

# **THE HASTINGS COUNTY OFFICIAL PLAN**



Prepared by:  
COUNTY OF HASTINGS  
PLANNING & DEVELOPMENT DEPARTMENT

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# HASTINGS COUNTY OFFICIAL PLAN

## PART A – GENERAL OFFICIAL PLAN POLICIES

### 1.0 SECTION 1 – INTRODUCTION

#### 1.1 Purposes of the Official Plan

- 1.1.1 The Hastings County Official Plan implements the Provincial Policy Statement (PPS – April 2014) by considering and balancing the many factors and interests involved with the management of land uses, infrastructure and natural resources within the County, while providing economic opportunities and prosperity for its residents.
- 1.1.2 This Official Plan is to exist for a period of 20 years, and shall accommodate and direct anticipated population and employment growth over that period.
- 1.1.3 This Official Plan repeals and replaces the former Official Plan of the County of Hastings (Approved by the Minister of Municipal Affairs and Housing effective January 12, 2002 as modified by the Ontario Municipal Board Decision No.: 0189, File No: O020014) and several amendments thereto that have been considered and/or consolidated herein.
- 1.1.4 This Official Plan will constitute the County's Sustainability Plan. Member Municipalities may utilize this plan as their sustainability plan or develop a more specific community sustainability plan that is in keeping with the principles and policies of this Plan.
- 1.1.5 Development within each municipality is to conform to the policies of the Plan. However, conditions may change and uses of land not currently contemplated in the Plan may be proposed. In such cases, County Council may consider an amendment to the Official Plan.
- 1.1.6 Zoning by-laws that implement the policies of the Official Plan are passed by the member municipal Councils. The zoning by-laws include specific classes of land use which conform to the designations of land and policies in the Official Plan. Zone classes also establish development standards to ensure that new construction or changes to existing land uses are undertaken with regard for the environment, energy efficiency, public health and safety, and protection of ratepayers from undue expenses related to premature, inappropriate and/or incompatible development.

## 1.2 Member Municipalities Within Regional Market Areas

- 1.2.1 Comprising 5,964 square kilometres of land, Hastings County is the second largest geographic County in the Province of Ontario. Hastings County is located in south eastern Ontario between Haliburton, Peterborough and Northumberland Counties to the west and Lennox and Addington and Renfrew Counties to the east. The area extends 160 kilometres from Deseronto on the Bay of Quinte in the south to Algonquin Park and the District of Nipissing in the north.
- 1.2.2 The County remains predominantly rural in nature. The urban communities and hamlets serve primarily as market service centres for full and part-time residents located in the rural areas of the County, including around its numerous lakes and rivers.
- 1.2.3 The County, as a unit, represents the "upper tier" level of planning responsibility and the local or "member" municipalities form the "lower tier". All Member Municipalities in the County are governed by the policies of this Official Plan in advancing a common planning program.
- 1.2.4 Two distinct regional market areas – the South Hastings Market Area and the North Hastings Market Area – have been identified in the County of Hastings based on commuter patterns and a high degree of social and economic interactions within the respective areas as shown in **Map A-1.1** to this Plan.

The South Hastings Market Area is characterized by its agricultural lands, larger settlement areas and rural non-farm residential development and consists of the following Member Municipalities/areas:

- Town of Deseronto
- Township of Tyendinaga
- Municipality of Tweed, inclusive of the Former Village of Tweed
- Municipality of Centre Hastings, inclusive of the Former Village of Madoc
- Municipality of Stirling-Rawdon, inclusive of the Former Village of Stirling
- Township of Marmora & Lake, inclusive of the Former Villages of Marmora and Deloro
- Township of Madoc
- Township of Tudor & Cashel (former Tudor Township)

The North Hastings Market Area is characterized by rugged topography associated with the Canadian Shield, small settlement areas, a sparse rural population, and consists of the following municipalities/areas:

- Town of Bancroft, inclusive of the former Town of Bancroft

- Township of Carlow/Mayo
- Township of Faraday
- Municipality of Hastings Highlands
- Township of Limerick
- Township of Tudor & Cashel (former Cashel Township)
- Township of Wollaston

1.2.5 Large tracts of Crown Land exist in the North Hastings Market Area. The policies of the Official Plan/zoning by-law provisions are not binding on Crown land activities; use of Crown Lands will be determined by the province with regard for the established planning policies of the municipality. The Ministry of Natural Resources and Forestry (MNR) policies, guidelines, and resource management techniques shall be recognized and encouraged within the context of this Plan. Maintaining Crown Lands in as natural a state as possible is important in preserving the rural character and natural heritage of the County. Any Crown Lands conveyed to a private interest shall be subject to the designations and policies of this Plan.

1.2.6 Lands determined to be within the Cities of Belleville and Quinte West and the Mohawks of the Bay of Quinte Reserve are generally not subject to the policies and mapping of this Plan, save and except the policies relating to those roads still owned and maintained by the County within the Reserve.

1.2.7 First Nations' settlements and culture constitutes a significant element of the County's heritage, including its cultural and archaeological resources. All reasonable efforts will be undertaken to consult with appropriate First Nations where development activities are proposed.

### **1.3 Existing Demographics, Economic, and Socio-Economic Conditions**

1.3.1 Key observations regarding Hastings County's population and demographics include the following:

- a) Between 1996 and 2011, Hastings County's population grew by approximately 4%, increasing from 38,228 to 39,888 persons. This translates into an annual growth rate of approximately 0.28%/year over the 15-year period;
- b) Over the past 15 years, the South Hastings Market Area has grown at an annual rate slightly above the County average, while the North Hastings Market Area has experienced a modest decline in population;
- c) Hastings County's young adult/adult population (20 – 54) is relatively large, comprising 43% of the population in 2011; and,
- d) The County's population is aging. Between 1996 and 2011, the percentage of the Hastings County population aged 55+ increased from 26% to 36%.

1.3.2 Key observations regarding Hastings County’s housing stock and market areas include the following:

- a) During the 1996 to 2011 period, Hastings County’s permanent housing stock grew from 14,335 to 16,210 units, a change of 1,875 units or approximately 13%;
- b) Low-density housing (single detached and semi-detached) is the dominate form of housing in Hastings County, representing the bulk of the housing stock in 2011 (91%);
- c) The persons per housing unit (PPU) are anticipated to continue to decline due to the aging of the population from 2.63 PPU in 2011 to an estimated 2.41 PPU in 2036.
- d) Hastings County’s 2012 seasonal housing base totals approximately 4,470 housing units, representing an estimated seasonal population of 16,350. The County’s seasonal base is concentrated in the northern half of the County with 70% located in the North Hastings Market Area and 30% in the South Hastings Market Area; and,
- e) There are two broad, but distinct, housing markets emerging within the 55+ age group:
  - i. “Empty-nester”s and younger seniors aged 55-74 which have a higher average disposable income as compared to population 20-54 years of age and have housing preferences towards specific residential communities which are often geared to adult lifestyle or recreational development; and,
  - ii. Older seniors, aged 75+, generally living on low to moderate fixed incomes. While many residents will age-in-place, a portion will also require assisted living or full-time care (ie. housing for seniors’) typically within the settlement area of Hastings County or larger urban centres outside the County that offer more amenities and services.

1.3.3 Key observations regarding the socio-economics of Hastings County include the following:

- a) Average 2006 household income in Hastings County was approximately \$53,300, which is lower than the Belleville, Quinte West and provincial averages of \$59,400, \$61,600 and \$78,000, respectively;
- b) When comparing Hastings County’s market areas, average household incomes in South Hastings are higher than that of North Hastings. However, on an incremental growth basis, household income in the North Hastings area has increased at a faster rate than South Hastings;
- c) In 2012, the average MLS sale price for a residential dwelling in the South Hastings Market Area was approximately \$183,900 compared to \$176,600 in 2006. The average sale price of a residential dwelling in North Hastings is currently estimated at approximately \$218,400;

- d) In South Hastings, it is estimated that 2012 housing costs represented approximately 28% of average household income. This figure is slightly lower than the provincial affordability threshold of 30%; and,
- e) The supply of affordable housing in the North Hastings Market Area is considerably lower than the supply in the South Hastings Market Area. In North Hastings, it is estimated that 2012 housing costs represented approximately 35% of average household income, which is above the provincial affordability threshold.

1.3.4 Key observations regarding the nature of employment in Hastings County include the following:

- a) Hastings County has experienced modest employment growth (i.e. local jobs) over the past 15 years, increasing from 9,840 jobs in 1996 to an estimated 10,040 in 2011;
- b) Hastings County's economy is highly oriented towards service-providing sectors, including retail trade, accommodation and food services, utilities and construction, as well as education, health and social services. These sectors, combined, account for approximately half of the County's total employment; and,
- c) Hastings County's resource employment base also comprises a relatively high proportion for the employment base; however, this sector has historically been decreasing.

## **1.4 Forecast Residential and Non-Residential Trends**

1.4.1 Future population, housing, and employment growth within Hastings County is influenced in large measure by the following:

- a) The growth and competitiveness of the regional export-based economy in the Cities of Belleville and Quinte West and surrounding market area;
- b) The County's attractiveness to the 55+ age group as a destination for retirement and semi-retirement;
- c) The County's attractiveness to families with children, which are drawn to the area in search of competitively priced, ground-oriented housing within proximity to the Belleville and Quinte West employment markets;
- d) Local employment opportunities primarily related to the tourism industry; and,
- e) Market demand for seasonal housing largely from residents within the local and surrounding area, as well as the Province of Ontario as a whole.

1.4.2 Hastings County's permanent population base is forecast to increase modestly over the next 20 years, from approximately 42,840 in 2018 to 45,956 in 2038. This represents a population growth rate of approximately 0.28% per annum.

- 1.4.3 The County’s permanent population will continue to age more rapidly than the Province of Ontario as a whole (ie. average age of County residents). From 2011 to 2036, the percentage of the Hastings County population aged 55+ will increase from 36% to 51%. This trend poses implications regarding both housing for seniors’ and affordable housing in Hastings County.
- 1.4.4 The rate of permanent population growth for Hastings County is forecast to gradually decline over the next 20 years, largely due to the aging of the population. This aging trend will result in a reduction in the average number of persons per housing unit (PPU).
- 1.4.5 Approximately 85% of forecast permanent population growth is anticipated to occur within the South Hastings Market Area. The municipalities within the South Hastings Market Area will continue to attract a large proportion of County-wide permanent population growth due to their proximity to the Cities of Belleville and Quinte West, employment opportunities for commuters and local employment growth opportunities.
- 1.4.6 Comparatively, approximately 70% of the County’s existing population base lives in rural areas of the County. The intent of this plan is to continue to reduce/limit growth in rural areas by promoting growth to occur in settlement areas. As such, the County shall endeavour to direct the majority of all new growth to occur within the County’s Urban and Rural Settlement Areas
- 1.4.7 Seasonal residents accounts for a significant component of the County’s total population base, accounting for approximately 28% of the total base population as of 2011 (21% of the total housing base).
- 1.4.8 Including the seasonal population base, Hastings County’s total permanent and seasonal population for Hastings County is forecast to reach a total of 64,600 persons by 2038. This represents a total increase of approximately 5,800 persons from 2011 to 2038.

## **1.5 Forecast Employment Growth Trends**

- 1.5.1 Job growth within Hastings County is expected to be slow to steady over the next 20 years, largely driven by employment growth in retail and tourism services to serve the growing permanent and seasonal population base.
- 1.5.2 The number of residents within the County who work from home is expected to steadily increase. This increase is anticipated to be primarily driven by the transition of the economy towards the service sector and “creative” economy, combined with continued improvements to telecommunications and other communication technology.

- 1.5.3 The County is not expected to experience employment growth in the industrial sector. Historically, the industrial sector has been experiencing a gradual decline; however, industrial employment levels are forecast to gradually stabilize over the next 20 years.
- 1.5.4 The County's employment base is forecast to increase from approximately 10,050 in 2011 to 11,315 in 2038. This represents an increase of 1,300 employees from 2011 to 2036, of which approximately 32% of job growth is forecast in the "work at home" employment category. The remaining employment growth is forecast within the commercial sector.
- 1.5.5 Over the forecast period, approximately 34% of forecast employment growth has been allocated to the North Hastings Market Area, while the remaining 66% of employment growth has been allocated to the South Hastings Market Area.

## **1.6 Economic Prosperity – Quality of Life**

- 1.6.1 Sustainable economic development, a healthy natural environment, and vibrant, active communities form the foundation of this Plan. To sustain a healthy population and workforce that remain competitive in the global economy, it is important to take actions that will provide for healthy natural and built environments in Hastings County.
- 1.6.2 Prosperity and quality of life are fuelled by a climate that encourages entrepreneurship and investment. The County's future economy will be increasingly based on information and knowledge, relying on the energies of educated and trained people and the implementation of new technologies.
- 1.6.3 Hastings County offers a comparatively low cost of living while providing a high quality of life within the Province of Ontario. Located halfway between Toronto and Ottawa, the County is served by Highway 401, the Trans-Canada Highway 7 and Highways 28, 37, 49, 62, 118, and 127, making communities easily accessible.
- 1.6.4 Primary agricultural uses, agriculture-related uses, and secondary uses that provide for value-added activities and products such as cheese-making, including artisan cheese-making and craft breweries, contribute to a viable and sustainable rural economy within the County that needs to be promoted and supported. Lands best suited for food production will be designated and protected for their long term use.
- 1.6.5 The economy in the North Hastings Market Area is relatively dependent upon the primary industry sector and tourism, including recreational waterfront development. The utilization of natural resources for forestry, aggregate, and mineral extraction, and recreational uses including fishing and hunting shall be encouraged on lands best suited for the specific purpose, while striving for sustainability.

1.6.6 In an effort to stimulate economic activities and opportunities, the Hastings County Economic Development Action Plan identifies the following four key goals:

- a) Provide support to the agriculture and forestry sectors;
- b) Utilize the “Communities with Opportunities” brand and investment marketing strategy to attract new entrepreneurs and investment;
- c) Support new entrepreneurs and existing businesses through the practice of small business coaching; and,
- d) Create a more attractive place to live, visit, work and invest through place-based development initiatives.

1.6.7 Significant action items identified within and/or developed from the County’s Economic Development Action Plan include:

- a) Supporting the marketing locally produced agricultural and wood related products and the producers themselves;
- b) Supporting and promoting renewable energy projects such as the Marmora Pumped Storage Facility and County Power Renewable Energy and District Heating Project;
- c) Promoting Hastings County to “Lone Eagles” as a place to grow their business dreams;
- d) Enhancing identified underperforming and underdeveloped tourism assets through the County Tourism Master Plan; and,
- e) Implementing the Cultural Plan for parts of the County in partnership with the Cities of Belleville and Quinte West.

1.6.8 The County, its Member Municipalities and other key local stakeholders will work co-operatively with other agencies and levels of government in an effort to implement and update the County’s various economic development initiatives throughout the life of this Plan.

1.6.9 County and Member Municipality Councils will explore and encourage development opportunities that are “green” in nature such as renewable energy generation facilities and renewable energy projects.

## **1.7 Planning Principles of the Official Plan**

1.7.1 The intent of the Hastings County Official Plan is to facilitate and achieve a high quality of life, economic growth, healthy, active communities, and environmental sustainability by implementing the following principles of good land use planning:

- a) Provide members of the public, County and Member Municipality Councils with data, information, and policies that will direct wise and sustainable use and management of lands, including natural and cultural heritage resources,



- natural or man-made hazards, public infrastructure, built form, and public service facilities;
- b) Avoid land use patterns or development that will result in premature, non-sustainable, inefficient, inappropriate, or incompatible uses of land;
- c) Generally direct growth to Settlement areas where full municipal services are available. The hierarchy of development shall be as follows:
  - i. Lands designated Urban;
  - ii. Lands designated Hamlet; and
  - iii. Lands designated Rural.
- d) Focus growth in Settlement Areas designated Urban and Hamlet with defined boundaries, permitted uses, and appropriate servicing levels, pursuant of the creation of healthy, active, livable, age-friendly, safe, and resilient communities.
- e) Make Hastings County a comfortable and affordable place for all people to live, work, and visit;
- f) Support healthy, integrated, and viable rural areas of the County that are dependent on and sustain the natural resources of forestry, soil, wildlife, and waters;
- g) Protect and manage the surface and subsurface water resources and natural heritage features and system of the County for future generations by implementing appropriate development standards and providing source protection for municipal water supplies;
- h) Provide opportunities to support local food and promote the sustainability of agri-food and agri-product businesses as an essential element of the County economy by preserving areas with a high capability for food production and prohibiting incompatible land uses that may restrict the long-term use of such; and,
- i) Encourage, support, and promote sustainable development and economic investments and activities within the rural areas that are sensitive to the County's natural heritage and cultural heritage resources and landscapes.

1.7.2 Sustainable development means development that meets the requirements of the present without compromising the ability of future generations to meet their own needs. The County and its Member Municipalities adopt the principle of sustainable development through land use planning and other initiatives to ensure a high quality of life for its existing and future residents.

1.7.3 Sustainable land use decisions and actions will:

- a) Consider the accumulating environmental impacts of development;
- b) Reduce and remediate adverse effects and negative impacts on air, land, and water resources, and wherever possible, improve them; and,
- c) Mitigate and adapt to climate change.

1.7.4 More detailed goals and objectives of this Plan are identified within each section as follows:

<b>Communities With Opportunities</b>	- <b>Part A - Section 2.1</b>
<b>Infrastructure and Public Service Facilities</b>	- <b>Part A - Section 3.1</b>
<b>Sustainable Natural Environment</b>	- <b>Part A - Section 4.1</b>
<b>Stormwater Management Objectives</b>	- <b>Part A - Section 4.2.2.3</b>
<b>Floodplain Management Objectives</b>	- <b>Part A - Section 4.5.3.2</b>
<b>Wetland Management Objectives</b>	- <b>Part A - Section 4.5.4.5</b>
<b>Emerging Rural Economy</b>	- <b>Part A - Section 5.1</b>
<b>Lot/Unit Creation</b>	- <b>Part A - Section 6.1</b>
<b>Implementation</b>	- <b>Part A - Section 7.1</b>

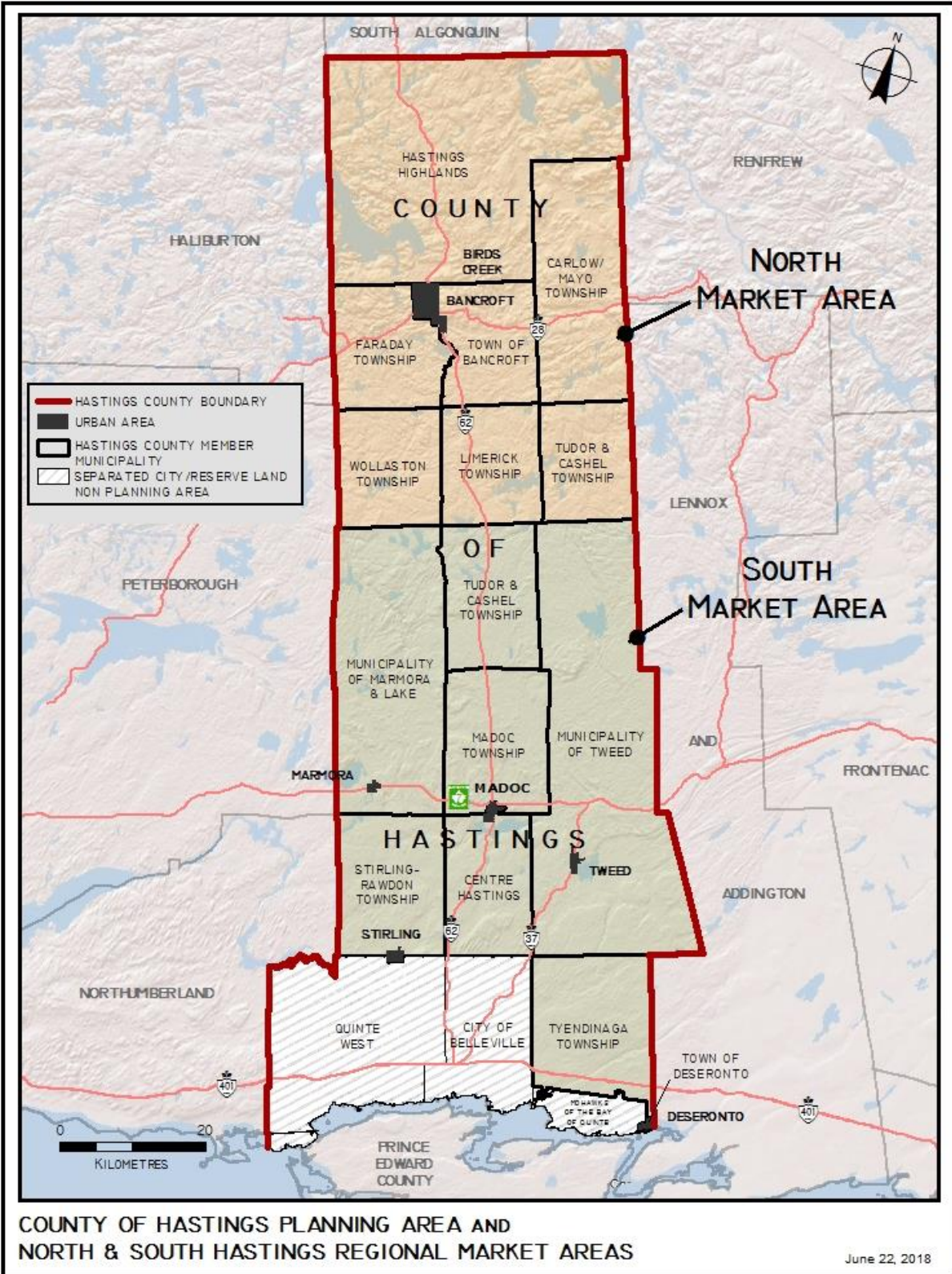
## **1.8 Interpretation**

- 1.8.1 PART B - The Urban Communities Secondary Plan for Bancroft, Deseronto, Madoc, Marmora, Stirling, and Tweed and PART C – The Hamlet of Birds Creek Secondary Plan are considered to be a part of the Hastings County Official Plan. Amendments thereto are subject to approval by Hastings County Council in consultation with the Council(s) of the affected Member Municipality(ies).
- 1.8.2 The boundaries of the land use designations shown on the Land Use Schedules are to be considered as approximate and are more absolute where bounded by roads, railways, rivers, lakes, escarpments or steep slopes, lots and concession lines, municipal boundaries, and other similar features. The location of roads, lot and concession lines, and property lines where shown are mapped with the best information and mapping technology available, but discrepancies can occur. Amendments to the Official Plan shall not be required for minor adjustments to the land use designation boundaries or the location of roads, provided the overall intent of the Plan is preserved.
- 1.8.3 Uses, buildings, or structures normally incidental, accessory, to a permitted use shall, where appropriate, be permitted..
- 1.8.4 Where any Act or portion thereof is referred to in this Plan, such references shall be interpreted to include any subsequent legislation that may replace or amend the specifically referenced Act.
- 1.8.5 The term "the Municipality" shall mean the Corporation of the County of Hastings, and reference to "Council" means the Council of the County of Hastings. "Member Municipalities" and "Member Municipality Councils" shall mean the Councils of the lower-tier municipalities that comprise Hastings County.
- 1.8.6 All measurements in this Plan are in metric form with the approximate non-metric equivalent included for reference purposes only.

- 1.8.7 Where numbers or values are specified in the text, such quantities are intended as guidelines. Deviation from these numerical requirements, where they are minor and restricted in nature, may be permitted provided the intent of the Plan is maintained.
- 1.8.8 Where a property is located within more than one designation on the Land Use Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of the applicable designation.
- 1.8.9 Where development is to proceed by plan of subdivision, every effort shall be made to achieve the minimum lot area and/or frontage requirements of the appropriate designations. In some instances, in order to achieve the most efficient lot configuration, a plan of subdivision may not be able to meet these minimum requirements for all lots. Variances from these minimum requirements may be considered where they are minor and of a technical nature without the need for an Official Plan amendment provided that the intent of the Plan is maintained.
- 1.8.10 The policies of this Plan do not apply to Provincial Parks, Conservation Reserves and Crown Lands as identified on Schedule OP-B – Natural Heritage Features & Areas.

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MAP A-1.1



## **2.0 SECTION II - COMMUNITIES WITH OPPORTUNITIES**

### **2.1 Goals and Objectives**

#### **2.1.1 Goals:**

The goals for creating opportunity within the County of Hastings are:

- a) To designate lands as Urban and Hamlet within the County of Hastings as Settlement Areas, which are intended to accommodate a range and mix of employment opportunities, housing forms and densities, and other land uses to meet the projected needs of the community over a 20 year planning horizon (2038);
- b) To designate and direct growth in Urban communities appropriately, as these communities represent those areas that are, or will eventually be serviced by Municipal water and sewer infrastructure, and will thus be the focus of growth within the County;
- c) To promote and sustain the efficient development and financial well-being of Municipalities and the Province;
- d) Promote and facilitate the vitalization, intensification, and redevelopment of Urban and Hamlet areas;;
- e) To identify, promote and maintain the character of the designated Hamlets as small-scale, rural settlement areas that have a concentration and mix of land uses, including commercial, community, and institutional uses that service the local rural area, residents, and tourists;
- f) To provide an appropriate range of housing types, densities, and affordability to meet projected requirements of current and future residents, regardless of their abilities;
- g) To promote land use patterns that will facilitate healthy, active, livable, age-friendly, safe communities, that are resilient and responsive to climate change;
- h) To discourage land use patterns that pose a threat to the environment and/or public health and safety.

#### **2.1.2 Objectives:**

The Urban and Hamlet Land Use Designations and policies, PART B - The Urban Communities Secondary Plan, and PART C - The Hamlet of Birds Creek Secondary Plan have been developed in consideration of the following objectives:

- a) To maintain and create strong and vital main street and waterfront areas respectful of cultural and architectural heritage;
- b) To encourage innovative urban design that contributes to a sense of place, while ensuring physical safety and accessibility;

- c) To support age-friendly community initiatives that support the development of local social and physical environments that enable people of all ages and abilities to live safe and meaningful lives;
- d) To promote the efficient, sustainable, and safe use of lands and resources;
- e) To encourage the co-location of public-service facilities.
- f) To promote the efficient and sustainable use of infrastructure and public service facilities which are planned or available, and avoid the need for premature, unjustified and/or uneconomical expansions of such;
- g) To provide for orderly, compact, and mixed land uses and densities that support active transportation, public transit where available, and pedestrian and cycling oriented development that reduces the need for residents to commute long distances to work, school, shops, and services;
- h) To prevent conflicts between incompatible uses of land;
- i) To provide a range of uses and opportunities for the intensification and redevelopment of Settlement Area lands;
- j) To implement Community Improvement Plans as a means to encourage revitalization and investment in the community; and,
- k) To provide easy access to healthy food sources such as supermarkets, small and mid-sized grocery stores, produce vendors, and farmers’ markets such that they are located within convenient walking and/or cycling proximity from residences, workplaces, commercial and industrial areas, educational institutions, place of worship, and places of recreation.

## 2.2 Forecast Urban Land Demand

2.2.1 Within the “Demographic Forecasting and Land Demand Analysis” dated July 2013 prepared by Watson & Associates for Hastings County, the following was determined:

- a) Housing growth within the County’s settlement areas (urban areas and hamlets) was forecast to generate a total urban residential land demand of 78 gross hectares (192 acres) between 2011 and 2036.
- b) Employment growth within the County’s settlement areas was forecast to generate a total urban non-residential land demand of 71 gross hectares (175 gross acres).

2.2.2 **Tables A-2.1** through to **A-2.4** within **Part A – Appendix 1** summarize the County’s forecast urban residential and non-residential land needs for the North and South Hastings Market Areas, as well as by urban or hamlet settlement area. The minimum intensification target throughout the County shall be 10% within the Rural Settlement Areas and 20% within the Urban Settlement Areas.

## 2.3 Future Amendments for New or Expanded Settlement Areas

2.3.1 The creation of new Settlement Areas, or expansion of existing Urban and Hamlet area boundaries may occur subject to the following criteria:

- a) An accepted comprehensive review as defined by the Provincial Policy Statement, 2014;
- b) Maintenance of consistency with provincial policy;
- c) Pursuance of the intent, goals, and objectives of this Plan; and,
- d) Demonstration that existing designated areas have an insufficient land supply to accommodate projected growth.

2.3.2 Before expanding an Urban or Hamlet designation, Hastings County, together with the affected Member Municipality, shall undertake a growth, settlement, and servicing analysis, possibly encompassing the entirety of the Member Municipality, that includes the following information and evaluations as deemed appropriate or necessary:

- a) A lands need assessment, including an assessment of intensification and redevelopment opportunities within the currently designated lands and the capacity of the downtown commercial lands and employment lands to service the anticipated population and economic growth;
- b) An assessment of servicing alternatives, capacities and allocations, and the associated financial feasibilities;
- c) A hydrogeological analysis to determine the quantity and quality of groundwater, the potential impact of future development on the groundwater, and on existing sources of drinking water;
- d) An evaluation of the long-term suitability of the soil conditions for effective operation of private sewage disposal systems, if no municipal sanitary sewer system is available;
- e) A general assessment of the stormwater management needs and facilities for the community identifying, if possible, the location and type of facilities required to service anticipated urban growth;
- f) A traffic and pedestrian flow analysis including conceptual or detailed roads, trails/walkways, public parks/open space, and parking facilities that ensure opportunities for active transportation and transit and provides for a safe, accessible, and healthy community;
- g) An identification of agricultural lands, provincially and locally significant natural areas and features, natural or man-made hazards, mineral and aggregate resources, cultural heritage and archaeological resources, and the evaluation of options for growth that minimizes the adverse impact on these identified features;
- h) An identification of alternative locations in the Agricultural designation, evaluated to determine that there are no reasonable alternatives which avoid prime agricultural areas, nor any alternatives that utilize lower priority Agricultural areas.
- i) An evaluation determining that the new or expanded settlement area is in compliance with the minimum distance separation formulae;

- j) A study of the impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area, indicating that such impact can and will be mitigated to the extent feasible; and,
- k) Other information and evaluations as may be identified or required by the County or other public bodies.

## 2.4 URBAN LAND USE DESIGNATION

2.4.1 The “Urban” Land Use Designation policies and the detailed policies and schedules of **PART B - The Urban Communities Secondary Plan** apply to the following communities designated “Urban” on **Land Use Designations Schedule OP-A** to this Plan:

- Bancroft
- Deseronto
- Madoc
- Marmora
- Stirling
- Tweed

The intent of this Plan is to protect and promote lands within the above designated Urban communities as the focus of growth, community services, and economic activity for the County.

2.4.2 The Urban Land Use Designations and **Part B - The Urban Communities Secondary Plan** implement the findings and recommendations of the background reports entitled **County of Hastings Growth Accommodation Study (North and South)**; and were formulated following consultation with the affected Member Municipality Councils, the County Planning Committee, and the public. The Urban Communities Secondary Plan provides direction and detailed policies for land use and development for each of the six (6) urban communities noted above.

2.4.3 Growth forecasts involving population, housing, and employment lands projections for a 20 year planning period determined that there were sufficient lands already designated Urban within the former Hastings County Official Plan (2002). As such, expansions to the boundaries of the six urban areas are not warranted at the time this Plan comes into effect.

2.4.4 First or expanded livestock facilities shall not be permitted on lands designated Urban.

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## **2.5 HAMLET LAND USE DESIGNATION**

### **2.5.1 Rationale/Strategy for Development**

2.5.1.1 Communities designated “Hamlet” on **Land Use Designations Schedule OP-A** are listed on **Part A - Appendix ‘2’** of this Plan. The intent of this Plan is to protect and promote Hamlets as traditional rural settlement areas, as well as service and commercial centres.

2.5.1.2 Traditionally, most Hamlets, with the exception of the Hamlet of Deloro, have not been serviced by piped municipal water and sanitary sewers. Soil conditions in Hamlets exhibit varying abilities to support development on individual wells and sewage disposal systems. For this reason, larger-scale developments shall be directed toward areas of full services that are designated Urban and subject to the Urban Communities Secondary Plan. Also, new development in Hamlets shall be on larger lots than required in the past in order to mitigate negative impacts to human health and safety, and the environment, as well as to avoid the need for unplanned and/or uneconomical servicing infrastructure.

2.5.1.3 Member Municipality Councils may consider communal sewer and water services for larger-scale developments (more than five lots/units by plan of subdivision or plan of condominium) in accordance with Provincial regulations and other policies of this Plan.

### **2.5.2 Permitted Uses**

2.5.2.1 The following uses are permitted in the “Hamlet” designation:

- a) Low density residential uses, defined as single detached dwellings, semi-detached or duplex dwellings, or a single apartment associated with a commercial establishment;
- b) Triplexes, fourplexes, or fiveplexes subject to a satisfactory hydrogeological study and appropriate amendment to a Member Municipality’s comprehensive zoning by-law;
- c) Secondary units within single-detached, semi-detached dwellings, and rowhouse dwellings, or within buildings or structures ancillary to a single-detached, semi-detached, or rowhouse dwelling where the principal dwelling does not already contain a secondary unit.
- d) Community facilities such as parks, schools, community gardens, community centres, churches, and meeting halls;
- e) Commercial uses that serve the needs of local residents and tourists, including retail, personal services, and highway commercial uses; and,
- f) “Dry” industrial uses which serve the surrounding rural area. For the purposes of this Plan, “dry” industrial uses shall mean those uses where the only water required is for domestic purposes to meet the needs of employees

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

2.5.2.2 First or expanded livestock facilities shall not be permitted on lands designated Hamlet.

### **2.5.3 Pattern of Development**

2.5.3.1 Traditionally, hamlets have been developed with a compact central core of business and institutional uses, surrounded by residential uses. This traditional form shall be maintained as much as possible.

2.5.3.2 Redevelopment or development involving infill, rounding-out, or intensification of existing built uses is encouraged.

2.5.3.3 Care shall be taken to ensure that commercial, industrial, and residential uses permitted in Hamlets are mutually compatible. New commercial or industrial uses should not be permitted in areas which have developed predominantly with residences, are in the logical path of future residential uses, or are in areas where it such uses could have an adverse effect on surrounding uses. Where industrial and commercial uses abut residential uses, adequate landscaping, buffering, and setbacks shall be required in accordance with the MOECC compatibility guidelines and as may be expressed by this Plan.

2.5.3.4 The perimeter of the Hamlet should be well-defined. Where possible, natural features, wetlands, and forests should be maintained as a buffer between the Hamlet and the abutting agricultural and rural land.

2.5.3.5 Ribbon or strip development on the periphery of the Hamlet is discouraged. Where possible, all future residential development should be encouraged in depth rather than in strips along the main roads with provision for access from the main road to a second or third tier of lots behind the existing Hamlet development.

2.5.3.6 Residential development should be designed and developed comprehensively by plan of subdivision or condominium where proposals entail greater than five lots/units in keeping with Part A – Section 6.2 of this Plan.

2.5.3.7 Service and retail commercial uses, and smaller community facilities shall be encouraged to locate in the centres of the Hamlets either as infilling in, or as an extension of, the existing business core.

2.5.3.8 Infill structures should be set back from a public road allowance such that they are in keeping with the established building line for the Hamlet.

- 2.5.3.9 Community and recreational facilities that require large parcels of land should be located on or near a major road adequately buffered from residential uses; such uses are encouraged to locate adjacent to one other and utilize multimodal access wherever possible.
- 2.5.3.10 Passive recreational parks and open spaces, including playground facilities, walking and cycling trails, picnicking facilities, and benches should be incorporated wherever possible into new and existing residential development along natural features such as a shorelines, creeks, or forested areas.
- 2.5.3.11 Recreational trails pass through many of the Hamlets in Hastings County; where possible, commercial uses that serve the travelling public should be encouraged to locate near the trails and establish appropriate links to the trails.
- 2.5.3.12 Adequate off-street parking and loading space shall be provided for commercial, industrial, and community facility uses.
- 2.5.3.13 The various land uses permitted in Hamlets will be placed in separate classifications in the implementing zoning by-law with appropriate regulations to ensure the orderly development of the communities.

#### **2.5.4 Planning Policies**

- 2.5.4.1 Development in Hamlets shall generally take place on private individual services; however, member municipal Councils may consider communal systems designed and constructed in accordance with provincial regulations. Future development in Hamlets should be carefully planned to avoid the degradation of the natural environment, especially ground and surface water quality and the resultant need for the installation of costly remedial public infrastructure.
- 2.5.4.2 The minimum lot size for each dwelling unit or land use shall be appropriate for the proposed or long term use, the minimum area being .4 hectare (1 acre) if serviced by individual wells and sewage disposal systems or by public water and individual sewage disposal systems; however larger minimum lot sizes of .6 hectare (1.5 acres) to .8 hectare (2 acres) are strongly encouraged. The minimum lot size for a specific area may be as determined through a hydrogeological study approved by the County's peer review agent, but shall not be less than .4 hectare (1 acre).
- 2.5.4.3 Private water supply and sewage disposal services shall meet or exceed the current standards of the Ontario Building Code and/or Ontario Water Resources Act. Council may, however, require a hydrogeological study and may impose greater restrictions if it deems necessary to ensure that an adequate private water supply is available and that the proposed use will not adversely affect the water quality and supply of neighbouring uses.

2.5.4.4 Where a private septic system is estimated to have a daily design flow of more than 10,000 litres/day in accordance with Ontario Regulations, as amended from time to time, a hydrogeological study may be required providing justification that the undertaking meets the criteria of the MOECC policy relating to the reasonable use of ground water. This report should demonstrate soil suitability and sufficient area for effluent treatment and attenuation. The report shall be reviewed and approved in conjunction with the MOECC and/or the County's or Member Municipality's peer review agent(s).

2.5.4.5 Prior to installation of a private communal service or a private septic system estimated to have a daily design flow of more than 10,000 litres/day, the land owner shall enter into a responsibility agreement with the Member Municipality that will protect the Member Municipality's long-term interests regarding the proper monitoring, maintenance, and eventual upgrade and/or replacement of the communal service by the land owner.

2.5.4.6 The creation of new lots by consent for residential, commercial, and industrial development may be permitted on lands designated Hamlet in accordance with Section 6 of this Plan.

## **2.5.5 Special Provisions**

### **2.5.5.1 Hamlet of Deloro and Deloro Mine Site – Special Provision Area**

#### **a) Rationale/Strategy of Development**

The designated Hamlet of Deloro is located approximately 5 kilometres east of the Urban designation for the community of Marmora – see **Map A-2.1**. Prior to a 1998 amalgamation with its neighbouring municipality, Deloro was an incorporated Village. Deloro is:

- Approximately 50 acres in area;
- Serviced with public water and sanitary sewer;
- Connected to Provincial Highways 7 and 62 by Deloro Road (former County Road 11);
- Comprised of approximately 55 households, an assembly hall, and public library; and,
- Has a land inventory of approximately 60 vacant parcels, most of which are lots on an historic registered plan, lacking frontage onto a publicly maintained roadway.

The settlement was founded on gold mining and related refinement operations. During the 1930s through to the 1950s, the Deloro mine site was also used to process other ores. As a result of almost 100 years of industrial activity, the mining property hosts a complex blend of toxic compounds, heavy metals, and low level radioactive wastes. Early cleanup efforts revealed contamination of the soils on the site, surface waters, and groundwater. By 1983, the MOECC established and continues to operate an arsenic clean-up facility. In response to conclusions of the *Deloro Mine Site Integrated Cleanup Plan, 2008*, the

Ministry has recently begun to implement a comprehensive Deloro Mine Site Clean-up Project for the entire 202 hectare site and where applicable, adjacent lands. The overall objective of the Deloro Mine Site Cleanup Project is the successful rehabilitation of several areas as follows:

- mine area;
- industrial area;
- tailings area; and
- off-site areas of Youngs Creek and Akerman Conservation Area.

The clean-up seeks to mitigate, within reason, unacceptable impacts on human health or the environment; however, the mine site is expected to remain subject to groundwater monitoring and continued operation of the existing arsenic treatment plant for an indefinite period of time.

The legacy of mining has bestowed the Hamlet with significant heritage resources. During clean-up efforts the Province has documented thorough historical records, including:

- *Historical Analysis of the Deloro Site*, 1988 which included a section outlining strategies for commemoration and interpretation;
- Heritage appraisal completed by *Historical Research*. The report made several recommendations and ultimately recommended development of a heritage conservation program and a long-term heritage plan for the site.

b) Permitted Uses, Pattern of Development and Planning Policies

Part A - Sections 2.5.2, 2.5.3, and 2.5.4 of the Hamlet Designation shall provide policy direction for proposed land use changes in the Hamlet of Deloro. In addition, higher densities of development including grade-level attached residential development and low-rise apartments may be permitted on appropriate sites.

New or expanded development will be required to be connected to the municipal water and sanitary sewer systems, upon confirmation by the Municipality of Marmora and Lake and/or the MOECC of system capacity. Any upgrades to the existing system(s) required by new development, such as the installation of a pumping station, will be provided to the satisfaction of the Municipality of Marmora and Lake.

New or expanded development will be required to comply with Part A - Section 4.2 of this Plan for the well head protection area within the Hamlet of Deloro.

Development involving significant alterations or expansions to existing buildings may require the submission and approval of a heritage impact assessment pursuant to Part A - Section 5.3.4.4 of this Plan.

Permitted uses of the lands shown as the Deloro Mine Site shall be limited to the rehabilitation and remediation of the lands in accordance with the program of the MOECC,

which includes the storage of hazardous wastes which originated on the site of the Deloro Mine Site and its associated operations only.

Prior to the approval of development applications on the lands adjacent to the Deloro Mine Site:

- An environmental site assessment shall be undertaken to the satisfaction of the MOECC, if required; and,
- To ensure that contaminated soils are not exposed, by-laws governing site alterations to grade are encouraged to be adopted by the Municipality of Marmora and Lake.

c) # 11 Private Road Special Provisions

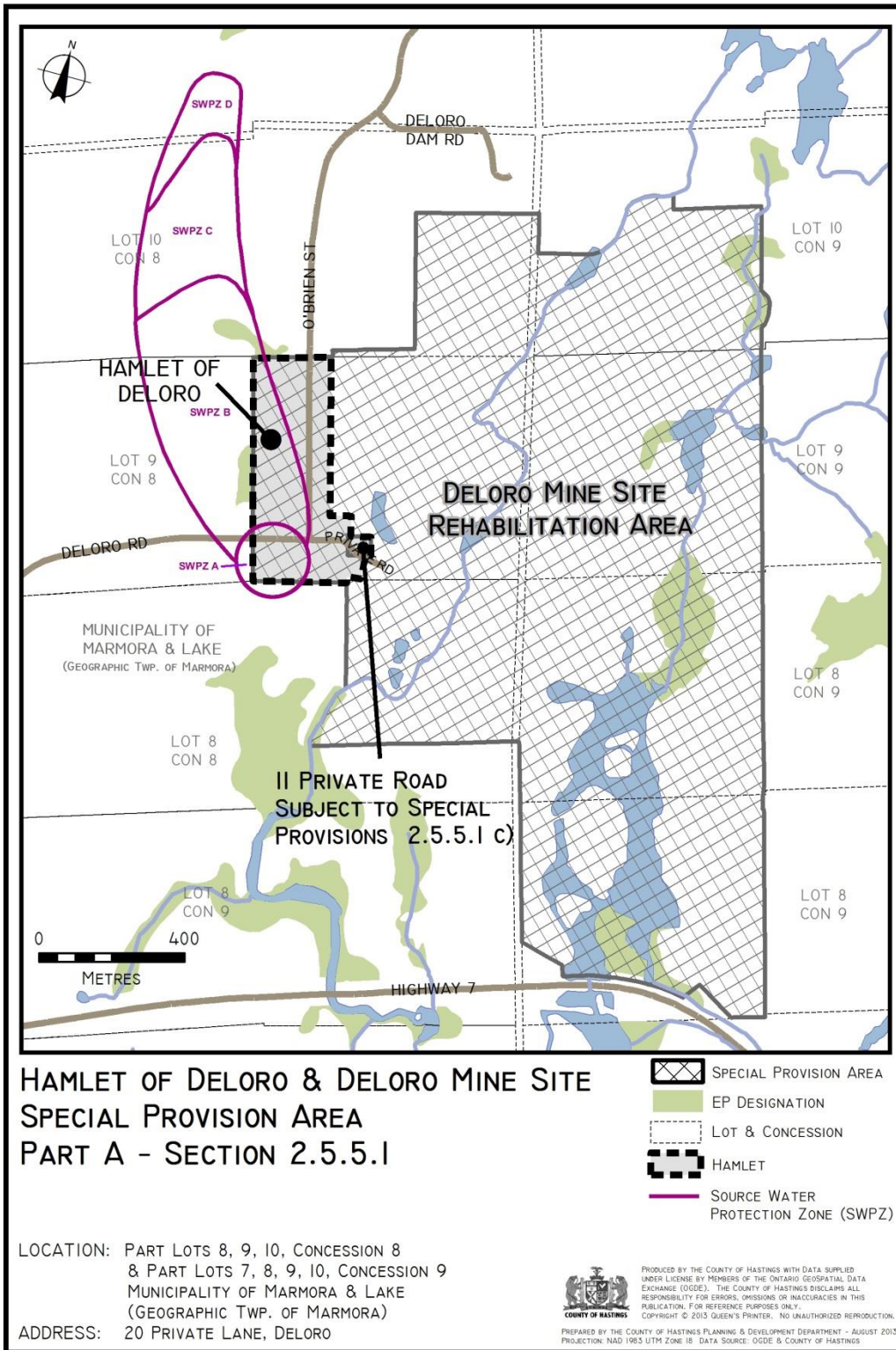
The special provisions to be considered in the development and zoning of the “Special Hamlet” area (see **Map A-2.1**) located on approximately 0.3 ha (0.7 acres) of land constituting Plan 727 PT Lot 109 Less RP 21R-18970 Part 1 (municipal address #11 Private Road) are as follows:

- a) In addition to the permitted uses of Part A - Section 2.5.2 of the Hamlet designation, a multiple residential dwelling house containing a maximum of eight (8) dwelling units shall also be a permitted use.
- b) Through the implementing zoning by-law for the subject lands, a special multiple residential zone may be utilized consisting of, but not necessarily limited to, the following zone provisions:
  - i. Permitted uses to include a multiple residential dwelling house with no more than eight (8) dwelling units;
  - ii. Development shall proceed on public sanitary sewer and public water servicing connections;
  - iii. Recognizing the amount of road frontage and lot area available on the subject holding;
  - iv. Provision of buffer strip consisting of a berm and cedar shrubs between the building and the street to mitigate noise/dust from truck traffic;
  - v. Reduced on-site parking provisions in keeping with the approved site plan for the development of the lands; and,
  - vi. The use of a Holding provision, if required. The Holding provision shall not be removed by Municipal Council until the Municipality’s objectives have been met, which may include requiring the completion and registration of a site plan agreement with the owner.
- c) Development shall be subject to the Site Plan Control provisions of Section 41 of the Planning Act. Site plan approval for all future development, shall address, among other matters, the following to the satisfaction of the Municipality:

- i. The conveyance of the lands associated with the municipally occupied Private Road including the travelled road, maintenance turnaround, and public sidewalk;
- ii. Decommissioning of the existing septic system;
- iii. The construction of a sanitary sewage pumping station; and,
- iv. Appropriate stormwater management facilities, grading and drainage works, and/or best practices.

All other requirements of Part A - Section 2.5 “Hamlet” land use designation and this Official Plan shall apply.

MAP A-2.1



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#### 2.5.5.2 Hamlet of Birds Creek

In addition to the general “Hamlet” Land Use Designation policies, the more specific policies and schedules of **Part C – The Hamlet of Birds Creek Secondary Plan** shall also apply to those lands designated “Hamlet” for the Hamlet of Birds Creek.

## 2.6 Community Improvement Areas & Plans

- 2.6.1 Member Municipalities may establish community improvement project areas and community improvement plans by by-law for all of or a portion(s) of their municipality in keeping with the policies of Parts A, B, and C of this Plan. Amendments to Parts A, B, or C of this Plan are not required to establish community improvement areas or plans unless otherwise stipulated herein. Member Municipalities shall demonstrate the advancement of sustainable economic development, the planning principles of Part A – Section 1.7, and the Goals and Objectives of Part A – Section II of this Plan.
- 2.6.2 Community improvement project areas and plans shall be established and implemented by Member Municipalities by by-law pursuant to Section 28 of the Planning Act, or applicable sections of the Municipal Act for those areas meriting community improvement because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings, or for any other environmental, social, or community economic development reason.
- 2.6.3 In establishing community improvement project areas and plans, Member Municipality Councils shall have regard for deterioration due to age or condition and deficiencies of:
- a) Streets, sidewalks, safe cycling infrastructure, lighting, and accessibility;
  - b) Housing, including older adult and affordable housing, recreational/community facilities, and commercial and industrial structures and facilities;;
  - c) Municipal services and facilities within the Member Municipality’s jurisdiction such as water and sewer facilities, stormwater works and associated facilities, transportation corridors and facilities, sidewalks, and hiking/recreational trails;
  - d) Communications systems;
  - e) Electric power systems, oil and gas pipelines, alternative energy systems, and renewable energy systems; and,
  - f) Waste management systems.

In addition, consideration may be given to the following:

- g) Enhancing the aesthetic and structural quality of the built heritage environments, including the main street facade;

- h) Conflicting and encroaching land uses;
- i) Poor access and inefficient movement of vehicular and pedestrian traffic;
- j) Environmental problems such as flood susceptibility;
- k) Man-made hazards (e.g. level crossings, contaminated lands, abandoned buildings, etc.);
- l) Vacant or under-utilized lots or blocks;
- m) Commercial areas containing a Business Improvement Area;
- n) Deficiencies in off-street parking and loading areas;
- o) Greening/landscaping, and sustainable or energy efficient initiatives;
- p) Source water protection initiatives;
- q) Preservation and/or rehabilitation of natural heritage features and areas;
- r) Access to community gardens on vacant or underutilized lands where the cultivation of crops will not have any negative impacts on natural heritage features and areas and will not pose a risk to human health; and,
- s) Background reports and amendments to this Plan or its predecessor.

2.6.4 Wherever appropriate, Member Municipality Councils will:

- a) Utilize public funding available from various government agencies and programs;
- b) Encourage the participation of the private sector in the implementation of community improvement plans;
- c) Incorporate other municipal programs and objectives into the community improvement plan, where appropriate; and
- d) Encourage community improvement initiatives by offering financial incentive programs under an approved Community Improvement Plan. The Community Improvement Plan may include grants, loans, tax assistance, including the offset of fees or charges, which are offered to property owners, tenants, or assignees under applicable sections of the Planning Act and the Municipal Act.

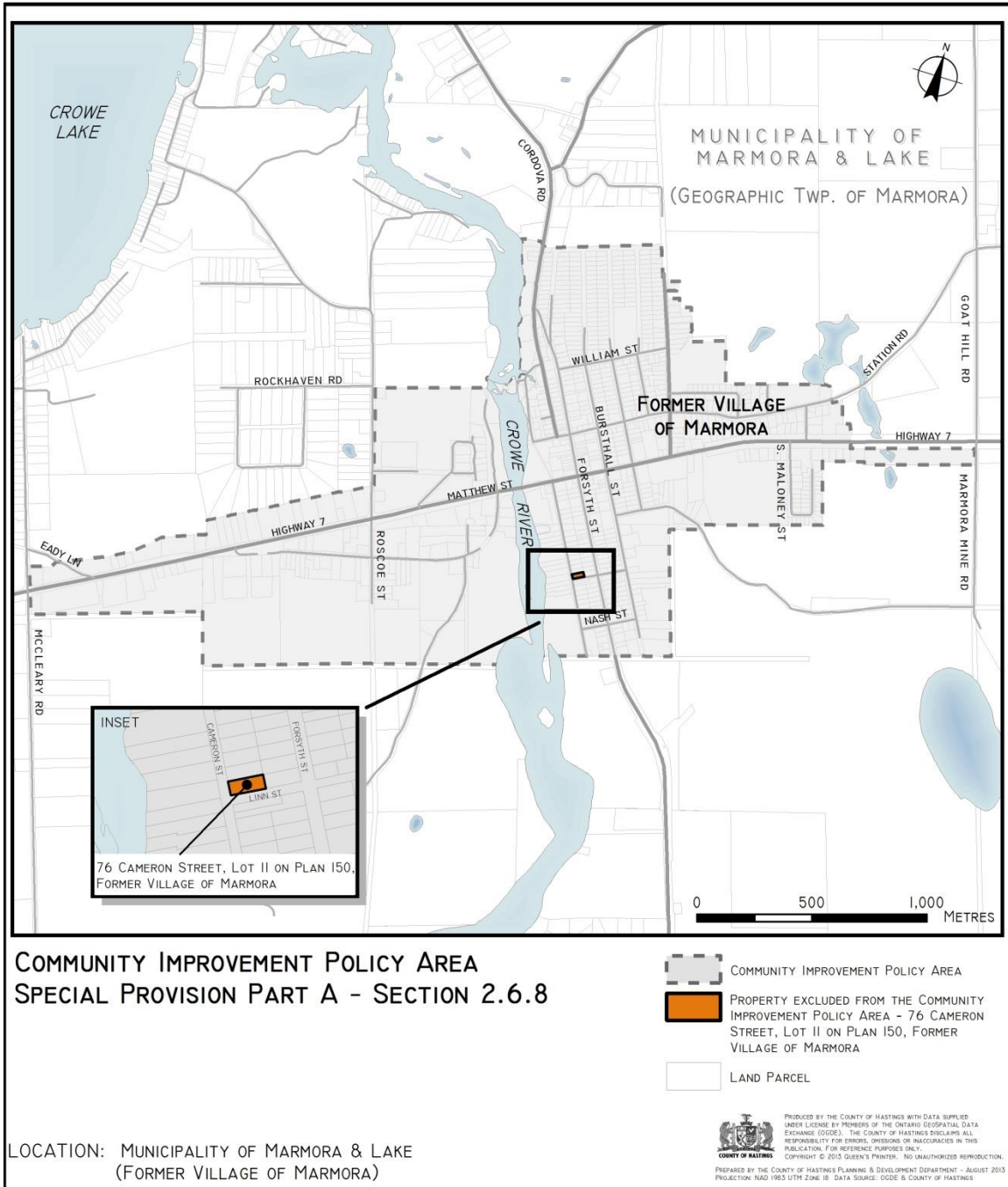
2.6.5 The carrying out of an approved community improvement plan by a Member Municipality Council shall include those powers and authorities authorized under Section 28 of the Planning Act and applicable sections of the Municipal Act, including: the constructing, repairing, rehabilitating, or improving of buildings on land acquired or held by it; the sale, lease or otherwise disposal of any building and land; and, the making of grants or loans in conformity with the community improvement plan. Prior to offering financial incentives, Councils are encouraged to undertake a financial analysis of the project/program and host an open house session to inform and receive input from the public.

2.6.6 Where a Member Municipality has in place an approved Community Improvement Plan where financial incentives are provided, the County may consider making grants or loans to the Member Municipality for the purposes of carrying out a Community Improvement Plan. While the County recognizes the importance of a Community Improvement Plan to a Member Municipality and will endeavour to

support local plans, the County is under no obligation to contribute to a Community Improvement Plan.

- 2.6.7 The County of Hastings may consider passing by-laws designating a Community Improvement Area and establishing a community improvement plan for those matters prescribed in the Planning Act. A Member Municipality may contribute financially to such a plan but is not obligated to do so.
- 2.6.8 The following special provision shall apply to the Municipality of Marmora and Lake. The property legally described as Lot 11 on Plan 151 (911/civic address 76 Cameron Street), former Village of Marmora is not included within the Community Improvement Policy Area and shall not be included in any future Community Improvement Policy Area, Community Improvement Project Area, and/or Community Improvement Plans, including their current or future equivalents thereof – see **Map A-2.2**.

MAP A-2.2



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## **2.7 Employment Land Areas**

- 2.7.1 Employment Land areas and the necessary infrastructure required to support current and projected needs are shown and addressed in the schedules and policies of Part B - The Urban Communities Secondary Plan, and Part C – The Hamlet of Birds Creek Secondary Plan.
- 2.7.2 The conversion of lands within employment areas to non-employment uses may only be permitted through a comprehensive review of this Plan, including Part B - The Urban Communities Secondary Plan, and Part C – The Hamlet of Birds Creek Secondary Plan, and only where it has been demonstrated that the land is not required for employment purposes over the long term.
- 2.7.3 Other policies of this Plan provide opportunities for a diversified economic base and a wide range and mix of economic activities and ancillary uses on the lands designated Rural within the County.

