

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

CONSOLIDATED COPY

**MARCH 2012 OFFICE CONSOLIDATION
ADOPTED BY COUNCIL ON APRIL 25, 2005
APPROVED BY THE MINISTRY OF MUNICIPAL
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TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS
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SECTION 1

TITLE, COMPONENTS AND ADMINISTRATION

- 1.1 When approved by the Minister of Municipal Affairs, this Plan will be known as the:
**OFFICIAL PLAN OF THE
TOWNSHIP OF LEEDS AND THE THOUSAND ISLANDS**
- 1.2 This Plan applies to all land within the Township of Leeds and the Thousand Islands.
- 1.3 The following text and attached Schedules ‘A’ and ‘B’ constitute the Official Plan. Appendices ‘A’ and ‘B’ contain additional information with respect to natural heritage issues which explain the long term approach for the establishment of additional policies. The Issues Identification Report, dated November 7, 2002, contains supplementary information which contributed to the policies contained within this Official Plan, but does not form a part of it.
- 1.3.1 Schedule ‘A’ contains the primary land use designation which provides the fundamental policy direction for future land use
- 1.3.2 Schedule ‘B’ contains secondary land use designations which can generally be considered as “overlay” designations. Showing this information on separate Schedules assists in clarifying the locations of the designations.
- 1.4 Council will be responsible for administering this Official Plan. The principal duties of Council will be the review of development applications such as Zoning By-law amendments, consents and subdivisions for conformity to the Official Plan, the consideration and evaluation of amendments to the Plan and, when appropriate, the review of the Official Plan to ensure it remains relevant.
- 1.5 When providing input to other approval authorities, such as the County Land Division Committee and Township Committee of Adjustment, Council will ensure that comments are based upon the Official Plan’s policies.
- 1.6 Upon approval of the Official Plan, no public work will be undertaken and no By-law will be passed for any purpose that does not conform to the Official Plan.
- 1.7 Council will ensure that the Official Plan and all amendments are available to the public so that the public can be kept informed of the municipality’s land use policies; the documents are available at both municipal offices and the township website at www.townshipleeds.on.ca.
- 1.8 This Official Plan is intended to guide the future development of the Township to the year 2023. The Plan has been prepared on the basis of existing conditions and information available at the time of the Plan’s preparation. An Official Plan should be viewed as a work in progress and it is intended that as conditions change, as new information becomes available, and as our understanding of issues and priorities changes, there will be a need to

review various policies from time to time. It is the intent of Council that a special public meeting be held not less frequently than once every five years, pursuant to the **Planning Act**, to determine the need for review of the Plan.

SECTION 2

BASIS OF THE OFFICIAL PLAN

Before preparing this Official Plan, Council received early input from interested residents, agencies and organizations. An Issues Identification Report was completed to stimulate discussion on a variety of planning issues. Council members reviewed and discussed the Report and the related public submissions and provided direction on the planning approaches which should be reflected in the Official Plan. The following fundamental elements form the basis of the Official Plan.

- 2.1 The natural beauty of the Township's physical features is a key element which contributes to the current quality of life. This quality will continue to play a major role in the area's economic development. Recognition in 2002 by UNESCO as a major part of the *Thousand Islands – Frontenac Arch Biosphere Reserve* is an acknowledgement of the area's global importance in demonstrating a balanced relationship between people and nature.
- 2.2 Ground and surface water resources are essential to the community's physical and economic health. Virtually every citizen relies on groundwater sources for potable water supplies. Surface waters of the St. Lawrence River, Charleston Lake and other inland water bodies are important biological, recreational, scenic and economic resources. All of them require protection and wise use.
- 2.3 Land resources (agriculture, mineral and forestry) provide economic opportunities for residents and require careful management to help ensure sustainability and minimize negative impacts.
- 2.4 Population growth from 1976 to 2001 averaged slightly less than 1% per year and actually decreased in the 1996-2001 period. Family sizes are declining. The population is aging. The numbers of households and occupied dwellings is gradually increasing, partly as a result of the conversion of cottages to year-round dwellings. The proportion of year-round dwellings is increasing. In the period 1992 to 2002, approximately 43 new dwellings were constructed each year (about 84% for year-round occupancy). Approximately 32 new lots were created each year. Estimated Village populations are: Lansdowne: 750; Seeley's Bay: 400; Lyndhurst: 250; Rockport: 80.

For the purpose of this Official Plan, slow (about 1% per year) growth is expected to continue but, as the result of the baby boom population seeking attractive retirement locations, continued development pressure will require increasingly diligent review and assessment of applications to ensure that new development blends in and results in minimal impacts.

- 2.5 Many of the important natural heritage features have been identified and will be addressed through designation and/or policy. Other features still require delineation and will require other approaches to protection.

- 2.6 The township recognizes the fundamental importance of the business community, particularly in relation to its contributions to the tax base and providing local employment, but also to the tourism and recreational sectors of the economy. The township seeks to support the creation and economic health of local enterprises, as well as to ensure that unacceptable environmental impacts and land use conflicts are not generated through their activities. This is particularly important in settlement areas, and adjacent to the St. Lawrence River where a wide land use mix is found within relatively small areas. Future considerations may include the establishment of an industrial/business park and initiatives to support environmental and agricultural business opportunities.
- 2.7 The Township of Leeds and the Thousand Islands is a preferred tourist destination. Strengthening the viability of the existing business base is key to achieving tourism development.
- 2.8 The intent of the Official Plan for the Township is to provide as much clarity as possible in guiding applications through the development approvals process.
- 2.9 A balance between regulation and education is essential to the successful implementation of this Official Plan. The voluntary sector of the community needs to participate in this process, if implementation is to be successful.
- 2.10 Section 3 of the **Planning Act** provides the basis for the Provincial Policy Statement (PPS) which sets out land use matters that are of provincial interest. The Provincial Policy Statement promotes a policy led system intended to:
1. Manage change and promote efficient, cost effective development and land use patterns which stimulate economic growth and protect the environment and public health;
 2. Protect resources for their economic use and/or environmental benefits; and
 3. Reduce the potential for public cost or risk to Ontario's residents by directing development away from areas where there is a risk to public health or safety, or of property damage.

The Provincial Policy Statement is the basis for provincial interests reflected in the policies of this Plan as well as the procedures for the review of planning applications set out in the **Planning Act** and various Ontario Regulations enacted under the authority of the Act.

SECTION 3

PURPOSE, GOAL AND OBJECTIVES

3.1 Purpose of the Official Plan

3.1.1 Description

The Official Plan states the policies of Council which will guide and direct future growth and development within the municipality. It provides a basis for decisions by both public bodies and private interests and will serve to coordinate activities and development for the benefit of the whole municipality.

3.1.2 Scope

This Official Plan is the first one to be completed by the amalgamated Township and replaces the Official Plans of the former:

The Township of Front of Escott;
The Township of Front of Leeds and Lansdowne; and
The Township of Rear of Leeds and Lansdowne.

3.1.3 Vision statement

The Township of Leeds and the Thousand Islands embraces its historic and diverse past and celebrates a mandate to preserve its vital resources for future generations. The township strives to build for today and for the future, while revitalizing the foundations of the past. All people of the township value and welcome the development of equitable and environmentally responsible initiatives to foster a financially sound, united municipality. Leeds and the Thousand Islands is a premier community in which to live, to work, and to play for present and future residents. A community that invites all to visit, to enjoy and to share in protecting its scenic wonder.

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

3.2 Goal

The Township of Leeds and the Thousand Islands recognizes the fundamental importance of and inextricable link between environmental protection and economic development. The overall goal of this Official Plan is to satisfy the community's economic needs without degrading the environment, thereby achieving sustainable development.

3.3 Objectives

The objectives of this Official Plan are as follows:

- 3.3.1 Development in the municipality should be sustainable so that the quality of the natural and man-made environment is maintained or improved for future generations.
- 3.3.2 The natural beauty of the area will be preserved.
- 3.3.3 Natural heritage features and areas will be identified, preserved and enhanced.
- 3.3.4 Good agricultural land will be protected for continued agricultural use.
- 3.3.5 Other resource lands will be protected and utilized in a controlled and orderly manner.
- 3.3.6 The community's water resources will be protected.
- 3.3.7 Development in flood prone areas should be avoided but, where required, will be designed to protect people and property.
- 3.3.8 Provision will be made in all planning jurisdictions for a full range of housing types and densities to meet the projected demographic and market requirements of current and future residents.
- 3.3.9 Land requirements and land use patterns will be based on the provision of sufficient land for industrial, commercial, residential, recreational, open space, and institutional uses to promote employment opportunities.
- 3.3.10 The policies of this Official Plan are intended to ensure compatibility between land uses.
- 3.3.11 Historical and cultural attributes of the municipality will be preserved and enhanced.
- 3.3.12 Infrastructure, community services and public facilities should be provided effectively, compatibly and affordably.
- 3.3.13 To strengthen the role of settlement areas as local commercial, residential, social, and cultural centres for the township, as well as to enhance their function in providing services and facilities that cater to tourists.
- 3.3.14 To encourage steady, diversified and balanced economic growth to build a more favourable assessment base and to ensure a reasonable range of employment opportunities in order that young people will choose to stay in, or return to, the township.
- 3.3.15 To ensure that land use designations and related policies foster economic growth and diversification, including opportunities for home-based and tourism-based businesses.
- 3.3.16 To support both existing local businesses and agricultural operations in recognition of the vital and historic role these sectors have played in the township's development.

SECTION 4

GENERAL DEVELOPMENT POLICIES

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

4.1 Community Improvement

4.1.1 Goal

The goal of the community improvement policies is to make the Township a safe, convenient and attractive community for residents and visitors and to carry out improvements in accordance with the financial capabilities of the municipality.

4.1.2 Objectives

The following specific objectives are identified as means for achieving this goal:

- (a) Maintain and improve the community's roads, sidewalks and other infrastructure;
- (b) Ensure the maintenance of existing buildings and encourage renovations and repairs where required;
- (c) Ensure that adequate quality and appropriate types of housing are available;
- (d) Provide adequate social, recreational and community facilities;
- (e) Maintain public buildings and land at a high standard as an example to encourage community pride;
- (f) Undertake the process of streetscape improvements;
- (g) Encourage private investment in the community;
- (h) Encourage Cultural Heritage and Archaeological Conservation

4.1.3 Criteria for Community Improvement Area Selection

The various deficiencies identified in the background report have been used as the basis for selecting the criteria for the establishment of the Community Improvement Policy Area. These criteria are as follows:

- (a) Buildings in need of repairs;
- (b) Municipal services such as roads, sidewalks, drainage facilities, and street lighting in need of improvements, especially where traffic/pedestrian safety is concerned;

- (c) Lack of well organized and convenient parking facilities;
- (d) Parks, recreation, social and cultural facilities in need of repairs, improvements and additions;
- (e) General appearance of community requiring upgrading.

4.1.4 Community Improvement Area

Based on the criteria outlined above, the Villages of Lansdowne, Lyndhurst, Ivy Lea, Rockport and Seeley's Bay are designated as Community Improvement Policy Areas.

4.1.5 Implementation

It is Council's intention to implement these policies by:

- (a) Applying to senior levels of government for funding to assist in implementing community improvement projects;
- (b) Completing and adopting a Property Maintenance and Occupancy Standards By-law;
- (c) Negotiating with the County regarding improvements to County roads which perform important local functions;
- (d) Supporting heritage conservation through available programs;
- (e) Passing appropriate By-laws, such as a Sign By-law;
- (f) Considering the preparation of a recreation master plan;
- (g) Encouraging the involvement of community groups in specific projects;
- (h) Cooperating with private sector interest in making improvements to the Township;
- (i) Ensuring that Township properties are maintained at an appropriate standard;
- (j) Defining specific projects based on deficiencies as identified from time to time;
- (k) Designating community improvement project areas by By-law based on the selection criteria;
- (l) Preparing more detailed community improvements plans, where required.

4.2 Contaminated Sites and Records of Site Condition

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

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

- 4.2.1 An application for development or redevelopment requiring a building permit, rezoning, consent, subdivision or amendment to this Plan for lands that are known or suspected of being contaminated will require an environmental site assessment which must be prepared by a qualified engineer. If necessary, a site remediation plan prepared in accordance with the Provincial “Guidelines for Use at Contaminated Sites in Ontario” will be required.
- 4.2.2 Where remediation work is required, it will be a condition of approval of the development or redevelopment that appropriate measures are taken to implement the components of the site remediation plan. A Record of Site Condition is also required.
- 4.2.3 Site Plan Control may be used as a measure to enhance site decommissioning and remediation. Council may consider other initiatives to help encourage site clean up where appropriate.
- 4.2.4 Sites known to be contaminated may be placed in a holding category in the Zoning By-law to ensure that they are properly decommissioned prior to development. The holding symbol may be removed when the site is decommissioned according to the site remediation plan. A Record of Site Condition acknowledged by the Ministry of the Environment is also required.

4.3 Crown Lands

The beds of navigable waters, including lakes, rivers and streams, are Crown lands (unless otherwise identified) which are under the jurisdiction of the Public Lands Act, 1990 and the responsibility of the Ministry of Natural Resources (MNR), whereby various permitting and approvals from the MNR may be required prior development or site alteration.

4.4 Cultural Heritage and Archaeological Resources

In recognition of the history and culture of the people of the Township of Leeds and the Thousand Islands, Council will provide for and encourage identification, recognition, protection, maintenance, and restoration/enhancement of buildings of historical, architectural or contextual value, archaeological resources, and cultural landscapes of historic interest, monuments and cemeteries.

Council may maintain the integrity of archaeological resources by adopting 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 ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Culture (MCL) and the Ministry of Consumer and Business Services (MCBS), when an identified marked or unmarked cemetery is affected by land-use development. The provisions under both the **Cemeteries Act** and the **Heritage Act** shall apply where appropriate.

Council will regularly update municipal mapping under the provisions of a municipal-provincial data sharing agreement as new archaeological sites are identified from land development and on the Provincial archaeological sites database.

- 4.4.1 Council will maintain Municipal Heritage Committees, under Section 28 of the **Ontario Heritage Act**, to advise and assist Council on all heritage matters.
- 4.4.2 Council will recognize the Township's heritage resources by designating individual buildings, structures, sites and landscapes as heritage properties under Part IV of the **Ontario Heritage Act**.
- 4.4.3 Where considered appropriate, Council may recognize groups of buildings and areas of the Township, by designating them as Heritage Conservation Districts under Part V of the **Ontario Heritage Act**.
- 4.4.4 The Township (through Municipal Heritage Committees) will compile and maintain comprehensive inventories of all structures, sites, and landscapes of cultural, historical, architectural, or archaeological significance. It may also establish a Cultural Heritage Resources Policy to provide an efficient and comprehensive approach to preservation and enhancement of the sites defined in the inventories, as well as such other sites as are brought to their attention from time to time. Preservation and enhancement may be accomplished through public acquisition, land assembly, easements, resale, joint ventures or other forms of involvement that will result in the sensitive conservation, restoration or rehabilitation of those resources. They will consider providing tax incentives to private owners to restore and maintain such land and structures, investigating the sources of public and private funds for such purposes and allowing private owners all possible compliance alternatives under Section 11 of the Building Code in restoring structures.
- 4.4.5 Prior to the undertaking of public works, or the enactment of Zoning By-laws, and prior to approval of any proposals for development, redevelopment, mineral extraction, subdivision, or changes in land use, consideration will be given to the conservation of, or effect on, all sites of cultural, historical, architectural, or archaeological importance (as defined in the inventories), including buildings, bridges, cemeteries, historical sites, pre-historical sites, and cultural landscapes.
- 4.4.6 The municipality recognizes that there may be archaeological potential within the municipality, especially in waterway corridors. The municipality or other approval authority will require archaeological assessments conducted by archaeologists licensed under the **Ontario Heritage Act**, as a condition of any development proposal affecting areas

containing a known archaeological site or considered to have archaeological potential. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with the guidelines set out by the Ministry of Culture, as well as licensing requirements developed under the **Ontario Heritage Act**.

4.4.7 The municipality will require that any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the Ontario Heritage Act.

