



OFFICIAL PLAN of THE URBAN AREA  
of THE CITY of CLARENCE-ROCKLAND



Official Plan of the Urban Area  
of the City of Clarence-Rockland

November 19, 2013

Le 1 octobre 2014

Cité de Clarence-Rockland  
Monsieur Mike Michaud  
Directeur  
Service de l'Aménagement du territoire  
1560, rue Laurier  
Rockland ON K4K 1P7

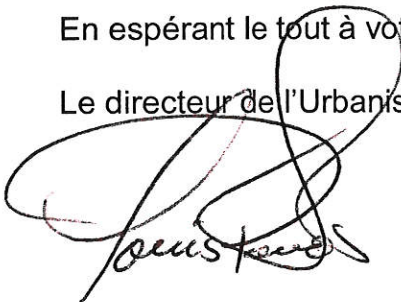
**SUJET : Fin de la période d'appel  
Plan officiel de l'aire urbaine de la cité de Clarence-Rockland  
Dossier n° 020-LOPA-14-002**

Monsieur Michaud,

La présente est à l'effet de vous informer que la période d'appel dans le dossier cité en rubrique est échue depuis le 29 septembre 2014 et que nous n'avons reçu aucune objection relativement à cette filière. Le Plan officiel de l'aire urbaine de la cité de Clarence-Rockland est par conséquent en vigueur depuis le 30 septembre 2014.

En espérant le tout à votre entière satisfaction.

Le directeur de l'Urbanisme et de la Foresterie



Louis Prévost

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**OFFICIAL PLAN OF THE URBAN AREA  
OF THE  
CITY OF CLARENCE-ROCKLAND**

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## **SECTION 1**

### **TITLE AND COMPONENTS OF THE OFFICIAL PLAN**

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#### **1.1 Title**

Upon approval of the United Counties of Prescott and Russell, this Official Plan shall be known as the “Official Plan of the Urban Area of the City of Clarence-Rockland”, hereafter referred to as “Urban Area.”

#### **1.2 Boundaries**

This Official Plan applies to all the lands within the boundaries of the Urban Area of the City of Clarence-Rockland, as shown on Schedule ‘A’ of the Official Plan of the United Counties of Prescott and Russell, as amended.

#### **1.3 The Official Plan**

The Official Plan consists of the attached text and the attached Schedule ‘A’ and Schedule ‘B’.

Sections 1, 2, 3 and 4 provide the Introduction, Basis, Goals and Objectives and General Development Policies.

Sections 5 to 12 provide policies for specific land use designations, transportation, servicing, implementation and interpretation of the Plan.

Schedule ‘A’, Land Use Designations, illustrates the limits and locations of the land use designations and Policy Areas.

Schedule ‘B’ illustrates the Transportation Network and related linkages within the Urban area, showing a hierarchy of the Road network (i.e., arterial, collector), as well as the recreational pathway system (i.e., pedestrian, bicycle) and linkages with Open Spaces.

## **SECTION 2**

### **BASIS FOR THE OFFICIAL PLAN**

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#### **2.1 Policy Context**

This Official Plan was prepared to direct the future development of the Urban Area of the City of Clarence-Rockland for a period of approximately 20 years, from 2013 to the year 2033. This Plan is consistent with the Provincial Policy Statement and the *Planning Act*, conforms to the Official Plan of the United Counties of Prescott and Russell, and establishes specific policies that reflect the unique character of Rockland.

This Plan covers the entire area within the limits of the Urban Area. The Plan takes into account the functional relationships between the Urban Area, the surrounding rural area and hamlets and adjacent municipalities in the United Counties of Prescott and Russell, and the City of Ottawa.

The Provincial Policy Statement, as well as the Official Plan of the United Counties of Prescott and Russell, establishes a number of policies affecting planning matters that must be adhered to. The following sections include policies that are consistent with statements issued under the *Planning Act* and are complemented by locally-generated policies regarding matters of municipal interest.

#### **2.2 Strategic Direction**

There are three basic principles of the Plan. These are:

1. That sustainable growth is desirable and the Plan should be flexible;
2. That quality of life must be preserved and enhanced;
3. To create a vision and set policies in order to manage future growth within Rockland.

#### **2.3 Growth and Population Projections**

For growth and population projections, refer to the Urban Boundary Review produced for the City of Clarence-Rockland (February 2010) as well as the United Counties of Prescott and Russell Official Plan.

#### **2.4 Municipal Roles**

The role of the Urban Area has evolved since the last Official Plan from a regional centre, a manufacturing town and a dormitory town to the following:

1. A regional service centre that provides commercial goods and services, community services and facilities for the surrounding municipalities of the United Counties of Prescott and Russell.
2. A centre for educational facilities.
3. A place that offers a full range of housing choice and affordability on fully serviced lots and is in the vicinity of the City of Ottawa.

#### **2.5 Environmental**

In recent years, there has been a growing awareness of the need to protect the environment as

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a natural attribute that contributes to the character of a municipality. The *Planning Act* enables the City to do this within limitations.

The natural environment, which includes the air, ground, water and energy, can be severely affected by human activities; therefore, it is necessary to plan with these elements and their functions in mind, in order to anticipate how they could be affected and take the necessary actions to protect their integrity.

This Plan recognizes the importance of protecting and enhancing the Ottawa River and other watercourses within the Urban Area as well as opportunities to provide compatible recreational opportunities along these scenic natural areas.

#### **2.6 Residential**

For information regarding residential growth and projections, refer to the Urban Boundary Review produced for the City of Clarence-Rockland (February 2010) as part of the Five-Year Review supporting information and material.

The predominant land use in the Urban Area is residential and it has contributed to most of the construction that has occurred in the past decade or so. In particular, over the past five years, the City of Clarence-Rockland has experienced unprecedented residential growth with approximately 80% of the growth occurring in the Urban Area. There has been an increase in row dwellings and apartment developments over the past decade. These types of residential developments are in response to a market demand for more affordable housing. This is reflective of an aging population and an increase in young families purchasing their first home.

Council shall consider increasing residential building heights in areas deemed proper for these types of development.

It is anticipated that the main form of residential tenure and construction will be single dwellings. However, as the population continues to grow, opportunities for higher density must be made available.

The United Counties of Prescott and Russell Official Plan provides guidance on the distribution of residential types and density. The Official Plan is seeking to ensure that 70% of all new housing will be low density (up to 16 units per net ha), 20% medium density (up to 30 units per net ha) and 10% high density (more than 30 units per net ha). A net hectare is defined as the actual land used for the development of residential land use exclusive of land required for roads, parks or other amenities.

Rockland needs to recognize its niche in the market place and promote housing that is affordable as well as housing in unique locations, such as the waterfront. Future growth areas within the Urban Area need to be efficiently planned in a manner that will accommodate all forms of residential housing. Higher density residential development will be promoted and supported in the area adjacent to the Commercial Core Area to support commercial development along Laurier Street.

#### **2.7 Parks and Open Space**

The Urban Area offers a wide range of opportunities for recreation. The Urban Area and the various school boards have entered into agreements to share their respective facilities. There are several active and passive parks throughout the Urban Area, as well as a private golf

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### **BASIS FOR THE OFFICIAL PLAN**

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course.

There is a need to continue to expand the supply of parkland as the population increases and to provide linkages between these. The waterfront provides opportunities for public recreational opportunities, tourism and water-oriented commercial activities.

#### **2.8 Commercial Concentration**

Laurier Street is the main commercial arterial of the Urban Area. There are two commercial nodes or sectors along Laurier Street: the existing Downtown Core Area and the existing commercial development in the west end of the Urban Area.

The Urban Area possesses a diversified local commercial base. In the past few years, the most active commercial developments have been the fast-food and retail sectors, such as large format retail along County Road 17.

#### **2.9 Industrial Development**

The Municipality encourages existing businesses to expand and encourages the development of service commercial, light industrial and business park uses. Medium and heavy industrial uses will be discouraged within the limits of the Urban Area in favour of rural locations away from residential uses such as Trade and Industry Policy Areas.

#### **2.10 Economic Growth and Development**

The Urban Area has relied on traditional commercial and light industrial uses for non-residential tax assessment and very little of the tax revenue has, in fact, been generated by light industrial uses.

The nature of employment has changed over the past decade. Schools and other community facilities have become one of the dominant employment sectors in the Urban Area.

With assets such as its bilingual character, its closeness to the Capital region, its unique location along the Ottawa River and its role as a major service centre for Prescott-Russell, the Urban Area intends to take steps to diversify its economy. Council has agreed to prepare an economic development strategy including a downtown revitalization strategy and has already taken steps in order to foster home-based businesses by amending the zoning provisions.

Many government programs are available to stimulate economic development. The United Counties of Prescott and Russell have made a commitment to this objective as well. The Urban Area should cooperate with these agencies and encourage the business community to take advantage of these programs.