## **2.8 Housing**

### **2.8.1 General Policies**

- 2.8.1.1 The provision of adequate housing is a fundamental need for the well-being of all County residents. To ensure an appropriate range of housing types, densities, and levels of affordability, the intent of this Plan is to:
  - a) Ensure a three (3) year supply of all types of housing in a combination of draft approved and/or registered lots and blocks of residential land on plans of subdivisions is available and that a ten (10) year supply of residential land is appropriately designated to meet the projected demands for housing;
  - b) Encourage and facilitate the development and maintenance of an appropriate mix of housing types to meet the needs, incomes, preferences, and lifestyles of all County residents, including a mixture of housing types, tenures, and densities in plans of subdivisions and condominiums;
  - c) Integrate housing for people of all ages and abilities into the communities of the County where they have the opportunity to care for themselves as much as possible in a non-institutional setting;
  - d) Permit and facilitate appropriate forms of residential intensification and redevelopment including the renovation and rehabilitation of residential units above commercial uses on lands designated Urban;
  - e) Permit a second dwelling unit within a detached house, semi-detached house, or rowhouse, or a building or structure ancillary thereto for lands designated Urban, Hamlet, Agricultural, and Rural, save and except any lot abutting an At Capacity Lake Managed for Lake Trout (LTL-AC), provided that any lots privately serviced are a minimum of 1 acre (.4 hectare) in area (see Part A-Section 7.3 with regard to implementing within comprehensive

zoning by-laws). A Member Municipality may permit a second dwelling unit on lands zoned Limited Service Residential (LSR) provided the private right-of-way is constructed and maintained at the owners' expense to a satisfactory standard in accordance with the municipal private roads by-law in keeping with Part A – Section 5.4.3.7 b) of this Plan;

- f) Minimize potential conflicts between residential and non-residential uses;
- g) Ensure residential areas are well connected to major employment, shopping, educational, and public service facilities;
- h) Encourage the provision of adequate affordable housing for persons of low, moderate, and middle income across the County; and,
- i) Work co-operatively with the private sector and the non-profit sector as the principal agents in the supply of affordable housing.

2.8.1.2 The County of Hastings will strive to provide eligible clients living in the County with access to affordable and well-maintained housing by developing multi-year capital plans for social housing and working with non-profit housing groups.

2.8.1.3 Social housing projects/development should generally be directed to designated Urban and Hamlet Settlement Areas.

## **2.8.2 Housing for Older Adults**

2.8.2.1 The County encourages and supports services and alternate housing forms to meet the needs of older adults who wish to live with as much autonomy as possible. This could include:

- a) The temporary placement of a garden suite as provided for in Part A - Section 7.3.6 of this Plan;
- b) The renovation or addition to an existing dwelling to either house the family member requiring care and supervision, or to house the family member providing the care and supervision, subject to the proper approvals for servicing;
- c) The conversion of a portion of an existing detached house, semi-detached house or rowhouse or a building or structure ancillary thereto to include a second dwelling unit pursuant to Part A - Section 2.8.1.1e) of this Plan; and
- d) The provision of home care by a network of paid and volunteer programs such as Meals on Wheels and Victorian Order of Nurses allowing people to age in place.

2.8.2.2 In addition to the above, a network of apartment housing for older adults, nursing homes and homes for the aged will provide a variety of levels of care and service for residents of the County.

2.8.2.3 A range of housing and supportive housing options for older adults and for people with other special needs will be located primarily in the Urban and Hamlet

designations in close proximity to medical, social service, and community facilities, open/greens spaces, recreation facilities, and shopping areas.

### **2.8.3 Affordable Housing**

2.8.3.1 The County of Hastings and its Member Municipalities are dedicated to providing safe and affordable housing for those who are in need of affordable accommodation in keeping with the County's Housing and Homelessness Plan.

2.8.3.2 Affordable housing for low and moderate income households is defined as per the Provincial Policy Statement. The County will monitor affordable housing targets and any changing housing needs in the County at the time of each successive 5 (or 10) year review of this Plan.

2.8.3.3 Affordable housing in new residential construction or redevelopment projects shall be required. The proportion that is required will be determined on a site by site basis and calculated as part of the planning approval process for the County and/or the affected Member Municipality. Where developments in excess of 25 residential units are proposed, the County and its Member Municipalities will target a minimum of 25% of all new housing to be in forms that would be affordable to households of low and moderate income.

2.8.3.4 A minimum of 25% affordable housing may be achieved through:

- a) The construction of new units, including accessory dwelling units;
- b) An option to purchase by the County or other housing agency;
- c) A joint venture with the County or other housing agency; and/or,
- d) Utilizing any other arrangement which may be available.

2.8.3.5 The County of Hastings will seek to maximize funding by senior levels of government for the development of affordable housing and the rehabilitation of existing social housing.

2.8.3.6 The County of Hastings will encourage non-profit groups and the private sector to provide affordable housing. Such encouragement may include technical assistance, program information, partnership arrangements, and other forms that may be appropriate.

2.8.3.7 The County and Member Municipalities may utilize alternative development standards if deemed appropriate for the provision of affordable housing.

### **3.0 SECTION III – INFRASTRUCTURE & PUBLIC SERVICE FACILITIES**

#### **3.1 Goals and Objectives**

##### **3.1.1 Goals:**

The goals for infrastructure and public service facilities in the County of Hastings are:

- a) To undertake asset management planning and develop asset management plans that will pursue the financial viability of the County's and Member Municipalities' infrastructure and public service facilities over their life cycle.
- b) To provide, maintain, finance, and operate infrastructure and public service facilities that are accessible and will provide a high quality of life while protecting the overall health and safety of County residents and visitors;
- c) To encourage and facilitate efficient development patterns that optimize the use of land, resources, and public investment in infrastructure and public service facilities;
- d) To protect for the long term, major goods movement facilities and corridors, including airports, rail facilities, and major highways; new development adjacent to such facilities should be designed to avoid, mitigate, or minimize negative impacts on and from the corridor and transportation facilities;
- e) To implement a hierarchy of preferred sewer and water services through policies within this Plan that are consistent with provincial planning policy, including establishment of municipal sewage services and municipal water services as the preferred form of servicing for Urban designated lands;
- f) To intensify and redevelop within Urban designated lands on existing municipal sewage services and municipal water services wherever feasible;
- g) To maintain in good repair and condition new and existing infrastructure and public service facilities, including but not limited to water and sanitary sewage systems, roads, recreational trails, pedestrian sidewalks and walkways, bike paths/lanes, social and special needs housing, community halls, arenas, museums, and libraries;
- h) To avoid the need for costly remedial measures to correct problems by implementing the principles of sustainable land use planning and development;
- i) To provide waste management facilities and programs in a sound environmental manner to support the reduction, reuse, and recycling of materials, while utilizing existing waste management sites as necessary;
- j) To plan for and provide infrastructure, electricity generation facilities, electricity transmission and distribution systems, and public service facilities in a coordinated and integrated manner so that these assets are:
  - i. Financially viable over their life cycle, which may be demonstrated through asset management planning; and



- ii. Available to meet current and projected needs.
  - k) To facilitate the provision of high speed broadband and other telecommunications facilities as an essential component of infrastructure and future economic growth in the County;
  - l) To plan responsibly to meet the needs of all residents, regardless of their abilities;
  - m) To encourage age-friendly communities' initiatives that support the development of local social and physical environments that enable older adults to live active, safe and meaningful lives.
- 3.1.2 In partnership with the local District Health Unit, Member Municipalities, and other agencies and partners, the following goals should be pursued:
- a) Reduce the burden of preventable chronic diseases of public health importance;
  - b) Reduce the frequency, severity, and impact of preventable injury and of substance misuse;
  - c) Prevent or reduce the burden of illness from health hazards in the physical environment;
  - d) Provide opportunities for older adults to become physically active and more easily access appropriate health, family and home care that will allow them to live independently at home longer;
  - e) Encourage opportunities and remove barriers related to healthy eating and active living; and,
  - f) Advance sustainable and active transportation, accessible recreation and food accessibility.

### 3.1.3 Objectives:

The objectives for infrastructure and public service facilities in the County are:

- a) To consider the following before developing new infrastructure and service facilities:
  - i. Optimizing the use of existing infrastructure and public service facilities; and,
  - ii. Considering opportunities for adaptive re-use, wherever feasible.
- b) To develop infrastructure which is appropriately planned or available, which also avoids the need for the unjustified and/or uneconomical expansion of said infrastructure;
- c) To Utilize“green” or sustainable building and construction practices wherever possible in the siting, design, construction, renovation, and improvement of public facilities;
- d) To Implement phasing policies within Part B - The Urban Communities Secondary Plan that will ensure the orderly progression of development within the Urban designated settlement areas and the coordinated, efficient

- and cost-effective provision of infrastructure and public service facilities required to meet current and projected needs of residents and visitors;
- e) To promote water conservation and water use efficiency;
  - f) To integrate servicing considerations with land use considerations at all stages of the planning process;
  - g) To permit lot creation and new development on municipal services only where sufficient reserve sewage system capacity and reserve water system capacity is available within the subject municipal or private communal services;
  - h) To co-locate public service facilities into community hubs, where feasible, to achieve cost-effectiveness and facilitate service integration;
  - i) To require hydrogeological studies assessing ground water quality, quantity and impacts as justification for new development proposed on private services as necessary;
  - j) To evaluate the potential impacts of existing closed, inactive and/or operating waste management sites on developments proposed upon adjacent lands;
  - k) To consider the effect of ongoing road maintenance, reconstruction, new road construction, and associated infrastructure work upon pedestrians, cyclists, transit riders, and motorists;
  - l) To encourage the provision of a range of human services including affordable housing, subsidized licensed daycare, and employment and income supports to ensure all residents have adequate incomes to afford healthy food, transportation, and recreation after paying fixed expenses;
  - m) To support people and communities with the professional and caring operation of Hastings/Quinte Long-Term Care Services (Hastings Manor and Hastings Centennial Manor), the Department of Community and Human Services (Ontario Works and various other social programs), Emergency Medical Services (ambulance), and Hastings/Quinte E9-1-1 telephone service; and,

3.1.4 Objectives for County long-term care, social and emergency services and operations are addressed in the Hastings County Strategic Plan and include, but are not limited to, the following:

- a) Locate infrastructure and public service strategically to support the effective and efficient delivery of emergency management services;
- b) Meet the present and future needs of long term care clients and their families;
- c) Increase the number of Ontario Works clients within the work force;
- d) Help prevent homelessness;
- e) Ensure that eligible clients have access to affordable and well-maintained housing; and,
- f) Continue to supply high quality land ambulance services in a timely and efficient manner while meeting or exceeding provincially mandated response times.

## **3.2 Municipal Sewer and Water Services**

- 3.2.1 Development on full and/or partial municipal water and sewage services shall be in accordance with the policies of Part B - The Urban Communities Secondary Plan.
- 3.2.2 Extensions of municipal sewage or water services beyond lands designated Urban shall not be permitted. Exceptions may be considered by way of an amendment to this Plan in accordance with Part A - Section 2.3.
- 3.2.3 Any provision and/or major expansion of municipal water and sewage systems within a community designated Urban or Hamlet (Deloro) will be subject to an Environmental Assessment (EA) process involving a detailed assessment of treatment options with full public participation and consideration of environmental, social, and economic impacts. The EA process will identify the project details that best suit the needs of the subject area.
- 3.2.4 Member Municipality Councils will maintain, in conjunction with the Ministry of the Environment and Climate Change (MOECC), up-to-date records of the reserve capacity of water and sanitary sewage treatment facilities, the amount of unconnected servicing commitments to zoned land/development, and the uncommitted reserve capacities.
- 3.2.5 Member Municipality Councils will ensure that sufficient septage treatment capacity is available prior to approving significant development applications serviced by a private or private communal sewage treatment system.
- 3.2.6 Member Municipalities shall relate plant performance and hydraulic capacity to growth management objectives to avoid future limitations on development and to allow enough time to plan for the minimum of three to five years for completing plant expansions or upgrades. A Member Municipality Council shall not award capacity allocation for development beyond the uncommitted reserve capacity in their water and sewage treatment facilities.
- 3.2.7 County Council, in consultation with the affected Member Municipality and the MOECC, will not grant draft plan approval for development beyond the uncommitted reserve capacity in their water and sewage treatment facilities.
- 3.2.8 The County and the affected Member Municipality shall take steps to ensure that servicing capacity is not allocated to a limited number of landowners who fail to develop their lands in an expeditious manner. County Council and/or a Member Municipality may adopt policies and procedures to guide the allocation of uncommitted servicing capacity to proposed developments, including but not limited to the use of phasing and lapsing provisions in subdivision/condominium agreements and draft approvals, and holding provisions in the zoning by-law.

- 3.2.9 The County will ensure that historic draft approved plans that have no lapsing provision will become subject to a lapsing provision upon granting of any modification to the conditions of draft approval.
- 3.2.10 Member Municipality Councils will actively maintain/upgrade their systems and promote water conservation practices in order to “free up” capacity within the municipal water and sanitary sewage treatment plant and distribution systems. Member Municipalities that own and manage municipal water and wastewater plants and systems will develop and implement assessment management plans inclusive of an asset management strategy and financing strategy tailored to their unique needs and the life cycle cost of their infrastructure.
- 3.2.11 Separation distances and/or other control measures for sensitive land uses close to sewage treatment facilities and waste stabilization ponds as outlined in MOECC Guideline D-2: Compatibility between Sewage Treatment and Sensitive Land Use.

### **3.3 Communal Sewage and Water Services**

- 3.3.1 Member Municipalities may choose to have development serviced by private communal sewage services and private communal water services where municipal sewage services and municipal water services are not provided.
- 3.3.2 Communal sewage and water systems servicing six or more lots or private residences may be permitted where satisfactory to the Member Municipality, provided they conform to the policies and designations of this Plan, the standards of the MOECC, and are subject to a development agreement with the municipality setting out the basis for the operation of the system and maintenance responsibilities, including capital replacement. In the event of default of the communal system(s), the agreement shall permit the Member Municipality to assume responsibility for the system and retain any or all of the financial assurances that the developer shall have deposited.
- 3.3.3 Decisions regarding the ownership and maintenance of communal servicing shall be in accordance with the MOECC Guidelines/Regulations and Part A- Section 3.4 of this Plan.

### **3.4 Private Sewer and Water Servicing**

- 3.4.1 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such

services with no negative impacts. In settlement areas, these services may only be used for infilling and minor rounding out of existing development.

- 3.4.2 Prior to granting approval to create new lots or new development on private services, the County and/or Member Municipality shall be satisfied that:
- a) An adequate on-site supply of potable groundwater exists;
  - b) Soils, terrain and lot sizes are adequate for the required sewage disposal system and replacement system; and,
  - c) Undue negative interference on or from existing neighbouring wells and lands uses will be avoided.
- 3.4.3 For zones permitting residential uses, a wellconstructed in accordance with Regulation 903 of the Ontario Water Resources Act shall be required. The well shall produce a minimum of 3.5 gallons of water per minute which meets the Ontario Drinking Water Quality Objectives. The landowner shall furnish an affidavit that confirms the location from where water samples and related reports have been taken.
- 3.4.4 Proponents of development requiring a large septic system may be required to undertake a detailed hydrogeological study at their cost to determine on-site soil and groundwater conditions to determine if the soils can suitably accommodate the sewage system and whether the proposed sewage system will have any negative impacts on surrounding uses. The study will be assessed according to MOECC's regulations and standards. Proposed developments with unsuitable sites shall not be permitted.
- 3.4.5 A detailed hydrogeological study shall be required as part of a complete application for all subdivisions or condominiums where private or private communal services are proposed. The detailed hydrogeological study shall be undertaken by a qualified professional and shall demonstrate that an adequate water supply exists and that no adverse impacts will result to the surface and groundwater as per County and MOECC guidelines.
- 3.4.6 A Member Municipality, under the Health Protection and Promotion Act, and/or the Ontario Building Code, and/or the Clean Water Act, may require property owners to upgrade or replace sewage disposal systems in wellhead protection and intake protection areas and in any other areas as deemed appropriate.
- 3.4.7 Applications proposing alternative servicing methods may be considered by the local municipality provided they meet the standards of the Member Municipality, the County peer review agent, the MOECC and the general intent of this Plan.

MOECC approval is required under the Ontario Water Resources Act for large sub-surface sewage systems with a design capacity of greater than 10,000 litres per day. MOECC Guideline B7 – Reasonable Use also applies in this case and a study

should be completed. Where development is serviced by a subsurface sewage system with a design capacity of 10,000 litres per day or less, the MOECC guideline D-5-4: “Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment” applies. These studies are required to assess the cumulative impact of development on the water supply and to protect the quality of groundwater.

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- 3.4.8 Approval of new lots shall include sufficient off-site reserve sewage system capacity for treatment of septage. For the purposes of PPS policy 1.6.6.6, reserve capacity for private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the Nutrient Management Act, or disposed of at sites approved under the Environmental Protection Act or the Ontario Water Resources Act, but not by land-applying untreated, hauled sewage.

### **3.5 WASTE MANAGEMENT LAND USE DESIGNATION**

#### **3.5.1 Rationale/Strategy for Development**

3.5.1.1 Member Municipality Councils, in consultation with residents, businesses, and waste management industry representatives, shall promote the development and implementation of an integrated waste management system, which encourages:

- a) Initiatives that support the reduction, reuse, and recycling of waste materials including composting programs and initiatives where feasible; and,
- b) The development, operation, and maintenance of environmentally and technically sound waste management facilities.

3.5.1.2 In planning for future economic growth, County Council recognizes the importance of waste management as an integral component of the infrastructure necessary to sustain development.

3.5.1.3 The County and member municipal Councils recognize that both open and former/closed waste management sites are an integral component of the land use system and will implement measures to discourage the introduction of incompatible forms of land use on these lands and lands adjacent thereto in order to minimize the potential for land use conflicts. Regard shall be given to the applicable MOECC guidelines for land use on or near waste management sites.

3.5.1.4 The policies and provisions of this Plan shall apply equally to waste management undertakings proposed by either the public or private sectors.

#### **3.5.2 Permitted Uses**

3.5.2.1 For the purposes of this Plan, the following definitions shall apply:

- a) Waste Management may include any one or more of the transfer, processing, separating, recycling, composting, material recovery, reclamation, or landfilling of solid, non-hazardous waste together with such other ancillary uses as an equipment maintenance depot, administrative offices, weigh scales, and scale house, leachate and landfill gas management facilities including non-utility electrical co-generation facilities, stockpiling of overburden materials and similar uses as may be required for the operation of a waste management site in a sound environmental manner.
- b) Waste Management Site shall mean any lands and/or facilities used, or previously used, for waste management in accordance with a Provisional Certificate of Approval issued and administered by the MOECC.

3.5.2.2 The intent of this Plan is to designate on Land Use Schedule 'OP-A':

- a) Active waste management sites which currently exist and operate in accordance with an Environmental Compliance Approval issued pursuant to the provisions of Part V of the Environmental Protection Act, as administered by the MOECC; and,
- b) The approximate location of former waste management sites. The accuracy and reliability of mapping information for former waste management sites can vary depending on the property and location. Where former waste management sites are identified that are not currently shown on **Schedule OP-A**, the policies of this Plan shall apply as if they were identified on **Schedule OP-A**.

3.5.2.3 The uses permitted within an active waste management site shall be limited to those licensed at any time under a Provisional Environmental Compliance Approval for the site. Other uses permitted shall include agriculture and farm related uses, conservation, private open space and recreational activities and reforestation, either as an interim form of land use during site development or as a sequential land use following decommissioning and/or closure and post-closure of a waste management site, subject to the approval of the MOECC.

3.5.2.4 Where former waste management sites are under the ownership of the County of Hastings or a Member Municipality, the affected Council shall consult with the MOECC regarding the establishment of appropriate decommissioning and/or closure and post-closure programs.

3.5.2.5 Prior to considering any proposal for the development of lands previously used for waste management or lands within the immediate vicinity of a former waste management site, the member municipal Council and/or County Council shall consult with the MOECC to determine the compatibility of the proposed use with

the former waste management activity. Any study or assessment submitted in support of a development proposal should address the following: landfill generated gases, ground and surface water contamination by leachate, odour, litter, contaminant discharges from associated vehicular traffic, visual impact, dust, noise, other air emissions, fires, surface runoff, and vectors and vermin.

- 3.5.2.6 Council shall only approve sensitive development in the vicinity of an open landfill site when they are satisfied that the environmental study or assessment indicates that impacts will be minimal or can be mitigated.

### **3.5.3 Waste Management Assessment Area**

- 3.5.3.1 The “Waste Management Assessment Area” is an overlay designation applied in the vicinity of active and former waste management sites as illustrated on **Land Use Designation Schedule OP-A** based on Guideline D-4 “Land Use on or Near Landfills and Dumps” of the MOECC. Waste management sites and their associated “Waste Management Assessment Area” are depicted on **Land Use Designation Schedule OP-A** as the “Waste Management” land use designation. Former waste management sites and their associated “Waste Management Assessment Areas” are depicted on the **Rural Infrastructure Schedule OP-C** as “Former Waste Management Site”.

- 3.5.3.2 The purpose of a “Waste Management Assessment Area” is to implement a study area for proposals for new development within the vicinity of or on an active or former waste management site in order to protect the health, safety, convenience and welfare of persons near such facilities. New development will not be permitted unless it can be demonstrated that there are no significant adverse effects being caused from the waste management site. The costs of undertaking the study and a peer review of same, if required, will be borne by the applicant/developer.

- 3.5.3.3 The assessment area shall be defined as 500 metres from the perimeter of the fill area of the active or former waste management site, unless otherwise noted in this Section. The assessment area may be determined by the MOECC and/or the Member Municipality’s peer reviewer to be greater or less than 500 metres, based on factors such as ground and surface water contamination from leachate, hydrogeology, production and migration of methane gas, odour, noise, other air emissions, vermin, etc..

- 3.5.3.4 For the purpose of Part A - Section 3.5.2 “new development” means a change in land use requiring an amendment to the Official Plan and/or an amendment to a zoning by-law and also includes applications for approval of a plan of subdivision or condominium, a consent to a land severance, and site plan approval. “New development” does not include the construction of public works, infrastructure authorized under an environmental assessment process (Environment Assessment Act), or works subject to the Drainage Act.



3.5.3.5 Section 46 of the Environmental Protection Act requires that no use be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be so used unless the approval of the Minister for the proposed use has been given.

Council shall only approve sensitive development in the vicinity of a closed landfill site when it is satisfied that the environmental study or assessment indicates that impacts will be minimal or can be mitigated.

3.5.3.6 An Environmental Site Assessment pursuant to Part A - Section 7.8.4 of this Plan may be required to support a development application for new development within a “Waste Management Assessment Area”. The need for and the nature and scope of the study shall be determined by the County of Hastings and/or Member Municipality in consultation with the MOECC and/or peer reviewer at the time any new development is proposed. At a minimum, studies or assessments should consider the following: ground and surface water contamination by leachate, surface runoff, ground settlement, visual impact, soil contamination and hazardous waste, and landfill generated gases.

3.5.3.7 The Environmental Site Assessment shall be prepared by a qualified person(s) acceptable to the County and Member Municipality and retained by and at the cost of the proponent. The study will address factors determined to be necessary, such as:

- a) The type, sensitivity, and scale of the proposed development;
- b) The type and nature of wastes contained within the waste management site;
- c) The hydrogeology of the site and environs, including the potential for surface and/or groundwater contamination;
- d) The potential for adverse effects upon the proposed use including potential landfill-generated gases, ground and surface water contamination from leachate, odour, litter, contaminant discharges from vehicular traffic, visual impact, dust, noise, other air emissions, fires, surface runoff, vermin, etc.;
- e) The production and migration of methane gas;
  - i) The impact of any water taking from the proposed development on leachate migration;
  - ii) The proposed remedial measures to deal with the adverse impacts;
  - iii) Subsequent monitoring and,
  - iv) Such other matters as the County of Hastings considers appropriate in the circumstances.
- f) No new development shall be approved by the County of Hastings or the Member Municipality until the Environmental Site Assessment required in accordance with Part A - Sections 3.5.3.6 and 3.5.3.7 has been satisfactorily completed. Prior to approving any new development within a “Waste Management Assessment Area”, the Council of the Member Municipality shall consult with the County of Hastings to confirm that:

- i) The Environmental Site Assessment has been completed to the satisfaction of the County of Hastings; and,
- ii) The proposed means of implementation of any mitigative measures or other enhancements identified through the studies are acceptable to the County of Hastings.

3.5.3.8 New development shall not be permitted on lands identified as containing waste until the requirements of the MOECC are met.

3.5.3.9 The uses permitted in the “Waste Management Assessment Area” are those allowed in the underlying designations, subject to the policies of this Section. The municipal zoning by-laws shall provide for uses permitted in the underlying designations.

3.5.3.10 The Member Municipalities and/or County shall endeavour to provide notice of development applications within the “Waste Management Assessment Areas” to owner/operators of waste management sites.

3.5.3.11 Member Municipalities will develop and implement assessment management plans inclusive of an asset management strategy and financing strategy tailored to their unique needs and the life cycle cost of their waste management sites.

#### **3.5.4 Planning Policies and Amendments to the Waste Management Designation**

3.5.4.1 Sensitive land uses such as residential dwellings, institutional uses such as schools, daycare centres or other similar uses shall be discouraged on lands adjacent to land used for waste management purposes or a closed waste management site and shall only be permitted where adequate measures are implemented to protect such uses from noise, odour, dust and other potential environmental effects.

3.5.4.2 Active waste management sites designated as “Waste Management” shall be zoned in a separate zoning classification in the implementing by-law wherein suitable provisions and regulations shall be prescribed to govern the future development and use of the lands for such purposes having regard for the provisions of Part V of the Environmental Protection Act and the approvals issued by the MOECC.

3.5.4.3 Expansion of an existing waste management site beyond the property boundary subject to the Provisional Environmental Compliance Approval issued by the MOECC or the development of a new waste management site shall require an amendment to this Plan.

3.5.4.4 In considering an application for an amendment to this Plan to provide for the designation of a new waste management site or the expansion of an existing waste management site, County Council shall consider the potential effects of the proposal upon the environment in accordance with the provision of the

Environmental Assessment Act, the Environmental Protection Act and such other applicable Provincial legislation and regulations. Specific regard shall be had for the following matters:

- a) The potential impact upon the environment and the measures proposed to mitigate potential environmental effects;
- b) The compatibility of the proposed waste management operations with adjacent and surrounding land uses;
- c) Haul routes, including ingress and egress driveways and the volume of traffic to be generated by the waste management activities;
- d) The need for and provision of services and related infrastructure and the potential financial impacts associated with the provision of such services and infrastructure;
- e) Plans for development and operation, including progressive rehabilitation, of the site; and,
- f) The proposed decommissioning and/or closure and post closure plans for the site and sequential land uses.

## **3.6 Transportation Network**

### **3.6.1 General Policies**

3.6.1.1 The transportation network, consisting of a road system, Bancroft Airport, Canadian National Railway (CNR) and Canadian Pacific (CP) Railway are depicted on **Rural Infrastructure Schedule OP-C** and/or the Schedules to the Urban Communities Secondary Plan – Part B of this Plan.

3.6.1.2 Urban community secondary planning should ensure that community-wide access for all modes of transportation is considered with specific attention to active transportation and public transit where available. A land use pattern, density, and mix of uses are promoted to minimize the length and number of vehicle trips and support current and future use of active transportation and transit where available.

3.6.1.3 Member Municipalities will develop and implement Assessment Management Plans inclusive of an asset management strategy and financing strategy tailored to their unique needs and the life cycle cost of their roads and transportation infrastructure.

### **3.6.2 Public Road Network**

3.6.2.1 The public road network as shown on **Rural Infrastructure Schedule OP-C** is designed to facilitate a safe and efficient transportation system that integrates a range of travel modes to move people and goods within the planning area, as well as through traffic movement. The public road system is based on the establishment of a hierarchy of roads including:

- a) Provincial Highways;
- b) County Roads;
- c) Former Provincial Highways and County Roads currently owned and maintained by Member Municipalities;
- d) Municipal Roads – maintained year round; and,
- e) Municipal Roads – maintained seasonally.

3.6.2.2 Provincial Highways under the jurisdiction of the Ministry of Transportation are:

- a) MacDonald-Cartier Freeway/Provincial Highway No. 401 – traversing east-west through the Township of Tyendinaga;
- b) Trans-Canada Highway No. 7 – traversing east-west through the Municipalities of Marmora and Lake, Madoc, Centre Hastings, and Tweed;
- c) Provincial Highway No. 28 – traversing east-west from McArthurs Mills to Paudash through the Municipalities of Carlow-Mayo, Bancroft, and Faraday;
- d) Provincial Highway No. 37 – traversing north-south from the City of Belleville to the Hamlet of Actinolite in the Municipality of Tweed;
- e) Provincial Highway No. 49 – traversing north-south from Prince Edward County into the Mohawks Bay of Quinte Reserve and the Township of Tyendinaga;
- f) Provincial Highway No. 62 – traversing north-south from the City of Belleville to the Hamlet of Maynooth in the Municipality of Hastings Highlands;
- g) Provincial Highway No. 118 – traversing east-west from the Hamlet of Paudash to Haliburton County; and,
- h) Provincial Highway No. 127 – traversing north-south from the Hamlet of Maynooth to the northern boundary of the Municipality of Hastings Highlands.

These Provincial Highways are designed to facilitate large volumes of inter-municipal and through traffic movement. The right-of-way width, number of lanes, design details, traffic signage and entrance spacing for the Highways shall be as determined by the Ministry of Transportation. As per the requirement of the Public Transportation and Highway Improvement Act R.S.O. 1990, all development within the Ministry of Transportation’s permit control areas must obtain the appropriate approvals/permits from the Ministry of Transportation before construction commences. Early consultation with the Ministry of Transportation is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Direct access to/from Provincial Highways will be discouraged and often prohibited.

3.6.2.3 Roads currently owned by the County of Hastings in the Mohawks of the Bay of Quinte Reserve and maintained by the Mohawks on behalf of the County are shown on **Map A-3.1** and described as follows:

- a) Portion of Old Highway 2 from the westerly limits of Tyendinaga Reserve (Burns Road) toward the easterly limits of the Reserve (Milltown Road) outside of the Turton Penn area – less than 3.7 km in length;
- b) Portion of Old Highway 2 from Highway 49 to Deseronto Westerly Town Limit – 2.2 km in length;
- c) Bayshore Road from Highway 49 to Deseronto Westerly Town limit – 2.6 km in length; and,
- d) Portion of Shannonville Road from Old Highway 2 Jane Street to Old Highway 20.6 km.

These roads are designed to facilitate medium to large volumes of inter-municipal and through traffic movement. The minimum road allowance width for the portions of Old Highway 2 is 30.5 metres (100 feet) and 20.1 metres (66 feet) for Bayshore Road and Shannonville Road. The number of lanes, design details, traffic signage and entrance spacing for this portion of Old Highway No. 2 shall be as determined by the County of Hastings.

3.6.2.4 Member Municipalities are encouraged to pass the appropriate by-laws to establish road classifications, entrance requirements, multimodal use specifications, and maintenance and construction standards for its various roads, generally reflecting the following categories:

- a) Arterial – generally former Provincial Highways and County Roads maintained on a year round basis based on minimum road allowance widths of 26.2 metres (86 feet) to 30.5 metres (100 feet);
- b) Local – maintained on a year round basis, facilitating the movement of medium to low volumes of traffic generated from the local area in both urban and rural locales, generally connecting with major traffic arteries. The planned minimum road allowance width for local municipal roads is generally 20 metres (66 feet) or as may be determined by the Member Municipality;
- c) Seasonal Local – maintained on a seasonal basis, facilitating the movement of small volumes of traffic typically in rural/shoreline locales. The planned minimum road allowance width for seasonal municipal roads is generally 20 metres (66 feet) or as may be determined by the Member Municipality.
- d) Unopened/Unassumed Road Allowances where public maintenance is not available.

3.6.2.5 Former Provincial Highways 620 and 62 East of Maynooth and the former County Roads listed in **Table A-3.1** function as arterial roads that permit the movement of large volumes of traffic from municipal roads to provincial highways or other arterial roads at relatively high operating speeds. These roads typically have a minimum road allowance width of either 26 metres (86 feet) or 30.5 metres (100 feet) and should be maintained as such. The number of lanes, design details, traffic signage and entrance spacing for these former Provincial Highways and County

Roads shall be as determined by the affected Member Municipality in order to retain function as arterial roads.

- 3.6.2.6 Road authorities, including Member Municipalities, may require road widening as conditions to the approval of development including plans of subdivisions and condominium, consent and site plan control as per the road width standards noted above. Road widening should be taken equally from both sides of a roadway, measured from the existing centreline, except where, for topographic reasons or other reasons such as historical building patterns, widening is only possible on one side; in such cases road widening may be taken entirely from one side of the road. Widening may also be obtained to implement improvements for pedestrians and cyclists, intersection improvements, maintenance turnaround or daylighting triangles in order to provide and maintain sufficient sight distance and safety in accordance with accepted engineering standards.
- 3.6.2.7 Member Municipalities are encouraged to undertake Roads Needs Studies to determine required road improvements. Such studies shall guide short and long-term capital works programs and identify specific road right-of-way widening that may be required. New roads and major alterations to existing roads shall be subject to the requirements of the Environmental Assessment Act, as amended. Results of Road Needs Studies and any major improvements, extensions, or assumptions shall be implemented by the Member Municipality having regard to the cost-benefit effects for the Municipality.
- 3.6.2.8 Member Municipalities are encouraged to establish standards for reconstruction, new road construction and associated infrastructure that give appropriate consideration for pedestrians, cyclists, transit riders, and motorists along municipal roads.
- 3.6.2.9 Member Municipalities are encouraged to review the collision history of a road before initiating road reconstruction or resurfacing.
- 3.6.2.10 In those municipalities where Entrance Permits are used, an Entrance Permit for access onto a roadway shall be granted subject to the approval of the appropriate road authority, including approval as per Section 3.6.2.2 relating to Provincial Highways. Any road alterations or changes, culverts or ditch changes, major signs, or fill/excavation on adjacent lands shall require approval of the appropriate road authority.
- 3.6.2.11 Many local roads or portions thereof are forced roads that had to make account for hills, swamps and other topographic challenges in locating and maintaining the local road system. As the result of many things including the conversion of land from the registry system to the land titles system, there are instances where the municipal ownership of the forced road has come into question. An appropriate condition to the provisional approval of a subdivision, condominium or a consent along a portion of forced road or site plan control approval may be the land owner








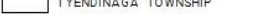
confirming that the road allowance in question is in the ownership of the Member Municipality and/or conveying the full required width of the road allowance to the Member Municipality.

- 3.6.2.12 Member Municipalities are encouraged to avoid assuming new or extended local roads unless part of a plan of subdivision or further assume existing unopened road allowances as a means of preserving the rural character of the County and minimizing long-term road maintenance costs. However, a Member Municipality may consider the assumption of new or extended roads constructed to the satisfaction of the municipality. Assumptions shall be made by local by-law and have regard to the financial cost-benefit effects for the municipality. Also, refer to Part A - Section 5.4.3.2 of this Plan.
- 3.6.2.13 A member municipal council has no obligation to convert a seasonally maintained road to a year-round maintained road. A member municipal council may, however, undertake or request a cost-benefit analysis to determine the financial impact of such a conversion. A council may require neighbouring or benefitting landowners to contribute a portion or all of the cost of improving the road to an acceptable standard as per their policies. The status of the road may be changed without an amendment to this Plan.
- 3.6.2.14 Changes in ownership from one governing body to another (ie. Province to County, Member Municipality or Mohawks of the Bay of Quinte and vice versa), road widening, realignments and bypasses do not require an amendment to this Plan.
- 3.6.2.15 Local municipal zoning by-laws shall provide for adequate setbacks from roadways and the establishment of rights-of-way for future road improvements in order to minimize the disruption to adjacent lands. Setbacks, including daylighting triangles, shall maintain the character of the area and have regard to safety, noise, odours and dust.
- 3.6.2.16 Any unopened road allowances that provide public access to shoreline should not be closed and conveyed by a Member Municipality to private landowners unless provisions for alternative public access have been provided in order that public access is maintained to the shoreline.
- 3.6.2.17 Municipalities shall continue their practice of leasing or closing and selling shore road allowances, subject to the following:
- a) Generally, Member Municipal Councils shall not consider the sale or lease of shore road allowances in the following circumstances:
    - i) Where any portion of an allowance on or leading to water is used or will be used for public waterfront recreational purposes, public access, emergency access, public travel, portage or other municipal purposes or there is no other public access available to the water body; or

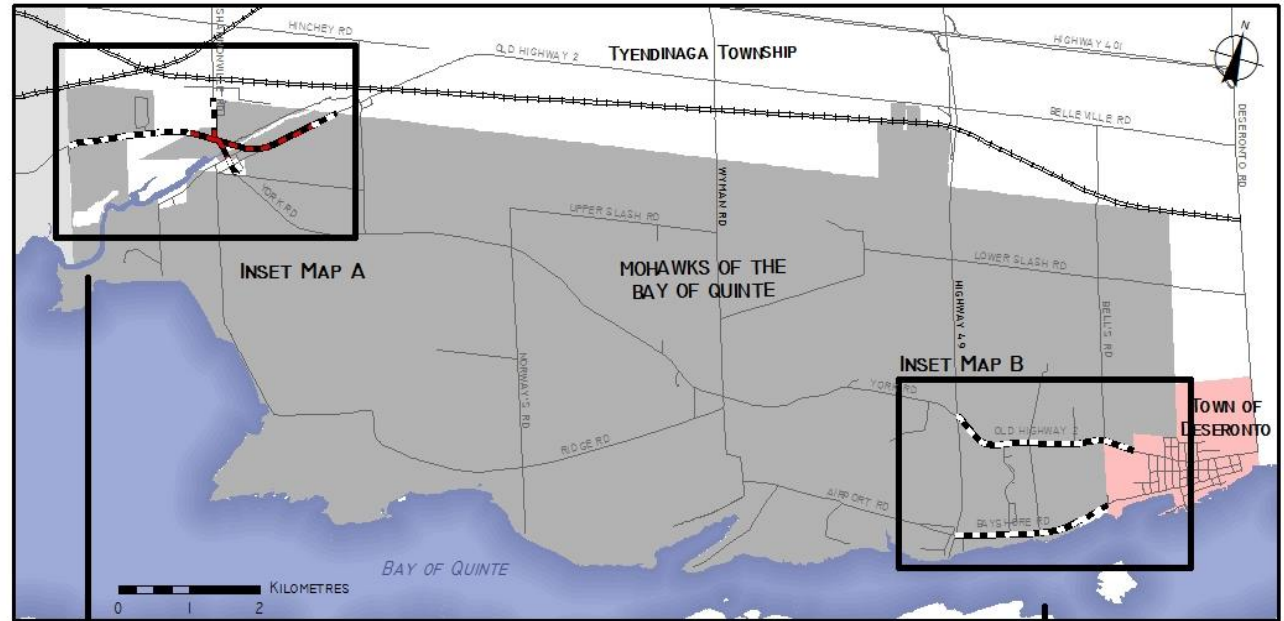
- ii) Where any portions of a road allowance contain, abut or provide access to an important fish spawning area, wildlife habitat or other environmentally sensitive feature, unless approved by the Ministry of Natural Resources and Forestry (MNR),
- b) Closure of shore road allowances shall be implemented by a by-law passed under the Municipal Act.



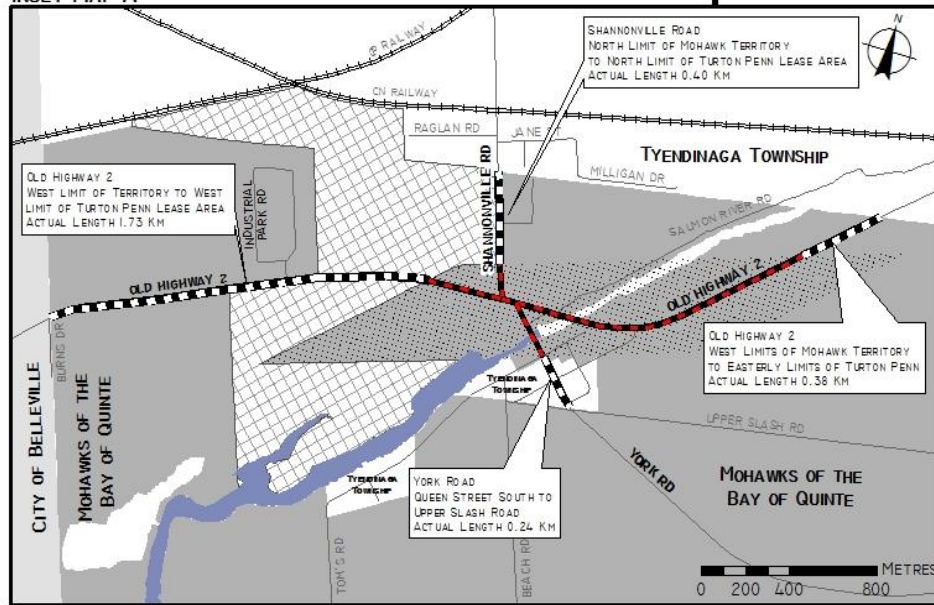
**MAP A-3.1**  
**COUNTY OF HASTINGS ROADS WITHIN THE**  
**MOHAWKS OF THE BAY OF QUINTE RESERVE**

-  COUNTY FUNDED ROAD SYSTEM
-  ROAD TRANSFERRED TO RESERVE
-  TURTON PENN LEASE AREA
-  SUBJECT TO TRANSFER TO MOHAWKS OF THE BAY OF QUINTE
-  CITY OF BELLEVILLE
-  MOHAWKS OF THE BAY OF QUINTE
-  TOWN OF DESERONTO
-  TYENDINGAGA TOWNSHIP

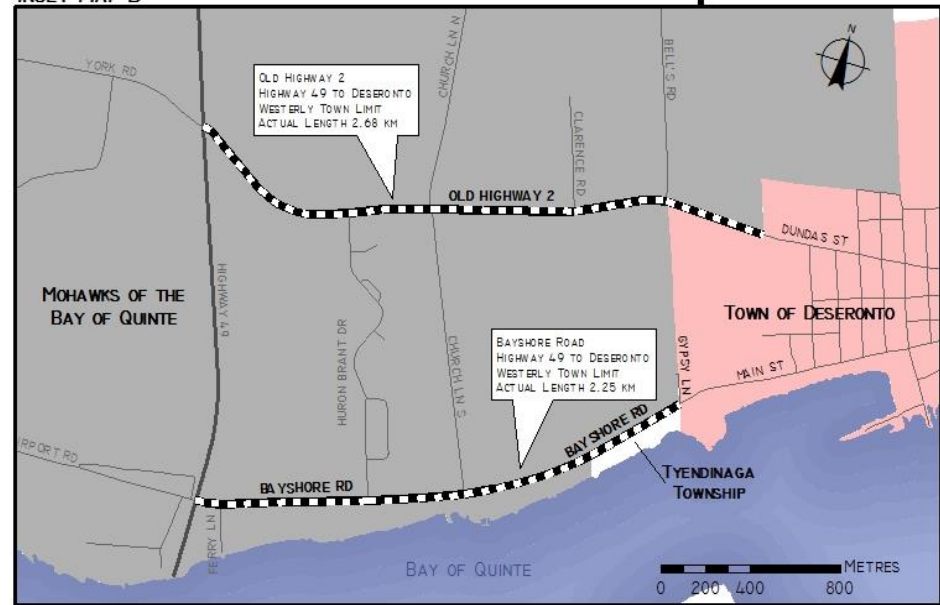
ISSUED BY THE COUNTY OF HASTINGS WITH DATA SUPPLIED BY THE COUNTY OF HASTINGS AND THE CITY OF BELLEVILLE. THE COUNTY OF HASTINGS RESERVES ALL RIGHTS AND INTERESTS IN THIS DOCUMENT AND ITS CONTENTS. THIS DOCUMENT IS FOR INFORMATION PURPOSES ONLY. CONSULT THE 2015 CADASTRE MAPS FOR THE HASTINGS MUNICIPALITY. PREPARED BY THE COUNTY OF HASTINGS PLANNING & DEVELOPMENT DEPARTMENT - AUGUST 2015. ROAD DATA HAS BEEN OBTAINED FROM DATA SOURCES OWNED BY THE COUNTY OF HASTINGS.



**INSET MAP A**



**INSET MAP B**



**Table A-3.1: Former County Roads Functioning as Arterial Roads**

<b>Former County Road #</b>	<b>Current Road Name</b>	<b>Municipality</b>
2	Dundas Street, Old Highway 2	Deseronto Tyendinaga Mohawks of the Bay of Quinte Reserve
3	Cordova Road	Marmora & Lake
6	Blessington, Read, Enright and Deseronto Roads	Tyendinaga
7	Shannonville Road & York Road	Tyendinaga, Mohawks of the Bay of Quinte Reserve
8	Hoards Road & Ridge Road & Moira Road	Stirling-Rawdon & Centre Hastings
10	Deseronto Road	Tyendinaga
11	Deloro Road	Marmora & Lake Madoc Township
12	Cooper Road & Wellington Street	Madoc & Centre Hastings (former Village of Madoc)
13	Marlbank Road	Tweed
14	Stirling-Marmora Road	Stirling-Rawdon Marmora & Lake
15	Marysville Road	Tyendinaga
16	Bayshore Road	Mohawks of the Bay of Quinte Reserve Tyendinaga
18	Airport Parkway	Tyendinaga
19	Wellman's Road	Stirling-Rawdon
20	Queensborough Road	Madoc & Tweed
23	St. Lawrence Street East & West	Centre Hastings (former Madoc Village)
24	Belleville Road	Tyendinaga
25	Flinton Road	Tweed
26	Moneymore Road	Tyendinaga Tweed
32	Napanee Road	Tweed
38	Spring Brook Road & Crookston Road	Stirling-Rawdon Centre Hastings & Tweed
39	Sulphide Road	Tweed
41	Phillipston Road	Centre Hastings

### 3.6.3 Railways

- 3.6.3.1 Development shall not be permitted adjacent to or near the Canadian Pacific (CP) or Canadian National Railway (CNR) rail lines located in the Township of Tyendinaga as shown on **Rural Infrastructure Schedule OP-C** that could preclude or negatively affect railway use.
- 3.6.3.2 Development applications adjacent to or near railway lines shall be circulated to the appropriate railway authorities for comments, requirements and/or conditions including the possible undertaking of a noise and vibration study pursuant to Part A - Section 7.8.5 at the cost of the developer to determine potential impacts associated with the proposed development and methods by which to minimize, if possible, the negative impact of development on the rail corridor.
- 3.6.3.3 Wherever possible, abandoned rail lines should remain as one holding for possible long-term use or re-use for rail or high speed rail transportation, potential assumed and maintained roadway, utility corridors or recreational trail uses.
- 3.6.3.4 Abandoned rail lines shall not be used as the principal means of access to residential or commercial uses.
- 3.6.3.5 Refer to Part A - Section 3.9 of this Plan with respect to the establishment of new railway lines and facilities.

### 3.6.4 Airports

- 3.6.4.1 Development shall not be permitted in the vicinity of the existing Bancroft Community Airport (BCA) as shown on **Rural Infrastructure Schedule OP-C** that could preclude or negatively impact its operation and economic function as an airport. A land use compatibility study in accordance with Part A-Section 7.8.5 may be required for any development proposed in close proximity to the Bancroft Community Airport and the findings and recommendations of such may be implemented through such means as zoning, site plan approval and/or a development agreement. Any policies or mapping of **Part B – Urban Communities Secondary Plan** shall also apply with respect to the airport and lands in close proximity thereto.
- 3.6.4.2 The establishment of new airports, aerodomes and helicopter landing areas/pads shall be subject to the applicable federal legislation and regulations.

### **3.6.5 Active Transportation**

- 3.6.5.1 Member Municipalities are encouraged to work in partnership with private developers, the province, adjacent municipalities, and/or the County to provide for a transportation system that integrates a range of travel modes to move people and goods.
- 3.6.5.2 Rural roads and off road trails for non-motorized use should be designed to accommodate safe cycling between communities and to promote opportunities for physical activity and cycling tourism.
- 3.6.5.3 To accommodate different types of roads that have different functions, Member Municipalities are encouraged to develop active transportation design guidelines that consider which elements are appropriate based on the function of the transportation facility and the adjacent land use context.
- 3.6.5.4 Design for roads, crossings and new development should use active transportation, transit, and engineering best practice approaches that increase safety for non-motor vehicle road users and reduce traffic speeds without the need for enforcement.
- 3.6.5.5 Active transportation routes and/or networks, both adjacent to roads and independent of the road system, should be kept clear and well maintained year round, including the winter months, to increase the safety of pedestrians, cyclists, and public transit users where applicable.
- 3.6.5.6 Guidelines and methodology may be developed to ensure the appropriate consideration of different types of traffic calming measures that can be used to reduce the speed of traffic and balance the needs of service providers such as emergency medical services and fire rescue.
- 3.6.5.7 Municipalities that would like to construct facilities that impact provincial highways, or which would require changes to provincial highway infrastructure, are encouraged to contact MTO's Regional Office to discuss their plans. MTO reviews proposals on a case by case basis and may allow changes to take place on provincial highway structure after an analysis of the impact on safety and traffic operations.

### **3.7 Utilities and Pipelines**

- 3.7.1 Utilities such as natural gas, telephone, hydro and related utility corridors are permitted in all land use designations without an amendment to this Plan. A new utility corridor should avoid and/or minimize its impact on any lands designated Environmental Protection. The policies of Part A - Section 3.9 may also apply to utilities and pipelines.

- 3.7.2 Utilities are encouraged to consult with member municipal Councils prior to installing new services and/or corridors and provide location surveys to public works offices and the County.
- 3.7.3 All development adjacent to a natural gas pipeline right-of-way shall be set back appropriately from the right-of-way limits. This setback, which shall be established in the implementing zoning by-law, shall be exclusive of any working or access easements.
- 3.7.4 All works, including excavations, blasting or moving of heavy equipment and all development proposals, including subdivisions, zoning by-law amendments and site plans on or within 30 metres of a natural gas pipeline right-of-way shall be circulated to the affected pipeline company for review and comment.
- 3.7.5 Member Municipalities are encouraged to develop and implement community energy plans as a way to document local priorities for how energy should be generated, delivered and used in a community now and into the future. Community energy plans evaluate a community's existing energy use and greenhouse gas emissions in order to:
- a) Accurately measure community-wide energy consumption and reduce environmental impacts, including greenhouse gas emissions;
  - b) Identify and implement solutions to improve energy efficiency and conservation;
  - c) Help develop community priorities around renewable energy and other energy infrastructure projects;
  - d) Integrate energy conservation and sustainability into the local planning process;
  - e) Secure energy reliability, resiliency and diversity and set a local vision for energy; and,
  - f) Generate economic development opportunities and investment.

### **3.8 Broadband and Telecommunication Services**

- 3.8.1 The ability to access high speed broadband service in all areas of the County is a priority for developing economic and social opportunities. High speed broadband provides opportunities for technologically-supported learning, government, health, entertainment and other digital applications that place one within the global knowledge economy and society. With access to high speed broadband, people can choose to live and invest in the County of Hastings, while being able to obtain and distribute information, ideas, goods and services.
- 3.8.2 As one of its principal economic development initiatives, the County of Hastings is actively pursuing the provision and enhancement of high speed broadband services

through co-operative funding initiatives with other Counties and Cities in Eastern Ontario as well as with the Federal and Provincial levels of government.

- 3.8.3 Wireless broadband and cellular towers are permitted in all land use designations within this Plan. The location and erection of wireless broadband and cellular towers will be subject to the applicable federal legislation and regulations. Member Municipalities may establish local protocol with respect to the establishment of telecommunication towers in keeping with federal guidelines, at their discretion. A new tower should avoid and/or minimize its impact on any lands designated Environmental Protection.

### **3.9 Public Uses, Public Service Facilities and Community Facilities**

#### **3.9.1 General Policies**

- 3.9.1.1 The County or a Member Municipality may make provisions for the acquisition, improvement or management of public parks, recreational facilities and community gardens in any land use designations in this Plan.

- 3.9.1.2 Public uses including utility buildings and facilities, railway lines and facilities, buildings or facilities of the municipality, County of Hastings, the Province of Ontario and the Government of Canada or any department, agency, board or commission thereof, including Hydro One, shall be permitted in all land use designations except Environmental Protection and Agricultural subject to the following:

- a) The municipality and/or other approval bodies are satisfied that the building or facility is appropriate in scale, magnitude, function and character and that appropriate services are available;
- b) The municipality is satisfied that the building or facility does not create an adverse impact on adjacent land uses with regard to setbacks, parking, access, lighting or emissions such as noise, odour, dust or vibration and may require landscaping, including buffering and screening plantings and fencing;
- c) The building or facility shall meet all pertinent Provincial or Federal requirements;
- d) The implementing Zoning By-law may establish zoning provisions or classifications pertaining to public uses; and,
- e) Notwithstanding the above, all electric power facilities including all works as defined in the Power Corporation Act shall be permitted in all land use designations without requiring an amendment to the Plan provided such facilities conform to the relevant Provincial Acts or Regulations and municipal requirements such as the implementing zoning by-law and site plan control by-law.

- f) Nothing in this section shall encumber the situation of Provincial or Federal public uses.
- 3.9.1.3 Public service facilities and community facilities including libraries, museums, community centres/halls, government offices, hospitals, police, ambulance and fire halls, churches and others play an important role in the social and community development of the County. These facilities and their associated programs provide the basis for a social support network and interaction among County residents.
- 3.9.1.4 Public service facilities and community facilities shall be permitted in all land use designations, except in the “Environmental Protection”, “Extraction” or “Agricultural” designations. Public service facilities and community facilities are encouraged to locate within existing settlement areas designated Urban or Hamlet on the Land Use Schedule OP-A to this Plan preferably where municipal services are available. Multi-modal access (ie. walkways, cycle lanes, recreational trails, etc.) to community facilities should be provided wherever possible to encourage and promote healthy and active communities.
- 3.9.1.5 The member municipal Council will be satisfied that the public use, public service facility or community facility is compatible with adjacent uses, appropriate in scale and function, and can be adequately serviced. The implementing Zoning By-law may establish general zoning provisions and/or classifications pertaining to public uses, public service facilities and community facility uses.
- 3.9.1.6 Public uses, public service facilities and community facilities should be designed, constructed and operated in such a way that they promote shared use, universal access, are age-friendly, utilize green building practices and facilitates a sense of community. Member municipal Councils will ensure the integration of barrier-free access to community facilities through the site plan and building permit approval processes.
- 3.9.1.7 Hastings County and member municipal Councils support the use of heritage buildings for public service facilities such as tourism bureaus, art display spaces and civic office space.
- 3.9.1.8 Daycare facilities may be located throughout the community in both public and private settings. Licensed home daycare will be encouraged in order to provide a variety of daycare options where geographically needed.
- 3.9.1.9 The security of person and community may be promoted by applying the principles of Crime Prevention through Environmental Design within the site design and development approval process and through the participation of programs such as Crime Stoppers, Neighbourhood Watch, Block Parents, and the provision of adequate levels of policing. Participation in Community Safety and Well-being projects that focus on reducing or mitigating identified risks to community safety

such as isolation, domestic violence and illiteracy are also encouraged in an effort to prevent potential situations escalating to the point where the police need to be involved.

3.9.1.10 Member Municipalities are encouraged to plan for an equitable distribution of safe, affordable and quality recreation programs and facilities for all residents and visitors regardless of age, physical ability, and financial means.

3.9.1.11 To enable Member Municipalities to integrate opportunities for community/urban agriculture all land use designations shall permit community gardens, edible landscaping and roof top gardens as accessory uses for community facilities such as place of worship, schools, health, cultural, and recreational institutions.

