintenance season and local private roads. The transportation network is shown on Schedule D.

Council's objective for the development and maintenance of the transportation infrastructure is to ensure that the road network within the United Counties, regardless of which level of government is responsible, will function in a cost effective, efficient and safe manner for the movement of people and goods throughout the territory.

3.3.1 Provincial Highways

There are two Provincial highways in Prescott and Russell, Highway 34 and Highway 417. Development fronting on or in proximity to these highways must be reviewed by the Ministry of Transportation Ontario (MTO) and development is conditional on the issuance of MTO permits which are designed to ensure that the long term efficiency of the highway is not compromised. The MTO permit can apply to building setbacks, signage, location and number of highway accesses, frontage requirements and required improvements such as culvert installation, road widenings, traffic signalization or the construction of turning lanes. Development proponents will

be required to consult with the MTO prior to the submission of a development application to the local municipality or to the United Counties.

3.3.2 Upper Tier Highways

The Upper Tier road system has been classified into three separate categories, i.e. primary artery (County Road 17), major collectors and minor collectors. Major collectors are County roads which have the capacity to carry large traffic volumes, which link two or more communities or which function as an integral part of the provincial transportation network through linkages to Provincial highways. Minor collectors are County roads with a lesser capacity to carry large volumes of vehicular traffic often due to the presence of numerous road accesses, and which offer secondary linkages between communities or to the Provincial road network.

3.3.3 Primary Artery

The only primary artery in the United Counties is County Road 17 which was formally a provincial highway. This artery, along with highway 417 is the main east-west link in Prescott and Russell. It links the growth areas of Rockland and Hawkesbury and serves as a major transportation link between the Ottawa region and the Montreal Urban Community.

The policies of this section are designed to maintain a high level of efficiency for the movement of vehicles while also providing limited opportunities for commercial and industrial development which can benefit from high traffic volumes.

The following policies shall apply to roads designated primary artery:

1. Lot creation for residential purposes with direct access to a primary artery is not permitted.
2. Residential subdivisions fronting on a primary artery may be permitted in accordance with the land use designation, provided that access is provided through a public road maintained year round. The review process shall ensure that adequate measures are included in the subdivision design to mitigate any potential negative impacts related to the proximity of the primary artery to the residential development.
3. Within the limits of an Urban or Community Policy Area, commercial or industrial development with frontage on the primary artery may be permitted subject to the approval of the design and location of the lot access by the Prescott and Russell Public Works Department and subject to other relevant policies of this Plan.
4. Lot creation for commercial or industrial development outside of the Urban or Community Policy Area may be permitted in accordance with the applicable land use designation provided that the lot access is located at a minimum of 200 metres from the closest existing road access on the same side of the road and provided that there are no traffic safety or hazardous conditions. The design and location of the lot access shall be subject to the approval of the Prescott and Russell Public Works Department and shall generally require the construction of acceleration and deceleration lanes. Turning lanes may also be required where it is established through a traffic impact analysis completed to the satisfaction of the Director of Public Works, that the development will generate substantial traffic volumes.
5. Development on lots of record existing as of the day of adoption of this Official Plan may be permitted in accordance with the applicable land use designation policies and local zoning regulations and provided that new accesses are kept to a strict minimum by

enforcing, where possible, a minimum 200 metres separation distance from existing accesses on the same side of the road. Alternatively safety issues may be addressed through engineered solutions such as turning lanes, acceleration lanes or deceleration lanes.

6. The minimum 200 metre separation distance required in policies 4 and 5 above may be reduced by the United Counties of Prescott and Russell Public Works Department without amendment to this Plan where sufficient frontage exists which would normally permit the maintenance of the separation distance but where topographical or safety considerations would dictate that a lesser separation distance may be reasonable.
7. A minimum development setback of 15 metres from the property line shall be required.
8. Council recognizes that growth and development in the west part of the United Counties has resulted in increased pressures on the capacity of County Road 17 to provide a safe and efficient transportation link to the City of Ottawa. The widening of County Road 17 from a two lane arterial to a four lane arterial from the intersection of County Road 8 to the corporate limits of the United Counties of Prescott and Russell at the intersection of Canaan Road is considered to be a priority by County Council. As such a study will be undertaken by the Public Works department to evaluate the feasibility of widening this arterial and until such time as this study is completed no new development will be permitted which requires direct access to the above noted section of County Road 17.

3.3.4 Major Collector Policies

The policies of this section are designed to maintain a high level of efficiency for the movement of vehicles while also providing limited opportunities for commercial and industrial development which can benefit from high traffic volumes.

The following policies shall apply to roads designated Major Collector:

1. Lot creation for residential purposes with direct access to a major collector will not be permitted with the exception of surplus residential lots for agricultural purposes.
2. Residential subdivisions on major collectors may be permitted provided that access to the major collector is provided through a local municipal road maintained year round. The review process shall ensure that adequate measures are included in the subdivision design to mitigate any potential negative impacts related to the proximity of the primary artery to the residential development.
3. Lot creation for commercial or industrial purposes is permitted provided that the lot access is located a minimum of 200 metres from the closest existing road access on the same side of the road and provided that there are no traffic safety or hazardous conditions. The design and location of the lot access shall be subject to the approval of the Prescott and Russell Public Works Department. A traffic impact analysis completed to the satisfaction of the Director of Public Works may be required prior to the issuance of an entrance permit.
4. Development on lots of record existing as of the day of adoption of this Official Plan may be permitted in accordance with the applicable land use designation and local zoning regulations and provided that new accesses are kept to a strict minimum by enforcing, where possible, a minimum 200 metres separation distance from existing accesses on the same side of the road. Alternatively safety issues may be addressed through engineered solutions such as turning lanes, acceleration lanes or deceleration lanes.

5. The minimum 200 metres separation distance required in 3 and 4 above, may be reduced by the Prescott and Russell Public Works Department without amendment to this Plan where sufficient frontage exists which would normally permit the maintenance of the separation distance but where topographical or safety considerations would dictate that a lesser separation distance may be reasonable.
6. A minimum development setback of 15 metres from the property line adjacent to a major collector right of way shall be required.

3.3.5 Minor Collector Policies

1. Lot creation by consent for residential purposes with direct access to a minor collector will be strongly discouraged. Where exceptional circumstances are such that a residential consent might be considered, the issuance of an access permit by the Prescott and Russell Public Works Department shall be required prior to the submission of the application.
2. Residential subdivisions on minor collectors may be permitted provided that access to the major collector is provided through a local municipal road maintained year round. The review process shall ensure that adequate measures are included in the subdivision design to mitigate any potential negative impacts related to the proximity of the primary artery to the residential development.
3. Lot creation for commercial or industrial purposes is permitted provided that the lot access is located a minimum of 100 metres from the closest existing road access on the same side of the road and provided that there are no traffic safety or hazardous conditions. The design and location of the lot access shall be subject to the approval of the Prescott and Russell Public Works Department. A traffic impact analysis completed to the satisfaction of the Director of Public Works may be required prior to the issuance of an entrance permit.
4. Development on lots of record existing as of the day of adoption of this Official Plan may be permitted in accordance with the applicable land use designation and local zoning regulations and provided that new accesses are kept to a strict minimum by enforcing, where possible, a minimum 100 metres separation distance from existing accesses on the same side of the road. Alternatively safety issues may be addressed through engineered solutions such as turning lanes, acceleration lanes or deceleration lanes.
5. The minimum 100 metres separation distance required in 3 and 4 above, may be reduced by the Prescott and Russell Public Works Department without amendment to this Plan where sufficient frontage exists which would normally permit the maintenance of the separation distance but where topographical or safety considerations would dictate that a lesser separation distance may be reasonable.
6. A minimum development setback of 15 metres from the property line adjacent to a major collector right of way shall be required.

3.3.6 Local Roads

Local roads consist of local collectors, local streets which are publicly maintained on a year round basis, seasonal roads and private roads. Local roads shall generally have a minimum right-of-way width of 20 metres however reduced right-of-way widths may be accepted through the subdivision or condominium review process provided that the right-of-way widths can

accommodate all of the required servicing infrastructures for the proposed development and provided that the approval authority is satisfied that the reduced widths will not result in lower quality development.

The following policies shall apply to the local road network:

1. Local Collector

Local collectors are identified on Schedule D. Access to local collectors shall generally be minimized in order to ensure that the main function of the roadway as an efficient transportation artery is maintained. Access control shall be established in local zoning by-laws.

2. Local Street

Local streets are identified on Schedule D. Generally new development and lot creation on local streets may be permitted in accordance with the relevant policies of this Plan and the requirements of local zoning by-laws, provided such public streets are maintained on a year round basis.

3. Private Roads

Private roads are identified on Schedule D. New private roads or the extension of existing private roads is only permitted where such roads are required as part of a condominium plan which defines responsibility for the long term maintenance of the private road. In such cases an amendment to the Official plan is not required.

4. Seasonal Roads

Seasonal roads are identified on Schedule D. New seasonal roads or the extension of existing seasonal roads is not permitted without an amendment to the Official plan. Except in the Township of Russell, development in accordance with local zoning by-laws may be permitted on existing lots of record located on seasonally maintained public roads. The creation of new lots is not permitted on seasonal roads.

The creation of new lots is not permitted on seasonally maintained roads or on private roads with the exception of lots created through a condominium plan. Development in accordance with local zoning by-laws may be permitted on existing lots of record located on seasonally maintained roads or on private roads. In the Township of Russell however, development and the creation of new lots is not permitted on seasonally maintained public roads or on private roads.

Amendment
No. 21
By-Law
2009-40

- Notwithstanding the above mentioned statement, the creation of a new lot by consent is permitted on the land having the following description: Part of Lots 2 and 3 of Concession 7 Gore in the Township of East Hawkesbury.

3.3.7 Land Acquisition

Land may be acquired by a public authority for road widenings, road extensions, rights-of-way, intersection improvements or railway crossing improvements. Such land may be acquired through the subdivision or consent process, through site plan control or through formal agreements. Schedule D identifies the minimum rights-of-ways for highways and roads to be widened and the extent of the proposed widenings.

3.3.8 Extension or improvements to Existing Roads

Extensions to existing roads may proceed without amendment to this Plan provided that the extension is required to improve the local or county road system. Minor extensions may be permitted for development purposes provided that the roadway extension is constructed to municipal standards at no cost to the municipality and provided that the local council is satisfied that the extension and the subsequent maintenance costs are justified.

3.3.9 Addition of Roads

New roads may be added to the local or county road system without amendment to this plan where such roads are the result of the approval of a Plan of Subdivision or is required as a condition of Site Plan Approval.

3.3.10 Conversion of Roads

The conversion of seasonal roads or private roads to public roads maintained on a year round basis shall require an amendment to this Plan. An amendment shall not be required where such seasonal or private roads meet municipal design standards for public roads maintained on a year round basis.

3.3.11 Bridges

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

3.4 WATER, WASTE WATER AND STORMWATER SERVICES

3.4.1 General

The following general policies shall apply:

1. Development will not be encouraged where such development would result in, or could lead to, unplanned expansions to existing water and waste water infrastructures.
2. Development shall generally be directed to communities which can reasonably provide or extend full water and waste water services.
3. On lands located along water transmission main routes, existing or new development on partial servicing (water service only) is permitted in accordance with the municipality's connection policies. New lot creation with a direct connection to the municipal water service shall be in accordance with section 7.4.2. Plans of subdivisions with a direct connection to the municipal water service shall not be approved.
4. The allocation of infrastructure capacity for infill and economic development purposes is encouraged.
5. Although it is recognized that the United Counties do not provide water and waste water services, Council may assist local municipalities with the operation and or expansion of water and waste water systems when requested to do so. The upper tier involvement will be limited to technical assistance provided by the Public Works Department and the

support of local efforts to secure financial assistance from senior levels of government. Such support will generally be provided when proposed improvements are consistent with the policies of the Official Plan or required to resolve health or environmental problems.

6. Stormwater management will be required for all new development in the United Counties in accordance with guidelines which may be developed by the Ministry of Natural Resources, the South Nation Conservation, the County, or local municipalities. Stormwater management may not be required for small scale developments such as lots created through the consent process or minor developments subject to site plan control where there is no impact on the watershed.
7. The operation and management of water and waste water facilities may be transferred to the upper tier without amendment to this Plan.
8. The establishment of new water and waste water servicing facilities shall be subject to Ministry of the Environment guidelines and provincial regulations.

3.4.2 Innovative Technologies

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

1. the installation of individual water metering devices where new or expanded municipal water systems are constructed;
2. water conservation devices which reduce water usage;
3. innovative solutions to municipal, industrial or agricultural waste water treatment such as the design and construction of artificial wetlands.

3.4.3 Watershed Planning

The County encourages the preparation of watershed and subwatershed studies where major development or redevelopments are proposed, which could have a significant downstream impact upon a watershed. These studies are most needed in areas with both development pressures and highly sensitive natural environments to provide some understanding of the relationship between water resources and land use activities. The development of sound watershed and subwatershed plans will require cooperation between all affected municipalities, government agencies and interested groups to ensure that potential cross-boundary environmental impacts are addressed. The results of watershed studies should be incorporated into the County and/or Municipal Official Plans whenever practical.