#### **2.11 Transportation**

County Road No. 17 and Laurier Street function as the main east-west corridor. All collector roads in the Urban Area should direct traffic to these roads.

In the southern portion of the Urban Area, there is a need to define collector roads that will direct traffic from the residential areas to the commercial nodes.

In the eastern portion of the Urban Area, Council will work with the UCPR to improve the

## **SECTION 2**

### **BASIS FOR THE OFFICIAL PLAN**

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intersection of Laurier Street with County Road 17 by possibly eliminating the existing entrance in favor of a more westerly entrance as conceptually depicted on Schedule B.

In addition to the road network, a system of defined bicycle routes and pedestrians or nature trails that are integrated with roadways and sidewalks would contribute to a more efficient internal transportation network, as shown on Schedule 'B' to this Official Plan document.

#### **2.12 Heritage**

A number of properties have been designated as buildings of historical and architectural value or interest under Part IV of the *Ontario Heritage Act*, 1974.

| <b>Building</b>             | <b>Location</b>               |
|-----------------------------|-------------------------------|
| Former Post Office          | 2055 Laurier St.              |
| Former Rockland Town Hall   | 1560 Laurier St.              |
| Catholic Church & Rectory   | 2178, 2180 & 2184 Laurier St. |
| St. Andrew Community Centre | 1595 Laurier St.              |
| Former Baptist Church       | 1587 Laurier St.              |

The City intends to encourage the preservation and restoration of non-designated existing structures that contribute to the historic character and to designate other properties within the Urban Area for their historical or architectural value or interest.

#### **2.13 Social Development**

The City and the school boards have entered into agreements allowing students to use municipal equipment (arena, tennis courts, baseball diamonds, outdoor rinks, community hall) and residents to use school facilities (gymnasium, auditorium, school yards, football fields, school rooms, etc.). The need for similar agreements will increase with a growing population and declining financial resources.

The City encourages and recognizes the contribution and involvement of volunteer work throughout the community.

#### **2.14 Affordable Housing**

Affordable housing includes all forms of tenure, such as social housing, co-op housing, condominium, rental, private ownership, homes for the aged, homes for the disabled and all special needs housing.

Affordable housing includes all residential units that meet the definition of affordability of the Province of Ontario. Council shall encourage infill and housing intensification, particularly in the core area of the Urban Area. Development standards and densities within the Urban Area should be cost-effective, thereby reducing the costs associated with housing. Alternative housing types, such as garden suites and accessory dwelling units, shall be permitted in the Urban Area.

#### **2.15 Flexibility**

A flexible approach to planning is important to the growth of the Urban Area. The Plan must be flexible in responding to development applications, proactive in attracting development by

## **SECTION 2**

### **BASIS FOR THE OFFICIAL PLAN**

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describing the wishes of Council, and provide sufficient direction to manage future development. The City is in a competitive environment in relation to other municipalities and it is desirable to have a Plan that is general in nature, and which permits some interpretation to respond to the day to day needs of the City without being amended.

The Plan may need to be amended to accommodate unanticipated situations and as a measure of control over certain types of uses that have negative impacts on adjacent uses and, in particular, residential uses.

#### **2.16 Planning Concept**

1. The planning concept that appears on Schedule 'A', Land Use Designations, defines each major functional area. This Plan lists the permitted uses and details the appropriate policies applying to the permitted uses.
2. The concept that is illustrated on Schedule 'A' is that of a growing community. All land that has potential for development has been designated for uses that are in keeping with the City's vision. The City favours uses that are urban and that will contribute to maintaining or enhancing the Urban Area's character and role as a growing community. Consequently, certain types of new developments, such as estate lot, mobile homes, heavy industry and agricultural uses are prohibited.
3. The predominant land use on the Official Plan is residential. The designation distinguishes between low and medium density residential uses.
4. The residential uses are to be supported by a compact local Commercial Core that fronts onto the historic commercial street of the Urban Area (Laurier Street), by a large area of service commercial uses located at the west end of the Urban Area and by small local commercial nodes scattered throughout the Urban Area. Large format retail centres on County Road 17 compliment the local commercial areas.
5. Several schools are grouped together in the heart of the Urban Area, creating an education campus. These sites also provide recreational and community facilities, outdoor equipment, open space and a large wooded area that contribute to the natural environment. Council shall ensure that these facilities can expand without creating negative impacts for the adjacent residential communities and road network.
6. There are several active parks in the Urban Area and several more are planned in the future. Nature trails and bicycle routes should be considered and planned to link all the open space and parks throughout the Urban Area.
7. There is a large passive open space that runs along the edge of Lafontaine Creek at the bottom of a well treed bluff and a smaller one located in the northwest end of the Urban Area near Voisine Road and Woods Street. These sites are used as stormwater management facilities. Also, there is a Provincially Significant Wetland (PSW) located along Clarence Creek and the Ottawa River, and a former quarry that has been designated as an Area of Natural and Scientific Interest (ANSI) by the Ministry of Natural Resources. All of these features add to the natural diversity of the landscape and provide opportunities for passive and active recreational use.
8. One (1) area has been identified on Schedule 'A' of the Official Plan as "Special Study Area (SSA)." This site, which has been added to the Urban Area by Amendment to the County Official Plan, would require the preparation of special studies to determine its

## **SECTION 2**

### **BASIS FOR THE OFFICIAL PLAN**

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future development potential.

9. Several changes are proposed for the existing road system in order to improve access to and within the Urban Area. Council will work with the County on assessing the social impacts of widening County Road 17 as this may further split the Urban Area into two, while effectively isolating the southern portion of the Urban Area from the river. An east-west bypass road with a southern alignment should be further considered and explored. Many of the changes are illustrated on Schedule 'B' and include: the extension of Docteur Corbeil to St-Jean; the extension of Caron Street to County Road No. 17; and the development of an east-west Arterial Road across the southern section of the Urban Area.
10. The lands located north of County Road No. 17 and east of the sewage treatment plant are proposed for a "Business Park" designation and a portion of land at the northern end of Edwards Street is redesignated to allow water-oriented recreational facilities.

#### **2.17 Approach to Planning**

1. Land uses have specific designations on Schedule 'A'. Some of the land uses have special policies that need to be addressed prior to development.
2. The City will cooperate with other levels of government in order to provide an appropriate level of service at a reasonable price. To achieve this, the City will work with other municipalities and public agencies to share in the provision of services to the residents of the Urban Area.
3. All proponents of development shall meet with the City's Planning Department prior to submitting an application for development.



## **SECTION 3**

### **GOALS, OBJECTIVES, ACTIONS AND VISION STATEMENT**

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#### **3.1 Goals**

The Official Plan manages the future development for the Urban Area; it provides a land use planning concept, policies and comprehensive implementation tools.

The goals of the Plan are as follows:

1. Establish the planning policies for the Urban Area.
2. Permit the City to take advantage of development opportunities.
3. Make planning decisions based on the long term needs of the Urban Area and the City in general.
4. Adopt a proactive approach to encourage economic growth and development.
5. Involve the public in the decision-making process and balance the long term needs of the residents with the rights of the individual.
6. Formulate policies and land use concepts that meet the needs of the City for the planning period to the year 2033.
7. Select the most appropriate land uses and designate these in the most efficient manner so as to make the best use of land.
8. Encourage access to sustainable and active forms of transportation infrastructure through pedestrian links, bicycle paths and open spaces.
9. Permit reduced Right-of-Way widths as long as they are appropriate for the proposed density.

#### **3.2 Objectives**

The objectives of the Plan are as follows:

1. Encourage development that respects the character of the Urban Area.
2. Provide for a greater variety of housing types.
3. Reserve areas for non-residential development.
4. Promote the roles of the City (regional centre, education facilities, and residential character).
5. Promote the Urban Area's assets, setting, location (along the shore of the Ottawa River), charms, and potential.
6. Introduce a more flexible approach to planning while respecting the planning principles in the Plan.
7. Assure a greater compatibility of land uses, particularly for new development proposals abutting existing areas.

## **SECTION 3**

### **GOALS, OBJECTIVES, ACTIONS AND VISION STATEMENT**

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8. Permit the use of all lands to their best potential within the planning concept.
9. Allow development only where full municipal services are available.
10. Adopt a hierarchy for the road network that promotes efficient utilization, discourages through traffic on local roads, and directs traffic from local roads to collectors and from collectors to arterials.
11. Encourage preservation, restoration and conversion of older buildings that have historical or architectural value or interest.
12. Recognize the environment as a positive feature in development proposals by protecting and assuming hazard lands (i.e. flood plains, unstable slopes) and natural heritage lands (i.e. wetlands) and natural heritage corridors.
13. Preserve environmentally sensitive lands and consider physical development constraints in the preparation of development proposals.
14. Strengthen the City's role as an important educational and community facilities centre in the United Counties of Prescott and Russell.
15. Foster a stronger Downtown Core Area by concentrating retail commercial along the core area of Laurier Street, reducing through traffic and placing an emphasis on this area being community focused and a people place.
16. Encourage public participation in the planning process.