### **3.9.2 Health Care Facilities & Services**

3.9.2.1 The provision of essential health care services and facilities is important in ensuring the health and well-being of County residents, while also playing a predominant role in the economy of the County. As the population ages over the life of this Plan, demand for health care services and facilities will increase.

3.9.2.2 The intent of this Plan is to promote a healthy community for current and future generations of County residents. This will be achieved in partnership with the local District Health Unit, the Member Municipalities and other agencies and partners with several initiatives, including but not limited to:

- a) Encourage sustainable practices to help ensure clean air, land and water as the basis for healthy living;
- b) Encourage the establishment of municipal by-laws and organizational policies which prohibit smoking in areas/locations in a variety of public and private settings including parks, playing fields, playgrounds, community gardens, restaurant/bar patios, entrances to all public /private buildings and trails/paths/lanes to ensure protection from any exposure to second-hand smoke;
- c) Encourage community-based food activities and community environments that provide opportunities for healthy eating for people of all ages. This may include the provision of community gardens, food sharing and gleaning initiatives, and programs that promote food skills in gardening, cooking and nutrition knowledge.
- d) Provide community environments that facilitate and encourage physical activity;
- e) Educate people of all ages regarding the health and social benefits of reduced or moderate alcohol consumption;
- f) Municipal parks, parklands, public spaces, open/green spaces, trails and linkages should be designed and maintained to provide protection from sun exposure;



- g) Create a community environment that reduces the occurrence of preventable injuries, including but not limited to on-road and off-road incidents, falls, and drowning;
- h) Educate people regarding road and off-road safety;
- i) Find ways of keeping older people safe and protected, while still allowing them the dignity and independence they deserve; and,
- j) Encourage the provision of a continuum of care within the County, including home care, nursing homes, long-term care, hospice/respite care and the Bancroft Memorial Hospital.

3.9.2.3 A focus of the provision of health services will be on preventive care to lessen the stress placed upon health care institutions and services. To this end, educational, recreational and other appropriate preventive programs are encouraged throughout the County.

3.9.2.4 The County will work in collaboration with partners in the community such as Quinte Access to provide necessary transportation and access to services and facilities for the physically disabled, elderly, sick and socially disadvantaged.

3.9.2.5 An E9-1-1 emergency response system, including comprehensive E9-1-1 civic addressing, shall continue to be implemented and supported by the County to shorten response time to emergency situations by emergency service providers.

### **3.9.3 County Long-Term Care, Social and Emergency Services**

3.9.3.1 Hastings/Quinte Long Term Care Services provides long-term care services to Hastings and Quinte residents through the Hastings Manor located in the City of Belleville and Hastings Centennial Manor located in Bancroft. Efficient and value-added services are provided at the two facilities in an effort to:

- a) Provide residents with high quality care and services and maximum quality of life;
- b) Establish an optimal workplace to attract, train and retain the best people;
- c) Maximize available human resources;
- d) Provide improved exercise and falls prevention programs;
- e) Provide quality short-term care to help recovering seniors quickly return to full health and then home; and
- f) Operate within Ministry of Health and Long-Term Care funding and maximize additional revenues.

3.9.3.2 The Community and Human Services Department is responsible for administering the provincially-created Ontario Works program, as well as other programs aimed at improving the quality of life of County residents who are living with a disability on a long-term basis or have other life issues that require support. The department

is also responsible for administering children's programs that receive provincial funding and housing services. Efficient and value-added services are provided by:

- a) Developing training plans for Ontario Works clients to return to the work force which has important linkages to economic development ;
- b) Developing new strategies for returning clients to work;
- c) Developing new training for Ontario Works staff targeting "hard to place" clients;
- d) Operating an Intake Access Centre of Ontario Works and expanding it to include other services such as child care and housing; and,
- e) Set up one-step application process for departmental services.

3.9.3.3 The Hastings-Quinte Paramedic Services Department operates a twenty-four hour per day, seven day per week land ambulance system that serves all of Hastings and Prince Edward Counties includes the Cities of Belleville and Quinte West and meets all requirements of the Provincial Government. Efficient and value-added services are provided by:

- a) Providing appropriate training activities for paramedic staff, administrative and management personnel;
- b) Increasing the number of Advanced Care Paramedics;
- c) Regularly reinvesting in the land ambulance fleet through the acquisition of new vehicles;
- d) Continuing the development of the County's emergency plan and testing it a minimum of once a year; and,
- e) Exploring alternative service delivery for non-emergencies and local solutions for non-emergency patient transfers;

3.9.3.4 A positive and consistent image for the Hastings-Quinte Paramedic Services Department will be provided by:

- a) Supporting the activities of the Joint Emergency Services Committee;
- b) Maintaining a close and effective relationship with the Central Ambulance Dispatch Centre and Hastings-Quinte 9-1-1 service; and,
- c) Maintaining a close and effective relationship with the Base Hospital and Medical Director, the Quinte Health Care Corporation, other emergency services and Emergency Measures Ontario.

3.9.3.5 Wherever possible, the County and the Member Municipalities will coordinate emergency management with each other and the Cities of Belleville and Quinte West. Key services for coordinated emergency management from the Hastings-Quinte Paramedic Services, Community and Human Services and Geographic Information Systems Departments will include providing leadership, training, maps and information, coordinating volunteers and shelters, providing food and supplies in the case of a declaration of emergency and/or evacuation of an area.

### **3.9.4 Educational Facilities & Services**

- 3.9.4.1 Education at all levels is one of the key elements that will contribute to the future social, economic and environmental well-being of the County. The educational facilities and programs need to reflect the needs of all County residents.
- 3.9.4.2 This Plan recognizes the benefits of a high level of literacy across the County and to this end, supports programs both within and outside schools that will achieve this objective.
- 3.9.4.3 Adequacy of school sites should be addressed by designating sites during the preparation of secondary plans and plans of subdivision in consultation with all school boards.
- 3.9.4.4 Any existing schools identified for closure should be assessed for conversion to a use which is needed within the community and is compatible with adjacent uses.
- 3.9.4.5 The locations of existing schools, and the siting of new schools shall be considered when a municipal parks strategy is developed.

### **3.9.5 Planning For Accessibility**

- 3.9.5.1 County and member municipal councils may establish Accessibility Advisory Committees to provide advice and guidance to their respective councils on accessibility issues.
- 3.9.5.2 The following principles shall generally be followed when planning for accessibility:
- a) Every effort should be made to offer opportunities to all residents, regardless of their abilities;
  - b) County and member municipalities shall work towards ensuring that all public facilities are accessible to all residents and are age-friendly;
  - c) Where new commercial, industrial or institutional development is proposed, barrier-free entrances shall be constructed, and all public areas shall be completely accessible;
  - d) Where renovations to existing commercial or industrial businesses are undertaken, every effort shall be made to accommodate barrier-free features as much as possible. This may include ramps, electric doors, wider aisles/spaces, accessible washrooms, etc.;
  - e) Where road and sidewalk construction/reconstruction is undertaken, design standards should be created so that projects develop aesthetic, cultural, and

- safety features to support accessible pedestrian and cycle-friendly environments by people of all ages and abilities;
- f) Every effort should be made to encourage the construction or modification of housing to accommodate residents with special needs in order to allow them to be as independent as possible;
  - g) Every effort shall be made to ensure that adequate accessible parking spaces are provided in all new development, and where appropriate in the case of renovations and additions, and
  - h) In attaining its goal for establishing a barrier-free environment to County-owned and municipally-owned property, every effort shall be made to provide access solutions in a manner that respects the cultural heritage value or interest of a protected property. The County and Member Municipalities recognize that standardized designs may not always suffice and that each heritage property will require unique accessibility plans to ensure that alterations do not adversely affect the heritage attributes. This practice is also encouraged for privately-owned heritage buildings that are open to and used by the public.

## **4.0 SECTION IV – SUSTAINABLE NATURAL ENVIRONMENT & RESOURCES**

### **4.1 Goals and Objectives**

#### **4.1.1 Goals:**

The County of Hastings enjoys a diverse array of natural heritage features and areas. The County and its Member Municipalities recognize the importance and value of:

- a) Natural heritage systems, which include natural heritage features and areas and their functions, as well as the linkages between the features and areas;
- b) Maintaining and enhancing natural linkages/corridors between natural heritage features and areas and the shoreline riparian zones and the physical shorelines;
- c) Wetlands including coastal wetlands, and supports the protection of significant wetlands;
- d) Fisheries in the County, including lakes managed for lake trout, and the protection of habitat for such species;
- e) Endangered and threatened species in the County and supports the protection of their habitat;
- f) Wildlife and supports the protection of significant wildlife habitat;
- g) Areas of Natural and Scientific Interest (ANSIs) and supports the protection of significant life science ANSIs and earth science ANSIs;
- h) Woodlands and supports the protection of significant woodlands;

- i) Valleylands and supports the protection of significant valleylands;

The intentions of the natural heritage policies are to provide a lasting legacy representative of these attributes for the benefit of future generations and to sustain related social, cultural and economic systems. Healthy ecosystems and greater biodiversity provide for healthy communities and a healthy economy. Other goals for achieving and maintaining a sustainable natural environment are as follows:

- j) To facilitate sensitive, sustainable development that maintains, restores and where possible, improves the ecological function and healthy biodiversity of natural heritage systems within the County;
- k) To identify, protect, improve and restore the quality and quantity of surface and ground water resources in a sustainable fashion for the ecological and hydrological integrity of the various watersheds of the County, including cold water lakes, streams and associated fish habitats and associated hydrologic functions for future generations;
- l) To eliminate or minimize negative land use impacts on wetlands, water recharge and discharge areas, ground water aquifers, producing water wells, stream base flow and drainage patterns;
- m) To proactively implement source protection planning policies that will protect the integrity of the water supplies for municipal drinking water systems and ensure access to safe drinking water;
- n) To maximize the recreational potential of the aquatic environment without compromising ecological integrity;
- o) To work co-operatively with federal and provincial ministries, local conservation authorities, stewardship councils, land trusts and other non-profit groups to achieve the goals of this Plan and continue to comprehensively address other environmental issues such as significant woodlands, significant valleylands and the linkages between various natural features;
- p) Protect public health, safety and property by directing development away from natural and human-made hazards where these hazards cannot be eliminated or mitigated, including flood hazards, erosion hazards and/or dynamic beach hazards, unstable bedrock and lands that are unsafe due to the presence of hazardous forest types for wildland fire;
- q) Protect for future generations the prime agricultural, mineral and aggregate resources;
- r) Minimize the undesirable effects of development on the quality of air;
- s) Protect soils from erosion or contamination; and,
- t) Reduce the County's vulnerability to climate change and the impacts of severe weather.

#### 4.1.2 Objectives:

The various policies and Land Use Designations within this Section of the Plan have been developed in consideration of the following objectives:

- a) Long term protection of natural features and areas including locally and provincially significant wetlands and coastal wetlands, groundwater, surface water features including cold water lakes and streams, cold water fisheries, Areas of Natural and Scientific Interest (ANSIs), habitats for threatened and endangered species, significant wildlife habitats, significant woodlots and significant valleylands in ecoregions 6E (south of the Canadian Shield);
- b) Ensure that surface water or groundwater quantity and quality are not impaired or adversely impacted due to development and/or site alteration, including cumulative impacts;
- c) Ensure that land use planning decisions that have the potential to impact natural heritage systems, including natural heritage features and areas, surface water or groundwater resources are based on the best available technical information, including an appropriate level of site assessment and impact assessment prepared by a qualified professional prior to approving planning applications and related development;
- d) Protect municipal wellheads and surface water intakes and related lands from development that may have adverse or negative impacts on the water quantity or quality;
- e) Promote development that will mitigate negative impacts upon and result in no net loss to/of fish habitat;
- f) To support and work co-operatively with provincial ministries, local conservation authorities and public agencies to implement the cleanup objectives of the Bay of Quinte Remedial Action Plan and to maintain the Bay's water quality at such time that it becomes delisted as an area of environmental concern;
- g) Protect wherever possible, natural corridor linkages in order to maintain, restore and/or improve the diversity and connectivity of natural features and the long-term ecological function and biodiversity of natural heritage systems;
- h) Direct development as much as possible to areas outside of natural hazards as defined by the Provincial Policy Statement, 2014;
- i) Preserve prime agricultural lands and significant mineral and aggregate deposits, discouraging their fragmentation, and prohibiting other incompatible land uses that may sterilize the resource or negatively affect their normal operations; and,
- j) Encourage education, stewardship practices and setbacks that will conserve and protect soil and aquatic habitats, while ensuring a naturalized vegetated buffer adjacent to all water bodies.

## 4.2 Water

### 4.2.1 Watershed and Source Protection Planning

4.2.1.1 Water is vital to life and well-being. Water resources have a finite capacity to support development and land use change. The County and its Member Municipalities shall protect, improve or restore the quality and quantity of water by various means including using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development.

4.2.1.2 The intent of this Plan is to identify and maintain linkages and related functions within the water resource systems in the County consisting of groundwater features, significant groundwater recharge areas, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed.

4.2.1.3 Groundwater features include recharge/discharge areas, wellhead protection areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations and water table systems.

4.2.1.4 Surface water features means water-related features including headwaters, rivers, stream channels, inland lakes, the Bay of Quinte/Lake Ontario, intake protection zones, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by soil moisture, soil type, vegetation or topographic characteristics.

4.2.1.5 The groundwater features and surface water features interact through a combination of rain, runoff, percolation and evaporation known as the hydrological cycle. The groundwater and surface water resources are a significant long-term renewable resource that must be managed and conserved.

4.2.1.6 Surface and groundwater supplies are the source of drinking water for all municipal systems and individual landowners throughout the County. Surface and groundwater are important for recreational, agricultural (ie. irrigation and livestock watering) and industrial uses. Groundwater also has an important role in sustaining natural ecological habitats by maintaining base flow to surface water and wetlands.

4.2.1.7 River drainage basins or watersheds are logical contexts in which to assess water-related planning issues. Hastings County covers a substantial area and is subject to five (5) general watersheds. The watersheds and their generally associated physiographic regions and related watershed planning jurisdictions/agencies from north to south are identified in **Table A-4.1** and **Map A-4.1**. Watershed planning by the local conservation authorities and the Ministry of Natural Resources and

Forestry (MNR) is focused on flood control, maintaining baseflow in watercourses, minimizing water temperature impacts, erosion and sediment control, limiting nutrient and bacteria loading, maintaining fish habitat and groundwater recharge. This Plan shall play an important role in co-ordinating watershed plans with land use plans.

4.2.1.8 Surface and groundwater quality and quantity have been studied by the conservation authorities, source protection committees and Member Municipalities through the Drinking Water Source Protection program, resulting in the adoption and approval of the Quinte Region and Trent Conservation Coalition Assessment Reports and Source Protection Plans. The following four types of vulnerable drinking water areas are delineated and mapped in the Assessment Reports:

- a) Highly vulnerable aquifers (HVAs);
- b) Significant groundwater recharge areas (SGRAs);
- c) Wellhead Protection Areas (WHPA's); and
- d) Intake Protection Zones (IPZ,s).

The Quinte Region and Trent Conservation Coalition Source Protection Plans contain policies that address significant, moderate and low threats to source water. The respective Source Protection Plan policies may limit or restrict drinking water threat activities, or they may address threat activities through provincial instruments, education, outreach, or incentives. Source protection planning is intended to be a continuous improvement process.

4.2.1.9 The intent of this Plan is for the County and the affected Member Municipalities to implement the findings and policies of the approved Assessment Reports and Source Protection Plans, as necessary, through the processing and consideration of planning and building permit applications in a manner that will:

- a) Protect, improve or restore all municipal drinking water supplies and associated vulnerable areas (WHPAs, IPZs, HVAs and SGRAs) and associated hydrologic functions from existing and future significant drinking water threats; and,
- b) Prevent the inadvertent approval of land use planning applications that may result in the establishment of activities that are significant drinking water threats.

4.2.1.10 Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs) have been identified and mapped in Part B - The Urban Communities Secondary Plan and Part A - Section 2.5.5.1 for the Hamlet of Deloro and Land Use Schedule OP-A for affected adjacent rural areas for the following municipal wells and surface water intakes:

- a) Municipal Wells:

*Hastings County Official Plan – December 2017  
Prepared by the Hastings County Planning Department*



- Tweed – 2 municipal wells – QCA
- Madoc – 2 municipal wells – QCA
- Hamlet of Deloro – 1 municipal well – QCA
- Stirling – 4 municipal wells – LTRCA

Associated Wellhead Protection Areas (WHPAs):

- WHPA A: 100 metre radius from the well
- WHPA B: 2 year Time of Travel
- WHPA C: 5 year Time of Travel
- WHPA D : 25 year Time of Travel
- WHPA E: 2 hour time of travel within the surface water body (Madoc and Stirling only)
- Issues Contributing Area (ICA): 30 metres buffer of surface water bodies upstream of municipal drinking water source (Madoc and Stirling only)

b) Surface Water Intakes:

- Deseronto – 1 surface water intake from Bay of Quinte – QCA
- Marmora – 1 surface water intake from Crowe River – CVCA

Associated Intake Protection Zones (IPZs):

- IPZ 1 – The most vulnerable zone with a defined radius of one kilometre around the intake (except for river systems such as Marmora/Crowe River which follow different criteria). Where an IPZ 1 intersects land it is limited to 120 metres inland from the shoreline.
- IPZ 2 – Generally the area on land and within a surface water body where water may flow to the intake, typically within two hours. The two hour time of travel is based on the amount of time normally required to shut down a drinking water system if a spill occurs. Where the IPZ 2 abuts a land mass the zone also includes the land within 120 metres from the shoreline as well as any transport pathways (ditches or storm water systems).

4.2.1.11 Affected Member Municipalities shall include zones and/or mapping and zone provisions within their comprehensive zoning by-laws to identify the Wellhead Protection Areas (WHPAs), Intake Protection Zones (IPZs) and implement the approved Quinte Region and Trent Conservation Coalition Assessment Reports, Source Protection Plans and this Plan.

4.2.1.12 During pre-consultation and development application review, the Hastings County Planning and Development Department, conservation authority and member municipal staff will provide information related to source protection to the

proponent, to indicate whether the proposed application is within a vulnerable drinking water area and that Source Protection Plan policies may apply.

4.2.1.13 Drinking water threats as defined by Provincial regulations and/or as determined in consultation with the applicable conservation authority and/or Member Municipality risk management official including but are not limited to the following uses or activities:

- a) The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act;
- b) The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage;
- c) The application of agricultural source material to land;
- d) The storage of agricultural source material;
- e) The management of agricultural source material;
- f) The application of non-agricultural source material to land;
- g) The handling and storage of non-agricultural source material;
- h) The application of commercial fertilizer to land;
- i) The handling and storage of commercial fertilizer;
- j) The application of pesticide to land;
- k) The handling and storage of pesticide;
- l) The handling and storage of road salt;
- m) The application of road salt;
- n) The storage of snow;
- o) The handling and storage of fuel;
- p) The handling and storage of a dense non-aqueous phase liquid;
- q) The handling and storage of an organic solvent;
- r) The management of runoff that contains chemicals used in the de-icing of aircraft;
- s) An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body;
- t) An activity that reduces the recharge of an aquifer; and,
- u) The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard.

Drinking water threats as identified above shall be prohibited, regulated or managed by the County, Member Municipality and/or appropriate approval authority where they would constitute a significant drinking water threat.

For more detailed policies on where restrictions and/or prohibitions on the above threats specifically apply within the County, reference should be made to the applicable Source Protection Plan.

4.2.1.14 The intent of this Plan is that existing land uses identified as a significant drinking water threat to a municipal water supply in a source protection assessment report

and/or plan or by a conservation authority will eventually cease to exist, by removing or managing the threat. The significant threat should be managed pursuant to the applicable source protection plan in an effort to minimize to the greatest extent possible the potential negative impact of the threat on the municipal water supply. To identify the location of any existing significant drinking water threats, threats may be placed within a zone of a Member Municipality's comprehensive zoning by-law that identifies threats as such.

4.2.1.15 Development requiring a planning and/or a building permit approval for lands within a WHPAs A, B, C, D, E and/or Issues Contributing Area, if applicable and IPZs 1 and 2 shall be circulated by the County and/or Member Municipality to the appropriate conservation authority and/or the Member Municipality's Risk Management Official for comment and review prior to a decision. Before an application for an approval under the Planning Act or a building permit can be determined to be complete and can proceed, the applicant must first obtain a Section 59 notice to proceed pursuant to the Clean Water Act from the Risk Management Official.

4.2.1.16 A Member Municipality may pass an interim control by-law if a significant drinking water threat is currently permitted by its current comprehensive zoning by-law and is proposed within a Well Head Protection Area (WHPA) or Intake Protection Zone (IPZ) where it is to be prohibited within an approved Source Protection Plan. The purpose of the interim control by-law will be to allow for a land use study including consultation with the appropriate conservation authority and source protection committee in determining:

- a) If the local comprehensive zoning by-law should be amended to delete any of these uses as being permitted within the affected zones for the defined source protection areas; or
- b) Implement other measures to eliminate or minimize the risk of contamination to the well head or intake, including but not limited to a risk management plan to be approved by the Member Municipality's Risk Management Official.

4.2.1.17 Planning approvals shall not be given to proposed land uses dependent upon large sewage systems such as wastewater treatment plants, communal septic systems and some types of industrial sewage treatment systems where they would constitute a significant threat to a drinking water supply in any designated vulnerable area. Exceptions to this policy may be made where all of the following conditions are met:

- a) The proposed system is intended to replace an existing sewage system;
- b) The proposed system would be more protective of drinking water; and,
- c) Conditions of approval for the new sewage system will ensure that it does not become a significant drinking water threat.

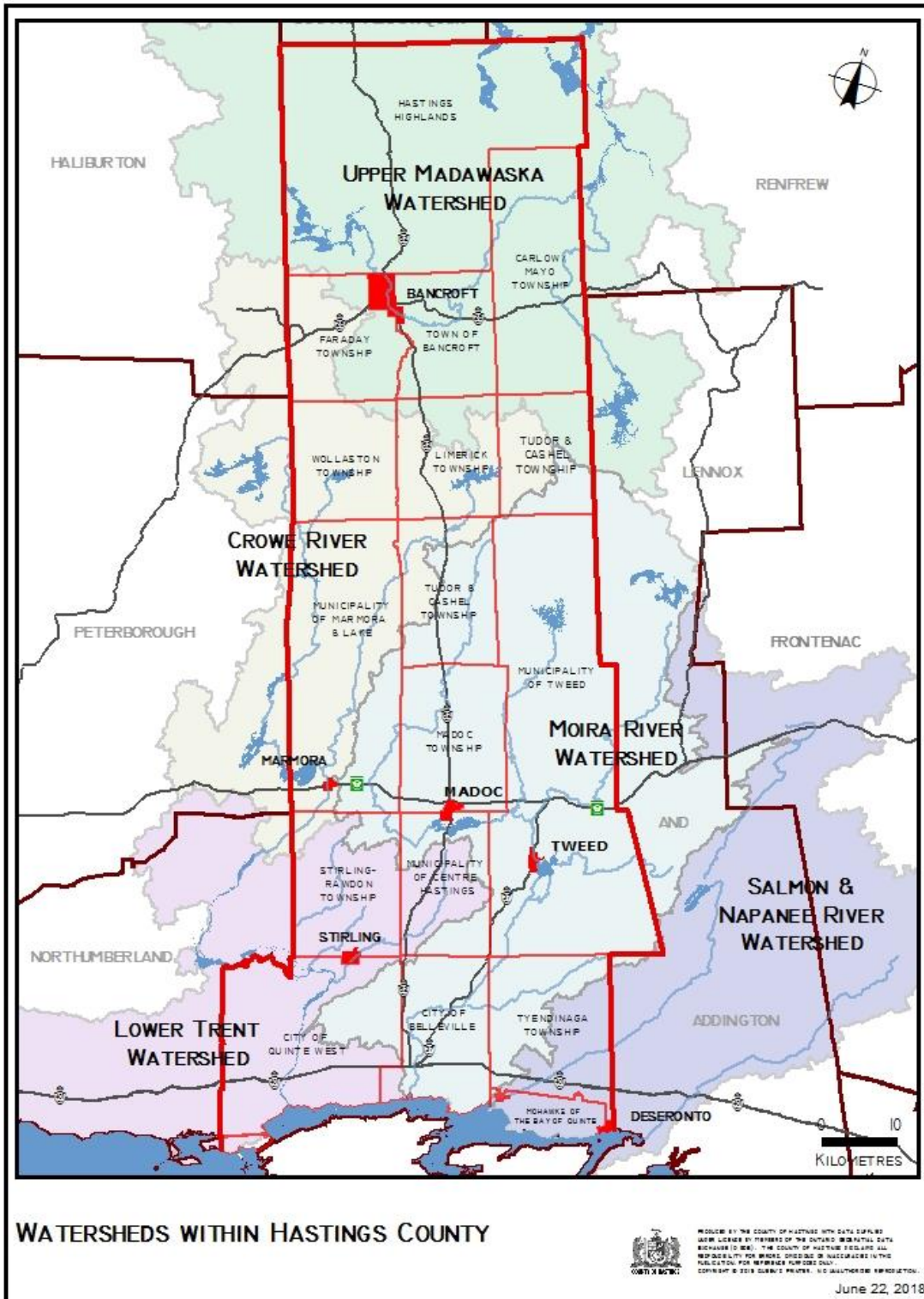
- 4.2.1.18 Member Municipalities, where applicable, shall pass a by-law, in accordance with the applicable source protection plan requiring those properties serviced with an existing septic system identified as a significant drinking water threat to be connected to the municipal sewage collection system where it is feasible to do so in consideration of financial and technical constraints.
- 4.2.1.19 Consents for new lots in areas identified as WHPAs A and B and Issues Contributing Area, and Intake Protection Zone 1 if applicable, requiring servicing by a private septic system shall not be permitted where municipal services are available.
- 4.2.1.20 Notwithstanding Part A – Section 4.2.1.19 of this Plan, applications for development in areas where sewage systems would be a significant drinking water threat may be assessed by the appropriate approval authority upon having a qualified professional prepare one or more of the following documents:
- a) Hydrogeological or water quality assessment;
  - b) Engineered sewage system design that will satisfy the requirements of the Ontario Building Code; and/or
  - c) Best management practices and site design.
- 4.2.1.21 Where a proposed development relates to a vulnerable drinking water area and poses a potential threat to a municipality’s source of drinking water, supporting documents prepared by a qualified person(s) may be requested by the municipality from the owner/proponents. Supporting documents, such as a disclosure report, hydrogeological or water quality assessment or a spill prevention and contingency plan may be required to address potential significant drinking water threats. The terms of reference for the necessary documents shall be provided by the applicable conservation authority and/or the Ministry of the Environment and Climate Change (MOECC) and/or the Member Municipality’s Risk Management Official.
- 4.2.1.22 Site specific zoning, site plan approval and/or development agreements may be required by a Member Municipality to implement the recommendations and findings of any documents required pursuant to Part A – Section 4.2.1.10 and 4.2.1.21. A holding symbol pursuant to Part A – Section 7.3.2 of this Plan may be used to prohibit the proposed use until such time as the necessary documents and associated agreement(s) are approved and registered on title of the subject lands, as required.
- 4.2.1.23 An owner of land in a wellhead protection area or intake protection zone will be required to decommission any unused well in accordance with Ontario Regulations as a condition to any required planning approval in an effort to limit the risk of future contamination of the aquifer or surface water body.

- 4.2.1.24 Efforts by conservation authorities and the Province to promote stewardship through education and outreach to landowners and to further the goals of source protection planning and the restoration of the Bay of Quinte are encouraged and supported by Hastings County and the Member Municipalities.
- 4.2.1.25 Other initiatives and actions that a Member Municipality may undertake as required or suggested by the appropriate Source Protection Plan include, but are not necessarily limited to:
- a) Preventing increased application of road salt in “highly impervious” areas identified in an Assessment Report;
  - b) Preventing the creation of new transport pathways, such as wells or boreholes for a geothermal or earth energy system and storm sewers or tile drains for a surface water system, in areas where they would increase the vulnerability of the municipal water supply;
  - c) Acquiring land that is within a vulnerable area for the purpose of preserving the integrity of the lands and source water in keeping with Part A – Section 7.11 of this Plan;
  - d) Undertaking maintenance and asset management activities associated with sanitary sewage collection systems to ensure that those systems located in vulnerable areas are given adequate priority to avoid future leakages; and,
  - e) Updating its respective Emergency Response Plans, Spill Contingency Plans and Spill Prevention Plans by identifying vulnerable areas where the release of contaminants (i.e. furnace oil spill) in an IPZ or WHPA could result in the contamination of a drinking water supply and outline actions and communication protocols to be implemented.
- 4.2.1.26 A phosphorus management strategy intended to prevent increased phosphorus loadings into the Bay of Quinte will be developed by the Bay of Quinte Remedial Action Plan in consultation with affected Member Municipalities. The strategy will be based on the best available science, data and technology to reduce phosphorus loads to the Bay of Quinte Watershed. The strategy will be adaptive in nature with continual reviews and updates addressing all types of phosphorous inputs to the Bay. Possible phosphorus reduction targets may include:
- (a) Decreasing agricultural runoffs by 20%;
  - (b) Reducing effluent levels from sewage treatment plants by 60%, and having all plants within the system reach an effluent limit of 0.1 mg/l of total phosphorus; and,
  - (c) Reducing input from urban runoff/stormwater by 50%, through stormwater management controls, porous pavements, rain gardens and other Best Management Practices.

**Table A-4.1: Watersheds & Physiographic Regions within Hastings County**

<b>REVIEW AGENCY/ CONSERVATION AUTHORITY</b>	<b>WATERSHED/ PHYSIOGRPAHIC REGION</b>	<b>MAIN WATERBODIES</b>
Ministry of Natural Resources and Forestry (MNR)	Upper Madawaska/ Algonquin Highlands	Numerous lakes & rivers within depressions of Precambrian bedrock. York & Little Mississippi Rivers empty into Madawaska River to the east. Larger lakes include Lake St. Peter, Kamaniskeg, Papineau & Baptiste Lakes.
Crowe Valley Conservation Authority (CVCA)	Crowe/ Algonquin Highlands & Georgian Bay Fringe	Wollaston & Limerick Lakes, Beaver Creek, Crowe Lake & Crowe River ultimately emptying into the Trent River.
Lower Trent Conservation Authority (LTCA)	Trent/ Iroquois Plain	Hoards, Marsh & Rawdon Creeks empty into Trent River
Quinte Conservation Authority (QCA)	Moira/ Georgian Bay Fringe, Dummer Moraines & Peterborough Drumlin Field	Lingham, Moira & Stoco Lakes; with Moira, Black, Skootamatta & Clare Rivers (headwaters in the marshy and lake-filled Precambrian Shield region in Tweed, Madoc and Lennox & Addington County to the east); emptying into the Bay of Quinte
	Salmon-Napanee/ Napanee Plain	Salmon River & Napanee River (headwaters in the Precambrian Shield in Frontenac County) to the east in the County of Lennox & Addington; emptying into the Bay of Quinte.

MAP A-4.1



## 4.2.2 Stormwater Management

4.2.2.1 All development has the potential to change existing hydrological conditions such that the quality and quantity of stormwater runoff is altered. Ideally, the impacts from stormwater runoff should be considered at the highest level possible in consultation with the appropriate municipality, conservation authority and/or MNRF.

4.2.2.2 Planning for stormwater management shall:

- a) Minimize, or, where possible, prevent increases in contaminant loads;
- b) Minimize changes in water balance and erosion;
- c) Not increase risk to human health and safety and property damage;
- d) Maximize the extent and function of vegetative and pervious surfaces; and,
- e) Promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.
- f) Be undertaken in accordance with MOECC Guideline “Stormwater Management Planning and Design Manual, 2003.

4.2.2.3 Stormwater management may be addressed by a qualified person at four levels as identified below:

- a) A watershed plan provides overall management objectives and targets, as may be implemented by an amendment to this Plan;
- b) A master drainage plan is prepared on a sub-watershed basis prepared and incorporated into this Plan or the associated Part B - Urban Communities Secondary Plan. The scope and terms of reference for the master drainage plan shall be developed in consultation with the appropriate local conservation authority and the Ministry of the Environment and Climate Change. An emphasis should be placed on centralizing stormwater management facilities thereby reducing ongoing maintenance burdens, often borne by municipalities. Cost sharing arrangements between landowners within the catchment areas should also be encouraged that may result in improved economies of scale.
- c) A stormwater management report is normally prepared for each subdivision or in support of a large scale commercial, industrial or residential development site plan. A report may also be required for other development that may have a negative effect on sensitive environmental features such as a source water protection area. A stormwater management report provides the basis for detailed construction plans for control facilities and best management techniques.
- d) A lot grading and drainage plan/report for an individual property approved to the satisfaction of the Member Municipality and/or local conservation authority.



4.2.2.4 The objectives of this Plan with regard to stormwater management requirements and review are as follows:

- a) That development proposals, individually or cumulatively, shall generally not result in any increased flood elevations or velocities in the receiving water body;
- b) Post development water runoff should not exceed pre development rates, with enhanced water quality criteria being met;
- c) Baseflow within watercourses is maintained;
- d) Development will not result in new or increased erosion and sedimentation problems to receiving waterbodies both during and after construction;
- e) Fish habitat, wetlands and other environmental/natural features are not adversely affected;
- f) Innovative approaches to stormwater management shall be encouraged, where such approaches are supported by research and/or successful applications in similar settings;
- g) Development in areas of groundwater recharge shall be encouraged in a manner that will not contaminate the resource; and,
- h) Solid, impervious surfaces should be minimized on sites in an effort to limit the volumes of stormwater runoff resulting from new development and green infrastructure, including permeable surfaces, are encouraged.
- i) A stormwater management plan or report shall be reviewed and approved by Ministry of Transportation for those developments located adjacent to or in the vicinity of a provincial highway, where drainage would impact a highway downstream.

The County or Member Municipality may require a peer review of any report at the sole cost of the proponent(s).

4.2.2.5 A stormwater management report pursuant to Part A - Section 7.8.10 of this Plan will be required for all residential, commercial, industrial or institutional developments equal to or greater than 1.0 hectare in size or if the development will result in an increase in impervious cover equal to or greater than 0.5 hectare.

4.2.2.6 The level of stormwater quality treatment will be either “enhanced”, “normal” or “basic”, formerly known as levels 1, 2 and 3 respectively. The level of treatment will be dependent on the characteristics and sensitivity of the receiving body and aquatic habitat. Cold water fish habitat and/or habitat of Species at Risk and any development requiring stormwater management within the Bay of Quinte Remedial Action Plan Area are encouraged to achieve an “enhanced” level of treatment.

4.2.2.7 For development areas smaller than 1.0 hectare or in areas exhibiting drainage constraints, a lot grading and drainage plan/report shall be prepared and implemented to the satisfaction of the appropriate road authority and the appropriate local conservation authority and/or the MNRF.

- 4.2.2.8 Stormwater management facilities and/or measures must be designed to ensure that the 1:100 year rainfall event is controlled to pre-development conditions. In addition, an approved stormwater management report shall demonstrate that the regional storm event has been considered in the design of the development and will not result in elevated flooding impacts on adjacent lands.
- 4.2.2.9 Permits will be required from the local Conservation Authority and/or the MNR and/or the Federal Department of Fisheries and Oceans for any proposed outlet to a watercourse, waterbody or wetland.
- 4.2.2.10 Development within the catchment area of end-of-pipe facilities, other than local road-related ditching/swales, shall be deferred until the facilities are fully constructed and ready to accept water (i.e. the facility will perform its intended control and treatment functions, and suitable vegetation and/or erosion protection measures are in place).
- 4.2.2.11 Master drainage plans are encouraged for Urban designated communities to identify a strategy for locating and establishing stormwater management facilities.

### **4.2.3 Groundwater**

- 4.2.3.1 The Quinte Regional Groundwater Study, inclusive of the County of Hastings, was completed in October 2004, the Approved Quinte Region and Trent Conservation Coalition Assessment Reports, 2014 are good sources of general information regarding the geology, hydrogeology and groundwater use in the County.
- 4.2.3.2 Fractured limestone bedrock (Paleozoic era) is the predominant aquifer in the southern portion of the County including the Township of Tyendinaga and the southern portion of the Municipality of Tweed. Groundwater flow is through vertical and horizontal fractures within the bedrock. In general, the top 10 - 30m of the bedrock is heavily fractured and is therefore very susceptible to contamination. This area can be considered a groundwater recharge area because of the predominance of fractures within the top portions of the bedrock aquifer. Precipitation that falls on the land will rapidly infiltrate these fractures and percolate to the aquifer below. Also, with the exception of some small areas in the municipalities of Tweed, Madoc, Hastings Highlands and Carlow/Mayo that are moderately vulnerable, most of the aquifers in the County are considered to be highly vulnerable to contamination.
- 4.2.3.3 The Canadian Shield, consisting of Precambrian rock, is the main aquifer in Hastings Highlands, Carlow/Mayo, Bancroft, Madoc and Tweed. Overburden sand and gravel aquifers are present in some localized areas but are seldom used because of their limited extent and thickness. The majority of overburden aquifers used to

- supply water occurs as glacial outwash deposits in Hastings Highlands, Carlow/Mayo and Bancroft.
- 4.2.3.4 The direction of regional groundwater flow generally mimics surface water drainage patterns. In the Moira and Napanee Region watersheds, the regional groundwater flow is directed south to southwest. In the northern municipalities of the County, regional groundwater flow direction is to the northeast. Local-scale groundwater flow directions at the individual lot and concession level often deviate from deeper groundwater flow directions because of the effects of local topography.
- 4.2.3.5 In general, areas of deep regional recharge correspond with areas that are locally elevated, such as hills and bedrock plateaus. Groundwater discharge areas occur in low lying regions such as ravines and river valleys. Some of the surface water features identified as potentially having a significant base flow component include portions of the Salmon River, Moira River, York River and Little Mississippi River. Many of the lakes and marshes in the northern municipalities also likely have a significant discharge component.
- 4.2.3.6 Most wells provide sufficient volumes for residential use on private services (approximately 15.9 litres/m or 3.5 g/pm); however, the risk of drilling a low yielding well varies across the County. Average pumping rates are generally higher in the southern municipalities in sedimentary aquifers than in the northern municipalities where the aquifer is Precambrian rock. Poor yielding wells (<1 gpm) are most common in Hastings Highlands, Carlow/Mayo and Bancroft. The probability of drilling a well with an acceptable yield depends upon the amount of fractures intercepted by the well. Considering that these fracture patterns are irregular, predicting an area of good water quantity is difficult.
- 4.2.3.7 There is no indication of regional depletion of the aquifers as a result of over usage. Localized areas of aquifer mining or interference caused by over withdrawal likely occur; however, these situations are localized and do not reflect widespread problems. Since the bedrock aquifer is sensitive to precipitation events, water levels are prone to drop during periods of drought.
- 4.2.3.8 Land uses identified as the highest potential concern for contamination of groundwater aquifers are abandoned landfills, auto wrecking yards and road salt storage facilities and application. While there were no reported incidences of large-scale regional impacts to groundwater from agricultural activities, the potential does exist, considering the high vulnerability of aquifers. Potential contaminants include nutrients, fecal bacteria and pesticides.
- 4.2.3.9 Interference between septic discharges and on-site wells is of greatest concern in rural subdivisions or in non-municipally serviced hamlets, where septic beds and water wells are in close proximity to one another. Considering the predominance of shallow fractured rock, the risk of contamination to private wells from on-site or

- neighbouring septic beds is high. Areas prone to groundwater contamination from septic systems are generally reflective of densities of residents on individual services. Discharges from water softeners can also impact nearby wells by introducing salt into the groundwater. In many cases, reported salt impacts to wells may be from water softener discharges rather than road salt.
- 4.2.3.10 Water quality is generally good, however it is prone to naturally occurring water quality problems, especially sulphides, salt and hard water. Areas prone to sulphide water problems are restricted mainly to the limestone aquifers such as in Tyendinaga. The risk of encountering salty water increases with well depth below 30m. The least water quality problems are reported in the municipalities that pump primarily from the Precambrian rock aquifer such as Hasting Highland, Bancroft, Carl/Mayo and Madoc.
- 4.2.3.11 The Provincial Groundwater Monitoring Network is currently underway in an effort to gain an improved understanding of both the quality and quantity of groundwater resources within the various watersheds in the County. The wells are monitored to show trends in water levels and water quality. This data assists in understanding the movement and areal extent of groundwater aquifers in the County. As well, water quality will be tracked over time to determine the long-term trends in chemical and physical properties.
- 4.2.3.12 A larger minimum lot area of 0.8 ha (2 ac) rather than the traditional 0.4 ha (1 ac) minimum for new lots in the Rural and Waterfront designation pursuant to Section 5.5.3 shall be required in an effort to prevent future instances of septic-well interference and to allow for alternative locations for a replacement septic system.
- 4.2.3.13 In co-operation with provincial and local conservation authorities, Member Municipalities may wish to implement a program of septic inspection and replacement of older systems, in particular those located on relatively small lots adjacent to water bodies, including cold water lakes and source water protection areas. Septic inspections are required under the Ontario Building Code for systems that have been identified as significant drinking water threats in an approved assessment report under the Clean Water Act.
- 4.2.3.14 Where possible, development will generally be encouraged to minimize the percentage of impervious area and promote on-site infiltration; doing so should reduce the impact of the system on the surrounding groundwater regime. Member Municipalities may also wish to implement tree-cutting and/or site alteration by-laws in an effort to reduce erosion and retain rain water within the ground aquifers (recharge) as much as possible.
- 4.2.3.15 The Richmond landfill site in neighbouring Lennox & Addington should be monitored for its potential impacts on groundwater regimes and wells in Hastings County.

4.2.3.16 In the future, the use of groundwater may be a concern to Member Municipalities. The MOECC is encouraged to consult with the County and Member Municipalities prior to issuing water-taking permits. In addition, the following policies shall apply:

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

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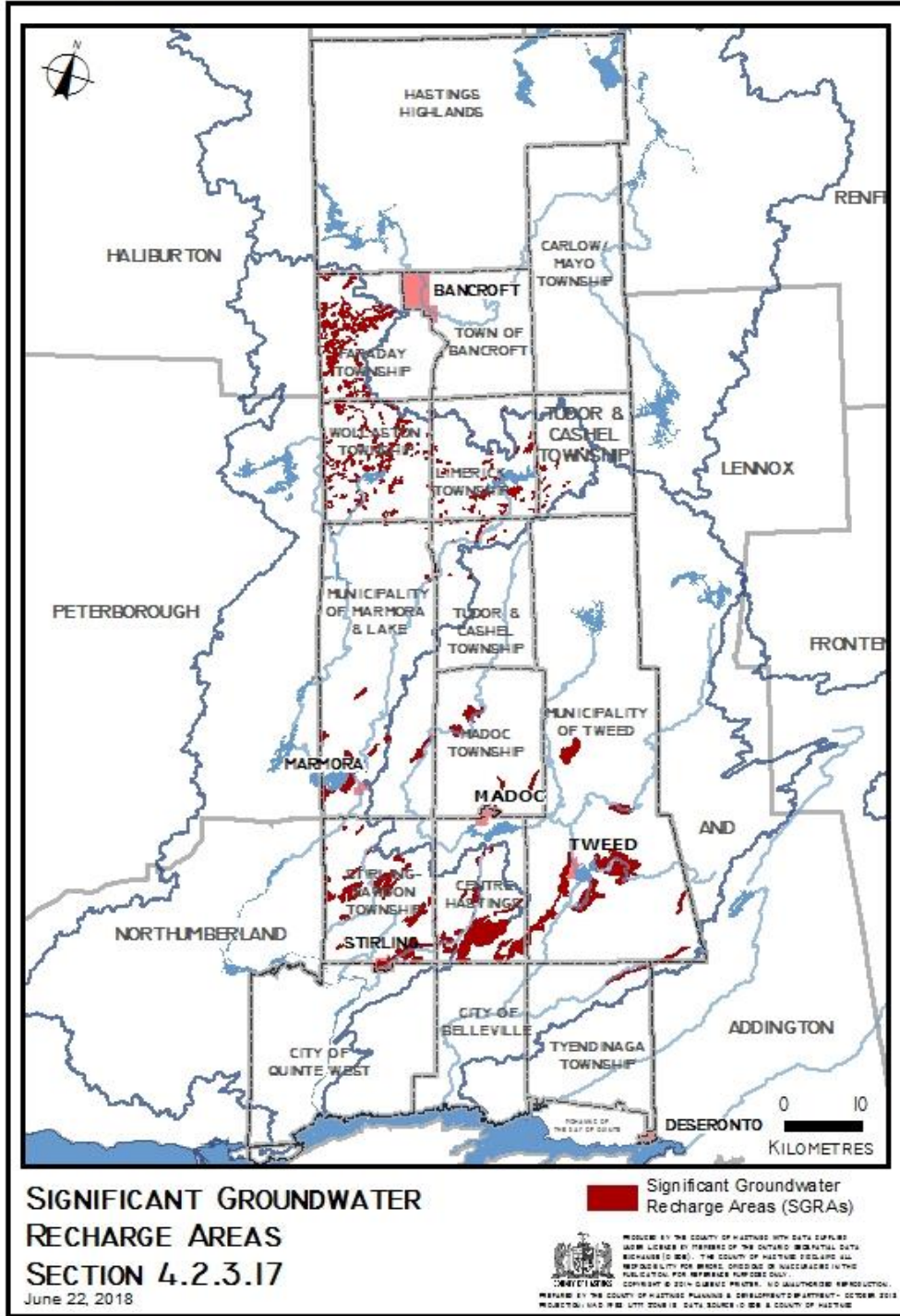
4.2.3.17 Significant Groundwater Recharge Areas (SGRAs) are areas where the quantity of drinking water sources is vulnerable to depletion by various land uses or activities. Known or possible SGRAs in the County are shown on Map A-4.2. Development requiring a planning approval within or adjacent to a significant groundwater recharge area should be circulated by the County and/or Member Municipality to the appropriate conservation authority and/or agency to determine if the proposed use poses a potential drinking water threat. A hydrogeological or water quality assessment may be required to determine the degree of threat that the proposed use poses and whether it can be managed with recommended mitigative measures and/or best management practices. Results or requirements of any study can be implemented as per special zone provisions, site plan control approval and/or the use of a holding symbol. If it is determined through a hydrogeological or water quality assessment that the risk cannot be managed, the County and/or Member Municipality should not approve the planning application.

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4.2.3.18 Highly Vulnerable Aquifers are areas where the quality of drinking water sources is vulnerable to contamination by various land uses or activities. The impact of development applications on groundwater will be considered in planning decisions. In accordance with the Quinte and Trent Coalition Source Protection Plans, the entire County of Hastings has been identified as a Highly Vulnerable Aquifer. All applications for major development must include a report showing how the quality and quantity of groundwater will be protected, improved, or restored. The report shall be prepared to the satisfaction of the municipality and local conservation authority prior to any planning approvals or the issuance of permits under the Ontario Building Code Act or Regulations passed through the Conservation

Authorities Act. Mitigation measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions. For the purposes of this policy, major development is defined as a proposal with a proposed impervious area greater than 500 square metres requiring any of an official plan amendment, zoning by-law amendment, plan of subdivision/condominium or site plan control application(s).

MAP A-4.2



#### **4.2.4 Fish Habitat**

- 4.2.4.1 Fish habitat provides food, cover and conditions for successful reproduction and support of a species throughout its lifecycle. Lakes, rivers, streams, ponds, shoreline areas and many wetlands provide fish habitat. Intermittent and seasonally flooded areas can also provide important habitat for some fish species at certain times of the year. In addition, in-water structures such as logs, stumps and other woody debris, pools and riffle areas, riparian and aquatic vegetation and ground water recharge/discharge areas also provide habitat. Habitat includes the watercourses that act as corridors that allow fish to move from one area to another.
- 4.2.4.2 Fish habitat exists throughout many schedules and associated land use designations of Part A, Part B - The Urban Communities Secondary Plan and Part C - The Hamlet of Birds Creek Secondary Plan. The intent of this Plan is ensure that appropriate protection is afforded to fish habitat regardless of the land use designation that is applied.
- 4.2.4.3 New development and/or site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. New development and/or site alteration shall not be permitted on adjacent lands within 120 metres of fish habitat unless it has been determined in an approved Environmental Impact Statement (EIS) pursuant to Part A - Section 7.8.6 of this Plan that there will be no negative impacts on the natural features or its ecological functions.
- 4.2.4.4 A minimum 30 metre setback along watercourses to protect fish habitat shall be required to remain undisturbed and naturally vegetated.
- 4.2.4.5 Within Member Municipalities' comprehensive zoning by-laws, areas of fish habitat that have been identified based on site specific review, for example at the time of lot creation, and placed in a restrictive zone shall continue to be restrictively zoned. Where fish habitat has not been comprehensively mapped, all water features including permanent and intermittent streams, headwaters, seasonally flooded areas, municipal or agricultural drains, lakes and ponds will be considered fish habitat unless it is demonstrated otherwise by a qualified professional.
- 4.2.4.6 The policies of Part A - Section 5.4.5 apply to development and/or site alteration along Waterfront areas and are intended to ensure sensitive development adjacent to fish habitat in the County will not negatively impact on natural features or their ecological functions.

#### **4.2.5 Lakes Managed for Lake Trout**

- 4.2.5.1 The County acknowledges the importance of cold water bodies in sustaining salmonoid fish species, such as lake trout, and the sensitivity to physical, thermal



- and chemical changes to such waterbodies. Cold water bodies are less common than other water habitats and are relatively reliant on groundwater discharge/recharge, undisturbed shoreline areas and other naturally occurring dynamics that maintain water quality, base flows and temperatures. Lake trout have two basic water quality requirements, low water temperatures and high levels of dissolved oxygen. Phosphorus loading that tends to promote growth of plants and algae is the key pollutant that can most jeopardize the two key noted water quality requirements.
- 4.2.5.2 The County and Member Municipalities shall permit development to take place adjacent to lakes managed for lake trout and their associated streams only in a manner that has no adverse effects on habitat essential to the maintenance of a healthy lake trout fishery.
- 4.2.5.3 Those waterbodies identified with the symbol ‘**LTL-C**’ on the **Natural Heritage Features and Areas Schedule OP-B** delineate Lakes Managed for Lake Trout as considered by the MNRF and MOECC to be critical habitat for the maintenance of a healthy lake trout fishery; such lakes may have development capacity. The waterbodies with development capacity at this time are L’Amable Lake, Papineau Lake, Dickey Lake, Holland Lake, Mephisto Lake, and Kamanisseg Lake South of Ski Island. Lakes may be added or removed from this section without the need for an Amendment to this Plan, provided they have been appropriately identified by the MNRF, MOECC.
- 4.2.5.4 Lakes Managed for Lake Trout denoted with the symbol ‘**LTL-AC**’ on **Table A-4.2** are considered to be at capacity and future development upon such lakes is generally prohibited except in accordance with the policies of this Plan.
- 4.2.5.5 Lake Capacity Studies have been completed in the Township of Limerick, the Former Townships of Bangor, Wicklow & McClure, Monteagle and the Municipality of Marmora and Lake. These studies should be consulted when reviewing development proposals in these municipalities.
- 4.2.5.6 The MNRF, in conjunction with the MOECC, shall monitor fish habitat, including water quality, in selected cold water lake trout lakes in the County. The results of the monitoring/ modeling program shall determine the development capacity of each cold water lake trout lake.
- 4.2.5.7 New planning approvals will not be granted by the County and/or a Member Municipality for new development within 300 metres of lake trout lakes designated ‘**LTL-AC**’. Development of existing lots of record may occur in accordance with existing zoning. Lands within 300 metres of at capacity lake trout lakes shall be zoned such that the permitted minimum lot frontage and area represents the current existing lot frontage and area of those lands.

4.2.5.8 Notwithstanding Part A - Section 4.2.5.7 above, the following exceptions for new development may be made for development which would not result in decreased water quality:

- a) All new residential, commercial or industrial development that is connected to a municipal sewage treatment facility;
- b) All new tile fields are set back at least 300 metres from the shoreline of the lake, or such that drainage from the tile fields would flow at least 300 metres to the lake;
- c) All new tile fields are located such that they would drain into the drainage basin of another waterbody, which is not at capacity; or,
- d) To separate existing habitable dwellings, each having a separate septic system, provided that the land use would not change.

In these exceptional circumstances, the following conditions to development shall be imposed as appropriate within the comprehensive zoning by-law, a site plan agreement and/or development agreement which implements the County's Water Quality Impact Assessment Guidelines:

- e) Restrict the removal of vegetation within 30 metres of the lake, except to accommodate a limited number of paths, water lines, docking facilities and removal of trees posing a hazard;
- f) Require a minimum 30 metre setback for all buildings and structures, save and except docking facilities; and,
- g) Prohibit the use of fertilizers on lawns and gardens within 300 metres of the lake

4.2.5.9 Notwithstanding Part A - Section 4.2.5.7, an exception for limited development such as one consent for a new lot may be considered where it is demonstrated through an approved site evaluation report pursuant to Section 7.8.8 of this Plan that there are deep soils native to the site, undisturbed and over 3m in depth, meeting a specified chemical composition and hydrologic conditions. Conditions to development may be imposed as appropriate consistent with Section 4.2.5.8 of this Plan in consultation with the MNRF and the MOECC.

4.2.5.10 In considering any development, including an amendment to the Official Plan and/or Zoning By-law and any consent or subdivision application, within 300 metres of a Lake Managed for Lake Trout identified with an 'LTL-C' designation on Schedule OP-B, the County and Member Municipalities may require a cold water lake capacity study and/or a site evaluation report prepared by a qualified person and submitted by the proponent(s) in accordance with Part A - Sections 7.8.7 and 7.8.8 of this Plan. The same requirement may apply to those lakes identified in Part A – Section 4.2.5.5 or to major development proposals on warm water lakes (those that involve more than two new residential building envelopes or non-residential developments of a similar impact from an original holding). Acceptance

of an adequate Lake Capacity Study does not guarantee that the proposed development will be approved.

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4.2.5.11 Table A-4.2 is provided for reference purposes. Lakes that are identified as “at capacity” by the Ministry of Natural Resources and Forestry, or through an approved Lake Capacity study but are not identified in Table A-4.2 shall still be subject to the policies of Section 4.2.5. As lakes are identified as “at capacity” by the Ministry of the Environment and Climate Change (MOECC), they may be added to Table A-4.2 without amendment to this Plan. Similarly, as existing “at capacity” lakes are re-evaluated and determined to be no longer “at capacity” by MOECC, they may be removed from Table A-4.2 without amendment to this Plan.