3.4.4 Surface Water Management Plans

In order to control flooding, ponding, erosion and sedimentation and to protect, as much as possible, water quality and aquatic habitat or other natural habitat which depend upon watercourses and other water bodies for their existence, surface water management plans (or stormwater management plans) shall be required for some forms of new development. Storm water management plans shall be required for any new development consisting of more than four lots or for commercial or industrial developments with large amounts of impervious area. Stormwater management will be undertaken in accordance with the Ministry of the Environment Guideline entitled "Stormwater Management Planning and Design Manual, 2003". Stormwater management may not be required for small scale developments such as lots created through the

consent process or developments subject to site plan control where there is no impact on the watershed.

3.4.5 Municipal Drains

As part of the establishment and maintenance of the municipal drainage infrastructure, the County will be both fiscally and environmentally sensitive, and act according to the procedures set out in the *Drainage Act* and other applicable provincial and federal legislation. Impacts on municipal drainage infrastructure may need to be assessed when proposing new land uses.

3.5 WASTE MANAGEMENT POLICY AREA

3.5.1 Objectives

Council's objectives for the provision of waste management infrastructure services are as follows:

1. to ensure waste management uses are environmentally sustainable
2. to provide appropriate waste management infrastructures which support on-going development

3.5.2 Permitted Uses

The following uses are permitted in the Waste Management Policy Area:

1. Existing municipal or private solid waste disposal sites
2. Public or private waste water disposal facilities
3. Recycling and composting facilities
4. Waste transfer stations

3.5.3 Policies

The following general policies shall apply:

1. Development shall be reviewed to ensure that appropriate solid waste disposal services can be provided in a manner which is consistent with environmental considerations.
2. Waste water and solid waste disposal sites are identified as Waste Management Policy Area on Schedule A. The establishment of new sites or the enlargement of existing sites shall be in accordance with Ministry of the Environment guidelines and regulations and shall require an amendment to the Official Plan.
3. Waste water and solid waste disposal sites shall be appropriately zoned in local zoning by-laws.
4. Uses permitted in individual Waste Management Policy Area designations shall be in accordance with the individual Certificate of Approval issued by the Ministry of the Environment and the local municipal Zoning By-law.
5. Waste water and solid waste disposal sites may be managed by the local municipality or may be transferred to the upper tier without amendment to this Plan.

6. Septage disposal sites, i.e. sites required for the disposal of waste removed from private septic systems, holding tanks and similar facilities shall require an amendment to this Official Plan. The amendment shall be justified and supported by appropriate environmental studies in accordance with the guidelines of the Ministry of the Environment's permit process. Where Official Plan amendments are granted, such sites shall be appropriately zoned and must operate in accordance with a Ministry of Environment license. The location of septage disposal sites shall generally be a minimum of 500 metres from any adjacent residential, institutional or commercial use and development of the site shall be subject to site plan control. There is one septage disposal site in the United Counties. It is located in part of lot 18 concession XIV in the former Township of South Plantagenet now part of Nation Municipality. It is identified on Schedule A as a Waste Disposal Site and the use is permitted in accordance with MOE Certificate of Authorization No. KG-97-008.

3.5.4 Land Use Adjacent to Waste Water or Solid Waste Management Sites

Development within 500 metres (or less where approved in a secondary plan or local Official Plan) of existing waste water or solid waste management sites shall generally be discouraged unless supported by an appropriate study or studies which confirm that there will be no negative impacts on the proposed development related to the adjacent waste water or waste disposal site. In addition the study(ies) shall confirm that the proposed development will not impact future expansions of the waste disposal site in question.

Separation distances shall normally be measured from the periphery of the odour producing source structure to the property line of the sensitive land use for a waste water treatment facility or from the boundary of the fill area (footprint) specified in the Certificate of Approval (or property line for closed sites where no Certificate of Approval is available) to the property line of the sensitive land use for a solid waste management site.

In reviewing development proposals adjacent to such disposal sites the approval authority shall consult Guideline D-2 and Guideline D-4 issued by the Ministry of the Environment.

Local zoning by-laws shall zone adjacent lands appropriately, prohibiting new incompatible uses which cannot be reasonably mitigated.

3.6 ENERGY

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

3.6.1 Wind energy

The following policies apply to wind energy facilities:

1. The development of wind farms comprising one or more wind turbines, where electrical wind energy is sold to the electrical grid shall not require an amendment to this Official Plan provided that they are in full compliance with applicable Provincial and/or Federal legislation.
2. The development of wind farms comprising one or more wind turbines, shall require an amendment to the local zoning by-law and site plan approval.

3. The development of wind farms is not permitted in Provincially Significant Wetlands or in the Habitat of Endangered and Threatened Species.
4. The development of individual wind turbines at a scale consistent with the provision of electricity to a private home or business is permitted without an amendment to this Official Plan and shall be subject to the provisions of local zoning by-laws.

3.7 UTILITY AND COMMUNICATION FACILITIES CORRIDORS

3.7.1 General

Utility and communications facilities and corridors include a wide variety of utilities owned and operated by both public and private entities. The well being of Prescott and Russell's economy is closely linked to the presence of hydroelectric corridors, telecommunications networks and energy pipelines.

The following policies shall apply:

1. The development of hydro-electric power generation and supply facilities, telecommunications facilities and local utilities shall not require an amendment to this Official Plan provided that they are in full compliance with applicable Provincial and/or Federal legislation.
2. The development of hydro-electric power generation and supply facilities, telecommunications facilities and local utilities shall be subject to the provisions of local zoning by-laws.
3. The development of hydro-electric power generation and supply facilities, telecommunications facilities and local utilities is not permitted in Provincially Significant Wetlands or in the Habitat of Endangered and Threatened Species.
4. Utility installations that may pose a hazard shall be located away from residential areas.
5. The multiple uses of corridors for utility and transportation uses shall be encouraged.

Council recognizes the importance of other infrastructure corridors, such as hydroelectric transmission corridors, oil pipelines, natural gas pipelines, abandoned rail lines, fibre-optic corridors, in addition to other seasonal corridors such as those used by snowmobile clubs, the Trans-Canada Trail and the Five Counties Recreational Trails. The expansion, maintenance and preservation of these and other infrastructure corridors are important to continued economic development and diversification, and will not require an amendment to this Plan.

4 RESOURCES

4.1 INTRODUCTION

Part 4 of the Official Plan deals with the resource base of the United Counties. Agricultural land, and aggregate resources such as sand, gravel and limestone have been evaluated and appropriate land use policies have been developed to ensure the wise use and conservation of these resources for future generations.

4.2 AGRICULTURAL RESOURCE POLICY AREA

4.2.1 General

The United Counties of Prescott and Russell are composed primarily of rural municipalities, within which agricultural activities are numerous. Agriculture plays a significant role in the local economy and consequently the Counties' Official Plan will act to protect, improve and promote the use of lands favourable to agriculture.

According to the 2001 census, farms make up 60% of the total area of Prescott and Russell. This is an increase of more than 2% since 1991 in total farmland area in Prescott and Russell despite a 3.3% increase in population.¹ Compared to other counties of Eastern Ontario, Prescott and Russell is the top producer of milk and has the largest number of goats, calves, pig and poultry farms. The United Counties also contains the largest area of hay, oats, barley and mixed cereals production. Accordingly continued farming ensures the highest and best use of agricultural land and helps to respond to the province's food needs.

The loss and fragmentation of good agricultural land and the creation of incompatible uses have resulted in negative impacts on food and agricultural production. Some areas in the United Counties have experienced strong growth which has increased conflicts and problems related to odours, noise, traffic, dust, fences, weeds, inflated land prices, speculation and the direct loss of agricultural land. The frequency of these problems will inevitably increase if residential expansion and unplanned development continue in our prime agricultural areas. Permitting these conflicting land uses to coexist in close proximity creates problems and conflicts for the farmer and for the non-farming resident. It is therefore important to recognize that agriculture is an industry like any other, one which can produce a variety of negative impacts on residential or non-farm uses. The agricultural community must be assured that their investments and commitment will not be compromised by incompatible land uses. The Official Plan is designed to promote agricultural uses and to control non-agricultural uses through an integrated series of policy statements which apply to all land use areas. As such it is necessary to understand the policies stated in this section of the plan in the context of the Official Plan as a whole.

4.2.2 Identifying Agricultural Resource Policy Areas

Prime agricultural areas have been identified and designated as Agricultural Resource Policy Area on Schedule A. The identification of prime agricultural land was based primarily on three factors:

¹ - Statistics Canada – 2001 Agricultural Community Profile

1. soil capability for agriculture, primarily soil classes 1, 2 and 3 (Canada Land Inventory classification system);
2. agricultural designations from local Official Plans; and
3. the extent of land fragmentation and the presence of conflicting land uses in the area.

Agricultural resources will be protected through the designation of prime agricultural areas and the implementation of policies for their protection, including policies for permitted uses and lot creation.

4.2.3 Permitted Uses

The following uses are permitted in the Agricultural Resource Policy Area designated on Schedule A:

1. Agricultural uses and normal farm practices. Agricultural uses means crop cultivation, including nursery and horticultural crops; raising of livestock (including dairy or beef cattle, poultry, swine, sheep, fish and non-traditional livestock such as deer, bison, emu, pheasant etc.); raising of other animals for food, fur or fibre, including poultry and fish; aquaculture, apiaries, agroforestry, orchards, maple syrup production, and associated on-farm buildings and structures. Normal farm practices means a practice, as defined in the *Farming and Food Production Protection Act*, 1998 that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act*, 2002 and regulations made under that Act;
2. Uses which are secondary to a principal agricultural use and which add value to agricultural products or support the agricultural resource use;
3. Uses secondary to the principal use of the property such as home-based work, bed and breakfast establishments, domestic industries and uses that produce agricultural products;
4. Forestry in accordance with 5.7.2;
5. Uses related to the conservation or management of the natural environment;
6. Small scale industrial and commercial uses that are directly related to agriculture which of necessity must locate close to farm operations, including such uses as livestock assembly points, grain drying, storage for farm produce, and custom machinery operators. Wherever possible, these uses shall be located on land that is of low capability for agriculture. Furthermore they shall not adversely affect agricultural operations in the general vicinity;
7. Wayside pits and quarries which, if established on land that is of high capability for agriculture, shall be subject to a rehabilitation plan showing how the site will be rehabilitated for productive agricultural use;
8. Public utility corridors and communications facilities
9. Private communications facilities subject to local zoning and development controls;
10. Wind and or solar energy facilities subject to section 3.6 and subject to local zoning and development controls

11. Residential development in accordance with Section 4.2.5.

All uses permitted in the Agricultural Resource Policy Area shall be subject to the appropriate Minimum Distance Separation (MDS) calculation as developed by the Ontario Ministry of Agriculture, Food and Rural Affairs and amended from time to time.

Permitted uses are subject to local municipal zoning and development control.

4.2.4 Lot Area

Decisions regarding agricultural lot area standards for zoning and lot creation purposes shall be guided by the following criteria:

1. The minimum lot area of the agricultural parcel shall be appropriate for the type of agriculture in the area.
2. The minimum lot area shall be sufficiently large to ensure that long-term flexibility of lands to accommodate different agricultural uses in the future.
3. Minimum lot area may be reduced where specialized agricultural operations which do not produce animal waste and which by their nature do not require large lot areas such as garlic farms, apiaries or aquaculture.
4. Lot areas for residential uses (farm and non-farm) and industrial or commercial uses related to agricultural uses shall be kept to the minimum required for site services and local development standards in order to limit the loss of prime agricultural land.

4.2.5 Residential Uses

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

1. One single detached dwelling and accessory structures are permitted on each conveyable lot having frontage on a public road which is maintained on a year round basis.
2. A second dwelling (attached or detached) is permitted for full time farm help on the same lot as the principal dwelling. The second dwelling may be a permanent dwelling or a temporary mobile home which shall be removed once the full time farm help is no longer required.
3. All residential dwelling units shall have regard to the Minimum Separation Distance calculations.

4.2.6 Intensive Livestock Operations

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

The following policies shall apply:

1. New or expanded intensive livestock operations may be permitted provided that the following conditions are met:
 - That Nutrient Management Record of Approval, if one is required by the *Nutrient Management Act*, 2002 and regulations made under that Act, be received by the municipality;
 - That appropriate manure storage facilities be constructed in accordance with the approved Nutrient Management Record of Approval, if one is required by the *Nutrient Management Act*, 2002 and regulations made under that Act;
 - That the manure storage and livestock facilities conform to the Minimum Distance Separation formulae, as amended from time to time.