#### **3.3 Actions**

1. Review and update the Comprehensive Zoning By-law to conform to the provisions of this Plan.
2. Update the existing economic development strategy to strengthen its economic position and assist commerce to expand and develop in Urban Area.
3. Provide assistance in the creation of a public parking lot(s) within the Commercial Core Area.
4. Develop a compact pedestrian-oriented Commercial Core Area.
5. Develop urban design policies (i.e., signage, street furniture, etc.) that will be used in reviewing development proposals within the Commercial Core Area.
6. Update the Recreation Master Plan and the Sanitary Sewer Master Plan.
7. Designate the Ste. Famille Community Center as a property of historical value or interest.
8. Improve the internal road network.
9. Review the potential location of a 4-lane Roadway linking Trim Road in the City of

## **SECTION 3**

### **GOALS, OBJECTIVES, ACTIONS AND VISION STATEMENT**

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Ottawa to the Urban Area.

10. Favour development that will result in minimum expenditure for infrastructure works for the Urban Area.
11. Support initiatives to implement a public transit system within the City of Clarence-Rockland.
12. Promote the use of bicycles as a means of transportation.
13. Maintain municipal infrastructures to acceptable standards.
14. Assist source protection committees throughout the source protection planning process.
15. Develop a private approach by-law to mitigate issues with respect to private property access to public roads.
16. Council shall have the currently designated Wetland along County Road 17 re-evaluated to determine if these lands should remain in this designation.
17. Develop a site alteration by-law.
18. Have St-Jean Street downloaded from the County to a local collector road for the portion within the Urban Area.
19. Undertake a study to determine the need and feasibility for a stormwater management facility(ies) to service the Commercial Core Area.

#### **3.4 Vision Statement**

The Planning Department, in preparing this Plan, conducted extensive public consultation. During the preparation of this Plan, a vision of the Urban Area emerged. The following vision statement provides an overall context for the preparation of the Plan and for the future strategic direction of the Urban Area.

“The Municipal Council is committed to a land use planning process which manages changes that occur in the evolution and development of the Urban Area. The Official Plan is a document that reflects the public interest while recognizing individual rights and responsibilities. By adopting the policies in this Official Plan, the Municipal Council will strive to create a high quality living environment by providing a balance between the preservation of natural and physical resources while meeting the other needs of the existing and future population in a fiscally responsible manner. The Municipal Council also recognizes that land within the Urban Area is a limited resource and long range plans are needed to manage existing resources and to address future requirements.”

## **SECTION 4**

### **GENERAL DEVELOPMENT POLICIES**

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The policies of this Section deal with development considerations that are common to a number of land use categories. These policies apply, where relevant, in addition to the policies under the specific land use categories.

#### **4.1 Access to Public Road**

All new development must have frontage on a public road that is of an adequate width and standard of construction and is maintained year-round by the City of Clarence-Rockland or other Public Authority.

All new development will be carefully located so that no traffic hazard is created by the new use.

The policies and guidelines of the United Counties of Prescott and Russell will apply to any new development abutting a County Road.

#### **4.2 Contaminated Sites and Records of Site Condition**

Contaminated Lands are those lands where the environmental condition of the property has been harmed through past activities. Although such lands represent a potential hazard due to real or perceived environmental contamination, opportunities for brownfield redevelopment may exist. The redevelopment of abandoned or underutilized industrial and commercial sites is consistent with the policies encouraging increased intensification in built-up areas.

The following policies will apply:

1. In order to ensure that there will be no adverse effects from any proposed development or redevelopment, environmental site assessments and remediation of contaminated sites are required by this Plan prior to any activity or development occurring on the site that is known or suspected to be contaminated. The City will require the proponent of development on such sites to determine the nature and extent of contamination and the necessary remediation measures in accordance with the policies below.
2. The City will require all applications for development in areas known or suspected of former land use activities that may lead to soil contamination be supported by a Phase I Environmental Site Assessment (ESA).
3. Where a Phase I ESA reveals that a site may be contaminated, a Phase II ESA will be required. A Phase I or II ESA is an assessment of property conducted in accordance with Part XV.I of the *Environmental Protection Act* and Ontario Regulation 153/04 or their successors by or under the supervision of a qualified person to determine the location and concentration of one or more contaminants on the site proposed for development.
4. Prior to a development being approved on a site where information reveals that the site may be or is contaminated, the applicant will provide a Record of Site Condition in accordance with Part XV.I of the *Environmental Protection Act*, and Ontario Regulation 153/04 or their successors. The Record of Site Condition, which details requirements related to site assessment and cleanup, must be acknowledged by the Ministry of the Environment and uploaded to the Electronic Brownfields Registry, confirming that the site has been made suitable for the proposed use. The Record of Site Condition and MOE acknowledgement will be provided to the City. If a Certificate of Property Use (CPU) is required, it will be registered on title of the subject lands.

## SECTION 4

### GENERAL DEVELOPMENT POLICIES

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5. All contaminated lands shall be subject to Site Plan Control.
6. The City may consider a program for financial and other incentives to promote the redevelopment and reuse of brownfield properties that are subject to environmental constraints.

#### 4.3 Cultural Heritage, Significant Built Heritage and Archaeological Resources

The City of Clarence-Rockland recognizes the importance of cultural heritage resources and significant built heritage resources. Therefore, Council will encourage the identification, conservation, protection, restoration, maintenance and enhancement of cultural heritage resources and significant built heritage resources. All new development permitted by the policies of this Plan will have regard for cultural heritage resources and significant built heritage resources and will, wherever possible, incorporate these resources into any new development plans. In addition, all new development will be planned in a manner that preserves and enhances the context in which cultural heritage resources and significant built heritage resources are situated.

Cultural heritage resources include, but are not restricted to, archaeological sites, cemeteries and burial sites, buildings and structural remains of historical and architectural value, and human-made rural, village and urban districts or landscapes of historic and scenic interest.

Pursuant to the *Ontario Heritage Act*, the Municipality may, by By-law:

- a) designate properties to be of historic or architectural value or interest;
- b) define any area or areas within Rockland as an area to be examined for designation as a heritage conservation district; and
- c) designate Rockland, or any area or areas within Rockland, as a heritage conservation district.

The City of Clarence-Rockland will lead the community in restoring, rehabilitating, enhancing and maintaining cultural heritage resources owned by the Municipality as examples of the proper stewardship of such resources.

The City of Clarence-Rockland may participate in the development of significant cultural heritage resources through acquisition, assembly, resale, joint ventures or other forms of involvement that will result in the sensitive conservation, restoration or rehabilitation of those resources.

The City of Clarence-Rockland recognizes that there may be archaeological remains of prehistoric or historic habitation, or areas containing archaeological potential within the boundaries of the Urban Area. The City of Clarence-Rockland may require archaeological assessments conducted by archaeologists licensed under the *Ontario Heritage Act*, as a condition of any development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. Archaeological Assessment Reports conducted by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Citizenship, Culture and Recreation, as well as licensing requirements developed under the *Ontario Heritage Act*.

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### **GENERAL DEVELOPMENT POLICIES**

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The retention, renewal and conservation of commercial built resources of historic or architectural merit will be encouraged if they are affected by an application for development or redevelopment. The impact of such development plans on the character of the surrounding area will also be considered.

The City of Clarence-Rockland may utilize available government or non-government funding assistance programs to assist in the implementation of cultural heritage conservation policies. The City of Clarence-Rockland, where appropriate, will co-operate with other levels of government, as well as private agencies and individuals in the conservation of cultural heritage resources in the Municipality. The City of Clarence-Rockland will co-ordinate its heritage plans and programs with heritage plans and programs of senior levels of government.

Council shall consult with the appropriate government agencies, including the Ministry of Tourism, Culture and Recreation and the Ministry of Consumer and Commercial Relations when an identified human cemetery, marked or unmarked human burial is affected by land use development. The provisions under the *Ontario Heritage Act* and the *Cemeteries Act* shall apply. A Local Architectural Conservation Advisory Committee (LACAC) may be established pursuant to the *Ontario Heritage Act* to advise and assist Council on heritage property designation and heritage conservation planning matters.

Council shall have regard for cultural heritage resources in the undertaking of Municipal public works and related municipal undertakings involving environmental assessments. When necessary, Council will require satisfactory measures to mitigate any negative impacts to significant cultural heritage resources.

Council shall consider development and site alteration on lands containing archeological resources or areas of archaeological potential only if the significant archaeological resources have been conserved by removal and documentation or by the preservation on site.