**Table A-4.2 – At Capacity Lake Trout Lakes (LTL-AC)**

<b>Lake Name</b>	<b>Municipality</b>
Baptiste Lake (West basin – west of Lot 16)	Hastings Highlands (former) Herschel Township
Bay Lake	Faraday Township
Big Mink Lake	Hastings Highlands (former McClure Township)
Buck Lake	Hastings Highlands (former Bangor Township)
Cashel Lake	Tudor & Cashel Township (former Cashel Township)
Diamond Lake	Hastings Highlands (former Herschel Township)
Dixon Lake	Limerick Township
Faraday Lake	Faraday Township
Freen Lake	Municipality of Marmora & Lake (former Lake Township)
Grimsthorpe Lake	Tweed (former Grimsthorpe Township)
Jamieson Lake	Town of Bancroft (former Dungannon Township)
Jeffrey Lake	Faraday Township
John Lake	Limerick Township
Robinson Lake	Limerick Township
Lake St. Peter	Hastings Highlands (former McClure Township)
Lavallee Lake	Faraday Township
Kamaniskeg Lake (north of Ski Island)	Hastings Highlands (former Bangor Township)
Limerick Lake	Limerick Township
Limestone Lake	Carlow/Mayo Township (former Mayo Township)
Little Mayo Lake	Carlow/Mayo Township (former Mayo Township)
Mayo Lake	Carlow/Mayo Township (former Mayo Township)
Purdy LakeMephisto Lake	Hastings Highlands (former Bangor Township) Carlow/Mayo Township (former Mayo Township)
Purdy Lake	Hastings Highlands (former Bangor Township)
Whyte Lake, Thanet Lake	Carlow/Mayo Township (former Mayo Township) Marmora & Lake (former Lake Township)
Wollaston Lake, Whyte Lake	Wollaston Township Carlow/Mayo Township (former Mayo Township)
Wollaston Lake	Wollaston Township

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## 4.2.6 Aquatic Species at Risk

- 4.2.6.1 The location of aquatic species at risk (fishes and mussels protection including waters supporting aquatic species at risk, their residences and critical habitat) is identified on Fisheries and Oceans Canada (DFO) aquatic species at risk distribution and critical habitat maps which are temporarily hosted on the Conservation Ontario website at : <http://www.conservation-ontario.on.ca/projects/DFO.html> (pending transition to Fisheries and Oceans website in the future); and in documents available on the Species at Risk Act Public Registry at [http://www.sararegistry.gc.ca/default\\_e.cfm](http://www.sararegistry.gc.ca/default_e.cfm).
- 4.2.6.2 Aquatic species at risk distribution and critical habitat maps were one of the sources of information used in determining Significant Valleylands as per Part A- Section 4.3.5 and **Natural Heritage Features and Areas Schedule OP-B** of this Plan.
- 4.2.6.3 Policies in this Plan applicable to aquatic species at risk shall apply to any area that is subsequently determined by the Department of Fisheries and Oceans Canada (DFO) to be a habitat of an aquatic species at risk.
- 4.2.6.4 Proponents seeking planning approvals are strongly encouraged to consult early in the planning process with Department of Fisheries and Oceans to determine what information and mapping is available relative to the critical habitat of aquatic species at risk.
- 4.2.6.5 Where a development is deemed to have the potential to be located within or adjacent to and/or impact upon a habitat of an aquatic species at risk, the owner/proponent may be required to retain a qualified person to undertake a site evaluation report in accordance with Part A - Section 7.8.8 of this Plan. Where potential habitat is identified, a more detailed Environmental Impact Statement (EIS) may be required in accordance with Part A - Section 7.8.6 of this Plan prior to obtaining any necessary planning approvals. The results of the reports or studies shall be implemented as appropriate through such mechanisms as the zoning by-law, development agreement, site plan agreement and/or conditions of approval.
- 4.2.6.6 The removal of vegetation shall be minimized within habitat of aquatic species at risk. New development and/or site alteration will not be permitted within the habitats of aquatic species at risk and within 120 metres of habitats of aquatic species at risk unless it has been determined in an Environmental Impact Statement (EIS) approved by Department of Fisheries and Oceans or its designate that there will be no negative impacts on the natural features or associated ecological function.

- 4.2.6.7 Development requiring planning approvals beyond 120 metres of a habitat of an aquatic species at risk will not require the undertaking of an Environmental Impact Statement (EIS).
- 4.2.6.8 Some aquatic species at risk are also listed on the provincial Species at Risk in Ontario list and may also be protected under the provincial Endangered Species Act, 2007. Proponents are encouraged to consult early with the MNR for additional information and potential permitting requirements.

### **4.3 Natural Heritage Features and Areas**

#### **4.3.1 Natural Heritage System**

- 4.3.1.1 A natural heritage system is a system made up of natural heritage features, areas, and linkages intended to provide connectivity and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems.
- 4.3.1.2 The County's Natural Heritage System is comprised of Areas of Natural and Scientific Interest (ANSIs), Significant Wildlife Habitat, Floodplains, Parks and Conservation Reserves and Areas, Local and Provincially Significant Wetlands, Significant Valleylands, and Significant Woodlands. These features are all shown on Appendix 6 – Natural Heritage System. The linkages shown on Appendix 6 – Natural Heritage System are conceptual; however, the County encourages the maintenance, restoration, or improvements of these linkage areas to promote them as natural connections between the features of the Natural Heritage System.
- 4.3.1.3 The County's natural heritage resources are valuable and finely balanced. They have a finite capacity to support development and land use change.
- 4.3.1.4 The importance of and the need for stewardship, restoration and protection of the natural heritage system should be promoted through education and outreach activities in conjunction with Conservation Authorities, Stewardship Councils and other appropriate agencies (i.e. land trusts).
- 4.3.1.5 Natural heritage features and areas include the waters supporting aquatic species at risk (fishes and mussels- listed under Schedule 1 of the federal Species at Risk Act (SARA), residences of such species and critical habitats as per Part A – Section 4.2.6 of this Plan.
- 4.3.1.6 Nothing in Part A – Section 4.3 of this Plan is intended to limit the ability of agricultural uses to continue.

### **4.3.2 Habitat of Endangered and Threatened Species**

- 4.3.2.1 New development and/or site alteration shall not be permitted in habitat of endangered or threatened species, except in accordance with provincial and federal requirements.
- 4.3.2.2 Species at risk mapping, where available, including habitats of endangered and threatened species are not included within **Schedules OP-A or OP-B** to this Plan due to the sensitivity of this information.
- 4.3.2.3 Policies in this Plan applicable to habitat of endangered and threatened species shall apply to any area that is subsequently determined by the MNRF to be a habitat of an endangered or threatened species.
- 4.3.2.4 Proponents seeking planning approvals are strongly encouraged to consult early in the planning process with the MNRF, local conservation authority, the County and the Member Municipalities to determine what information and mapping is available relative to the habitat of endangered and threatened species in the area of the proposed development.
- 4.3.2.5 The County recognizes that information regarding the locations of endangered and threatened species and associated habitat is incomplete. The County and Member Municipalities will access and accept available information regarding Threatened and Endangered species habitat from MNRF and will use this information, in confidence, to screen all planning applications for the potential presence of endangered or threatened species. The municipality may consult with MNRF as appropriate.
- 4.3.2.6 Where a proposed development is deemed to have the potential to be located within or adjacent to and/or impact upon a habitat of an endangered and/or threatened species, the owner/proponent may be required to retain a qualified person to undertake a site evaluation report in accordance with Part A - Section 7.8.8 of this Plan. Where potential habitat is identified, a more detailed Environmental Impact Statement (EIS) may be required in accordance with Part A - Section 7.8.6 of this Plan prior to obtaining any necessary planning approvals. The MNRF shall be consulted to approve delineations of habitat for endangered and threatened species. The results of the reports or studies shall be implemented as appropriate through such mechanisms as the zoning by-law, development agreement, site plan agreement and/or conditions of approval.
- 4.3.2.7 The removal of vegetation shall be minimized within habitat of endangered and threatened species. New development and/or site alteration will not be permitted within the habitats of endangered and threatened species unless it has been determined in an approved Environmental Impact Statement (EIS) and in

consultation with the appropriate agencies that the development and/or site alteration can be accommodated in accordance with provincial and federal requirements.

4.3.2.8 Development requiring planning approvals beyond 120 metres of a habitat of an endangered or threatened species will not require the undertaking of an Environmental Impact Statement (EIS).

### **4.3.3 Significant Wildlife Habitat**

4.3.3.1 Areas identified with the symbol ‘SWH’ on the **Natural Heritage Features and Areas Schedule OP-B** delineate areas of significant wildlife habitat that can constitute a constraint to development and/or site alteration.

4.3.3.2 Significant wildlife habitat is defined as areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Significant wildlife habitats of concern in the County mapped on Schedule OP-B include known:

- a) Winter deer habitat;
- b) Moose aquatic feeding areas;
- c) Great-blue heronries;
- d) Osprey nests;
- e) Red-Shouldered Hawk nests;
- f) Goshawk nests; and,
- g) Cooper’s Hawk nests.

Not all significant wildlife habitats are mapped. Other types of significant wildlife habitat may include seasonal concentrations of animals, specialized habitats for wildlife, rare vegetation communities, and habitats of species of special concern.

4.3.3.3 Policies in this Plan applicable to significant wildlife habitat shall apply to any area that is subsequently determined to be a significant wildlife habitat. The MNRF’s Significant Wildlife Habitat Technical Guide and Ecoregion Criterion Schedules for the Identification of Significant Wildlife Habitat shall be used by proponents to identify significant wildlife habitat during site-specific investigations.

4.3.3.4 Proponents seeking planning approvals are strongly encouraged to consult early in the planning process with the MNRF, local conservation authority, the County and the Member Municipalities to determine what information and mapping is available relative to significant wildlife habitat in the area of the proposed development.

4.3.3.5 The County and Member Municipalities will require that proponents proposing the following types of development be required to retain a qualified person to undertake a site evaluation report in accordance with Part A – Section 7.8.8 of this Plan:

- Creation of more than four lots through either consent or plan of subdivision;
- Change in land use, not including the creation of a new lot, that requires approval under the Planning Act;
- Shoreline consent along a large inland lake or large river (denoted on 1:50,000 National Topographic System maps as being two lined) that is within 120 metres along the shoreline from an existing lot of record or a lot described in an application for subdivision or consent; and
- Construction for recreational uses (e.g. golf courses, serviced playing fields, serviced campgrounds, and ski hills) that require large-scale modification of terrain, vegetation, or both.

4.3.3.6 Where potential habitat is identified or confirmed on Schedule OP-B or through a site investigation report, a more detailed Environmental Impact Statement (EIS) will be required in accordance with Part A - Section 7.8.6 of this Plan prior to obtaining any necessary planning approvals. The results of the reports or studies shall be implemented as appropriate through such mechanisms as the zoning by-law, development agreement, site plan agreement and/or conditions of approval.

4.3.3.7 The removal of vegetation shall be minimized within significant wildlife habitat areas and adjacent lands. Development and/or site alteration shall not be permitted in significant wildlife habitat and within 120 metres of significant wildlife habitat unless it has been determined in an approved Environmental Impact Statement (EIS) pursuant to Part A - Section 7.8.6 of this Plan that there will be no negative impacts on the natural features or associated ecological functions.

4.3.3.8 Development requiring planning approvals beyond 120 metres of a significant wildlife habitat will not require the undertaking of an Environmental Impact Statement (EIS), unless otherwise required within this Plan.

4.3.3.9 Notwithstanding Part A - Section 4.3.3.7, development and/or site alternations shall not be permitted within 150 metres of a nest tree or heronry for great-blue herons, ospreys, red-shouldered hawks and cooper's hawks or within 50 metres of a goshawk nest. Further restrictions regarding the retention of trees and timing of construction within 300 metres of the nests of all five noted bird species may be required by the MNRF and implemented by the Member Municipality with a site plan approval pursuant to Section 7.5 of this Plan.

4.3.3.10 Notwithstanding Part A - Section 4.3.3.7, the following requirements shall apply to development and/or site alterations proposed within or adjacent to winter deer habitat:

- a) Site alteration shall not be permitted in Stratum 1 winter deer habitat;



- b) Development and site alteration in Stratum 2 habitat shall conserve valuable conifer stands, feeding areas and movement corridors;
- c) Habitat assessment, by a qualified person, will be required in and within 1.5 km of Stratum 1 and Stratum 2 winter deer habitats to clarify the fine-scale boundaries and to map areas of conifer thermal cover, deciduous brows and movement corridors;
- d) The habitat assessment required in c) above shall be used to appropriately locate new development and site alteration including the location of buildings and driveways to ensure that no negative impacts occur;
- e) New lot creation shall restricted construction/development to a single detached dwelling(s) and lots having a minimum lot size of 90 metres width by 90 metres depth – for shoreline lots this shall include a minimum 90 metre shoreline width;
- f) Notwithstanding e) above, where winter deer habitat is restricted to a narrow fringe along the lakeshore, a minimum of 120 metres of shoreline width shall be required for new shoreline lots;
- g) Conifer thermal cover and deciduous browse within 30 to 50 metres of the conifer cover shall be protected within the Member Municipality’s comprehensive zoning by-law by a non-development zoning such as an Environmental Protection (EP) Zone and shall not be used for access roads and driveways; and,
- h) Site plan approval pursuant to Section 7.5 of this Plan may provide another means to implement some of the requirements of this Section as it pertains to protecting winter deer habitat and providing sensitive development in relation thereto.

#### 4.3.4 Areas of Natural and Scientific Interest (ANSIs)

4.3.4.1 Areas of Natural and Scientific Interest (ANSIs) are 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.

4.3.4.2 Areas identified with the symbol ‘ANSI’ on the **Natural Heritage Features and Areas Schedule OP-B** delineate Provincially Significant Areas of Natural and Scientific Interest and are listed as having Provincial Significance in **Appendix ‘3’** to this Plan.

4.3.4.3 New development and/or site alteration shall not be permitted in Provincially Significant Areas of Natural and Scientific Interest or on adjacent lands within 120 metres of a life science ANSI area and within 50 metres of an earth science ANSI area unless it has been determined in an approved Environmental Impact Statement (EIS) pursuant to Part A - Section 7.8.6 of this Plan that there will be no negative impacts on the natural features or associated ecological functions.

4.3.4.4 Policies in this Plan applicable to provincially significant ANSI's shall apply to any area that is subsequently determined by the MNR to be a provincially significant ANSI. The County will map these provincially significant ANSI areas on **Natural Heritage Features and Areas Schedule OP-B** as part of the 5 year update of this Plan.

4.3.4.5 Member Municipalities shall zone Provincially Significant Areas of Natural and Scientific Interest (ANSI) within an EP or ANSI Zone that will prohibit any new development or site alteration.

4.3.4.6 Regionally significant ANSI areas may also be zoned and protected by a Member Municipality with an EP or ANSI Zone in its comprehensive zoning by-law.

### **4.3.5 Significant Woodlands and Valleylands**

4.3.5.1 Woodlands are treed areas that provide environmental and economic benefits to both private landowners and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and long term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products.

4.3.5.2 Significant woodlands, consisting of approximately 25,835 hectares of land, are located in Ecoregion 6E or the boundary between Ecoregion 6E and 5E and have been mapped on **Natural Heritage Features and Areas Schedule OP-B** to this Plan having been determined to meet any one or all of the following criteria:

- a) The woodland size is equal to or greater than 50 hectares (123 acres);
- b) The woodland is adjacent to/or within 30 metres, of a major water body; or,
- c) The woodland is part of, adjacent to/or within 30 metres, of an ANSI (Life Science Area).

4.3.5.3 Valleylands are natural areas that occur in a valley or other landform depression that has water flowing through or standing for some period of the year. Valleys may contain important economic and environmental resources, as well as rich cultural and recreational resources. Valleys are the natural drainage systems for watersheds, and, as such, they provide an appropriate context for planning and evaluating such water-related resources. Valleylands can be ecologically important in terms of their constituent features, functions, and contribution to the quality and diversity of a natural heritage system.

4.3.5.4 Significant valleylands are generally defined as being in Ecoregion 6E and have been mapped on **Natural Heritage Features and Areas Schedule OP-B** to this Plan having been determined to meet one or more of the following criteria:

- a) Has areas of surface water conveyance from catchment areas of 50 hectares or greater, as defined by a stream channel conveying or holding water for at least two months of the year, or as defined by floodlines or by the meander belt width;
- b) Is contiguous with wetland and/or meadow areas providing a large natural/naturalized area;
- c) Is characterized by areas of groundwater infiltration and/or areas where groundwater is released as springs, seepage slopes or as part of the maintenance of wetlands and the baseflow of streams or rivers;
- d) Has well-defined valley morphology (ie., floodplains, meander belts, valley slopes) having an average width of 25m or more;
- e) The presence of distinctive landforms within the landscape such as oxbows, bottomlands, terraces, deltas, exposed soil strata or eroding slopes along riverbanks or valley walls; and/or,
- f) Provides terrestrial and aquatic linkages within the watershed including important wildlife corridors and/or critical habitat for aquatic species at risk.

Utilizing the above criteria, the following Significant Valleylands have been identified on **Natural Heritage Features and Areas Schedule OP-B** to this Plan:

**TABLE A-4.3 – Significant Valleylands Within Hastings County**

<b>Significant Valleyland</b>	<b>General Location</b>	<b>Size (Ha.)</b>
Moira River (Hungerford) Significant Valleyland	Basin surrounding Moira River in former Hungerford Township and Tyendinaga Township	3876
Salmon River Significant Valleyland	Valley surrounding Salmon River in Tyendinaga Township	2127
Myrehall Wetland Significant Valleyland	Basin surrounding Moira River in former Hungerford Township and Tyendinaga Township	1163
Crowe River Significant Valleyland	Valley surrounding Crowe River in former Marmora Township and former Rawdon Township	1688
Moira Lake Significant Valleyland	Valley surrounding Moira River in former Townships of Marmora, Rawdon, Huntingdon and Madoc Township	5346

4.3.5.5 Development and site alteration shall not be permitted in significant woodlands or significant valleylands identified on **Schedule OP-B** to this Plan or on adjacent lands within 120 metres of the natural features unless it has been determined in an approved Environmental Impact Statement (EIS) pursuant to Part A – Section 7.8.6 of this Plan that there will be no negative impacts on the natural features or associated ecological functions. The removal of vegetation shall be minimized

within significant woodlands and valleylands and adjacent lands. The preparation and implementation of forest management plans is encouraged for significant woodlands and valleylands.

- 4.3.5.6 The addition or expansion of significant woodlands and valleylands may be undertaken as per Natural Heritage Resource Manual criteria. Where a development is deemed to have the potential to be located within or adjacent to and/or impact upon a significant woodland or valleyland, the owner/proponent may be required to retain a qualified person to undertake a site evaluation report in accordance with Part A - Section 7.8.8 of this Plan. Where potential significant woodland or valleyland is identified or confirmed, a more detailed Environmental Impact Statement (EIS) may be required in accordance with Part A - Section 7.8.6 of this Plan prior to obtaining any necessary planning approvals. The results of the reports or studies shall be implemented as appropriate through such mechanisms as the zoning by-law, development agreement, site plan agreement and/or conditions of approval.
- 4.3.5.7 Designation of additional significant woodlands and valleylands are to occur by way of amendment to **Natural Heritage Features and Areas Schedule OP-B** to this Plan by site-specific amendment and/or as part of a comprehensive natural heritage strategy or update to this Plan.
- 4.3.5.8 Proponents of developments may be requested to identify and maintain significant woodlands and valleylands in consultation with the applicable conservation authority, Member Municipality and the County.

## **4.4 Natural Hazards**

### **4.4.1 General Policies**

- 4.4.1.1 Reducing the potential human risk and economic cost from natural hazards is important to the County's long-term social and economic well-being.
- 4.4.1.2 Development shall generally be directed to areas outside of:
- a) Hazardous lands adjacent to the shorelines of Bay of Quinte and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;
  - b) Hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and,
  - c) Hazardous sites.
- 4.4.1.3 Development and site alteration shall not be permitted within:

- a) Areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazards; and,
  - b) A floodway regardless of whether the area of inundation contains high points of land not subject to flooding.
- 4.4.1.4 For more detailed planning policies concerning flooding hazards and development and site alteration within a floodway, see Part A - Section 4.5.3 of the Environmental Protection land use designation.
- 4.4.1.5 For detailed planning policies concerning wave uprush, see Part B - Section 2.6.2 for the Town of Deseronto in the Urban Communities Secondary Plan.
- 4.4.1.6 The County and the Member Municipalities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards. More detailed climate change strategies can be found in Part A – Section 7.10 of this Plan.

#### **4.4.2 Erosion Hazards**

- 4.4.2.1 Erosion hazards 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 a one hundred year time span), and includes allowances for toe erosion, slope stability and access during emergencies.
- 4.4.2.2 Slope failures cause devastating damages to homes and highways and can be fatal. The accepted angle of a slope for stability is approximately three-to-one (horizontal: vertical), or approximately 18 degrees. Where possible, a minimum setback of 30 metres shall be required from the toe and top of a shoreline or non-shoreline cliff, bluff or bank. These setbacks are required to avoid increases in loading forces on the top of the slope, changes in drainage patterns that would compromise slope stability or exacerbate erosion of the slope face, and loss of stabilizing vegetation on the slope face. Additional setbacks based on site-specific characteristics such as slope, evidence of rock-fall, soil type and /or sensitive fish habitat may be required. Protection should be ensured from the 100 year erosion rate.
- 4.4.2.3 Notwithstanding Part A - Section 4.4.2.2 above, the 30 metres (98.4ft) setback may be reduced to a minimum of 15 metres (49.2ft) from either the toe and/or top of cliff, bluff or bank where the 30 metres (98.4ft) setback would be onerous given such considerations as the size of the property and historical development patterns in the area. The reduced setback may be approved in the form of a rezoning or minor variance subject to the undertaking of any necessary site evaluation report

and/or a Geotechnical Assessment to the satisfaction of Council with input, advice and approval from the local Conservation Authority and/or the MNR.

4.4.2.4 In determining the appropriate erosion setback for river and stream systems, a site evaluation report can take into consideration the following components for either a system that is confined by valley walls or is generally not confined by valley walls:

- a) Toe erosion allowance;
- b) Stable slope allowance;
- c) Meander belt allowance; and
- d) Erosion access allowance.

4.4.2.5 Shoreline and non-shoreline cliffs, bluffs or banks with steep and/or unstable slopes and potential erosion hazards have not in all cases been identified with an Environmental Protection designation on Schedules to this Plan. All lands exhibiting such characteristics, whether designated or not, shall be subject to the policies of this section.

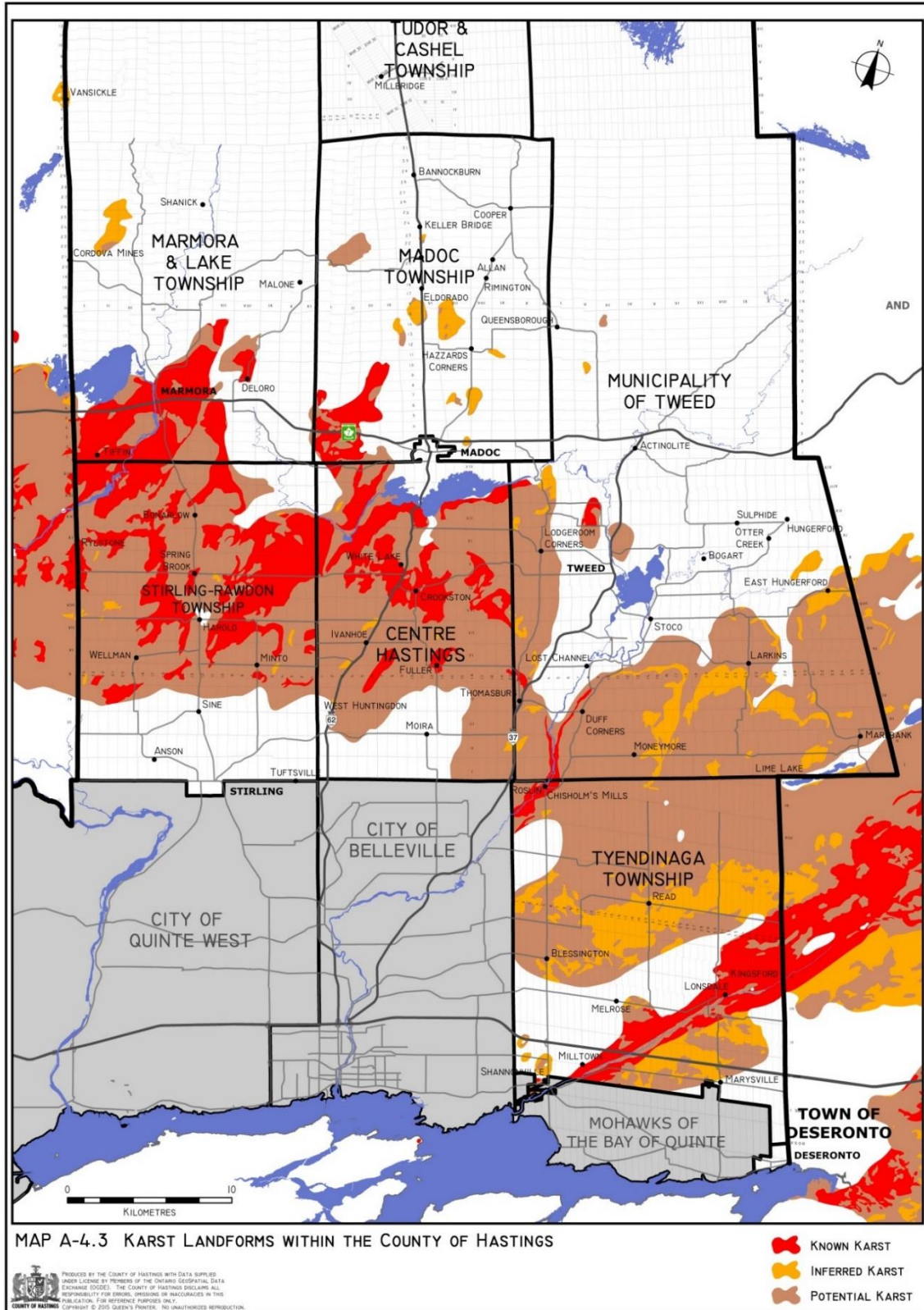
4.4.2.6 All lands susceptible to erosion hazards (using the 100-year erosion rate) shall be placed in an Environmental Protection (EP) type zone that prohibits new development and site alteration. Member Municipalities shall identify shoreline and non-shoreline cliffs, bluffs or banks that meet the definition of steep and/or unstable slopes as per Part A - Section 4.4.2.2 within their local comprehensive zoning by-laws and protect them with an Environmental Protection type zone and a setback requirement consistent with Part A - Section 4.4.2.3. Appropriate zoning and setbacks may also be considered at the time of development review and site assessment.

### **4.4.3 Hazardous Sites**

4.4.3.1 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 such as sensitive marine clays (leda) and organic soils; however the instances of this in the County are fairly rare and/or limited. Potential hazardous sites in the County of Hastings generally relate to areas of unstable bedrock, such as karst formations and the presence of forest types assess as being associated with the risk of high to extreme wildland fire. Known, inferred and potential areas of karst topography are shown on **Map A-4.3** to this Plan. Known, inferred and potential hazardous forest types for wildland fire are identified on **Appendix 5** to this Plan.

4.4.3.2 Where development is deemed to have the potential to be located within or adjacent to and/or impact upon a known, inferred or potential karst topographical area or hazardous forest types for wildland fire, the owner/proponent may be required to retain a qualified person to undertake a site evaluation report and/or an

- environmental impact statement in accordance with Sections 7.8.6 and 7.8.8 of this Plan to ensure that the site and its access, as well as surrounding habitable areas, would be safe using acceptable provincial and environmentally appropriate standards; this should consider whether future site alteration on or adjacent to a site would increase the hazard.
- 4.4.3.3 Development should generally be directed to areas outside of karst topography unless the effects and risk to public safety are minor so as to be managed or mitigated.
- 4.4.3.4 In areas suspected to have karst topography, an assessment of the presence of karst topography and the measures required to mitigate against any potential hazard may be required when development is proposed.
- 4.4.3.5 The County's peer review agent may be consulted to determine whether a geotechnical and/or hydrogeological assessment is required.
- 4.4.3.6 Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.
- 4.4.3.7 The results of the reports or studies required in Section 4.4.3.2 above, including restricting new development and site alteration on any identified hazard areas shall be implemented as appropriate through such mechanisms as the zoning by-law, development agreement, site plan agreement and/or conditions of approval.
- 4.4.3.8 Hazardous forest types for wildland fire are forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario MNRF, as amended from time to time. Areas that have potential risk for wildland fire have been identified and are shown as **Appendix 5** to this Plan. Proponents for development within these areas shall submit a risk assessment for wildland fire as a component of a development application.
- 4.4.3.9 Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.



Source: Karst of Southern Ontario and Manitoulin Island; Ontario Geological Survey, Groundwater Resources Study 5, 2008.



## 4.5 ENVIRONMENTAL PROTECTION LAND USE DESIGNATION

### 4.5.1 Rationale/Strategy for Development

4.5.1.1 The Environmental Protection (EP) designation comprises natural features and areas within the County that shall be protected for future generations including provincially, regionally and locally significant wetlands, coastal wetlands and associated rivers and streams.

4.5.1.2 The Environmental Protection (EP) designation may also include natural hazard lands that may pose a threat to life and property because of inherent physiographic characteristics such as floodways, erosion hazards, poor drainage/seasonal inundation, organic soil, unstable slopes, unstable bedrock karst formations or other similar physical limitations.

4.5.1.3 Lands designated on **Schedule OP-A** as follows shall be placed in a corresponding zone in Member Municipality comprehensive zoning by-laws implementing this Plan:

‘**EP**’ = Locally and regionally significant wetlands, coastal wetlands, floodplains, water bodies, water courses, escarpments and other natural hazard lands as per Section 4.5.1.2

‘**EP-W**’ = Provincially Significant Wetlands & Provincially Significant Coastal Wetlands

The boundaries of the various Environmental Protection areas are approximate and the intent of this Plan is that precise locations will be delineated in the implementing Zoning By-laws or at the time of the submission of development applications, through the preparation of studies and consultation to the satisfaction of the local Conservation Authority, the MNRF and/or the MOECC and the affected landowners. In the absence of more detailed mapping, the boundaries of the various Environmental Protection designations will be used as a guide in the preparation of the implementing comprehensive zoning by-laws. Modifications of evaluated wetland boundaries must be completed by qualified individuals trained in the Ontario Wetland Evaluation system (OWES) and submitted to the MNRF for review and approval.

4.5.1.4 If land which is designated ‘EP’ or ‘EP-W’ is determined by the appropriate authority to be located outside of environmental protection lands, the development of such land will be reviewed on the basis of the predominant adjoining land use designation and the general intent, goals and objectives of this Plan. An amendment to **Schedule OP-A** of this Plan shall not be required to make minor modifications to the designation provided that the overall intent of the Plan is maintained.

4.5.1.5 New ‘EP’ or ‘EP-W’ areas shall be added to **Schedule OP-A** at the time of completing the 5 (or 10) year review of this Plan.

- 4.5.1.6 Not all streams, waterbodies, environmental features or natural hazard lands have been shown on the Land Use Schedules. The policies of this Plan shall also apply to those streams, waterbodies, environmental features or natural hazard lands not shown on the Land Use Schedules and will be zoned as Environmental Protection in the Member Municipalities' comprehensive zoning by-laws to the greatest extent possible.
- 4.5.1.7 The channelization and/or rerouting of a watercourse shall not be permitted unless it will result in an improvement of the natural functions of the watercourse and meet all other legislative requirements including the Federal Fisheries Act and the regulations and requirements of the MNRF or the applicable conservation authority.
- 4.5.1.8 The County and its Member Municipalities support the efforts of the Hastings County Land Trust in working with private landowners to ensure preservation of environmentally important or significant natural lands and areas.
- 4.5.1.9 The voluntary use of conservation easements by landowners to protect environmentally significant areas in perpetuity is encouraged by this Plan.

#### **4.5.2 Permitted Uses**

- 4.5.2.1 The uses permitted on lands designated 'EP' or 'EP-W' are limited to existing agricultural uses, managed forestry, conservation uses which improve the ecological functions of the natural features, wildlife management, uses of a scientific or educational nature and appropriate passive recreational uses that will not have a negative impact on the natural features. Active outdoor recreational uses such as golf courses, golf driving ranges and paint ball activities shall be prohibited.
- 4.5.2.2 Notwithstanding Part A – Section 4.5.2.1 above, other uses of land may be permitted in accordance with other detailed policies of this Plan.
- 4.5.2.3 The erection of new buildings or structures or the removal or placing of fill in areas designated "Environmental Protection" shall not be permitted without the prior approval of the appropriate authority, except as permitted in Part A - Section 4.5.2.5 below.
- 4.5.2.4 For the purpose of this designation, development or site alterations are defined as the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act and activities such as fill, grading and excavation that would change the landform and natural vegetative characteristics of the site.

4.5.2.5 Buildings, structures or works associated with flood or erosion control, watercourse protection or bank stabilization may be permitted with the written approval of the appropriate authority.

4.5.2.6 Development and site alteration shall not be permitted within or adjacent to lands designated Environmental Protection as required within this Plan. Exceptions may be considered in accordance with the policies of this Plan provided that the ecological function of the natural feature, where it constitutes a natural heritage feature, has been evaluated and it has been demonstrated that there will be no negative impacts on the natural feature or on its associated ecological functions.

4.5.2.7 Nothing in this section is intended to limit the ability of existing agricultural uses to continue.

### **4.5.3 Flooding Hazards**

4.5.3.1 Flood plains of rivers, streams and small inland lake systems means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards. The limit of the flooding hazard is generally based on the greater of the flood that would result from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), the one hundred year flood, and an observed event. Along the shorelines of the Great Lakes-St. Lawrence River System and large inland lakes, the limit of the flooding hazard is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards.

4.5.3.2 The objectives of this Plan with regard to flood plain management are as follows:

- a) Minimize the potential for loss of life and property damage;
- b) Reduce the necessity for public and private expenditures for emergency operations, evacuation and restoration of properties and building subject to flooding;
- c) Discourage development and site alteration which could affect natural ecosystems, channel capacity and flood flow;
- d) Protect and maintain natural channel systems and enhance their biodiversity; and,
- e) Minimize water pollution and/or degradation of water quality associated with development activities adjacent to water bodies and floodplains.

4.5.3.3 The following developments shall not be permitted:

- a) The application proposes new development within the regulatory floodplain, unless the development by necessity must be located within the regulatory floodplain;

- b) The application proposes to create a new lot that has insufficient space to accommodate a suitable/appropriate development envelope outside of the regulatory floodplain;
- c) The application proposes a change in land use that would increase the risk to life by increasing the use and/or occupancy levels within a regulatory floodplain;
- d) The proposed development is unable to meet safe access standards, regardless of whether the lands subject to the planning application are located outside of the regulatory floodplain; or
- e) The subject lands are within the regulatory floodplain and the proposal is for an institutional use, essential emergency service or proposes the storage of hazardous substances.

4.5.3.4 The following developments shall be permitted:

- a) The application is within the flood fringe of an approved two-zone area or Special Policy Area identified within this Plan and can be flood-proofed in accordance with the local conservation authority or MNRF flood proofing standards;
- b) The development replaces an existing structure within the regulatory floodplain on an existing lot of record and all of the following conditions can be met:
  - i. New hazards will not be created and existing hazards are not aggravated; and,
  - ii. There are no reasonable alternatives for locating the development entirely outside of the regulatory floodplain, other setback requirements have been minimized, the surface area occupied by the development has been consolidated, the placement of fill, if any will be minimized and any loss of floodplain storage compensated for.
  - iii. The development can be flood-proofed in accordance with the local conservation authority or MNRF; and
  - iv. No expansion of the structure shall occur, with the possible exception of a minor addition subject to approval by the applicable local conservation authority.

4.5.3.5 Flood plain and flood line mapping have been completed for portions of the County (see Schedules USP –A.1 – A.6 of Part B – The Urban Communities Secondary Plan). Where Engineered Flood Plain and Flood Line mapping is approved by the local conservation authority and the necessary regulations have been adopted by the appropriate authority(ies), the following requirements shall apply:

- a) Flood plain and flood line mapping may be used to prepare local zoning by-laws. All lands within the engineered flood plain are deemed to be designated “Environmental Protection” and shall be appropriately zoned in local by-laws.

- b) Where a major alteration is necessary to overcome the hazards within engineered flood lines, an amendment to this Plan shall be required.
- c) An amendment to this Plan shall not be required for minor filling within the floodplain, provided the appropriate authority(ies) approve(s) of such alteration.
- d) In the absence of detailed flood line mapping, the boundaries of the lands designated as “Environmental Protection” on the Land Use Schedules shall be used as guides for the preparation of the zoning by-law provisions which shall implement the policies of this section. An amendment to this Plan shall not be required for changes to the “Environmental Protection” boundaries deemed to be suitable by a member municipal Council after consultation with the appropriate authority. Where such changes are made, the appropriate abutting land use designation shall apply and the zoning by-law shall be amended accordingly.
- e) New development and site alteration, including sewage systems, open or enclosed patios or decks attached to a main dwelling and swimming pools shall be setback a minimum of 30 metres from the high water mark, intermittent watercourse or outside the regulatory flood elevation of lakes, rivers, streams or creeks, whichever is greater. Development shall generally be directed to areas at least 15 metres from the regulatory flood plain of the Bay of Quinte or its wave uprush area, if applicable. The setbacks outlined above may be reduced, if it is demonstrated to be good planning, in accordance with a minor variance to the implementing zoning by-law and supported by the written approval of the appropriate authority.
- f) The County shall encourage the Member Municipalities to use a one-zone approach to flood plain management. The creation of new lots in the flood plain shall not be permitted. Redevelopment on existing lots within the flood plain shall not be permitted without the approval of the local conservation authority or County peer review agent, as the case may be. Filling and/or redevelopment within these areas may require a Development, Interference with Wetlands and Alterations of Shorelines and Watercourses Permit from the local conservation authority or the local municipality that administers related by-laws. A one-zone approach generally prohibits new development in the floodplain area, except where the structures are intended for flood or erosion control or are otherwise required by the County, local municipality or other public agency and meet the requirements of the local municipality and appropriate authority(ies).

4.5.3.6 Notwithstanding 4.5.3.5 above, the County recognizes that there are portions of flood plains which could potentially be safely developed with no adverse impacts. In these flood plain areas, as identified by the appropriate authority, a two-zone approach to flood plain management shall be encouraged. A two-zone approach to floodplain management requires the identification of a floodway and flood fringe zone. New development in the floodway zone is to be prohibited or restricted to structures intended for flood or erosion control, or which are otherwise required by the County, local municipality or other public agency, and meet the requirements of the local municipality and other appropriate authority(ies). New development in the

flood fringe zone may be permitted subject to requirements for flood-proofing to the regulatory flood level.

4.5.3.7 A two-zone approach to flood plain management will require an amendment to this Plan. The Town of Bancroft has used the two-zone approach as detailed in Part B - Section 2.6.3 of the Urban Communities Secondary Plan. The criteria to be used by local municipalities to consider and evaluate the feasibility of implementing a two-zone concept in flood plain areas shall include, but is not limited to:

- a) Flood susceptibility and hydraulic capacity;
- b) Physical characteristics and environmental features of the flood plain and adjacent lands;
- c) Local need for development;
- d) Impact of development in the flood plain and the watershed area;
- e) Feasibility of floodproofing;
- f) Constraints on the provision of services (i.e. watermains, sewers, drainage works, etc.);
- g) Accessibility;
- h) Changes in land use; and,
- i) Administrative capability (staff availability and expertise for implementation of two-zone concept).

4.5.3.8 Strict application of the “Environmental Protection” policies may not always be appropriate for flood prone areas where development already exists in flood prone locations. In such areas, it may be in the public interest to assume a higher degree of flood risk than would normally be acceptable elsewhere. The concept of a “Special Policy Area” within flood plains may be recognized and controlled development may be permitted, once such areas are designated within this Plan and/or the Urban Communities Secondary Plan and approved by the appropriate authority(ies). Rawdon Creek, in the former Village of Stirling, as detailed within Part B - Section 2.6.5 of the Urban Communities Secondary Plan is subject to a special provision.

- a) The designation of “Special Policy Areas” shall be considered for areas of development where a large component of a community's commercial, retail, industrial and residential development is located in the flood plain or floodway. Such a designation requires the approval of the Ministers of Natural Resources and Forestry and Municipal Affairs.
- b) Regard shall be given in the implementing zoning by-law to rehabilitation or redevelopment of structures in “Special Policy Areas” in order to sustain community viability when major relocations are not considered feasible.
- c) Infilling in “Special Policy Areas” may be permitted subject to the policies of Part B- Section 2.6.5 of the Urban Communities Secondary Plan.
- d) “Special Policy Areas” shall be placed in separate classifications in the implementing zoning by-law.

#### 4.5.4 Locally and Provincially Significant Wetlands ‘EP-W’

4.5.4.1 Wetlands provide essential habitat including food, space and shelter for a variety of freshwater fish, waterfowl, mammals, amphibians and reptiles. A proportionately high number of species at risk rely on wetlands and one-third of all threatened and endangered species in North America depend on wetlands. Wetlands are natural filters that improve water quality, control floods and recharge groundwater. Wetlands also provide opportunities for sustainable forestry, recreation, tourism and appreciation of nature in general.

4.5.4.2 Wetland areas designated Environmental Protection and identified with the symbol ‘EP-W’ on the **Land Use Schedule ‘OP-A’** delineate wetlands and/or coastal wetlands, including the Lower Salmon River Wetland in Tyendinaga Township, that have been evaluated as provincially significant wetlands in accordance with the Provincial Policy Statement. Those wetland areas designated Environmental Protection without ‘W’ symbols delineate locally or regionally significant wetlands and/or coastal wetlands.

4.5.4.3 Locally, regionally and Provincially Significant Wetlands shall be zoned and protected by Member Municipalities with equivalent EP and EP-W Zones that prohibits new development and/or site alteration within subject comprehensive zoning by-laws.

4.5.4.4 Policies in this Plan applicable to Provincially Significant Wetlands (PSWs) shall apply to any wetland that is subsequently evaluated and determined by the MNRF to be a PSW. The County may update **Schedule OP-A** to reflect the new PSW’s with an EP-W land use designation without an amendment to the Official Plan. Member Municipalities may likewise zone these wetlands EP-PSW (or similar name) within their comprehensive zoning by-laws.

4.5.4.5 The objectives with regard to wetland management are as follows:

- a) Ensure the protection and conservation of all wetlands;
- b) Ensure that the ecological and hydrological functions of all wetlands are protected, maintained and enhanced where possible;
- c) Ensure the appropriate studies have been undertaken which demonstrate no negative impacts on or loss of a wetland feature or function prior to the granting of planning approvals such as consents or zoning by-law amendments;
- d) Implement the findings and recommendations of the approved studies in Section c) above through a subdivision agreement, development agreement for a consent or site plan agreement, as appropriate; and,
- e) Implement appropriate zoning restrictions and regulations for wetlands and adjacent lands on which future development could impact the wetland.

- 4.5.4.6 Development and/or site alteration shall not be permitted in locally or provincially significant wetland areas designated Environmental Protection or Environmental Protection 'EP-W', save and except buildings, structures or works associated with public education, flood or erosion control, watercourse protection or bank stabilization permitted by the local Conservation Authority and/or the MNRF.
- 4.5.4.7 Notwithstanding Part A - Section 4.5.4.6 above, new or adjusted lot lines that do not result in a change of land use, new development or new lots are discouraged but may be permitted subject to the review and approval of the local Conservation Authority and/or the MNRF. A zoning by-law amendment or other appropriate planning tool may be required as a condition of provisional approval in order to ensure no change in use.
- 4.5.4.8 For large scale developments, generally being plans of subdivision or larger commercial/industrial developments, proposed on or within 120 metres of an unevaluated wetland that has characteristics or contains components that are typical of a PSW, as determined through a site evaluation report prepared in accordance with Section 7.8.8 of this Plan, a wetland evaluation shall be prepared by a qualified professional and submitted to the MNRF for approval to determine if it is a PSW.
- 4.5.4.9 Conserving a wetland and its many functions also means protecting some portion of the landscape surrounding the wetland and such protection is encouraged by the County. Disrupting adjacent or upland areas threatens to reduce wetland biodiversity. Adjacent buffer areas protect the wetland by filtering out excess sediments, nutrients or contaminants that would otherwise enter the wetland. Eliminating disturbances to the wetlands through such means as fencing livestock outside of the wetland can also be beneficial.
- 4.5.4.10 Development and/or site alteration adjacent to wetlands within 30m of areas designated Environmental Protection or within 120 m of Environmental Protection 'EP-W' may be permitted provided it has been demonstrated through an approved EIS in accordance with Section 7.8.6 of this Plan that there will be no negative impacts on the wetland feature or its associated ecological function.
- 4.5.4.11 Agricultural uses existing on the day that this Plan is adopted may continue without an Environmental Impact Statement. Any new agricultural buildings or structure proposed after the date of adoption of this Plan may be required to undertake an Environmental Impact Statement, if determined to be necessary.
- 4.5.4.12 A Member Municipality is not required to accept lands designated Environmental Protection or Environmental Protection 'EP-W' as part of the dedication for park purposes under the Planning Act.
- 4.5.4.13 Site plan approval pursuant to Part A - Section 7.5 of this Plan, a consent or subdivision agreement may provide a means to implement some of the requirements of this Section as it pertains to protecting and conserving locally and/or Provincially



Significant Wetlands and the lands adjacent thereto and providing for sensitive development in relation thereto.

- 4.5.4.14 For those areas not covered and/or regulated by a local conservation authority, Member Municipalities are encouraged to adopt a site alteration by-law pursuant to Part A - Section 7.9.5 of this Plan to protect against inappropriate removal or filling and other site alterations within wetlands.

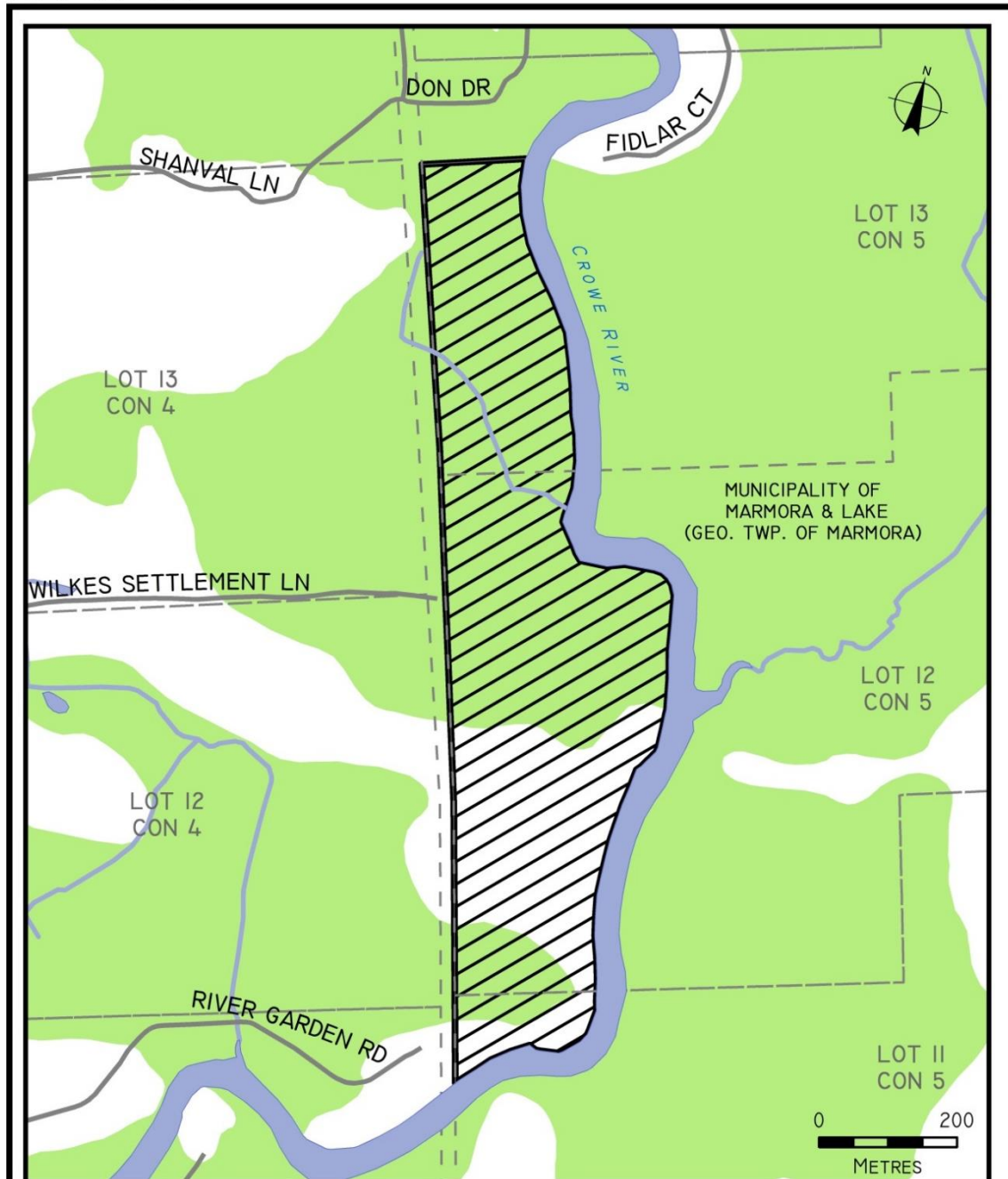
#### **4.5.5 Special Provisions**

##### **4.5.5.1 Part of Lots 11, 12 & 13, Concession 5, Geographic Township of Marmora**




For those lands located west of Beaver Creek shown on **Map A-4.4** the below schedule, the “Rural” designation applies to lands above 602.2 feet datum G.S.C. Below the 602.2 datum G.S.C., the "Environmental Protection" policies of this Plan shall apply.

For those lands located in Lots 12 & 13, limited development may be permitted by means of consents in accordance with the policies of this Plan for lands designated Rural while ensuring that there are no threats of flooding for associated building envelopes and septic systems.

MAP A-4.4



**ENVIRONMENTAL PROTECTION DESIGNATION  
SPECIAL PROVISION AREA  
PART A - SECTION 4.5.5.1**

-  SPECIAL PROVISION AREA
-  EP DESIGNATION
-  LOT & CONCESSION

LOCATION: MUNICIPALITY OF MARMORA & LAKE  
LOTS 11, 12 & 13, CONCESSION 5  
(GEOGRAPHIC TWP. OF MARMORA)  
ADDRESS: WILKES SETTLEMENT LANE & RIVER GARDEN ROAD



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## 4.6 EXTRACTIVE LAND USE DESIGNATION

### 4.6.1 Rationale/Strategy for Development

- 4.6.1.1 Metals, minerals, sand and gravel deposits are essential for the production of many products in our society and can be extracted only where the resource can be found in an adequate supply economical for its extraction, processing and transportation and where it has not been sterilized by incompatible uses of land.
- 4.6.1.2 The mining sector enjoyed a 32% increase in employment between 2001 and 2006 in Hastings County and a high concentration of jobs overall compared to Ontario. With significant mining activity already taking place in Hastings County, and inquiries and explorations taking place currently, the potential for this to be an attraction and expansion target for the County's economy is significant.
- 4.6.1.3 The intent of this Plan is to recognize existing licensed operations on **Land Use Designations Schedule OP-A** to this Plan and protect them from incompatible uses. Lands designated "Extractive" include licensed or permitted mines, pits and quarries that involve the extraction of either minerals or aggregates. A quarry, pit or mine shall be defined in accordance with the Mining Act or Aggregate Resources Act, as may apply.
- 4.6.1.4 For the purposes of this Plan, a distinction in policy is not made between operations established under the Mining Act or Aggregate Resources Act. The policy applies to the associated extraction uses and activities. Hastings County is designated under the Aggregate Resources Act. If any conflict arises between the policies of this Plan and the terms of the Act, the Act shall take precedence.
- 4.6.1.5 Lawfully existing mineral or aggregate operations shall be permitted to continue without the need for an Official Plan amendment, rezoning or development permits under the Planning Act, in accordance with Section 34 (9) of the Planning Act.
- 4.6.1.6 Mineral aggregate resources are non-renewable and only occur in fixed locations. It is the intent of this Plan to make as much of the mineral aggregate resources available as close to markets as possible. Current undeveloped areas of the County with high potential for the extraction of surficial sand and gravel, bedrock aggregate or minerals are identified as three types of "Extractive Reserve Area" on **Aggregate & Mineral Reserves Schedule OP-C**. These mineral and aggregate resources are to be protected for potential future extraction by discouraging the location of any land use on or adjacent to the areas that would be incompatible and preclude or hinder future extraction or mining. New extraction or mining operations in an "Extractive Reserve Area" may be permitted by an amendment to this Plan to the "Extractive" land use designation on **Land Use Designations Schedule OP-A**.
- 4.6.1.7 If land which is shown on **Schedule OP-C** as an "Extractive Reserve Area" is determined by the appropriate authority to not have potential for future extraction,

the development of such land will be reviewed on the basis of the predominant adjoining land use designation and the general intent, goals and objectives of this Plan.

4.6.1.8 There are no known petroleum resource operations or significant areas of petroleum resource potential with the Planning Area that merit designation or protection at this time. An amendment to **Land Use Designations Schedule OP-A** and/or **Schedule OP A-C** of this Plan will be required if the designation of a petroleum resource operation and/or possible significant area of petroleum resource potential is merited in the future.

#### **4.6.2 Permitted Uses**

4.6.2.1 The uses permitted within the “Extractive” designation shall include pits and quarries, wayside pits and quarries, mineral mining operations, portable asphalt plants, concrete batching plants, washing plants, accessory aggregate recycling facilities, agricultural uses excluding any building or structure, forestry uses excluding any building or structure, conservation and natural resource management uses excluding any accessory building or structure, value-added operations to mineral and aggregate resources, including but not limited to drying, colouring, cutting, and bagging and uses accessory to an aggregate extraction operation, such as crushing and screening operations and aggregate storage areas.

4.6.2.2 Notwithstanding the “Extractive” policies of this Plan, in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and/or associated facilities, a wayside pit or quarry, portable concrete plant, and/or portable asphalt plant on public authority contracts shall be permitted without the need for an Official Plan amendment, rezoning or development permit under the Planning Act. Development of a wayside pit or quarry and/or a portable concrete plant, as defined in the Provincial Policy Statement, 2014, shall be in accordance with the requirements of the Aggregate Resources Act, where applicable.

4.6.2.3 Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

#### **4.6.3 Pattern of Development**

4.6.3.1 Extraction shall be undertaken in a manner which minimizes social, economic, and environmental impacts.

4.6.3.2 For aesthetic and safety purposes, extractive operations should be properly separated and screened from residential uses and not be located in close proximity to existing

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Urban and Hamlet settlement areas. Wherever possible the use should be directed to locations which are not exposed to public view.

4.6.3.3 Incompatible land uses and activities both on site and adjacent to existing pits and quarries and extractive reserve areas shall not be permitted.

For the purposes of this policy, adjacent shall be defined as 300 metres from a pit operation or sand and gravel resources, and 500 metres from a quarry operation or bedrock resources, measured from the outer boundary of the licensed area or the deposit.

Incompatible uses include sensitive land uses, which are defined as buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience adverse effects from an extractive operation. For clarity, sensitive land uses includes residences.

4.6.3.4 Incompatible uses on lands surrounding and within “Extractive” designations and “Extractive Reserves Areas” shall be prohibited through careful review of amendments to the Official Plan and zoning by-laws, applications for consent and plans of subdivision and other development proposals, in consultation with the MNRF, the Ministry of Northern Development and Mines, the MOECC, Member Municipalities and the County peer review agent, as may be required.

4.6.3.5 Council shall conserve cultural heritage resources when considering the establishment of new areas for mineral extraction or when considering the establishment of new operations or the expansion of existing operations. When necessary, Council will require satisfactory measures to mitigate any negative impacts on cultural heritage resources.

4.6.3.6 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designation into consideration.

4.6.3.7 Comprehensive rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations.

4.6.3.8 Where possible, access to extractive operations shall be from a public road that is of a construction and standard to adequately service the traffic associated with the use. Access may be obtained by private right-of-way as per Part A – Section 5.4.3.12 of

this Plan. Haulage routes should be sought that minimize the impact of truck traffic on residential uses and avoid designated Urban and Hamlet settlement areas.

4.6.3.9 The following policies apply to abandoned mines that may constitute an existing or potential hazard for future use and development:

- a) Where the location and extent of an abandoned mine site can be confirmed in consultation with the Ministry of Northern Development and Mines, a Member Municipality may denote these lands within an appropriate hazard zoning within its local comprehensive zoning by-law prohibiting its future development until successfully rehabilitated;
- b) Development on, abutting or adjacent to lands affected by mine hazards or former mineral mining operations shall be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed to the satisfaction of the Ministry of Northern Development and Mines;
- c) Applicants for development proposals affecting lands with 1000 meters of known abandoned mine hazards shall, in consultation with the Ministry of Northern Development and Mines, conduct an impact assessment to determine whether hazards existing and, if so, whether they can be mitigated sufficiently to permit development to proceed; and
- d) Applicants for site-specific development proposals in area of known or suspected abandoned mine hazards shall be required, through appropriate engineering studies, to confirm the presence of hazards that may affect development and that shall require mitigation measures consistent with the Mine Rehabilitation Code of Ontario as per O. Reg. 240/00, s. 4 (1).

4.6.3.10A consent to sever an existing dwelling from a property with an existing mine, sand and gravel pit or quarry operation, may be considered provided all requirements of the appropriate authorities, the County and the Member Municipality are met regarding such matters as setback and compatibility of dwelling in relation to extractive operation; the configuration of the properties, particularly in relation to the licensed site plan for the extractive operation and, an up to date development agreement with the member municipality regarding such issues as noise, dust, haul routes and road maintenance. Measures shall be included to prevent new incompatible development from being permitted upon the retained lot.