4.2.7 Site Specific Exceptions

1. Notwithstanding the permitted uses as stated in Section 4.2.3, on lands located in Lot 5 Concession 16 in the former Township of South Plantagenet, now in the Nation Municipality and further identified as parcel number (02-12-026016-01-10) in the land assessment roll, a home for the aged is permitted. Schedule A shall identify the lot in question with a symbol and a reference to this section. The use may revert to the uses permitted in section 4.2.3 without amendment to this Official Plan.
2. Notwithstanding the permitted uses as stated in Section 4.2.3, on lands located in part of Lot 8 Concession 10, identified as parcel number 03-06-000010-033-10 in the Township of Russell, a farm produce outlet and regional information bureau with associated parking and site services is permitted. The use may revert to the uses permitted in section 4.2.3 without amendment to this Official Plan.
3. Notwithstanding the permitted uses as stated in section 4.2.3, on lands located in part of Lot 10, Concession 7, identified as parcel number 03-06-000007-033-00 in the land assessment roll in the Township of Russell, an academic institution and athletic facility that provides an approved secondary school education and specialized training in the sport of hockey and includes an arena, administrative buildings, dormitories, teachers and visitors residences as well as related athletic facilities are permitted. The use may revert to the uses permitted in section 4.2.3 without amendment to this Official Plan.
4. Notwithstanding the permitted uses as stated in section 4.2.3, on lands located in part of Lot 1, Concession 6, identified as parcel number 03-16-016006-001-10 in the land assessment roll in the former Township of Clarence now in the City of Clarence-Rockland, a facility that contains a school bus maintenance garage, parking depot and associated administration offices are permitted. The use may revert to the uses permitted in section 4.2.3 without amendment to this Official Plan.

4.2.8 Lot Creation

Farm related residential severances in the Agricultural Resource Policy Area may only be considered for a dwelling made surplus through farm consolidation. A farm consolidation is defined as the consolidation of one farm operation with another located within 20 kilometres of the lot where the main farm buildings are located. A farm operation is defined as all of the legally conveyable lots, whether contiguous or not, which are usually associated with the operation of a

farm including those lands which are owned or leased and which are considered to be one operation for income tax purposes.

The consent approval authority shall impose restrictive conditions to prohibit the construction of a new dwelling on the parcel rendered vacant as a result of the severance.

The consent approval authority shall consider non-residential farm severances in Agricultural Resource Policy Areas in accordance with the following:

1. for making boundary adjustments between farms, provided that no building lot is created;
2. for creating a new holding intended to be used exclusively as an agricultural operation, provided that:
3. the size of the parcel to be severed as well as the parcel to be retained are appropriate for the type of agriculture proposed for each parcel;
4. the size of the parcel to be severed as well as the parcel to be retained are appropriate for the type of agriculture for the area in which these parcels are located;
5. the size of both parcels are common for the area in which they are located;
6. the severed and the remaining parent parcel are sufficiently large to make them suitable for other types of agricultural operations in the future.
7. for creating a new holding intended to be used for a farm related commercial or industrial operation. Where possible, such a lot will be located on land of low capability for agriculture.

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

4.2.9 Zoning and Development Control

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

1. permit a range of uses in accordance with the policies in 4.2.3;
2. identify Agriculture zones;
3. ensure the protection of agricultural resources.

4.3 MINERAL AGGREGATE RESOURCE POLICY AREA

4.3.1 Basis General

Mineral resources in United Counties of Prescott and Russell consist of aggregates such as sand, gravel and limestone. There are no known reserves of other minerals or petroleum resources. Aggregate resources are important to all facets of development in the United Counties as these materials are used in the construction of roads, water and sewer infrastructures, homes, schools and commercial buildings and landscaping projects.

Sand, gravel and crushed rock are a non-renewable resource and as such policies must be developed to ensure an adequate supply for future generations. This Plan therefore contains policies to protect mineral aggregate resources from incompatible development. The most important factor in considering the management and use of this resource is the issue of transportation in terms of the haulage routes and haulage costs which represents the most important component of the price of aggregates. It is therefore important to protect resources which are close to local markets and which are accessible to the regional road infrastructure. Minimizing transportation costs will also reduce the environmental and social impacts which are typically associated with the aggregate resource extraction industry.

The Plan focuses on protecting existing extraction operations as the primary source of future supplies. Continued operation and expansion of these sites can be achieved by requiring appropriate zoning and by ensuring that thorough review of development proposals located in the vicinity of existing extraction operations as described in section 4.3.7 to ensure that they do not preclude continued extraction activities.

4.3.2 Identifying Mineral Aggregate Resource Policy Areas

Licensed pits and quarries and mineral aggregate reserve areas have been identified on Schedule A based on information provided by the Ministry of Natural Resources (for licensed areas) and the Ontario Geological Survey for areas of known deposits. Areas identified in the Official Plan are areas which are deemed essential for the long term supply of aggregates for the United Counties of Prescott and Russell.

The identification of the Mineral Aggregate Resource Policy Area on Schedule A is based on areas which are currently licensed or areas with known high quality aggregate deposits as follows:

1. Mineral Aggregate Resource Policy Area - Pits
2. Mineral Aggregate Resource Policy Area - Quarries
3. Mineral Aggregate Resource Policy Area - Sand and Gravel Reserve
4. Mineral Aggregate Resource Policy Area - Bedrock Reserve

4.3.3 Review of Mineral Aggregate Policy Area Designation Policies and Boundaries

Council recognizes that the region's relatively rapid growth rate will result in pressures to find and designate new sources of mineral aggregates. As such Council has committed to undertaking an Aggregate Resources Study to identify resource areas and to develop appropriate strategies to ensure long term supply and protection of aggregate resources. Terms of Reference to guide the study will be developed in cooperation with the Ministry of Natural Resources in 2006 with the study to be commissioned in 2007. It is Council's intent that mineral aggregate resource policies will be reviewed and updated within 2 years of the date of approval of this Official Plan.

4.3.4 Permitted Uses

1. pits and quarries;
2. wayside pits and quarries;
3. portable asphalt plants and concrete plants;
4. agricultural uses excluding any accessory building or structure;

5. forestry uses excluding any accessory building or structure;
6. conservation and natural resource management uses excluding any accessory building or structure;
7. uses accessory to an aggregate extraction operation such as crushing and screening operations, machinery storage facilities and office space;
8. Permanent asphalt and concrete plants may be permitted subject to site specific zoning and site plan control pursuant to the provisions of Section 41 of the *Planning Act*, R.S.O. 1990, as amended.

4.3.5 Prohibited Uses

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

4.3.6 New or Expanded Mineral Aggregate Resource Policy Areas

Provided all applicable policies of this Plan are met, the establishment of a new licensed operation or the enlargement of an existing licensed extraction operation shall be permitted provided the new area or enlargement area is located entirely within an area designated as a Mineral Aggregate Resource Policy Area and shall be subject to the requirements of the *Aggregate Resources Act*, R.S.O. 1990 as amended, and if required, an amendment to the local zoning by-law.

Where an Official Plan amendment is proposed which could result in the redesignation of lands to Mineral Aggregate Resource Policy Area in order to facilitate the establishment or addition of previously unlicensed area to a licensed extraction operation and where the limits of the extraction operation could ultimately be located within 300 metres of a residential, institutional or commercial use on another lot for a licensed pit and 500 meters for a licensed quarry, such proposed amendment shall be supported by the following:

1. hydrogeological investigations, in accordance with the *Aggregate Resources Act*, conducted by a qualified professional, which demonstrate conclusively that the extraction operation will not result in negative impacts on the existing non-extraction development's water and sewer services;
2. any other investigation as required by the approval authority such as traffic studies, noise studies, vibration studies, slope stability studies etc. are carried out and demonstrate conclusively that the proposed extraction operation can proceed without negative impacts on the existing non-extraction development. Such studies are to be carried out by qualified professionals.
3. Where an aggregate extraction license is granted for a new operation located within the limits of a Mineral Aggregate Resource Policy Area - Sand and Gravel Reserve or a Mineral Aggregate Resource Policy Area - Bedrock Reserve, the Schedule A of this Plan shall be revised to reflect the change from a reserve area to a licensed area. The revisions to the Schedule shall not require a public meeting prior to the adoption of the amendment, however notice shall be given to affected property owners

4.3.7 Adjacent Land

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

1. Hydrogeological investigations conducted by a qualified professional conclusively demonstrate that the proposed non extraction development can be adequately serviced by water and sewer services in a manner which will not impede continued existing and proposed extraction operations.
2. Any other investigation as required by the development approval authority such as traffic studies, noise studies, vibration studies, slope stability studies, air quality impact studies etc. are carried out and demonstrate that the proposed development can proceed without impeding the continued operation of the licensed extraction operation existing licensed operations and future operations on reserves. Such studies are to carried out by qualified professionals.

Lots 13, 14, 15 Concession XI within the City of Clarence-Rockland (in the former Township of Clarence) are adjacent to an area designed as a Mineral Aggregate Resource Policy Area (Limestone Resource Area) in the Ottawa Official Plan and as such the policies of 4.3.7 shall apply to these lands.

4.3.8 Mineral Aggregate Resource Extraction and Agricultural Resources

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

4.3.9 Mineral Aggregate Resource Extraction and Significant Woodlands

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

4.3.10 Rehabilitation of Extraction Sites

Progressive rehabilitation of extraction sites to accommodate subsequent land uses is a requirement of this Plan. Where extraction is ongoing, rehabilitation is to be carried out on a progressive basis and shall be in accordance with the approved rehabilitation plan submitted to the Ministry of Natural Resources as part of the site plan for licensing purposes.

Once a licensed operation is exhausted and the license surrendered, an amendment to this Plan and the local zoning by-law may be applied for, or could be considered in accordance with Section 7.7.6, to remove the subject lands from the Mineral Aggregate Resource Policy Area. It is a policy of this Plan that all subsequent land uses be consistent and compatible with surrounding land uses.

4.3.11 Wayside Pits and Quarries and Portable Asphalt Plants

Wayside pits and quarries and portable asphalt plants required for public authority road contracts will be permitted, without an amendment to this Official Plan or local zoning in all areas except within the Urban Policy Area, the Community Policy Area and Natural Heritage Policy Area features as identified on Schedule A.

4.3.12 Zoning and Development Control

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

Areas identified as having aggregate resource reserves shall be appropriately zoned in local zoning by-laws in order to protect the areas from incompatible non-extractive development. Municipalities may require a zoning by-law amendment prior to the establishment of a new pit or quarry operation. Establishment of any new pit or quarry shall be in accordance with the *Aggregate Resources Act*. Studies and site plans required under the *Aggregate Resources Act* shall be reviewed prior to any rezoning.

The municipality may use zoning, holding provisions or interim control by-laws to implement any of the policies stated in this section. The Ministry of Natural Resources will provide advice to the municipality or the United Counties with respect to any license required under the *Aggregate Resources Act*.

5 NATURAL HERITAGE

5.1 INTRODUCTION

The landscape of Prescott and Russell is a mosaic of cleared lands, forests, wetlands, watercourses, and settled areas. This diversity plays an important role in defining the rural character and natural environment of the United Counties. Within this diverse landscape, there are many “natural heritage features” including wetlands, woodlands, areas of natural and scientific interest (ANSI’s), fish habitat, wildlife habitat, portions of the habitat of endangered and threatened species and ground water resources.

All natural heritage features are important to the United Counties. However, certain natural heritage features have been identified as having special significance to either the Province of Ontario or to the County, or both.

5.2 DETERMINATION OF SIGNIFICANCE

The natural heritage policies are based on information from a number of sources. The Ministry of Natural Resources provided information of wildlife and fish habitat. A partnership with the Eastern Ontario Model Forest enabled the counties’ planning department to undertake a comprehensive study of our natural heritage and to identify its significant features. The South Nation Conservation also provided important information respecting ground water resources. These background documents are available through the Counties Planning Department.

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

For the purposes of this policy, “development” is defined as the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*. It also includes site alteration activities such as the deposit or removal of fill, site grading, excavation or alteration, topsoil removal and peat extraction or similar activities that would change the landform and natural vegetative characteristics of a site.

5.3 PRINCIPLES

It is the overall goal of Council that the County’s natural heritage features be both conserved and protected from negative impacts of development. Principles that form the basis of policies that achieve this goal are as follows:

1. The County's significant natural heritage features shall be protected from negative impacts of development.
2. The County's natural heritage features, including non-significant features, should be conserved and rehabilitated for the benefit of future generations according to best management practices undertaken today and as they evolve.