Council may permit development and site alteration on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Alternative development techniques and/or mitigative measures may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

#### **4.4 Division of Land**

The policies for the creation of new lots are outlined below. Regard must also be given to other applicable policies contained in the Plan, including the access requirements of Section 4.1, the servicing requirements of Section 4.20, as well as to the *Planning Act* and the Provincial Policy Statement.

The division of land can take place in two ways: by consent and by plan of subdivision. It is acknowledged that the plan of subdivision process for lot creation provides for a more thorough and comprehensive review of development. However, at the same time, it is also recognized that some development will continue to take place by the consent process. The Official Plan includes policies that will provide more rigorous controls and conditions for consents. These criteria and conditions will provide for a more thorough review of consent applications and will incorporate many of the benefits of the subdivision review process.

There are general policies that apply to all divisions of land and more specific policies have been developed for consents (severances) and plans of subdivision.

## SECTION 4

### GENERAL DEVELOPMENT POLICIES

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#### 4.4.1 General Policies

1. All new lots shall have frontage on a public road that is open and maintained year-round by either the Municipality or a Condominium Corporation.
2. The size and shape of any lot created will be appropriate for the proposed use and conform to the provisions of the Zoning By-law.
3. The division of land must not result in the landlocking of any parcel of land. Development commonly referred to as “keyhole” will not be permitted.
4. Any division of land must respect the separation distances for land uses as set out in this Plan and in the Zoning By-law.
5. Road widening(s) may be requested as a condition of any division of land.
6. The Municipality is entitled to a dedication of land for park purposes as a condition on any division of land. Where the proposed development comprises or abuts land along a watercourse, it is recommended that the Municipality selects that land for park purposes. In this regard, subdividers of shoreline property shall be required to convey lands that encompass not only 5% of the land being developed, but which also encompass at least five percent of the usable shoreline. Special consideration shall be given to those developments that convey more than 5% of the shoreline for usable public use. Where lands are dedicated for park purposes, the Municipality will accept only those lands suitable for park use. The Municipality may, nevertheless, accept unsatisfactory land in this regard if such land is over and above the maximum allowed dedication. In the case of low density residential uses, the land to be dedicated to the Municipality for parkland purposes will represent 5% of the area of the affected land. For residential developments of higher density, the Municipality will require an equivalent of one (1) hectare per 300 residential units for parkland purposes, rather than 5% of the gross land area included in the plan. For commercial and industrial uses, the land to be dedicated for parkland will represent 2% of the gross land area. Cash-in-lieu of land may be requested by the Municipality in situations where there is a public park in the area that is adequate for existing and future population. Cash-in-lieu may also be requested where the amount of land involved is small and, therefore, unsuitable for park development.
7. In considering applications for division of land, Council will consult with the United Counties of Prescott and Russell, School Boards and any other Boards, Committees or Agencies that must plan for future growth.
8. The cumulative effect of development and the resulting financial implications for the Municipality will be monitored on an ongoing basis. In reviewing applications, Council will consider the following matters:
  - a) the studies required to determine the appropriate water and sewage disposal services;
  - b) the inventory of vacant lots and the demand for new lots;
  - c) the adequacy and availability of services provided by the Municipality; and
  - d) the condition of the roads in the immediate vicinity.

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### **GENERAL DEVELOPMENT POLICIES**

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9. A division of land will not be permitted in areas that are subject to flooding or other development constraints that would make the parcel unsuitable for the intended use, unless the proposed lot or lots are of an appropriate size and configuration to ensure that all buildings, structures, site services and site access can be safely accommodated.
10. A division of land will not be permitted within a Provincially Significant Wetland and where the division of land is not supported by an Environmental Impact Study (EIS), as described in Section 4.5, when required.
11. The Municipality requires applicants to pre-consult with planning staff prior to the submission of all *Planning Act* applications.

#### **4.4.2 Additional Policies for Consents**

In reviewing severance applications, Council will consider the cumulative impact of development, including the environmental, social and economic implications. With regard to the environmental impacts, the criteria set out in subsections 1 and 2 below will apply. In order to evaluate the social and economic impacts, Council will consider the application in the context of the amount of previous severance activity in the immediate area, the number of existing vacant lots, the condition of the road and access to the lot, the surrounding existing land uses and the availability of required municipal services. The criteria relating to these items are set out below.

1. The applicant shall provide sufficient information to allow the Municipality to confirm that the severed and retained lots will be provided with full municipal services. The Municipality shall determine if there is sufficient water and sewage treatment capacity to provide appropriate services.
2. Consents will be granted only where full municipal services can be provided at no additional cost to the Municipality.
3. Where an application for consent would require opening of existing unmaintained road allowances, approval must be obtained from Council. Council will consider any such requests in the context of the overall plans for road maintenance and improvements. Any such roads will have to be constructed to a standard required by the City of Clarence-Rockland and will normally require an agreement between Council and the applicant or owner. Generally, where an application involves the opening of new roads, it will only be considered if it involves a minor addition to the municipal road system.
4. The creation of a lot having access only to a County Road will generally be discouraged. In special circumstances where there is no other alternative available, such lot may be considered provided that the Counties have approved the proposed entrance. The policies and guidelines of the Counties will apply in such circumstances.
5. Council may request any appropriate conditions on any application for consent. Such conditions may require an agreement to be registered on the title to the land.

#### **4.4.3 Additional Policies for Plans of Subdivision**

1. Access to lots in a subdivision will be from internal roads. Where necessary for design



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- purposes, Council may consider direct access for lots from a County Road, subject to the approval by the United Counties of Prescott and Russell.
2. Any new roads within the subdivision will have to be constructed to the standard required by the City of Clarence-Rockland. Driveway locations for corner lots shall be placed at the furthest distance from the intersection.
  3. The applicant must provide a servicing report to substantiate that water and sewer service capacities are available for the proposed development. The Municipality shall determine if there are sufficient water and sewage treatment capacities to provide appropriate services.
  4. The applicant may be required to provide a tree preservation and planting plan to the satisfaction of the Municipality.
  5. The applicant will be required to provide a landscaping plan to the satisfaction of the Municipality.
  6. Subdivisions may be phased in accordance with the recommendations of Council. Council reserves the right to establish and implement proper phasing policies in order to ensure that development within designated growth areas is orderly and timely. Along with ensuring specific targets for intensification, specific regard will be made to the provision of infrastructure and public service facilities.
  7. For any plan of subdivision, the applicant or owner will be required to enter into a subdivision agreement, which will set out the conditions for the development of the land and such agreement will be registered on the title to the land.
  8. All new development should occur adjacent to existing built-up areas as a means of allowing for the efficient use of land, infrastructure and public service facilities.
  9. Developments that leapfrog lands will most likely be required to enter into a cost-sharing agreement.
  10. The specific provisions of the *Planning Act* relating to plans of subdivision will apply in addition to the policies set out in this Plan.
  11. No driveway shall be greater than the width of the garage as it extends through the municipal boulevard adjacent to the street.

#### **4.5 Environmental Impact Study (EIS)**

Two types of EIS exist – the scoped-site EIS and the full-site EIS. The nature of the proposed development and its setting will determine the appropriate type of EIS to be applied.

A scoped-site EIS addresses the EIS requirements in an abbreviated report form or checklist prepared by the development proponent or an environmental professional. A scoped-EIS is usually applied to minor developments, such as single-lot severances, or where negative impacts are known to be minor based on experience with local conditions. The exact requirements of the scoped-site EIS will be established through consultation with Municipal staff.

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A full-site EIS is prepared by a qualified professional retained by the proponent for development proposals where the scoped-site EIS is insufficient to address potential impacts. A full-site EIS requires a greater level of detail appropriate to the scale of the proposed development. A qualified professional will prepare the full-site EIS.

The following items will be required in support of a full-site EIS:

- a) a map showing the location of the study area, including the location and extent of any natural feature and the location of the proposed development;
- b) a description of the natural features and their ecological functions in the study area;
- c) a description of the proposed development;
- d) a description of the proposed development's impacts on the natural features and ecological functions (all phases of the proposed development, including post-construction, to be considered);
- e) a description of the actions that may be reasonably required to prevent, change, minimize or mitigate impacts on the natural features and functions that could result from the proposed development;
- f) an evaluation of cumulative effects that the proposed development, in light of existing development activities in the area, may have after mitigation on natural features and ecological functions;
- g) a professional opinion as to whether or not the proposed development will have negative impacts on natural features and ecological functions; and
- h) a description of monitoring activities to be undertaken (and identification of those responsible for the monitoring) to ensure that the mitigative measures are having the desired effects.