#### **4.6.4 Planning Policies and Amendments to the Extractive Designation**

4.6.4.1 Councils of Member Municipalities shall ensure that the following requirements are addressed in their comprehensive zoning by-laws:

- a) Zone and regulate all legally existing pits and quarries in such a way that these operations are a permitted activity with no incompatible land use or activities permitted in the resource area or the adjacent lands;
- b) Ensure the concept of a potential “influence area” surrounding “Extractive” and “Extractive Reserve” areas (300 metres for a pit or sand or gravel deposit and 500 metres for a quarry, mine, or bedrock deposit) shall be implemented in order to protect affected land uses from proposed extraction activities and to protect existing and future extraction uses from encroachment by incompatible uses;
- c) Permit wayside pits and quarries, portable asphalt plants and portable concrete plants used on public agency contracts in all zoning categories, except in zones that recognize existing development or areas of particular environmental sensitivity;
- d) Place “Extractive Reserve Areas” in a zoning category or equivalent which prevents the sterilization of the resource by incompatible uses;
- e) Provide definitions of terms including mineral aggregate resource, pits and quarries, wayside pits and quarries, portable asphalt plants and portable concrete plants as defined by the Provincial Policy Statement; and,
- f) Promote the recycling of aggregates by permitting this use in legally existing licensed sites.

4.6.4.2 An amendment to this Plan and an amendment to the implementing zoning by-law shall be required for a new or expanded extraction (mineral or aggregate) operation if the lands beyond the existing licensed area are not already designated “Extractive”. This requirement will provide the County, the Member Municipality, interested government agencies and the land owners in the vicinity of the application an opportunity to assess the nature of the operation, the appropriateness of the site and its potential impacts on the environment, adjacent land uses and the road system.

4.6.4.3 An application to amend the Official Plan for the purpose of redesignating land to establish, operate or expand an aggregate operation shall include adequate information to meet the requirements of the MNRF pursuant to the Aggregate Resources Act and the County, in general accordance with the following:

- a) A plan of the property drawn to scale and showing spot elevations and/or contours, dimensions, area and property location, together with an outline of property holdings intended for future extractive operations;
- b) A diagram showing the existing use of all land and the location and use of all buildings and structures within 150 metres of the property boundary of which the extractive operation is proposed;
- c) A description of the location, height, dimension and use of all buildings or structures existing or proposed to be erected on the property as well as existing and anticipated final grades of excavation and cross-sections shown by contours, where necessary, excavation setbacks, stockpiles,

- drainage provisions and proposed entrances, exits and trucking routes to and from the operation;
- d) A description of the sequence and direction of extractive operations;
- e) A description of the depth of the existing water table and the maximum depth of excavation;
- f) A description of the proposed rehabilitation of the property upon the termination of operations including leveling, grading and replacing of topsoil as well as the intended future use of the land;

4.6.4.4 In considering an application for an Official Plan amendment to designate an area Extractive, Council shall have regard for the following:

- a) *Areas, Location and Potential*  
Areas identified as “Extractive” or as “Extractive (Reserve)” on the Land Use Schedules C of this Plan shall be used as a guide in determining the location of new mines, pits or quarries. The proponent shall furnish County Council with an estimate of the quantity and quality of material available.
- b) *Excavation Boundaries*  
No mine, pit or quarry may be excavated in such a way that its face is at a point less than the minimum distance permitted in the implementing zoning by-law and/or *Aggregate Resources Act* provincial standards from the limit of any road or other property boundary.
- c) *Impact Assessments*  
Councils shall have regard for the potential adverse impacts of the proposal to on-site and off-site conditions including adjacent uses, structures, facilities or the natural environment. To determine conformity with this policy, Councils shall require studies in accordance with the requirements of this Plan:
  - i. Noise and vibration assessments are required where extraction is proposed within 150m of a sensitive lands use as defined in this Plan.
  - ii. Other matters may be required to be addressed where appropriate, such as surface drainage, roads, bright light, erosion, and sedimentation.
- d) *Cultural and Heritage Resources*  
Before beginning extraction works, an assessment of cultural and heritage resources of any lands affected by the operation shall be completed in accordance with Provincial Cultural and Heritage Resources guidelines.
- e) *Hydrogeological Assessment*  
A hydrogeological assessment prepared by a qualified professional indicating any impacts on groundwater and its availability, in support of cold water fish habitat. Cold water streams require sources of groundwater and pits should not interfere with the quantity and quality of groundwater that reaches these streams. Where extraction is not proposed within 1.5 metres for a pit or 2 metres for a quarry of the established groundwater table, the



application must be accompanied with information respecting the elevation of the existing water table.

- f) *Environmental Impact Statement*  
An Environmental Impact Statement shall be conducted to identify and mitigate any adverse impacts on or within 120 metres of any provincially significant natural heritage features or areas.
  
- g) *Restoration and Future Use*  
A description of the proposed rehabilitation of the property upon the termination of operations including leveling, grading and replacing of topsoil and the intended future use of the land shall be included.
  
- h) *Development Agreement*  
An agreement shall be entered into between the extractor and the local municipal Council to address matters related to municipal roads or haul routes. Provisions shall be made for the adequate protection and continued maintenance of “haul route” roads to ensure that they are maintained to an acceptable municipal standard at all times. A traffic impact assessment may be required by the local Council in consultation with the County peer review agent. If a proposal to extract includes deposits located below a road or road allowance or other municipal land, the proponent shall provide an estimate of the quantity and value of the material and shall enter into an agreement to compensate the local municipality.

Member Municipalities shall use the existing process provided under the *Aggregate Resources Act* to comment on matters related to the site plan to ensure that concerns related to land use compatibility, rehabilitation, site screening or other matters are addressed.

4.6.4.5 Mines, pits and quarries proposed on Crown Land are encouraged but not required to proceed by amendment to this Plan.

#### **4.6.5 Special Provisions**

##### 4.6.5.1 Melrose Quarry, Township of Tyendinaga (Former Official Plan Amendment No. 2)

The following special provisions shall apply to the Melrose Quarry constituting Part Lot 7, Concession 3, Township of Tyendinaga, (see **Schedule OP-A**):

- a) Impact assessments pertaining to traffic, ground water, noise and vibration, air or water discharges, dust, lighting, and public view and aesthetics are satisfactorily submitted prior to finalization of the zoning by-law amendment;

- b) The interpretation section of the special policy amendment shall establish that the limits of the Extractive designation shall be schematic and interpreted in accordance with the site plan and zone boundaries;
- c) A storm water management plan is completed and implemented by way of a site plan;
- d) Peer review is completed at the expense of the applicant for the matters of 1, 2 and 3 above, for those matters as may be required by the County and local municipality and which may not be addressed through Provincial licensing;
- e) A site plan for design, operation and rehabilitation of the quarry is completed to the satisfaction of the Ministries of Natural Resources and Northern Development and Mines, together with the Township of Tyendinaga. The site plan shall be made binding by an agreement with the Township. The site plan shall include provisions for legal access over one parcel to the next. If the access agreement is to be established for longer than 21 years, a consent is required; and,
- f) Zoning may establish a holding zone to require the matters of the Official Plan to be completed prior to removing the holding provision.

## 4.7 AGRICULTURAL LAND USE DESIGNATION

### 4.7.1 Rationale/Strategy for Development

4.7.1.1 Agriculture is an important part of the economy and culture of the County of Hastings. According to 2006 Census data there are 1,146 farms using 121,886 hectares (301,176 acres) of land in the County, inclusive of the Cities of Belleville and Quinte West.

4.7.1.2 The “Agricultural” designation has been applied on **Land Use Designation Schedule OP-A** to prime agricultural areas as defined by the Provincial Policy Statement, 2014. These areas have a high capability to produce food and are predominantly comprised of large blocks of Class 1, 2 and 3 soils as identified in the Canada Land Inventory (CLI) for agriculture. Specialty crop areas have not been identified in the County as part of the Agricultural designation at this time and would require an amendment to this Plan. Before the next comprehensive update of this Official Plan, the County shall undertake a Land Evaluation and Area Review (LEAR) to verify the Agricultural land use designation.

4.7.1.3 The intent of this Plan is to provide opportunities to support local food, and promote the sustainability of agri-food and agri-product businesses by protecting agricultural resources, and minimizing land use conflicts.

### 4.7.2 Permitted Uses and Pattern of Development

- 4.7.2.1 In the Agricultural Designation, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses as defined by the Provincial Policy Statement.
- 4.7.2.2 All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards. Change from one agricultural use to another agricultural uses will not require an amendment to this Plan or to the local Zoning by-law.
- 4.7.2.3 Lands designated Agricultural shall be zoned in an appropriate classification in the implementing zoning and other appropriate by-laws.
- 4.7.2.4 To obtain and maintain sustainable agriculture, farmers are encouraged to adopt best management practices and to participate in farmer-led stewardship initiatives, such as the Environmental Farm Plan, which protect the long term productivity of soils and minimizes or eliminates negative environmental impacts. The planting and maintenance of windbreaks and managed woodlots will assist in maintaining the farm soils and the organic matter within them. Participation in federal and provincial programs is also encouraged in order to make continued agricultural uses more compatible with environmental objectives (i.e. “green” and energy conservation initiatives).
- 4.7.2.5 The agricultural community is encouraged to maintain appropriate setbacks or buffer strips from all waterbodies. Renaturalization of shoreline is encouraged, especially in the 15 to 30 metres directly abutting a water body.
- 4.7.2.6 New agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations.
- 4.7.2.7 On-farm diversified uses located on a farm that are secondary to the principal agricultural use of the property, including agri-tourism uses (e.g. corn maze, horse trail rides), home occupations, home industries, bed and breakfast establishments and farm produce stands may be permitted “as-of-right” in Member Municipalities’ comprehensive zoning by-laws where limited in scale or area.
- 4.7.2.8 Other potential on-farm diversified uses located on a farm that are secondary to the principal agricultural use and limited in area such as micro-breweries, small distilleries, wineries, food or beverage tasting rooms, small retail outlets, cafés or small restaurants may be permitted on lands designated Agricultural subject to the criteria provided in Part A – Section 4.7.2.10 of this Plan.
- 4.7.2.9 Agriculture-related uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity, which may include farm input suppliers (e.g. feed, seeds, fertilizer), cold/dry storage facilities, flour mills, grain dryers, agricultural biomass pelletizers, abattoirs, cheese

factories, wineries, and food or beverage production facilities may be permitted on a farm or on a separate commercially or industrially zoned property subject to the criteria provided in Part A- Section 4.7.2.10.

4.7.2.10 The criteria for Part A- Sections 4.7.2.8 and 4.7.2.9 are as follows:

- a) An approved agricultural impact assessment that summarizes all potential impacts to surrounding agricultural operations and appropriate mitigation measures is prepared, if required;
- b) The uses are permitted within an appropriate zone that limits the nature, scale and extent of the development to ensure that it is compatible with, and will not hinder surrounding agricultural operations;
- c) If criterion b) is not met, generally, a zoning by-law amendment and/or site plan control application should be approved that ensures the criteria of this section are met;
- d) The completion and review of a hydrogeological or water quality assessment, if required, to determine the impact of the proposed use on ground and surface water, including the disposal of any related wastes;
- e) A stormwater management report detailing the drainage requirements of the area, if required;
- f) Application and appropriate method is used for fire protection;
- g) Site plan approval and a site plan agreement, if required. On-site parking, outside storage of goods or materials, lighting, signage and the buffering and landscaping of the site should be provided to minimize the impact of such uses from the adjacent road and properties;
- h) Preparation of a traffic study and any other study, if determined necessary in accordance with the policies of this Plan; and,
- i) Where possible these uses should be located on areas exhibiting poorer quality soils and conditions for farm purposes.

4.7.2.11 A licensed wayside pit or quarry shall be permitted.

4.7.2.12 Extraction of minerals and mineral aggregate resources is permitted as an interim use provided that:

- a) Other alternative sites for the extraction activity, including resources in areas of Canada Land Inventory Class 4 through 7 lands or areas designated Urban or Hamlet, have been considered by the applicant and found unsuitable. Where no other alternatives are found, prime agricultural lands shall be protected in the following order of priority: specialty crop areas, Canada Land Inventory Class 1, 2 and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area;
- b) The site will be rehabilitated back to an agricultural condition as defined in the Provincial Policy Statement. Impacts from any new or expanding extraction of minerals, petroleum resources and mineral aggregate resources

on surrounding agricultural operations and lands are to be mitigated to the extent feasible;

- c) Notwithstanding Section 4.7.2.12 b) above, complete rehabilitation to an agricultural condition is not required if there is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible. Agricultural rehabilitation in remaining areas shall be maximized.

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

4.7.2.14 The creation of new residential lots on lands designated Agricultural shall not be permitted, except in accordance with Section 4.7.3 of this Plan.

4.7.2.15 Limited non-residential uses, including but not limited to institutional uses and cemeteries, may be permitted provided:

- a) The proposed use complies with the minimum distance separation formulae;
- b) There is an identified need for additional land to be zoned to accommodate the proposed use; and,
- c) Alternative locations have been evaluated, with regard for the following, and:
  - i) There are no reasonable alternative locations which avoid prime agricultural areas;
  - ii) There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

### **4.7.3 Minimum Distance Separation (MDS) Formulae and Agricultural Lot Creation Policies**

4.7.3.1 New development, including the creation of lots, issuance of building permits, and new or expanding livestock facilities shall comply with the minimum distance separation (MDS) formulae as amended from time to time.

4.7.3.2 The minimum distance separation (MDS) formulae shall be included in the comprehensive zoning by-laws.

4.7.3.3 A Member Municipality may address the following aspects of implementing the MDS within its respective comprehensive zoning by-law:

- a) Apply MDS I to existing lots of record, exempt lots of record or exempt lots of record with a lot area less than 1 hectare.
- b) Where MDS I is applied to existing lots of record, part or all of a dwelling that has been destroyed by a catastrophe may be subject to MDS I or can be exempted provided the resulting new dwelling is built no closer to a livestock facility than before the catastrophe occurred;

- c) Exempt or apply the MDS I formula from existing livestock facilities within designated Urban and Hamlet settlement areas.
- d) Apply or not apply MDS II after a catastrophe that destroys part or all of a livestock facility, providing the resulting livestock facility is built no closer to a surrounding development than before the catastrophe. However, if rebuilding results in higher value for Factor A (Odour Potential), B (Nutrient Units) and/or D (Manure or Material Form in a Storage Facility) than before the catastrophe, MDS II shall apply.
- e) Empty livestock facilities can be excluded from MDS II calculations for expanding livestock facilities if a building permit is required for altering the facilities so they are no longer capable of housing of livestock (or manure). Member Municipalities may consider other approaches which achieve the same objective.
- f) Clarify and/or define what is a Type A or Type B use, including but not limited to existing cemeteries and retail uses associated with a farm operation, in consultation with the County of Hastings and the Ministry of Agriculture, Food and Rural Affairs.

Where a municipality's zoning by-law does not clearly identify or address any or all of the aspects of the MDS formulae listed in a) to f) above, a Member Municipality shall apply the more restrictive requirements of the MDS formulae.

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4.7.3.4 Consents may be permitted for the following purposes in accordance with other policies of this Plan:

- a) To create farm holdings that are generally not less than 40 hectares (100 acres) in area;
- b) Agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- c) A residence surplus to a farming operation as a result of farm consolidation provided that:
  - i) The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
  - ii) The Member Municipality ensures that new residential dwellings are prohibited in the comprehensive zoning by-law on any vacant remnant parcel of farmland created by the severance. The intention of this Plan is that any future applications to rezone the vacant remnant parcel to permit a dwelling are refused;
  - iii) The farm consolidation may occur between adjacent parcels or where a farmer owns and farms other lands that are not adjacent to the newly acquired land.
- d) Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way; and,

- e) Lot adjustments for legal or technical reasons such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

4.7.3.5 Where a new lot is proposed with an existing dwelling, and that dwelling is already located on a lot separate from the subject livestock facility, MDS I is not applied as the potential odour conflict is already present between the neighbouring livestock facility and the existing dwelling.

4.7.3.6 The MDS I formula is applied to a proposed lot with an existing dwelling when the dwelling is presently located on the same lot as the subject livestock facility, as a potential new conflict could be created.

4.7.3.7 The MDS I formula is applied regardless of the ownership of adjacent or adjoining legally separate lots. Ownership of adjacent or adjoining separate lots by the same owner does not prevent the application of MDS.

4.7.3.8 The MDS I formula will not apply where there are four or more, non-farm uses (vacant or occupied) residential, commercial, industrial or institutional zoned lots located in immediate proximity to the existing livestock facility than the proposed development. The proposed use must not be located closer to the livestock facility than the four, or more, existing non-farm uses.

4.7.3.9 For the purposes of MDS I, lot creation which results in the creation or extension of a rural residential cluster shall be considered to be a Type B land use.

4.7.3.10 For the purposes of MDS II, rural residential clusters shall be considered a Type A land use.

4.7.3.11 Where a new lot is proposed, the measurements are taken as the shortest distance between the lot line of the lot being created and livestock occupied portion of the livestock facility. Where the proposed lot is greater than 1 hectare in area the lot may be permitted provided it has been demonstrated that a suitable building envelope is available outside of the required MDS I setback.

4.7.3.12 Where a Member Municipality applies the MDS I setback to development proposed through building permits on existing lots of record, measurements are taken from the shortest distance between the proposed development and the livestock occupied portion of the livestock facility.

4.7.3.13 Application for minor variances for development that does not meet the requirement of the minimum distance separation (MDS) is discouraged. However, Member Municipalities may consider minor variance applications in consultation with the County of Hastings and the Ministry of Agriculture, Food and Rural Affairs for:

- a) MDS I distances, where MDS I is applied to existing lots of record based on site specific circumstances that meet the intent, if not the precise distances of MDS I, or mitigate environmental impacts; and,
- b) MDS II distances based on site specific circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts.

The direction of prevailing wind, surrounding topography, and presence of trees, berms, or other screening among other elements may be considered in minor variance applications.

#### **4.7.4 Special Provisions**

##### **4.7.4.1 Part Lot 6, Concession 2 in the Township of Stirling-Rawdon**

For Part Lot 6, Concession 2 in the Township of Stirling-Rawdon on the west side of Goods Road, south of Evergreen Road as shown on **Map A-4.5**, the following special policies apply within the “Agricultural” designation:

Notwithstanding the provisions of Part A - Section 4.7.2, the extension of an existing commercial building and associated parking shall be permitted and an application to the County Land Division Committee to accommodate the proposed development may be considered.

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

The site plan agreement and appropriate zoning shall provide for:

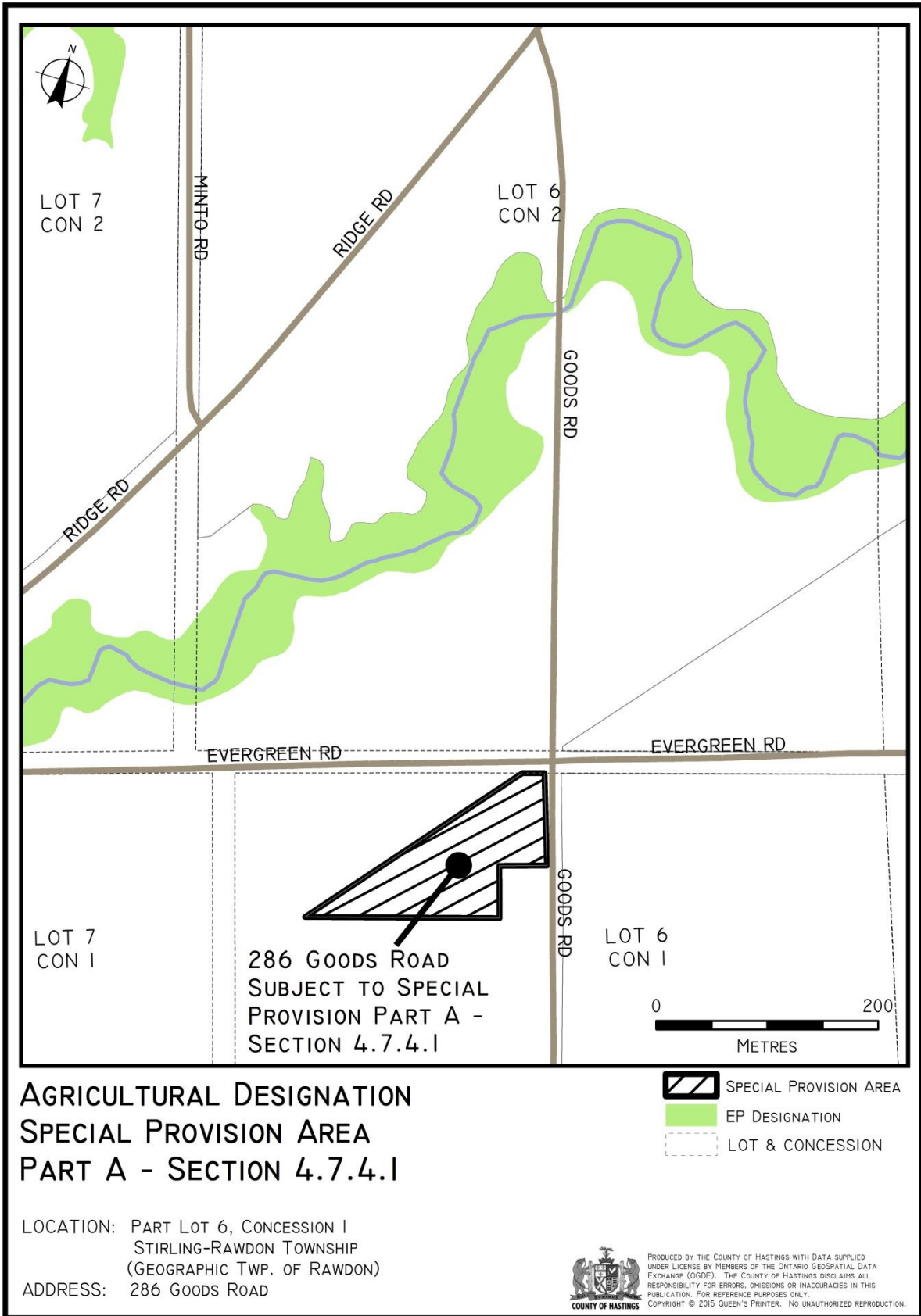
- a) A 15 metres construction setback from the watercourse to the west;
- b) A drainage plan and grading that will prevent runoff from flowing directly into the watercourse and will prevent backup flooding at peak flow;
- c) Maintenance of a natural buffer along the watercourse a minimum of 7.5 metres on each side of the watercourse;
- d) The parking area between the building and the watercourse is to remain unpaved and to be graded to facilitate sheet drainage away from the watercourse;
- e) Provision for buffering between the loading, deck area and neighbouring residential land uses, satisfactory to the local municipality and an agreement to take steps to prevent interference with the livestock operation to the south and west; and,
- f) Other issues of concern to the local municipality, including access, sewage disposal and solid waste disposal.

An archaeological assessment of the entire development property as set out in the Archaeological Assessment Technical Guidelines shall be carried out as a condition



of consent of the lot addition. Adverse impacts on any significant archaeological resource found shall be mitigated, through preservation or resource removal and documentation.

MAP A-4.5



## **5.0 SECTION V – EMERGING RURAL ECONOMY**

### **5.1 Goals and Objectives**

#### **5.1.1 Goals:**

The goals for an emerging rural economy in the County of Hastings are:

- a) To encourage and accommodate a range of economic activities that contribute to the diversity of the County's economy and assessment base including agriculture, forestry, green energy projects, tourism facilities, events and attractions, cultural resources and activities and recreational facilities and activities;
- b) To balance resource-related development with built forms of development while maintaining the landscape character of the Rural and Waterfront areas;
- c) To maintain the natural and scenic qualities of the various rural landscapes in the County, its rural character and lifestyle and substantial amount of open lands;
- d) To identify and conserve significant built heritage resources and significant cultural heritage landscapes within the County;
- e) Maintain and enhance the high quality of life in the County that will provide a strong incentive for the County's young people to remain or return and attract new and former residents to the County as a place to live, work, recreate, rest and invest;
- f) Ensure that the commercial, industrial, institutional and residential development in the rural areas of the County does not detract from the function served by the Urban and Hamlet designated settlement areas;
- g) To have high speed broadband service available to as many residents and areas in the County as possible so that everyone can participate in the global economy; and,
- h) Provide municipal leadership to support the various economic sectors and initiatives and promote investment-ready communities.

#### **5.1.2 Objectives:**

The objectives for facilitating and achieving the emerging rural economy in the County are:

- a) Permit limited residential development, including the second home market, and tourist accommodations in the County's rural areas and along its many lakes and waterfront areas, that is:
  - i. Compatible with the rural landscape;
  - ii. Appropriately serviced by rural service levels for water, sanitary sewer service, stormwater drainage and road access; and,

- iii. Sustainable and does not impact negatively on the natural heritage features and areas of the County planned for in Part IV of this Plan.
- b) Continue to implement the cultural plan and mapping that identifies and promotes the cultural assets and resources of the County in order to facilitate informed planning and economic development decisions;
- c) Continue to implement and update the County Tourism Master Plan in an effort to expand the tourism economy within the County in a comprehensive, co-ordinated manner;
- d) To maintain and promote the County’s natural areas and recreational facilities, including its extensive multi-recreational trail network, as a prime attractor of visitors to the County;
- e) To provide linkages and opportunities between entrepreneurs, farmers and foresters for value-added products and opportunities for biomass energy;
- f) Explore and encourage business opportunities that are “green” in nature such as renewable energy generation facilities;
- g) Facilitate the establishment and expansion of a variety of commercial, industrial and recreational businesses, including home-based businesses, by increasing the quality and accessibility to high-speed broadband in all areas of the County; and,
- h) Provide professional economic development services that will further develop the entrepreneurial skills within the County and provide a strong foundation for economic growth, diversity and stability.

## **5.2 The Rural Landscape Character of Hastings County**

- 5.2.1 The County’s varied natural features and rural landscapes are among the County’s primary assets for developing its future economies and bringing people closer to nature.
- 5.2.2 The County of Hastings contains six (6) physiographic regions (north to south) as follows:

- Algonquin Highlands
- Georgian Bay Fringe
- Dummer Moraines
- Peterborough Drumlin Field
- Iroquois Plain
- Napanee Plain

These varied physiographic regions and corresponding rural landscapes contribute to making the County a beautiful and interesting place to live, work, recreate and visit. By maintaining its rural landscapes and character, the County will be increasingly viewed as a unique place to live and invest. The natural environment is to be the dominant landscape feature in the Rural and Waterfront areas.

- 5.2.3 The “*Land Between*” is a term describing an ecological transition zone (ecotone) lying between the Canadian Shield and the St. Lawrence Lowlands stretching across south-central Ontario, including portions of the County of Hastings. Geographically, the granite barrens characteristic of the Canadian Shield reach their southernmost range, giving way to the limestone plains characteristic of southern Ontario. Accompanying this change in bedrock is a decrease in altitude and a change in plant hardiness zones. The predominant land cover shifts from forested areas and small water bodies in the north to mixed-wood plains modified into agriculture and developed land in the south. The “*Land Between*” is the northern limit for some species and the southern limit for others, containing Atlantic Coastal Plain and Prairie species in patches as well as species at risk.
- 5.2.4 The “*Land Between*” is increasingly being studied scientifically and seen as a separate landscape characterized by its own unique ecological structure, function, biodiversity and rate of change. The County and its Member Municipalities support initiatives to more fully understand, conserve and promote the ecological functions and biodiversity of this unique landscape known as the “*Land Between*”, while still providing cultural and economic health and vitality for the area, including farming, forestry, extractive activities, fishing and hunting.
- 5.2.5 Forestry, agriculture, mineral and aggregate extraction land uses should be promoted, protected, enhanced and developed in appropriate locations. Incompatible uses shall be prevented from encroaching or intruding upon lands with demonstrated potential for such uses. Non-resource related development is encouraged to locate in areas which would not interfere with existing or potential resource development areas or environmentally sensitive areas.
- 5.2.6 Lakes such as Baptiste Lake, Wollaston Lake, Moira Lake and the Bay of Quinte are more accessible to publicly maintained year round roads and already have extensive amounts of development, including somewhat small lots around their shorelines. The focus of development on these lakes may be more on the redevelopment and rehabilitation of existing properties rather than on new lot creation or development of vacant lots.
- 5.2.7 Other lakes such as Glanmire Lake, Lingham Lake and the Chain Lakes are more remote and isolated from public roads and services and are characterized by little or no development or very low density development. Future development, if any, should seek to maintain the low density and low impact of development on the shoreline environments of these lakes.
- 5.2.8 The natural qualities that help define the character of the County’s lakes and rivers include varied topography and forested landscape, shorelines with a natural and undeveloped appearance, views and panoramas and significant natural areas and habitats.

- 5.2.9 The cultural features around the lakes and rivers also help define their character, including the resorts, camps, parks, marinas and a number of water access properties that have been the historical focus of community and tourist activities.
- 5.2.10 Terrain alterations to properties should be minimized with an emphasis on retaining as much existing vegetation cover as possible, particularly for areas of topographical and grade change such as along ridge lines, escarpments and creek valleys. The provision of additional natural buffering or screening is encouraged to supplement existing vegetation particularly along roadways and shorelines.
- 5.2.11 Historical hedgerows, stone and cedar rail fence lines and associated tree lines are integral features of the rural landscape and should be conserved and maintained wherever possible.

## **5.3 Cultural Heritage Resources**

### **5.3.1 General Policies**

5.3.1.1 Cultural heritage resources form an important and in many cases highly visible part of the community fabric. These resources are a source of civic pride for the residents, a benefit to the local economy through tourism, and are important to our understanding of the settlement of the County. The policies of this Plan, in conjunction with the Ontario Heritage Act, provide a framework for the protection and enhancement of cultural heritage resources in Hastings County.

5.3.1.2 The County has a rich history reflected in many buildings and structures, either individually or in groups, which are considered to have architectural merit, or cultural heritage value or interest to the County, province or country. Documentation of this rich history can be found in several publications including the *Heritage Atlas of Hastings County (2006)*, the *Historical Atlas of Hastings & Prince Edward Counties, Ontario (1997)* and *Historic Hastings (1967)*.

5.3.1.3 Cultural heritage resources are defined as the physical remains and the intangible cultural traditions of past human activities. These include, but are not limited to:

- a. Buildings (residential, commercial, institutional, industrial and agricultural);
- b. Cultural heritage landscapes (designed, organic/evolved);
- c. Structures (water tower, bridge, fence and dam);
- d. Monuments (cenotaph, statue and cairn);
- e. Archaeological resources (see Part A - Section 5.3.4);
- f. Cemeteries;
- g. Scenic roads;
- h. Vistas/viewsheds;
- i. Culturally significant natural features (tree and landform);
- j. Movable objects (archival records and artifacts); and

- k. Cultural traditions (language, stories, music, dance, food, celebrations, art and crafts).

5.3.1.4 Cultural heritage landscapes involve groupings of individual heritage features such as structures, spaces, archaeological sites, and natural elements which together form a larger area of heritage value. The identification, listing, evaluation and protection of cultural heritage landscapes are ongoing processes.

5.3.1.5 The past settlement of Hastings County forms important aspects of our communities. Traces of human settlement both recent and long past are recognized as important elements of our history and culture. Cultural Heritage resources shall be conserved as part of a legacy for future generations.

5.3.1.6 Archaeological potential is defined as the likelihood to contain archaeological resources. Archaeological resources include 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. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used.

5.3.1.7 The County Historical Society, the County of Hastings and the City of Belleville have partnered for the purpose of professionally archiving significant historical records in a portion of the City of Belleville Library. A digital archive is being developed that will inventory where documents are stored and can be accessed online. The County recognizes the social, cultural and economic importance of documenting and communicating the County's rich history, including but not limited to geological/mining, logging, agriculture, sports, education, health care, religion, politics, aboriginal affairs and various modes of transportation.

5.3.1.8 The County and the Member Municipalities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.

## **5.3.2 Identifying Cultural Heritage Resources**

5.3.2.1 Cultural heritage resources of value or interest include, but are not necessarily restricted to the following criteria under Ontario Regulation 9/06 of the Ontario Heritage Act:

- a) A property has design value or physical value because it:
  - i) Is a rare, unique, representative or early example of a style, type, expression, material or construction method;
  - ii) Displays a high degree of craftsmanship or artistic merit; or
  - iii) Demonstrates a high degree of technical or scientific achievement.

- b) A property has historical value or associative value because it:
  - i) Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
  - ii) Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or
  - iii) Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- c) A property has contextual value because it:
  - i) Is important in defining, maintaining or supporting the character of an area;
  - ii) Is physically, functionally, visually or historically linked to its surroundings, or
  - iii) Is a landmark.

5.3.2.2 The County will assist local municipalities in creating and maintaining an inventory of cultural heritage resources for land use planning and conservation, including but not limited to:

- a) Heritage resources designated under the Ontario Heritage Act;
- b) Sites or areas having cultural heritage value or interest; and,
- c) Cemeteries.

5.3.2.3 Upon identifying and conserving a cultural heritage resource, efforts will be focused on interpreting the resource and ensuring its long-term sustainable use.

5.3.2.4 The County is actively undertaking a cultural plan in partnership with the Cities of Belleville and Quinte West that will provide a comprehensive strategy for developing the County's cultural resources into the future.

5.3.2.5 Member Municipalities will zone sites containing significant archaeological resources, where appropriate, to ensure preservation in accordance with Section 34 (1) 3.3 of the Planning Act.

5.3.2.6 All shorelines and waterfronts, regardless of their land use designation, form part of the criteria for areas of archaeological potential. All land use designations where shoreline, waterfront, and foreshore development is permitted are subject to the policies in this Plan dealing with heritage conservation

### **5.3.3 Ontario Heritage Act and Heritage Committees**

5.3.3.1 Under the *Ontario Heritage Act*, a member municipal Council may pass by-laws to:

- a) Designate individual properties of cultural heritage value or interest pursuant to Part IV of the Ontario Heritage Act, in accordance with the criteria set out



in Ontario Regulation 9/06. Such a by-law shall include a description of the property and a statement of cultural heritage value or interest and description of the heritage attributes; and,

- b) Designate a Heritage Conservation District or Districts pursuant to Part V of the Ontario Heritage Act in order to protect the heritage resources of an area. Such a by-law will be based on a study identifying the heritage resources of the area. If a by-law is passed to identify a Heritage Conservation District, the designated area may be recognized by an amendment to the Plan.

Designated heritage properties and heritage conservation districts shall be listed in a register of properties kept by the municipal clerk. The register may also include properties that Council considers to be of cultural heritage value or interest but have not been designated.

5.3.3.2 The County or a member municipal council may appoint a heritage advisory committee to advise and assist County Council or a member municipal council on cultural heritage resource matters as set out by the *Ontario Heritage Act*.

5.3.3.3 Other legislative powers available to Member Municipalities relative to heritage matters include:

- a) A member municipal Council may pass by-laws providing for the acquisition by purchase, lease, or otherwise of any property or part thereof, designated under Part IV of the Ontario Heritage Act. A member municipal Council may dispose by sale, lease or otherwise of any property or interest acquired under Part IV of the Ontario Heritage Act upon such terms and conditions as Council may consider necessary.
- b) Pursuant to the Planning Act, the Municipal Act and other relevant legislation, a member Council may pass by-laws for the following purposes:
  - i) To ensure the protection of heritage features;
  - ii) To regulate development so that it is sympathetic in height, bulk, location and character to heritage resources; and,
  - iii) To control demolition of heritage buildings or structures in a defined area.
- c) A member municipal Council may enter into an easement agreement or covenant, pursuant to Section 37 of the Ontario Heritage Act, with the owner of any real property and register such easement or covenant against the real property in the land registry office for the purpose of:
  - i) Conserving, protecting and preserving the heritage features of the property;
  - ii) Preventing any demolition, construction, alteration, remodeling or any other action which would adversely affect the heritage features of the property; and,
  - iii) Establishing criteria for the approval of any development affecting the heritage property.

- d) Where feasible and desirable, incentives may be provided to land developers in exchange for preservation of significant cultural heritage resources by allowing increased densities, density transfers and other means considered appropriate, in exchange for resource preservation, through the application of the relevant provisions of the Planning Act.

5.3.3.4 A member municipal Council will use best efforts to obtain, in consultation with its Heritage Committee, documentation for archival purposes which may include a history, photographic record and measured drawings, of cultural heritage resources which are to be demolished or significantly altered. Demolition or significant alteration may only be considered as a last resort.

### **5.3.4 Conservation of Cultural Heritage and Archaeological Resources and Consultation**

5.3.4.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

5.3.4.2 Wherever feasible, the County and its Member Municipalities will further the conservation of cultural heritage resources by:

- a) Preserving and maintaining heritage buildings, cultural heritage landscapes and archaeological resources that are under County or member municipal ownership and/or stewardship;
- b) When undertaking public works, conserving and mitigating impacts to all significant cultural heritage resources; and,
- c) Respecting the heritage resources recognized or designated by federal and provincial agencies.

5.3.4.3 The re-use of built heritage resources is often a valid means of ensuring their restoration, enhancement or future maintenance of such resources. Projects to reuse built heritage resources may be given favourable consideration if the overall results are to ensure the long term protection of a heritage resource, the project is compatible with surrounding land uses and represents an appropriate use of land.

5.3.4.4 Where a property has been identified as a protected heritage property, development and site alteration may be permitted on adjacent lands only where the proposed development and site alteration has been evaluated in a Cultural Heritage Impact Assessment prepared by a qualified professional demonstrating how 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.

- 5.3.4.5 Retrofits for achieving energy efficiency will only be undertaken in a heritage building where it is demonstrating that retrofitting can be accomplished without compromising the heritage integrity of the building.
- 5.3.4.6 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
- 5.3.4.7 Where a Member Municipality and/or the County has determined a proposed development involves lands having either known archaeological resources or has archaeological potential in accordance with the Ministry of Tourism, Culture and Sport (MTCS) Archaeological Potential Criterion, an archaeological assessment of the property will be required to identify the nature and extent of the archaeological resources. Resources identified and determined to be significant will be conserved. The Member Municipality and/or County may also require parts of a site to be excluded from development in order to maintain the heritage integrity of the site.
- 5.3.4.8 An archaeological assessment is defined as the combined background research and field study of a property identified as moderate to high on Archaeological Potential Maps approved by the Province that identify the presence of and interpretation of the archaeological resources on the property, and make recommendations for the mitigation of the impacts on the resources. Archaeological assessments must be undertaken by a Provincially–licensed archaeologist, in accordance with reporting guidelines established by the Provincial Government, and must address the entire area to be developed.
- 5.3.4.9 For small-scale development proposals, such as those that involve two or fewer development applications, an archaeological impact assessment will be required only if the property is adjacent to or contains a known archaeological resource or heritage feature.
- 5.3.4.10 The County or Member Municipality may develop an archaeological management plan to be used as a planning tool in conserving archaeological resources. Some of the principal components of the master plan could include:
- a) An inventory of all registered and known archaeological sites in the County;
  - b) Archaeological potential mapping based on locally relevant criteria; and,
  - c) Implementation guidelines for use of the master plan and management of the historical heritage in the area.

An archaeological master plan will be done in consultation with appropriate First Nations Groups including the Mohawks of the Bay of Quinte the Algonquins of Ontario, the Williams Treaty First Nations, and the Metis Nation of Canada.

- 5.3.4.11 The Mohawks of the Bay of Quinte, Algonquins of Ontario, the Williams Treaty First Nations, the Metis Nation of Canada, and other appropriate First Nations Groups shall be consulted on any archaeological impact assessments where areas of

Mohawk or Algonquin interest and/or Native Values and/or the potential for aboriginal artifacts to be encountered have been identified.

5.3.4.12 The Mohawks of the Bay of Quinte, the Algonquins of Ontario, the Williams Treaty First Nations, the Metis Nation of Canada, and other appropriate First Nations Groups shall be provided the opportunity for input on any Stage 2 Archaeological Assessment Report that indicates areas of historical interest or potential for encountering aboriginal artifacts.

5.3.4.13 The Mohawks of the Bay of Quinte, the Algonquins of Ontario, the Williams Treaty First Nations, the Metis Nation of Canada, and other First Nations Groups shall be notified of burial sites or remains considered to be of potential aboriginal origin.

### **5.3.5 Marine Archaeological Resources**

The County recognizes that, within its boundaries there may be marine archaeological remains. These marine archaeological resources may include the remains of ships, boats, vessels, artifacts from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value. The remains may currently be under water or were, at one time, under water but are no longer submerged.

Municipal councils shall, prior to approving a development proposal, require a marine archaeological assessment to be conducted by a licensed marine archaeologist to the satisfaction of the County and/or the Member Municipality and the Ministry of Tourism, Culture and Sport, pursuant to the Ontario Heritage Act. Any marine archaeological resource that is identified must be reported to the Ministry of Tourism, Culture and Sport immediately.

## **5.4 RURAL AND WATERFRONT LAND USE DESIGNATION**

### **5.4.1 Rationale/Strategy for Development**

5.4.1.1 The “Rural and Waterfront” land use designation includes those lands located outside any other land use designation identified in **Land Use Designation Schedule OP-A** of this Plan and permits a range of uses as detailed in Part V of this Plan.

5.4.1.2 An important sub-category in the “Rural and Waterfront” designation is the Waterfront area. The Waterfront area attracts most of the second-home/cottage development and tourist commercial activity and is vulnerable to degradation through overuse. Promoting and implementing proper land use planning in the Waterfront area is important for maintaining its long-term environmental integrity.

Where appropriate, this Plan has developed specific planning policies for the Waterfront area in order to achieve this objective.

Within the “Rural and Waterfront” designation, the Waterfront area is defined as those lands extending inland 300 metres from the high water mark of lakes and 30 metres from the high water mark of any other navigable water body. Where the land use relates physically or functionally to the water body, although it extends 30 metres beyond the water body, it shall be deemed to be within the Waterfront area. Lands that form part of the waterbed of any navigable water body shall generally be considered as part of the Waterfront area. The beds of waterbodies are public land in Ontario, and construction in these areas may require the approval of the Ministry of Natural Resources and Forestry (MNR). The Waterfront area does not extend within any limit of an “Urban”, “Hamlet” or “Agricultural” designation.

- 5.4.1.3 Agricultural activities remain active but dispersed where soils are predominately shallow and where non-agricultural development has taken place over time. The blocks of land designated Rural consist primarily of soil classes 5, 6 and 7 and some of the class 4 soils as defined in Canada Land Inventory of soil capability for agriculture.
- 5.4.1.4 Development is generally serviced by private individual water and sewage systems and is located in close proximity to existing public roads.
- 5.4.1.5 Development is and will continue to be generally characterized by low density in an effort to avoid overcrowding of the rural areas and environmental problems associated with the cumulative effects of individual servicing, with lots that are generally large with development occupying a small portion of the lot.
- 5.4.1.6 Care will be taken to ensure land use compatibility and to provide an alternative lifestyle to the Urban and Hamlet settlement areas of the County.

## **5.4.2 Permitted Uses**

5.4.2.1 The permitted uses and activities of the Rural and Waterfront designation shall relate to the management or use of resources, resource-based recreational uses (including recreational dwellings), limited residential development, home occupations and home industries, and other rural land uses; more specifically as follows:

- a) Rural development that respects traditional features of the landscape, such as historic fence lines and treelines, and generally maintain the rural character of the area by maintaining, on average, large and flexible parcel sizes;
- b) Limited low density residential uses, including secondary units within permitted dwellings, in accordance with the policies of this Plan. Plans of subdivision and condominium are permitted in the Waterfront area only.

- c) Commercial and tourism development which relates to the rural economy, tourism and the travelling public including antique shops, service stations, farm market stands and eating establishments in accordance with Part A - Section 5.6 and other policies of this Plan;
- d) “Dry” industrial uses which serve the rural community or which process agricultural products such as farm equipment sales and service centres, motor vehicle repair garages, machine or welding shops, contractors' yards or public works garages in accordance with Part A - Section 5.7 and other policies of this Plan;
- e) “Small-scale” community facilities including assembly halls, churches, cemeteries and schools, but excluding uses that would require large sub-surface septic systems of greater than 10,000 litres/day;
- f) Agriculture, forest management, wildlife management, multi-purpose trails, public parks, open space, recreational and conservation uses, fish and hunt camps, golf courses and those uses permitted in accordance with Part A - Sections 4.7 (save and except for policy 4.7.2.12) and 5.8;
- g) Cemeteries;
- h) Crown Land activities including but not necessarily limited to forest management, fishing, hunting, trapping, mineral exploration and the extraction of sand and gravel; and,
- i) Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

### **5.4.3 Access Policies**

5.4.3.1 New development in the Rural and Waterfront designation, wherever possible, will have frontage on and access from a year round maintained public road which is deemed by the appropriate road authority to be in a condition appropriate for the use proposed and can accommodate the additional traffic.

5.4.3.2 Assumption of new or extended local roads by a Member Municipality for the purpose of lot creation is discouraged in accordance with Part A - Section 3.6.2.12 of this Plan.

5.4.3.3 A private right-of-way or private road is defined as a road under private ownership which serves two or more legally conveyable lots and may include a right-of-way registered on title. A driveway, by contrast, provides access to and is located on only one property or legally conveyable lot, despite the length of the driveway. A driveway also includes a shared or mutual driveway between two abutting properties.

5.4.3.4 Development of existing residential lots in Waterfront areas may be permitted with the following access, in descending order of preference:

- a) A year round maintained public road;
- b) A seasonally maintained public road;
- c) An existing private right-of-way; and,
- d) Existing water access.

5.4.3.5 Existing residential lots in Waterfront areas with access onto a seasonally maintained public road, private right-of-way or by water shall be placed in a limited service residential zone denoting that no or limited public services including possibly emergency services are available to areas so zoned.

5.4.3.6 The creation of a private road/right-of-way is not permitted. New residential lot creation or development in Rural and Rural-Waterfront areas on a seasonally maintained public road, new private right-of-way or by water access shall not be permitted.

5.4.3.7 Notwithstanding Part A - Section 5.4.3.6 above:

- a) New waterfront building lots may be permitted on an existing private right-of-way or the extension of an existing right-of-way if the existing private road:
  - i. Is constructed to a local municipal standard (i.e. minimum widths, surface materials and grading standard, turning circle requirements and safe ingress and egress);
  - ii. Has the capacity for additional traffic; and,
  - iii. Can accommodate year round access to emergency management services.
- b) Development on new private rights-of-way shall be prohibited except that a limited amount may be permitted in Waterfront Areas where the local Council has adopted and registered with the County a private roads standards by-law to permit such development. The private roads standards by-law shall identify the forms of development that are permitted, establish title description provisions and long-term maintenance provisions among other matters as identified. Agreements with the Member Municipality may be required and registered on title to address the provisions of the private roads standards by-law together with the requirements of Section 5.4.3.7a). New and existing waterfront lots on existing private rights-of-way shall be rezoned to a limited service residential zone. No other development shall be permitted on a private right-of-way;
- c) The creation of a new private condominium road shall be permitted in Waterfront Areas insofar as it is within a Plan of Condominium created under the Condominium Act, 1998 as amended. A new private condominium road may not be created by way of extension or addition to an existing private road. A new private condominium road may only be permitted if the new

road directly connects to a public road and where the subject land has legal frontage on the same public road. The design and construction of a private condominium road shall be to a standard acceptable to the Member Municipality, and the maintenance and ownership of such roads shall be governed and administered in accordance within the Condominium Act, 1998 as amended; and,

- d) At the discretion of the Councils of each of the Member Municipalities, new lots may be approved in Waterfront areas on the basis of water access only subject to the applicant providing a mainland location on the water body for the parking of cars and docking/launching of boats for the exclusive use of the lot owners. Alternatively, prior to final approval of a proposal, a Council of a Member Municipality may acknowledge the availability of other areas that make similar accommodations. Any lots created on the basis of water access only, including the severed and retained lots of a consent, shall be placed in an appropriate Limited Service Residential (LSR) Zone.

5.4.3.8 Member municipal councils may assume a private right-of-way where the standards of the private road meet the municipality's minimum standards and where the road allowance is dedicated to the municipality. The costs for upgrading a private right-of-way to an acceptable municipal standard will typically be borne by the adjacent property owners, including survey, legal, design and construction costs.

5.4.3.9 Mainland parking and docking facilities for existing water access properties may be provided through commercial marinas, individual access points serving one property, or a waterfront landing serving more than one property.

5.4.3.10 Public access points shall not be utilized as mainland parking and docking facilities for water access only lots, unless specifically approved by a member municipal Council.

5.4.3.11 Where deemed appropriate by the Member Municipality, the zoning by-law will establish specific standards regarding number of berths and parking requirements for waterfront landings and individual access points.

5.4.3.12 Seasonally maintained public road access and/or private right-of-way access may be permitted for forestry and aggregate extraction operations and existing and new fish and hunt camps. Resource access roads are expected to be maintained by private enterprise under lease or other arrangement with the Crown, where applicable.

#### **5.4.4 Servicing Policies**

5.4.4.1 In general, development or redevelopment in the Rural and Waterfront designation will be serviced by private individual water and sewage systems, with the exception of tourist commercial development where private communal services may be considered, as provided for in Part A - Section 3.3.



5.4.4.2 New septic systems are encouraged to be located as far back from the shoreline as is reasonable and possible, and shall be located a minimum of 30 metres (100 feet) from the high water mark or in accordance with the setback requirements for cold water lakes if applicable. Where it is not physically possible (due to terrain features, lot depth or design features) to locate the leaching bed and mantle at such a distance, a lesser setback that is no less than 15 metres (50 feet) may be permitted in accordance with the approved recommendations of a Site Evaluation Report pursuant to Part A - Section 7.8.8 of this Plan. Septic systems using tertiary treatment technology may be required in this instance.

5.4.4.3 Owners of existing properties are encouraged to upgrade their existing sewage systems to current standards if inspection suggests that those systems are not performing at the levels achievable with new systems.

5.4.4.4 Stormwater management and construction mitigation for erosion/sediment control shall be provided on site as required.

#### **5.4.5 Pattern of Development and Waterfront Policies**

5.4.5.1 Proposed rural parcels, except for rural non-farm residential lots, shall normally be a minimum of 6 hectares (14.8 acres) in order to accommodate a variety of rural farm or resource based uses.

5.4.5.2 The criteria provided in Part A - Section 5.6.1.5 shall be reviewed by a member municipal council when considering proposals to rezone lands for new community or institutional facilities in the Rural and Waterfront designation. Although not prohibited in the Rural and Waterfront designation, community facilities, health care and educational facilities are encouraged to locate in urban and hamlet areas in an effort to strengthen their roles as rural service areas.

5.4.5.3 The following planning principles are to guide future development in the Rural and Waterfront designation, as appropriate for the specific use and the area:

- a) Development should not take place on lands having environmental constraints and is discouraged in areas possessing important natural characteristics unless it can be demonstrated that there will be no negative impact on the feature or its ecological function in accordance with the policies of this Plan;
- b) The natural landscape should prevail with built form blending into the landscape;
- c) Lot lines should respect traditional features of the landscape, such as historic fencelines, treelines and topography, and generally maintain the rural character of the area;

- d) Natural shorelines and vegetative buffers will be retained, maintained and/or restored;
- e) Native species should be used for buffers and where vegetation is being restored;
- f) Measures such as changes to proposed lot lines and increased setbacks should be utilized to help address potential negative impacts to natural heritage features and the environment;
- g) Structural development will maintain a low structural profile and will not create a new skyline or ridgeline above the existing tree canopy;
- h) Building mass and coverage should be limited in relation to the size and frontage of the property and be in keeping with the character of the surrounding area; and,
- i) Building envelopes, including the careful siting of shoreline structures, and the associated activity area should be defined and located in the most appropriate locations on the property, leaving the remainder of the property generally in its natural state.

5.4.5.4 In Waterfront areas, filling of the shoreline shall not be permitted for the purpose of creating new developable space along the shoreline or artificially increasing the surface area of a shoreline private property. New development and/or site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat.

5.4.5.5 In Waterfront areas, residential dwellings, other main buildings, structures, fences, earth berms and uses shall be set back as far from a shoreline or locally significant wetland as is practical, taking into consideration the size, shape and topography of the lot in question. Wherever feasible, the setback should be a minimum of 30 metres from the seasonal high water mark. Residential infill structures may be set back from the seasonal high water mark in accordance with the established building line.

5.4.5.6 Development and/or site alteration within the 120 metres adjacent lands of the seasonal high water mark shall demonstrate that there will be no negative impact on fish habitat or its ecological function.

5.4.5.7 In Waterfront areas, residential dwellings shall be set back as far from the shoreline as is practical, taking into consideration the size, shape and topography of the lot in question. Wherever feasible, the setback should be at least 30 metres from the high water mark and should remain undisturbed and naturally vegetated. Where the placement of an existing road will not allow this setback, the distance may be reduced to half the distance between the road and the water body, subject to approval of a variance to the implementing Zoning By-law and to site plan approval and provided the setback is not less than 20 metres. Residential infill structures may be set back from the high water mark in accordance with the established building line.

- 5.4.5.8 In Waterfront areas and adjacent to watercourses, a natural vegetative buffer strip a minimum of 30 metres in width should be maintained wherever possible from the seasonal high water mark to filter pollutants from run-off. Within this buffer area, the clear cutting of trees shall be discouraged. On existing lots of record where a 30 metre setback from the high water mark is not possible, the setback may be reduced to the maximum setback possible, subject to the approval of a minor variance to the implementing Zoning By-law and to site plan approval. In order to determine the most appropriate building location of an existing lot of record, consideration should be given to reductions in other yard setbacks before considering reductions to the setback to the high water mark. A lesser buffer area may be required as determined by an approved environmental impact statement or site evaluation report pursuant to Part A - Sections 7.8.6 and 7.8.8 of this Plan that demonstrates that there will be no negative impact on the fish habitat and its ecological function.
- 5.4.5.9 Shoreline activity will be permitted within 30 metres of the seasonal high water mark for accessory shoreline structures such as boathouses and boat docks and where there is suitable/adequate access to the water for activities such as swimming or boat launching. To maintain an appropriate balance between a natural shoreline and built form, structures in shoreline activity areas should be focused within a defined area of the shoreline frontage and be limited in extent. Where appropriate, such activity areas may develop in more than one location on a property. The extent of shoreline activity areas will be considered within the following targets:
- a) 25% of the shoreline frontage or up to 23 metres (75 feet), whichever is the lesser, for linear shoreline residential development;
  - b) 35% of the shoreline frontage for tourist commercial and institutional accommodation, waterfront contracting operations, and waterfront landings; and,
  - c) 50% of the shoreline frontage for marinas.
- 5.4.5.10 Lot creation in the Waterfront designation shall only be permitted where the new lot can accommodate development that includes the 30 metre setback/buffer areas referred to in subsections 5.4.5.8 and 5.4.5.9 above. As part of the application process, proponents shall be required to demonstrate how the proposed lot meets this requirement.
- 5.4.5.11 The size, location and design of shoreline structures, including docks, decks, gazebos, boathouses and/or boat ports have a direct effect on both the environmental and visual impact of development of a property. These structures should be of a size and scale appropriate to or in relation to the size and shoreline frontage of the property and the associated dwelling. The municipal zoning by-law shall provide standards to regulate the size and location of these structures and may be regulated through a combination of restrictions of the total footprint, floor area, width, length or height. Boathouses and boat ports are encouraged to be limited to one storey in height, with living space, kitchen and/or washroom facilities being prohibited.

- 5.4.5.12 Shoreline structures should be located in such a manner as to minimize the visual impact on neighbouring properties, and should avoid sensitive environmental features, both on shore and in the water. The Zoning By-law may provide standards to require a minimum visibility triangle to regulate the visual impact of shoreline structures on neighbouring properties.
- 5.4.5.13 A Member Municipality may include provisions within its comprehensive zoning by-laws to define, permit and regulate guest cabins or bunkies within a waterfront area. A guest cabin or bunkie means an accessory detached building or structure that provides sleeping facilities for non-paying visitors to a property. Zone regulations may include prohibiting kitchen and/or washroom facilities, requiring a maximum of one storey in height, a minimum setback of 30 metres from the high water mark wherever possible and providing a maximum floor area that will ensure its size and scale is accessory in nature to the principal dwelling and the shoreline, where applicable.
- 5.4.5.14 Variances to implementing standards noted in policies above within municipal zoning by-laws may be considered where site characteristics such as terrain or lot depth from an existing road and/or an established building line warrant such a variance. Also, in the case of redevelopment of a property, the imposition of the new setback may result in a more negative impact on the property than allowing reconstruction at the existing setback. Variances may be subject to the submission of a Site Evaluation Report or Environmental Impact Statement and a site plan approval satisfactory to the Member Municipality that outlines how the natural shoreline features and buffers are protected or enhanced on the site, should such a variance be justified.