4.4.8 Development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site.

Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

4.4.9 Properties have archaeological potential if they contain or are located within at least one of the following:

- (a) 250 metres of a known archaeological site.
- (b) 300 metres of a primary water source such as a lakeshore, river, large creek etc.
- (c) 300 metres of a ancient water source indicated by a beach ridge, river bed etc.
- (d) 200 metres of a secondary water source such as a wetland, marsh, small creek, spring stream etc.
- (e) elevated topography (knolls, drumlins, eskers, plateaus, etc.)
- (f) pockets of sandy soil in a clay or rocky area.
- (g) unusual land formations (mounds, caverns, waterfalls, etc.)
- (h) an extractive area (for food or scarce resources).
- (i) non-aboriginal settlement features (monuments, cemeteries, etc.)
- (j) historic transportation features (road, rail, portage, etc.)
- (k) designated property (refer Municipal Heritage Committee or Clerk's Office).
- (l) local knowledge associating property with historic events, activities or occupations.

4.5 Division of Land

4.5.1 Subdivisions and Consents

- (a) The policies of this Official Plan apply to the creation of new lots either by plan of subdivision or by consent. In considering any application for the creation of new lots, the Township will first determine whether the land should be divided through a plan of subdivision. A plan of subdivision is more appropriate if new public roads are being created, if the size, shape, location and physical features of the subject land or the number of lots the site is capable of accommodating would be better suited to the more thorough review of the subdivision approval process.

- (b) New lots will be approved only when it has been established that soil and drainage conditions are suitable to permit the proper siting of buildings, to obtain a sufficient and potable water supply, and to permit the installation of an adequate means of sewage disposal. The Township may request that a hydrogeological and terrain analysis study be carried out to determine the cumulative environmental impact of the development within the surrounding area. Additional policies are included in Section 4.21. All lots which are to be developed on private individual services will have sufficient area and frontage to protect groundwater quality for the long-term. Further, the creation of new lots is only permitted if there is sufficient treatment capacity for hauled sewage, other than the land application of untreated hauled sewage.

The implementing Zoning By-law will establish the following standards, subject to the other relevant policies of this Official Plan:

- (i) waterfront lots will have a minimum area of 1 ha (2.5 acres) and a minimum frontage of 60 m (196.9 feet);
- (ii) other lots will have a minimum area of .6 ha (1.5 acres) and a minimum frontage of 45 m (147.6 feet).
- (c) The size and shape of any new lot will be appropriate for the use proposed, and in no case will any parcel be created which does not conform to the policies of this Official Plan.
- (d) Good agricultural land will be preserved for agricultural purposes. New lots for non-farm purposes will not be permitted on lands designated Agriculture. Additional consent policies relating to good agricultural lands are contained in Section 5.2 of this Plan.
- (e) New residential lots will not be located in close proximity to Mineral Resource areas. The policies of Section 5.4 will apply.
- (f) New lots will meet the minimum distance separation policies of this Official Plan.
- (g) New lots will not be approved for land which is subject to flooding or erosion or other physical hazard unless the proposed severed lot and remnant parcel contain sufficient non-hazardous land to permit the safe location of any required buildings and structures. Regard will also be given to the Natural Heritage System and unique biological features such as existing pitch pine areas, in order to minimize disruption to them. Comments on such physical constraints may be obtained from the Conservation Authority.
- (h) Road widening may be required as a condition of approval.

4.5.2 Subdivisions

When land is being developed by plan of subdivision, the specific provisions of the **Planning Act** relating thereto will apply as well as the relevant general and specific policies of this Official Plan. The minimum lot size in a plan of subdivision shall be determined by the completion of a servicing options report.

4.5.3 Consents

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

- (a) Prior to approving any application for consent which would result in the creation of new lot, Council will consider the long term development potential of the overall land holding in order to ensure that additional future development potential of the land is not compromised. If the property has potential as a future subdivision site:
 - (i) the safest, most convenient access point(s) to the public road system should be retained for possible future use for internal subdivision roads;
 - (ii) the size of a lot created by consent should be appropriate for the proposed use in order to avoid the inefficient use of land;
 - (iii) the lot created by consent should be located in such a way that the future design of a plan of subdivision can be accommodated.
- (b) Strip development along County Roads (i.e. further expanding development away from the legal or historic limits of an urban area) will be avoided.
- (c) Direct access onto the 1000 Islands Parkway will be restricted in accordance with the regulations of the St. Lawrence Parks Commission. In addition, where a proposed consent abuts the 1000 Islands Parkway, the St. Lawrence Parks Commission will be consulted.
- (d) Consents for new lots will not be granted where access may create a traffic hazard because of limited sight lines on curves or grades. A site inspection will be made by a responsible official of the relevant road authority and a written report prepared.
- (e) Consents for new lots should only be given if the lot has frontage on, and direct access to, an existing public road which is maintained year round by a public road authority and is of a reasonable standard of construction. Where an application for consent would involve the opening up of existing unmaintained road allowances, Council will consider any such requests in the context of the overall plans for road maintenance and improvements. Any such roads will have to be constructed to a standard acceptable to the municipality and will require an agreement between the Township and the applicant or owner. Generally, where an application involves the opening up of new roads, it will only be considered if it involves a minor addition to

the municipal road system. Exceptions may be considered for waterfront development in accordance with Section 5.8.1(f), and for mineral extraction purposes and conservation uses.

- (f) A consent will generally not be granted where it would result in the land locking of any parcel of land (leaving a lot without frontage on an open, maintained public road).
- (g) On islands and portions of the mainland only accessible by water, a consent will only be granted where direct shoreline frontage and adequate mainland parking and boat-launching facilities are available.
- (h) An adequate quantity of potable water should be available for each new lot. Applicants should provide sufficient technical information to demonstrate this to the satisfaction of the applicable review agency.
- (i) The consent process is intended to be used for lot line adjustments, easements and similar administrative purposes or for the creation of very few new lots. Where more than a total of three lots are proposed from a holding as it existed on the date of approval of the Official Plans of the former municipalities, development will generally occur by plan of subdivision.
- (j) Consents will be considered for administrative purposes, such as lot line adjustments, utility easements and conservation easements, having regard to the other relevant policies of this Official Plan.

4.5.4 As a condition of subdivision or consent, the municipality is entitled to a dedication of land for park purposes.

- (a) Cash in lieu of park land may be requested by the municipality for any division of land situated in an area where there is a public park which is capable of providing adequate facilities for both the existing population and the increased population expected. Cash in lieu may also be requested where the amount of land involved is small, such as when individual lots are created by consent, and, therefore, unsuited to park development.
- (b) For subdivisions which abut or include shoreline on any natural waterbody, Council will generally require dedication of waterfront lands for park purposes.
- (c) Where lands are to be dedicated for park purposes, the Municipality will accept only those lands suitable for development as public open space and will not accept any land which, by its physical character or location, is not immediately suited to park use or would require extensive development or rehabilitation in order to make it suitable for park use.

4.6 Economic Policy

4.6.1 General

Council intends to increase its efforts to promote the township's non-residential development potential; the aim of such efforts is to strengthen the municipality's financial position, provide enhanced employment opportunities for residents and increased local access to a wider range of goods and services.

4.6.2 A Recreational Hub

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

1. Encourage and work with government bodies, boards, commissions, committees, business organizations, private investors and non-profit groups and associations with an interest in tourism in Leeds and the Thousand Islands, to expand and market the township as a vacation and recreation destination. numerous organizations such as Parks Canada, Cataraqui Region Conservation Authority, St. Lawrence Parks Commission, the Biosphere Network, various provincial ministries as well as business, ratepayer, lake, sporting, conservation and other associations, play a direct or indirect role in supporting tourism and recreational objectives and are the Township's partners in this common interest.
2. Build upon the key recreational and tourism foundations – the St. Lawrence River and extensive lake system, the 1000 Islands Parkway and other trail systems and various conservation and public park facilities. Additionally, support policies and initiatives to foster growth in the provision of tourist accommodation, restaurant facilities and service and retail facilities oriented to seasonal residents and the vacationing or travelling public.
3. Support and encourage the development of linkages between recreational trails, villages and hamlets, tourist attractions, points of interest and areas of scenic or environmental interest, both within and outside the township.
4. Undertake and support tourism, recreational, heritage, community improvement and economic development studies and programs and actively promote the Township's opportunities as a multi-season recreational and vacation centre.
5. Encourage tourism initiatives such as seasonal festivals and sporting and cultural events.
6. Where feasible, enter into public-private partnerships to develop tourism-oriented projects.

4.7 Existing Land Uses

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

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

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

4.7.1 Changes to Non-Conforming Uses and Extensions or Enlargements

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

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

1. Any proposed change of use or extension or enlargement of the existing non-conforming use shall not aggravate the situation created by the existence of the use, especially in regard to the policies of this Plan and the requirements of the Zoning By-law applying to the area;
2. Any proposed extension or enlargement shall be in an appropriate proportion to the existing size of the non-conforming use.
3. The characteristics of the proposed non-conforming use or any proposed extension or enlargement of the existing non-conforming use shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation. Applications which would create or aggravate land use incompatibilities shall not be approved.;
4. Neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by

regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc;

5. Traffic and parking conditions in the vicinity will not be adversely affected by the proposal and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and by improvements of sight lines especially in proximity to intersections;
6. Adequate provisions have been or will be made for off-street parking and loading facilities;
7. Services such as storm drainage, roads and private sewer and water services are adequate or can be made adequate.

4.7.2 Minor Variances

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

4.8 Group Homes

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

Group homes shall be permitted in single-detached dwellings in any designation in which a single-detached dwelling is permitted. In order to prevent an undue concentration of group homes in the Township, standards requiring a minimum distance separation between group homes may be incorporated in the implementing zoning by-law, but shall generally be limited to a minimum of 500 metres between any two group homes, such distance to be measured from the closest points of the two properties at the property line.

The Zoning By-law will specifically define permitted group homes and specify where they will be allowed. New types of group homes established by the province from time to time will be assessed in light of the policies of this Plan and added, where appropriate, to the Zoning By-law. The Zoning By-law may include provisions limiting the total number of group homes allowed as well as establishing spacing requirements between group homes.

4.9 Holding Zones

- 4.9.1 Holding zones will be used in locations where land is being zoned for a particular use but where certain conditions must be satisfied before development can proceed. Holding by-laws

may be used where the principle of development has been established through scrutiny under the **Planning Act**. These conditions may include:

- (a) completing any necessary hydrogeology or other tests and reports;
- (b) implementing measures to overcome development constraints;
- (c) completing any necessary servicing or other agreements related to the development;
- (d) satisfying Council's financial requirements related to the development;
- (e) the phasing of the proposed development to Council's satisfaction.

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

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

4.10 Home-Based Businesses

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

4.10.1 Home Occupations

Home occupations may be permitted as an accessory use to any residential use. Appropriate zoning requirements will be developed and included in the implementing Zoning By-law.

4.10.2 Rural Home Occupations

Rural home occupations which are accessory to a farming operation may be permitted. The requirements for such uses will be established in the Zoning By-law.

4.10.3 Home Industries

Home industries which are accessory to a residential use will be permitted in the Agriculture and Rural designations north of Highway #401. Special provisions relating to home industries will be established in the Zoning By-law.

4.11 Institutional Uses

4.11.1 Institutional uses such as schools, day care centres, clinics, museums, churches, libraries, community centres, service clubs, health care facilities, fire and police and similar public or

quasi-public uses will generally be permitted in all land use designations except in Agriculture, Mineral Resource, Industrial or in designations within the Natural Heritage System, provided that the site design and the design of any buildings and structures are in keeping with the character of the surrounding area, and the institutional use will not detract from the primary function and use of the area in question.

4.11.2 Institutional uses will be subject to the following policies.

- (a) The land will be suitable for the proposed use.
- (b) Adequate off-street parking and loading space will be provided.
- (c) Consideration will be given to locating any institutional use that generates a significant amount of traffic in an appropriate place so that surrounding uses are not adversely affected by it.
- (d) The location and site development of institutional uses will be further controlled through the Zoning By-law.
- (e) Institutional uses are designated as Site Plan Control areas.

4.12 Land Use Compatibility and Buffering

In reviewing any development application or Site Plan Control application, Council will be satisfied that the proposed use will be or can be made compatible with surrounding uses. Compatibility can be achieved in a variety of ways. It can be a separation distance which is appropriate to the particular uses. It can be buffering features such as a berm, wall, fence or landscaping or a combination of these features. It can also be an intervening land use which would be compatible with both of the conflicting uses. Where buffering provisions are the means to be used to ensure compatibility, such provisions will be determined through the site plan approval process.

4.13 Light Trespass

Unwanted and unnecessary light gradually impacts on the public's ability to observe and enjoy the night sky and can impede night time navigation. It is a policy of this Official Plan to discourage unnecessary unshielded lighting through education and, where warranted, through the review of site plans.

4.14 Mobile Homes

Mobile homes will be prohibited except within an existing approved mobile home park. Any new mobile home park or an extension to an existing approved mobile home park will be the subject of an Official Plan amendment which will include appropriate policies to regulate the proposed use.

4.15 National and Provincial Parks

1. St. Lawrence Islands National Park

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

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

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

2. The Rideau Canal is a designated UNESCO World Heritage Site, National Historic Site and a designated Canadian Heritage River. The Township will work with agencies and the public in the establishment of policies to guide development along the Rideau Canal;
3. The bed of the Canal is owned by the Crown, and approval from Parks Canada is required for any shoreline or in-water works, including but not limited to docks, boathouses, and shore protection; and
4. Development and site alteration adjacent to the Canal will be reviewed by the Rideau Waterfront Development Review Team.

4.15.1 The following islands form part of St. Lawrence Islands National Park: Grenadier, Thwartway, Aubrey, Mermaid, Camelot, Endymion, Beaurivage, Gordon, Mulcaster, Lindoe, Constance, and Georgina Islands as well as parts of Hay, Lindsay and McDonald Islands, and the major portion of Hill Island.

4.15.2 Charleston Lake Provincial Park is the only Provincial Park located within the municipality.

4.15.3 Council recognizes that the use and development of National and Provincial Park lands will take place in accordance with applicable legislation, associated Regulations and Parks Canada, Ministry of Natural Resources and St. Lawrence Parks Commission policies. The Municipality will strive to ensure the surrounding development on the private land that surrounds these parks reflects the need for connections between the natural heritage values within the parks and the larger ecosystem.

4.16 Noise

4.16.1 All applications for development of a sensitive land use (i.e. residential, daycare, education or health care facility) in close proximity to a major noise source should be accompanied by a noise feasibility study prepared by a qualified professional and/or consultant. Detailed noise studies will be required where development is proposed within 250 metres (820.2 feet) of Provincial Highway No. 401 or within 500 metres of a railway right of way. Accordingly, the required studies must meet the satisfaction of Council and the railway authority having jurisdiction clearly demonstrating whether noise levels can be reduced to meet provincial standards. Where adverse effects from noise have been identified, appropriate measures to mitigate the noise should be undertaken (fencing, berm etc.) Noise studies may also be required where development is proposed within the influence area of a stationary noise source such as an industrial use, aggregate operation, electrical generating stations, hydro transformers, water pumping stations, shooting ranges, major truck stops, sea plane bases, bus terminals etc. or other such use. The extent of the influence area will be determined on a case specific basis through the noise study. It is the intent of Council that these policies will apply reciprocally so that the establishment or expansion of a use which generates significant noise will also require appropriate noise studies.

4.16.2 A general concern in the Township is the increasing presence of unnecessary noise, such as hovercraft, aircraft and other unmuffled engine exhaust systems in sensitive waterfront areas. **The Planning Act** has limited power to address these issues but it is the intent of this Official Plan that noise generation potential will be considered when reviewing development applications in sensitive locations.

4.17 Parks and Recreational Facilities

Parks will generally be permitted within all land use designations. On lands designated Agriculture, parks and passive recreational uses (excluding golf courses, driving ranges, etc.) may only be permitted if the use leaves the land in large parcels suitable for commercial farming, does not require buildings or other construction on the land and does not alter the soil or topography adversely. It is intended that parkland be acquired partly by dedication as a condition of development approval.

4.18 Portable Asphalt Plants

4.18.1 Portable asphalt plants used temporarily on public authority contracts are permitted north of Highway 401 without amendments to the Official Plan or the Zoning By-law except on land designated Village or in designations within the Natural Heritage System. Prior to the placement of a portable asphalt plant, the operator will notify the municipality in writing of the proposed location for the plant and the anticipated completion date of the construction project.

4.18.2 Portable asphalt plants will be subject to the following requirements.

- (a) A portable asphalt plant will be removed from the site upon completion of the contract.

- (b) The minimum separation distance requirements of the Ministry of the Environment will apply and a Certificate of Approval must be obtained from the Ministry.
- (c) Where a portable asphalt plant is located on prime agricultural lands, the site will be rehabilitated for agricultural use.
- (d) Approval of the Ministry of the Environment will be obtained for the discharge of water from washing or screening operations.