5.4 GENERAL LAND USE POLICIES

Council acknowledges that its decisions regarding land use and development can affect the significant natural heritage features of Prescott and Russell. Therefore, policies are required to protect these features from the potential negative impacts of development or to conserve them by prohibiting development. The following general policies shall apply:

1. Council shall designate on Schedule A those features where development is prohibited. These include provincially significant wetlands which are shown as Wetlands Policy Area and locally significant wetlands which may be identified in the future through an Official Plan amendment. The habitat of endangered or threatened species will not be identified on Schedule A as identifying these features may prove to be harmful.
2. Council shall designate areas where development must be controlled on Schedule B. These include Areas of Natural or Scientific Interest (ANSI's), fish habitat, significant woodlands, shore lands along major waterways and ground water resources.
3. Council shall consider minor alterations to the boundaries of natural heritage features identified on Schedules A or B without the need to amend the Official Plan where evidence consistent with Ministry of Natural Resources criteria clearly demonstrates that such modifications are justified. Boundary alterations to provincially significant wetlands and Areas of Natural or Scientific Interest (ANSI's) are subject to the approval of the Ministry of Natural Resources.
4. Council shall consider the public acquisition of natural heritage lands by the United Counties of Prescott and Russell or in partnership with other levels of government where such acquisition would lead to the preservation of significant natural heritage areas or contribute to the consolidation of significant features which are partially in public ownership. In such cases Council may negotiate with land owners or may determine a price in accordance with the *Expropriations Act*.
5. Development control shall be implemented by local municipalities primarily through the use of zoning and site plan control in accordance with the relevant sections of this Official Plan.

5.5 LANDFORM SPECIFIC LAND USE POLICIES

The following provide policies specific to natural heritage features in the United Counties of Prescott and Russell.

5.5.1 Wetlands Policy Area

Wetlands are lands which have specific ecological characteristics which include, but are not limited to, the presence of a permanent or seasonal shallow water cover, water-tolerant vegetation or the presence of a water table which is close to the surface. They are commonly

known as swamps, marshes, bogs, and fens. Wetlands serve important functions such as controlling ground water recharge and discharge, reducing flood damage, stabilizing shorelines, retaining and removing nutrients, supporting the food chain, providing fish and wildlife habitat and contributing to the social and economic quality of life in the United Counties.

The Ministry of Natural Resources has developed a wetland evaluation system based on the biological, hydrological, social and special characteristics of a wetland area and on the abundance of water which has caused the formation of hydric soils and has favoured the dominance of either hydrophilic plants or water tolerant plants. Wetlands that meet Ministry criteria are classified as provincially significant and such wetlands, identified on Schedule A, are to be protected from development and site alteration.

Council shall designate Provincially Significant Wetlands on Schedule A and shall base the designation limits on mapping prepared by the Ministry of Natural Resources. Additional Provincially Significant Wetlands may be identified by the Ministry and subsequently added to the Official Plan by amendment. Provincially Significant Wetlands shall be zoned restrictively in local municipal zoning by-laws. Although no locally significant wetlands have been designated on Schedule A of this Official Plan, local municipalities may choose to protect such areas through restrictive zoning regulations. Where zoning is used to protect locally significant wetlands, the zoning by-law shall be considered to conform to this Official Plan.

Wetland boundaries as shown on Schedule A may be amended or adjusted without the need for an Official Plan amendment provided that such adjustments are identified through the application of the most current wetland evaluation manual of the Ministry of Natural Resources and subject to the confirmation and approval by the Ministry.

Development or site alteration, as defined in section 5.2, which has negative impacts on the natural features and/or the ecological function of a wetland designated on Schedule A is not permitted. Development on a lot which includes a wetland or part of a wetland must take place outside of the wetland area and such development shall be subject to the policies of Section 5.6. Activities that create or maintain infrastructure within the requirements of the Environmental Assessment process or works subject to the *Drainage Act* are not considered to be development for the purposes of this section, however wherever possible such uses shall be located outside of designated wetlands.

The following uses are permitted in designated wetlands:

1. open space and open air recreational uses, including accessory structures and buildings which do not involve extensive site alterations and do not adversely affect the natural characteristics of the environment or require approval under the *Planning Act*;
2. conservation uses which improve the ecological functions of the wetland;
3. uses of a scientific or educational nature;
4. established agricultural uses ongoing at the time of adoption of this Plan. However, new or expanded structures or the clearing and draining of additional lands within the limits of the wetland are not permitted;

Lot creation for all permitted uses stated above is permitted.

Development or site alteration within 120 metres of a designated wetland may be permitted, if it can be demonstrated that there will be no negative impacts on the wetland's natural features or

ecological functions. An environmental impact assessment in accordance with Section 5.6 will be required except for established agricultural uses.

5.5.2 Endangered or Threatened Species Habitat

Endangered and threatened species can encompass any of the many types of living things: birds, mammals, plants, fish, reptiles, amphibians and invertebrates. At the time of adoption of this Plan, there were a number of species which were known to be endangered or threatened in the United Counties. They include but are not limited to the Spotted Turtle and Blanding's Turtle, the Bog Elfin Butterfly, the Butternut Tree and American Ginseng. The existing habitat sites of any endangered or threatened species in the United Counties are not identified in this Plan in order to protect endangered or threatened flora or fauna. In some cases identifying a significant habitat is not reasonable. It is important to protect the significant habitat of endangered and threatened species found within the United Counties. Council will contact the Ministry of Natural Resources to develop a mutually acceptable protocol for sharing available endangered and threatened species habitat.

Where endangered or threatened species habitat is identified in Prescott and Russell then the following policies shall apply:

1. Development and/or site alteration as defined in Section 5.2 is prohibited in significant habitat of endangered or threatened species as may be identified from time to time.
2. It is the policy of Council not to identify the location of such habitats on the Official Plan Schedule B in order to afford the greatest possible protection to the species in question. Approval authorities shall refuse development applications where the development review process confirms the existence of the significant portions of the habitat of endangered or threatened species.
3. Development and site alteration may be permitted on lands within 50 metres of the habitat of endangered or threatened species unless it has been demonstrated through an environmental impact assessment in accordance with Section 5.6 that there will be no negative impacts on the natural features or the ecological functions for which the area is identified.

5.5.3 Areas of Natural and Scientific Interest (ANSI's)

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

The following policies apply:

1. Development may be permitted in accordance with the underlying land use designation in significant areas of natural and scientific interest (ANSIs), or on adjacent lands within 50 metres, only if it has been demonstrated through an environmental impact assessment, in accordance with Section 5.6, that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
2. Notwithstanding policy 1 above, existing agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and minor expansions to existing buildings and

structures associated with farming operations are permitted on adjacent lands without an environmental impact assessment.

5.5.4 Significant Wildlife Habitat

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

Where the County has identified lands providing significant wildlife habitat, such areas shall be appropriately recognized on the land use schedules forming part of this Plan. Specific policies for significant wildlife habitats are as follows:

1. Development and site alteration within the habitat area or on adjacent lands that are within 30 metres of these areas may be permitted provided that such development will not negatively affect the natural features or ecological functions of the habitat area. An environmental impact assessment, in accordance with Section 5.6 shall be required in order to assess the impact of the development and site alteration.
2. Notwithstanding policy 1 above, agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and minor expansions to existing buildings and structures associated with farming operations are permitted on adjacent lands without an environmental impact assessment.

5.5.5 Natural Sites of County Significance

There are other natural heritage features in Prescott and Russell which have importance to the United Counties even though they are not captured under the umbrella of provincial policy. These sites can be described as Natural Sites of County Significance. For the purposes of the County Official Plan, the following definition will apply to such sites: “natural features or areas that have known ecological, educational, or interpretive functions which are of importance to the Counties but are not necessarily provincially significant and/or not necessarily one of the natural heritage features as defined by the Province”.

The following policies apply:

1. Development may be permitted in accordance with the underlying land use designation in Natural Sites of County Significance, or on adjacent lands within 50 metres, only if it has been demonstrated through an environmental impact assessment, in accordance with Section 5.6, that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
2. Notwithstanding policy 1 above, agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and new and existing buildings associated with farming operations are permitted on adjacent lands without an environmental impact assessment.

5.5.6 Significant Woodlands

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

1. help to moderate climate, as temperature and moisture are influenced by respiration of trees and shrubs and by their shading;
2. provide oxygen to the atmosphere while reducing carbon dioxide, via photosynthesis;
3. clean air pollutants;
4. prevent soil erosion and stabilize slopes;
5. help to maintain good surface water quality;
6. provide habitat for a diverse range of species;
7. retain water and may recharge ground water;
8. yield economic products including lumber, firewood, maple syrup and mushrooms;
9. provide recreational activities such as wildlife observation, hiking, and hunting;
10. contribute to the beauty and visual diversity of the urban and rural landscape; and,
11. provide an attractive setting for rural residential development.

The following policies apply:

1. Development may be permitted in accordance with the underlying land use designation in significant woodlands or on adjacent lands within 50 metres, only if it has been demonstrated through an environmental impact assessment, in accordance with Section 5.6, that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
2. Notwithstanding policy 1 above, agricultural activities including plowing, seeding, harvesting, grazing, animal husbandry, and minor expansions to existing buildings and structures associated with farming operations are permitted on adjacent lands without an environmental impact assessment.
3. Notwithstanding policy 1 above for significant woodlands, agricultural forestry activities such as maple syrup production and the harvesting of mature trees in accordance with accepted forestry practices, recreational trails and snowmobile trails are considered as appropriate activities in woodlots and therefore are permitted without an environmental impact assessment. Such activities are to be carried out in an environmentally sensitive manner so as to preserve the overall woodlot function.
4. The Larose Forest is a publicly owned and managed forest which in addition to its importance as a significant woodland has historical and cultural value. The Larose Forest is also identified as a Natural Site of County Significance. Notwithstanding the underlying land use designation, only forestry activities (as described in Policy 3 above), development which is directly related to the management, improvement and promotion of woodlands such as a research centre, educational facilities, interpretation centre,

workshops and storage buildings and any related office and administration facilities shall be permitted in the area specifically identified as the Larose Forest on Schedule B.

5.5.7 Fish Habitat

According to the PPS, fish habitat is defined as: “the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.” Fish resources have many values to the United Counties, including:

1. contributing to a diversity of species;
2. providing a natural indicator of water quality and environmental health;
3. forming a vital part of the aquatic food chain;
4. providing commercial fishing such as baitfish (minnow) harvest (OMNR, 1983); and,
5. providing recreational sport fishing opportunities and related economic spin-offs (OMNR, 1990).

The following policies apply :

1. Development and site alterations shall not be permitted in fish habitat except in accordance with provincial and federal requirements. Where development is proposed within 30 metres of an area of fish habitat as identified on Schedule B or adjacent to an area of fish habitat identified through consultation with the South Nation Conservation or the federal Department of Fisheries and Oceans it must be demonstrated through an environmental impact assessment carried out in accordance with Section 5.6 that there will be no negative impacts on the natural feature or on the ecological functions for which the feature is identified.
2. Notwithstanding policy 1 above, the cleaning of municipal drains shall be permitted provided that such is carried out in accordance with acceptable standards, and that, where required, the authorization of the Department of Fisheries is obtained.
3. Notwithstanding policy 1 above extensions or enlargements of existing buildings and structures in the adjacent land area to an identified Fish Habitat may be permitted provided that it is demonstrated to the satisfaction of the appropriate regulatory agency or approval authority that such extension or enlargement will have no negative impact on the fish habitat as demonstrated by an Environmental Impact Assessment undertaken in keeping with section 5.6 of this Plan.
4. It is the policy of this Plan to encourage the re-establishment of naturally vegetated buffer strips along water bodies and headwater areas.
5. Although storm water management and drainage measures are often located some distance from a watercourse these measures can impact the water quality and quantity of the watercourse and affect fish habitat. When evaluating storm water management and drainage activities, consideration shall be given to impacts upon fish habitat.
6. The advice of the Department of Fisheries and Oceans or their delegate should be sought where any proposal may potentially impact fish habitat. In instances where a proposal may result in a harmful alteration, disruption or destruction of fish habitat the proponent must obtain authorization from the Department of Fisheries and Oceans or their delegate.

5.5.8 Ground Water Protection and Enhancement

The ground water resource is crucial in the United Counties of Prescott and Russell as it is the source of drinking water for the vast majority of our communities and our rural population.

Several communities also rely on surface water (i.e. the South Nation River and the Ottawa River) as their source of drinking water. In addition to residential uses, ground water is crucial for the watering of livestock, farm irrigation and commercial and industrial uses.

A number of problems involving both quality and quantity of ground water supply have been identified in the United Counties. Ground water contamination from bacteria, nitrates, petroleum and chemicals, salt, pesticide use and naturally present contaminants have occurred in many areas of Prescott and Russell. Water supply problems exist in the Townships of Russell and, Alfred-Plantagenet and in the Village of St-Isidore in the Nation Municipality.

It is Council's position that the United Counties of Prescott and Russell and its constituent municipalities have an obligation to consider the impact of development and land use on ground water in order to ensure the long term viability of this resource.