#### **4.6 Group Homes**

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

Group homes are a permitted use in all designations that permit residential uses. It is the intent of this Plan to recognize the need for group homes, to recognize the needs and concerns of the residents of the Municipality and to ensure the effective integration of group homes into the community so that they will function successfully and obtain community acceptance. In order to achieve these objectives appropriate regulations will be included in the Zoning By-law and Council will provide input to the provincial licensing or approval authorities on any applications for group homes in the Municipality.

The Zoning By-law will specifically define permitted group homes and specify where they will be allowed (i.e., typically on Local Collector Roads). New types of group homes established by the Province from time to time will be assessed in light of the policies of this Plan and added, where appropriate, to the Zoning By-law. The Zoning By-law may include provisions limiting the total number of group homes allowed, as well as establishing spacing requirements for the location

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of group homes.

### 4.7 Hazard Lands

Hazard lands are those lands that are subject to development constraints that pose or have the potential to pose a danger to health and safety or environmental impact if development or site alteration occurs. These hazard areas include lands that are subject to erosion, flood, karst topography, unstable or organic soils, steep slopes, or other identified hazard. Development and site alteration will generally be directed to areas outside of hazard lands. However, development and site alteration, excluding institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances (as defined in the Provincial Policy Statement, 2005) may be permitted in limited circumstances, provided the following conditions can be met:

- a) the hazard can be safely addressed, and the development and site alteration is carried out in accordance with established standards and procedures;
- b) new hazards are not created and existing hazards are not aggravated;
- c) no adverse environmental impacts will result. An Environmental Impact Study, as described in Section 4.5 of the Plan, may be required; and
- d) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies.

For the purposes of this section, development means the creation of a new lot, a change in land use, or the construction of buildings or structures, requiring approval under the *Planning Act*, but does not include activities under an environmental assessment process or works subject to the *Drainage Act*. For the purposes of this section, site alteration shall mean activities, such as fill, grading and excavation that would change landform and natural vegetative characteristics of a site.

Council may require the submission of technical studies to support the development and/or site alteration proposed. The City of Clarence-Rockland may use various planning and other approvals (e.g. Site Plan Control, site specific zoning, site alteration by-laws, etc.) to implement the results of technical studies.

### 4.8 Holding Zones

It is not intended that all land use areas designated in the Official Plan will be zoned for such uses immediately in the Zoning By-law. Areas may be zoned otherwise in the By-law for their existing uses or in a holding zone category as provided for in the *Planning Act* and in accordance with the following objectives and criteria.

1. It is the intention of Council to place certain lands within a holding category in the implementing Zoning By-law when the principle of development has been established, in order to:
  - a) identify future development areas;
  - b) ensure that services will be properly designed;

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- c) ensure that any development constraints can be properly overcome;
- d) effect the phasing and proper design of large scale residential, commercial and industrial developments; and
- e) ensure that any necessary agreements that may include financial considerations have been completed.

Lands throughout the Urban Area may be zoned in a holding zone in accordance with the objectives set forth above.

Lands that are subject to holding provisions will be identified in the Zoning By-law by the symbol “h” in conjunction with the appropriate zone symbol denoting the eventual usage of the land and will be subject to the following policy:

2. Lands in a holding zone will generally be limited to existing uses or uses that will not prejudice the future development of the lands, such as forestry uses, conservation uses, park and open space uses.
3. The development of lands subject to holding provisions will not be permitted until Council deems it appropriate to remove the holding symbol through an amending By-law in accordance with the criteria outlined below.
  - a) the proposed use of lands is in conformity with the requirements of the Zoning By-law;
  - b) the required services are provided or can be provided;
  - c) any required tests or reports are completed to Council's satisfaction;
  - d) the financial requirements of the City of Clarence-Rockland have been fulfilled;
  - e) the phasing and design of the proposed development is approved by Council; and
  - f) any agreements have been completed to Council's satisfaction.
4. When Council is satisfied that the above criteria have been met in full, Council will consider a proposal to remove the “h” symbol. Notice will be given of Council's intention to remove the holding symbol in accordance with the requirements of the *Planning Act*.

### 4.9 Home-Based Businesses

There are currently a significant number of home-based businesses operating in the Urban Area. Council recognizes that such businesses represent a good means for expanding employment opportunities within the Municipality. It is Council's intention to encourage home-based businesses throughout the Urban Area and to establish appropriate guidelines to ensure that such businesses maintain a good neighbour policy, and that compatibility issues are addressed. Home-based business operations are intended to remain small in scope. If a home-based business owner wishes to expand his/her business, he/she should seek an appropriate location within the Urban Area's commercial or industrial areas.

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#### **4.9.1 Home-Based Occupations**

Home occupations may be permitted as an accessory use to any residential use. Appropriate zoning requirements will be developed and included in the implementing Zoning By-law to ensure that they are compatible with surrounding uses. Home-based occupations are intended to remain small in scope. If a person involved with a home-based occupation is determined to expand his/her business, he/she should seek an appropriate location within the Urban Area's commercial or industrial areas.

#### **4.10 Housing**

Adequate and affordable housing for all residents is a fundamental component to ensuring a healthy community approach to growth and development. Housing is also a key contributor to individual success at school, in the workplace, and in the community. Official Plan policies have been designed to improve the availability of housing for all current and future residents of the City.

Diversity in the housing supply is achieved by providing a range of housing types, maintaining a balanced mix of ownership and rental housing, and addressing housing requirements for low income groups and people with special needs. Policies in this Plan ensure that a variety of dwelling types are permitted subject to regulations contained in the Zoning By-law. These land uses are outlined in the Residential policies of this Plan.

The ability to address housing in the Official Plan is generally limited to the land use policy and regulatory controls under the *Planning Act*. Many factors that influence housing are beyond the City's control under the *Planning Act*. In recognition of this, the policies in this section serve to provide direction to Council as to how housing needs and issues can be addressed.

##### **4.10.1 Objectives**

The following are the housing objectives:

1. Encourage diversity in the supply of housing and promoting a full range of housing types, including housing that is affordable and appropriate to low income groups and people with special needs.
2. Maintain a balanced mix of ownership and rental housing while supporting and promoting accessibility within the housing market.
3. Allow increased residential intensification in the urban area.
4. Promote housing as an important component of the economic development strategy.
5. Support innovation in housing design and development.
6. Support and promote accessibility within the housing market for persons with disabilities.
7. Ensure the City's housing stock provides acceptable levels of health and safety.

##### **4.10.2 Policies**

To encourage a greater mix of housing types and tenure, it is policy of this Plan to:

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1. Encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents.
2. Encourage production of smaller (one and two bedroom) units to accommodate the growing number of smaller households.
3. Promote a range of housing types suitable to the needs of senior citizens.

#### **4.10.3 Housing and Economic Development**

Council shall encourage housing providers to pursue housing opportunities that support economic development initiatives; it is policy of this Plan to:

1. Promote mix-use residential development in the Downtown as a stimulus to revitalization and small business development.
2. Support a range of housing types available to seniors, retirees, and younger cohorts by encouraging the development of alternative housing options.

#### **4.10.4 Accessibility**

New housing should focus on providing accessible units for the frail and elderly persons with mobility impairments. In order to support and promote accessibility within the housing market, it is policy of this Plan to:

1. Encourage all housing providers to design and develop barrier-free housing.
2. Monitor the availability of modified units within the social housing sector to determine the suitability of these units versus the needs.

#### **4.10.5 Innovation in Housing Design and Development**

The City supports innovation in housing design and development that minimizes costs in the production of affordable housing. In order to achieve this, it is policy of this Plan to:

1. Permit alternative development standards where appropriate.
2. Encourage innovative forms of multiple housing and converted dwellings in order to achieve cost efficiencies in the provision of housing.
3. Encourage innovation in housing tenure and financing.

#### **4.10.6 Maintenance of the Housing Stock**

The City's housing stock should provide acceptable levels of health and safety to all current and future residents. In order to achieve this, it is policy of this Plan to:

1. Enforce property maintenance standards in all forms of housing throughout the Urban Area.
2. Maximize the use of federal and provincial improvements, rehabilitation and housing assistance programs to maintain and upgrade existing housing stock throughout the

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Urban Area.

#### **4.11 Institutional Uses**

Institutional uses, such as schools, day care centres, hospitals, museums, churches, libraries, community centres, service clubs and similar public and quasi-public uses, will generally be permitted in all land use designations except Wetlands and/or hazardous lands and hazardous sites, provided that the design and siting of the buildings and structures are in keeping with the character of the surrounding area and that the institutional use will not detract from the primary function and use of the area. Institutional uses will be subject to the following policies:

1. The land is suitable for the proposed use.
2. Adequate off-street parking and loading spaces will be provided.
3. Any new institutional use that generates a significant amount of traffic shall be located in an appropriate place so that surrounding uses are not adversely affected by it (i.e. adjacent a collector road).
4. The location and site development of institutional uses will be regulated through the Zoning By-law.
5. Land use compatibility issues are addressed.