4.19 Property Standards

- 4.19.1 In order to encourage the rehabilitation of existing buildings and property, the municipality will endeavour to ensure that the detracting influence of substandard structures is minimized. If so required, the Municipality may pass a Property Standards By-law which prescribes standards for the maintenance and occupancy of property.
- 4.19.2 Any Property Standards By-law passed under the authority of the **Planning Act** will have regard to and will prescribe appropriate standards for the physical condition of yards and passageways including the accumulation of debris and rubbish, the adequacy of sanitation, including drainage and the physical condition of all buildings and structures.
- 4.19.3 Any Property Standards By-law may also require substandard properties to be repaired and maintained to comply with the standards, prohibit the use of substandard property and require the demolition and clearing of such property where the owner does not intend to repair and maintain it.
- 4.19.4 Following the passage of a Property Standards By-law, the Municipality will appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law. The Municipality will also appoint a Property Standards Committee for the purpose of hearing appeals against an order of the Property Standards Officer.
- 4.19.5 The measures to be used in achieving a property maintenance program may include an education and public information program to show people the benefits of continued property maintenance, together with information showing what improvements can be made without increasing assessment.
- 4.19.6 Complementary to the enforcement of minimum standards on private properties, the municipality will keep in a fit and well-maintained condition all municipally-owned properties and structures, and to provide or maintain in good repair such municipal services as roads, sidewalks, etc.

4.20 Public Uses and Utilities

- 4.20.1 Public uses necessary for the function of municipal, provincial or federal government, including a related board, commission or agency and utilities such as power, water services, roads, railways, telephone and gas but not including waste disposal sites, will generally be permitted in all land use designations provided that such use or utility is necessary and appropriate in the proposed location and can be made compatible with surrounding uses.

4.20.2 The development of electric power facilities will occur in an orderly manner to facilitate the efficient and reliable provision of adequate electric power. It is a policy of this Plan that electric power facilities are permitted in all land use designations without an amendment to the Plan provided that the planning of all such facilities is carried out having regard to the other policies of this Plan. Consultation with the municipality will be required on the location of any new electric power facilities.

4.20.3 Communications facilities will be permitted in any land use designation except in Agriculture, Mineral Resource or in the designations within the Natural Heritage System in accordance with the following provisions.

- (a) The establishment of a new communications facility will require an amendment to the Zoning By-law.
- (b) In considering any application for a new communications facility, Council will take into consideration the effect of that installation on surrounding land uses, especially any existing or proposed residential areas.

4.21 Roads

Road classifications have been identified on Schedule 'A'. The roads are classified according to the function they should perform. Traffic on higher order roads, such as County roads, will have priority over traffic on lower order roads, such as local roads. Proposed road allowance widths and standards are established for each class of road, where appropriate.

A safe, convenient and functional road network is of great importance to the municipality. It is especially important to the residents for the delivery of municipal services, such as road maintenance, snow ploughing, school bus service, fire, ambulance and police protection. It is, therefore, a policy of this Plan to work toward the maintenance and improvement of the road system within the financial capability of the Township and in cooperation with the United Counties of Leeds and Grenville and the Ministry of Transportation.

4.21.1 Provincial Highways

- (a) Provincial Highways 401, 137, 15 and 2 (from the east limit of Gananoque to the Highway 401 exit) are classified according to their level of access control by the Ministry of Transportation. All provincial highways as shown on the Schedules are under the jurisdiction of the Province and as such, the requirements of the Ministry of Transportation will apply.
- (b) The intent of this Plan is to maintain the operating viability of the highways and/or interchange areas through land use decisions that support the controls exercised by the Ministry of Transportation with respect to access, adjacent land uses and structures. These controls include highway safety and geometrics (e.g. right-of-way widths, number of lanes etc.) and also extend to stormwater drainage infrastructure and the buffering or screening of outdoor storage and parking areas related to development adjacent to provincial highways and intersecting local roads. Outdoor

storage and loading areas shall be visually screened or appropriately located in such a way as to not distract the travelling public.

- (c) Access to provincial highways is restricted and development shall only be permitted where the applicable approvals/permits have been obtained from the Ministry of Transportation prior to any construction being undertaken. This may include the submission of a traffic study and a stormwater management plan. Development will be encouraged to use local roads and service roads wherever possible. Any new roads proposed to be connected to a provincial highway are subject to provincial approval including spacing requirements between intersections.

4.21.2 County Roads

- (a) County Roads perform most of the arterial and collector road functions in the Township. It is the objective of the United Counties of Leeds and Grenville to preserve the investment of the public in its County Roads system. The value of a County Road is inherent in its ability to move vehicular traffic over relatively long distances at a reasonable speed. This ability is depreciated where development adjacent to the road creates turning and stopping movements that interfere with the free flow of traffic. Roads carrying heavier volumes of traffic are more sensitive to adjacent development than roads carrying lower traffic volumes. Consequently, heavily travelled roads carrying a large percentage of through traffic should be protected from adjacent development having direct access onto these roads. This does not mean that development is restricted, but rather that it should be serviced from an interior public road system such as a subdivision road or a properly designed commercial entranceway.
- (b) Extensions of Villages and hamlets through strip development along County Roads, beyond the legal or historic limits of the urban area will be avoided by encouraging expansion to occur by plan of subdivision, wherever appropriate, with internal local roads used to obtain access to the County Road.
- (c) County Roads are divided into three categories in the April 2002 Schedule to the County Roads Access Policy. No amendment to this Official Plan will be required to change these categories if a change is made to County policy.
 - (i) Those portions of County Roads that pass through Villages and hamlets, where the County seeks guidance from the Township and its Official Plan when considering access requests;
 - (ii) County Roads 3, 32, 33 and 42 which are considered to be roads where moderate restrictions (the highest level of control in the County Road system) should apply due to the higher levels of traffic these roads carry;
 - (iii) County Roads 2, 4, 13, 34 35, 37 and 39 where a lesser degree of restriction is required.
- (d) The proposed road allowance width for all County Roads is 26.2 m (86 feet).

4.21.3 1000 Islands Parkway

- (a) The 1000 Islands Parkway extends across the portion of the Township east of Gananoque along or close to the shore of the St. Lawrence River. Since 1970, the 1000 Islands Parkway and its administrative responsibilities have been under the jurisdiction and control of the St. Lawrence Parks Commission. It has been declared as a controlled access highway under Ontario Regulations. The primary principles of the St. Lawrence Parks Commission with respect to this road are:
- (i) to provide a safe, well-maintained scenic corridor through the 1000 Islands area as a tourist attraction;
 - (ii) to provide access to a wide variety of recreational and educational activities within a unique and picturesque landscape;
 - (iii) to support tourist related operations, both public and private, along the Parkway corridor;
 - (iv) to protect and enhance the natural areas and scenic vistas along the Parkway; and
 - (v) to ensure, in cooperation with the Township, that any new development is compatible with the natural areas. Conditions of development approval will normally be required to minimize the impact of the built environment either through building mass or signage.
- (b) The northern gravel portion of the right-of-way of the 1000 Islands Parkway may be utilized to provide access to the paved portion in accordance with Commission policies.
- (c) Besides having jurisdiction and control over the actual right-of-way, the Commission's responsibility extends to each side of the 1000 Islands Parkway pursuant to the **Public Transportation Highway Improvement Act** and the **St. Lawrence Parks Commission Act**. The municipality will circulate all planning applications to the Commission for input.

4.21.4 Township Roads

- (a) The Township roads identified on Schedule 'A' are under municipal jurisdiction and are maintained year-round. Direct access to these roads will only be permitted in locations which can accommodate traffic in a safe manner. Permission for access onto a municipal road must be obtained from the municipality. Where sight deficiencies exist because of curves or grades, no new access will be permitted. The applicant may be permitted to correct the deficiency in a manner acceptable to the municipality, at his own expense, if the character of the road will not be adversely affected.

- (b) The proposed road allowance width for local roads should be 20 m (65.6 feet), wherever possible. It is the intention of Council that all municipal road allowances eventually be widened to the proposed width of 20 m (65.6 feet), using such mechanisms as subdivision approvals, consent approvals and Site Plan Control approvals, in order to produce a safe and efficient road transportation network in the municipality. The maximum dedication which may be required for a road widening as a condition of site plan approval will be 5 m (16.4 feet), or the amount necessary to provide the proposed right-of-way width, whichever is less.

4.21.5 Unimproved Roads

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

4.21.6 Private Roads

Where a private road (including a lane, right-of-way or driveway) exists within the municipality, there is no legal obligation on the part of the municipality to maintain, repair or otherwise service any development located on that private road. Persons using these roads do so at their own risk. Council will only consider assuming a private road if it is reconstructed at the landowners' expense to the Township's standards and the 20 m road allowance on which it is located is deeded to the municipality. The municipality may assume the road by By-law if it abuts an existing public road which is currently maintained year round. Prior to undertaking any such work, the landowners will discuss the matter with Council.

4.21.7 Road Allowance Closures

Many original Township road allowances are unopened and are unlikely to be opened for vehicular traffic in the future due to their location and topographic constraints. They can be divided into two categories – those leading to water and those which do not. Road allowances leading to water will generally not be closed because they perform an important function in keeping some waterfront areas vacant and undeveloped, helping to protect environmental quality in waterfront areas. In some instances, they may contribute to minor opportunities for public access to water. Council will consider applications for the closure of road allowances provided:

- (a) the closure will not result in denial of access for other property owners;
- (b) the road allowance is in a location which is unlikely to ever perform a useful function as part of the public road system;
- (c) the road allowance leading to water is incapable of contributing to environmental protection or public access purposes; or the closure is intended as part of a land swap that will result in better environmental protection or public access; or if the closure is

only intended to address title problems resulting from inadvertent construction on that portion of the road allowance;

- (d) the application includes a written agreement from all abutting owners stating how the closed road allowance will be conveyed; and
- (e) the land is conveyed at its fair market value.

4.22 Separation Distances

Residential uses in particular will be located a reasonable distance away from any use or facility which would be a potential source of nuisance such as railways, freeways and major highways, industrial uses, waste disposal sites, wrecking yards, mineral resource areas, pits, quarries, schools, health care facilities, daycare facilities and livestock operations. In addition, new such uses will be located a suitable distance from residential uses or other uses where the public would be adversely affected by the nuisance. Separation distances specific to the particular use will be established in the Zoning By-law. Minimum Distance Separations (MDS I and MDS II) will be applied to all development and to livestock and manure handling facilities.

Railways

All proposed development within 500 metres of a railway right-of-way may be required to undertake noise studies, to the satisfaction of the municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.

All proposed development within 75 metres of a railway right-of-way may be required to undertake vibration studies, to the satisfaction of the municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.

4.23 Servicing Requirements

4.23.1 All development within the Village of Lansdowne will be connected to piped municipal water and sanitary sewer services. As of late 2002, the uncommitted reserve capacities were 235 households (water) and 134 households (sanitary sewage). Water is supplied from communal wells located in the northwest part of the Village. A wellhead protection study was commenced in 2002 in order to identify measures which would help to protect the quality of Lansdowne's public water supply. Council will ensure that these measures are implemented as soon as possible.

4.23.2 The Thousand Islands Charity Casino and two other commercial uses on the east edge of Gananoque are connected to Town piped services. These services were not designed to be extended further east into the Township. At present there are no plans to extend piped services from the Town of Gananoque to any other part of the Township.

- 4.23.3 All other development in the municipality is currently serviced by private individual or private communal services. Where communal water services are required for residential development, such as plans of subdivision, condominiums, mobile home parks and park model trailer parks, the **Safe Drinking Water Act** requires written consent from the municipality for the establishment of non-municipal communal wells serving six or more private residences.

Communal sewage systems servicing more than five residential units require approval under the **Ontario Water Resources Act (OWRA)** and require ownership and operation of the system by the municipality. Communal sewage systems servicing mobile home parks, plans of condominium and park model homes that serve as primary residence, require approval under the OWRA and require the municipality to enter into a responsibility agreement with the proponent to take over the system in the event of default. Council will not permit forms of residential development that require communal wells that are subject to the **Safe Drinking Water Act**.

Council will not permit forms of residential development that require communal sewage systems that require approval under the Ontario Water Resources Act.

Council may reconsider this policy, without an Official Plan amendment, for potential services in other Villages (Ivy Lea, Lyndhurst, Rockport, Seeley's Bay) if technological advances, cost benefit analysis and environmental studies demonstrate clear advantages for the municipality to do so. This approach may also be considered for housing which Council determines is necessary to meet important social needs (such as seniors' accommodations).

- 4.23.4 All other development will be based on private individual services on lots of sufficient size to provide safe water supplies and effective sewage disposal on a long-term cumulative basis. All new lots will have a suitable location for a conventional sewage disposal system leaching bed.
- 4.23.5 Sewage disposal systems are a potential source of contamination of ground and surface waters. It is a policy of this Official Plan to introduce a sewage system re-inspection program to ensure that faulty systems are not contributing to water quality problems. The Township's first priority in implementing this policy will be focussed on undersized waterfront lots, especially those for which no official system approval records are available.
- 4.23.6 Surface water quality protection will be considered in the approval process for all development. Appropriate stormwater quality and quantity controls will be provided, generally on-site, in accordance with best management practices of the Ministry of the Environment, CRCA and the Township. Stormwater management is particularly important for developments with impervious surfaces such as roofs and parking areas, as well as for golf courses and other developments with large areas of turf grass. Ministry of the Environment manuals should be consulted in the design of treatment systems. The municipality prefers stormwater management approaches which reduce the potential need for municipality owned or operated control or treatment facilities.

4.24 Site Plan Control

Pursuant to Section 41 of The Planning Act (R.S.O. 1990 cP.13), the entire area within the Corporate limits of the Township of Leeds and the Thousand Islands proposed site plan control area.

- a) Specific areas and uses where site plan control will apply will be establish by by-law. Such by-law may designated site plan control area(s) by reference to specific zones in the implementing Zoning By-Law. The By-law may define any class or classes of development where development may be undertaken without the approval of plans and drawings as may otherwise be required hereunder.
- b) It is generally intended that the following uses be exempt from the site plan control requirements unless the Township or a public agency such as the Cataraqui Region Conservation Authority require they be subject to site plan approval:
 - i A single unit dwelling;
 - ii A semi-detached dwelling;
 - iii A duplex dwelling
 - iv Permitted agricultural building and structures used in non intensive farming operations; and
 - v Accessory building, minor renovations, extensions to the above users.

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

- c) The Township may require site plan drawings, elevations and cross-sections for all residential buildings along the Rideau Canal or those containing three (3) or more dwelling units.
- d) In accordance with Section 41 of The Planning Act, Section 4.19 and 4.20 of this Official Plan, sufficient road widening will, where feasible, be required to ensure roads meet the road allowance widths specified in this Plan.
- e) Where a roads needs study is completed and additional information is available on the precise areas where road widening is necessary, such information will be included in this Plan by amendment.
- f) Where road widening is required, the dedication should be applied equally on both sides of the road. The actual extent of road widening required to obtain the planned right-of-way width depends on the existing allowance width. Topographic constraints may require additional lands to be dedicated.
- g) The owner will be required to enter into one or more agreements as a condition to the approval of plans and drawings in accordance with the provisions of Section 41 of The Planning Act.
- h) Pursuant to Section 41 (13)(b) of The Planning Act, Council may by by-law delegate the Council's power or authority to a committee of the Council or an appointed officer. Such delegation shall not include any Council authority under Section 41 (13)(a) of The Planning Act.

4.25 Temporary Uses

4.25.1 Temporary uses may be permitted in the implementing Zoning By-law. In particular, the Zoning By-law may provide for the use of a mobile home as a temporary residence for emergency housing following the loss of a conventional dwelling, in accordance with the conditions, location and time period prescribed in the Zoning By-law.

4.25.2 Notwithstanding the land use policies and designations of this Official Plan, Council may, in accordance with the provisions of Section 39 of the **Planning Act**, R.S.O. 1990, pass By-laws to authorize the temporary use of land, buildings or structures for any purpose. Any use introduced under such a Temporary Use By-law does not acquire the status of a legal non-conforming use at the expiration of the by-law(s) and at that time must therefore cease. It is not the intent of the Official Plan that Temporary Use By-laws be used to permit a new use while an amendment to the Official Plan and/or zoning by-law is being processed to permit the use on a permanent basis. In considering applications for such temporary uses, Council will have regard for the following:

- (a) such uses will be temporary in nature, be compatible with surrounding land uses and will not interfere with the long-term development of the area; and
- (b) appropriate controls will be placed in the implementing Zoning By-law to adequately regulate the temporary uses.