The following policies shall apply:

1. The United Counties of Prescott and Russell will work in partnership with senior and local levels of government, environmental agencies and the private sector to develop a water resources data base which identifies sensitive ground water recharge areas, sensitive hydro-geological areas and areas with known ground water quality and quantity constraints.
2. Council will proceed with an amendment to this Official Plan in order to implement site specific ground water protection or improvement land use policies based on the detailed data base developed through the implementation of policy 3.3.8.2 (1)¹ above and will identify these areas as Natural Heritage Policy Area on Schedule B.
3. The United Counties of Prescott and Russell will work in partnership with senior and local levels of government, environmental agencies and the private sector to enforce provincial regulations on private septic field and water well construction.
4. Industrial or commercial developments which require large amounts of ground water will be required to undertake a hydrogeology study conducted by qualified hydrogeology engineers which addresses the impact of the proposed development on the quantity and quality of the water supply for existing development in the general area of the development site.
5. New commercial and/or industrial operations which take and bottle water for commercial purposes are prohibited. Existing operations are recognized as legal non-conforming uses. Any expansion of such operations will require an amendment to this Plan.
6. The United Counties of Prescott and Russell will work in partnership with senior and local levels of government and environmental agencies to develop an education program aimed at reducing ground water consumption and pollution.

5.5.9 Groundwater Recharge Areas

Areas in the United Counties may be identified as a Groundwater Recharge Area. Zoning By-law provisions may be adopted to restrict land uses in such areas to those which pose no

threat to the quality of the existing resource. In addition areas may be identified where the state of the groundwater resource is unacceptable for development purposes.

To date only the Township of Russell has established groundwater recharge areas in order to ensure that water recharge areas which supply drinking water for the Village of Embrun and the Village of Russell as well as the Village of Limoges are protected. These areas are identified as Groundwater Recharge Area on Schedule B.

Within the limits of the Groundwater Recharge Area as shown on Schedule B, permitted uses shall be restricted to those uses which will not result in negative impacts on the groundwater resource and uses existing as of the date of passing of this Official Plan. Township of Russell municipal zoning provisions, as they existed on the date of passing of this Official Plan shall continue to apply. New or expanded development shall be subject to consultation with the Ministry of the Environment or its delegate.

5.5.10 River Corridors

Prescott and Russell enjoys the presence of two great and historical rivers, the Ottawa River and the South Nation River. These natural features contributed in a significant way to our region's history and in many ways have defined our settlement pattern. Development along these river corridors has continued throughout our history and as a result there are fewer and fewer opportunities for public access to these water bodies. This section of the Plan seeks to encourage the preservation of shoreline areas in order to enhance the recreational and economic benefits which can be derived from enhanced public access and the preservation of natural shoreline states.

The following land use policies shall apply in addition to the policies of the applicable land use designation along the shorelines of the Ottawa and South Nation Rivers.

1. Where development is proposed which would require shoreline alterations a permit under the Ministry of Natural Resources *Public Lands Act* and or approval under Ontario Regulation 724/94 administered through the South Nation Conservation may be required.
2. Where new development lots are created, dwellings and sewage disposal systems shall be set back a minimum of 30 metres from the high water mark.
3. When reviewing development proposals for land abutting the shoreline, Council or the local approval authority may require that lands be dedicated for public purposes which will preserve public access to the water body and where possible shall ensure that such lands be accessible from a public road.
4. Encourage local municipalities to protect opened and unopened road allowances and public right of ways which lead to shoreline areas in order to preserve the potential for future public access.
5. When reviewing subdivision, consent and site plan applications consider the impacts of the development on the visual access to the waterbody and ensure that the appearance of the development, when viewed from the waterbody, complements the natural setting.
6. Where development proposes shoreline alterations a development permit may be required from the federal Department of Fisheries and Oceans or its delegate.
7. Local municipalities may enact Tree Cutting By-laws and or Site Alteration By-laws to control or prevent the degradation of shoreline areas which could be caused by the removal of vegetation or the disturbance of native soils.

5.6 ENVIRONMENTAL IMPACT ASSESSMENTS

5.6.1 Introduction

Potential negative impacts will be examined through a process of environmental impact assessment, carried out on a case by case basis, prior to development approval.

5.6.2 Environmental Impact Assessment Study

The preparation of an environmental impact assessment (EIA) study may be required for submission prior to the approval authority making a formal decision on a planning application (eg. Official Plan amendment, zoning amendment, site plan control, subdivision, consent, etc.) to assess the negative impacts on the natural features and the ecological functions of the area in question. The EIA shall be completed by a qualified individual or company and shall fulfil each of the following steps:

1. Research, identify, map, and prioritize the characteristics of the natural heritage features that made it significant.
2. Describe and map the proposed development activities, including building location, excavation, site grading, landscaping, roadway construction, paving, drainage works, and sewer and water servicing in relation to the natural heritage feature.
3. Predict the effects that the proposed development may have on various components of the environment, such as wildlife, fish, vegetation, soil, surface water, ground water, and air, taking into consideration effects during and after development or site alteration.
4. Evaluate the significance of all predicted negative and positive effects on the various environmental components.
5. Itemize and recommend all measures that can be taken to reduce or mitigate the predicted negative impacts.
6. Evaluate the cumulative effect that the project (and any other projects or activities) may have on the characteristics of the natural heritage feature which made it significant, after mitigation.
7. Conclude with a professional opinion on whether negative impacts will prevail, and on the significance of the impacts, if any, and if ongoing monitoring is required.

The approval authority may require that the EIA be peer reviewed prior to making a decision on the development application.

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

5.7 BEST MANAGEMENT POLICIES

5.7.1 Introduction

Council is committed to the best management of the County's significant natural heritage features, and to other natural heritage features that may become significant over time. Council acknowledges that it does not always have legislative authority to control the management or

use of all natural heritage features in the County, particularly those located on private lands. However, Council will pursue the implementation of the following best management practices, through its own activities, and through landowner education, public awareness, demonstration projects, and regulation, where possible.

Council shall strive to ensure that programs enacted and decisions taken regarding the natural heritage of the United Counties shall be made with the involvement of stakeholders including local municipalities, land owners, government agencies, and the public, and shall pursue the education of all regarding the benefits of best environmental management practices.

5.7.2 Policies

It is an objective of this Plan to maintain the current level of natural land cover within the United Counties. Currently, lands vegetated with woodland or wetland cover currently comprise 21% of the land area of the United Counties. Before European settlement, nearly all of United Counties was vegetated. Activities that may help achieve this objective include good forestry practices, natural regeneration, reforestation with native species, wetland restoration, natural shoreline regeneration, and land development controls.

It is an objective of Council that all woodlands, especially the agreement forests and the Larose Forest in particular, be managed according to good forestry practices. Techniques of harvest, renewal, and maintenance shall consider the integration of multiple forest uses, and shall minimize negative effects on fish and wildlife habitat, soil and water quality and quantity, forest productivity and health. Such practices will also consider the socio-cultural values provided by the forest such as fishing, hunting, recreation, nature appreciation, natural beauty, and the harvesting of non-fibre forest products. The forest management systems of selection, shelterwood, and patch or strip cutting are preferred over extensive clear cutting.

Council shall encourage the conservation and rehabilitation of lands for native wildlife habitat. The variety of species in the United Counties is an indicator of a diverse and healthy environment. Best management practices include: controlling diseases and invading species, conserving larger patches of woodlands and wetlands, connecting natural areas, reducing forest fragmentation, and retaining a variety of landscape features.

Council shall ensure that its approval of all development projects, and designs for infrastructure projects in the United Counties, consider the potential environmental effects and the opportunities for plan modification or mitigation. The approval of Plans of Subdivision will require applicants to demonstrate how the plan will be designed and constructed to mitigate effects on woodlands, wetlands, watercourses, fish and wildlife habitat, soils, and other natural features.

Council shall encourage the implementation of agricultural practices that are least detrimental to the natural environment. Best management practices to be pursued include: leaving non-cultivated buffer strips adjacent to water features, rotating crops, avoiding overgrazing, retaining windbreaks, restricting livestock access to river and stream bank areas, diverting manure storage or runoff from watercourses, the preparation of nutrient management plans and properly controlling the use and storage of chemicals, fuels, and fertilizers.

Council shall encourage activities and infrastructure development that leads to an overall improvement of surface and ground water quality in the United Counties during the planning period. Clean water is an indicator of a healthy environment. Best management practices to be pursued include: managing stormwater, installing sediment and erosion controls in construction projects, stabilizing sensitive slopes, vegetating shorelines, improving agricultural practices,

regulating topsoil removal or peat mining, ensuring efficient wastewater treatment facilities, assessing solid waste management options, rehabilitating contaminated lands, and controlling the use of chemicals that may enter the water system.

Council shall encourage the rehabilitation and enhancement of watercourses for fish habitat and productivity. Partnerships and volunteers will play a large role in this activity, which should focus on the improvement of fish nurseries and spawning areas, and the reduction of turbidity, temperature, and nutrient loading.

6 PUBLIC HEALTH AND SAFETY

6.1 INTRODUCTION

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

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

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

6.2 OBJECTIVE

It is the objective of these policies to permit only suitable development, which does not pose a danger to public safety or health or result in property or environmental damage, in areas subject to development constraints.

6.3 IDENTIFYING HAZARD AREAS

Accurate mapping showing the location of areas characterized by health and public safety hazards and/or by constraints for development is of crucial importance in order to ensure informed decisions by approval authorities when considering development applications. The limits of hazard areas shown on Public Health and Safety Schedule C were identified on the basis of information provided by the Ontario Ministry of Natural Resources and the Ministry of Northern Development and Mines (floodplains, unstable slopes and former mineral extraction sites) and the South Nation Conservation (floodplains, unstable slopes and retrogressive landslide areas). The Ministry of the Environment has provided information respecting contaminated sites such as closed landfill sites. However the mapping of these sites will be completed over time as more accurate information respecting exact locations becomes available and included in the county geographic information system (GIS) data base.

6.4 GENERAL

Hazardous areas are identified on Schedule C on the basis of the particular characteristics which pose a threat to public health and safety which may result should these areas be developed. The constraints include areas subject to flooding, areas affected by unstable slopes, organic soils and unstable bedrock, areas subject to retrogressive landslides, erosion hazards, contaminated sites and abandoned pits and quarries.

Where hazard land mapping is complete, it is shown on Schedule C. However, it is recognized that hazardous conditions may exist which are not shown on Schedule C.

As such the United Counties of Prescott and Russell Planning Department may undertake a hazard land mapping study in order to ensure that the hazard land data base is updated. In undertaking this study the Planning Department will consult with the Ministry of Natural Resources and the Ministry of the Environment prior to preparing terms of reference for the study. In reviewing development applications the approval authority shall consult with the South Nation Conservation to ensure that there are no natural hazards. Where hazardous conditions exist in areas which are not identified on Schedule C development shall be subject to those policies in this Section which are deemed by the approval authority to be the most appropriate.

6.5 HAZARDOUS LANDS – FLOODING AND EROSION

6.5.1 Defining Areas Subject to Floods and Erosion

The floodplain area shown on Schedule C includes all areas known to be subject to 1 in 100 year flood events. These areas have been identified and mapped by the South Nation Conservation and by the Ministry of Natural Resources (in those areas which are outside the South Nation River watershed).

It is recognized that flood plains and erosion hazards may exist which are not designated on Schedule C, particularly along the Ottawa River and its tributaries. In reviewing development applications, the approval authority shall require that the proponent of a development demonstrate that there are no flood hazards and erosion hazards prior to the submission of the development application for formal review and processing. Where it is determined that flood hazards or erosion hazards exist, the policies in this section shall apply regardless of the fact that the flood hazard or erosion hazard may not be identified on Schedule C.

6.5.2 Permitted Uses

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

1. Repairs and minor additions to buildings and accessory buildings, which do not affect flood flows, will be permitted where there is existing non-conforming development.
2. Uses which by their very nature must be located within the flood plain and will not affect the hydrology or hydraulics of the flood plain may be permitted;
3. Works required for flood and/or erosion control and passive recreational and/or open space non-structural uses which do not affect the hydrology or hydraulics of the flood plain may be permitted.

In accordance with the underlying designation on Schedule A, development and site alterations may be permitted in areas subject to erosion related hazards which are not located in the flood plain.

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

6.6 UNSTABLE SLOPES, UNSTABLE BEDROCK AND ORGANIC SOILS

6.6.1 Policies

Development and site alteration in areas designated as having unstable slopes, i.e. lands with a slope stability factor of safety of 1.5 or less, unstable bedrock or organic soils is prohibited except by site-specific Zoning By-law amendment. Site specific zoning amendments are not required where the *Building Code Act* addresses the requirements for development in areas of unstable slopes as shown on Schedule C. Site-specific Zoning By-law amendments to permit construction of a building or structure may be passed only if all of the following conditions are met:

1. development may be permitted in accordance with the underlying designation in areas of unstable slopes as shown on Schedule C with appropriate development setbacks as provided in a joint report prepared by the Ministry of Natural Resources and the Ministry of Northern Development and Mines;
2. sufficient soils and engineering information is made available to indicate that, although the site is identified as having unstable slopes, organic soils or unstable bedrock, it is in fact suitable or can be made suitable for development using accepted scientific and engineering practices;;
3. alterations to the site will not result in increased hazards or cause adverse environmental effects on or off-site;
4. the designation on Schedule A permits the proposed development.

Notwithstanding the above, institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on lands designated as having unstable slopes, unstable bedrock or organic soils.