#### **4.12 Land Use Compatibility**

In reviewing any development application, Council will be satisfied that the proposed use will be or can be made to be compatible with surrounding uses. Compatibility can be achieved in a variety of ways. It can be a separation distance that is appropriate to the particular uses or setbacks reflective of those existing within the community. It can be buffering features, such as a berm, wall, fence or landscaping, or a combination of these features. It can also consist of an intervening land use that would be compatible with both of the conflicting uses. Where buffering provisions are the means to be used to ensure compatibility, such provisions will be determined through the Site Plan Approval process. Buffering can also be achieved by the natural physical features of the land.

Applicants should consult the Ministry of the Environment's Guideline "Land Use Compatibility between Industrial Facilities and Sensitive Land Uses" when addressing the issue of land use compatibility between industrial uses and sensitive land uses.

#### **4.13 Natural Heritage**

##### **4.13.1 General**

Council recognizes the importance of protecting valleylands, wildlife habitats, fish habitats and Areas of Natural and Scientific Interest (ANSIs). These natural heritage features have been included on Schedule 'A' to the Official Plan as a Development Constraint in the form of an overlay. The diversity and connectivity of natural heritage features in the Urban Area should be maintained, restored or, where possible, improved by realizing linkages between and among the natural heritage features in the Urban Area and the surrounding environment.

In many instances the City shall take these lands into ownership as development of these lands

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takes place. Having them in public ownership will ensure their protection.

Where the extent of, or location of, natural heritage features is unknown, it is Council's intention to ensure that these features or areas are identified and incorporated into the Official Plan as part of the five year review of the Plan.

It is Council's intention to protect natural heritage features and to encourage private landowners to protect and enhance natural heritage features through sound management practices.

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

The habitat of threatened and endangered species has not been identified in the Plan. Council will ensure that, as part of the review of planning and/or development applications, the endangered and threatened species habitat mapping of the Ministry of Natural Resources will be consulted. Development and site alteration will not be permitted within the habitat of an identified endangered or threatened species (as defined in the Provincial Policy Statement, 2005). Council will require the submission of an Environmental Impact Study (EIS) in accordance with the requirements of Section 4.5 of the Plan when development and/or site alterations are proposed within 50 metres of significant portions of the habitat of threatened and endangered species.

#### **4.13.3 Areas of Natural and Scientific Interest (ANSI)**

ANSIs are areas of land and water containing natural landscapes and/or features that have been identified as having values related to the protection, appreciation and scientific study or education. These areas have been identified, mapped and ranked by the Ministry of Natural Resources. Boundaries of the ANSIs are shown on Schedule 'A'. Development and/or site alteration may be permitted within an ANSI for any of the permitted uses on the underlying land use designation subject to the following policies:

1. Applications for development and/or site alteration within an ANSI or within 50 metres of an ANSI must be accompanied by an Environmental Impact Study prepared in accordance with Section 4.5 of the Official Plan.
2. Changes to the boundaries of an ANSI require the approval of the Ministry of Natural Resources.

#### **4.13.4 Vegetation Cover**

Council recognizes the importance of protecting an adequate forest cover both at the regional and local level. Although the *Municipal Act, 2001* provides the framework that enables local municipalities the power to adopt tree cutting and tree conservation by-law, Council supports local policies to aid in reaching a 30% forest cover at the regional level.

In all designations, Council will ensure through a tree cutting and/or tree conservation by-law and through the development approvals process (i.e. subdivision or site plan agreements) that appropriate care is taken to preserve significant trees and shrubs. Existing landmark trees and hedge lines should be an essential consideration in the design of any development.

In evaluating development applications, Council will consider the following criteria for the purposes of the reasonable protection of trees and shrubs:

1. The maintenance of as much as possible of the natural vegetation between the



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development and any existing public roads will be required. Developers will also be encouraged to remove as little of the vegetation as possible for the roads, building sites and servicing facilities and specific provisions relating to protection of vegetation may be incorporated into subdivision or site plan agreements.

2. Selective protection of significant trees or shrubs will be promoted in consultation with local community associations.
3. For developments that require site plan approval, a tree inventory may be required and the grading plan and landscaping plan will consider measures for the protection of trees. Preservation measures may include the use of tree wells and special techniques during the construction phase to protect mature trees.
4. For developments that are proposed by plan of subdivision, the Municipality may require a tree preservation plan as a condition of the subdivision approval. The tree preservation plan will recommend measures for protecting trees. The relocation of trees will be encouraged where this is feasible to enhance the appearance of the development.

#### **4.13.5 Fish Habitat**

All rivers, drains and watercourses have the potential to be fish habitat. Those areas that have been identified (mapped as per Ministry of Natural Resources and South Nation Conservation) as fish habitat are shown on Schedule 'A' as Fish Habitat. Section 4.21 of this Official Plan establishes a minimum setback from waterbodies at 30 metres. If any development or site alteration is proposed that would reduce that distance or that has the potential to negatively impact fish or fish habitat, an Environmental Impact Study, prepared in accordance with Section 4.5 of the Official Plan, must be submitted to support the development. Approvals from senior levels of government will apply as warranted.

#### **4.14 Noise and Odours**

Generally, potential noise problems are best addressed through land use planning approaches that separate noise-generating uses from housing and other noise-sensitive land uses.

Noise and odour impacts shall be addressed for new sensitive land uses adjacent to existing highways, sewage treatment facilities, industries or other stationary or line sources where noise and vibration may be generated. Council may require the proponent to undertake noise or odour studies to assess the impact on existing or proposed sensitive land uses within minimum distances identified in Ministry of the Environment Guidelines, including Publication LU-131, Noise Assessment Criteria in Land Use Planning. Noise and/or odour attenuation measures will be implemented, as required, to reduce impacts to acceptable levels.

##### **4.14.1 Noise from County Road 17**

The siting of residential uses and other noise-sensitive uses are prohibited within 45 metres of the limit of County Road 17.

Notwithstanding, Council may require the undertaking of a noise-control study where proposed noise-sensitive development would be located within 45 metres of County Road 17. Such study shall be undertaken to the satisfaction of the City and the Ministry of the Environment, in consultation with the United Counties of Prescott and Russell. Appropriate measures to

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mitigate any adverse effects from noise shall be implemented in accordance with the recommendations of the study.

#### **4.14.2 Noise from Stationary Source**

Based on Ministry of the Environment Guidelines, stationary sources of noise are defined as all sources of sound and vibration, whether fixed or mobile, that exist or operate on a premises, property or facility, the combined sound and vibration levels of which are emitted beyond the property boundary of the premises, property or facility, unless the source(s) is (are) due to construction. Typical individual sources of noise include generators, commercial fans or commercial air conditioners. Industrial facilities and other facilities that include more than one source of noise are considered as a single source, for the purposes of a noise control study. Other facilities that are considered as stationary sources of noise include snow disposal sites, carwashes, motor and vehicle maintenance and repair facilities, and transportation terminals. Sources of noise excluded from stationary sources, in accordance with Ministry of Environment Guidelines, include construction activities, gas stations, music and people noise, and retail facilities, such as convenience stores, where goods are delivered infrequently.

The assessment and mitigation of noise impacts from stationary sources is complex because stationary source noise involves a broad range of land uses and activities. For this reason, noise levels will be per the Ministry of the Environment's Noise Assessment Criteria in Land Use Planning (Publication LU-131) for new noise-sensitive development and Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban) (NPC-205) for new sources of stationary noise.

Council may require a noise control study for development applications that propose new noise-sensitive uses in proximity to existing sources of stationary noise as described in the Ministry of the Environment Guidelines. If existing noise levels exceed the sound level criteria for stationary source noise, then mitigation measures will be required.

Council may require a noise control study for development applications that entail construction of new sources of stationary noise or changes in land use that may introduce new sources of stationary noise that are in proximity to existing noise-sensitive land uses, as described in the Ministry of the Environment Guidelines. If projected noise levels exceed the sound level criteria for stationary source noise, then mitigation measures will be required.

Council will apply the criteria in the Ministry of the Environment Guidelines where the expansion or alteration of an existing stationary source of noise is proposed, or where a change of use of a stationary source is being proposed that could result in an increase in noise from the new use. Such proposals typically are made in the context of a building permit and require a Certificate of Approval from the Ministry of the Environment.

#### **4.14.3 Noise Barriers**

Noise is regulated better by land use planning than by noise barriers. The extensive use of noise barriers within or adjacent to a community can result in undesirable streetscapes and views. To improve the quality of the streetscape, communities will be designed to the extent possible to provide noise attenuation through planning and design. Approaches include locating noise-sensitive uses away from areas likely to receive unacceptable noise levels, locating commercial and employment uses along busier roads, or using service roads (also referred to as "single-loaded" roads). Other measures include site planning techniques, architectural design, and selection of appropriate building components. Where the use of noise barriers is unavoidable, the visual impact of the barrier shall be mitigated through the use of berms and

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landscaping.