4.26 Tree Protection

(a) Trees along roads and on private property are an important part of what constitutes rural character. Woodlands and forests also have great ecological significance. Some property owners have entered into agreements under the **Woodlands Improvement Act** to establish managed forests. Council encourages this practice as well as other land stewardship programs. However, forests are a renewable resource and owners have the right to harvest this resource on their lands. Council encourages good forest management practices in these instances. Reforestation of marginal land will be encouraged.

(b) In evaluating development applications, Council will consider the following criteria for the purposes of the reasonable protection of trees.

- (i) The maintenance of as much as possible of the natural vegetation between the development and any waterbody and between development and any existing public roads will be required. Developers will also be encouraged to remove as little of the vegetation as possible for the roads, building sites and servicing facilities and specific provisions relating to protection of vegetation may be incorporated into subdivision or site plan agreements.
- (ii) The municipality will also ensure that trees along the municipal road allowances and on other municipal property are preserved while allowing appropriate maintenance and the removal of trees which may constitute a safety hazard.

- (c) Council will consider passing a Forest Conservation By-law and a Tree-cutting By-Law under the Municipal Act in waterfront areas to help protect waterbodies and elsewhere if deemed necessary. Under current legislation, these By-laws can employ a permit system or a less regulatory “notice of intent” system. It is intended that the least regulatory approach be used unless it does not achieve effective results.

4.27 Waterbody Protection

- 4.27.1 Buildings, structures and sewage disposal systems will be set back at least 30 m (98.4 feet) from the high water mark of all waterbodies and watercourses. In addition, it is important that this 30 m (98.4 feet) buffer strip be maintained with extensive natural vegetation types. Lawns, ornamental plantings and hard landscaping features do little to support the ecological health of waterfront areas. This measure will help to protect water quality as well as protecting environmentally sensitive riparian areas. It will also help to control erosion and assist in softening the visual intrusion of development in natural areas. In the event of construction damage in this buffer area the natural vegetation will be re-instated as much as possible.
- 4.27.2 The 30 m (98.4 feet) buffer is considered the minimum comprehensive requirement to achieve effective environmental protection but should be increased in areas of steep slopes, poor natural vegetation cover, thin soils or where coarse soil types do not provide effective phosphorus retention adjacent to waterbodies and watercourses.
- 4.27.3 Structures which require a waterfront location for their function (such as marinas, docks, floating homes, boathouses, water intake facilities) are exempt from this policy but should be of a type and scale that minimizes their environmental, navigational and visual impacts.
- 4.27.4 Existing water quality problems are the result of many factors, including small lot sizes, minimal setbacks, excessive runoff, inadequate shoreline vegetation, poorly functioning sewage disposal systems, livestock grazing near the water’s edge and other undesirable features associated with some existing development. It is the policy of this Official Plan to rectify these problems as much as possible while avoiding the creation of similar problems as the result of new development. Implementation of this policy will require extensive, long-term efforts and will include the following measures:
 - (a) The implementing Zoning By-law will incorporate the 30 m (98.4 feet) minimum setback requirement and establish related regulations, such as maximum lot coverage requirements, to help ensure that the scale of development does not overwhelm the natural elements of waterfront property.
 - (b) Proposed new waterfront lots will be reviewed carefully to ensure proposed development can easily meet the setback and other applicable policies.
 - (c) Site Plan Control will apply to all lots which abut waterbodies and watercourses and will be used to help ensure that all development and redevelopment meets the intent of these policies.

- (d) The development of buildings or structures, or site alteration may be permitted less than 30 metres from a water body in situations where existing lots or existing development preclude the reasonable possibility of achieving the setback if an EIS demonstrates that the proposed development or site alteration will result in no negative impacts on Natural Heritage features. Any proposal for construction or site alteration within 30 metres of a water body shall have regard for the natural heritage features, natural heritage feature influence areas, natural and man-made hazards, and the fish habitat policies contained within this Plan. The Township, in consultation with the Cataraqui Region Conservation Authority may, in some cases, determine that an EIS is not warranted. Where development and site alteration is proposed on land adjacent to the Rideau Canal, Parks Canada will be consulted.
- (e) Small islands or other lots which do not have suitable areas for sewage disposal and building sites which meet the 30 m (98.4 feet) setback should not be developed. The Committee of Adjustment may consider variances and extensions or enlargements which permit expansions or the development of existing lots of record. The Committee will include appropriate conditions to mitigate potential impacts and try to achieve a net environmental gain wherever possible. Where development and site alteration is proposed on land adjacent to the Rideau Canal, Parks Canada will be consulted. Development will not be permitted on islands having an area less than .6 ha (1.5 acres) unless an EIS demonstrates that development can proceed with no negative impacts and sewage disposal system can be supported to the satisfaction of the Health Unit and CRCA. Development on mainland waterfront lots or island lots having an area less than 0.6 ha, and on islands between 0.6 and less than 1.0 ha will be in accordance with the following:
- the terrain must be such that any structure can be located in an unobtrusive manner;
 - the size and design of any structure must permit it to blend into the natural landscape with minimal visual impact;
 - an effective method of sewage disposal must be implemented and engineering study if necessary. No new development or expansions of existing development will be permitted on the basis of holding tanks;
 - the dwelling or accessory structure will be located outside of areas subject to flooding and erosion hazards;
 - stormwater runoff from impervious surfaces will be prevented from entering directly into the surrounding waterbody; and
 - there is a suitable location for water access on the island.
- (f) Council will consider the implementation of Forest Conservation By-laws in all waterfront areas.

4.28 Environmental Impact Statements (EIS)

The purpose of an Environmental Impact Statement is to provide the Township and the Conservation Authority with a professional opinion on the potential impact of development and site alteration on natural heritage features, areas, and adjacent lands. The EIS assesses whether the proposed development or site alteration creates negative impacts on the natural heritage features, their ecological functions, or adjacent lands.

In a limited number of cases, the Township, in consultation with the Cataraqui Region Conservation Authority, may establish that an EIS is not warranted. Where development and site alteration is proposed on land adjacent to the Rideau Canal, Parks Canada will be consulted.

In those cases where an EIS is requested after development has commenced, or is substantially completed, or is completed, the EIS should review the impact of the work using the pre-construction environment as the baseline, rather than the post-development impacts.

Where an Environmental Impact Statement is required by the policies of this Plan, Council shall be provided with a study prepared by a qualified professional with expertise in environmental science, which at a minimum shall:

- i. define the nature and the boundaries of any significant features, ecological functions, and values on, or adjacent to the site;
- ii. describe and map the proposed development activities, including building location, excavation, site grading, landscaping, drainage works, roadway construction, paving, sewer and water servicing in relation to various environmental considerations;
- iii. predict the effects of the proposed development on the various components of the environment on and adjacent to the site, such as wildlife, fish, vegetation, soil, surface water, ground water, air and any other relevant factors, taking into consideration effects during and after site alteration;
- iv. evaluate the significance of all predicted and negative and positive effects on the various environmental considerations;
- v. itemize and recommend all measures that can be taken to reduce or mitigate the predicted negative impacts;
- vi. evaluate the cumulative effect that the project (and any other known projects or activities) may have following implementation of any mitigation measures on the natural features and ecological functions identified for protection;
- vii. conclude with a professional opinion on whether negative effects on the natural features and ecological functions will occur, the significance of such impacts, and whether ongoing monitoring is required; and
- viii. describe and map any water access and staging areas.

4.29 Wayside Pits and Quarries

- 4.29.1 Wayside pits or quarries are defined as temporary pits or quarries, established by or on behalf of a public road authority on short notice solely for the purpose of a particular project or contract of road construction or road maintenance. Wayside pits and quarries will be permitted without an amendment to the Official Plan or Zoning By-law except in Villages, Tourist Commercial, Active Recreation, or in designations within the Natural Heritage System.
- 4.29.2 Prior to the establishment of a wayside pit or quarry for municipal purposes, Council will be advised by the road superintendent that the proposed operation qualifies as a wayside pit or quarry.

SECTION 5

POLICIES FOR PRIMARY LAND USE DESIGNATIONS

This section contains the policies applicable to the Primary Land Use Designations which are shown on Schedule 'A'.

5.1 Villages

- 5.1.1 Ivy Lea, Lansdowne, Lyndhurst, Rockport and Seeley's Bay are designated as Villages. The lands designated for each of these communities generally indicates the areas of existing development and future expansion. Any significant expansion beyond these boundaries will require an amendment to this Official Plan.
- 5.1.2 The Village of Lansdowne will be developed on the basis of municipal piped water supply and sewage disposal systems. In the implementing Zoning By-law, lands within the Village of Lansdowne which are not currently serviced by municipal piped water and sewer services will be placed in a "holding" zone until such time as the owner(s) and the municipality enter into an agreement concerning the extension of such services. In the interim, Council may permit such land to be used for purposes which will not in any way prejudice the eventual servicing of the land. All other Villages may continue to be developed on private individual systems subject to the servicing policies of Section 4.21.
- 5.1.3 Villages are intended to be developed for a variety of compatible uses. These uses are not separately designated on Schedule 'A'. It is intended that their location will be guided by the policies of this section and other relevant policies of this Official Plan.
- 5.1.4 Residential development will generally be limited to low densities such as one or two family dwellings and senior citizen apartments. In Lansdowne, where municipal services are currently available, densities may be increased in appropriate locations to allow a range of residential types, including row housing and low rise apartments.
- 5.1.5 New residential development will be encouraged to occur by registered plan of subdivision, especially where new public roads are being created. In other instances, development may proceed by the consent process. Residential development proposals will not be recommended for approval unless:
- (a) soil and drainage conditions are suitable to permit the proper siting of buildings and;
 - (i) connection to piped services is undertaken in accordance with Township requirements; or
 - (ii) a hydrogeological and terrain analysis and impact assessment of nitrates on groundwater quality will be required to demonstrate that a satisfactory supply of water and sewage disposal system exists where private services are permitted.

- (b) access can be provided directly to a public road which is of a standard of construction capable of permitting access by school buses, ambulances, fire trucks and other essential service vehicles;
- (c) strip development on County Roads is prevented; and
- (d) the minimum lot areas are appropriate for the uses proposed and in accordance with the requirements of the Zoning By-law.

Medium and high density residential development and development on waterfront lots are designated as Site Plan Control areas.

5.1.6 Commercial development should be of a scale catering to the residents of and visitors to the Village and surrounding rural area. Such development should front on an arterial or collector road wherever possible. Council will ensure that any proposed commercial use is compatible with neighbouring residential uses, particularly in regard to appearance, traffic generation potential, noise and other environmental factors. Such provisions as buffering, adequate off-street parking, control of ingress and egress to the commercial site and other restrictions may be imposed. In particular, the negative effects associated with tour bus parking, especially fumes and noise, will require mitigation. Commercial uses are designated as Site Plan Control areas.

5.1.7 Industrial uses of relatively small scale and which cause minimal impacts may be considered in Villages, provided priority is given to the protection of existing and proposed residential uses. A broader range of industrial uses may be permitted in Lansdowne on full municipal services, particularly in the southwest portion of the Village, abutting the railway. In considering industrial uses, Council will ensure that the proposed use is compatible, particularly in regard to appearance, traffic generation potential, neighbourhood disruption and to emissions of dust, fumes, noise, odour, smoke or vibration. Buffering, adequate off-street parking, control of ingress and egress and other restrictions may be imposed. Industrial uses are designated as Site Plan Control areas. Industrial uses will be placed in appropriate categories in the Implementing Zoning By-law.

5.2 Agriculture

Land designated Agriculture are prime agricultural areas where prime agricultural land predominates. Input from the province, soil capacity mapping and site investigations were used to identify the Agriculture designation on Schedule 'A'. It is a policy of this Plan to preserve agricultural lands to ensure their availability on a long-term basis by protecting them from incompatible uses and preventing their fragmentation.

5.2.1 The Agriculture designation will permit all forms of agricultural activity, including the raising of crops, animals and fish, nurseries, market gardens, livestock operations, kennels, apiaries, forestry and sod farming. Agriculture-related commercial and agriculture-related industrial uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation such as a grain drying handling and storage facility are permitted.

Uses that produce value added agricultural products from the farm operation on the property are also permitted. Such uses are small in scale and may include value added agricultural products such as custom meat shops, pick-your-own operations, produce markets, and packing operations.

Abattoirs, livestock marketing or sales yard, seed cleaning plants, an agricultural produce warehouse or similar agri-business are permitted provided alternative locations within areas designated other than Agriculture are not available and there are no reasonable alternative locations within the Agriculture designation with lower priority agricultural lands. Agri-tourism uses and kennels are also a permitted use.

A dwelling accessory to any of the above uses and located on the same lot therewith will be permitted. Residential accommodation may be provided on the same property as the farm for the use of farm employees, subject to the provisions of the Zoning By-law. Single detached dwellings will be permitted as accessory dwellings on a farm or as farm related residential use subject to the provisions of the By-law. A residence surplus to a farming operation as a result of farm consolidation may be created upon a separate lot. In these cases, the separated farmland will be re-zoned to prevent another dwelling from being re-established on the property.

- 5.2.3 An amendment to the Official Plan will be required to change the designation from Agriculture to another land use. In considering any such amendment, Council must first be satisfied that the proposed use is essential at the particular site, that the proposed use is in the community interest and that it will not interfere with the normal and proper use of neighbouring farming operations, and there is a demonstrated need for additional land to be designated to accommodate the proposed use; there are no reasonable alternative locations which avoid prime agricultural areas; and there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.
- 5.2.4 Within the Agriculture designation, there are small pockets of land which are marginally productive or of a lower priority for agriculture due to their size, shape, topography, soil class, drainage or other physical characteristics. However, these physical and site limitations alone do not justify an amendment to a non-agricultural designation.
- 5.2.5 All new farm and non-farm development will comply with the minimum distance separation formulae.
- 5.2.6 Severances for agricultural purposes may be permitted if the consent is intended to consolidate or re-divide good agricultural lands and provided that the dimensions of all parcels created or remaining are appropriate for the agricultural activity in the area and agricultural practices in the long run. In determining the appropriateness, consideration will be given to the capability, flexibility, suitability and viability of both the severed and retained farm parcels.
- 5.2.7 An existing lot in an Agriculture designation may be used for residential purposes in accordance with the relevant provisions of the Zoning By-law, provided such dwelling does not violate the minimum distance separation applicable to any neighbouring farming operations.

- 5.2.8 Council recognizes that the changes in farming operations and, in particular, the establishment of intensive livestock operations, may create land use conflicts. Council may establish controls for intensive livestock operations through a Nutrient Management Plan By-law or other appropriate By-law. Such By-law will include the definition of an intensive livestock operation.
- 5.2.9 All uses permitted within the Agriculture designation will be placed in an appropriate zoning classification in the implementing Zoning By-law.

5.3 Natural Heritage System

The Natural Heritage System includes those features and areas which are important for their environmental and social values as a legacy of the natural landscapes of the area. This Official Plan recognizes the importance of these areas and applies appropriate levels of protection in keeping with provincial policy, the needs of the resource feature, the quality of mapping and related scientific analysis and the rights of private landowners. The Natural Heritage System consists of several components which, together, comprise a coordinated approach to the long-term management of the ecological health of the community. The components are described as a “system” to reflect their important interrelationships with one another and consist of:

- Natural Heritage A which consists of:
 - provincially significant wetlands; and
 - significant portions of the habitat of endangered and threatened species.

These areas are identified on Schedule ‘A’. Development and site alteration will not be permitted in Natural Heritage A designations.

- Natural Heritage B which consists of:
 - Approved significant areas of natural and scientific interest (ANSIs);
 - Fish habitat;
 - Locally significant wetlands; and
 - Environmental Protection.

These are identified on Schedule ‘B’. Development and site alteration may be permitted in Natural Heritage B designations if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified.

- Additional natural heritage features are described in Appendix ‘A’ and are shown on the map in Appendix ‘B’. They are not considered designations in this Official Plan. They are provided to assist persons seeking background information on these issues and may be updated from time to time, without an amendment to the Official Plan, as new information becomes available.

Development and site alteration may be permitted on lands adjacent to Natural Heritage A and Natural Heritage B designations if it has been demonstrated through an EIS in

accordance with Section 4.27 that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified. The widths of the applicable adjacent areas are described in the relevant subsections.