6.7 POTENTIAL RETROGRESSIVE LANDSLIDE AREAS

6.7.1 Policies

In areas subject to potential retrogressive landslides as shown on Schedule C, the following shall apply:

1. Lands identified as "Potential Retrogressive Landslide Area" are areas which may be subject to slippage and possible landslides. Some forms of development within this area may aggravate the potential for landslide activity, thereby endangering life and property.
2. An area identified as subject to retrogressive landslides has been established on the basis of Report N° 981-009 (Potential Retrogressive Landslide Mapping Update, South Nation River, Casselman to Lemieux, Ontario) prepared by Morey Houle Chevrier Engineering Ltd.
3. The Potential Retrogressive Landslide Area is indicated on Schedule C. The limits of this area represent lands subject to potential landslide activity, based on the best and most current engineering information available. Council notably relies on the information contained in Report N° 981-009 by Morey Houle Chevrier Engineering Ltd. whose methodology and results are also agreed upon by the Ministry of Natural Resources and the South Nation Conservation. It is understood that the line contained in the Report is a study line which is subject to change upon more detailed investigation being performed.
4. The Potential Retrogressive Landslide Area is recognized as a development constraint on lands which can be developed in accordance with the underlying designation shown on Schedule A. The erection of new buildings or structures, or the expansion of existing buildings or structures, shall not be permitted unless supported by detailed geotechnical investigation completed by a registered geotechnical engineer qualified to work in Ontario, showing that such erection or construction of buildings or structures, or expansions thereto may take place without risk.
5. An approval authority may recommend a land severance, approve a rezoning, or grant a construction permit, and the Committee of Adjustment may consider granting a minor variance, to allow development with the Potential Retrogressive Landslide Area if the request is supported by detailed geotechnical investigation by a registered geotechnical engineer qualified to work in Ontario, showing that the property may be safely developed, and that the necessary works to protect the property from landslide activity without creating risks for adjoining properties can be carried out.
6. Measures taken to stabilize slopes or modify the shoreline along the South Nation River and its tributaries are subject to an Environmental Impact Study where such works or modifications are within 30 meters of the shoreline. The type of Environmental Impact Study required may vary. It is Council's policy to require an Environmental Impact Study subject to consultation with the Ministry of Natural Resources, Northern Development and Mines and the South Nation Conservation on the scope of the evaluation required.
7. It shall be the policy of Council that an approval authority consult with the South Nation Conservation before taking any decision on any planning application received under sub-section 5 above. The geotechnical investigation which accompanies the application shall form part of this consultation. This geotechnical investigation shall be conducted in accordance with the Criteria for Geotechnical Investigations in Landslide Potential Areas (or its successor documents) provided by the South Nation Conservation.
8. An approval authority, upon recommending or approving a request which is adequately supported by geotechnical investigation as specified in subsection 5 above for development on lands within the Potential Retrogressive Landslide Area, shall ensure or cause to be ensured that all protective measures set out as part of the said geotechnical investigation to protect that lands from landslide activity, have been carried out to full completion before any building permit is granted. Such protective measures may be incorporated within a site plan agreement under the site plan provisions of this Plan. Site

plan control shall be applicable to all uses and all development within the Potential Retrogressive Landslide Area.

9. Where geotechnical investigation on a site specific or area wide basis supports a proposed development within the Potential Retrogressive Landslide Area, and such development is deemed acceptable to the Council of the Nation Municipality and the South Nation Conservation, such development may proceed by way of a zoning amendment, without an amendment to this Official Plan.
10. The implementing Zoning By-law shall demarcate the Potential Retrogressive Landslide Area and zone all lands contained therein as Study Area. The Implementing Zoning By-law shall also set out the associated setbacks from the shoreline. Where a zoning amendment under Subsection 9 alters the outline of the Study Area on the Zoning Schedule as a result of protective works, slope stabilization, site plan control or a geotechnical report as provided for in this policy, such alteration to the line shall be deemed to conform to this Official Plan, provided the amendment is in conformity with the Official Plan and the policies of Section 6.7 in all other respects. For greater clarity, the intent of this “deeming to conform” provision is to recognize that a Zoning By-law amendment shall not be placed in non-conformity with the Official Plan solely because it alters the outline of the Study Area.
11. The policies of this section shall be implemented and interpreted in accordance with other relevant policies of this Plan. In addition, the following provisions shall apply:
 - a. Any applicant for a planning approval shall submit to the appropriate approval authority, the name of the geotechnical engineer conducting the required geotechnical investigations.
 - b. All applications for site plan, severance, rezoning, minor variance or construction permit, shall be circulated to the Chief Building Official of the Nation Municipality, and the South Nation Conservation for review and comments.
 - c. All applications shall be subject to the requirements of the *Planning Act* for notification.
 - d. For the purposes of site plan control, the site plan shall set out:
 - the location of all buildings and structures, proposed or existing;
 - detailed engineering drawings of all protection works or stabilization measures designed to mitigate the landslide hazard;
 - details of landscaping;
 - provisions for grading and drainage;
 - the Environmental Impact Study, where applicable;

in addition to all other applicable requirements under Section 7.4.3 of this Plan.

- e. All buildings or structures shall be reviewed for conformity to the requirements of the Ontario Building Code.
- f. No occupancy permit under the *Building Code Act* or *Planning Act* shall be issued until the building or structure for which such a permit is applied for has been inspected and found to be in conformity with the requirements of the site plan and the *Building Code Act*.
- g. For the purposes of section 6.7 of the Plan, the following definitions shall apply:
 - DEVELOPMENT shall mean: [a] a new lot and/or an increase in the number of permitted units on a lot; [b] the construction, erection or placing of a building or structure; activities such as site grading, excavation, removal of top soil or peat, and the placing or dumping of fill; drainage

- works, except for the maintenance of existing municipal and agricultural drains; [c] the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof; [d] the creation of new dwelling units including redevelopment and intensification.
- SHORELINE shall mean, for the purposes of this section of the Plan and for the purposes of the implementing Zoning By-law, the shoreline of the South Nation River during average normal water levels observed outside of the spring thaw or storm events.

6.8 CONTAMINATED SITES

6.8.1 Closed Waste Disposal Sites

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

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

1. In reviewing development applications within 500 metres of a site identified as a closed waste disposal site an Environmental Site Assessment (ESA) shall be required by the approval authority in order to ensure that there is no evidence of potential safety hazards which may be caused by landfill-generated gases, ground and surface water, contamination by leachate, odour or litter, potential fires, surface runoff and vectors, and vermin. Particular attention shall be given to the production and migration of methane gases. An ESA documents the previous uses of the property and provides an assessment of the site to identify actual or potential hazards. The ESA shall be undertaken using established principles and procedures.
2. Where the ESA confirms environmental problems the proponent will be required to undertake additional studies which shall demonstrate that the site is appropriate for development or can be rehabilitated in order to mitigate known or suspected hazards and to establish procedures for site rehabilitation prior to the final approval of the proposed development.
3. Land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be so used shall not be developed or re-developed unless an approval has been obtained under Section 46 of the *Environmental Protection Act*.

6.8.2 Site Decommissioning and Clean-Up

It is the intent of Council to ensure the proper decommissioning and clean-up of contaminated sites prior to their redevelopment or reuse. Prior to Council's approval of an Official Plan Amendment and prior to the approval of a Zoning By-law amendment, subdivision, condominium, consent or other planning application by the appropriate approval authority on a site that is potentially contaminated or is contaminated, the proponent shall document the present and past use of the site and surrounding lands, engage professional assistance in the analysis of soils, ground waters and surface waters as required in consultation with the Ministry of the Environment and shall prepare a remedial action plan in accordance with "Ontario Regulation 153/04, Record of Site Condition". where the contaminants are in concentrations above Ministry

established acceptable concentrations. A Ministry of the Environment “Record of Site Condition” may be required to confirm that a site is suitable for its intended use. The proponent shall ensure the supervision of excavation and soil handling activities during site clean-up.

Where planning applications are not required, Council may require a proponent of development to consult with the Ministry of the Environment on the suitability of site development.

6.8.3 Other Contaminated Sites

Contaminated sites are defined as sites where the environmental condition of the property, i.e. the quality of the soil or ground water, may have the potential for adverse effects to human health or the natural environment. To assist in the implementation of policies regarding contaminated sites, Council, in partnership with other agencies and levels of government, will undertake the development of a GIS inventory of sites known or strongly suspected to be contaminated.

Current mapping showing contaminated sites was not available at the time this Official Plan was drafted. In reviewing development applications the approval authority may require the undertaking of an ESA.

Where the ESA produces reasonable evidence to suggest the presence of site contamination, the proponent may be required to undertake appropriate technical studies as part of the development review process in order to identify the nature and extent of contamination, to determine potential human health and safety concerns as well as effects on ecological health and the natural environment, to demonstrate that the site can be rehabilitated to meet provincial standards and to establish procedures for site rehabilitation and mitigation of the contamination.

The proponent will be required to restore the site and to make it suitable for the proposed use in accordance with the recommendations of any required technical studies prior to development or land use change.

The ESA and site restoration shall be undertaken according to Ontario Regulation 153/04, Record of Site Condition.

6.9 OTHER HEALTH AND SAFETY CONCERNS

6.9.1 Abandoned Pits and Quarries

Abandoned pits and quarries have been identified on Schedule C on the basis of the Abandoned Pits and Quarries Inventory completed and supplied by the Ministry of Natural Resources.

Development on, abutting or adjacent to lands affected by former mineral resource operations may proceed in accordance with the policies of the underlying land use designation only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed. For the purposes of this policy, adjacent lands are the same as set out in Section 4.3.7 of this Plan.

In reviewing development applications for sites identified as an abandoned pit or quarry, a study will be required which will provide sufficient information to determine any potential safety

hazards, to demonstrate that the site can be rehabilitated to mitigate the known or suspected hazard and to establish procedures for site rehabilitation and mitigation of the safety hazard.

6.9.2 Noise and Vibration

1. Noise and vibration impacts shall be addressed for new sensitive land uses adjacent to existing railway lines, highways, sewage treatment facilities, waste management sites, industries, or aggregate extraction operations, or other stationary or line sources where noise and vibration may be generated. Council may require the proponent to undertake noise and/or vibration studies to assess the impact on existing or proposed sensitive land uses within minimum distances identified in Ministry of Environment guidelines including Publication LU – 131, Noise Assessment Criteria in Land Use Planning. Noise and/or vibration attenuation measures will be implemented, as required, to reduce impacts to acceptable levels.
2. Notwithstanding policy 1 above existing and proposed agricultural uses and normal farm practices, as defined in the *Farm and Food Production Protection Act*, 1998, shall not be required to undertake noise and or vibration studies.

6.9.3 Incompatible Land Uses

Every effort shall be made to prevent or minimize future land use conflicts which can arise when incompatible land uses develop in close proximity to one another. Ministry of the Environment guidelines on Land Use Compatibility (Guidelines D-1, D-2, D-4 and D-6 and any other relevant or future MOE Guideline documents) shall be applied when preparing and adopting local Zoning By-laws and when considering amendments to this Official Plan.

7 IMPLEMENTATION

7.1 INTRODUCTION

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

- 7.2 General
- 7.3 Permitted Uses
- 7.4 Development Control
- 7.5 Economic Development
- 7.6 Social and Cultural Policies
- 7.7 Administration of the Official Plan

7.2 GENERAL

The policies of this Plan shall be implemented by the County, the consent approval authority, local municipalities, and local Committees of Adjustment through the powers conferred upon them by the *Planning Act*, R.S.O. 1990, the *Municipal Act*, 2001, the *Development Charges Act*, 1997, the *Building Code Act*, R.S.O. 1992, as amended, and any other applicable statutes of the Province of Ontario;

The decisions of the County Council, the Consent Approval Authority, local municipal Councils, and local Committees of Adjustment in respect to planning matters must be consistent with and in conformity to the relevant policies of this Official Plan;

Pursuant to Section 24(1) of the *Planning Act*, R.S.O. 1990, no public work shall be undertaken and no by-law shall be passed by the County or a local municipality for any purpose that does not conform to the intent and policies of this Official Plan;

County Council and local municipal Councils may acquire, hold, or dispose of land for the purposes of implementing any policies of this Official Plan subject to the provisions of the *Planning Act*, R.S.O. 1990, the *Municipal Act*, 2001, and any other applicable statutes of the Province of Ontario; and

All forms of development agreements regarding subdivisions, consents, condominiums, variances and site plans are required to conform to the policies of this Official Plan.

7.3 PERMITTED USES

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

7.3.1 ACCESSORY USES

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

Garden Suites and Accessory Dwelling Units: It is a policy of this Plan to provide opportunities for accessory dwelling units such as apartments in detached dwelling units or the installation of a temporary detached housekeeping unit (garden suite) on the same lot as the principal single detached dwelling. In substantiating the appropriateness of a proposed accessory dwelling or garden suite, the proponent shall:

1. demonstrate compliance to the Ontario Building Code;
2. demonstrate that there will be no adverse impacts (i.e. drainage, access for fire protection, sun shadow, existing infrastructure capacities, including incremental loading on the well and septic system, etc.);
3. demonstrate compliance with applicable zoning standards for lot size, setbacks and parking.