Noise barriers may only be used where other noise attenuation methods are not feasible. The need for a barrier will have to be justified and approved through the development review process.

### **4.14.4 Warning Clauses**

In some cases, control measures cannot achieve the sound level criteria established in the Ministry of the Environment Guidelines. In such cases, Council will require that appropriate warning clause(s) be included on title to advise purchasers or occupants of expected noise levels and other recommended noise control measures.

The following policies apply:

1. Incompatible land uses will be appropriately buffered from each other in order to prevent adverse effects from noise and odours. Potential sources may include major roads, and industrial operations.
2. To assist in identifying the necessary mitigation measures, a development proponent may be required to conduct a study in accordance with guidelines established for this purpose.

### **4.15 Non-Conforming Uses**

#### **4.15.1 Zoning of Non-Conforming Uses**

Any existing use that does not comply with the relevant policies of the Official Plan will be deemed a non-conforming use in terms of the Plan. Such uses may be zoned in an implementing Zoning By-law in accordance with their present use provided that:

1. The zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent conforming uses.
2. The use does not constitute a danger to surrounding uses and persons by virtue of its hazardous nature or the traffic flow it generates.
3. The use does not pollute the air, water or soil to the detriment of health, comfort and property.
4. The use does not interfere with the development or enjoyment of adjacent areas in accordance with this Plan.

Where an existing use does not meet with the criteria set out above, it will not be zoned in accordance with its present use. Furthermore, the City of Clarence-Rockland may seek means to eliminate the use and may acquire it when sufficient funds are available or assist in whatever way possible in the relocation of the use.

Where an existing non-conforming use is discontinued, any rezoning may only take place in conformity with this Official Plan.

#### **4.15.2 Extension and Enlargements to Non-Conforming Uses**

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Where an existing use has been zoned as a non-conforming use, but there is merit in granting permission to extend or enlarge the use either within the lands held in ownership or on adjacent properties, Council may amend the Zoning By-law to permit such extension or enlargement without the necessity of amending the Official Plan if it complies with the general intent and purpose of this Plan. The Committee of Adjustment also may, based on merit, permit the extension or enlargement of a non-conforming use on lands owned at the time of passing of the By-law, provided that the intent and purpose of the Official Plan are maintained.

Council or the Committee of Adjustment will use the following guidelines when assessing any application for an extension or enlargement of a use that is zoned as a non-conforming use:

1. The extension or enlargement should not aggravate the non-conforming situation for neighbouring uses.
2. The extension or enlargement should be in reasonable proportion to the existing use and to the land on which it is to be located.
3. Any extension or enlargement involving land should be minor in relation to the total property. Any major change will require an amendment to the Plan.
4. The compatibility of the extension or enlargement with surrounding uses with regard to noise, vibration, fumes, smoke, dust, odours, lights and traffic generation will be examined carefully.
5. Adequate buffering, setbacks and any other measures necessary to reduce the nuisance will be required and, where possible, will be extended to the existing use.
6. Proper access to the site will be provided to ensure that no traffic hazards are created.
7. Adequate on-site parking and loading spaces will be provided.
8. Applicable services, such as storm drainage, water supply, sewage disposal and roads, etc. are adequate or will be made adequate.

#### **4.15.3 Other Non-Conforming Use Provisions**

Where an existing building or structure that has been zoned as a non-conforming use is destroyed, such building or structure may be reconstructed to its former dimensions provided work is commenced within twelve months of the date of destruction. An existing building or structure that is zoned as a non-conforming use may be reconstructed or strengthened to a safe condition provided the external dimensions and use of the building or structure are not changed.

The development of existing undersized lots may be permitted in accordance with the relevant provisions of the Zoning By-law. A lot addition or enlargement to an existing undersized lot may be permitted even though the addition does not bring the lot up to the standard required in the Zoning By-law. In such a case, the lot does not lose its non-conforming status and may be developed in accordance with the relevant provisions of the By-law.

#### **4.16 Parks and Recreation Facilities**

Parks will generally be permitted within all land use designations. It is intended that parkland be

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acquired partly by dedication, as outlined in Section 4.4, and partly by acquisition. The specific details of parkland acquisition and development may be recommended by the Parks and Recreation Department.

#### **4.17 Property Maintenance**

It is Council's intention to enact a Maintenance and Occupancy By-law that applies to Rockland.

The policies for property maintenance are set out below:

1. Council shall enact a Maintenance and Occupancy By-law that applies to the Urban Area of the City of Clarence-Rockland in order to establish and promote standards for the maintenance of buildings and property and for their rehabilitation where warranted, under the *Municipal Act, 2001*, S.O. c.25 and the *Building Code Act 1992*, S.O. c.23, as amended.
2. It is Council's intention to encourage the maintenance of buildings and property and the rehabilitation of buildings and property where warranted through the enforcement of the Maintenance and Occupancy By-law in accordance with the requirements of the *Planning Act*.
3. The Maintenance and Occupancy By-law shall prescribe standards for the maintenance of property, including such matters as the physical condition of yards, as well as the condition of buildings and structures.
4. The By-law may require that substandard properties be repaired and maintained to comply with the prescribed standards, prohibit the use of substandard property and require the demolition and clearing of such property where the owner does not intend to maintain it.
5. The measures to be used in achieving a property maintenance program would include an education and public relations program to show residents the benefits of continued property maintenance, together with information showing that improvements can often be made without increasing assessment.
6. Complementary to the enforcement of minimum standards on private properties, the City of Clarence-Rockland undertakes to keep in a fit and well maintained condition, all Municipally-owned buildings and properties and to provide or maintain in good repair such municipal services as roads, sidewalks and other such facilities.

#### **4.18 Public Uses and Utilities**

Public uses and utilities, such as power, water services, roads, railways, telephone and gas, but not including waste disposal sites, will generally be permitted in all land use designations provided that such use or utility is necessary and appropriate in the location and can be made compatible with surrounding uses.

The development of electric power facilities will occur in an orderly manner to facilitate the efficient and reliable provision of adequate electric power. As such, it is the policy of this Plan that electric power facilities are permitted in all land use designations without an amendment to the Plan provided that the planning of all such facilities is carried out having regard to the other policies of this Plan. Furthermore, Hydro One will consult with the Municipality on the location of

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any new electric power facilities.

Communications facilities will be permitted in any land use designation except Wetlands or on lands subject to Flood Plain, Organic Soils or Unstable Slope Constraints in accordance with the following provisions:

- a) The establishment of a new communications facility will require an amendment to the Zoning By-law.
- b) In considering any application for a new communications facility, Council will take into consideration the effect of that installation on surrounding land uses, especially any existing or proposed residential areas.
- c) Notwithstanding 4.18 a) and b) above, Public Uses and Utilities will not be permitted within the Wetlands designation or within significant portions of any habitat of threatened and endangered species unless approval has been obtained under the *Environmental Protection Act*.

#### **4.19 Separation Distances**

Residential uses, in particular, will be located an appropriate distance away from any use or facility that would be a potential source of disturbance, such as major highways, industrial uses, waste facilities, wrecking yards, aggregate resource areas operations and similar uses. Certain separation distances are specified in this Plan. Section 4.14 sets out distances relating to noise studies. Other separation distances will be influenced by guidelines produced by the Ministry of the Environment dealing with industrial facilities and waste disposal facilities. These and other separation distances will be included in the Zoning By-law. Separation distances or appropriate remedial measures may also be incorporated into subdivision agreements or other agreements.

Any proposed development within 400 metres of the existing sewage treatment facility will also be subject to the requirements of Guideline D-2, "Compatibility Between Sewage Treatment and Sensitive Land Use", produced by the Ministry of the Environment.

#### **4.20 Servicing Requirements**

##### **4.20.1 Water Supply**

1. Looping of the water distribution system shall be a priority of Council in order to ensure sufficient pressure and flow in all areas of Rockland.
2. Council shall implement the necessary restrictions on development and site alteration with regard to protecting the municipal drinking water supply and the designated vulnerable areas.

##### **4.20.2 Sanitary Sewage System**

1. It shall be the policy of Council to undertake the required infrastructure improvements in areas that are currently serviced by existing pumping stations in order to increase the capacity and efficiency of the wastewater collection system as cost effectively as possible.
2. Eliminate services from areas that could damage the natural environment.

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#### **4.20.3 Servicing Policies**

The following policy will apply to development in the areas where public services are available:

1. Future development within Rockland must proceed on the basis of full municipal services. Council will only approve applications for development within Rockland when it is satisfied that there is sufficient capacity in both municipal piped systems to service the proposed development.