5.3.1 Provincially Significant Wetlands

Wetlands are lands where the presence of water has caused the formation of hydric soils and where hydrophytic or water-tolerant plants predominate. The four major types of wetlands are swamps, marshes, bogs and fens. The lands are valuable in their natural state for biological, social, hydrological, or other special features. Wetlands are evaluated using a methodology by the Ministry of Natural Resources and, based on wetland functions and features, classified according to provincial significance.

- (a) Lands designated as Provincially Significant Wetlands are those that have been classified in accordance with the wetlands classification system developed by the Ministry of Natural Resources. The boundaries of the Provincially Significant Wetlands designation have been derived from mapping provided by the Ministry of Natural Resources. The boundaries, as shown on Schedule 'A', will be the basis for the subsequent zoning of these lands. Changes to the boundaries as noted above will require an amendment to the Zoning By-law. Generally, any proposed change to the boundaries of wetlands will occur as a result of more detailed studies or an environmental impact study and approval by the Ministry of Natural Resources.
- (b) Where land designated Provincially Significant Wetlands is under private ownership, it is not implied that the land is open to the general public or that it will be acquired by any public agency. Donations of such lands to registered conservation charities or agencies will be encouraged.
- (c) Within the areas designated as Provincially Significant Wetlands, the permitted uses will be forestry, conservation, wildlife management and passive outdoor recreation and educational activities that do not adversely affect the natural features and wetland function. Existing uses, including established agricultural activities within the areas designated as Provincially Significant Wetlands will be considered as conforming uses.
- (d) Adjacent lands are defined as contiguous lands within 120 m of a Provincially Significant Wetland where development or site alteration may have a negative impact on the wetland. Development within the adjacent lands may take place in accordance with the underlying designation, provided that there is an environmental impact study (EIS) prepared in accordance with the policies of this Official Plan and approved by the Township in consultation with the province or the Conservation Authority, which Demonstrates that there will be no negative impacts on the natural features or the ecological functions for which the area is identified. Notwithstanding the foregoing, established agricultural activities are permitted without an EIS.

5.3.2 Habitat of Endangered and Threatened Species

- (a) The Ministry of Natural Resources has identified Davis Island, Spilsbury Island and Isle 67a as sites used for nesting by Bald Eagles and recommends that no development or site alteration occur within a 200 m radius. These islands are identified on Schedule 'A'. Changes to this designation will be considered by the Township five years from the date of approval of this Official Plan based on the results of observations made by the Ministry of Natural Resources. Although winter habitat is also known to exist near the 'Thousand Islands' bridge on Hill Island, sufficient background work has not been done to identify the significant portions of this habitat. It has, therefore, not been designated.
- (b) The Township will endeavour to protect the habitats of endangered and threatened species when reviewing planning applications if the relevant agencies identify these habitats. Development or site alteration will not be permitted within significant portions of the habitat of endangered or threatened species identified in accordance with provincial standards. Adjacent lands are identified as those lands within 50 m (164 feet) of a designated area.

5.3.3 Significant Areas of Natural and Scientific Interest (ANSI)

- (a) Approved ANSIs are areas of land and water containing natural landscapes or features which have been identified as having values related to the protection, appreciation and scientific study or education. These areas have been identified, mapped and ranked by the Ministry of Natural Resources. ANSIs are identified on Schedule 'B'. Development and site alteration may be permitted within an ANSI and in the adjacent area of 50 m (164 feet) in accordance with the policies for the underlying designations identified on Schedule 'A', provided it is demonstrated by an EIS that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.
- (b) ANSIs are designated as Site Plan Control areas and will be placed in a separate category in the Zoning By-law.
- (c) Where land designated ANSI is under private ownership, it is not implied that the land is open to the general public or that it will be acquired by any public agency. Donations of such lands to registered conservation charities or agencies will be encouraged.
- (d) Rock Dunder ANSI has been identified on Schedule 'B' to the Plan. The ANSI has been studied by MNR, Parks Canada and CRCA. These agencies recommended that Rock Dunder be considered as a core area in which no development should be permitted other than forestry, conservation, wildlife management and passive recreation, including the existing recreational camp. An Official plan amendment will be required in order to consider other forms of development.

5.3.4 Locally Significant Wetlands

Locally significant wetlands are identified on Schedule “B”. Development and site alteration may be permitted in locally significant wetlands and in the adjacent area of 50 metres in accordance with the policies for the underlying designations identified on Schedule “A” provided that it is demonstrated by an EIS that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.

5.3.5 Environmental Protection

- (a) The Environmental Protection designation applies to all land designated as such on Schedule B and to lands within the regulatory 1:100 year flood plain. The intent of this designation is to ensure that all land within the municipality is subject to appropriate planning policy. Significant issues that need to be addressed are waterfront structure and potential filling of waterfront areas.
- (b) Structures used for flood or erosion control, shoreline stabilization, water intake facilities, and similar uses as well as minor recreational facilities shall generally be permitted provided necessary approvals are received from appropriate agencies. Docks and boathouses should be of a type which results in the least environmental impact.
- (c) Floating dwellings have been a significant issue in parts of the Township and, by definition, would potentially be located on, above or attached to lands designated as Environmental Protection. Floating dwelling means a dwelling-like structure which is or has been constructed, erected or placed on a flotation system and is intended for human habitation on a seasonal basis only, but does not include a vessel as herein defined.

Vessel means a vehicle which is intended, as its primary function, to facilitate transportation on the water, and which possesses all of the following attributes:

- (i) a seaworthy hull design that meets Coast Guard standards for flotation, safety equipment, fuel, electrical, sanitation and ventilation systems;
 - (ii) designed, built and capable of functioning as a means of water transportation and capable of travel in open waters under its own integral, on-board permanently-installed propulsion system;
 - (iii) permanent equipment for its transportation function including on-board, permanently installed propulsion and steering systems and navigational equipment; and
 - (iv) registered, if required, with applicable agencies.
- (d) A floating dwelling may be considered in the Environmental Protection designation only if it meets all of the following conditions:
- (i) it may be placed in waters directly adjacent to a lot in a designation in which a residential use could be considered but on which no other residential use is

currently located. If a floating dwelling is established adjacent to a lot, no other dwelling will be permitted on that lot;

- (ii) a floating dwelling will be placed in an unobtrusive location. The proposed location will not result in a significant visual intrusion into the general area and, in particular, will not restrict views from neighbouring residences. Photographic evidence of compatibility will be submitted with any application;
- (iii) a site selected for the placement of a floating dwelling will be placed in a separate zoning category designed to specifically address the applicable conditions. The Zoning By-law amendment may address issues such as precise location, size of structure, docking/mooring configuration, accessory uses character of the proposed floating dwelling including type of materials used, colour (if necessary) and any other issue necessary to ensure the compatibility of the proposed use with the surrounding area and that the policies of the Official Plan are fully met;
- (iv) notice of any proposed rezoning will be circulated by mail to all owners of land located within 120 m (393.7 feet) and may be circulated to the owners of lands which are located more than 120 m (393.7 feet) from the site if the municipality might reasonably expect the lands to potentially be affected;
- (v) no adverse impact on fish habitat or other environmental feature, such as wetlands or fish spawning areas, will result from the establishment of a floating dwelling. Prior to the approval of a Zoning By-law amendment to permit a floating dwelling, the applicant must submit an environmental impact assessment to the satisfaction of Council. Such an assessment will demonstrate that the proposed floating dwelling will not adversely affect any environmental feature and will be reviewed in consultation with the relevant agency responsible for fish habitat protection and other environmental features. Where a license of occupation, lease of other form of approval for the use of the Crown Bed is required, a written commitment from the relevant agency will be obtained by the applicant and be submitted to the municipality;
- (vi) no navigational hazard will be created. The Coast Guard and/or Parks Canada may be consulted;
- (vii) no hazardous condition will be created as a result of the placement of the floating dwelling. Particular attention will be paid to flooding, normal water fluctuations and weather conditions and their potential impacts on the proposed site and neighbouring uses. The attachment of the floating dwelling to the land must permit the rise and fall of the dwelling with the changing water levels (up to 1:100 year conditions) and be protected from wave up rush or other water related hazards to the satisfaction of the Cataraqui Region Conservation Authority. Land access for floating dwellings must be safe for vehicles and people during times of flooding;

- (viii) that it can be demonstrated to Council's satisfaction that the proposed floating dwelling will be suitable for human habitation;
 - (ix) plumbing systems will be designed to prevent the overboard discharge of black water and grey water except into an approved sewage hauling or sewage disposal system. An alarm device (both audible and visual) will be installed to warn when the tank is at 80% capacity. Evidence of a pump-out agreement with a licensed sewage hauler will be required.
 - (x) The proposed floating dwelling will be stored during the winter season in an accessible mainland location such as a commercial marina. The applicant will provide proof of a long-term lease or similar commitment for mainland parking if the site is accessible only by water and winter storage for the floating dwelling.
- (e) The municipality supports the efforts of the Ministry of Natural Resources and/or the Cataraqui Region Conservation Authority to regulate the placing or removal of fill in the Environmental Protection designation. The municipality will have regard for this issue when considering applications for development and may require site plans to identify specific locations where the placing or removal of fill is prohibited.
- (f) Environmental Protection areas are designated as Site Plan Control areas.

5.3.6 Fish Habitat

- (a) All of the waterbodies and watercourses in the municipality contain fish habitat.
- (b) Under the **Fisheries Act**, it is unlawful to carry on work or undertakings that result in the harmful alteration, disruption or destruction of fish habitat. The federal department of Fisheries and Oceans is responsible for enforcement of the **Fisheries Act** but has entered into agreements for field implementation with Conservation Authorities and Parks Canada for areas within the Township.
- (c) Development and site alteration may be permitted in fish habitat if it has been demonstrated through the preparation of an EIS, in accordance with the policies in the Plan, that there will be no negative impacts on the natural features or the ecological functions for which the area is identified.

5.3.7 Public Open Space

- (a) Public Open Space areas are identified on Schedule 'B'. These generally consist of lands owned by the federal, provincial and municipal levels of government, the Cataraqui Region Conservation Authority and non-profit, charitable conservation organizations. They have been identified in order to clearly show the extent of public land ownership and thereby help to avoid trespassing on other privately owned lands.

- (b) A mix of land uses is permitted on these lands, in keeping with the management plans of the custodial agency or management organization. These may include passive or active parks and recreation facilities, conservation, wildlife management and educational activities.
- (c) No amendment to this Official Plan is required in order to add additional areas of Public Open Space but the Township will review these holdings at five year intervals and update Schedule 'B', as required. An amendment is required if an agency disposes of any of these lands unless it is being transferred to another agency or to a charitable, non-profit charitable organization such as a land trust.
- (d) The implementing Zoning By-law will zone the lands in categories which reflect the specific purpose for which the land is intended to be used. These will reflect the lands' ecological values, recreational attributes and other features, as recommended by their respective management plans or the policies of the custodial agency.

5.3.8 Other Natural Heritage Areas

Provincial policy identifies significant woodlands, valley lands, wildlife habitat and natural connections between them as other important natural heritage features. The scientific basis for the delineation of these areas is still being developed. The Township will consider amending this Official Plan to extend policy protection to these areas when it is satisfied that the accuracy of the mapping and defensibility of the approach warrants this action. The Township will work with agencies, qualified non-profit organizations and other members of the public, to advance this work. Until that time, a description of these areas and the work to identify them have been included in Appendices 'A' and 'B'

5.4 Mineral Resources

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

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

Several different types of mineral resources are present in the Township. They have been identified on Schedule 'A' in order to protect opportunities to extract those portions of the resource that can be removed without significant impact on neighbouring lands located outside the designation. Some impacts are a normal result of mineral extraction but will be mitigated as much as reasonably possible.

Permitted uses:

- Extractive operations, including pit or quarry where licensed under the Aggregate Resources Act.
- A wayside pit or quarry
- Uses associated or accessory to the operation of a pit or quarry including the extraction and processing of mineral aggregates, asphalt and concrete batching plants, crushing facilities, stock piling and storage of raw materials, finished products or overburden, screening, mixing, blending, washing, handling, weighing and the handling of recycled asphalt or concrete
- Any accessory buildings or structures related to the extraction operation
- Any facilities for loading, shipping or transfer of mineral aggregate materials
- Any activities and operations associated with the progressive rehabilitation of the lands
- A forestry, agricultural, conservation or passive recreation use which does not preclude or hinder current or future extraction of the resource may be permitted only where the lands are not being used for a mineral aggregate operation
- Existing dwellings and accessory uses in a Mineral Resources designation may be permitted as legal non-conforming uses and may be expanded or new accessory uses permitted, where Council determines that such expansions or accessory uses will not hinder access to the resource, or the continued operation of pits and quarries

5.4.1 Mineral Resource, Sand and Gravel

- (a) Sand and gravel are scarce resources in Leeds County but 95% of the probable reserves of this material are located in the Township of Leeds and the Thousand Islands. The location of these resources has been identified in studies prepared by the Ministry of Natural Resources. Those resource areas which are not yet sterilized, as well as other licenced areas, are shown on Schedule 'A'. It is the intention of Council to protect as much of these areas as reasonably possible for aggregate extraction and to ensure that the resources are utilized in accordance with proper controls.
- (b) Within these areas, interim land uses such as agriculture, forestry and outdoor recreation uses may be permitted provided that these do not include buildings or activities which would preclude the establishment of a pit. However, in areas of existing agricultural operations, buildings and structures accessory to an agricultural operation may be permitted.
- (c) The concept of an influence area is recognized as a means of protecting against incompatible land uses in the vicinity of existing and proposed pits and quarries. This influence area can be considered a study area in which studies may be completed by the proponent to demonstrate that the proposed pit or quarry is not incompatible land use with sensitive development. This influence area is applied reciprocally to sensitive land uses encroaching upon existing pits and quarries.

The Ministry of the Environment recommends an influence area of 500 metres for quarries, 150 metres for pits above the groundwater table and 300 metres for pits

below the groundwater table. Development within this influence area may be permitted if impacts such as noise, dust and vibration can be mitigated.

- (d) Within the areas designated Mineral Resource, Sand and Gravel in the Official Plan, the establishment of a new pit or the expansion of an existing operation onto lands not zoned for such use will require an amendment to the Zoning By-law.
- (e) The lands within the Mineral Resource, Sand and Gravel designation which are not zoned for a pit will be placed in an appropriate zone category which will protect the lands from any incompatible development. Sensitive land uses such as residential or institutional uses will not be permitted.
- (f) The removal of part of the Mineral Resource, Sand and Gravel designation from Schedule 'A' will be considered each time the Township undertakes a review of this Plan. In the interim, the municipality will consider applications for Zoning By-law amendments without the need for an Official Plan amendment when the resource has been depleted. The applicant will be required to provide justification for the change. In considering such amendments, Council will consult with the Ministry of Natural Resources and take into account the following:
- (i) evidence provided by the applicant that the useful aggregate has been extracted or that aggregate extraction is not feasible due to quality, quantity or other development constraints;
 - (ii) Whether the proposed land use serves a greater long term public interest;
 - (iii) the reason for the choice of the location and consideration given to alternate locations on non-sand and gravel lands;
 - (iv) the consideration given to the option of sequential land use in which the sand and gravel is removed prior to development of the land for the proposed use;
 - (v) whether the rezoning will result in land uses which are incompatible with continued or future extraction in remaining areas of the designation.
 - (vi) Issues of public health, public safety and environmental impact are addressed.
- (g) Where a sand and gravel operation has been established on land within the Agriculture designation, on prime agricultural land, rehabilitation of the site must be carried out and substantially the same acreage and average soil capability for agriculture restored. On these prime agricultural lands, complete agricultural rehabilitation is not required if:
- 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;
 - Other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands

identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Classes 1, 2 and 3; and

- Agricultural rehabilitation in remaining areas will be maximized.

5.4.2 Mineral Resource, Bedrock

- (a) Two areas of bedrock resources have been identified by the Ministry of Northern Development and Mines:
 - (i) Diorite building stone south and west of Donaldson Bay of Charleston Lake; and
 - (ii) Lyndhurst Granite building stone in an area between Sweets Corners and the northwesterly boundary of the Township near Morton.

These areas are large and, although they provide opportunities for economic development, they also have significant potential for incompatibility with the Natural Heritage System, lake environments, scenic views from public land and existing residential development. Permitting of dimension stone is through the Aggregate Resources Act (ARA) by the Ministry of Natural Resources (MNR) – these concerns, and others are addressed by MNR as part of the permitting process.