Garden suites shall be subject to local zoning by-laws and shall be further governed by a Temporary Use By-law under Section 39 of the *Planning Act*.

7.3.2 Existing Land Uses and Non-Conforming Uses

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

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

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

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

Where a non-conforming use is discontinued, the lot may be rezoned in accordance with the policies and intent of this Plan, or to permit a similar use provided that the local Council is satisfied that the use is similar to the discontinued use and provided that the provisions of section 7.3.2 items 1 to 4 are met.

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

Non-conforming uses located in a flood plain area which are damaged or destroyed by flooding may only be reconstructed in accordance with the requirements of the South Nation Conservation or the Ministry of Natural Resources.

7.3.3 Extension or Enlargement under Section 34(10) of the *Planning Act*, R.S.O.1990

Where a property is not zoned in accordance with the existing use, the extension or enlargement of such use may be considered by local Councils through the passing of a Zoning By-law pursuant to Section 34(10) of the *Planning Act* or by the Committee of Adjustment under Section 45 of the *Planning Act* subject to the following guidelines:

1. The extension or enlargement should not aggravate the non-conforming situation for neighbouring uses.
2. The extension or enlargement should be in a reasonable proportion to the existing use and to the land on which it is to be located.
3. Any extension or enlargement involving land should be minor in relation to the total property. Any major change or adjustment shall require an amendment to this Plan.
4. The proposed extension or enlargement shall not create undue noise, vibration, fumes, smoke, dust, odours, traffic generation nor glare from lights.
5. Adequate buffering, setbacks and other measures necessary to reduce or mitigate any impact shall be required and where possible shall be extended to the existing use.
6. Traffic and parking conditions in the vicinity will not be adversely affected by the application and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections.
7. Adequate provisions have been or will be made for off-street parking and loading facilities.
8. Municipal services such as storm drainage, roads, sewer and water are adequate or can be made adequate.
9. Neighbouring land owners will be notified of the proposed extension or enlargement of the non-conforming use before the final decision on the application is made.

The development of existing undersized lots may be permitted in accordance with the relevant provisions of the zoning by-law provided that where the development is on private services the size, configuration and, where applicable, the soil structure of the lot is appropriate for the long term provision of services.

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

7.3.4 MINOR VARIANCE OR PERMISSION

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

7.3.5 LOTS OF RECORD

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

7.3.6 PUBLIC USES

Public utility facilities subject to the requirements of the *Environmental Assessment Act* may be permitted in all land use designations of this Plan and are not subject to the restrictions listed in 7.3.6 items 1 to 4 below.

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

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

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

Public uses are permitted in provincially significant wetlands only in keeping with section 5.5.1 of this Plan. Public uses are not permitted in areas of Endangered or Threatened Species habitat. Where public uses are to be located on lands adjacent to natural heritage or resource designations, such public uses shall not result in a negative impact on the natural features or ecological functions for which the area is identified.

7.4 DEVELOPMENT CONTROL

7.4.1 Plans of Subdivision

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

Technical considerations relate to the following requirements:

1. The application must be complete in accordance with the requirements of Section 51 (17) and applicable regulations under the *Planning Act*, R.S.O.1990;
2. The application must conform to the policies of this Official Plan;
3. Consideration of local zoning and other regulations;
4. Application of local and County development charges or servicing charge backs where applicable.

Environmental documentation which should accompany the submission of application for draft plan approval, relate to the following requirements:

1. Evidence respecting the availability and suitability of water and waste water services including where appropriate the preparation of a hydrogeological study, terrain analysis and an impact assessment report in accordance with the Ministry of Environment guidelines and regulations;
2. Preparation of a servicing options statement;
3. Preparation of a stormwater drainage plan;
4. Preparation of a grading plan
5. Preparation of a sediment and erosion control plan
6. Completion of studies required under the natural resources policies of this Plan as stated in Part 3.

Planning and Design Considerations include the following:

1. Lot and block configuration
2. Compatibility with adjacent uses
3. Road access, street layout and pedestrian amenities
4. Parks and open space amenities
5. Easement and right-of-way requirements
6. Justification of the need for the Subdivision
7. In considering a draft plan of subdivision, regard shall be had to, among other matters, the criteria of Section 51 (24) of the *Planning Act*, R.S.O. 1990
8. Emergency and secondary accesses

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

7.4.2 Consents

It is the policy of this Plan that lot creation in excess of three lots, including the retained lot, from the original lot shall take place by Plan of Subdivision. For the purposes of this policy the original lot is defined as the lot as it existed as of:

May 22, 1996 - in the Town of Hawkesbury, the Township of Russell, the Nation Municipality, the Village of Casselman and Champlain Township;

June 22, 1999 - in the Township of Alfred-Plantagenet and the Township of East Hawkesbury; and the City of Clarence-Rockland

Exceptions to the policy limiting the number of lots which can be created by consent may also be granted by the approval authority to modify lots and blocks within an approved plan of subdivision, or within the limits of an Urban Policy Area or a Community Policy Area where the approval authority is satisfied that there is no need to proceed through the subdivision process.

Exceptions to the policy limiting the number of lots which can be created by consent may also be granted by the approval authority to permit infill lots in existing areas of strip development provided that it will not create negative effects on traffic flow and safety, the agricultural land base, or the rural character of the Counties.

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

Council also recognizes that the Township of East Hawkesbury does not have the opportunity to direct growth to serviced communities as the villages in that municipality do not have municipal water or sewer services. Lot creation by consent may be permitted for up to 4 lots from the original parcel as defined above in order to provide additional flexibility for the provision of East Hawkesbury's housing needs.

The following criteria shall apply when considering consent applications.

1. The size, configuration and, where applicable, the soil structure of a proposed lot shall be appropriate for the long term provision of services and the applicant shall provide sufficient information to the consent authority to this effect. The approval authority may require that this information shall be in the form of a hydro-geological study, prepared by a qualified professional, and must demonstrate that the aquifer can provide a long term sustainable water supply of acceptable quality and quantity, as well as providing evidence through testing, that the soil conditions can accommodate the effluent load from a septic field along with its replacement area. Such a study shall recommend a minimum lot size, which shall be used in evaluating the proposed consent. Regardless of the

- recommendation contained in such a study, municipalities may impose a minimum lot size in the implementing zoning by-law.
2. The consent granting authority will ensure that there is sufficient capacity in existing water and waste water services including capacity to treat hauled sewage from private communal or individual septic systems prior to granting a consent to create a new lot.
 3. All lots created shall have frontage on a year round publicly maintained road with at least one side of the lot which physically abuts the public road.
 4. The proposed lot shall be compatible with adjacent land uses and shall not result in a traffic hazard as a result of limited sight lines on curves or grades.
 5. All consents shall comply with the Minimum Distance Separation formulae developed by the Ontario Ministry of Agriculture, Food and Rural Affairs.
 6. A consent which has the effect of land locking another parcel is not permitted.
 7. A consent which contributes to or extends strip development or which results in scattered development shall generally be refused.
 8. Access to interior land will be protected by ensuring that 20 metre wide openings for future road allowances are provided at strategic locations.
 9. The consent approval authority will ensure that the development of the proposed and retained lots can occur in accordance with the natural heritage policies of this Plan. No development will be permitted on provincially significant wetlands or the significant habitat of endangered or threatened species, in keeping with the relevant policies of this Plan. Development on other natural heritage features and areas addressed in section 3.3 of this Plan, lands adjacent to such features, or lands adjacent to provincially significant wetlands or the significant habitat of endangered or threatened species can occur only where an Environmental Impact Assessment conducted in keeping with section 5.6 of this Plan shows there will be no negative effects on the natural heritage feature or area and its ecological function. The Environmental Impact Assessment is to accompany the application submission.
 10. The consent approval authority will ensure that the development of the proposed and retained lots can occur in accordance with the mineral extraction policies of this Plan where lot creation is proposed on lands adjacent to Mineral Aggregate Resource Policy Areas.
 11. Consents will not be granted in areas which may be affected by development constraints as described in Part VI of this Plan.
 12. The lot being severed and the lot being retained shall conform to the provisions of this Plan and the implementing Zoning By-law.
 13. A maximum of one new lot may be created per consent application.
 14. In considering a consent, regard shall be had to, among other matters, the criteria of Section 51 (24) of the *Planning Act*, R.S.O. 1990 with necessary modifications.

7.4.3 Site Plan Control

7.4.4 General Intent

It is the intent of this plan that an appropriate policy framework be provided which will allow and encourage local Councils to use site plan control to enhance the quality of new development or

redevelopment in conjunction with other applicable controls such as zoning and the Ontario Building Code.

The objective is to provide for the use of site plan control to ensure functional and aesthetically pleasing, safe development and redevelopment throughout the United Counties.

In order to achieve the goal, local Councils may adopt a Site Plan Control By-law which provides for the following:

1. The submission of site plans for review;
2. The application of appropriate engineering and site development standards;
3. Reducing or eliminating land use incompatibility between new and existing development;
4. Ensuring that approved developments are built and maintained as set out in the site plan agreement;
5. Ensuring that the development occurs in accordance with the environmental impact assessment 5.6) study recommendations.

The entire geographical area of the United Counties of Prescott and Russell shall be considered a Site Plan Control Area pursuant to the provisions of Section 41(2) of the *Planning Act*, R.S.O. 1990.

Site Plan Control may be applied to the following land uses:

1. All uses permitted within any commercial, industrial or institutional zone;
2. A residential dwelling consisting of three (3) or more dwelling units;
3. All development subject to the policies of Section 5;
4. All development located in areas subject to Section 6.7 - Potential Retrogressive Landslide Areas;
5. Heritage properties designated under the *Ontario Heritage Act*.

The following uses are exempt from site plan control:

1. One and two-unit dwellings and buildings, structures accessory thereto and additions or alterations thereto which are within zones which permit residential uses unless such dwellings are located in areas subject to Section 5 or Section 6.7.
2. Garden Suites.
3. Mineral extraction operations
4. Buildings and structures required for agricultural operations.

In imposing site plan control, local Councils will seek to regulate the general site design of the property and, when appropriate, the conceptual design of all buildings and structures on the property. Local Site Plan Control By-laws shall stipulate when and what type of drawings are required. Floor plan, elevation and cross-section drawings of each proposed building may be required. In accordance with the provisions of Section 41(7) of the *Planning Act*, R.S.O. 1990, a local municipality may require the owner of land to provide to the satisfaction of and at no expense to the municipality any or all of the following:

1. Widenings of highways that abut the land;
2. Access to and from the land;
3. Off-street vehicular loading and parking facilities;
4. Pedestrian access;
5. Lighting facilities;
6. Landscaping and other facilities for the protection of adjoining lands;
7. Facilities and enclosures for the storage of garbage and other waste material;
8. Required municipal easements;
9. Grading of lands and disposal of storm water
10. Emergency and secondary accesses

Site plan control may be used to require the dedication of land for road widenings as indicated on Schedule D. Land for road widenings will be taken equally from either side and will not exceed a width of 5 metres from either adjacent property. Additional lands for widening to provide corner triangles at all road intersections may also be required.

In the review of site plan applications, local municipalities may circulate to public bodies and/or qualified professional for their comments prior to the approval of any site plan or site plan agreement.

Local Councils shall have regard for the enabling authority of Section 41 of the *Planning Act* with respect to the matters which may be addressed under site plan control, the entering into one or more agreements for the provision of any or all of the facilities, works or matters as provided for by the Act and the maintenance thereof and for the registration of such agreements against title to the land. Local Council will also have regard to the requirements of the United Counties of Prescott and Russell Public Works Department and the Ministry of Transportation with respect to road widenings, safe access and the provision of storm drainage facilities.

7.4.5 Development Criteria

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

1. The provision of safe access onto or from a local or county road or provincial highway.
2. Adequate access to, and provision of, off-street parking.
3. Barrier-free access to public and commercial buildings and the designation of parking spaces for physically challenged persons.
4. Access and manoeuvring of emergency vehicles in providing protection to public and private properties.
5. The availability of municipal services and the cost of upgrading such services including water, sewage treatment facilities, fire and police protection, street lighting, roads and winter maintenance, waste disposal, community facilities and recreation.
6. Adequate grade drainage or storm water management and erosion control.

7. The screening, buffering or fencing of aesthetically displeasing or dangerous land uses or open storage. A buffer may be open space, a berm, a wall, a fence, plantings, a land use different from the conflicting uses but compatible with both, or any combination of the aforementioned sufficient to accomplish the intended purpose.
8. The provision of landscaping, the creation of privacy and/or open space areas around buildings and other uses, and the establishment of setbacks to maintain proper distance separation between new development and natural heritage sites, natural hazards and resource areas and development constraints such as noise and vibration.
9. Adequate exterior lighting for access and parking areas for public or private use such as in commercial, industrial, institutional and multiple residential development.
10. The control of signs and advertising such that they are in scale with the intended use and with surrounding uses.
11. Protection of the environment by avoiding air, soil or water pollution.
12. The adequacy of school board facilities to accommodate new development or redevelopment and the provision or availability of school bussing.
13. Protection or enhancement of natural resource values.
14. Conserving cultural heritage resources.
15. The physical suitability of the land for the proposed use.