#### **5.4.6 Lake Plans**

- 5.4.6.1 Lake Plans provide more detailed land use policy direction for specific lakes in the County, and are intended to go beyond the more general policy framework of this Plan. Such plans are intended to identify, reflect and respond to the character and physical capabilities of particular lakes.
- 5.4.6.2 Lake Plans prepared for individual lakes often go beyond land use planning considerations. The land use planning components of a Lake Plan, including potential zone provisions and site plan control criteria that are intended to be more restrictive than existing policies within this Plan are to be implemented by amendment to this Plan and then through the Member Municipality's comprehensive zoning by-law and site plan control approvals. Other features of a Lake Plan may be implemented through the efforts of individual ratepayer or cottage organizations.
- 5.4.6.3 Environmental, physical and social factors may determine the amount and type of development that would be desirable for a particular lake. Therefore, the preparation

of specific Lake Plans in consultation with waterfront communities is encouraged to address these matters on an individual lake basis.

5.4.6.4 The following matters may be addressed where appropriate through a specific Lake Plan:

- a) Definition of the characteristics and character of the Lake;
- b) Functional role in the watershed, drainage basin and related waterways;
- c) Topography, landscape and shoreline features inclusive of vegetation cover;
- d) Natural and man-made hazards, including areas of constraint to development such as steep slopes, narrow waterbodies and wetlands;
- e) Allocation of water quality capacity;
- f) Cultural heritage and historic development;
- g) Identification of current land use on the lake with distinct areas and neighbourhoods shown;
- h) Sensitive boating issues/areas, including boat speed restrictions in consultation with the MNRF;
- i) Public and private open space, recreation areas and trails;
- j) Public access points and portage routes;
- k) Development potential and capacity; and,
- l) Specific policies and standards for development.

5.4.6.5 Development will be encouraged to have regard for the values, principles and stewardship features of individual Lake Plans.

## **5.4.7 Special Provisions**

5.4.7.1 Limerick Lake Estates Subdivision, Limerick Township – Map A-5.1

Notwithstanding any provisions of this Plan to the contrary, including Part A - Section 4.2.5.7, a residential plan of subdivision and common elements condominium is permitted on lands comprising Part Lots 12, 13 & 14, Concession 4, in the Township of Limerick, together with legal road access provided across Part of Lots 15 and 16, Concession 3 in the Township of Limerick, including all requisite planning approvals to implement same, subject to:

- a) A maximum of 110 lots may be developed provided they are located beyond 300 metres of the shoreline of Limerick Lake;
- b) In accordance with the Ontario Municipal Board (OMB) decision dated April 25, 2012 for OMB File No. PL980499 and the Minutes of Settlement and Schedule “A” attached thereto:
  - i) A further 8 of 31 deferred lots may be developed within three hundred meters from the highwater mark of Limerick Lake as part of a revised plan of subdivision and condominium consisting of 118 lots, inclusive of the lots noted within a) above; and,

- ii) Upon the completion of three years of continuous monitoring, the developer may proceed with the development of the remaining 23 deferred lots provided that such monitoring indicates that the phosphorous standards as determined by the Township of Limerick and the Ministry of the Environment and Climate Change (MOECC) are being met; subject to the final approval of the remaining deferred 23 residential lots by the OMB.

MAP A-5.1



**RURAL AND WATERFRONT DESIGNATION  
SPECIAL PROVISION AREA 5.4.7.1  
LIMERICK LAKE ESTATES**

- PROPOSED SEASONAL RESIDENTIAL LOTS
- RECREATIONAL AND CONSERVATION USES
- ENVIRONMENTAL PROTECTION AREA
- DEFERRED DEVELOPMENT
- LOT & CONCESSION

LOCATION: PART LOTS 12, 13 & 14 CONCESSION 4  
LIMERICK TOWNSHIP  
ADDRESS: TURNBULL ROAD

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 COUNTY OF HASTINGS  
 PREPARED BY THE COUNTY OF HASTINGS PLANNING & DEVELOPMENT DEPARTMENT - OCTOBER 2013  
 PROJECTION: NAD 1983 UTM ZONE 18 DATA SOURCE: OGDE & COUNTY OF HASTINGS

## **5.5 Residential Development**

### **5.5.1 Forms of Residential Development**

5.5.1.1 The single detached dwelling shall continue to be the predominant form of residential use in the Rural and Waterfront designation. No attempt shall be made to distinguish between seasonal and year-round residences. Instead, the concept of limited services shall be used, recognizing that road-dependent public services may only be provided to a property which abuts a maintained year round public road.

5.5.1.2 Limited new residential development in the Rural and Waterfront designation by way of consent may take the form of:

- a) Rural non-farm residential development;
- b) Waterfront residential development; or,
- c) Back lot development.

5.5.1.3 Conditions of consent approval will be required to ensure a source of potable water with a private well and satisfactory bacteriological testing is provided for all lots less than 2.02 hectares (5 acres) in area unless the lot is already served by a private well or has direct frontage onto a body of water that provides a supply of potable water subject to appropriate treatment. Consents involving existing development may be required to bring the existing well up to regulatory standards.

5.5.1.4 New resource-based recreational development by either plan of subdivision or plan of condominium may be considered for Waterfront areas only. In considering such proposals, a member municipal Council shall require an overall study of the site that examines the physical conditions, access to the site, impact on the water quality of the abutting water body, the suitability of the shoreline for active recreation, natural preservation, commercial docking and other types of uses that will be required from the applicant. Applicants may also be required to commission independent professional studies of impacts on matters such as wetlands, fish and wildlife habitat, water quality, boating and other natural cultural heritage features.

5.5.1.5 Existing draft approved plans of subdivision may be finally approved and registered, notwithstanding any provisions of this Plan to the contrary. Revisions to existing plans may be considered if the intent of the Official Plan is maintained. Where appropriate, existing conditions of draft approval may be amended by the County to include a lapsing date for approval and any other conditions deemed necessary to reflect current standards of development.

### **5.5.2 Rural Non-Farm Residential Development**

**MMA  
Mod.  
No. 15**



- 5.5.2.1 Rural non-farm residential development is comprised of single detached dwellings located on rural properties fronting onto year round maintained public roads, serviced by private water and sanitary sewer (septic) services.
- 5.5.2.2 The minimum lot area requirement for a new rural non-farm residential lot shall be .4 hectare (1 acres) on a local publicly maintained year round road of an adequate standard to accommodate the anticipated increased traffic or a greater minimum lot size as determined to be appropriate by the Member Municipality in its zoning by-law.
- 5.5.2.3 Rural residential development is to be directed to areas where residential development exists or would be compatible with adjacent uses, and should be directed away from remote, undeveloped areas or in close proximity to:
- a) Primary or secondary aggregate deposits;
  - b) Aggregate operations or other resource related industries or activities;
  - c) Incompatible rural industries or businesses;
  - d) Farm operations where a land use conflict would result;
  - e) Incompatible public uses or facilities;
  - f) Natural or man-made hazards or development constraints; or
  - g) Significant heritage, wetlands, natural or habitat areas.

### **5.5.3 Waterfront Residential Development**

- 5.5.3.1 Waterfront residential development consists of individual residential lots which are situated in a linear fashion along the shoreline on a year round maintained public road, seasonal maintained public road, private right-of-way or water access and is serviced by private water and sanitary sewer (septic) services. Waterfront residential lots are defined as those lots fronting onto a lake or water body that is greater than 8 hectares (20 acres) in area or a navigable waterway.
- 5.5.3.2 Existing and new waterfront residential lots may gain access from a year round maintained public road, seasonally maintained public road, an existing private right-of-way or existing water access pursuant to Part A - Section 5.4.3 of this Plan.
- 5.5.3.3 The minimum lot area for all new waterfront residential lots shall be .8 hectare (2 acres) or greater as determined to be appropriate for the lake, shoreline area or navigable waterway by the Member Municipality in its zoning by-law. The minimum lot size for a specific area may be as determined through a hydrogeological study approved by the County's peer review agent, but shall not be less than .4 hectare (1 acre).
- 5.5.3.4 Waterfront residential development shall be placed in a separate classification in the implementing zoning by-law that will address appropriate minimum and maximum

standards of development including road and water frontages and height of development.

- 5.5.3.5 The minimum lot area and associated water and road frontages for a waterfront area or waterfront residential lot may be increased on a particular lake or navigable waterway by a Member Municipality in its zoning by-law where the character of the lake or waterway warrants such increased standard, where development or environmental constraints dictate the need for a larger area and/or frontage, or where the characteristics of the particular lot require an increased standard.
- 5.5.3.6 Existing and new infill properties fronting onto a seasonal municipal road or private right-of-way shall be placed in a limited service residential zone denoting that there will be no public expenditure for maintenance of the road, no public services such as waste and recycling pickup and possibly limited emergency vehicle access. Where development requires Planning Act approvals, applicants may be required to enter into a development agreement with the Member Municipality that recognizes that there are limited public services available and that the Member Municipality is under no obligation to assume or maintain the road/right-of-way or provide public services in the future.
- 5.5.3.7 Wherever possible, existing, undersized waterfront lots may be merged to create larger parcels, thus helping reduce the overall amount of development on the lake. Development of existing undersized lots may be permitted where its suitability for development has been demonstrated to the satisfaction of the Member Municipality and appropriate agencies/public bodies and the intent and policies of this Plan are maintained. Where a zoning by-law amendment or minor variance application is required to permit development on an existing undersized lot, a site evaluation report as per Part A - Section 7.8.8 of this Plan may be required by the Member Municipality.
- 5.5.3.8 In Waterfront areas, no lot shall be approved adjacent to a narrow water body unless the water frontage is at least 100 metres in order to ensure safe boating and swimming conditions, to avoid an overdeveloped appearance in a constricted area and to help ensure a reasonable separation between residential uses. A narrow water body is an area where the minimum average distances from shoreline to shoreline is 150 metres for a lake and 50 metres for a river. Guidelines for measuring narrow water bodies are included in **Appendix '4'**.

#### **5.5.4 Back Lot Residential Development**

- 5.5.4.1 Back lot development consists of lots that are physically separated from the shoreline by a legally conveyable parcel of patented land that has development

potential. Back lots are usually located in a linear fashion along a year round maintained public road and/or right-of-way which is generally parallel to the shoreline, but may also be located on a road which runs perpendicular to the shore.

5.5.4.2 New residential back lots will have a minimum lot area of 6 hectares (15 acres) fronting onto and gaining direct access from a year round publicly maintained road. If the proposed lot has frontage on a seasonal public maintained road or private right-of-way and a public maintained year round road, access shall be provided from the public maintained year round road. New residential back lots shall not be permitted having access from only a seasonal public maintained road or private right-of-way.

5.5.4.3 Development on back lots will be set back from the public road a sufficient distance to provide a buffer which will address visual impact; 50 metres from centerline of the road is encouraged. Within the buffer area, vegetation will be substantially maintained and will not be completely removed. Where previously removed, vegetation should be restored using native species. Building elevations, orientations and views are not to be imposing on shoreline developments.

5.5.4.4 The creation of new access to the water by right-of-way over existing waterfront properties to accommodate shoreline access by a residential back lot may be permitted but is not encouraged or required.

## **5.6 Commercial and Tourism Development**

### **5.6.1 Permitted Uses and General Policies**

5.6.1.1 The permitted uses in the Rural and Waterfront designation shall include small scale commercial uses which relate to the rural economy, tourism for the travelling public including arts and crafts and antique shops, service stations, trailer and boat sales and service, boat storage areas, flea market and farm market stands, eating establishments, convenience stores, home businesses and bed and breakfast establishments in accordance with Part A - Section 7.3.8 of this Plan. Tourist establishments, marinas and tent and trailer parks may be permitted in accordance with the detailed policies of this Plan.

5.6.1.2 There are emerging creative and cultural economies in the County being energized by various contributors including the settlement of retired professionals, a burgeoning arts, culture and creative cultural industries community, and bringing the history of communities, agriculture, forestry and mining to life along our main streets, recreational trails and in a variety of museums, festivals and events.

5.6.1.3 The County continues implementation of its Tourism Master Plan, in addition to its various cultural facilities and amenities. These projects help further co-ordinate, define and promote the unique tourism and cultural facilities and quality of place available within the County of Hastings. In addition, the implementation of the

County's Tourism Master Plan helps to enhance the unique sense of place available in the County and further network and stimulate the local tourism economies.

5.6.1.4 The County will implement a focused branding strategy that promotes Hastings County as a tourist destination and develops a marketing package including tourism opportunities such as natural/outdoor recreation opportunities, logging tours, mining tours, agriculture farm gate and cheese route tours, scenic driving tours, an arts route and the like.

5.6.1.5 Location and design considerations for commercial uses in the Rural and Waterfront designation may include but are not necessarily limited to the following:

- a) Rural commercial uses are encouraged to locate in compact nodes at centralized areas, such as major road intersections and grouped in such a manner that the surrounding rural landscape and scenic views are retained. Strip or ribbon commercial development, especially along the fringe areas close to urban centres and hamlets is discouraged.
- b) Rural commercial uses shall be located so that, wherever possible, they are readily accessible to tourist traffic either by water or by public road without passing through residential areas in order to avoid disruption to the residential area. The standard of road shall be adequate for the proposed use or shall be upgraded at the proponent's expense.
- c) In reviewing applications for tourist commercial development, a member Council shall ensure that the area is suitable for recreation use and that the natural environment, open space character and scenic qualities of the area are protected.
- d) Access points to and from roads shall be limited to safe locations, be restricted in number and constructed in accordance with the requirements of the appropriate highway or road authority.
- e) Advertising signs, lighting fixtures and other site features shall be carefully located in keeping with good site design and highway safety practices in order to maintain a high level of safety and a pleasing appearance.
- f) Adequate off-street parking and loading areas shall be provided relative to the needs of the individual uses.
- g) An internal road system which will allow ease of access for emergency vehicles and provide for fire route considerations as necessary.
- h) Appropriate water supply and sanitary sewer services without negatively impacting on neighbouring uses and wells.
- i) Where commercial uses abut residential uses, adequate buffering and screening shall be provided to protect the amenities of the residential uses.
- j) Provisions to implement recommendations of studies where applicable.

5.6.1.6 A residential dwelling may be permitted on commercial properties for use by either the owner or operator of such establishments.

5.6.1.7 Commercial development shall be placed in an appropriate zone category and may be subject to site plan control approval.

## **5.6.2 Tourist Establishments**

5.6.2.1 Tourist establishments include resorts, motels, hotels, tourist inns with four or more guest rooms, rental cabins or other roofed accommodation, including accessory facilities such as docks, eating establishments, and convenience stores. A residential dwelling may be permitted for use by either the owner or operator of such establishments.

5.6.2.2 An amendment to the implementing zoning by-law shall be required in order to permit any new tourist establishment or the expansion of an existing one beyond its current commercial zoning. The member municipal Council shall review how the proposed tourist establishment is able to satisfy the following development criteria, in addition to the other relevant sections of the Official Plan, prior to adopting the zoning by-law amendment:

- a) The minimum lot area should generally be 2 hectares (4 acres);
- b) The preferred density should be one unit per .4 hectare (1 acre), subject to the approval of the sewage disposal systems by the appropriate authority;
- c) The site should be readily accessible to tourist traffic by public road without passing through residential areas in order to avoid disruption to the residential area. The standard of road shall be adequate for the proposed use or shall be upgraded at the proponent's expense;
- d) The site is suitable for tourist commercial use and the natural environment, open space character and scenic qualities of the area are protected. An environmental impact statement may be required depending on the location of the site in relation to sensitive wetlands and/or habitats;
- e) The development shall be subject to site plan control approval and the site design shall be sensitive to existing neighbouring uses, with adequate buffering being provided between the tourist establishment and any adjacent residential uses;
- f) An internal road system shall be provided which will allow ease of access for emergency vehicles and provide for fire route considerations as necessary;
- g) No building, structure, septic tank or tile field, except a pump house or marine facility for the launching and/or servicing of boats shall be located closer than 30 metres to the high water mark of any water body.
- h) All docking and boat launching structures/facilities shall require the approval of the appropriate federal, provincial or public agency; and,
- i) Required water and sewage works shall receive appropriate approvals.

### **5.6.3 Marinas**

- 5.6.3.1 Marinas are facilities, buildings and structures located on the shoreline that provide docking, mooring, sales including petroleum, service, repairs and storage of boats, canoes and paddle boats and may include accessory convenience and service commercial uses. Barging services that provide construction and other services to the waterfront community may be permitted in association with a marina.
- 5.6.3.2 An existing or proposed marina in a defined source protection area shall be subject to the other policies of this Plan, specifically Part A - Section 4.2.1.
- 5.6.3.3 The expansion of existing marinas is permitted in appropriate locations, provided the site is suitable and zoned for the use, the use is adequately buffered from surrounding residential uses and impacts relating to the natural shoreline are minimized in accordance with the recommendations of the local Conservation Authority and/or the MNRF and/or Department of Fisheries and Oceans.
- 5.6.3.4 The establishment of a new marina shall require an amendment to the Member Municipality's comprehensive zoning by-law. Appropriate studies and reports, including a Site Evaluation Report and/or Environment Impact Statement, shall be submitted in support of any such application in order to determine site suitability, environmental impacts, compatibility with surrounding lands uses and to identify any necessary mitigation measures.
- 5.6.3.5 New and expanding marinas shall meet the following minimum lot and siting requirements and be subject to site plan control approval by the Member Municipality:
- a) The lot area and frontage is appropriate to the scale of the operation;
  - b) Frontage on and direct access to a year round maintained public road;
  - c) Limited outside storage areas;
  - d) Adequate parking areas for vehicles, trailers and boats that are well set back from the edge of the water and where possible, the public road servicing the marina;
  - e) Fire route considerations, if necessary;
  - f) Generally located on level land and the natural vegetation is preserved or enhanced to provide natural buffering or screening from adjacent uses; and,
  - g) Meet all requirements of the appropriate regulatory authority for the storage of petroleum products.

### **5.6.4 Tent and Trailer Parks**

- 5.6.4.1 Tent and trailer parks include seasonally operated parks for tents and recreational vehicles and may include such facilities as an accessory dwelling for the owner/operator, docks and convenience stores catering to the day-to-day needs of

visitors. Modular homes, mobile homes or other structures designed and occupied year-round are not a permitted use within tent and trailer parks.

5.6.4.2 An amendment to the Zoning By-law shall be required to permit the establishment of any new tent and trailer park or the expansion of an existing one. The Council shall review how the proposed tent and trailer park is able to satisfy the following development criteria, in addition to the other relevant sections of the Official Plan, prior to adopting the zoning by-law amendment:

- a) The minimum lot area shall be 4 hectares and the maximum number of campsites should be 50 in order to avoid excessive concentrations of development in Waterfront areas;
- b) Campsites should have sufficient area and frontage along the internal road to avoid overcrowding and to ensure minimal environmental impact, generally being not less than 200 square metres for each site;
- c) No campsite, building or structure, except a marine facility for launching and/or servicing of boats, is permitted within 30 metres of the high water mark of any waterbody. All docking and boat launching structures/facilities shall require the approval of the appropriate federal, provincial or public agencies;
- d) The existing public roads leading to the proposed tent and trailer park are capable of safely handling the anticipated traffic, including safe access;
- e) Adequate provision for recreational facilities shall be made in any new tent and trailer park or major expansion of an existing one. These may be beaches, swimming pools, tennis courts, major open space areas or a combination of these and/or similar features. A tent and trailer park located in the Waterfront area shall provide a waterfront park adequate to meet the needs of the proposed number of campsites but shall generally provide not less than the greater of 30 metres or 2 metres of waterfront for each site but shall not exceed 35% of the shoreline frontage pursuant to Part A - Section 5.4.5.9 of this Plan. In considering the suitability of beach or open space areas, Council shall consult with its peer review agent;
- f) The development will be subject to site plan control approval and the site design shall be sensitive to existing neighbouring uses, with adequate buffering being provided between the tourist establishment and any adjacent residential uses;
- g) Fire route considerations and an internal road system which will allow ease of access for emergency vehicles;
- h) Agreements with the Member Municipality that regulate the operation of the park and provide for a maximum nine months of operation per year; and,
- i) All tent and trailer sites, comfort stations, accessory buildings with water using fixtures or any facilities requiring a sewage disposal system shall require a Certificate of Approval from the MOECC and/or its agents, or a permit under the Building Code Act from the municipality, as the case may be, for water taking, water works and sewage works approvals.

## **5.7 Industrial Development**

### **5.7.1 Permitted Uses and General Policies**

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

5.7.1.2 For the purposes of this Plan, “dry” industrial uses shall mean those where the only water required is for domestic purposes for the use of employees and/or visitors. Other industrial uses shall be directed to Urban designated settlement areas with municipal services. Notwithstanding the above, a water-bottling plant may be permitted pursuant to Part A - Section 4.2.3.17 of this Plan.

5.7.1.3 Industrial uses will be subject to site plan control. Location and design considerations for industrial uses in the Rural designation may include but are not limited to the following:

- a) The use shall be appropriate in the location proposed, not detract from the rural landscape character of the County and be compatible with surrounding uses;
- b) Where industrial uses abut a sensitive land use, adequate buffers and screening shall be required in accordance with the MOECC Guidelines to protect the amenities of the sensitive land use, particularly from related outdoor storage areas;
- c) The existing public roads leading to the industrial site shall be of a construction and standard to adequately service the traffic associated with the use, in consultation with the appropriate highway or road authority;
- d) Safe access to industrial sites should be sought that minimize impact of truck traffic on sensitive lands uses and avoid existing communities; access points and entrances shall be approved by the appropriate road authority;
- e) Advertising signs lighting fixtures and other site features shall be carefully located in keeping with good site design and highway safety practices in order to maintain a high level of safety and a pleasing appearance;
- f) Adequate off-street parking and loading areas shall be provided relative to the needs of the individual uses;
- g) An internal road system shall be provided which will allow ease of access for emergency vehicles and provide for fire route considerations as necessary; and,
- h) Appropriate water supply and sanitary sewer services which do not negatively impact on neighbouring uses and wells shall be installed and



operated to the satisfaction of the Member Municipality and/or the MOECC or its agents.

5.7.1.4 Separation distances between proposed, committed and/or existing industrial facilities and sensitive land uses are recommended by MOECC in accordance with Guideline D-6: Compatibility between Industrial Facilities and Sensitive Land Uses. Separation distances are based on the size and type of industry and the potential to produce point source and/or fugitive air emissions such as noise, vibration, odour and dust through normal day-to-day operations. The guideline classifies industries as follows:

<b>Class of Industry</b>	<b>Minimum Recommended Separation Distance</b>	<b>Minimum Recommended Influence Area</b>
<b>1</b>	<b>20 metres</b>	<b>70 metres</b>
<b>2</b>	<b>70 metres</b>	<b>300 metres</b>
<b>3</b>	<b>300 metres</b>	<b>1000 metres</b>

5.7.1.5 Industrial uses shall be zoned in a separate classification in the implementing zoning by-law.

## **5.7.2 Wrecking Yards**

5.7.2.1 A wrecking yard may be permitted in the “Rural” designation only, excluding the “Waterfront Area”, provided it is not visible from neighbouring properties, any water body or any public road and meets the criteria listed in Part A - Section 5.7.1.3 of this Plan. In this regard, the MOECC guidelines on industrial use setbacks shall be consulted. Any required Environmental Compliance Approval with regard to air emissions from crushers, shredders or other machinery shall be obtained from the MOECC.

5.7.2.2 A wrecking yard should not be established on lands having environmental constraints or possessing important natural characteristics. Natural features should be altered as little as possible.

5.7.2.3 A wrecking yard shall not be located or operated in such a manner that it may contribute to the pollution of any water body or groundwater resources.

5.7.2.4 Existing wrecking yards shall be placed in a separate zone category in a Member Municipality’s comprehensive zoning by-law. The establishment of a new wrecking yard or the expansion of an existing wrecking yard beyond its current zone boundary shall require an amendment to the Member Municipality’s comprehensive zoning by-law and shall be subject to site plan control.

### **5.7.3 Bulk Fuel Storage Facilities**

- 5.7.3.1 Bulk fuel storage shall only be permitted in the “Rural” designation, excluding the “Waterfront Area”. Bulk fuel storage uses shall be directed away from sensitive land uses and shall be located a minimum of 500m from residential, institutional, community facility and/or open space uses. A reduction to the 500m setback may be considered where appropriate studies have been completed demonstrating that any potential negative impacts to sensitive lands uses can be mitigated or eliminated.
- 5.7.3.2 Existing bulk fuel storage facilities shall be placed in a separate zone category in a Member Municipality’s comprehensive zoning by-law. The establishment of a new bulk fuel storage facility or the expansion of an existing bulk fuel storage facility beyond its current zone boundary shall require an amendment to the Member Municipality’s comprehensive zoning by-law and shall be subject to site plan control.

## **5.8 Outdoor Recreational Uses and Parks**

### **5.8.1 Permitted Uses and General Policies**

- 5.8.1.1 The County and its Member Municipalities promote both active and passive recreational uses that provide residents and tourists with a wide variety of social, educational and wilderness experiences. Public streets, spaces and facilities will be designed and maintained to be accessible, safe and age-friendly, foster social interaction and facilitate active transportation and community connectivity.
- 5.8.1.2 The permitted uses in the Rural and Waterfront designation shall include public parks, roadside parks, boat launching, multi-purpose recreational trails, conservation reserves, conservation areas, golf courses, paint ball operations, fish and hunt camps, community gardens and other open space activities. Accessory uses may be permitted if they are deemed appropriate for the operation of the permitted use, including a dwelling for owner or operator of the use. Several of these existing uses are shown on **Natural Heritage Features & Areas Schedule OP-B** to this Plan.
- 5.8.1.3 An extensive multi-purpose recreational trail network is established within the County, consisting of over 250 kilometers of trails owned in part or in whole by the County and some of the Member Municipalities. This is an integral component of the County’s emerging economy. The Eastern Ontario Trail Alliance maintains the trail system within the County for the use and enjoyment of snowmobilers, recreational vehicles, naturalists, hikers, cross country skiers, dogsled teams and many others. The trails link the urban areas to the rural areas, providing trail users with access to various goods and services, while providing opportunities to obtain information and education pertaining to the history and culture of the County

including its forestry, mining, geography, natural habitat areas and aboriginal roots. The recreational trails are not intended to be used by vehicles for the purpose of accessing residential lots and other uses such as essential services, including emergency services, may not be available on lands adjacent to trails.

- 5.8.1.4 County and member municipal Councils will play a lead role in ensuring that abandoned railway rights-of-way and other transportation corridors remain in the public sector for possible future use as linear recreational trails, linkages, transportation networks and/or utility corridors.
- 5.8.1.5 County and member municipal Councils are encouraged to develop trails for a variety of recreational pursuits. Such trails may be developed in conjunction with or by entering into an agreement with private landowners or government agencies.
- 5.8.1.6 Trail planning and design should focus on trails as both active recreation and active transportation infrastructure, including a connected system of regional trails and bike paths/lanes to permit linkages between municipalities and/or settlement areas.
- 5.8.1.7 The County supports the continued existence of provincial parks, conservation areas and conservation reserves within the County and they are identified on **Natural Heritage Features & Areas Schedule OP-B** to this Plan. Future provincial parks, conservation reserves and/or conservation areas within the Rural and Waterfront Designation do not require an amendment to this Plan but should be recognized within an appropriate Open Space Zone in the Member Municipality comprehensive zoning by-law. Overnight camping facilities may be provided within the parks. Member Municipalities should ensure that incompatible land use development does not occur in areas adjacent to these protected areas.
- 5.8.1.8 The provision of adequate public access to water bodies shall be ensured. Member Municipalities will have regard for Part A - Sections 3.6.2.16 and 3.6.2.17 of this Plan in this respect. In addition, Member Municipalities may establish and maintain small public parks and boat launching facilities for the general public in areas that lend themselves to providing unique recreational opportunity and/or access to a waterbody. Adequate off-street parking that poses no traffic or pedestrian hazard shall be provided.
- 5.8.1.9 Where possible, open space linkages should be established between existing parks, trail systems and appropriate natural environment areas in consultation with affected landowners and appropriate agencies.
- 5.8.1.10 Member Municipalities are encouraged to establish a comprehensive parks plan to determine recreational needs. School boards and the public should be consulted in the drafting of a parks plan.
- 5.8.1.11 Outdoor recreational uses and parks may be placed in a separate classification in the implementing zoning by-law.

## **5.8.2 Golf Courses**

5.8.2.1 Golf courses including clubhouses and related commercial activities and a residence for the owner or operator are permitted in the Rural and Waterfront designation provided that:

- a) Adequate provisions are made for services including road access, water and sewer facilities;
- b) An internal road system and parking and loading areas are provided which will allow ease of access for emergency vehicles and provide for fire route considerations as necessary;
- c) There are no negative impacts on its natural features or ecological functions. Proponents may be required to enhance wetlands, wood lots and watercourses and establish natural linkages and other measures designed to benefit the overall natural functions of the site;
- d) Ponds, reservoirs, streams, wetlands and fish resources will be protected through sound storm water management practices, sound fertilizer and pesticide management practices, sound irrigation practices, erosion control and setback and vegetative buffers whenever required. The preparation and implementation of an environmental impact statement may be required in this regard;
- e) Nearby agricultural operations will be protected through appropriate distance setbacks and through appropriate design and buffering;
- f) Wherever practical, the more actively used areas of golf courses including the clubhouse and parking areas will be setback and buffered from established residential areas;
- g) A site plan agreement with the Member Municipality will regulate the design, development and operation of the golf course, including those considerations noted above; and,
- h) The lands will be placed in an appropriate open space zone category that will permit the golf course use.

## **5.8.3 Paintball Facilities**

5.8.3.1 Paintball facilities including a clubhouse and related commercial activities and a residence for the owner or operator are permitted in the “Rural” designation only provided that:

- a) Adequate provisions are made for services including road access, water and sewer facilities;
- b) An internal road system and parking and loading areas is provided which will allow ease of access for emergency vehicles and provide for fire route considerations as necessary;

- c) Where outdoor paintball activities are proposed, an environmental impact statement to the satisfaction of the Member Municipality will be required to evaluate the significance of the natural areas, habitat and woodlands subject to the proposal and the possible impacts of the paintball activities on them;
- d) Appropriate fencing, signage, buffering and setbacks should be provided to avoid trespassing and land use compatibility issues;
- e) A site plan agreement with the Member Municipality will regulate the design, development and operation of the paintball facility, including those considerations noted above; and,
- f) The lands will be placed in an appropriate open space zone category that will permit the paintball facility.

#### **5.8.4 Fish and Hunt Camps**

5.8.4.1 Member Municipalities may wish to incorporate general provisions or specific zone provisions into their comprehensive zoning by-laws pertaining to the regulation of existing and new fish and hunt camps. A definition and/or zone provisions of what constitutes a fish and hunt camp and associated performance standards may address such matters as maximum allowable floor space, the non-provision of water and sanitary sewer services, not requiring frontage onto a yearly maintained public road, ample setbacks from existing public roads and road allowances and possibly not receiving essential public services such as emergency services.

5.8.4.2 Fish and hunt camps are often managed by way of a lease with the landowner or the Crown and this form of use is encouraged by this Plan. The creation of new lots for a fish and hunt camp use of a size generally greater than 20 hectares (50 acres) in area may be permitted if both the severed and retained lots front onto a public maintained year round road and where multiple fish and hunt camps and owners currently exist.

5.8.4.3 Notwithstanding the above, a new fish and hunt camp lot of generally 20 hectares (50 acres) or more, severed and/or retained lot, may be created on a seasonal maintained public road or existing or new private right-of-way provided that as conditions of provisional consent approval:

- a) There is an agreement between the landowner and the affected Member Municipality stipulating that the municipality has no obligation to provide year round maintenance and public services, including emergency services, which is registered on title;
- b) A site specific limited service residential zoning is applied to the lot permitting a fish and hunt camp only. The site specific zone may include provisions stipulating the maximum size and location of the fish and hunt camp on the property; and,
- c) Legal access to the lands has been demonstrated to the satisfaction of the Member Municipality.

## **5.9 Agri-economy**

- 5.9.1 Agriculture and related activities are recognized as a core sector for the attraction, retention and expansion efforts of the County's economy. Convenient and easy access to affordable, healthy, locally grown foods and food products is important to all residents.
- 5.9.2 In contrast to the entire Province, in terms of total employment, the County has a high proportion of employment in agriculture and related activities. Recent trends in agriculture in the County include fewer farms, less acreage farmed and those farms remaining becoming larger in area. Attention to this sector is required in an effort to avoid job losses. Initiatives in this regard include:
- a) More promotions emphasizing the importance of agriculture in our local economy;
  - b) Expanding agri-tourism by helping people discover where to purchase locally grown food at the farm gate;
  - c) Encourage small-scale food processing facilities and distribution centres for locally produced food as a means of encouraging local food production and distribution and reducing transportation needs;
  - d) Market niche opportunities such as artisan cheese production and organic food production;
  - e) Establish and market culinary culture and culinary tourism opportunities among local farmers, food producers, chefs, restaurateurs and caterers;
  - f) Explore alternative crops on marginal lands such as switchgrass to be harvested, pelletized and burned for space heating or used in cellulose ethanol production and hemp crops that can be used to make bio-masonry, bio-plastic products as well as food supplements and textiles; and,
  - g) Removing barriers and encourage the establishment of farmers' markets, sidewalk produce stands, and farm stands in 'hub areas' of the community including near community centres, schools, parks, and churches.
- 5.9.3 The County supports the development of an environmentally sustainable and economically viable regional food system by encouraging farming operations to utilize sustainable agricultural practices which conserve and enhance the natural environment, protect surface and ground water quality and quantity and minimize impacts on adjacent land uses.

## **5.10 Forestry – Bio-Economy**

- 5.10.1 Forestry management uses include the protection, cultivation, management and harvesting of timber on private land and public lands, including but not limited to

municipal lands, Conservation Agreement Forests, conservation reserves, conservation areas and Crown Lands.

- 5.10.2 Forestry management is acknowledged as a renewable, sustainable and priority resource for current and future generations. The forestry industry has played a central role in shaping settlement and is recognized as a major employer in the County, bringing in new money with its exports.
- 5.10.3 Today, although the extent of mature timber is less than in past generations, some of the largest contiguous stands of hardwood forests in southern Ontario are located in Hastings County. Forested areas provide an environment for the maintaining or improving of air quality, regulating water quality and quantity, soil conservation and erosion control; as well as supporting natural heritage systems such as wildlife habitat.
- 5.10.4 Forestry, including harvesting, sound forestry management and re-forestation practices, is a permitted activity in all land use designations, subject to the policies herein.
- 5.10.5 Forestry related industry such as sawmills and fuel wood operations are encouraged to be located in the Rural Designation and zoned appropriately where conflicts with neighbouring uses of land will be avoided as much as possible. Demonstration woodlots are encouraged, particularly where the diversity of the County's natural heritage can be represented.
- 5.10.6 The establishment and enforcement of a sustainable forestry by-law pursuant to the Municipal Act by the County or any of its Member Municipalities can provide a means to ensure a long-term, sustainable growth and management of the forest industry. Principles and content of a future by-law(s) could include, but are not necessarily be limited to, the following:
- a) Focusing on the large and contiguously forested areas and the significant commercial harvesting of them;
  - b) Establishing generally accepted good forestry practices, or diameter limit cutting;
  - c) Requiring compliance to established MNRF guidelines and standards;
  - d) Requiring the establishment and implementation of a sustainable harvesting plan, completed by a professional forester, for forested areas greater than 4 hectares in area to be cut over a 365 day period;
  - e) The identification and management of species of concern, such as the American Butternut;
  - f) The retention of forest cover along stream banks and river valleys in order to establish an approximate width of 30 metres between the development area and the shoreline or stream bank; and,
  - g) Prohibition of intensive tree harvesting (high-grading) in areas that are:

- i) Significant wildlife habitat and natural heritage areas designated Environmental Protection, including Provincially Significant Wetlands, within this Plan;
- ii) Locations abutting sensitive water bodies, including cold water lakes, particularly along steep slopes; a minimum width of 30 metres between the harvest area and the shoreline or stream banks is to be encouraged;
- iii) Scenic routes or prominent outdoor recreational areas; and,
- iv) Woodlots that may be evaluated in the future as being significant.

5.10.7 The forest industry can pursue various economic opportunities within the local, regional and global economies and promote its industry and practices in various manners, including:

- a) Researching, producing and exporting forest biomass products and facilities;
- b) Developing district heating systems obtained from a cogeneration plant burning biomass;
- c) Practicing and educating consumers and woodlot owners regarding sustainable forest practices that are environmentally sensitive and carbon neutral;
- d) Determining the prospects for value-added processing and opportunities to generate more revenue;
- e) Capitalizing on expanding/recovering local and regional markets for traditional primary and secondary forest products; and,
- f) Creating greater awareness of the forestry industry's history and contributions to the County economy via the establishment of a logging museum or tourist information kiosks along recreational trails.

5.10.8 Where appropriate the County should support Land Trusts and Conservation Authorities and explore opportunities for the purchase of significant or large tracts of forested lands so that the associated landscape, natural heritage areas and livelihood of the existing forests can be held in public trust and sustained for future generations.

5.10.9 Member Municipalities should ensure that development on land adjacent to Crown Land is compatible with forestry operations.

## **5.11 Renewable “Green” Energy and Night Skies**

5.11.1 Eastern Ontario, including Hastings County, is recognized as having some of the highest photovoltaic potential in the province as well as some of the darkest night time skies in Southern Canada. Solar energy projects and observatories are some of the uses that can take advantage of these natural assets.



- 5.11.2 The intent of this Plan relative to renewable “green” energy is to encourage and promote the orderly development of domestic-scale and commercial-scale renewable energy systems such as wind, solar, water power and biomass.
- 5.11.3 This Plan, the Member Municipality comprehensive zoning by-laws, site plan control agreements or any other Planning Act tools will not regulate or govern a renewable energy generation facility or renewable energy project approved and regulated by the Province in accordance with the Green Energy Act and its regulations. The County and the Member Municipality may provide input into the provincial renewable energy approval process regarding matters of municipal interest or concern.
- 5.11.4 Where appropriate, Member Municipalities may pass by-laws for the purpose of controlling light emission into the night sky in order to maintain the dark skies for observatory research or for other reasons deemed appropriate by the council.

## **5.12 Professional Economic Development Services**

- 5.12.1 The County in partnership with Member Municipalities will provide residents and investors with professional economic development services in an effort to facilitate positive economic growth and stability in the County. Related initiatives not already detailed within this Plan, include but are not necessarily limited to:
- a) Developing and promoting investment-ready communities;
  - b) Strategies and actions to support skills development and entrepreneurship, including providing enterprise facilitation services as a means of assisting and training entrepreneurs of all ages;
  - c) Utilizing social media applications such as Facebook and Twitter for attracting entrepreneurs and young adults who migrate out of Hastings County to keep them informed of local employment, tourism and investment opportunities;
  - d) Providing leadership, co-operation and partnership for various economic development strategies with Federal, Provincial and municipal governments, hospitals, universities, colleges, local Chambers of Commerce, Business Improvement Area Associations and active local representatives and groups;
  - e) Actively implementing and updating the County’s Economic Development Action Plan, Tourism Master Plan and Cultural Plan; and,
  - f) Facilitating and acknowledging the significant contributions to the local economies made by the many volunteers in the County.

## **6.0 SECTION VI – LOT/UNIT CREATION**

## **6.1 Goals and Objectives**

### **6.1.1 Goals:**

- a) Permit lot and/or unit creation where the appropriate level of water and/or sanitary sewage services are available for the intended land uses without adversely impacting the supply or quality of water on neighbouring lands and uses;
- b) Not permit lot and/or unit creation where the undue extension, improvement or continued maintenance of public services or facilities, including year round maintained or seasonally maintained public roads, or other expenditures by a government or other agency are required and will be uneconomical;
- c) To plan for lots and units as if they are to be occupied on a year round basis rather than seasonal, with only limited exceptions for fish and hunt camp lots;
- d) Process applications that are complete and consistent with the designations and policies of this Plan and the Provincial Policy Statement as efficiently as possible;
- e) To avoid, minimize or mitigate conflicts between different land uses;
- f) To consult with the public, Member Municipalities and public agencies and consider all input prior to making a decision to conditionally grant, deny or defer any application; and,
- g) Not permit any new leasehold type of developments such as mobile and/or modular home parks.

### **6.1.2 Objectives:**

- a) To require fulfillment of conditions of draft approval at the cost of the applicant that will provide for orderly and timely development that does not adversely affect sensitive environments or features or neighbouring land uses;
- b) To require the conveyance or dedication of land to the Member Municipality or appropriate public agency for park or other public recreational purposes, new roads, the widening of existing roads and the conveyance of forced roads that have title issues;
- c) To encourage pre-consultation with the County Planning & Development Department and member municipal staff prior to submitting an application in an effort to determine appropriateness and consistency of a proposed development to Provincial and County policies and to identify any other agencies that should be pre-consulted;
- d) Require the preparation and implementation of studies by qualified professionals deemed necessary where development is proposed on or adjacent to sensitive sites (archaeological, soils/topology, wetlands, landfill site, etc.);

- e) Require buffering, screening or setbacks for the purpose of reducing or eliminating the adverse effects of one land use upon another; and,
- f) Provide notice to the public and public agencies in keeping with the Planning Act and its Regulations or as alternatively provided for within this Plan.

## **6.2 Plan of Subdivision or Condominium**

6.2.1 Land division and new lot creation will be by Registered Plan of Subdivision or Condominium, particularly where one or more of the following applies:

- a) The development requires the provision of new public roads or other municipal infrastructure, including parks and hard services;
- b) It is necessary to ensure that the entire land holding or area is developed in an orderly and efficient manner;
- c) A number of studies and justification reports are required to determine the nature, design and suitability of the development;
- d) To ensure that site conditions are suitable for the long-term provision of individual on-site water and sewage services, where appropriate; or
- e) Long term monitoring and implementation of conditions of development are required.

6.2.2 Where property is developed by Plan of condominium, the following provisions shall apply:

- a) Vacant Land Condominium – Each unit within the condominium shall be considered as one lot for the purpose of compliance with the zone provisions for the zone in which it is located.
- b) Common Elements Condominium – The entire description shall be considered as one lot for the purpose of compliance with the zone provisions for the zone in which it is located, and those zone provisions shall reflect that each interest in the condominium is attached to another parcel of tied land inside or outside the condominium description.
- c) Other Condominium – For any condominium to which (a) and (b) do not apply, the entire description shall be considered as one lot for the purpose of compliance with the zone provisions for the zone in which it is located.
- d) All Condominiums – Access within any type of condominium may be by private road that is directly connected to a public maintained year round road to the satisfaction of the appropriate road authority. The development agreement with the Member Municipality shall contain provisions detailing how internal roads are to be designed, constructed and maintained. Condominium road standards may vary from public road standards, as appropriate to the development, and provided they continue to meet minimum standards for emergency vehicle ingress and egress.

- 6.2.3 County Council shall only approve those plans of subdivision and condominium that conform to the policies and land use designations of this Plan.
- 6.2.4 Within the Rural and Waterfront designations, development of non-resource-based recreational plans of subdivisions or condominiums shall be limited in nature
- 6.2.5 The Member Municipality should obtain public road allowances in strategic locations in a plan of subdivision or condominium in order to accommodate future roads where extension of development in the area could be a possibility. The municipality may require that any dead ends, end of phases and open sides of road allowances created by a plan of subdivision to terminate in a 0.3 metre (1 foot) reserve, and be conveyed to, and held in trust by, the municipality. In plans of subdivision, the number of intersections with major roads should be minimized.
- 6.2.6 The road network onto which access to and from the proposed internal road is to be gained must have the capacity to support the additional traffic generated by the development. Adequate provisions should be placed in the subdivision agreement between the local municipality and the developer to ensure that the developer provides the necessary engineering and construction work to upgrade the existing affected road network and provide for appropriate securities and maintenance periods for such works.
- 6.2.7 Where proposed plans of subdivision and/or condominium abut a provincial highway, the plan shall be designed such that lots back onto the provincial highway and front onto a local internal street.
- 6.2.8 Storm water management shall be addressed during the design and development of the plan of subdivision in accordance with Section 4.2.2.
- 6.2.9 Development standards should be developed by the County in consultation with the Member Municipalities that encourages new development to provide convenient and direct access to adjacent uses through integrated pedestrian sidewalks, walkway, trails, and cycling paths.
- 6.2.10 Subdivisions and condominiums may be developed in phases so that the development proceeds in an orderly and timely fashion. The phasing of the development may be addressed through provisions in the subdivision agreement and/or through the use of a holding symbol (“H” or “h”). The provision of a lot(s) for a community facility to accommodate present and future needs of residents of all ages and physical abilities is encouraged and should be addressed by the relevant School Boards and the member municipal Council when reviewing draft plans of subdivision and condominium.
- 6.2.11 The municipality shall enter into an agreement with the developer as a condition of the approval of a plan of subdivision or condominium, setting out all matters that the local municipality wishes to have addressed including the provision of on- and

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

- 6.2.12 Municipalities are encouraged to take part or all of the five percent parkland dedication for residential development and two percent dedication for commercial/industrial development as permitted under the Planning Act to provide parkland or facilities. When a plan of subdivision or condominium is proposed for property bordering a water body, the municipality may require that the five percent parkland dedication be land bordering the water body. Wherever possible, parkland and open spaces from one subdivision or neighbourhood to another should be linked to form corridors, especially along shorelines. As an alternative, municipalities may accept cash-in-lieu of the required parkland dedication in accordance with the 5% and 2% provisions of the Planning Act.
- 6.2.13 In general, a registered plan of subdivision created for residential purposes shall not be further subdivided to increase the number of lots unless further division is in keeping with the policies of this Plan, will not adversely impact the environment and will be compatible with the general development of the area.
- 6.2.14 A plan of condominium exemption may be provided for a property developed in accordance with a site plan agreement with the affected Member Municipality, duly registered, provided it is consistent with the policies of this Plan and complies with the Member Municipality's comprehensive zoning by-law.
- 6.2.15 All existing and abandoned wells, including test wells, shall be identified in a development application. Water wells that are not intended to be used should be properly closed. A record of abandonment may be required as a condition of draft approval.
- 6.2.16 To ensure that all proposed developments proceed expeditiously and do not unduly tie up municipal water and sewage allocations, in giving approval to a draft plan of subdivision or condominium, the County shall provide for the lapsing of the approval at the expiration of a specified time period in accordance with the provisions of the Planning Act, as amended.
- 6.2.17 Where development is to proceed by plan of subdivision, every effort shall be made to achieve the minimum lot area and frontage requirements of the appropriate designation, if any. However, it is realized that in some instances that a subdivision design, in order to achieve the most efficient lot configuration, may not be able to meet these minimum requirements. Rezoning or minor variances from these minimum requirements may be considered where they are minor and of a technical nature.

6.2.18 Plans of subdivision and condominium design should be sensitive to energy conservation practices such as orientation of lots and buildings with a south-westerly exposure and tree plantings that provide shade and natural cooling in the summer.

6.2.19 In accordance with the provisions of the Planning Act, County Council may pass by-laws to exempt all or parts of registered plans of subdivision from part lot control. An exemption is generally submitted for the purpose of reconfiguring existing lots or blocks within an existing registered plan of subdivision to facilitate development such as a semi-detached dwelling or linear row housing. Such exemption will only be permitted when no further conditions for development are required and the consent process is deemed not to be appropriate.

## **6.3 Consents**

### **6.3.1 General Policies Applicable to all Land Use Designations**

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

6.3.1.2 New lots for any permitted use within the applicable land use designation may be created by consent provided:

- a) A plan of subdivision or plan of condominium is not required for the proper and orderly development of the land;
- b) The intent and purpose of the Provincial Policy Statement, Official Plan and/or Secondary Plan and comprehensive zoning by-law are maintained;
- c) No extension of municipal services is required; and,
- d) The lots can be serviced with an appropriate water supply and sewage disposal system.

6.3.1.3 In order to avoid creating a subdivision by the consent process, care shall be taken to not allow an original landholding or a general area to be fragmented over time. An original land holding is defined as any property as it existed December 31, 1998.

6.3.1.4 Subject to the detailed consent policies for the Urban and Hamlet land use designations outlined in Part A - Section 6.3.4 and all other relevant policies of this Plan, a maximum of 2 lots from the original land holding as defined in Part A - Section 6.3.1.3 may be created by consent(s). When the original two lots are fully developed with a habitable structure, one further lot may be considered by the County (a total of three plus the retained parcel). A lot created by consent after December 31, 1998 should not be further subdivided to create a new lot(s).

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- 6.3.1.5 Notwithstanding Part A - Section 6.3.1.4 of this Plan to the contrary, consents for the purpose of severing large farm and rural holdings of generally 40 hectares or larger, both severed and retained, shall not be subject to any limitation on the number of consents permitted.
- 6.3.1.6 Where a parcel of land has more than one detached dwelling in existence at the time of adoption of this Plan, the severance of a parcel of land incorporating the additional dwelling may be permitted subject to all other policies of this Plan, including Part A - Section 6.3.1.4. This policy is not applicable to lands designated Agricultural.
- 6.3.1.7 No consent shall be given where development on the severed lot will contravene the Minimum Distance Separation Formula as amended from time to time.
- 6.3.1.8 Consents for land in the Prime Agricultural designation shall comply with Part A - Section 4.7.3 of this Plan.
- 6.3.1.9 The size of any parcel of land created by consent shall be appropriate for the uses proposed. No parcel of land created by consent should be less than that prescribed in the respective land use designations of this Plan, except for parcels created as lot additions, for technical reasons or as the result of expropriation by a public body or as required by a public body.
- 6.3.1.10 Only consents that provide for a satisfactory geometric design for the existing and proposed uses for the severed and retained parcels should be granted. The creation of parcels that are long and narrow or that have a small amount of frontage resulting in development occurring behind or in front of existing dwellings and uses should be avoided.
- 6.3.1.11 Consents and/or their resulting building envelopes shall be set back from all rail lines a distance that is acceptable to the appropriate rail authority in order to ensure public health and safety and the efficiency of rail transport, pursuant to Part A - Section 7.8.5 of this Plan.
- 6.3.1.12 The Ministry of Transportation shall be consulted where development is proposed within Ministry of Transportation permit areas, as per Part A- Section 3.6.2.2.
- 6.3.1.13 Consents shall not be granted for a parcel of land which is subject to flooding, erosion or other physical hazard when the use of the parcel requires that a dwelling or building be erected. The advice of the appropriate authority shall be sought in this regard.
- 6.3.1.14 All applications for consent shall be accompanied by a sketch showing the dimensions to scale of the lots to be created (severed and retained) by the proposed consent. In addition, existing buildings and setbacks from the property lines and major topographic and land features such as escarpments, creeks or wetlands should be shown. For those applications that constitute an addition to a holding, the sketch

shall show the location, size, use and ownership of the benefitting lot to be enlarged. A surveyor's sketch may be required for those applications where accurate measurements of existing buildings, structures, wells and/or septic systems are required prior to making a decision.

- 6.3.1.15 Where questions arise concerning the information contained in a severance application or if further information is required to assess the appropriateness of the use relative to any matter, including but not limited to traffic sight lines and drainage patterns, the applicant may be required to provide clarification through professional sources to the County and the appropriate Member Municipality or commenting agency prior to the granting of a decision.
- 6.3.1.16 No more than two lots in total (i.e. including severed and retained) shall result from any one severance application for a new lot. Where a planned legal right-of-way is not part of a proposed new lot, a separate application for consent shall be required. If a landowner is applying for the creation of two new lots and a retained, two applications are required.
- 6.3.1.17 Amended applications may be recirculated by the County to those impacted and whose comments are necessary.
- 6.3.1.18 Infilling within existing concentrations of residential development may be permitted in accordance with the other policies of this Plan. Infilling shall constitute those situations in which the lands under consideration front upon a public road or an existing private right-of-way and are between existing residential buildings or an existing residential building and a natural or man-made barrier such as a public road, a navigable stream or a railway right-of-way, separated by not more than approximately 100 metres and located on the same side of the road where the lot existed prior to December 31, 1998.
- 6.3.1.19 A consent application to recreate two parcels of land that have inadvertently merged either prior to or after the passing of this Plan, may be considered provided that it generally meets the intent and policies of the Plan. The consent will not be considered toward determining the number of consents permitted for a holding pursuant to Part A - Section 6.3.1.4.
- 6.3.1.20 Consents shall not be granted that would result in a new sensitive land use being created within or adjacent to the influence areas identified in section 4.6 around existing mineral aggregate extraction operations or extractive reserve areas on **Rural Infrastructure Schedule OP-C**.

## **6.3.2 Access**

- 6.3.2.1 New building lots shall front onto and gain direct access from an existing public road that reflects a reasonable standard of pavement or gravel construction and is



maintained year round by the Member Municipality or province. New building lots will not be permitted where their access is proposed from an unopened or seasonally maintained municipal road allowance or from an existing or new private right-of-way or by water access, save and except for:

- a) New building lots on an existing, extended or new private right-of-way in the Waterfront area, in accordance with Part A - Section 5.4.3.7 and other policies of this Plan, may be permitted and placed in an appropriate limited service residential zone; and,
- b) New lots for fish and hunt camps may be permitted on a new private right-of-way or seasonal township road allowance in accordance with Part A - Section 5.8.4 and other policies of this Plan.

6.3.2.2 Consents that result in land locking a parcel shall not be permitted.

6.3.2.3 Consents will not be permitted for a proposed lot adjacent to a road from which access is to be obtained where a traffic hazard exists or would be created because of limited sight lines on curves or grades.

6.3.2.4 Direct access from Provincial Highways and arterial roadways should be discouraged where access can be obtained from a municipal local road.

6.3.2.5 A mutual entrance onto a year round publicly maintained road may be permitted provided the entrance meets all requirements of the appropriate road authority.

6.3.2.6 A mutual driveway may be permitted subject to a reciprocal right-of-way pursuant to Part A - Section 6.3.6.1 m).

### **6.3.3 Rural and Waterfront Designation**

6.3.3.1 Limited rural residential development, and resource-based recreational uses (including recreational dwellings) may be permitted in accordance with Part A – Section 5.5 of this Plan.

6.3.3.2 Within the “rural” areas of the Rural and Waterfront designation, a consent application may be granted in accordance with the policies of this Plan for farm and resource based consents provided the following criteria are met:

- a) The minimum lot size is approximately 6 hectares (15 acres);
- b) The lot size and frontage is considered characteristic of the general area; and,
- c) The lands provide viable opportunities for resource based recreational or economic activities.

6.3.3.3 Within the “waterfront” areas of the Rural and Waterfront designation, a consent application may be granted in accordance with the policies of this Plan, provided the following criteria are met:

- a) The proposed severed lot can be easily serviced with an individual well or alternative potable water supply in accordance with Ministry of the Environment and Climate Change (MOECC) guidelines and a private sewage disposal system that shall have no adverse impact on the water quality of any adjacent water body;
- b) Each proposed lot (severed and retained) has sufficient area outside any floodplain, environmentally sensitive area, wetland or steep slope area to accommodate a building, sewage disposal system and accessory uses; and,
- c) The consent will not result in development that could adversely affect important wildlife habitats, fish habitat areas, wetlands or other similar features. The Ministry of Natural Resources and Forestry (MNRF) or County peer review agent or the Conservation Authority, as the case may be, shall be consulted.

6.3.3.4 A consent shall not be approved in Waterfront areas where the terrain constraints require dwellings, sewage disposal systems, driveways or significant vegetation alteration within 30 metres of the high water mark of any water body, depending upon factors such as slope, soil depth and soil type.

6.3.3.5A lot or lots intended for accessory buildings and/or uses only such as garages, workshops and related storage are prohibited in the Rural and Waterfront designation. This type of lot can result in ad hoc development and pressures for conversion to residential or habitable use in the future without proper planning in place for appropriate private services.