- (b) The intent of the Mineral Resource, Bedrock designation is to identify the area's potential but the use of this land for building stone production will be carefully regulated to ensure these potential incompatibility problems are avoided. The municipality does have input through the public consultation process under the ARA and in necessary zoning changes as per subsection (c).
- (c) The Mineral Resource, Bedrock designation will be considered an overlay category to the underlying Rural designation. Uses permitted will be the same as those permitted by this Official plan for the Rural designation. However, sensitive uses such as residential or institutional uses will not be permitted in the Mineral Resource Bedrock designation. Bedrock quarries may also be considered through the rezoning and ARA licensing processes provided the relevant issues listed in Section 5.4.4(c) are considered.

5.4.3 Mineral Resource, Other Quarries

Several additional bedrock quarries located outside of the Mineral Resource, Bedrock designation are currently licensed and zoned. These have been identified on Schedule 'A'. New quarries and expansions to quarries in locations outside of the lands designated will only proceed by amendment to this Official Plan. Consideration will be given to the relevant issues listed in Section 5.4.4(c).

5.4.4 Mineral Resource, Wollastonite

- (a) Wollastonite is an industrial mineral used in various applications such as adding strength and flexibility to plastics and as a safe replacement for asbestos. It is extracted from quarries using similar processes as those used in a mineral aggregate quarry but is regulated under the Mining Act instead of the Aggregate Resources Act. It is important for these resources to be protected against conflicting land uses in order to ensure their future viability for exploitation. It is also important that these resources be extracted in a way which is sensitive to the environment and the community. Provincial legislation and regulation ensures that these resources will only be extracted in a way that is sensitive to the environment and the community.
- (b) Two Wollastonite deposits have been identified by the Ministry of Northern Development and Mines. One is located between Highway 401 and County Road 2, west of Gananoque; the other is immediately south of Seeleys Bay, extending to the westerly limits of the Township and into the rural area of the City of Kingston. The latter deposit is large but only the Core area has been designated on Schedule 'A'. Additional economically viable resources may occur on the adjacent lands.
- (c) It is recognized that Wollastonite extraction has the potential for conflict with other policies of this Official Plan if it is not carried out under enforceable controls. Wollastonite is designated under the Mining Act which is administered by the Ministry of Northern Development and Mines (MNDM). Development of deposits and extraction is governed by this provincial legislation. Prior to passing a Zoning By-law amendment to permit development on the lands designated Mineral Resource, Wollastonite, Council will consider the following issues:
 - (i) the size, scale and nature of the proposed use, and any land uses and activities accessory to the mining use;
 - (ii) a site development analysis detailing the property's dimensions, topography, soils, surface and groundwater characteristics;
 - (iii) the compatibility of the proposed mine with adjacent existing and planned land uses and designations;
 - (iv) the accessibility of the proposed site with respect to road patterns and traffic volumes and the location of entrances and exits to the mining operation;
 - (v) the location of routes to be used by haulage trucks and their impact on communities or residents along those routes, and on the transportation system;
 - (vi) the location of the proposed site and its impact on adjoining communities;
 - (vii) the ability of the proposed use to preserve the scenic beauty and amenity of the area;

- (viii) a detailed landscaping, screening and buffering plan;
- (ix) an environmental impact statement;
- (x) a blasting impact report;
- (xi) information that demonstrates that the proposed use will not adversely affect groundwater quality and quantity;
- (xii) information that demonstrates that surface water and drainage will not be adversely affected; and
- (xiii) the general conditions under which the mining operation will operate, including hours of operation as well as seasons of operation.

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

5.5 Natural and Human-made Hazards

The natural hazards which are known to be present in the Township include flooding and erosion. The Cataraqui Region Conservation Authority works with the Township to identify such hazards, and to help ensure that persons and property are not harmed by them. Also there are known abandoned mines and mineral resource operations in the Township and known locations are identified on Schedule 'A' to the Plan. These abandoned sites vary widely in nature, from little more than minor ground disturbances to major excavations and/or shafts. In the case of more major disturbances, a risk to public safety may exist.

In reviewing development applications, the approval authority shall attempt to ensure that development on or adjacent to lands affected by potentially hazardous abandoned mines or mineral resource operations will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or completed. The Ministry of Northern Development and Mines shall be consulted in this regard. Provincial policy encourages development to be directed to non-hazardous areas.

5.5.1 Flood Plain

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

- (a) Lands designated as Flood Plain have been identified using engineered floodlines, where available. Additional areas have been identified using air photo interpretation and site checks. It is recognized that not all Flood Plain areas are identified on Schedule 'A'. For the purpose of this Official Plan, a Flood Plain means the area adjoining a waterbody or watercourse, including a municipal drain, which has been, or may be, covered by flood waters associated with the regulatory 1:100 year event, including:
- (i) lands identified by an engineered floodline established by the Cataraqui Region Conservation Authority; or
 - (ii) lands identified on Schedule 'A'; or
 - (iii) where the location of the floodplain is not known, the horizontal area, 30 m (98.4 feet) wide, on either side of a watercourse, including a municipal drain.
- (b) The regulatory floodplain of the St. Lawrence River is based on a 1:100 year water level, plus a factor to account for wave uprush. The Provincial Policy Statement defines the St. Lawrence River as a connecting channel, adjacent to which development and site alteration are not permitted below the 1:100 year water level. In the Township of Leeds and the Thousand Islands, this policy applies to:
- 1. land below the 76.0 m elevation (Geodetic Survey of Canada, or G.S.C.) within Lots A and 1 to 9, Concession I, Geographic Township of Leeds; and
 - 2. land below the 75.9 m elevation, G.S.C. for the balance of the Township's St. Lawrence River frontage.
- Development and site alteration in the wave uprush portion of the floodplain along the St. Lawrence River will be in accordance with Section 5.5.1 (c) of this Plan.
- (c) Except as identified in Section 5.5.1 (b), the following policies will apply for those areas identified as Flood Plains:
- (i) Generally, no development will be permitted within the Flood Plain except for flood or erosion control structures, shoreline stabilization works, water intake facilities and marine facilities such as docks and boathouses. Uses such as agriculture, forestry, conservation, wildlife management, outdoor education uses and similar activities will be permitted, provided that no associated buildings or structures are located in the Flood Plain.
 - (ii) On a lot that was existing as of the date of approval of the Plan, opportunities for development and site alteration outside of the floodplain should be explored as the preferred approach. If no suitable area is available, development of an existing lot may be considered, provided that floodproofing measures for buildings, and access routes have received approval from the Conservation Authority and the Township. In such cases,

development would be in accordance with the adjacent land use designation provided the proponent can show that all of the following can be achieved:

- new hazards are not created and existing hazards are not aggravated;
 - no adverse environmental impacts will result;
 - vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and
 - the proposed development does not include institutional uses or essential emergency services or the storage of hazardous substances.
- (iii) Where new lots are being created, part of which will be located in the Flood Plain, there must be a sufficient area of land above the floodline to place any proposed buildings and services in accordance with the policies of the Official Plan, the provisions of the Zoning By-law and any other applicable regulations.
- (d) When interpreting the boundary of the Flood Plain designation, the Conservation Authority will be consulted.
- (e) When any new or additional engineered flood line mapping becomes available, it will be included in the Official Plan by amendment.
- (f) In any area designated Flood Plain, it will be the policy of Council to encourage the retention of natural vegetation.
- (g) The placement or removal of fill in any area designated Flood Plain, or any altering, straightening, changing, diverting or interfering, in any way with the channel of any watercourse will require the approval of the Conservation Authority and the Ministry of Natural Resources.
- (h) Lands designated Flood Plain will be placed in appropriate zoning classifications in the implementing Zoning By-law.

5.5.2 Erosion Hazards

The Provincial Policy Statement intends that development be directed away from areas that may be subject to erosion over the next 100 years. Erosion rates vary throughout the Township depending upon the soil conditions and slope. In areas of exposed Precambrian bedrock, the erosion potential is less than in areas with an overburden of soil. A comprehensive evaluation has been undertaken for the St. Lawrence River shoreline of the Township, but inland areas require further research.

In the absence of detailed mapping, a general standard of a 3 (horizontal) to 1 (vertical) stable slope plus a 15 metre erosion allowance will apply along the St. Lawrence River. For inland waterbodies, the CRCA recommends that development be located outside of a 3 to 1 stable slope plus a 6 metre erosion access allowance, or 10 metres from the top of bank, whichever is greater. Additional setbacks may be necessary along inland watercourses with active erosion or a meander belt.

The Township will work with the CRCA to develop appropriate standards for inclusion in the Zoning By-law.

In considering development applications, minor variance applications and the creation of new lots, the Township will ensure that erosion potential is included in the issues to be considered and may require a technical analysis by a qualified geotechnical engineer where conditions warrant.

Where development and site alteration occurs on land adjacent to the Rideau Canal, Parks Canada will be consulted.

Development on steep or unstable slopes will be restricted. Where there is no reasonable alternative for locating development outside of an erosion hazard or steep slope, no development, including the installation of sewage disposal systems, will be permitted on steep or unstable slopes, unless:

- New hazards are not created and existing hazards are not aggravated;
- No adverse environmental impacts will result;
- Vehicles and people have a way of safely entering and existing the area during times of flooding, erosion, and other emergencies;
- The proposed development does not include institutional uses or essential emergency services or the storage of hazardous substances;
- The hazard can be over come using acceptable engineering techniques and the standards set out in the Building Code can be met.

Approval for marine facilities may be restricted in natural hazard areas along the Rideau Canal.

5.5.3 Other Hazards

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

5.5.4 Hazardous Sites

Hazardous sites means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (karst topography).

5.6 Airport

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

- 5.6.2 It is intended that the lands continue to be used for limited scale commercial and recreational activities related to the air transportation industry and other compatible uses.
- 5.6.3 The implementing category in the Zoning By-law will recognize current uses and provide for a limited range of additional related uses. This will ensure an opportunity to review applications for significant change through the review of an application for rezoning. No Official Plan amendment will be required if the proposed uses are compatible with existing activities and neighbouring uses.
- 5.6.4 “Fly in” residential development may be considered on the lands designated and on lands to the immediate north without an Official Plan amendment. This form of development would cater to aircraft enthusiasts and consist of aircraft hangars with accessory residential uses. Development will occur by plan of subdivision. A rezoning would be required and would only occur after the following issues are addressed:
- (a) compatibility with other airport uses;
 - (b) access to a public road;
 - (c) suitability of the land for development on private individual services;
 - (d) the relevant policies of Section 4.4; and
 - (e) a market feasibility study prepared by a qualified professional.

5.7 Waste Management

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

5.7.1 Waste Disposal Site

- (a) All existing waste disposal sites will be zoned in the implementing Zoning By-law. The establishment of any new waste disposal site will require an amendment to the Zoning By-law as well as a Certificate of Approval from the Ministry of the Environment.
- (b) A waste disposal site must be located an adequate distance from any land use susceptible to odours, surface water or groundwater contamination or gas migration. The requirements of Guideline D-4, Land Use On or Near Landfills and Dumps, produced by the Ministry of the Environment, will apply.
- (c) A waste disposal site will be set back a reasonable distance from a public road so that no unsightly appearance is visible from the road.

- (d) A waste disposal site will be located so that contamination of any ground or surface water does not occur.
- (e) Any waste disposal site must be operated in accordance with the requirements of the Environmental Protection Act and any regulations there under.
- (f) Any waste disposal site no longer in use must be rehabilitated to the standards required by the Ministry of the Environment. The approximate locations of former waste disposal sites are identified on Schedule 'A'.
- (g) The establishment of any other type of waste management system as defined in the Environmental Protection Act and regulations there under will require an amendment to the Official Plan and Zoning By-law.
- (h) Any proposed development within 500 m (1640.4 feet) of an existing waste disposal site will also be subject to the requirements of Guideline D-4, referenced above.

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

- (i) No development on land formerly used as a waste disposal site is permitted without approval from the Ministry of the Environment.

5.7.2 Sewage Disposal Site

- (a) The establishment of a new sewage disposal site will require an amendment to the Zoning By-law as well as a Certificate of Approval from the Ministry of the Environment.
- (b) A sewage disposal site must be located an adequate distance from any land use susceptible to noise, odours or groundwater contamination. The requirements of Guideline D-2, Compatibility between Sewage Treatment and Sensitive Land Use, produced by the Ministry of the Environment, will apply.
- (c) A sewage disposal site will be located so that contamination of groundwater does not occur.
- (d) Any sewage disposal site must be operated in accordance with the requirements of the Ontario Water Resources Act and any regulations hereunder.
- (e) Any proposed development within 400 m (1312.3 feet) of an existing sewage treatment facility will also be subject to the requirements of Guideline D-2, referenced above.

5.7.3 Hauled Septage Disposal Sites

- (a) Septage means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet or portable toilet. Hauled septage disposal sites, known as “Organic Soil Conditioning Sites” must be certified by the Ministry of the Environment. The following policies will apply to these uses until such time as the use of these sites are phased out.
- (b) The establishment of any new hauled septage disposal site will require an amendment to the Official Plan and Zoning By-law.
- (c) The site must have or be eligible to receive a valid Certificate of Approval issued by the Ministry of the Environment.
- (d) The site is a minimum of 90 m (295.3 feet) from the nearest dwelling.
- (e) The site is a minimum of 450 m (1476.4 feet) from a Village or a rural residential subdivision.
- (f) The site is a minimum of 90 m (295.3 feet) from any other use which has a well.
- (g) The site is set back an adequate distance from any watercourse as determined by soil permeability and slope to ensure that surface drainage of the waste material to the watercourse does not occur.
- (h) The site is operated and managed in full compliance with the requirements set out by the Ministry of the Environment.
- (i) The creation of new lots is only permitted if there is sufficient treatment capacity for hauled sewage, other than the land application of untreated hauled sewage.

5.8 Rural

The Rural designation applies to most of the land in the Township and is intended to allow a range of uses which, together, provide the rural community with opportunities to live and work in a sustainable manner.

5.8.1 Rural Residential

- (a) Rural residential uses will generally be limited to single detached dwellings and two unit dwellings. The conversion of existing single detached dwellings into two dwelling units may also be permitted in accordance with the provisions of the Zoning By-law and subject to the approval of the private services for such development.
- (b) The creation of lots may take place by severance or by plan of subdivision in accordance with the policies set out in Section 4.4.

- (c) Subdivisions will be limited to approximately 40 lots per phase in order to ensure minimal financial impact on the municipality. A subsequent phase of a subdivision should not exceed approximately 40 lots and should not be draft approved until previous phases have had dwellings constructed on approximately 75% of the lots.
- (d) It is intended that rural residential development be located so that the impact on natural features such as waterbodies and the Natural Heritage System will be minimal.
- (e) It is anticipated that there may be proposals for multiple residential development in the rural area from time to time. Council will consider such proposals for exceptional circumstances, such as public or private senior citizens projects. For any such proposal, a servicing options report, prepared by a qualified engineer, will be required. The report will recommend the appropriate type of servicing and any specific conditions relating thereto which must be acceptable to Council and the Ministry of the Environment. Where any proposed development requires the municipality to own or to be responsible for communal services, the municipality will not sign any agreement or enact any amending By-law until Council is satisfied that the proposed services will be of the highest reasonable standard to ensure the reliable functioning of the systems in the future and that satisfactory financial arrangements have been made between the developer and the municipality to ensure that the Township will not incur the cost of repair or replacement of these systems.
- (f) New residential lots should abut an open public road to better facilitate the provision of services such as school bussing, emergency services (fire, ambulance, police), snow plowing and municipal road maintenance.

It is recognized that some individuals prefer to live on private roads for reasons of privacy, cost of road building or the advantages of locating in scenic but less accessible areas and are willing to accept the risks associated with this decision. It is also acknowledged that the distinction between seasonal and year-round use has blurred and that the Township has little control over gradual conversions.

- (i) Although new private roads will not be permitted, new lots and/or waterfront lots may be considered on existing private roads or minor extensions (up to 200 m or 656.2 feet) provided:
 - the existing and proposed private road is and will be physically capable of accommodating the Township's largest fire truck in winter conditions, taking into account slope, width, vegetation overhang and availability of a suitable turn around area at the end of the road;
 - the Township is satisfied that suitable agreements are in place between the users of the road to ensure that it will be privately maintained to an appropriate standard for continued safe passage by emergency vehicles; and

- a suitable caution is placed permanently on title to make future purchasers aware that the Township has no responsibility for the private road.
- (i) Development on existing lots on private roads will be addressed in a similar way when any planning application comes before Council or the Committee of Adjustment for approval.
- (ii) Council will review the effectiveness of these policies within five years of the date of adoption of this Official Plan.
- (g) Plans of subdivision that are to be developed on private wells and septic tank disposal systems will require a hydrogeological and terrain analysis report and impact assessment of nitrates on the groundwater. These studies must meet the satisfaction of Council prior to the issuance of draft plan approval.
- (h) Notwithstanding the policies contained in Section 4.4.3(e) of the Plan, on lands located in Part of Lot 15, Concession 1, former Township of Lansdowne north side of the 1000 Islands Parkway, development may take place with lots having frontage on the 1000 Islands Parkway, and access provided from a deeded private right-of-way. Any subsequent development of the subject lands must also be in accordance with the policies contained in Section 4.3 of the Plan.