7.4.6 Safety and Security Criteria

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

1. sufficient lighting in spaces intended for public use after dark to support the kind of activities envisioned for that space;
2. signs and an overall pattern of development that supports users' sense of orientation and direction;
3. preservation of clear lines of sight for persons passing through the space;
4. attention to the proposed mix of uses and their proximity to each other to ensure they are complementary;
5. the routing and design of bicycle and pedestrian routes so that they are accessible to populated areas.

7.4.7 Cash-in-lieu

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

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

7.4.8 Holding Provisions

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

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

1. To assist in the phasing of development and/or redevelopment;
2. To co-ordinate development and/or redevelopment with the provision of water, sanitary sewer, storm sewer and other services;
3. To control development and/or redevelopment which may necessitate special design considerations;
4. To forestall development and/or redevelopment until such time that stated planning related criteria can be satisfied.

To aid in the selection of sites or areas that may be subject to holding provisions, the following locational criteria are identified:

1. lands in a built-up area which are undeveloped;
2. lands which are unserved;
3. lands which do not have adequate access or frontage onto a public roadway;
4. lands which are adjacent to hazardous, noxious, temporary or otherwise undesirable uses or activities; and
5. lands which are near or fronting onto public roads which are subject to hazardous conditions or are inadequate to handle current traffic volumes.

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

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

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

7.4.9 Temporary Use By-laws

A Temporary Use By-law is a By-law passed by a local municipal Council for the purpose of allowing a use that is otherwise prohibited by that municipality's Zoning By-law. A Temporary Use By-law must define the land or lands to which it applies and it shall prescribe the period of time during which it is in effect, which period of time shall not exceed three years from the day of

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

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

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

7.4.10 Interim Control By-laws

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

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

7.4.11 Community Improvement

The intent of the Community Improvement policies is to achieve and maintain a standard of municipal services for the Urban Policy Area and the Community Policy Area and Trade and Industry Policy Area designations which provides for the safety and convenience of residents and visitors and is within the financial capacity of local municipalities. The policy objectives are as follows:

1. To upgrade and maintain all essential municipal services and community facilities.
2. To ensure that community improvement projects are carried out within the built up areas of the United Counties.
3. To ensure the maintenance of the existing building stock.
4. To preserve heritage buildings.

5. To encourage private sector investment and the strengthening of the economic base.
6. To enhance the visual appearance of Community Improvement Areas.

A part or the whole of a built-up area within the Urban Policy Area or the Community Policy Area and the Trade and Industry Area designations may be designated as a Community Improvement Project Area in a local Official Plan or by amendment to this Plan, based on the following criteria:

1. That there is evidence of a need to improve municipal services such as roads, sidewalks, street lighting, parking, sanitary and storm sewers, water supply, parks and recreation, community facilities, the waterfront areas or street scraping. Improvements may apply to some or all of the above services.
2. That the phasing of improvements corresponds to the timing of improvements by the county and/or senior governments and is within the financial capability of the local municipality.
3. That a significant number of buildings in an area show signs of deterioration and need of repair.
4. That improvement to the visual appearance or aesthetics be required.
5. That improvements will have a significant impact on strengthening the economic base of the community.

7.4.12 Maintenance and Occupancy Standards

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

Local Councils may further support 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. Maintaining municipally owned buildings, properties and community facilities and providing or maintaining municipal services in good repair.
3. Using or encouraging the use of associated legislation such as the Ontario Fire Code for the retrofit of buildings and Part 11 of the Ontario Building Code also respecting the retrofit of buildings.
4. By adopting a Property Maintenance and Occupancy Standards By-law under the provisions of Section 15.1 of the *Building Code Act*, R.S.O. 1992, as amended.
5. Appointing a Property Standards Officer to enforce the By-law and by the appointment of a Property Standards Committee under the provisions of Section 15.6 of the *Building Code Act*, R.S.O. 1992, as amended.

Complementary to the enforcement of standards on private properties, County Council and all local municipal Councils in the United Counties are encouraged to undertake to keep all municipally owned properties in a fit and well maintained condition and to provide or maintain in good repair municipal services such as roads and sidewalks.

7.4.13 Building Permits

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

7.4.14 Zoning By-law

It is a policy of this Plan that all municipal Zoning By-laws shall conform to the policies of this Official Plan. Following adoption of this Plan and its subsequent approval by the Ministry of Municipal Affairs and Housing, local municipal Zoning By-laws shall be brought into conformity with the policies of this Plan. This may be accomplished through the Zoning By-law Amendment process or through a comprehensive update of a municipality's existing Zoning By-law.

7.5 ECONOMIC DEVELOPMENT

7.5.1 Introduction

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

7.5.2 Goal Statement for Economic Development

To sustain the strengths of the existing economic base and to broaden the United Counties employment base in order to encourage economic development activities which will further strengthen and diversify the economic base of our communities.

7.5.3 Objectives for Economic Development

The economic objectives are:

1. To sustain and to build on the existing strength of the commercial, industrial, agricultural and tourism sectors of the regional economy.
2. To undertake initiatives to stimulate new employment generation.
3. To work cooperatively with senior governments, local municipalities and community groups in promoting and undertaking economic development activities.

7.5.4 General Economic Development and Promotion Policies

In addition to specific land use policies elsewhere in this Plan, Council will undertake several measures to sustain, strengthen and diversify the economic base including:

1. Implement as quickly as possible subject to financial capabilities the infrastructure policies included in Part 3 in order to facilitate the planning of water, waste water and waste management services in order to ensure an adequate supply of potable water and sewage treatment capacity for both residential and non-residential uses.

2. Providing a policy framework which facilitates the planning and delivery of municipal services necessary for the development or redevelopment of lands for commercial, industrial and other employment generating activities.
3. Expediting planning and other approvals necessary at the Counties' level to permit the development of lands or construction of new buildings associated with economic development.
4. Supporting community improvement programs.
5. Undertaking regional based projects designed to support sectoral development.
6. Encouraging and facilitating employment in the construction industry through expediting the approvals of plans of subdivision, encouraging the rehabilitation of heritage buildings, encouraging the retrofit of the existing building stock and by encouraging the recycling of funds in the Financial Help for Home Repairs program provided by the Canadian Mortgage and Housing Corporation or any subsequent, similar program.
7. Introducing a program of community promotion through better signage on Counties' roads.
8. Allocating funds for the development of promotional literature and multi-media promotional materials.
9. Initiating a Business Needs Study.
10. Encouraging an "Open for Business" philosophy towards economic opportunities in the design of municipal by-laws regulating and licensing businesses.
11. Encouraging the development of home based businesses.
12. Implementing the Five County Trails Map on a phased basis.
13. Promoting the development of existing business parks.
14. Taking advantage of the *Community Economic Development Act* as a means to stimulating and facilitating community based economic development.
15. Encouraging local municipalities to promote job creation and increase municipal accountability by providing for the recovery of development costs related to new growth by enacting development charge by-laws under the *Development Charges Act, 1997*.
16. Encouraging and supporting efforts to attract regional scale processing plants, including a federally approved livestock processing plant, by agreeing to receive and review any necessary amendments to the Official Plan at the County or local level.

7.5.5 Home Based Business

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

1. clearly accessory, secondary, incidental and subordinate to the permitted residential use;
2. compatible with surrounding residential and/or non-residential uses;
3. regulated by local Councils through provisions contained within zoning by-laws.

Home based businesses of an industrial nature, such as a carpentry shop, tinsmith shop, welding shop etc., may be permitted as an accessory use to a principal residential. Local Councils may however restrict these types of home based businesses to specific non-residential zones.

7.5.6 Brownfield Redevelopment

Brownfield sites are undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. The United Counties and/or local municipalities shall identify and promote opportunities for intensification and redevelopment of brownfield industrial sites. Private sector investment in the re-use and/or redevelopment of underutilized and/or abandoned brownfield industrial lands will be encouraged.

7.6 SOCIAL AND CULTURAL POLICIES

7.6.1 Affordable Housing

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

1. Monitoring the need for social assisted housing for households and seniors through periodic surveys in co-operation with area municipalities. Where specific needs are identified, Council will work with the Ministry of Municipal Affairs and Housing and the Social Services Department of the United Counties of Prescott and Russell to meet identified needs.
2. Encouraging infill and housing intensification particularly in urban core areas. This may be achieved through the conversion of single detached dwellings to multiple units, through re-development at higher densities, through land severances on large under-utilized lots which create opportunities for development on the severed lot (subject to the relevant policies elsewhere in this plan) and through infill on vacant lands. Section 7.4.4 will apply when considering housing intensification and infill.
3. Ensuring a minimum 10-year supply of residential land at all times.
4. Working with the development industry to ensure that a 3-year minimum supply of registered or draft approved lots and blocks for new residential development is available at all times.
5. Monitoring population projections and the residential development targets discussed in Part 2 of this Plan.
6. Making provision for alternative housing types such as garden suites and accessory dwelling units as stated in Section 7.3.1 above.
7. Within the Urban Policy Area, encouraging cost-effective development standards and densities for new residential development to reduce the cost of housing.

7.6.2 Group Homes

A group home is defined as a single housekeeping unit in a residential dwelling, which is registered with the local municipality, in which 3 to 10 residents (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under provincial statute and is in compliance with municipal by-laws.

A group home shall be permitted in all land use designations which permit residential uses.

A group home shall be permitted in a single detached dwelling or a semi-detached or duplex dwelling provided that both units are occupied by one group home operation and that the total number of residents does not exceed ten (10).

An accessory dwelling unit or a garden suite shall not be permitted on the same lot as a licensed group home.

7.6.3 Heritage Conservation

Council shall maintain a cultural heritage resource database and/or heritage management plans for land use planning, resulting in inventories of significant heritage buildings, heritage districts, cultural heritage landscapes, archaeological sites, and archaeological potential areas located within the County. The heritage resources policies of this plan shall apply when:

- conserving heritage buildings, cultural heritage landscapes and archaeological resources that are under municipal ownership and/or stewardship;
- conserving and mitigating impacts to all significant cultural heritage resources, when undertaking public works;
- respecting the heritage resources identified, recognized or designated by federal and provincial agencies;
- respecting the heritage designations and other heritage conservation efforts by local municipalities

Council may permit development and site alteration on adjacent lands located to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. A heritage impact assessment may be required if there are any adverse impacts to any significant cultural heritage resources resulting from development proposals. Mitigative measures and/or alternative development approaches may be required for the conservation of heritage attributes of a protected heritage property. Council shall ensure that lower tier municipal official plans have policies consistent with the heritage policies developed in this County official plan. The *Ontario Heritage Act* may be utilized to conserve, protect and enhance any significant cultural heritage resources located within the County.

7.6.4 Municipal Heritage Committee

Council shall obtain updated archaeological site mapping from the Ministry of Culture under the provisions of a municipal-provincial data sharing agreement, and update this database as new archaeological sites are identified from land development and on the Provincial archaeological sites database. Council may undertake the preparation of an Archaeological or Cultural Heritage Master Plan with the assistance of the Ministry of Culture.

Areas of archaeological potential are determined through the use of provincial screening criteria, or criteria developed based on the known archaeological record within the County. Such criteria include features such as proximity to water such as current or ancient shorelines, rolling topography, unusual landforms, and any locally known significant heritage areas such as portage routes or other places of past human settlement.

Council may consider archaeological preservation on site, to ensure that the integrity of the resource is maintained. The heritage integrity of archaeological resources can be preserved by adopting Archaeological Zoning by-laws under section 34 of the *Planning Act*, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

Council shall consult appropriate government agencies, including the Ministry of Culture and the Ministry of Consumer and Business Services (MCBS), when an identified human cemetery, marked or unmarked human burial is affected by land use development. The provisions under the *Heritage Act* and the *Cemeteries Act* shall apply.

7.7 ADMINISTRATION OF THE OFFICIAL PLAN

7.7.1 Amendments to this Official Plan

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

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

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

1. whether there is a need to add the site or sites to the lands already designated for the proposed use;
2. the physical suitability of the land for the proposed use.

7.7.2 Consultation

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

7.7.3 Review and Monitoring of the Official Plan

Council shall at regular intervals of not more than five years, determine whether there is a need to revise this Plan, or parts thereof, to ensure that:

1. the Plan's goals and objectives remain valid and realistic in light of prevailing circumstances;
2. the Plan's policies are adequate for the achievement of its goals and objectives.

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

7.7.4 Land Use Designation Boundaries

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

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

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

7.7.5 References to Statutes

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

7.7.6 References to Ministries and Review Agencies

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

7.7.7 Interpretation of figures, quantities and uses

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

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

SCHEDULES