#### **6.3.4 Urban and Hamlet Land Use Designations**

6.3.4.1 Development in the “Urban” and “Hamlet” designations shall take place primarily by registered plan of subdivision or plan of condominium.

6.3.4.2 Regard shall be had to the policies of Parts A, B and C of this Plan in considering consent applications in the Urban and Hamlet land use designations.

6.3.4.3 In areas where municipal water and/or sewer services are planned to be provided, consents should not be granted if the undue extension of any sewer or water line would be required.

6.3.4.4 No consent shall be given where such development might restrict alternatives for future development.

6.3.4.5 The creation of up to five lots (i.e. four severed and one retained) may be permitted by consent for the purpose of infilling or rounding out existing development provided:

- a) A plan of subdivision or plan of condominium is not required for the orderly development of the subject lands;
- b) In the Urban Centre designation, municipal sanitary sewage services and municipal water services are provided to the proposed lots and extensions of services are not required;
- c) In the Hamlet designation, a hydrogeological study is completed by a qualified professional and approved by the County's peer reviewer. Recommendations of the approved study will be reflected in appropriate zoning provisions and/or implemented in accordance with a development agreement with the affected Member Municipality;
- d) No new public road is required;
- e) No facilities are required to be provided off-site (e.g. storm water detention facility); and,
- f) The proposal represents logical and orderly development for the area.

### **6.3.5 Addition to Holdings, Easements and Right-of-Ways**

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

- a) The policies within this Plan;
- b) The requirements within the applicable comprehensive zoning by-law;
- c) The effect on the retained lot with respect to the provision of services and the use of land; and,
- d) The use of the benefiting lot.

6.3.5.2 Consents for easements to confirm established means of servicing such as an easement for a well that is not located on the same property as the dwelling that it services may be considered where other alternatives such as obtaining a lot addition are determined not to be viable.

6.3.5.3 Consents for right-of-ways to confirm established means of access for land uses may be considered.

6.3.5.4 Consents for right-of-ways to an existing land-locked property(ies) may be considered provided access is for passive recreational, fish and hunt camps, agricultural or forestry purposes only and where a dwelling is not a permitted use in the Member Municipality comprehensive zoning by-law. Other conditions of

provisional consent approval may be considered in keeping with Part A – Sections 5.8.4 and 6.3.6.

### **6.3.6 Conditions of Consent Approval**

6.3.6.1 The County may impose such conditions to the approval of a consent application as in the opinion of the County are reasonable, having regard to the nature of the development proposed, including but not limited to the following:

- a) Requiring necessary deeds and survey, including a digital copy of the survey, for the proposed conveyance;
- b) For vacant severed and/or retained lots less than 4 hectares (10 acres) in area to be serviced by a private well requiring:
  - i) A copy of the bacteriological analysis of drinking water completed by a Public Health Laboratory demonstrating safe drinking water standards, to the satisfaction of the Land Division Office, together with the well record, indicating that a minimum of three and one-half (3 ½) gallons per minute of potable water is available; and,
  - ii) Confirmation that the well is constructed in accordance with Ontario Regulation 903 and is located topographically and hydraulically up gradient of any potential sources of groundwater contamination (future and existing).
- c) That a hydrogeological or water quality assessment as per Part A - Section 7.8.9 be completed by a qualified professional, to the satisfaction of the County's peer reviewer at the cost of the applicant, if required. The applicant shall develop terms of reference with the peer reviewer prior to commencing the study. Recommendations of the hydrogeological study should be implemented through a zoning by-law amendment, site plan approval and/or development agreement as deemed appropriate by the County, its peer reviewer and the Member Municipality;
- d) The implementation of completed studies by qualified professionals deemed necessary where development is believed to have an unknown impact on existing services or are proposed on or adjacent to sensitive sites (archaeological, soils/topology, wetlands, landfill site, railway corridors, etc.) including a land use compatibility study, traffic impact study, environmental impact statement or site evaluation report;
- e) Rezoning the severed parcel and/or retained parcel and/or the benefiting lot in the instance of an addition to holding, if necessary;
- f) In the instance of severing a surplus dwelling from a farm designated Agricultural, rezoning the retained lot to ensure that a new dwelling is not a permitted use and cannot be constructed in the future;
- g) Where a zoning by-law amendment is deemed not to be necessary, a minor variance is obtained to recognize any insufficient setbacks or zoning requirements or alternatively, that an Ontario Land Surveyor demonstrate compliance to the Member Municipality's zoning by-law;

- h) Require buffering, screening or setbacks for the purpose of reducing or eliminating the adverse effects of one land use upon another;
- i) The decommissioning, removal or relocation of any water wells, communal services, building(s) and/or structure(s) which are either abandoned, dilapidated, in disrepair or are too close to or on a new or proposed lot line or roadway. Alternatively, an appropriate development and/or encroachment agreement may be entered into with the Member Municipality and duly registered on title;
- j) That a safe site entrance can be or has been established to the satisfaction of the appropriate road authority;
- k) Sufficient land be deeded to the appropriate road authority for daylighting triangles, one foot reserves, road widening and/or forced road, by registered Transfer (Deed), as necessary, or confirmation from an Ontario Land Surveyor that the road is already the required width, design or ownership;
- l) That any lot grading and drainage plans and/or improvements are identified and the works completed or to be completed are to the satisfaction of the Member Municipality;
- m) If the severed and retained lands have one common access (mutual driveway) located on the lot line between the two parcels - the severed lands are to be subject to a right-of-way over the driveway, in favour of the owners of the retained lands, and the retained lands are to be subject to a right-of-way over the driveway, in favour of the owners of the severed lands;
- n) For applications fronting onto or serviced by a private right-of-way, a development agreement with the Member Municipality to be registered on title to the effect that:
  - i. The Member Municipality is not now nor ever shall be responsible for assuming the grading, maintenance or the ownership of subject right-of-way;
  - ii. That public services and emergency vehicle access may not be provided or available; and/or,
  - iii. The private right-of-way is constructed and maintained at the owner's expense to a satisfactory standard in accordance with the municipality's private roads by-law.
- o) Where a municipal piped water or sewage system is required to service a new lot, one or more of the following:
  - i. Written approval from the Member Municipality or the MOECC that the municipal treatment facility(ies) and distribution system(s) is/are of sufficient capacity to service the proposed development (both severed and retained);
  - ii. Written confirmation from the Member Municipality that separate lateral servicing connections of sanitary sewer and water have been installed for the severed and retained lots to the satisfaction of the Public Works Supervisor; and,
  - iii. The decommissioning of an existing septic system to the satisfaction of the municipality.

- p) For any applications adjacent to a recreational trail, that any conditions identified by the Eastern Ontario Trails Alliance (EOTA) be satisfied;
- q) If in question, proof of a suitable building envelope, including well and septic system, is identified by an Ontario Land Surveyor on either or both of the severed and retained lands outside of the Minimum Distance Separation I (MDS I) setback or a sensitive feature such an escarpment, creek or wetland;
- r) A rezoning and/or affidavit to the effect of prohibiting the keeping or raising of livestock in an existing building and ensuring that all livestock have been removed;
- s) Provide parkland or cash in lieu of parkland to the Member Municipality, not exceeding the maximums in the Planning Act, in accordance with its requirements;
- t) Proof be received from the Member Municipality that all realty taxes have been paid in full for the subject lands;
- u) Enter into a development agreement with the Member Municipality, to be registered on title, which implements the County's Water Quality Impact Assessment Guidelines; and,
- v) For a lot addition to a benefitting land holding, that the part of the lands being severed be consolidated with the benefitting land holding through a PIN consolidation. A "convey as one parcel" agreement may be required, such agreements to be registered on title of the severed and benefitting lots and a copy of the registered document provided to the County.

The County may establish additional conditions from those listed above that in the opinion of the County are in the interest of good planning and in keeping with the intent of the Planning Act and this Plan.

## **6.4 Deeming By-laws/Lot Consolidation**

- 6.4.1 With the enactment of a Deeming By-law, Councils of Member Municipalities may deem any plan of subdivision, or part thereof, which has been registered for eight years or more, not to be a registered plan of subdivision pursuant to Section 50 of the Planning Act, where it is in the public interest.
- 6.4.2 Where a Deeming By-law has been passed, a Member Municipality shall register it at the appropriate land registry office and provide a copy to the County.
- 6.4.3 Other methods of lot consolidation (i.e. through judge's order or validation certification under Section 57 of the Planning Act) may be considered where deemed appropriate.

## **6.5 Leasehold Developments**

- 6.5.1 New leasehold developments such as mobile and/or modular home parks are prohibited as various forms of plan of condominium present a better form of development as it pertains to long-term ownership and financing considerations. Leasehold developments (where the occupant owns the dwelling but not the lot or surface rights of the land) can result in a multitude of issues, particularly after the owner of the dwelling has invest a lot of time and money, and the term of the lease expires and is not renewed.
- 6.5.2 Conversion of an existing leasehold development to a plan of subdivision or plan of condominium in an effort to legalize existing uses may be considered subject to requirements deemed appropriate by the County and the affected Member Municipality, these may include:
- a) An Official Plan Amendment;
  - b) A detailed survey showing existing buildings, uses, septic beds and tile fields, setbacks in relation to proposed lot/unit lines and necessary rights-of-ways or easements for travel and stormwater drainage and utilities such as hydro, natural gas, etc.;
  - c) Appropriate zoning for the lands;
  - d) Demonstrating satisfactory hydrogeological conditions (potable water and sewage treatment) for each lot/unit to be created with either private and/or communal wells and septic/sewage treatment;
  - e) Consultation with the Province and the appropriate conservation authority and meeting any required conditions;
  - f) Addressing any issues relating to access, including the minimum standards of the affected Member Municipality for private and/or municipal year round maintained roads to ensure safe ingress and egress of emergency vehicles;
  - g) Stormwater management plan; and,
  - h) Any other reasonable conditions or studies deemed appropriate.

## **7.0 SECTION VII – IMPLEMENTATION**

### **7.1 Goals and Objectives**

#### **7.1.1 Goals:**

The goals for the implementation of this Plan are:

- a) For all land development, related land use planning decisions and public works to conform with this Plan;
- b) For the County and the Member Municipalities to implement the Plan utilizing the powers conferred upon them by the Planning Act, the Municipal Act and other applicable statutes;
- c) For each Member Municipality to enact a new or updated comprehensive zoning by-law and other by-laws as they deem appropriate, in conformity with this Plan;
- d) To have land owners and developers pre-consult with the County and Member Municipality staff prior to submitting applications for lot/unit creation and land development;
- e) To ensure all appropriate/relevant external agencies, groups, and First Nations are consulted throughout the development process;
- f) To ensure that professional, accurate studies and reports are undertaken to measure the potential impact of proposed land uses on existing neighbouring uses, cultural heritage resources, natural resources and habitats and recommend appropriate mitigation where possible;
- g) To solicit and obtain meaningful public input prior to making land use planning decisions;
- h) To enable informed wise planning decisions; and
- i) To keep this Plan current and relevant to the needs of the Member Municipalities while being consistent with provincial policies.

#### **7.1.2 Objectives:**

The objectives for the implementation of this Plan are:

- a) To have a smooth and expedient transition from the former Official Plan to this new Plan;
- b) To establish and implement appropriate development standards, zones and permitted uses within the Member Municipalities' comprehensive zoning by-laws to implement this Plan;
- c) To provide for the effective use of planning tools such as holding zones, site plan control and development agreements and encourage pre-consultation on planning applications;
- d) That the County and/or Member Municipalities require peer review where appropriate to ensure that professional reports are thorough, accurate and in



- keeping with appropriate minimum standards and best practices, at the cost of the developer; and,
- e) For County Council to undertake an review and/or update to this plan and hold a public meeting 10 years from after the adoption of the Plan, and at least every 5 years thereafter to gain input as to what issues need addressing in the update of this Plan.

## **7.2 Transition to New Official Plan**

7.2.1.1 Subject to Part A - Section 7.2.1.3, any matter or proceeding mentioned in subsection 7.2.1.2 that was commenced before this Plan comes into force shall be continued and finally disposed of under the former Hastings County Official Plan as it read on the day the application or matter was commenced.

7.2.1.2 For the purposes of Part A - Section 7.2.1.1, a matter of proceeding shall be deemed to have been commenced, in the case of:

- a) An adopted official plan amendment to the former County Official Plan, the day that County Council passed the by-law adopting the amendment;
- b) An application for an official plan amendment initiated by any person or public body, on the day the application was determined by the County to be a complete application, in those instances where the official plan amendment is not adopted prior to the adoption of this Plan;
- c) A zoning by-law or an amendment to it, on the day the by-law is passed;
- d) An application for an amendment to a zoning by-law that has been refused and is in its appeal period or has not been decided upon before the day this plan comes into force, on the day the application is deemed to be complete by the Member Municipality;
- e) Development subject to site plan control, on the day the application for approval of a site plan has been determined to be complete by the Member Municipality;
- f) An application for a minor variance, on the day the application is determined to be complete by the Member Municipality;
- g) An application for the approval of a plan of subdivision or plan of condominium, on the day the application is determined by the County to be complete; and,
- h) An application for consent, on the day the application is determined by the County to be a complete application.

7.2.1.3 In accordance with Section 17 of the Planning Act, this Plan may come into effect in portions. Notwithstanding anything to the contrary, where an application described in Part A - Section 7.2.1.2 is received after a portion of this Plan has come into effect, the portions in effect shall apply.

- 7.2.1.4 In the event of a conflict between a provision of this Plan and a statute, regulation of other law, the statute, regulation or other law shall govern.
- 7.2.1.5 The County Planning Committee shall be guided by the goals and objectives of this Plan when advising County Council on planning matters, pursuant to Section 8 of the Planning Act.
- 7.2.1.6 The Hastings County Official Plan, once approved by the Minister of Municipal Affairs and Housing, shall be binding on the County and all Member Municipalities.
- 7.2.1.7 No person or public body shall request an amendment to this Plan before the second anniversary of the first day any part of the Plan comes into effect.
- 7.2.1.8 Notwithstanding Part A – Section 7.2.1.7, if Council adopts a resolution permitting either site specific applications, a specific type or class of applications, or all applications in general, such applications may be submitted and considered for approval.

## **7.3 Comprehensive Zoning By-laws**

### **7.3.1 General Policies**

- 7.3.1.1 Existing comprehensive zoning by-laws will be reviewed and updated or repealed and replaced by each Member Municipality in order to ensure conformity with the policies and land use designations of this Plan, within three years of the Plan coming into effect and any subsequent updates of the Plan. The County will provide input into the updates for the purpose of facilitating consistent development criteria amongst the Member Municipalities.
- 7.3.1.2 If the Council of a Member Municipality repeals and replaces its comprehensive zoning by-law in accordance with section 7.3.1.1 of this plan, no person or public body shall submit an application for an amendment to any of the by-laws before the second anniversary of the day on which the Council repeals and replaces them.
- 7.3.1.3 Notwithstanding Part A – Section 7.3.1.2, if the Council of a Member Municipality adopts a resolution permitting either site specific applications, a specific type or class of applications, or all applications in general, such applications may be submitted and considered for approval.
- 7.3.1.4 A "parallel zoning by-law amendment" (i.e. one that has been prepared under a new comprehensive zoning by-law which has been adopted by the municipality but not approved under the Planning Act) may be approved by the municipality simultaneously with an amendment to the existing zoning by-law. The "parallel zoning by-law" will come into effect once the new comprehensive zoning by-law is approved.

- 7.3.1.5 Land uses legally existing on the date this Plan is deemed to come into force that are not a permitted use within its corresponding land use designation on **Land Use Designations Schedule OP-A** to this Plan, may be zoned in the implementing comprehensive zoning by-laws for the existing use at the date of the passing of the by-law.
- 7.3.1.6 For lands designated **Urban**, a “Future Development” zone or a Holding zone may be placed on certain areas until they are appropriate for development, since it is not intended that all areas designated for a particular land use be zoned immediately for its ultimate use. Development of such lands will be subject to the completion of supporting studies as necessary, which may include a comprehensive review of this Plan,
- 7.3.1.7 A Member Municipality may wish to establish minimum setbacks from buildings and structures such as outdoor furnace/heating appliances in order to ensure compatibility with neighbouring lands uses, and compliance with the Ontario Building Code.
- 7.3.1.8 A Member Municipality may include appropriate minimum height and density provisions to implement aspects of this Plan, including but not limited to maintaining a heritage streetscape of a community’s main street.
- 7.3.1.9 A Member Municipality shall permit second dwelling units within its comprehensive zoning by-laws in accordance with Part A – Section 2.8.1.1 e).
- 7.3.1.10 All amendments to comprehensive zoning by-laws are to conform to this Plan and be consistent with the Provincial Policy Statement.

### **7.3.2 Holding By-laws**

- 7.3.2.1 Pursuant to Section 36 of the Planning Act, a member municipal Council may through the use of a holding symbol (“H” or “h”), in conjunction with any general or site specific zone within the comprehensive zoning by-law, specify the use to which lands shall be put at such time in the future, but which are considered premature or inappropriate for immediate development or redevelopment, or may not have adequate infrastructure currently available.
- 7.3.2.2 A member municipal Council may pass a holding by-law specifying the objectives that need to be satisfied prior to considering a by-law to remove the holding (-h) symbol from part of or all of the lands. The stated objectives may include:
- a. The appropriate phasing of development or redevelopment;
  - b. The provision of necessary community services and facilities such as storm water management facilities, municipal water and sanitary sewer services, roads, parks and schools;

- c. The implementation of special design features in specific locations or developments;
- d. Entering into any necessary agreement(s); and,
- e. Other specific objectives identified by a member municipal Council to achieve good land use planning for the area.

7.3.2.3 A holding provision may be applied to a property or area within a comprehensive zoning by-law due to it's:

- a) Size, configuration, location or relationship to adjacent activities or particular use;
- b) Lack of appropriate servicing;
- c) Accessibility or relationship to a roadway, road intersection or water body; or,
- d) Undeveloped nature.

7.3.2.4 The permitted interim uses within an area subject to the holding by-law shall be limited to the existing uses at the time of the adoption of the holding by-law. The holding symbol ("H" or "h") need not apply to the erection of minor accessory buildings or minor building additions or alterations.

7.3.2.5 The holding symbol ("H" or "h") may be removed by an amendment to the zoning by-law, once the member municipal council is satisfied that development can proceed in accordance with the policies of this Plan. The member municipal Council will be assured that:

- a) The specific objectives identified in the holding by-law have been met to its satisfaction;
- b) The proposed development is orderly and timely;
- c) That all necessary agreements have been registered on title; and,
- d) That the conditions of any related draft plan approval have been complied with, as may be applicable.

### **7.3.3 Increased Height and Density/Bonusing By-laws**

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

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

- a) To allow for the provision of a wide range of housing types, including family-type housing, and assisted housing for older adults;
- b) To assist in the preservation of the unique character of areas containing buildings with historical or architectural significance;
- c) To encourage innovative building design;
- d) To allow for the provision of community and recreational facilities such as small parks, day care centres or community centres;
- e) To encourage the efficient use and/or conservation of energy;
- f) To guide land use patterns and densities towards a more compact and intensified built form to encourage active transportation and public transit by providing connectivity within and among transportation modes for residents of all ages and abilities; and,
- g) To pursue other specific objectives identified by the member municipal Council.

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

- a) Establish the detailed development standards that shall apply when the increased height or density is awarded;
- b) Establish the conditions to be met to allow the bonus standards to apply to the site; and,
- c) Detail the matters to be addressed in an agreement between the developer and the member municipal Council. Such an agreement may not be entered into until the standards have been established and the bonus has been awarded. When such an agreement has been established, rezoning shall not be required.

#### **7.3.4 Interim Control By-laws**

7.3.4.1 Where the council of a Member Municipality has, by by-law or resolution, directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas thereof, the council of the municipality may pass an interim control by-law to be in effect for a period of time specified in the by-law, which period shall not exceed one year from the date of the passing thereof, prohibiting the use of land, buildings or structures within the municipality or within the defined area or areas thereof for, or except for, such purposes as are set out in the by-law.

7.3.4.2 The council of the municipality may amend an interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of the passing of the interim control by-law.

7.3.4.3 While not limited by the following examples, an interim control by-law may be considered by a Member Municipal Council for:

- a) Areas subject to the preparation of a Secondary Plan;
- b) A Special Policy Area identified within this Plan where support studies or planning work is incomplete;
- c) A zone where a zone provision or permitted use section of the by-law may be in contravention to this Plan or may establish a poor precedent for development;
- d) Areas subject to development pressures requiring a review of land use and related matters such as servicing; and,
- e) A use is proposed but not contemplated or in the opinion of the Member Municipality is not appropriately addressed by this Plan and/or its comprehensive zoning by-law.

### **7.3.5 Temporary Use By-laws**

7.3.5.1 A member municipal Council may zone land or buildings for a temporary use for renewable periods of up to three years, subject to the requirements of Section 39 of the Planning Act. At the expiry of the time frame stipulated within the temporary uses by-law, provided the temporary use has not been extended by by-law, the use must cease.

7.3.5.2 In considering a temporary use by-law, the following criteria applies:

- a) The proposed use entails minor construction and is of a temporary nature that can cease without undue financial hardship;
- b) The use is compatible with the surrounding area;
- c) The intent and purpose of the Official Plan is maintained;
- d) The use does not require the expansion of municipal water and/or sanitary sewer services;
- e) The site is suitable for the use; and,
- f) Executing a site plan agreement pursuant to Part A - Section 7.5 of this Plan, if required.

### **7.3.6 Garden Suites**

7.3.6.1 A “Garden Suite” means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

7.3.6.2 Garden suites may be permitted on a site specific basis through a temporary use by-law, approved in accordance with Section 39.1 of the Planning Act. A by-law authorizing the temporary use of a garden suite shall define the area to which it applies and specify the period of time for which the authorization shall be in effect,

which shall not exceed 20 years from the day of the passing of the by-law. However, council may by by-law grant extensions for periods of no more than three years each during which the temporary use is authorized.

- 7.3.6.3 A maximum of one garden suite per lot shall be permitted and must be located on the same lot as the principal residential building/structure. Generally, garden suites may only be permitted on lands where a single detached dwelling, duplex dwelling or semi-detached dwelling is located and is a permitted use within the applicable zone.
- 7.3.6.4 The sanitary sewage disposal, water supply and electrical services for a garden suite should be derived from and connected to the private and/or municipal services of the single-detached dwelling on the same lot, subject to the approval of the authorities responsible for the various services.
- 7.3.6.5 Garden suites shall only be permitted on lands which have direct access from a year round maintained publicly owned road, or private road within an approved plan of condominium. Access from a public road to a garden suite shall be obtained by the driveway serving the principal dwelling on the lot.
- 7.3.6.6 Generally, a garden suite shall meet the yard requirements of the zone in which it is located. However, where appropriate specific provisions may be applied through the Temporary Use By-law, approved in accordance with Section 39.1 of the Planning Act, as amended.
- 7.3.6.7 Garden suites shall be a maximum of one storey in height and where possible be directed to the rear or interior side yards.
- 7.3.6.8 Notwithstanding Part A - Section 7.3.6.6 above, a Member Municipality may in its zoning by-law provide yard requirements specific for garden suites that deal with setbacks, minimum gross floor area and separation from other buildings/structures.
- 7.3.6.9 Pursuant to Section 41(5) of the Planning Act, as amended, a Member Municipality may specify garden suites as subject to site plan control in its site plan control by-law.
- 7.3.6.10 The Council of a municipality may require the owner of a garden suite to enter into an agreement with the municipality dealing with such matters related to the temporary use of the garden suite as the council considers necessary or advisable, including:
- a) The installation, maintenance and removal of the garden suite;
  - b) The period of occupancy of the garden suite by any person named in the agreement; and
  - c) The monetary or other form of security that the Council may require for actual or potential costs to the municipality related to the garden suite.

### **7.3.7 Group Homes**

7.3.7.1 A group home is a residence that is licensed or funded under an Act of the Parliament of Canada or an Act of the Province of Ontario for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit, and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being. Staff includes all those individuals providing supervision or assistance to those residing in the home.

7.3.7.2 Member Municipality zoning by-laws will permit group homes in all zones which permit single detached dwellings, with the exception of properties that are serviced by seasonally maintained public roads or private right-of-ways.

### **7.3.8 Home Businesses, Home Industries and Bed and Breakfast Establishments**

7.3.8.1 Home businesses (e.g. professional office, bookkeeper, art studio, hairdresser), home industries (e.g. sawmill, welding or woodworking shop, equipment repair) and bed and breakfast establishments will continue to emerge as alternative employment opportunities. Home Businesses are recognized as a valuable component of the County economy provided that environmental and agricultural resources and the character of residential neighbourhoods are not threatened.

7.3.8.2 Zoning by-laws will permit home businesses, home industries and bed and breakfast establishments and may distinguish between each use with respect to definitions, permitted zones and performance standards to ensure that they are compatible and do not detract from the character of the rural or residential area. Performance standards may address such matters as minimum lot area, setbacks, buffering, size of structures, maximum allowable floor space, number of employees permitted, outside storage, signage, on-site parking and frontage onto a year round maintained public road.

7.3.8.3 Home businesses are permitted in any designation providing for residential uses. Home industries may be permitted in the Agricultural and Rural and Waterfront designations of this Plan, excluding the Waterfront areas.

7.3.8.4 Bed and Breakfast establishments having a maximum of three guest rooms may be permitted in any designation providing for residential uses as an ancillary use within the main dwelling. Sufficient on-site parking shall be provided for the proprietor and for each guest room in order to avoid disruption to surrounding properties. Adequate water supply and sewage treatment systems shall also be provided.



7.3.8.5 The establishment of new arts and crafts workshops as home businesses is encouraged in the County. Small retail sales outlets in the dwelling unit or accessory building for selling the arts and crafts produced on the premises may also be permitted subject to the provisions of the applicable zoning by-law.

### **7.3.9 Medical Marihuana Production Facilities**

7.3.9.1 Member municipal councils may wish to define and regulate medical marihuana production facilities within their comprehensive zoning by-laws in keeping with the following provisions:

- a) Define the term “medical marihuana production facility” in a manner consistent with Federal Marihuana for Medical Purposes Regulations;
- b) Permit a medical marihuana production facility within an Industrial Zone or Industrial-Special Zone that provides for the following zone regulations:
  - i. The facility shall be located within a wholly enclosed building;
  - ii. Open storage shall not be permitted on the site;
  - iii. Loading spaces shall be located within the wholly enclosed building;
  - iv. A building or structure used for security purposes may be in the front yard and does not have to comply with any required minimum front yard, side and rear yard building setbacks; and,
  - v. A 70 metres separation distance from the facility and lots with residential uses and sensitive uses shall apply.
- c) Prior to rezoning/permitting the facility, the municipality should ensure:
  - i. That the facility is connected to the appropriate municipal water, sanitary and stormwater facilities; or,
  - ii. That appropriate private water and septic systems are in place in accordance with approved hydrogeological or water quality assessments, if required.
- d) A municipality may apply a holding symbol (“H” or “h”) to the Industrial or Industrial-Special Zone, to be removed by by-law with proof of federal licensing has been obtained.

### **7.3.10 Minor Variances - Committees of Adjustment**

7.3.10.1 Member municipal councils may wish to constitute and appoint a Committee of Adjustment pursuant to Section 44.(1) of the Planning Act for the purpose of addressing applications made pursuant to Sections 45(1), (2) and (3) of the Planning Act.

7.3.10.2 Decisions of Council and/or a Committee of Adjustment regarding minor variance applications will state how the following four tests have or have not been met in their opinion:

- a) The use of the subject land, building or structure is desirable and constitutes appropriate development;
- b) The general intent and purpose of the comprehensive zoning by-law is maintained;
- c) The general intent and purpose of this Plan is maintained; and,
- d) The variance is minor in nature.

7.3.10.3 Member municipal councils may require that additional criteria beyond the four tests prescribed in Section 45 of the Planning Act be considered when evaluating Minor Variance applications.

### **7.3.11 Community Planning Permit System**

7.3.11.1 A Community Planning Permit System as implemented through a development permit by-law by a Member Municipality:

- a) Provides a streamlined approach by combining zoning, site plan control and minor variance approvals into one development approval process;
- b) Clearly articulates and establishes development requirements, provisions and standards that need to be met before approval(s) can be issued;
- c) Differs from traditional land use regulations by providing a degree of flexibility by allowing discretionary uses, conditional approvals, variations to standard requirements, control of exterior design elements and removal of vegetation in specific areas;
- d) Can resemble a site plan control by-law as it allows a municipality to require plans showing the location, massing and conceptual design of any proposed building, structure or comprehensive development; and,
- e) Does not replace the requirement for building permits under the Building Code Act or approvals for the division of land under Section 50.1 of the Planning Act.

7.3.11.2 A Member Municipality may pass a Community Planning Permit by-law to establish a Community Planning Permit System within all of or a portion of the municipality provided that upon consulting with the affected public, this Official Plan has been amended to:

- a) Identify the area that is to be a Community Planning Permit area and subject to the Community Planning Permit by-law;
- b) Set out the scope of the authority that may be delegated and limitations on the delegation, if the member municipal council intends to delegate any authority under the Community Planning Permit by-law;
- c) Contain a statement of the Member Municipality's goals, objectives and policies in proposing a Community Planning Permit Systems for the area;
- d) Set out the types of criteria that may be included in the Community Planning Permit by-law for determining whether any class of development or any use of land may be permitted by Community Planning Permit; and,

- e) Set out the types of conditions that may be included in the Community Planning Permit by-law.

## **7.4 Cash-in-lieu of Parking Facilities**

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

## **7.5 Site Plan Control**

- 7.5.1 The entire County is designated as a site plan control area in accordance with Section 41(2) of the Planning Act.

- 7.5.2 Each member municipal council may by by-law designate the whole or any part of its municipality as a site plan control area by reference to one or more land use zones, including special or site specific zones thereunder, contained within its respective comprehensive zoning by-law.

- 7.5.3 Applicants shall be permitted to consult with a Member Municipality before submitting plans and drawings for approval and a Member Municipality may, by by-law, require applicants to pre-consult.

- 7.5.4 A Member Municipality may prepare and adopt site plan guidelines that establish standards and regulations for development within their jurisdiction.

- 7.5.5 Residential buildings containing less than 25 units may be subject to site plan control by member municipalities.

- 7.5.6 Where the council of a municipality has designated a site plan control area, the council may, by by-law define any class or classes of development that may be undertaken without the approval of plans and drawings including but not necessarily limited to the following uses:

- a) Single detached dwelling units outside of Waterfront areas;
- b) Agricultural uses, except for farm produce sales outlets;
- c) Accessory buildings;
- d) Minor renovations or extensions;
- e) Public uses; and,
- f) Temporary uses.

- 7.5.7 Site plan control approval may consist of the approval by a Member Municipality of a site plan(s) only or it can be in the form of a site plan agreement between the owner of the land and a Member Municipality that is duly registered on title with the

approved site plans attached thereto and forming a part of the agreement. A Member Municipality may impose holding zone provisions on the property until the site plan control agreement has been registered on title.

7.5.8 Sections 41(4) and (7) of the Planning Act will be utilized by a Member Municipality to approve plans or drawings and require conditions to their approval that implement the goals, objectives and policies of this Plan, including but not limited to the following considerations:

- a) Safe, orderly and functional development;
- b) The proper placement, massing and conceptual design of buildings, public utilities and related facilities;
- c) Sustainable design elements on any adjoining street or road under a municipality's jurisdiction, including without limitations various forms of ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;
- d) Land use compatibility between new and existing development;
- e) The provision of functional and attractive on-site amenities and facilities such as buffering, landscaping, fencing and pedestrian walkways to enhance the urban built form;
- f) Sensitive lighting which is oriented downward, is low wattage, energy efficient, and minimizes glare in order to prevent conflicts with abutting uses, preserve privacy and preserve the night sky where appropriate;
- g) The provision and appropriate placement of required services such as entrances, driveways, parking, loading facilities and garbage storage and collection;
- h) The provision of road widening, 0.3 m reserves, easements or grading and site alterations necessary to provide for safe roadways, ingress/egress, sanitary sewage facilities and other public utilities and site drainage or storm water management;
- i) The proposed development is built and maintained as designed and approved and that necessary securities are in place to allow the municipality to complete works if defaulted by the developer;
- j) The proposed facilities are designed having regard for accessibility for persons with disabilities;
- k) Appropriate protection to the natural environment, including but not limited to habitats of threatened and endangered species, significant wildlife habitat and recreational water quality; and,
- l) Matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design in accordance with Part A - Section 7.7 of this Plan and the municipality's site plan control by-law.

7.5.9 A member municipal council may consult with its solicitor, public works/roads supervisor, consulting engineer and planner, the local conservation authority, the County Planning Department and other agencies and professionals deemed

appropriate in the review and approval of a site plan and/or site plan agreement. In accordance with a Member Municipality's tariff of fee by-law, the associated costs may be recovered from the landowner/developer.

7.5.10 Where a proposed development is within the designated site plan control area, the dedication free of all charge and encumbrance to the appropriate authority for the following road improvements may be required:

- a) Land for a widening of the road allowance to the respective road authority along the abutting or immediately adjacent lot line or part thereof in keeping with the designed road widths noted within Part A - Section 3.6.2 of this Plan;
- b) A dedication for sight triangles and turning lanes at the intersection of public roads, to meet engineering standards;
- c) Land area needed to construct grade improvements or separations where the proposed development requires such improvements respecting traffic volume or hazards to the road onto which the proposed development abuts or is immediately adjacent to;
- d) Land area related to a forced municipal road in accordance with Part A - Section 3.6.2 of this Plan; and,
- e) Lands planned and designated in the Urban Communities Secondary Plan as future motorized and/or active transportation corridors, including roads, trails, pedestrian walkways and cycle routes.

## **7.6 Dedication & Tenure of Land for Parks, Trails & Conservation**

7.6.1 The County and Member Municipalities encourage the use of innovative forms of tenure and ownership including conservation easements, property acquisition by a local land trust and/or local conservation authority and the use of available tax incentive programs to ensure the long term conservation of unique or important natural and environmental properties.

7.6.2 In considering lot and/or unit creation by registered plan of subdivision, condominium or consent application, a Member Municipality may require the applicant to dedicate up to 5% of the gross area to the provision of public open space in residential developments and up to 2% for commercial or industrial developments. At the discretion of the Member Municipality, this dedication may take the form of land or payment in lieu pursuant to Section 51.1 of the Planning Act. In addition, parkland dedication or payments in-lieu may be acquired through the provisions of a by-law passed under Section 42 of the Planning Act.

7.6.3 All lands dedicated for parkland purposes within a plan of subdivision or plan of condominium must be in a satisfactory physical condition and be located in a manner, which provides for their use by residents of all ages and physical abilities.

- 7.6.4 Natural areas, including flood lands, hazard lands, river or creek valleys, wetlands or other environmentally sensitive areas, or significant ridges will be set aside as permanent open space and shall not necessarily constitute part of the statutory dedication for public open space use. The Member Municipality may consider acquiring natural areas as part of the 5% parkland dedication where it is in the public interest to do so and where such lands contribute to the character of the area.
- 7.6.5 Where a proposed plan of subdivision abuts a body of water, Council shall endeavour to require that the 5% parkland dedication be located adjacent to the body of water rather than requiring payment in lieu contribution.
- 7.6.6 The County and/or Member Municipalities may develop trail plans to identify locations of future trails/walkways and related land acquisitions. Parkland dedication may be required as a condition of approval for a development application where land is identified as being required in accordance with a trail plan for linking or providing a trail or walkway.
- 7.6.7 Municipal road allowances which currently or potentially could be utilized as a link in a trail system will not be conveyed out of public ownership.
- 7.6.8 Where application is made to close and convey a road allowance and the road allowance will not contribute to a trail system, regard shall be had for conducting an exchange for alternative land that will become part of a trail system where deemed appropriate.

## **7.7 Design Guidelines**

- 7.7.1 Design guidelines are increasingly being used to ensure that development contributes to the well-being of residents, improves the visual and aesthetic standards of development and enhances the positive aspects of the community character. Such guidelines provide direction for both the public and private sectors when preparing development plans or public works improvements.
- 7.7.2 A municipality may prepare design guidelines for specific locations or areas or for specific uses within the municipality such as for the main street core of a community, boat houses or other shoreline structures, residential subdivisions, parks and trails. A Lake Plan as per Part A - Section 5.4.6 of this Plan may contain components or aspects of exterior building design that may be confirmed as design guidelines by a municipality.
- 7.7.3 Design guidelines should be developed by the municipality in consultation with the affected public prior to adopting or approving by resolution or by-law. Such by-laws will not require an amendment to this Plan.

7.7.4 Design guidelines may be implemented by a municipality through a variety of means, including zoning standards, development agreements, site plan agreements, the requirement of architectural drawings, community improvement plans and capital work programs.

## **7.8 Pre-Consultation, Complete Applications & Other Studies**

### **7.8.1 General**

7.8.1.1 The County and Member Municipalities encourage landowners and applicants to pre-consult prior to submitting an application(s) to amend this Plan, amend a comprehensive zoning by-law, obtain draft approval for a plan of subdivision/plan of condominium or site plan approval.

7.8.1.2 Consultation may include meeting with a planner from the Hastings County Planning Department, officials with the Member Municipality such as the Chief Building Official, Public Works Manager and Chief Administrative Officer – Clerk and the County or Member Municipality’s peer review agent.

7.8.1.3 The purposes of consulting may include but are not necessarily limited to the following:

- a) To determine the general consistency or conformity of the proposed application/development to the intent and purpose of the Provincial Policy Statement (PPS), this Official Plan and the comprehensive zoning by-law;
- b) To identify agencies that the landowner/applicant should consult with such as the local conservation authority, Ministry of Transportation and Ministry of Natural Resources and Forestry (MNR);
- c) To identify professionals with specific expertise that should be consulted, such as a biologist or hydrogeologist;
- d) To identify the studies or reports that may be required to constitute a complete application including but not limited to a planning report, cultural heritage assessment, archaeological site impact assessment, site evaluation report and any documents or reports required to assess whether a proposed use poses a potential threat to a municipal drinking water supply pursuant to the Clean Water Act and this Plan;
- e) To identify the fees that may be required in processing the application, including peer review fees; and,
- f) Explain the steps and approximate timing involved in processing and considering the planning application(s).

7.8.1.4 The County and Member Municipalities may, by by-law, require applicants to pre-consult pursuant to Sections 22(3.1), 34(10.0.1), 41(3.1) and 51(16.1) of the Planning Act.

- 7.8.1.5 The County and Member Municipalities shall require applicants to prepare a Public Consultation strategy as a component of a complete application.
- 7.8.1.6 Applications that are deemed by the County or member municipal staff to be incomplete, together with the associated fees, will be returned to the applicant together with a covering letter detailing how the application(s) is incomplete.
- 7.8.1.7 Applications that are deemed not to meet the intent or policies of this Plan, together with the associated fees, may be returned to the applicant together with a covering letter detailing how the application(s) is not in conformity with the Plan. The applicant will be provided an opportunity to return the application(s) and associated fees and advise staff in writing to process the application(s) with the understanding that the associated fees are not refundable and that the related staff report will not be recommending approval of the proposed application(s).

## **7.8.2 Planning Report**

- 7.8.2.1 A planning report prepared by a registered professional planner may be required by the County or a Member Municipality in association with any development application that describes:
- a) The nature and extent of existing and proposed development, neighbouring land uses, natural habitats and features including surface body and groundwater sources;
  - b) How the application represents good land use planning; and,
  - c) How the application is consistent with the intent and purpose of the Provincial Policy Statement (PPS), this Official Plan and the comprehensive zoning by-law.
- 7.8.2.2 A purpose of a planning report is to have the consulting planner co-ordinate the various professionals and related reports to develop and justify the scale and design of development being proposed, including appropriate mitigative measures to be undertaken to protect the integrity and sustainability of neighbouring natural heritage features, natural resources and land uses.
- 7.8.2.3 Professional planners with the Hastings County Planning and Development Department will prepare preliminary and/or final planning reports, inclusive of staff recommendations, for all types of planning applications for the consideration of the County Planning Committee, member municipal councils and/or committees of adjustment as per Part A - Section 7.8.2.1 as necessary.



### **7.8.3 Transportation and Traffic Impact Studies**

7.8.3.1 Transportation includes such components as the local road network, highway linkages, public transportation, bicycle paths, pedestrian access, airport facilities and rail links.

7.8.3.2 A transportation study or master plan may be required at the time of the preparation of an update to this Plan or the Urban Communities Secondary Plan or in conjunction with a major development to examine the transportation infrastructure within the context of present and future growth, based on an analysis of changing patterns of development and updated technical data.

7.8.3.3 Transportation studies or master plans should guide the development of a community-wide integrated set of networks and routes that help elevate the needs of pedestrians, cyclists and public transit users to a state of balance with automobile use. Such plans should consider the establishment and enhancement of a network of pedestrian sidewalks/pathways/trails, safe cycling routes, and transit infrastructure where applicable through retrofitting, infill and new development to ensure that citizens without access to vehicles have improved access throughout the community.

7.8.3.4 A traffic impact study may be required for a development or redevelopment proposal adjacent to or in the vicinity of a provincial highway, arterial or local road which may have an impact on the road(s) and its intended function. The main purpose of a traffic impact study is to demonstrate how the transportation impacts of a proposed development or redevelopment can be mitigated and addressed in a manner that is consistent with the objectives of the appropriate road authority(ies). The study also serves as the basis for the identification and evaluation of transportation related improvement or measures to be included as a condition(s) of approval for the development or redevelopment.

7.8.3.5 The need and terms of reference for a traffic impact study can be determined by consulting with the appropriate road authority and/or the Member Municipality's public works manager and/or consulting engineer. The proponent is responsible for retaining at his/her cost a qualified transportation consultant experienced in the preparation of traffic impact studies.

7.8.3.6 Where Traffic Impact Studies are required by the Ministry of Transportation (MTO), such studies shall conform to MTO guidelines, and be prepared by a firm qualified by MTO to undertake such works, and stamped by a professional engineer.

### **7.8.4 Environmental Site Assessments (ESAs) for Contaminated Sites/Brownfields**

7.8.4.1 The development or redevelopment of potentially contaminated sites shall be assessed and remediated in a manner consistent with the Environmental Protection

Act and relevant regulations and the Ministry of the Environment and Climate Change (MOECC) guidelines and procedures.

- 7.8.4.2 Sites known or suspected to have soils contaminated with residues of current or previous industrial or commercial land uses must have the environmental condition of the site assessed. When managing development on potentially contaminated sites, A Record of Site Condition (RSC) either prior to the development approval, at the time of release of conditions of approval, or at the time of issuance of building permits, as required or stipulated by the municipality must be received.
- 7.8.4.3 When considering applications for development which include sites suspected or known to be contaminated, the municipality will require at its discretion a Phase I ESA to be undertaken by the applicant in accordance with Ontario Regulation 153/04 as amended. If recommended by a Phase I ESA or mandated under Regulation 153/04, a Phase II ESA must be undertaken by the applicant in accordance with Ontario Regulation 153/04. This would require sampling and analysis of the site to confirm and delineate the presence or absence of contamination suspected by the Phase I ESA report.
- 7.8.4.4 As a condition of approval, the municipality will require that remediation, where required, is undertaken to appropriate standards of the MOECC, as specified in Ontario Regulation 153/04 and in the guideline Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act, or other regulatory requirements of the MOECC, as amended from time to time.
- 7.8.4.5 Mandatory filing of a Record of Site Condition in the Registry, by a qualified person, as defined in O. Reg. 153/04, as amended, is required for a change in use of a property from industrial or commercial to residential or parkland, as defined in the regulation, and will be acknowledged by the MOECC. A site clean-up plan may be required and the site may need to be cleaned-up in accordance with the O. Reg. 153/04, as amended and with MOECC guideline “Records of Site Condition – A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition” dated October 2004 or associated guidelines.”
- 7.8.4.6 A Record of Site Condition may, at the municipality’s discretion, be a required condition of approval under this Plan. In addition to changes of use prescribed by the Environmental Protection Act as uses for which a Record of Site Condition is mandatory (a change of use to a more sensitive land use), the municipality may require a RSC to be filed where the application does not involve a change of use to a more sensitive land use as defined in the Environmental Protection Act. This requirement is to ensure, to the municipality's satisfaction, that any remediation, or risk assessment and risk management, necessary to permit the intended use is to the satisfaction of the MOECC.

## **7.8.5 Land Use Compatibility Study**

- 7.8.5.1 Some uses (i.e. residential) may be sensitive to the odour, noise, vibration or their emissions associated with facilities such as an airport, highways, arterial roads, railway corridors, pits and quarries, various types of industries and sewage treatment facilities. Where a land use change or the creation of a lot(s) is proposed that may result in introducing or contributing to land use incompatibility, a land use compatibility study to be completed by a qualified person that assesses the impacts of odour, noise, vibration, particulate or other emissions may be required in accordance with provincial guidelines.
- 7.8.5.2 The required compatibility study shall include recommendations on how impacts can be mitigated. The approval of the development proposal shall be based upon the achievement of adequate separation distances between land uses and other mitigation recommendations.
- 7.8.5.3 (MOECC) Publication NPC 300: Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning in August 2013 is a guidance document that relates to the transportation and stationary sources of noise in the land use planning process. It also provides assistance in creating compatibility between noise sensitive land uses and stationary sources with respect to noise.
- 7.8.5.4 Noise assessments conducted as part of the land use planning approval process for the development or introduction of noise sensitive land uses are important to protect: residents; operations of stationary sources; existing or approved transportation corridors; transportation sources of noise and to avoid potential adverse effects by creating compatible land uses.
- 7.8.5.5 It is the responsibility of the proponent or developer of the noise sensitive land use, encroaching on a stationary source of noise, to ensure compliance with MOECC sound level limits. Council may require a noise study for new sensitive land uses adjacent to existing railway lines, highways, sewage treatment facilities, waste management sites, industries, aggregate extraction sites, or other stationary or line sources where noise and vibration may be generated. Feasibility and/or noise studies must be prepared by qualified individuals and in accordance with MOECC's Noise Pollution Control Guidelines (NPC-300).
- 7.8.5.6 Caution will be exercised to ensure that Council does not approve sensitive development in proximity to stationary sources of noise that have an Environmental Compliance Approval (ECA) issued by MOECC that requires compliance with the applicable sound level limits at the surrounding points of reception. An ill-informed land use planning decision can affect the ability of a stationary source to comply with the applicable limits outlined in an Environmental Compliance Approval.
- 7.8.5.7 To address airport noise, Council may require detailed noise studies for new noise sensitive land use proposals that are located at or above Noise Exposure

Forecast/Noise Exposure Projection 25 (NEF/NEP 25) contours set by Transport Canada. Section 1.6.9.2 of the PPS 2014 prohibits new residential development and other sensitive land uses in areas near airports above 30 NEF/NEP and protects the long term functioning of airports from redevelopment and/or infilling of sensitive land uses above 30 NEF/NEP.

7.8.5.8 Necessary attenuation measures and other pertinent measures shall be implemented through conditions in a subdivision agreement, site plan agreement or other appropriate development agreement with the municipality, to the satisfaction of the municipality in consultation with Canadian Pacific and the Canadian National Railway in accordance with the MOECC’s noise or vibration guidelines.

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

**7.8.6 Environmental Impact Statement (EIS)**

7.8.6.1 Development that takes place adjacent to environmentally sensitive lands may adversely affect its features or functions. Development that is proposed on adjacent lands shall be permitted provided a satisfactorily completed Environmental Impact Statement is submitted demonstrating that there will be no negative impacts to the environmental feature or the ecological function for which the area is identified. The measures of adjacency found within Tale A7.1 shall be used:

<b>Table A-7.1 – Measures of Adjacency for Environmental Impact Statements (EIS)</b>	
<i>Natural Heritage Feature/Area</i>	<i>Adjacent Lands Width</i>
Habitat of endangered and threatened species	120 m
Significant wetlands and significant coastal wetlands	120 m
Significant woodlands	120 m
Significant valleylands	120 m
Significant wildlife habitat	120 m
Significant areas of natural and scientific interest – life science	120 m
Significant areas of natural and scientific interest – earth science	50 m
Inland Lake Trout Lakes (at capacity) on the Canadian Shield	300 m
Fish habitat	120 m

7.8.6.2 An Environmental Impact Statement (EIS) describes a proposed development or activity, and examines the possible, probable, or certain effects of that proposal on the environment. An EIS should be comprehensive in its treatment of the subject matter, objective in its approach and examine the potential environmental

consequences of carrying out or not carrying out that proposal. An EIS should be constructive for interested members of the public and for Councils in arriving at an informed land use planning decision. An EIS should also explore possible alternatives to the project that might maximize the benefits while minimizing the adverse impacts.

7.8.6.3 Where required by the policies of this Plan or as required by the County, Member Municipality or other agency through the development review process, an Environmental Impact Statement (EIS) will be completed by a qualified person in the relevant environmental field of study, prior to the related development's approval and/or commencement.

7.8.6.4 An Environmental Impact Statement (EIS) will:

- a) Provide a description of the proposed development, site alteration or land use activity and its purpose, including site planning details, a general location map, proposed buildings, existing land uses and plans showing the existing vegetation, site topography, drainage, soils and fish and wildlife habitat areas;
- b) In consultation with the MNR and/or the applicable conservation authority, map the precise location of the wetland area/boundary to be zoned EP or EP-W and identify all significant features/area within the area where development is proposed;
- c) Undertake an ecological site assessment providing information on the environmental quality, uniqueness and character of the site in question;
- d) Assess the potential direct and indirect impacts of proposed development to significant features/areas such as alterations to micro-climate or hydrological regimes, disconnections in natural corridors and linkages among natural heritage areas or features, and long-term discharges or withdrawals affecting air, water or soil;
- e) A review of alternative locations and forms of the proposed development including a recommendation of a preferred option;
- f) Demonstrate that there will be no negative impacts on the natural features or on their ecological functions, including no loss of wetland functions or contiguous wetland area, no net loss of fish habitat by identifying any measures which mitigate or compensate for any possible negative impacts; and,
- g) Contributions towards advancement of the intent, goals and objectives of this Plan such as improvement or enhancements of the natural heritage resources and habitats, land conveyances to a public authority, collection, monitoring or sampling of data;
- h) Provide a thorough field inventory, mapping of species and features on site including identification of vegetation communities using the Ecological Land Classification (ELC) system, general location information regarding species at risk occurrences, life and earth science features, and complete lists of flora and fauna species and features that were observed on site;

- i) Identify if suitable habitat exists on the site for species at risk (those listed on the Species at Risk in Ontario list) known to occur in the area or observed on site;
- j) Describe the survey methods and level of effort undertaken including the dates, weather conditions and number of field visits/surveys and demonstrate that assessments were conducted using appropriate methodologies at the appropriate time of year;
- k) Review the ecological functions of the natural features on site and evaluate the significance of all predicted positive and negative impacts to the natural features and associated ecological functions; and,
- l) Conclude with an independent professional opinion as to whether or not the net impacts of the development and/or site alteration after mitigation are negative, and whether the development proposal is consistent with the intent of the Provincial Policy Statement.

7.8.6.5 The terms of reference and the completed study shall be to the satisfaction of the County and Member Municipality in consultation with the local Conservation Authority and/or the MNRF. The scope of the study, including the need for the study, shall be commensurate with the degree of sensitivity of the natural heritage feature or system and the scale and nature of the proposed development and its associated impacts. The study shall be conducted at the appropriate time(s) of the year to maximize the benefit of conducting the study.

7.8.6.6 The County or the Member Municipality may require a peer review of the Study at the cost of the developer prior to the approval of the study and related development.

7.8.6.7 The results and recommendations of the study will be reflected in the amending zoning by-law amendment if appropriate and made available to members of the public at the statutory public meeting prior to obtaining any planning approvals by a municipality.

7.8.6.8 A site plan agreement and/or development agreement may be entered into between the developer and the local municipality to ensure that the recommendations of the Environmental Impact Statement are implemented.

7.8.6.9 The Mohawks of the Bay of Quinte the Algonquins of Ontario, the Williams Treat First Nations, and the Metis Nation of Canada shall be consulted on any Environmental Impact Statements related to proposed developments where areas of Mohawk or Algonquin interest and/or Native values and/or the potential for aboriginal artifacts to be encountered have been identified.

## **7.8.7 Lake Capacity Study – Water Quality**

7.8.7.1 Where required by the policies of this Plan, a lake capacity study shall be completed by a qualified professional in the relevant environmental field of study, prior to the approval and/or commencement of proposed development. The results and

recommendations of the study will be made available to members of the public at the statutory public meeting prior to any planning approvals by a municipality.

7.8.7.2 The terms of reference for a lake capacity study, including the need for the study, will be determined by the County or the affected municipality in consultation with the MNRF and the MOECC and shall address the following:

- a) The water quality objective for the lake as may be expressed by the MOECC or the MNRF.
- b) The effect the proposal will have on the cold water lake trout fishery habitat, including water quality requirements;
- c) Methods by which any negative effects on the cold water lake trout fishery habitat can be minimized;
- d) The effect the proposal will have on the water trophic status;
- e) The criteria provided in Part A - Section 7.8.6 for an Environmental Impact Statement (EIS), including requiring a site plan agreement and/or development agreement to ensure the recommendations of the study such as monitoring are implemented by the developer/owner; and,
- f) Methods and approaches for completing a lake capacity study shall follow MOECC guidelines.

### **7.8.8 Site Evaluation Report**

7.8.8.1 A site evaluation report may be required by the County, Member Municipality or other agency through the development review process to confirm that a lot is suitable for the proposed development, whether development constraints can be addressed, and if so, the most appropriate manner in which the proposed development should occur.

7.8.8.2 When required, a site evaluation report will evaluate the suitability of a site to obtain an appropriate building envelope related to matters such as the following:

- a) Ability of a lot to accommodate and sustain the proposed development, including access, water and sanitary sewer services;
- b) Appropriate development on existing undersized lots;
- c) Lot size and configuration;
- d) Stability of slopes and assessment of erosion hazard to ensure protection from the 100-year erosion rate;
- e) Proximity to livestock facilities and minimum distance formulae (MDS I & II) setback requirements;
- f) Proximity to narrow waterbodies;
- g) Underlying geology (i.e. karst topography);
- h) Soil cover and vegetation retention, including development proposed adjacent to a lake managed for Lake Trout;
- i) The location, extent or boundary of a locally or provincially significant wetland and its adjacent lands setback. Unevaluated wetlands shall also be

identified along with an assessment of whether evaluation of the wetland to determine its significance is warranted;

- j) Presence of habitat for an endangered or threatened species; or,
- k) Presence of significant wildlife habitat; or,
- l) Presence of hazardous forest types for wildland fire.

7.8.8.3 The terms of reference for the site evaluation report shall be to the satisfaction of the County, Member Municipality and peer review agent and appropriate agencies such as the local conservation authority, MOECC and MNRF and may include such matters as:

- a) Being conducted at the appropriate time(s) of year;
- b) A description of the development proposal and purpose;
- c) A description of existing on-site and adjacent conditions and land uses (including the designation in the Official Plan and zoning in the Comprehensive Zoning By-law);
- d) Define the nature and the boundaries (including mapping) of any significant features and ecological function on or adjacent to the site (i.e. the identification of vegetation communities using the Ecological Land Classification (ELC) system, a description of wooded areas if present, the role of these wooded areas with respect to wildlife);
- e) Include species lists (species at risk, plants, birds, mammals, reptiles, amphibians, other wildlife, fish species, etc.);
- f) Identify if suitable habitat exists on the property for known species at risk (including endangered and threatened species), as well as suitable habitat for any species at risk that may be observed during the preparation of the study;
- g) Assess potential negative impacts (direct, indirect, short and long-term);
- h) Identify mitigation measures including monitoring; and
- i) Identify net impacts that cannot be mitigated.

7.8.8.4 The site evaluation report shall be completed by a qualified person in the relevant field of study, prior to the related development's approval and commencement.

7.8.8.5 The contents and recommendation of the completed report shall be to the satisfaction of the County, Member Municipality, peer review agent and any relevant agencies. The completion of a site evaluation report does not ensure development proposals will be approved; rather they provide information that enables the planning authority to make wise planning decisions.