5.8.2 Commercial and Industrial

- (a) Commercial and industrial uses provide employment opportunities for Township residents as well as important services for area residents, tourists, businesses and the travelling public.
- (b) A key attribute which can be used to encourage ecotourism is the natural beauty and significant natural heritage of the area. The Township will work with the business community to encourage this form of tourism, taking advantage of compatible features like the path system on the Thousand Islands Parkway and potential extensions to that system.
- (c) The Thousand Islands Charity Casino has attracted many visitors and may generate pressure for related or supporting businesses within Gananoque and in the Township. Opportunities for compatible development will be encouraged while giving careful consideration to the other relevant policies of this Official Plan.
- (d) Commercial and industrial uses should be appropriate for the proposed location, having regard to potential impacts on neighbouring land uses and surrounding physical features.
- (e) Commercial and industrial uses may be permitted north of Highway #401 and south of Highway #401 on land adjacent to Selton Road West, Ivy Road North, Reynolds Road, Rockport/Escott Road and La Rue Mills Road provided they are not closer than 395 m (1296 feet) to the centre point of any intersection on the 1000

Islands Parkway and further provided that their establishment will have negligible impact on neighbouring uses. Commercial or industrial uses generating truck traffic involving loads in excess of 5 tonnes per axle will not be permitted where access is likely to use the 1000 Islands Parkway.

- (f) Tourist commercial uses should be on lots which abut a public road in order to help avoid conflicts with neighbouring residential uses.
- (g) Tent and trailer parks will be permitted as a resort commercial type of development. Tent and trailer parks include seasonally operated parks for the accommodation of tents and recreational vehicles, including park model trailers but excluding mobile homes, together with accessory facilities, such as convenience stores and services catering to the day-to-day needs of the visitors. New tent and trailer parks will require an amendment to the Zoning By-law. The following policies will apply to tent and trailer parks.
 - (i) The site development standards, such as lot area, density, campsite area and frontage, will be established in the Zoning By-law.
 - (ii) Access roads to tent and trailer parks will be adequate for the movement of large vehicles. Public road access points will be limited in number and designed so that the danger to vehicular and pedestrian traffic will be minimized.
 - (iii) Adequate buffering will be provided between the tent and trailer park and any adjacent residential uses.
 - (iv) Adequate parking for users, as well as visitors, will be provided on site.
 - (v) Water and sewage disposal services for the park must be provided in accordance with the requirements of the municipality and will not be permitted to be functional during the period from December 1 to March 31 of the following year. This policy is intended to discourage long-term residential use.
 - (vi) The applicant will submit a site plan for the proposed park which must be accepted by Council before an amendment to the Zoning By-law is passed.
 - (vii) Tent and trailer parks will conform to all provisions of the municipality's trailer By-law, passed under the authority of the Municipal Act.
- (h) Floating dwellings may be permitted within a marina either on a year-round basis or for winter storage in accordance with the following policies and the provisions of the implementing Zoning By-law.
 - (i) Floating dwellings will be located in a manner which minimizes visual impacts when viewed from neighbouring properties; height and other limitations will be established in the Zoning By-law.

- (ii) Floating dwellings will be placed in locations which may be readily serviced by emergency or service vehicles.
 - (iii) Floating dwellings will be located where they do not impede navigation.
 - (iv) Adequate vehicular parking will be provided.
 - (v) No hazardous condition will be created as a result of the placement of the floating dwelling. Particular attention will be paid to flooding, normal water fluctuations and weather conditions and their potential impacts on the proposed site and neighbouring uses. The attachment of the floating dwelling to the land must permit the rise and fall of the dwelling with the changing water levels (up to 1:100 year conditions) and be protected from wave uprush and/or other water related hazards, to the satisfaction of the Cataraqui Region conservation Authority. Land access for floating dwellings must be safe for vehicles and people during times of flooding.
 - (vi) Plumbing systems will be designed to prevent the overboard discharge of black water and grey water except into an approved sewage hauling or sewage disposal system. An alarm device (both audible and visual) will be installed to warn when the tank is at 80% capacity. Evidence of a pump-out agreement with a licensed sewage hauler will be required.
-
- (i) Industrial uses should be of a type which do not require large quantities of water and which do not pose problems for the disposal of wastes. Proper waste handling, spill control and wastewater treatment will be required. Industrial uses should be oriented to the local economy, such as those which use local resources and/or serve local businesses and residents.
 - (j) The location of all commercial and industrial uses will be controlled by placing them in appropriate categories in the Zoning By-law. Consideration will be given to combining commercial and industrial uses in a common zone(s), where appropriate, in order to provide flexibility.
 - (k) The location and number of accesses to public roads for commercial and industrial uses will be carefully controlled in order to avoid creating a traffic hazard. Generally, there should be no more than two access points per lot.
 - (l) Adequate off-street parking and loading spaces will be provided.
 - (m) Adequate buffering will be provided between the commercial or industrial uses and neighbouring residential uses.
 - (n) Commercial and industrial uses are designated as Site Plan Control areas.
 - (o) Advertising devices and outside storage of goods and materials will be strictly controlled.

5.8.3 Recreation and Public Open Space

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

5.8.4 Small Scale Mineral Aggregate Removal

- (a) Pits for the removal of small (maximum: 20,000 tonnes per year) quantities of sand, gravel and fill may be permitted in the Rural designation without an Official Plan amendment, provided they are clearly limited in their potential impact on surrounding uses. This policy is intended to allow small areas of unmapped resources to be utilized but priority will be given to the protection of adjacent land uses. Any proposed pit operation which exceeds the limit of 20,000 tonnes per year which is not within an area designated Mineral Aggregate will require an amendment to this Official Plan.
- (b) A Zoning By-law amendment and licensing under the Aggregate Resources Act will be required. In considering a rezoning application, the municipality will review the applicant's licensing reports and potential impacts related to groundwater, noise, dust and truck traffic. Because this policy is only intended to accommodate the removal of unconsolidated materials, no blasting will be permitted.

5.8.5 Wrecking Yard

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

- (a) Wrecking yards will be located an adequate distance away from any existing or proposed residential, commercial, institutional or park uses. The actual separation distance may vary, depending on topography, intervening land uses or natural buffering. Site specific distances will be established in the Zoning By-law.
- (b) The wrecking yard will be naturally screened on all sides, so that no portion of the operation, including the storage area, is visible from a public road. Additional artificial screening will be required to screen the site from any neighbouring residences.
- (c) A wrecking yard will not be permitted in a location which may cause or contribute to the pollution of any watercourse or area designated as Provincially Significant Wetlands.
- (d) An accessory dwelling for the owner of the wrecking yard will be permitted.
- (e) All wrecking yards will be licensed by the municipality and will be subject to Site Plan Control.
- (f) An amendment to the Zoning By-law will be required to establish a new wrecking yard. A new wrecking yard will only be considered in a Rural designation.

5.8.6 Agriculture

- (a) Agricultural activities are permitted in the rural designation. All farm and non-farm development will comply with the minimum distance separation formulae. This policy is intended to encourage the agricultural use of land with suitable soils but which have not been included in the separate Agriculture designation.
- (b) A minimum lot area of 2 ha (4.94 acres) will be included in the Zoning By-law for the establishment of new agricultural uses.

5.8.7 Other Land Uses

From time to time, new land uses will be proposed that were not specifically contemplated when this Official Plan was prepared. An Official Plan amendment will not always be necessary in order to consider these uses in the Rural designation provided the proposed use is compatible with neighbouring uses and not in conflict with any applicable or relevant policy of this Official Plan. A Zoning By-law amendment will be required.

5.9 Special Policy Areas

5.9.1 General

Special Policy Areas are portions of the Township where unique attributes require modified approaches to land use in order to protect their fundamental values. This section of the Official Plan explains the additional policies and the changes to general Township policy

which apply. It also describes future initiatives which will lead to additional policy changes when warranted.

5.9.2 Thousand Islands Area (Land South of Highway 401)

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

(b) The Thousand Islands continue to be of unique importance to its residents and visitors. Its special character is a vital aspect of the Township's economy and it is recognized that care is needed to prevent overdevelopment that could jeopardize its future. Some additional policies will apply in this area and several specific land use designations have been shown on Schedule 'A' for some of the land south of Highway #401 in order to carefully control various forms of commercial development.

(c) Rural Designation South of Highway #401

For the areas designated Rural south of Highway #401, a modified approach to new development will apply.

- i) Residential development on the mainland will have a maximum density of one unit per 1 ha and be limited to single detached dwellings. A key goal is to preserve and enhance the aesthetic value of the area.
- ii) Residential development on islands will be limited to single detached dwellings which are designed to blend into the landscape rather than dominate it. New lots will have a minimum area of 1 ha (2.5 acres) above the 76.3 m (250.3 feet) geodetic contour and a minimum water frontage of 76 m (249.3 feet) measured along a straight line joining the two side lot lines where they intersect with the 76.3 m (250.3 feet) geodetic contour.
- iii) Residential development, including expansion of dwellings and replacements, on islands less than 1 ha (2.5 acres) and larger than 0.6 ha (1.5 acres) in area will only be permitted if a site specific rezoning or a Committee of Adjustment application approves the development in accordance with the following:

- the terrain must be such that a residence can be located in an unobtrusive manner. Photographic evidence will be required.
 - the size and design of the residence must permit it to blend into the natural landscape with minimal visual impact. Detailed sketches will be required. Site Plan Control will apply.
 - an effective method of sewage disposal must be designed and correctly installed for the property. No new development or expansions of existing dwellings will be permitted on the basis of holding tanks.
- (iv) Commercial uses will be in accordance with Section 5.9.2(d) and (e). Industrial uses are generally prohibited.
- (v) Waste management facilities and wrecking yards are prohibited.
- (d) Tourist Commercial
- (i) The lands designated Tourist Commercial in this Official Plan are located south of Highway #401. The uses permitted will generally be limited to tourist accommodation, dining, tourist services and similar uses.
 - (ii) An amendment to the Official Plan as well as to the Zoning By-law will be required in order to establish new Tourist Commercial areas south of Highway #401. In considering such applications, Council will be guided by the relevant policies of Section 5.8.2 and must be particularly satisfied with the compatibility of the proposed use with neighbouring uses, its visual impact on the 1000 Islands Parkway, and be satisfied that insufficient land is currently available for such use in the area south of Highway #401.
 - (iii) Tourist Commercial uses are designated as Site Plan Control areas.
- (e) Active Recreation
- (i) The land designated as Active Recreation may be used for tent and trailer parks, riding clubs, golf courses, boat launching sites, picnic area, recreation areas, community centres, retreat areas, conference centres, interpretation and tourist information centres and limited accessory commercial uses.
 - (ii) The size of any lot designated Active Recreation will be appropriate for the use proposed, suitable for the proper functioning of adequate water supply and sewage disposal facilities and in conformity with the requirements of the Zoning By-law.
 - (iii) Access to all Active Recreation properties will be by public road. All developments in this designation will provide such parking facilities as are required to effectively serve the land use with no disruption to through traffic.

- (iv) The siting of all permitted uses will minimize potential disturbance to existing vegetation, the Natural Heritage System, fish habitat and other natural features. Buffering will be provided between any Active Recreational land use and adjacent residential uses. Active Recreation areas are designated as Site Plan Control areas.
- (v) In addition to the policies of this section, tent and trailer parks will conform to the applicable policies of Section 5.8.2(g).

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

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

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

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

5.9.3(1) Development Policies

Generally, the creation of new lots through the severance/consent process, or by plan of subdivision, will not be permitted within 300 metres of highly sensitive lakes. New development may proceed within 300 metres on existing lots of record only.

Council will not consider any application that involves the creation of a new lot, on the shorelines of lakes which have been identified as being at capacity or highly sensitive except in consultation with the Ministry of the Environment and the Ministry of Natural Resources, and under one of the following special circumstances:

- (a) the tile fields on each new lot are set back at least 300 metres from the highwater mark of the lake, or such that drainage from the tile fields would flow at least 300 metres to the lake.
- (b) the tile fields on each new lot are located such that they would drain into the drainage basin of another waterbody, which is not at capacity.
- (c) to separate existing, habitable dwellings, each having a separate septic system, provided that the land use would not change.

- (d) The greatest setback achievable is recommended for existing lots of record on highly sensitive lake trout lakes in order to minimize negative impacts on water quality. At a minimum, a 30 metre setback with maintenance of the vegetative cover should be required.

SECTION 6 IMPLEMENTATION

6.1 Zoning By-law

Zoning is the principal means for implementing an Official Plan. As set out in Section 34 of the **Planning Act**, the Zoning By-law will regulate the use of land, the erection and use of buildings and structures, yard requirements, parking and loading space requirements and other such matters.

The former Townships of Front of Escott, Front of Leeds and Lansdowne and Rear of Leeds and Lansdowne have approved comprehensive Zoning By-laws. When this Official Plan is approved, it will be necessary to enact a new comprehensive Zoning By-law to implement the provisions of this Official Plan.

6.2 Site Plan Control By-law

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

6.3 Building By-law

The **Ontario Building Code Act** and the Ontario Building Code regulate building construction standards in all Ontario municipalities.

6.4 Maintenance and Occupancy By-law

Council may pass a Maintenance and Occupancy By-law for prescribing the standards for the maintenance and occupancy of property and for prohibiting the use of such property that does not conform to those standards.

6.5 Other By-laws

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

6.6 Construction of Public Works

Certain policies of this Plan will be implemented through the construction of public works. No public works will be undertaken that do not conform to the intent and purpose of the Official Plan.

6.7 Land Acquisition

The municipality may acquire and hold land within the municipality for the purpose of developing any feature of the Official Plan. The municipality may also sell, lease or otherwise dispose of such land when no longer required.

6.8 Subdivision of Land

Council will use the subdivision and consent approval processes to ensure control over the subdivision of land. All plans of subdivision and consent applications must generally conform to the requirements of this Official Plan. As part of the approval process, certain requirements may be imposed as a condition to the approval of a plan of subdivision or consent and the owner may be required to enter into an agreement with the municipality before final approval is given.

6.9 Committee of Adjustment and Land Division Committee

When a Zoning By-law is in effect, a Committee of Adjustment may be appointed to rule on applications for minor variance from the provisions of the Zoning By-law. In granting a variance, the Committee will be satisfied that:

- the variance is minor;
- such variance is desirable for the appropriate development or use of the land, building or structure;
- the general intent and purpose of the By-law is maintained; and
- the general intent and purpose of the Official Plan is maintained.

In addition, the Committee of Adjustment has the power to permit an extension or enlargement of a building or structure which is a non-conforming use. The Committee will have regard for the policies of Section 4.14 of this Official Plan in reviewing such applications.

The Land Division Committee for the United Counties of Leeds and Grenville has the power to grant consents to sever land within the Township of Leeds and the Thousand Islands. The Land Division Committee will follow the policies governing consents as well as any other relevant policies set out in this Official Plan.

6.10 Amendments

Amendments may be made to the Official Plan when such changes are warranted. The provisions of the **Planning Act** with respect to Official Plans apply similarly to amendments including the approval by the Minister or the Ontario Municipal Board. When amendments are made to the Official Plan, appropriate amendments will also be made to implementing By-laws so that any such By-law is in conformity with the Official Plan.

6.11 Review Procedure

It is the intention of Council that a comprehensive review of the Official Plan takes place about every five years. If any of the assumptions on which the Official Plan is based change substantially, a partial or complete review of the Plan should be undertaken at that time in order to determine whether the policies of the Official Plan are still appropriate.

6.12 Procedural Guidelines

From time to time Council may adopt procedural guidelines in order to assist Council, municipal staff and the public in effectively dealing with such matters as subdivisions, consents and site plans. These guidelines will not form an actual part of the Official Plan.

6.13 Public Notification

The **Planning Act** provides the statutory requirements for giving notice of planning matters. Council may establish additional requirements for notification which will be set out in the procedural guidelines. On a case-by-case basis, additional notification over and above the statutory requirements and the Council procedural requirements may be considered. For those amendments to the Official Plan and Zoning By-law which are of housekeeping nature (for example, typographical, grammatical or dimensioning errors, rearranging format or renumbering, consolidations, etc.), Council may forego public notification. This will not apply to any changes which would affect the policies, designations or the intent of the Official Plan.

6.14 Consultation and Application Requirements

6.14.1 Mandatory Pre-Consultation

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

6.14.2 Development Applications: Required Information and Material

a) Pursuant to the provisions of the Planning Act, Council and/or its designated approval authorities may require applicants to provide additional information or material to accompany the following development applications:

- Official Plan Amendments;
- Zoning By-Law Amendments;

- Applications for Plan of Subdivision or Condominium;
 - Applications for Site Plan Control;
 - Consent Applications; and
 - Applications for Minor Variance.
- b) Development applications for a planning approval listed in Section 6.14.2 a) shall be accompanied by the information and materials required under the Planning Act and any other legislation or regulation, as amended. Such information and materials will be required at the time of submission of the development application in order to for the application to be deemed completed. Such information and materials include, but is not limited to the following:
- Description of the applicant's interest in the land (owner, tenant, purchaser);
 - Identification of the registered land owner, if different from the applicant;
 - Owner's authorization / consent to apply for the planning approval, if the owner is not the applicant;
 - Identification of the agent for the applicant, if any, with written authorization from the applicant;
 - Identification of the applicant's planner, if any;
 - Owner's authorization / consent to use and disclose personal information and to allow site visits;
 - Written confirmation of pre-consultation with the municipality;
 - Assessment Roll Number of the subject land(s);
 - The existing Official Plan designation and zoning for the lands;
 - Description and sketch of any existing or proposed easements and/or rights-of-way;
 - Description and/or sketch of existing uses, previous uses, and complete description (e.g. frontage and depth) of the subject lands;
 - Description and/or sketch of the existing land uses adjacent to and within 500 metres of the subject lands;
 - Description and/or sketch of the natural and artificial features on the subject lands and within 500 metres of the subject lands (e.g. buildings, railways, wells, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wood areas, etc.); and,
 - Any studies identified by the Township under Section 6.14.2 of this Plan.
- c) In addition to the information required in Section 6.14.2 a), the following is required with an application for a Plan of Subdivision or Condominium:
- Identification of the Ontario Land Surveyor, if any;
 - Outline of housing affordability; and
 - Preliminary Stormwater Management Report.

6.14.3 Development Applications: Additional Information – Studies and Assessments

- a) In addition to the requirements of Section 6.14.2, additional information in the form of the studies or assessments may be required in order to consider a planning application complete.
- b) The additional information will be required as part of a complete application in order to ensure that all the relevant and required information pertaining to a planning application is available at the time of submission to enable Council and/or its designated approval authorities to make informed decisions within prescribed time periods and ensure that the public and other stakeholders have access to all relevant information early in the planning process.
- c) In all instances, the number and scope of studies and assessments to be required for the submission of a complete application is appropriate and in keeping with the scope and complexity of the application.
- d) The additional information and material that may be required includes, but is not limited to, the studies and assessments listed below:
 - Assessment of Adequacy of Public Services/Conceptual Site Servicing Study;
 - Servicing Options Report;
 - Hydrogeological and Terrain Analysis;
 - Erosion and Sediment Control Plan;
 - Geotechnical Study/Slope Stability;
 - Impact Assessment of Adjacent Waste Disposal/Former Landfill Site;
 - Mineral Resource Impact Assessment;
 - Noise Control Study;
 - Noise/Vibration Study;
 - Transportation Impact Study or Brief or Community Traffic Study;
 - Market Impact Study or Brief;
 - Cultural Heritage Impact Statement;
 - Minimum Distance Separation;
 - Planning Rationale;
 - Environmental Impact Statement;
 - Agrology and Soil Capability Study;
 - Environmental Impact Assessment;
 - Phase 1 Environmental Site Assessment (ESA);
 - Phase 2 Environmental Site Assessment (ESA);
 - Record of Site Condition;
 - Wellhead Protection Plan;
 - Reasonable Use Study;
 - Groundwater Impact Assessment;
 - Stormwater Site Management Plan;
 - Floodplain Analysis;
 - Hydrologic Impact Analysis;

- Archaeological Resource Assessment;
 - Tree Preservation and Protection Plan;
 - Assessment of Landform Feature;
 - Mine Hazard Study/Abandoned Pit Quarry;
 - Proximity to or location within the hazard distance of a propane facility; and
 - Concept Plan showing ultimate use of land.
- e) Notwithstanding the required studies and assessments listed above in Section 6.14.3 d), Council may ask for any additional information that is considered reasonable and necessary in order to make a decision on a development application.
- f) The Township may require any of the studies or assessments noted in Section 6.14.3 d) to be peer reviewed on behalf of the Township at the proponent's expense.

SECTION 7

INTERPRETATION

- 7.1 It is intended that the boundaries of any land use designations shown on the Land Use Schedule be considered as approximate, except where bounded by such features as existing roads, waterbodies or other natural features. It will not be necessary to make amendments to the Official Plan for minor variations in the approximate boundaries provided that the intent of the Official Plan is maintained.
- 7.2 Base mapping used for Schedules 'A' and 'B' was supplied by the United Counties of Leeds and Grenville. It is known to contain errors in the location of Township Lot lines which were included in the original Ontario Base Maps (OBMs) provided by the Ministry of Natural Resources. To assist readers, the approximate location of lot numbers has been added to these Schedules. Where the relationship between designations and lots lines is confusing, regard will be had to the original mapping sources. When more accurate base mapping becomes available, it is intended that the designations will be transferred to the new base map. No amendment will be required to facilitate this transfer.
- 7.3 It is intended that all figures and quantities contained in the Official Plan be considered as approximate only. Amendments will not be required for any reasonable variation from these figures.
- 7.4 It is intended that buildings, structures, etc. that are normally incidental, accessory and/or essential to a permitted use which is currently in place on the property will also be allowed even though not specifically stated in the land use policies.
- 7.5 Any significant change from the policies contained herein will require an amendment to the Official Plan. If a change is major, particularly if it will cause changes in the way in which an area is developing, then the Official Plan should be reviewed in whole.
- 7.6 In some cases more than one (overlapping) designation will apply to a parcel of land. The policies applicable to both designations will apply. Where any apparent conflict exists, the policy which better protects the environment will take precedence.
- 7.7 Council may, by resolution, forego public notification in connection with Official Plan, Community Improvement Plan, and Zoning By-law Amendments if such amendments relate to matters which will not affect the policies and intent of the Official Plan or Community Improvement Plan, or the provisions of the Zoning By-Law in any material way, and may include the following matters:
- i. Altering punctuation or language to obtain a uniform mode of expression;
 - ii. Correcting clerical, grammatical, dimensioning or typographical errors;
 - iii. Altering and/or correcting the number and arrangement of any provision;
 - iv. Inserting historical footnotes or similar annotations to indicate the origin and approval of each provision;
 - v. Changing the format of a document;
 - vi. Consolidating amendments; and

- vii. Transferring Official Plan, Community Improvement Plan, and Zoning By-law designations to new base maps.

7.8 Where reference is made to consultation with or approval from the province, such reference is intended to include any delegated authority. Amendments to the Official Plan will not be required to cite any such delegated authority in the Plan. Similarly, if the responsibilities of provincial ministries or other public bodies change or if names of such ministries or public bodies change, any references to these ministries or public bodies may be correspondingly changed in the Plan without the need for an amendment.

APPENDIX 'A'

ADDITIONAL NATURAL HERITAGE FEATURES

1. Appendix 'B' identifies the locations of potential significant woodlands and fish habitat. These features are referenced in the Natural Heritage section of the Provincial Policy Statement.

2.1 Significant Woodlands

Provincial authorities have not yet identified all of the significant woodlands nor has a methodology been finalized to permit accurate delineation. The Township has worked with a group of organizations which has attempted to fill the information void by developing an Eastern Ontario methodology and applying it to the land. At present, the scientific basis has not been sufficiently refined to justify a regulatory approach to the protection of the identified land. Significant woodlands have, however, been identified using criteria prepared by scientists applying reasoned approaches to the identification of each element but there has not yet been sufficient field investigation to confirm the validity of all of the conclusions.

2.2 Significant Woodlands have been identified using a methodology that addresses six criteria considered important in evaluating woodlands.

- patch size;
- forest interior;
- proximity to other woodlands;
- proximity to hydrological features;
- slope; and
- islands.

No consistent data on forest age is currently available.

Scores from 0 to 3 were assigned for each criterion, resulting in total scores between 1 and 18. The woodlands which have been identified on Appendix 'B' are those which are considered the most significant and have scored from 10 to 18 points. Approximately 40% of the Township is affected.

2.3 This Official Plan establishes a voluntary approach to the protection of significant woodlands. Landowners are encouraged to protect these areas by:

- (a) transferring their proposed developments to portions of their landholdings located outside of the areas identified;
- (b) reviewing the mapping and related background information (available at the municipal office) and providing feedback to the municipality based on the owner's knowledge of the land and any additional scientific information which becomes available; and

- (c) considering the voluntary donation of the affected lands (or a conservation easement over those lands) to an eligible organization approved by Environment Canada under the Ecological Gifts program. These include Crown agencies, municipalities and qualified registered charities approved by the Canada Revenue Agency. The areas have been identified in this Official Plan appendix as part of the Township's Natural Heritage System and, therefore, fall within criterion number A14, the Specific Categories of Qualified Lands under the Ecological Gifts program.

2.4 Approval authorities will make this information available to applicants and encourage voluntary modifications to development applications which have the effect of preserving these lands in their natural state. Development will not be refused on the basis of the lands identified on Appendix 'B'.

3. Fish Habitat

Fish habitat exists in all of the Township's waterbodies and watercourses. Appropriate policies are included in the Official Plan text addressing this issue. The Ministry of Natural Resources (MNR), working through the United Counties of Leeds and Grenville, provided digital mapping of fish spawning areas and fish nursery areas. This information is shown on Appendix 'B' and is provided for reference purposes only. It will provide a starting point for determining the type of information that may be available from MNR when an applicant is required to complete an EIS. This mapping is not intended to imply that other waterbodies and watercourses do not contain fish habitat.

a. Wetlands

Provincially Significant Wetlands are identified on Schedule 'A' and were evaluated under the Ontario Wetland Evaluation System. Locally significant wetlands have been identified on Schedule 'B'. Appropriate policies for these designations are included in the Official Plan.

Some initial studies of other wetlands have been done using a new system which included nine criteria:

- size;
- interior;
- edge;
- adjacent vegetation;
- disturbance;
- habitat linkage;
- hydrological linkage;
- headwaters; and
- flood attenuation.

Scores of 0 to 3 were assigned, resulting in a potential range of total scores from 0 to 27. All of these areas are identified on mapping which is available at the Township office and may

be further refined to establish relative significance. The results will assist in setting priorities for future evaluations by the Conservation Authority or MNR.

b. Significant Wildlife Habitat

Work on Significant Wildlife Habitat has been hampered by the lack of available data. No mapping has been completed.

c. Corridors and Connections

Initial work on corridors and connections has been done by representatives of groups led by the Ministry of Natural Resources, Peterborough who, together, developed a methodology and used it to produce mapping referred to as the “Big Picture, 2002.” The potential corridors and connections were examined against the other designations shown on Schedules ‘A’ and ‘B’ but it was concluded that the data was not sufficiently refined to warrant inclusion at the present time. This information may form the basis for future linkages between other significant areas but will require additional work to interpret and properly relate to local conditions.

APPENDIX 'B'
GLOSSARY

DEFINITIONS

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of flooding hazards, erosion hazards and/or other water-related hazards.

Adjacent lands: means

a) those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives; and

b) those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

Adverse effects: as defined in the Environmental Protection Act, means one or more of:

a) impairment of the quality of the natural environment for any use that can be made of it;

b) injury or damage to property or plant or animal life;

c) harm or material discomfort to any person;

d) an adverse effect on the health of any person;

e) impairment of the safety of any person;

f) rendering any property or plant or animal life unfit for human use;

g) loss of enjoyment of normal use of property; and

h) interference with normal conduct of business.

Affordable: means

a) in the case of ownership housing, the least expensive of:

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or

2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;

b) in the case of rental housing, the least expensive of:

1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or

2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Agricultural uses: means the growing of crops, including nursery and horticultural crops; raising of livestock, raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

Alternative energy systems: means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act

Areas of archaeological potential: means areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Areas of mineral potential: means areas favourable to the discovery of mineral deposits due to geology, the presence of known mineral deposits or other technical evidence.

Areas of natural and scientific Interest (ANSI):

means 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.

Brownfield sites: means 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

Built heritage resources: means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

Coastal wetland: means

a) any wetland that is located on one of the Great Lakes or their connecting channels (Lake St Clair, St. Mary's, St. Clair, Detroit, Niagara and St Lawrence Rivers); or

b) any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Conserved: means the Identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment

Cultural heritage landscape: means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include but are not limited to, heritage conservation districts designated under the Ontario Heritage Act and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

Defined portions of the one hundred year flood level along connecting channels: means those areas which are critical to the conveyance of the flows associated with the one hundred year flood level along the St Mary's, St Clair, Detroit, Niagara and St. Lawrence Rivers, where development or site alteration will create flooding hazards, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include:

- a) activities that create or maintain infrastructure authorized under an environmental assessment process; or
- b) works subject to the Drainage Act,

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - & Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Endangered species: means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Fish: means fish, which as defined in S.2 of the Fisheries Act, c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the Fisheries Act c. F- 14, means 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.

Flood plain: for river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

a) Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;

b) Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:

1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;

2. the one hundred year flood, and

3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazard along the shorelines of the Great Lakes - St. Lawrence River System and large Inland lakes, and flooding hazards along rivers, and small inland lake systems.

floodway: for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St Clair, Erie and Ontario and their connecting channels, and the St Lawrence River within the boundaries of the Province of Ontario.

Ground water feature: refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the International boundary, where applicable, and the farthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake

systems, this means the land, including that covered by water, to the farthest landward limit of the flooding hazard or erosion hazard limits.

Hazardous sites: means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays (leda), organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property.

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Individual on-site sewage services: means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, under the Building Code Act, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development and
- d) the expansion or conversion of existing buildings.

Mine hazard: means any feature of a mine as defined under the Mining Act, or any related disturbance of the ground that has not been rehabilitated.

Minerals means metallic minerals and non-metallic minerals as herein defined, but does not include mineral aggregate resources or petroleum resources.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

- a) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act, or successors thereto;
- b) for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

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

Mineral deposits: means areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae: means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Municipal sewage services: means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of Section 2 of the 8 Drinking Water Act, 2002.

Natural heritage features and areas: means features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of natural heritage features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

Negative Impacts: means

- a) degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities

b) in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, It has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; and

c) in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

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.

One hundred year flood: for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof; having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equaled or exceeded in any given year.

b) in the connecting channels (St. Mary's, St Clair,, Detroit, Niagara and St. Lawrence Rivers) the peak instantaneous stillwater level which has a 1% chance of being equaled or exceeded in any given year; and

c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equaled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Other water-related hazards: means water- associated phenomena other than flooding hazard, and wave uprush which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

a) municipal sewage services or private communal sewage services and individual on-site water services; or

b) municipal water services or private communal water services and Individual on-site sewage services.

Portable asphalt plant: means a facility

a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and

b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project

Portable concrete plant means a building or structure

a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and

b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where prime agricultural lands predominate. This includes: areas of prime agricultural lands, and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land: means land that includes specialty crop areas and/or Canada Land Inventory Classes 1, 2, and 3 soils, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act 2002 that serves six or more lots or private residences.

Protected heritage property: means real property designated under Parts IV, V, or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

Quality and quantity of water: is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Recreation: means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

Renewable energy systems: means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development.

Reserve water system capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

Residence surplus to a farming operation: means an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential Intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

River, stream and small inland lake systems:

means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means lands in the rural area which are located outside settlement areas and which are outside prime agricultural areas.

Secondary uses: means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

Sensitive: in regard to surface water features and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Sewage and water services: includes municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and Individual on-site water services, and partial services.

Significant: means

- a) in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;

c) in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history;

d) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

(e) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Surface water feature: refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species: means a species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

Watershed: means an area that is drained by a river and its tributaries.

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of farthest landward rush of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contact of road construction and not located on the road right-of-way.

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fans.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife

habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non- migratory species.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.