7.8.8.6 The results and recommendations of the study will be reflected in the amending zoning by-law amendment if appropriate and made available to members of the public at the statutory public meeting prior to obtaining any planning approvals by a municipality.



7.8.8.7 A site plan agreement and/or development agreement may be entered into between the developer and the local municipality to ensure that the recommendations of the site evaluation report are implemented and maintained.

7.8.8.8 A Wildland Fire Risk Assessment should consider and document the following factors for the subject lands (to the extent possible):

- predominant vegetation (fuel types), particularly those that are high to extreme risk for wildland fire
- forest condition (e.g., presence of storm or insect damage)
- topography and slope
- presence of water source(s)
- distance to organized response resources (e.g., fire station).

## **7.8.9 Hydrogeological or Water Quality Assessment**

7.8.9.1 A hydrogeological or water quality assessment prepared by a qualified person consistent with MOE's D-5-4 and D-5-5 guidelines (as updated or amended from time to time or the most current and applicable) that evaluates the potential cumulative impacts of privately serviced development may be required in the following circumstances:

- a) A proposed severance that is in on lands designated as Hamlet or Urban if on partial or no services;
- b) The severance request is in an area constituting 5 or more existing dwellings/lots occupying 4 hectares (10 acres) of land or less within 300m of the new lot boundary; or
- c) A development is proposed that may have significant reliance or impact upon ground or surface water supplies or is in an area of known constraint.

7.8.9.2 A Member Municipality may require a well report or hydrogeological or water quality assessment prior to rezoning a parcel of land for a proposed development such as a multiple residential, commercial, industrial or institutional use in order to ensure that water quality, quantity and impact issues are addressed satisfactorily. The costs of undertaking the study and a peer review of same, if required, will be borne by the applicant/developer. Development shall only proceed in accordance with an approved study. Special zoning provisions, a site plan agreement and/or development agreement may be required to implement the recommendations of the study.

## **7.8.10 Stormwater Management Report**

7.8.10.1 A stormwater management report, as required by Part A - Section 4.2.2 or other policies of this Plan, shall be prepared by a qualified person in accordance with the following principles:

- a) Maintain the integrity of natural drainage patterns and processes, both on-site and downstream;
- b) Consider runoff from all forms of precipitation;
- c) Incorporate natural methods whenever possible;
- d) Control stormwater runoff at its source by utilizing, in order of preference, lot level controls, conveyance controls, and end-of-pipe facilities;
- e) Incorporate facilities as an amenity in the design of a neighbourhood or site; and,
- f) Be completed in accordance with MOECC and Ministry of Transportation guidelines, as applicable.

### **7.8.11 Peer Review**

- 7.8.11.1 The County and its Member Municipalities do not have professionals on staff to review and approve many of the detailed professional studies and reports referred to and required by this Plan. The intent and purpose of engaging peer review services is to ensure completeness, accuracy and appropriateness of completed studies and reports to provincial and professional standards.
- 7.8.11.2 The County and its Member Municipalities may require that the terms of reference be developed in consultation with its peer review agent and that any completed studies and reports be reviewed and approved by the peer review agent.
- 7.8.11.3 All peer review costs incurred by the County and its Member Municipalities may be recovered from the affected landowner/developer as per the appropriate tariff of fee by-law(s).

## **7.9 County and Municipal By-laws**

### **7.9.1 General Policies**

- 7.9.1.1 The County and Member Municipalities may wish to approve, implement and enforce by-laws enabled by Provincial legislation to implement aspects of this Plan. The following policies identify those types of by-laws that may be more commonly used and are not intended to limit any municipality's ability to pass other by-laws not specifically referenced.

### **7.9.2 Property Standards By-law**

- 7.9.2.1 Member Municipalities may prepare and enforce a property standards by-law:

- a) Prescribing standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards; and,
- b) Requiring property that does not conform to the standards to be repaired and maintained to conform to the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and leveled condition.

7.9.2.2 Property standards by-laws may establish minimum standards for the property exterior to principal buildings and dwellings within the municipality for such matters as:

- a) Dead, decayed or damaged trees or parts of such trees that create an unsafe condition;
- b) Unsafe or unsightly garbage, rubbish or debris, including abandoned or inoperative motor vehicles, trailers, barges, mechanical equipment or material;
- c) Noxious weeds as defined in the regulations to the Weed Control Act;
- d) Structures that create an unsafe condition;
- e) Unsafe accumulations of ice and snow;
- f) Abandoned wells or large holes that need to be decommissioned, removed, filled or safely covered for safety purposes or to protect from future contamination;
- g) Maintaining fences, swimming pools and signs; and,
- h) Preserving and protecting cultural heritage resources.

7.9.2.3 A municipality may appoint a property standards officer who will be responsible for administering and enforcing the property standards by-law.

7.9.2.4 The Council of a Member Municipality may appoint a property standards committee for the purpose of hearing appeals against an order of the property standards officer or undertake the hearing themselves.

7.9.2.5 The Council of a Member Municipality shall ensure that the application of this by-law is not detrimental to the conservation of heritage resources. The Council of a Member Municipality may also amend this by-law to prescribe minimum standards for the maintenance of heritage attributes for properties designated under the Ontario Heritage Act.

### **7.9.3 Development Charges By-law**

7.9.3.1 The council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the by-law applies pursuant to the Development Charges Act.

#### **7.9.4 Fence and Sign By-law**

7.9.4.1 A Member Municipality may pass a by-law respecting structures including fences and signs pursuant to the Municipal Act (Section 11).

7.9.4.2 The purposes of a fence and sign by-law may include but not necessarily be limited to the following:

- a) Requiring appropriate security fencing around all private swimming pools;
- b) Controlling the visual impact of fencing, advertising and sign design or placement on designated cultural heritage resources;
- c) Regulating commercial signs along a highway or street with respect to such matters as location, size and number; and,
- d) The lighting of signs so as to not be obtrusive to abutting landowners and preserve the night sky if appropriate.

#### **7.9.5 Site Alteration and Tree Conservation By-law**

7.9.5.1 Member Municipalities may pass by-laws to prohibit or regulate the destruction or injuring of trees, require that a permit be obtained to injure or destroy trees, and impose conditions to a permit pursuant to the Municipal Act (Section 135).

7.9.5.2 The County may pass a by-law pursuant to the Municipal Act (Section 135) to prohibit or regulate the destruction or injuring of trees in woodlands as defined in the *Forestry Act* that are one hectare or more in area.

7.9.5.3 Member Municipalities may pass by-laws respecting the dumping or placing of fill, removal of topsoil or the alteration of the grade or land pursuant to the Municipal Act (Section 142).

#### **7.10 Climate Change Strategies**

7.10.1 Climate change is occurring rapidly. In the County of Hastings, climate change is predicted to be characterized by: more frequent and severe wet weather events, such as flooding and tornadoes; higher air temperatures; warmer water temperatures in surface runoff, creeks and the Bay of Quinte; stronger winds; more surface runoff in winter and less in summer and fall; more evaporation; and less infiltration.

7.10.2 Planning policies and best practices already addressed within this Plan and the Urban Communities Secondary Plan provide a foundation toward addressing climate change and realizing the ecological benefits provided by nature. These policies include, but are not limited to, the following:

- a) Improving opportunities for active transportation and reducing dependency on motor-vehicle transportation;
- b) Reducing the quantity and improving the quality of stormwater runoff;
- c) Increasing the proportion of permeable surfaces to reduce flood risk and strain of sanitary sewer and stormwater infrastructure;
- d) Floodplain protection policies;
- e) Development of appropriate forms of mixed use development to provide employment and shopping opportunities close to residences;
- f) Promoting compact and contiguous urban form, infilling and redevelopment in appropriate locations within the Urban communities;
- g) Producing and consuming food locally;
- h) Actively protect the quality and quantity of local water resources through the review of development applications;
- i) Actively protect natural heritage features and functions, as well as preserve and enhance fish and wildlife habitat;
- j) Encouraging community or urban agriculture, such as community gardens, and rooftop gardens; and,
- k) Manage forest resources and trees in a manner that enhances their quality, quantity and sustainability over time.

7.10.3 The County and its Member Municipalities should review plans of subdivision, plans of condominium and site plan applications and implementing agreements for building and design features that can mitigate and/or adapt to climate change such as the following:

- a) Tree planting, landscaping and innovative green spaces to reduce energy use through shading and sheltering and protect buildings and infrastructure from the effects of excessive wind and sun;
- b) Promote the installation of artificial shade, such as covered walkways, awning and canopies, in appropriate locations;
- c) Promote greater use of permeable surfaces for areas such as parking lots and sidewalks;
- d) Consider opportunities for the development of bicycle paths and pedestrian access systems to reduce overall vehicular movements;
- e) Promote street, lot and building orientation with optimum southerly exposures to maximize passive solar energy gain and minimize heat loss;
- f) Encourage innovative development that incorporates energy conserving principles into building design with site-specific assessment of micro-climate conditions;
- g) Encourage the application of energy conservation measures in the rehabilitation and upgrading of existing buildings;
- h) Uses solar energy systems to heat water, air and/or generate electricity;
- i) Encourage the installation of hybrid vehicle servicing in new and existing development;
- j) Install water conservation fixtures in new and existing development; and,

- k) Support recycling and reuse of grey water in accordance with the provisions of the Ontario Building Code.

7.10.4 The County and its Member Municipalities are encouraged to develop and implement integrated Climate Change Action Plans with climate change mitigation and adaptation strategies specific to their operations, assets and infrastructure. The primary purpose of a Climate Change Action Plan will be that of improving the municipalities' resilience to environmental stresses and changes. A Plan should include the undertaking of energy conservation measures, including the use of energy efficient building materials, designs and appliances, in municipal buildings and facilities to reduce energy consumption and greenhouse gas emissions.

7.10.5 The County or a Member Municipality may provide, arrange for or participate in an energy conservation program pursuant to the Municipal Act (Section 147) to encourage the safe and efficient use and conservation of all forms of energy including, but not limited to:

- a) The improvement of an energy system in a building;
- b) The substitution of one form of energy for another form of energy;
- c) The improvement of the capacity of a building to retain heat;
- d) The reduction of energy use through more efficient use of energy; and,
- e) The shifting of electrical loads from times of high demand to times of low demand.

7.10.6 The County and its Member Municipalities are encouraged to partner with other agencies such as the local conservation authorities in providing public education regarding such matters as:

- a) Promoting energy conservation to reduce the demand for energy production, minimize greenhouse gas emissions, and improve air quality;
- b) Providing opportunities for development of renewable energy systems and alternative energy systems, including district energy; and,
- c) Promoting water conservation and efficient use of water to reduce demand for municipal water and wastewater treatment and associated energy consumption.

7.10.7 Development will be encouraged to implement energy efficient building practices and Energy Star guidelines or other similar programs to ensure forward-looking design and "Green building" opportunities that benefit the community.

## **7.11 Municipal Land Acquisition**

7.11.1 The County or a Member Municipality may acquire, hold, develop or dispose of lands for any purpose that implements the Official Plan, in accordance with applicable Provincial statutes.

## **7.12 Official Plan Amendment Process**

7.12.1 While this Plan provides a long range development framework to guide the future growth of the County of Hastings, it cannot anticipate all forms of development and/or information that may be appropriate and/or important in planning for the County or an area of the County. As such, amendments to the Official Plan may be initiated or considered by the County at any time, to ensure that the Plan remains current and relevant. In determining whether or not an amendment to the Plan is required, special regard shall be given by Council to the policies of each land use designation and to the intent, goals and objectives of this Plan.

7.12.2 No person or public body shall submit an application for an amendment to this Plan before the second anniversary of the day on which the Ministry of Municipal Affairs approves this Plan.

7.12.3 Notwithstanding Part A – Section 7.12.2, if Hastings County Council adopts a resolution permitting either site specific applications, a specific type or class of applications, or all applications in general, such applications may be submitted and considered for approval.

7.12.4 Requests for site specific changes to the Official Plan may be considered by Council upon application, and will be evaluated on the basis of good land use planning, including but not limited to the following criteria:

- a) Conformity with the overall intent, goals and objectives and policies of the Official Plan;
- b) Suitability of the location of the site for the proposed land use;
- c) Compatibility of and impact of the proposed land use with surrounding lands and uses, including heritage resources of historical, architectural, cultural or archaeological significance, natural heritage features, habitat and wildlife and the quality and quantity of surface and groundwater supplies resources;
- d) The need for and feasibility of the use, save and except for those amendments seeking an Extractive Industrial designation;
- e) The impact of the proposal on municipal services and infrastructure, including roads/access, water supply, sanitary sewage and stormwater management facilities;
- f) The economic benefits and financial implications to the County and affected Member Municipality(ies); and,
- g) Consistency with the Provincial Policy Statement.

7.12.5 The statutory public meeting and any subsequent public meetings deemed necessary for an official plan amendment application may be conducted by the Hastings County Planning Committee with recommendations proceeding to Hastings County Council for its final decision.

### **7.13 Official Plan Review Process**

7.13.1 The Official Plan is not a static document and shall be amended periodically wherever necessitated by changing conditions and where the overall public interest is served.

7.13.2 Following the first review of the plan, ten years after its adoption, Council will review the need for changes to the Official Plan at least every five years, as contemplated by the Planning Act. Before revising the official plan, Council will:

- a) Consult with Ministry of Municipal Affairs and other prescribed public bodies with respect to the revisions that may be required; and,
- b) Hold a special meeting of Council, open to the public, to discuss the revisions that may be required pursuant to Section 26 of the Planning Act.

7.13.3 When Council is considering revising/amending this Plan as part of the ten year of five year update, it will ensure that at least one open house is held for purpose of giving the public an opportunity to review and ask questions about the information and material made available including the proposed amendments (policies and mapping). The open house shall be held no later than seven days before the statutory public meeting, which may be conducted by the Hastings County Planning Committee with recommendations proceeding to Hastings County Council for a final decision.

7.13.4 The five year review, as a minimum, will consist of an assessment of:

- a) The relevance of the goals and objectives that form the basis of this Plan;
- b) Monitoring the County's long-term population, housing and employment forecasts;
- c) Monitoring the County's long-term urban residential and non-residential land needs;
- d) The suitability of the policies applicable to the various land use designations; and,
- e) The need for potential new policy initiatives, including any new Provincial or Federal requirements necessitating changes to the Plan.

7.13.5 Notwithstanding Part A – Sections 7.13.1 through 7.13.4 of this Plan, following the approval of a new Official Plan, the first review of the Plan is not required until 10 years after the new Official Plan comes into effect. Subsequent reviews shall, if done



through an Official Plan amendment, occur in 5 year intervals as outlined in Part A – Sections 7.13.1 through 7.13.4 of this Plan.

## **7.14 Consultation, Public Meetings, Alternative Notice Procedures, and Planning Advisory Committee**

- 7.14.1 County Council and Member Municipalities shall provide notice of statutory public meetings, open houses and decisions to the public and prescribed public bodies in accordance with the requirements and regulations of the Planning Act and related statutes to ensure that the public is provided an opportunity to make representations in respect of the proposed plan or amendment.
- 7.14.2 County Council and Member Municipalities will ensure that sufficient information and materials are made available to enable the public to understand the development proposal or amendment that is being considered by the council in accordance with the requirements and regulations of the Planning Act.
- 7.14.3 The Planning Committee and County Council may forego the statutory public meeting for a technical amendment to the Plan which does not change the effect of the Plan, such as correcting numbering or typographical errors.
- 7.14.4 A Member Municipality Council may forego the statutory public meeting for a technical amendment to the comprehensive zoning by-law which does not change the effect of the zoning by-law such as correcting numbering or typographical errors.
- 7.14.5 Consultation with and input from the Mohawks of the Bay of Quinte, the Algonquins of Ontario, the Williams Treaty First Nations, the Metis Nation of Canada, and other appropriate First Nations Groups shall be undertaken by the County and its Member Municipalities where areas of indigenous interest and/or the potential for aboriginal artifacts to be encountered have been identified.
- 7.14.6 Proponents for large-scale development proposal are encouraged to conduct public information sessions at the early stages of the project. The preparation of a Public Consultation strategy may be required of applicants, as per Part A- Section 7.8.1.5 of this Plan.
- 7.14.7 The County and the Member Municipalities shall circulate applications made under the Planning Act to all operators of a propane operation where:
- a) Any part of the propane operation's hazard distance is within the area subject to the planning application(s); and
  - b) The clerk of the County or a Member Municipality has been notified of the propane operation's hazard distance by a director appointed under Section 4 of the Technical Standards and Safety Act, 2000.

- 7.14.8 Where a new or expanding propane facility is proposed requiring an application made under the Planning Act, notice of application shall be provided as per the requirements of the Planning Act and to the owners of all parcels of land within the propane operation's hazard distance, where such distance is required by Section 3.1 of Ontario Regulation 211/01 for Propane Storage and Handling, as amended.
- 7.14.9 Comprehensive zoning by-laws often contain zone provisions requiring minimum distance separations and/or setbacks between zones or land uses considered to be potentially incompatible with sensitive land uses such as residences. For any development application proposing a reduction or variance to the required minimum distance separation or setback; notice of application shall be provided as per the requirements of the Planning Act and to the owners of all parcels of land within the original minimum distance separation or setback requirement as deemed appropriate and in the public interest by the County or the Member Municipality.
- 7.14.10 County Council shall appoint a Planning Advisory Committee, and provide the Committee with a terms of reference. The Committee shall contain not fewer than one member of the general public. The Committee shall operate in an advisory capacity, providing recommendations to Planning Committee as requested.

## PART A – APPENDIX 1

**Table A-2.1**  
**North Hastings Market Area**  
**Residential Urban Land Demand, 2013-2033**

Municipality	Low Density	Medium Density	High Density	Total	Residential Land Demand (Net Hectares) <sup>1</sup>	Residential Land Demand (Gross Hectares)
Bancroft Settlement Area	84	16	52	<b>152</b>	6.1	<b>8.7</b>
Birds Creek, Hamlet	56	0	0	<b>56</b>	28.0	<b>40.0</b>
<b>North Hastings Urban Land Demand</b>					<b>34.1</b>	<b>48.7</b>

Source: Watson & Associates Economists Ltd., 2013  
 Numbers may not add precisely due to rounding

**Units Per Net Ha Assumptions**

Municipality	Low Density	Medium Density	High Density
Bancroft Settlement Area	17	30	80
Birds Creek	2.0	30	80

Source: Watson & Associates Economists Ltd., 2013

1. Assuming a 70% net to gross ratio. Gross residential land demand includes infrastructure requirements (i.e roads, open space, etc.)

**Table A-2.2**  
**South Hastings Market Area**  
**Residential Urban Land Demand, 2013-2033**

Municipality	Low Density	Medium Density	High Density	Total Housing Demand	Residential Land Demand (Net Hectares) <sup>1</sup>	Residential Land Demand (Gross Hectares)
Deseronto, Town	64	4	0	<b>68</b>	3.9	<b>5.1</b>
Madoc, Village	96	28	36	<b>160</b>	7.0	<b>9.1</b>
Marmora Settlement Area	76	24	36	<b>136</b>	5.7	<b>7.4</b>
Deloro, Hamlet	0	0	0	<b>0</b>	0.0	<b>0.0</b>
Stirling Settlement Area	64	28	28	<b>120</b>	5.0	<b>6.6</b>
Tweed Settlement Area	76	0	44	<b>120</b>	5.0	<b>6.5</b>
<b>South Hastings Market Area</b>					<b>26.7</b>	<b>34.7</b>

Source: Watson & Associates Economists Ltd., 2013  
 Numbers may not add precisely due to rounding

Municipality	Low Density	Medium Density	High Density	Total Housing Demand	Total Land Demand (Net Hectares) <sup>1</sup>	Total Land Demand (Gross Hectares)
Hastings County	520	100	192	<b>812</b>	<b>59.3</b>	<b>77.0</b>

Source: Watson & Associates Economists Ltd., 2013  
 Numbers may not add precisely due to rounding

**Units Per Net Ha Assumptions**

Municipality	Low Density	Medium Density	High Density
South Hastings	17	30	80

Source: Watson & Associates Economists Ltd., 2013

1. Assuming a 70% net to gross ratio. Gross residential land demand includes infrastructure requirements (i.e roads, open space, etc.)

**Table A-2.3**  
**North Hastings Market Area - Non-Residential Urban Land Demand, 2013-2033**

Municipality	Industrial (Net Hectares <sup>1</sup> )	Commercial (Net Hectares <sup>1</sup> )	Institutional (Net Hectares <sup>1</sup> )	Total Land Demand (Net Hectares <sup>1</sup> )	Total Land Demand (Gross Hectares)
Bancroft Settlement Area	0.74	4.3	6.3	<b>11.4</b>	<b>14.2</b>
Birds Creek, Hamlet	0.74	2.8	1.5	<b>5.0</b>	<b>6.3</b>

Municipality	Industrial (Hectares)	Commercial (Hectares)	Institutional (Hectares)	Total Land Demand (Hectares)	Total Land Demand (Gross Hectares)
North Hastings Market Area	1.5	7.1	7.8	<b>16.4</b>	<b>20.5</b>

Source: Watson & Associates Economists Ltd., 2013

Numbers may not add precisely due to rounding

Land Demand Assumptions - Jobs per Hectare

Municipality	Industrial	Commercial	Institutional
Bancroft Settlement Area	15	38	30
Birds Creek, Hamlet	7	10	10

Source: Watson & Associates Economists Ltd., 2013

1. Gross Ha demand based on an 80% net to gross ratio

**Table A-2.4**  
**South Hastings Market Area - Non-Residential Urban Land Demand, 2013-2033**

Municipality	Industrial (Net Hectares <sup>1</sup> )	Commercial (Net Hectares <sup>1</sup> )	Institutional (Net Hectares <sup>1</sup> )	Total Land Demand (Net Hectares <sup>1</sup> )	Total Land Demand (Gross Hectares)
Deseronto, Town	0.0	1.2	4.5	<b>5.7</b>	<b>7.1</b>
Madoc Village	0.7	2.3	3.7	<b>6.7</b>	<b>8.3</b>
Marmora Settlement Area	5.6	1.8	3.7	<b>11.0</b>	<b>13.8</b>
Deloro, Hamlet	0.0	0.1	0.4	<b>0.5</b>	<b>0.7</b>
Stirling Settlement Area	1.1	1.5	5.4	<b>8.0</b>	<b>10.0</b>
Tweed Settlement Area	0.7	1.5	4.0	<b>6.2</b>	<b>7.8</b>

Municipality	Industrial (Hectares)	Commercial (Hectares)	Institutional (Hectares)	Total Land Demand (Hectares)	Total Land Demand (Gross Hectares)
South Hastings Market Area	8.2	8.3	21.6	<b>38.1</b>	<b>47.6</b>

Source: Watson & Associates Economists Ltd., 2013

Numbers may not add precisely due to rounding

Note: Madoc Village commercial land demand includes vacant commercial node along Bonjour Blvd, as well as Macdonald's restaurant node in northeast Madoc Village

Municipality	Industrial (Hectares)	Commercial (Hectares)	Institutional (Hectares)	Total Land Demand (Hectares)	Total Land Demand (Gross Hectares)
Hastings County Total	9.7	15.4	29.4	<b>54.5</b>	<b>68.1</b>

Source: Watson & Associates Economists Ltd., 2013

Numbers may not add precisely due to rounding

Land Demand Assumptions - Jobs per Hectare

Municipality	Industrial	Commercial	Institutional
Deseronto, Town	15	38	30
Madoc Village	15	38	30
Marmora Settlement Area	7	10	10
Deloro, Hamlet	15	38	30
Stirling Settlement Area	15	38	30
Tweed Settlement Area	15	38	30

Source: Watson & Associates Economists Ltd., 2013

1. Gross Ha demand based on an 80% net to gross ratio

**Figure E-5**  
**North and South Hastings Market Area**  
**Permanent + Seasonal Population and Household Forecast, 2011-2036**  
**Medium Growth Scenario**

Market Area	Year/Forecast Period	Permanent Population <sup>1</sup>	Permanent Households	Seasonal Population	Seasonal Dwellings	Total Permanent + Seasonal Population	Total Permanent + Seasonal Dwellings	% Total Permanent + Seasonal Dwellings
North Hastings Market Area	2011	12,400	5,085	11,420	3,120	23,820	8,205	39.7%
	2036	12,800	5,715	13,475	3,680	26,275	9,395	39.0%
	<b>2011-2036</b>	<b>400</b>	<b>630</b>	<b>2,055</b>	<b>560</b>	<b>2,455</b>	<b>1,190</b>	<b>42.5%</b>
South Hastings Market Area	2011	30,185	11,160	4,830	1,320	35,015	12,480	60.3%
	2036	32,860	13,215	5,470	1,495	38,330	14,710	61.0%
	<b>2011-2036</b>	<b>2,675</b>	<b>2,055</b>	<b>640</b>	<b>175</b>	<b>3,315</b>	<b>2,230</b>	<b>57.5%</b>
Hastings County	2011	42,585	16,245	16,250	4,440	58,835	20,685	100.0%
	2036	45,660	18,930	18,945	5,175	64,605	24,105	100.0%
	<b>2011-2036</b>	<b>3,075</b>	<b>2,685</b>	<b>2,695</b>	<b>735</b>	<b>5,770</b>	<b>3,420</b>	

Source: Watson & Associates Economists Ltd.

1. Population includes a net Census undercount estimated to be approximately 6.75 %

Numbers may not add precisely due to rounding

**Figure E-6**  
**North Hastings Market Area Residential Allocations by Member Municipality**  
**Permanent + Seasonal Population and Household Forecast, 2011-2036**

Municipality	Year/Forecast Period	Permanent Population <sup>1</sup>	Permanent Households	Seasonal Population	Seasonal Dwellings	Total Permanent + Seasonal Population	Total Permanent + Seasonal Dwellings	% Total Permanent + Seasonal Dwellings
Town of Bancroft	2011	4,140	1,690	305	85	4,445	1,775	
	2036	4,225	1,910	470	130	4,695	2,040	
	<b>2011-2036</b>	<b>85</b>	<b>220</b>	<b>165</b>	<b>45</b>	<b>250</b>	<b>265</b>	<b>22.3%</b>
Municipality of Hastings Highlands	2011	4,450	1,830	5,675	1,550	10,125	3,380	
	2036	4,690	2,080	6,490	1,775	11,180	3,855	
	<b>2011-2036</b>	<b>240</b>	<b>250</b>	<b>815</b>	<b>225</b>	<b>1,055</b>	<b>475</b>	<b>39.9%</b>
Township of Carlow/Mayo	2011	950	380	525	150	1,475	530	
	2036	1,030	445	630	170	1,660	615	
	<b>2011-2036</b>	<b>80</b>	<b>65</b>	<b>105</b>	<b>20</b>	<b>185</b>	<b>85</b>	<b>7.1%</b>
Township of Faraday	2011	1,570	645	2,045	560	3,615	1,205	
	2036	1,515	685	2,560	700	4,075	1,385	
	<b>2011-2036</b>	<b>-55</b>	<b>40</b>	<b>515</b>	<b>140</b>	<b>460</b>	<b>180</b>	<b>15.1%</b>
Township of Wollaston	2011	760	310	1,220	335	1,980	645	
	2036	745	335	1,440	395	2,185	730	
	<b>2011-2036</b>	<b>-15</b>	<b>25</b>	<b>220</b>	<b>60</b>	<b>205</b>	<b>85</b>	<b>7.1%</b>
Township of Limerick	2011	375	160	1,145	315	1,520	475	
	2036	405	185	1,365	375	1,770	560	
	<b>2011-2036</b>	<b>30</b>	<b>25</b>	<b>220</b>	<b>60</b>	<b>250</b>	<b>85</b>	<b>7.1%</b>
Cashel Portion of the Township of Tudor and Cashel	2011	155	70	500	135	655	205	
	2036	175	80	525	145	700	225	
	<b>2011-2036</b>	<b>20</b>	<b>10</b>	<b>25</b>	<b>10</b>	<b>45</b>	<b>20</b>	<b>1.7%</b>
Total North Hastings Market Area	2011	12,400	5,085	11,415	3,130	23,815	8,215	
	2036	12,785	5,720	13,480	3,690	26,265	9,410	
	<b>2011-2036</b>	<b>385</b>	<b>635</b>	<b>2,065</b>	<b>560</b>	<b>2,450</b>	<b>1,195</b>	<b>100.0%</b>

Source: Watson & Associates Economists Ltd.

1. Population includes a net Census undercount estimated to be approximately 6.75 %

Numbers may not add precisely due to rounding

**Figure E-7**  
**South Hastings Market Area Residential Allocations by Member Municipality**  
**Permanent + Seasonal Population and Household Forecast, 2011-2036**

Municipality	Year/Forecast Period	Permanent Population <sup>1</sup>	Permanent Households	Seasonal Population	Seasonal Dwellings	Total Permanent + Seasonal Population	Total Permanent + Seasonal Dwellings	% Total Permanent + Seasonal Dwellings
Town of Deseronto	2011	1,960	730	-	-	1,960	730	
	2036	2,005	815	-	-	2,005	815	
	<b>2011-2036</b>	<b>45</b>	<b>85</b>	<b>-</b>	<b>-</b>	<b>45</b>	<b>85</b>	<b>3.8%</b>
Municipality of Centre Hastings	2011	4,850	1,840	690	190	5,540	2,030	
	2036	5,585	2,285	715	195	6,300	2,480	
	<b>2011-2036</b>	<b>735</b>	<b>445</b>	<b>25</b>	<b>5</b>	<b>760</b>	<b>450</b>	<b>20.2%</b>
Township of Madoc	2011	2,345	810	25	5	2,370	815	
	2036	2,470	945	50	15	2,520	960	
	<b>2011-2036</b>	<b>125</b>	<b>135</b>	<b>25</b>	<b>10</b>	<b>150</b>	<b>145</b>	<b>6.5%</b>
Township of Marmora and Lake	2011	4,355	1,705	2,210	605	6,565	2,310	
	2036	4,685	2,005	2,505	685	7,190	2,690	
	<b>2011-2036</b>	<b>330</b>	<b>300</b>	<b>295</b>	<b>80</b>	<b>625</b>	<b>380</b>	<b>17.0%</b>
Township of Stirling-Rawdon	2011	5,315	1,890	115	30	5,430	1,920	
	2036	5,430	2,120	140	40	5,570	2,160	
	<b>2011-2036</b>	<b>115</b>	<b>230</b>	<b>25</b>	<b>10</b>	<b>140</b>	<b>240</b>	<b>10.8%</b>
Municipality of Tweed	2011	6,470	2,520	965	264	7,435	2,784	
	2036	6,935	2,920	1,100	301	8,035	3,221	
	<b>2011-2036</b>	<b>465</b>	<b>400</b>	<b>135</b>	<b>37</b>	<b>600</b>	<b>437</b>	<b>19.6%</b>
Township of Tyendinaga	2011	4,430	1,460	60	15	4,490	1,475	
	2036	5,245	1,895	60	15	5,305	1,910	
	<b>2011-2036</b>	<b>815</b>	<b>435</b>	<b>-</b>	<b>-</b>	<b>815</b>	<b>435</b>	<b>19.5%</b>
Tudor Portion of the Township of Tudor and Cashel	2011	470	205	770	210	1,240	415	
	2036	495	230	905	245	1,400	475	
	<b>2011-2036</b>	<b>25</b>	<b>25</b>	<b>135</b>	<b>35</b>	<b>160</b>	<b>60</b>	<b>2.7%</b>
Total South Hastings Market Area	2011	30,195	11,160	4,835	1,319	35,030	12,479	
	2036	32,850	13,215	5,475	1,496	38,325	14,711	
	<b>2011-2036</b>	<b>2,655</b>	<b>2,055</b>	<b>640</b>	<b>177</b>	<b>3,295</b>	<b>2,232</b>	<b>100.0%</b>

Source: Watson & Associates Economists Ltd

1. Population includes a net census undercount estimated to be approximately 6.75 %

Numbers may not add precisely due to rounding

**Figure E-8**  
**Hastings County (North and South Hastings Market)**  
**Employment Forecast, 2011-2036**  
**Medium Growth Scenario**

**North Hastings Market Area**

Year	Population (Excluding Undercount)	Population (Including Undercount)*	Employment						Employment Activity Rate	% Total County-wide Employment Growth
			Primary	Work @ Home	Industrial	Commercial / Retail	Institutional	Total Employment		
2006	11,665	12,450	105	540	585	1,835	785	3,850	31%	
2011	11,615	12,400	95	560	560	1,905	775	3,895	31%	
2036	11,995	12,805	60	700	530	2,250	745	4,285	33%	
11-36	380	405	-35	140	-30	345	-30	390		34%

Source: Watson & Associates Economists Ltd.

Numbers may not add precisely due to rounding

Total employment excludes no fixed place of work (NFPOW)

**South Hastings Market Area**

Year	Population (Excluding Undercount)	Population (Including Undercount)*	Employment						Employment Activity Rate	% Total County-wide Employment Growth
			Primary	Work @ Home	Industrial	Commercial / Retail	Institutional	Total Employment		
2006	27,295	29,135	315	1,285	1,030	2,055	1,145	5,830	21%	
2011	28,275	30,185	335	1,330	1,030	2,255	1,200	6,150	22%	
2036	30,775	32,850	310	1,550	960	2,875	1,200	6,895	22%	
11-36	2,500	2,665	-25	220	-70	620	0	745		66%

Source: Watson & Associates Economists Ltd.

Numbers may not add precisely due to rounding

Total employment excludes no fixed place of work (NFPOW)

**Figure E-9**  
**North Hastings Market Area Allocations by Member Municipality**  
**Employment Forecast, 2011-2036**

Area	Forecast Period	Permanent Population <sup>1</sup>	Employment	Employment Activity Rate	Percentage Share of Employment Growth
Town of Bancroft	2011	4,140	3,215	77.7%	
	2036	4,225	3,445	81.5%	
	<b>2011-2036</b>	<b>85</b>	<b>230</b>		<b>60%</b>
Municipality of Hastings Highlands	2011	4,450	385	8.7%	
	2036	4,690	465	9.9%	
	<b>2011-2036</b>	<b>240</b>	<b>80</b>		<b>21%</b>
Township of Carlow/Mayo	2011	950	75	7.9%	
	2036	1,030	95	9.2%	
	<b>2011-2036</b>	<b>80</b>	<b>20</b>		<b>5%</b>
Township of Faraday	2011	1,570	75	4.8%	
	2036	1,515	95	6.3%	
	<b>2011-2036</b>	<b>-55</b>	<b>20</b>		<b>5%</b>
Township of Wollaston	2011	760	70	9.2%	
	2036	745	85	11.4%	
	<b>2011-2036</b>	<b>-15</b>	<b>15</b>		<b>4%</b>
Township of Limerick	2011	375	45	12.0%	
	2036	405	60	14.8%	
	<b>2011-2036</b>	<b>30</b>	<b>15</b>		<b>4%</b>
Cashel Portion of the Township of Tudor and Cashel	2011	155	20	12.9%	
	2036	175	25	14.3%	
	<b>2011-2036</b>	<b>20</b>	<b>5</b>		<b>1%</b>

Source: Watson & Associates Economists Ltd.

1. Includes adjustment of approximately 6.75 % for net census undercount.

Total employment excludes no fixed place of work (NFPOW)



**Figure E-10**  
**South Hastings Market Area Allocations by Member Municipality**  
**Employment Forecast, 2011-2036**

Area	Forecast Period	Permanent Population <sup>1</sup>	Employment	Employment Activity Rate	Percentage Share of Employment Growth
Town of Deseronto	2011	1,960	490	25.0%	
	2036	2,005	555	27.7%	
	<b>2011-2036</b>	<b>45</b>	<b>65</b>		<b>8.7%</b>
Municipality of Centre Hastings	2011	4,850	1,010	20.8%	
	2036	5,585	1,070	19.2%	
	<b>2011-2036</b>	<b>735</b>	<b>60</b>		<b>8.1%</b>
Township of Madoc	2011	2,345	705	30.1%	
	2036	2,470	760	30.8%	
	<b>2011-2036</b>	<b>125</b>	<b>55</b>		<b>7.4%</b>
Township of Marmora and Lake	2011	4,355	780	17.9%	
	2036	4,685	945	20.2%	
	<b>2011-2036</b>	<b>330</b>	<b>165</b>		<b>22.1%</b>
Township of Stirling-Rawdon	2011	5,315	1,325	24.9%	
	2036	5,430	1,445	26.6%	
	<b>2011-2036</b>	<b>115</b>	<b>120</b>		<b>16.1%</b>
Municipality of Tweed	2011	6,470	1,040	16.1%	
	2036	6,935	1,170	16.9%	
	<b>2011-2036</b>	<b>465</b>	<b>130</b>		<b>17.4%</b>
Township of Tyendinaga	2011	4,430	755	17.0%	
	2036	5,245	870	16.6%	
	<b>2011-2036</b>	<b>815</b>	<b>115</b>		<b>15.4%</b>
Tudor Portion of the Township of Tudor and Cashel	2011	470	50	10.6%	
	2036	495	85	17.2%	
	<b>2011-2036</b>	<b>25</b>	<b>35</b>		<b>4.7%</b>

Source: Watson & Associates Economists Ltd.

1. Includes adjustment of approximately 6.75 % for net Census undercount.

Total employment excludes no fixed place of work (NFPOW)

## Appendix 2 – Designated Hamlets in Hastings County

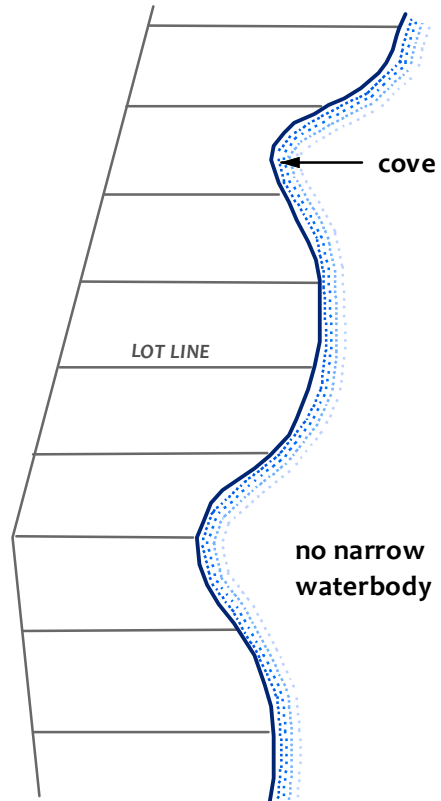
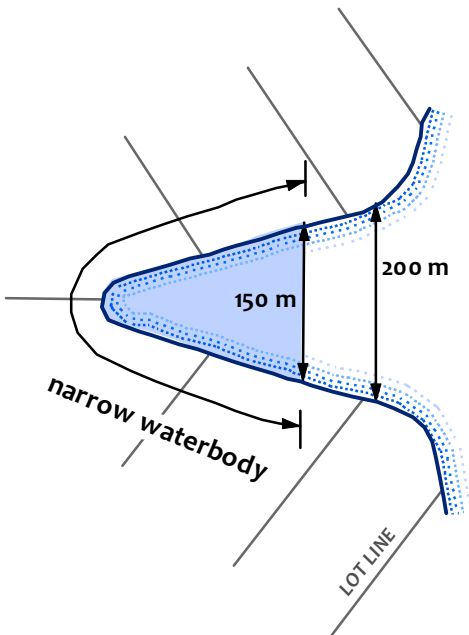
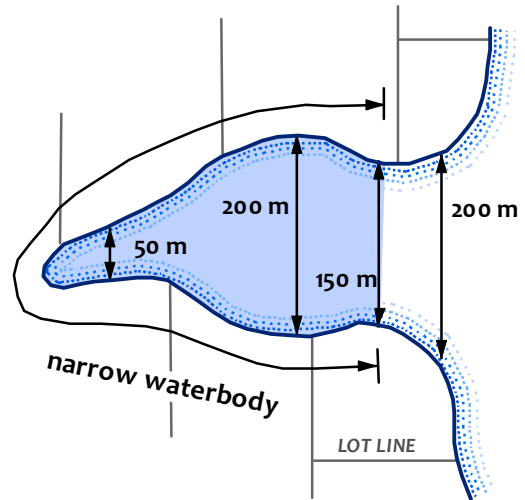
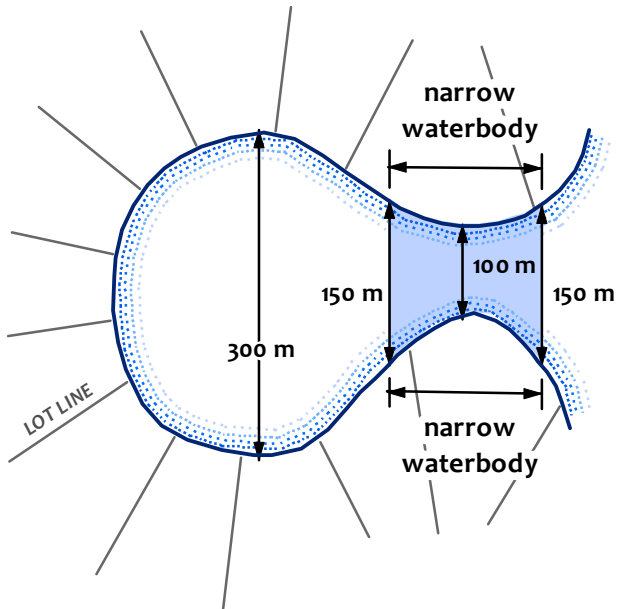
	<b>Hamlet</b>	<b>Member Municipality</b>	<b>Official Plan Schedule</b>
1	Boulter	Carlow/Mayo Township	North
2	Fort Stewart	Carlow/Mayo Township	North
3	McArthur's Mills	Carlow/Mayo Township	North
4	New Carlow	Carlow/Mayo Township	North
5	New Hermon	Carlow/Mayo Township	North
6	Slab Town	Carlow/Mayo Township	North
7	Crookston	Centre Hastings	South
8	Fuller	Centre Hastings	South
9	Ivanhoe	Centre Hastings	South
10	Moir	Centre Hastings	South
11	Paudash	Faraday Township	North
12	Baptiste	Hastings Highlands	North
13	Birds Creek	Hastings Highlands	North
14	Lake St. Peter	Hastings Highlands	North
15	Maple Leaf	Hastings Highlands	North
16	Maynooth	Hastings Highlands	North
17	Monteagle Valley	Hastings Highlands	North
18	Musclow	Hastings Highlands	North
19	Purdy	Hastings Highlands	North
20	St. Ola	Limerick Township	Central
21	Bannockburn	Madoc Township	Central
22	Cooper	Madoc Township	Central
23	Eldorado	Madoc Township	Central
24	Deloro	Marmora & Lake Township	Central
25	Actinolite	Municipality of Tweed	Central
26	Marlbank	Municipality of Tweed	South
27	Queensborough	Municipality of Tweed	Central
28	Stoco	Municipality of Tweed	South
29	Sulphide	Municipality of Tweed	South
30	Thomasburg	Municipality of Tweed	South
31	Bonarlaw	Stirling-Rawdon Township	South
32	Spring Brook	Stirling-Rawdon Township	South
33	Wellman	Stirling-Rawdon Township	South
34	Detlor	Town of Bancroft	North
35	L' Amable	Town of Bancroft	North
36	Gilmour	Tudor & Cashel Township	Central
37	Gunter	Tudor & Cashel Township	Central
38	Millbridge	Tudor & Cashel Township	Central
39	Blessington	Tyendinaga Township	South
40	Lonsdale	Tyendinaga Township	South
41	Marysville	Tyendinaga Township	South
42	Melrose	Tyendinaga Township	South
43	Read	Tyendinaga Township	South
44	Roslin	Tyendinaga Township	South
45	Shannonville	Tyendinaga Township	South
46	Coe Hill	Wollaston/Limerick	Central
47	Glen Alda	Wollaston	Central
48	Ormsby	Wollaston/Limerick	Central

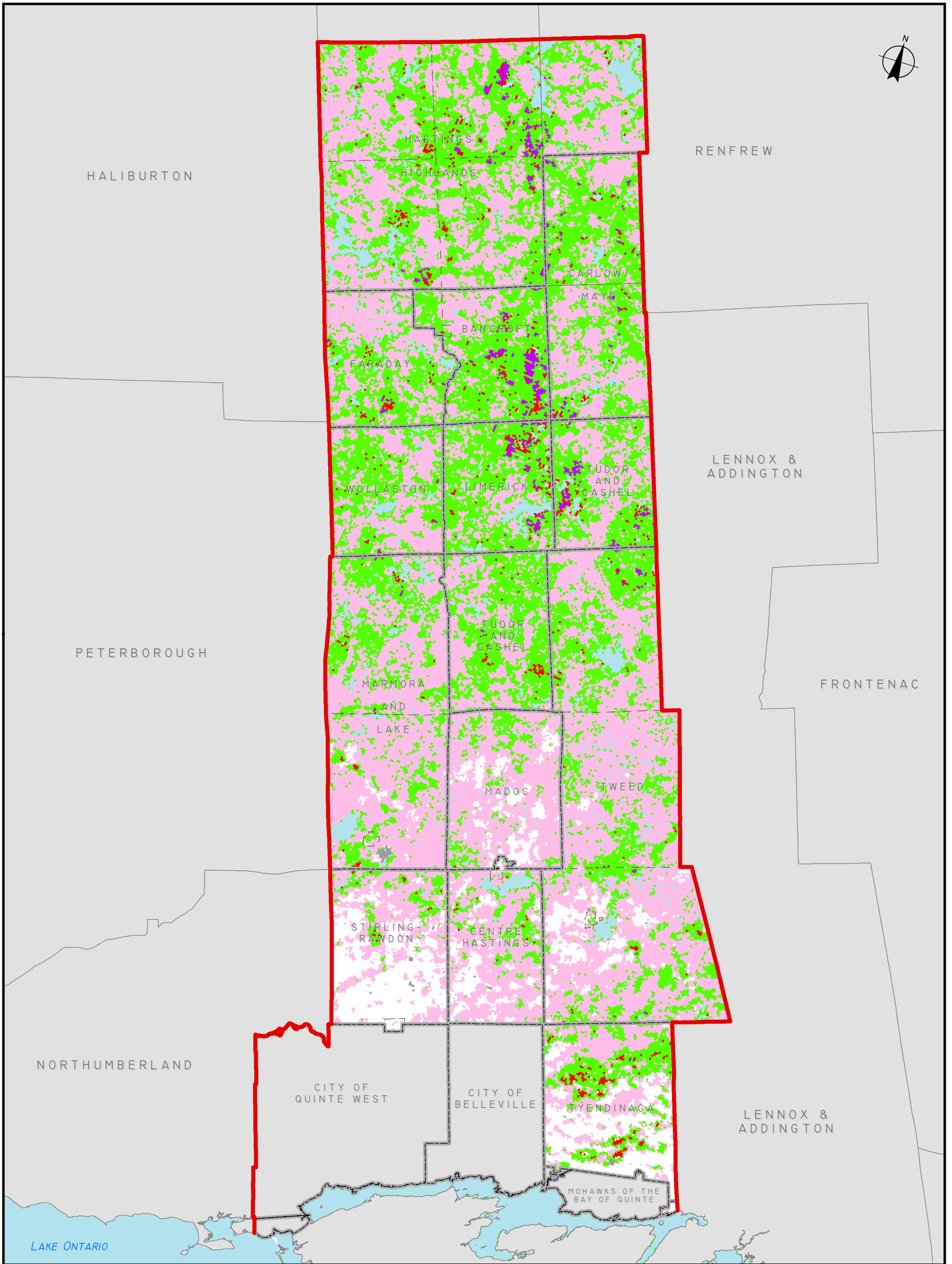
## PART A – APPENDIX 3

EP-A Index Area of Natural & Scientific Interest (ANSI)				
Label	Name	Significance	Description	Municipality
EP-A (#1)	Actinolite Site No. 1	Provincial	ANSI, Earth Science	Municipality of Tweed
EP-A (#2)	Bend Bay Valley	Provincial	ANSI, Life Science	Centre Hastings, Stirling-Rawdon
EP-A (#3)	Crowe Lake Ridges and Wetlands	Regional	ANSI, Life Science	Marmora & Lake Township
EP-A (#4)	Crowe River Swamp	Provincial	ANSI, Life Science	Wollaston Township
EP-A (#5)	Egan Chute	Provincial	ANSI, Life Science	Town of Bancroft
EP-A (#6)	Elzevir Peatlands and Barrens	Provincial	ANSI, Life Science	Municipality of Tweed
EP-A (#7)	Flinton Site No. 4	Regional	ANSI, Earth Science	Municipality of Tweed
EP-A (#8)	Goose Creek Ponds	Regional	ANSI, Life Science	Municipality of Tweed
EP-A (#9)	Kaladar Jack Pine Barrens	Provincial	ANSI, Life Science	Municipality of Tweed
EP-A (#10)	Larkin's Fen	Regional	ANSI, Life Science	Municipality of Tweed
EP-A (#11)	Lime Lake - Dry Lake Fens	Regional	ANSI, Life Science	Municipality of Tweed
EP-A (#12)	Madoc Sites No. 2	Provincial	ANSI, Earth Science	Madoc Township
EP-A (#13)	Madoc Sites No. 3	Provincial	ANSI, Earth Science	Madoc Township
EP-A (#14)	Madoc Sites No. 4	Provincial	ANSI, Earth Science	Madoc Township
EP-A (#15)	Madoc Sites No. 5	Provincial	ANSI, Earth Science	Madoc Township
EP-A (#16)	Marlbank Esker	Provincial	ANSI, Earth Science	Municipality of Tweed
EP-A (#17)	Marmora West Road Cut	Provincial	ANSI, Earth Science	Marmora & Lake Township
EP-A (#18)	Marmoraton Mine	Regional	ANSI, Earth Science	Marmora & Lake Township
EP-A (#19)	Mellon Lake	Provincial	ANSI, Life Science	Municipality of Tweed
EP-A (#20)	Moira Karst	Provincial	ANSI, Earth Science	Tyendinaga Township
EP-A (#21)	Mount Moria	Provincial	ANSI, Life Science	Municipality of Tweed, Madoc Township
EP-A (#22)	Richardson Goldmine	Provincial	ANSI, Earth Science	Madoc Township
EP-A (#23)	Salmon River Alvar	Provincial	ANSI, Life Science	Tyendinaga Township
EP-A (#24)	Shannonville Inlier	Provincial	ANSI, Earth Science	Tyendinaga Township
EP-A (#25)	Stocklossar Mill Site No. 1	Provincial	ANSI, Earth Science	Madoc Township
EP-A (#26)	Stocklossar Mill Site No. 2	Provincial	ANSI, Earth Science	Madoc Township
EP-A (#27)	Stocklossar Mill Site No. 4	Provincial	ANSI, Earth Science	Madoc Township
EP-A (#28)	Stoco Fen	Provincial	ANSI, Life Science	Municipality of Tweed
EP-A (#29)	Thomasburg Esker	Provincial	ANSI, Earth Science	Centre Hastings
EP-A (#30)	Thomasburg Esker Bog	Regional	ANSI, Life Science	Municipality of Tweed
EP-A (#31)	Westplain Mud Lake	Provincial	ANSI, Life Science	Tyendinaga Township

# Appendix '4'

## Guidelines for Measuring Narrow Waterbodies

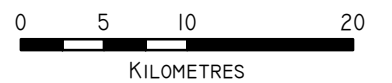




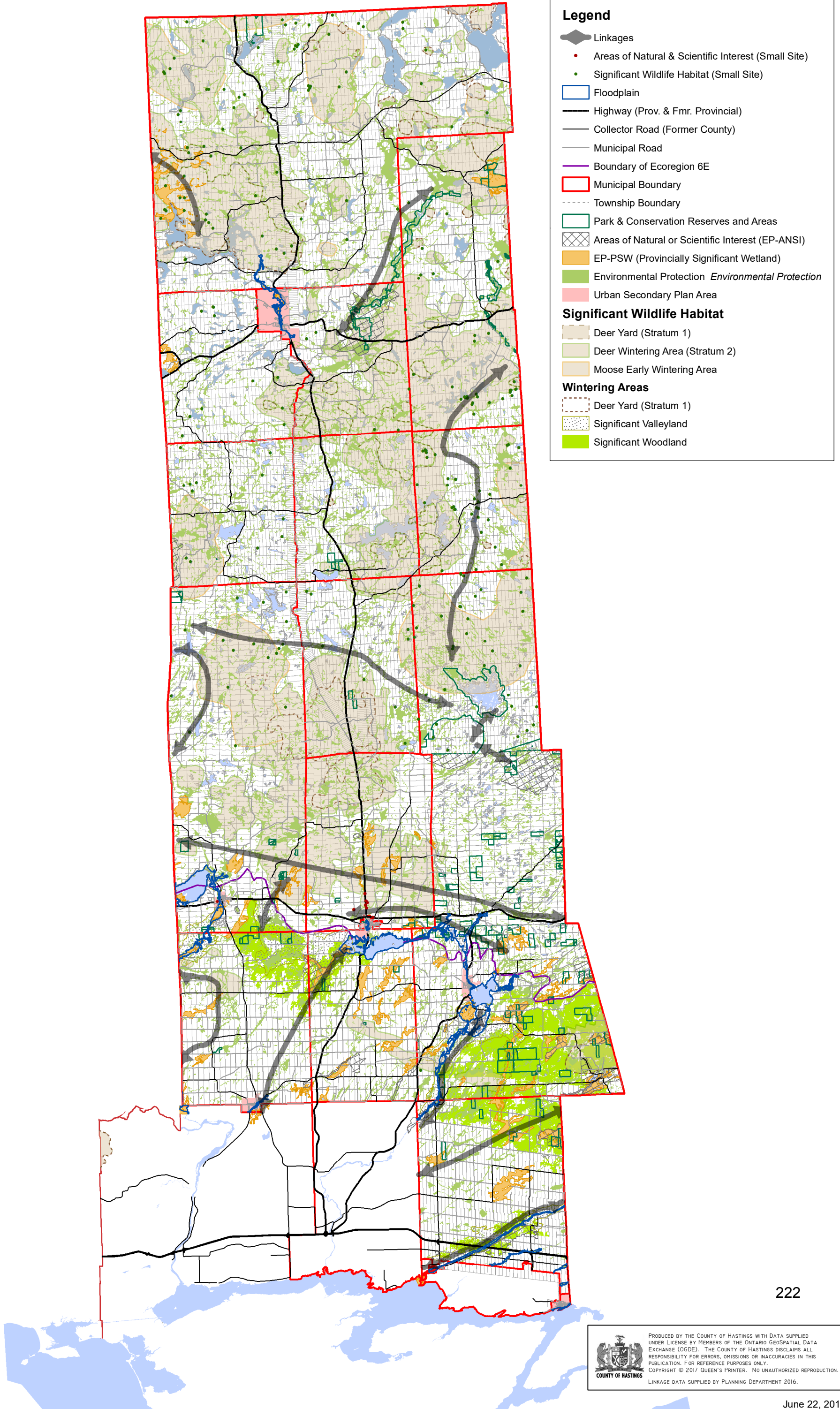
HAZARDOUS FOREST TYPES FOR WILDLAND FIRE

POTENTIAL HAZARD CLASSIFICATION

- Extreme
- Moderate - Mixedwoods 25% - 50% Conifer
- Pine - C5/C6 Needs Evaluation
- Low - D1(Hardwoods), Mixedwoods <25% Conifer
- Non-Fuel / Unknown
- Water
- High - Mixedwoods 50%-75% Conifer



APPENDIX 6 NATURAL HERITAGE SYSTEM



**Legend**

- Linkages
  - Areas of Natural & Scientific Interest (Small Site)
  - Significant Wildlife Habitat (Small Site)
  - Floodplain
  - Highway (Prov. & Fmr. Provincial)
  - Collector Road (Former County)
  - Municipal Road
  - Boundary of Ecoregion 6E
  - Municipal Boundary
  - Township Boundary
  - Park & Conservation Reserves and Areas
  - Areas of Natural or Scientific Interest (EP-ANSI)
  - EP-PSW (Provincially Significant Wetland)
  - Environmental Protection *Environmental Protection*
  - Urban Secondary Plan Area
- Significant Wildlife Habitat**
- Deer Yard (Stratum 1)
  - Deer Wintering Area (Stratum 2)
  - Moose Early Wintering Area
- Wintering Areas**
- Deer Yard (Stratum 1)
  - Significant Valleyland
  - Significant Woodland