The following additional services shall also be required as a condition to the approval of any development proposal in Rockland, unless otherwise indicated:

- Paved streets;
- Storm sewers;
- Street lighting;
- Underground wiring (electricity, telephone, cablevision);
- Curbs;
- Sidewalks (on one side of minor collector roads and on both sides of major collector roads);
- Bicycle paths (as per Section 7); and
- Natural gas.
- Bus Shelters
- Landscaping.

Council will establish and implement the proper phasing policies in order to ensure the timely provision of infrastructure and public service facilities.

#### **4.20.4 Other Services and Facilities**

Development will be encouraged to take place where other services are already available or can be readily provided. Such services and facilities include public roads, garbage collection and disposal, fire protection, police protection, education, school busing and parks. In general, new development should not create an undue financial burden for the Municipality unless it can be shown that the long term benefits outweigh the costs.

#### **4.21 Setbacks from Water**

All buildings and structures, except for electric power transmission lines and other public utilities, marinas and marine facilities, will be set back a minimum of 30 m from the high water mark of any waterbody or watercourse. This requirement may be increased or, in special circumstances, decreased depending on site conditions, the particular use proposed and the comments from the Ministry of Natural Resources. Decreases will only be considered when there is clear evidence that no adverse impact will result from such decrease. Development and site alteration within 30 metres of the high water mark will be permitted provided the requirements of Section 4.13.5 of the Official Plan have been met. Wherever possible, existing vegetation between buildings or structures and the high water mark should remain undisturbed. Council may require that stormwater management controls, including erosion and siltation control measures be put in place prior to construction, and maintained throughout the construction process. In some instances, the Municipality may require further planting as part of the subdivision approval process and of the Site Plan Control requirements for new development. The City of Clarence-Rockland may also establish minimum geodetic elevations

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for any development in proximity to a waterbody or watercourse.

#### **4.22 Site Plan Control**

Site Plan Control is intended to be used where the type of development proposed or the features of the particular site require greater care in regulating the development of buildings, structures and other proposed features than is possible or practical through the Zoning By-law. Where appropriate, Council can require a site plan in conjunction with an application for amendment to the Zoning By-law.

The entire Urban Area of the City of Clarence-Rockland is a Site Plan Control Area. However, in order to avoid undue restrictions, the Site Plan Control may be applied to all residential uses containing more than two (2) units, commercial uses, industrial uses, institutional uses, wrecking yards, golf courses, contaminated sites, all properties that are located in areas subject to a natural hazard, and any development or site alterations within or adjacent to natural feature areas, lands designated Wetlands or heritage properties designed under the *Ontario Heritage Act*, as defined through the Site Plan Control By-law.

Site Plan Control may be applied to the exterior design of new buildings including, without limitation, the character, scale, appearance and building design features and their sustainable design, where appropriate. Site Plan Control may also be applied to the sustainable design elements on any public road immediately adjoining a property being developed, including without limitation, trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture and bicycle parking facilities.

It is Council's intention to use Site Plan Control to obtain road widening(s) where necessary, especially where the proposed use will generate significant volumes of traffic or where the entrance onto the public road would otherwise be unsafe. This policy applies to all roads under Municipal jurisdiction.

#### **4.23 Temporary Uses**

Temporary uses may be permitted in the implementing Zoning By-law.

Notwithstanding the policies and designations of this Official Plan, Council may, in accordance with the provisions of Section 39 of the *Planning Act*, pass By-laws to authorize the temporary use of land, buildings or structures for any purpose that is otherwise prohibited by the Zoning By-law. In considering applications for such temporary uses, Council will have regard to the following policies:

1. Such uses will be temporary in nature, be compatible or made compatible with surrounding land uses and will not interfere with the long term development of the area.
2. Appropriate controls will be included in the amending By-law to regulate the temporary use.
3. Any required agreements are completed prior to the commencement of the temporary use.

#### **4.24 Waste Management and Conservation**

The City of Clarence-Rockland has a recycling program. Council will continue to encourage good waste management practices and initiatives to make better use of resources. Council will



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also welcome ideas and innovations that will realistically achieve energy and water conservation and will consider such measures in reviewing development applications, where appropriate.

#### **4.25 Energy and Communication**

There are a number of public and private sector entities that are responsible for the delivery, regulation and maintenance of energy and communication services, including hydroelectric power supply, oil and gas lines, and communications systems. All organizations comply with a regulatory framework established by government.

The following policies apply to this Plan:

1. Utility lines and plants will be installed in an efficient and economical manner with minimal disruption to existing development and the natural environment.
2. Utility and transmission lines are to be installed underground in the City so as to minimize their adverse visual impact on the environment.
3. The City will actively participate with the responsible authorities in planning for the future expansion and location of power supply services and communication systems servicing the City. The proponents of such expansions will satisfy the City that there will be no major impacts from the development as related to environmental, economic, social, transportation and other concerns as determined by the City.

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#### **4.25.1 Energy Efficiency Programs**

Reducing energy use, providing consumers with access to green energy sources and transportation, and developing energy efficient subdivision, street and building designs are encouraged by this Plan.

The City will explore opportunities for energy retrofits utilizing solar wall construction and geothermal heat pumps in Municipally-owned facilities, as well as additional improvements in energy conserving design. Alternative methods of heating, cooling and constructing buildings need to be promoted as the City works towards reducing greenhouse gas emissions and meeting Kyoto targets. The following programs may be undertaken:

1. This Plan supports the continued development of programs to conserve energy and improve energy efficiency across all sectors.
2. The City will encourage the development of alternative energy systems in order to produce clean energy for the City.
3. The City will explore replacing its motor vehicle fleet with hybrid or alternative fuel vehicles to encourage energy efficiency.
4. This Plan encourages building and landscape design practices that conserve energy and reduce waste, including:
  - a) utilizing techniques and materials that increase energy efficiency;
  - b) siting buildings so as to best exploit the area's passive solar energy potential, and utilizing existing natural shade canopies to reduce summer energy use;
  - c) encouraging compact, mixed use and infill developments that concentrate complementary land uses as a means of conserving energy; and
  - d) designing buildings that meet LEED (Leadership in Energy and Environmental Design) or equivalent standards.

#### **4.26 Water Resources**

Healthy surface water ensures access to clean and plentiful drinking water. Addressing water-related issues from a watershed-based planning approach is a critical first step in protecting the City's water resources.

In general, policies contained in this section apply to all forms of development in all designations. Supplementary policies on land uses that have a direct impact on water resources are integrated throughout this Plan. Other sections of this Plan examine features, such as wetlands and fish and wildlife habitat. Policies specific to flooding hazards are found in the section dealing with protecting public health and safety.

##### **4.26.1 General Protection of Water Resources**

The following general policies apply to protect water resources in the City:

1. Sensitive surface water features and their hydrologic functions and linkages shall be

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determined through a watershed-based planning approach. Sensitive surface water features are defined as areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

2. Development and site alteration shall be restricted in or near sensitive surface water features such that these features and their related hydrologic functions and linkages will be protected, improved or restored.
3. Mitigative measures and/or alternative development approaches may be required to protect, improve and restore sensitive surface water features and their hydrologic functions.
4. Efficient and sustainable use of our water resources, including practices for water conservation, shall be promoted.

#### **4.26.2 Watershed Approach**

This Plan takes a broad perspective on the watershed approach. Source water protection plans use relatively large watersheds that include groundwater aquifers, as well as all of the lakes and rivers connected in a system. On the other hand, a subwatershed plan typically addresses flooding and water quality due to stormwater using watersheds of moderate size.

While watershed-based plans may differ in scope and issues, these plans will provide the necessary level of detail to identify and assess sensitive environmental features and functions critical to the health of our natural water systems. All agencies and stakeholders involved with water regulation and stewardship may be cooperatively involved in the development of watershed-based plans.

Regardless of the particular focus of the three types of watershed-based plans outlined above, all should fulfill the following requirements in a manner and scope appropriate to the type of plan:

1. Identify the boundaries of the watershed and, where appropriate, those of its subwatersheds.
2. Identify and assess human activities in the watershed, surface water features, hydrologic functions, natural heritage features and areas and, where possible and appropriate, groundwater features, which are necessary for the ecological and hydrological integrity of the watershed.
3. Propose recommendations for protecting, improving or restoring vulnerable surface water and groundwater, sensitive surface water features and, where possible and appropriate, sensitive groundwater features and their hydrologic functions.
4. Once a watershed-based plan is received and, where needed, approved by Council, the City will implement the recommendations of the plan where it has the ability to do so through existing programs, the development review process and other mechanisms, and will encourage other parties to do the same. Where necessary, this Plan will be amended to implement watershed plans.

#### **4.26.3 Drinking Water Resources**

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Drinking water is of paramount importance. Provincial legislation requires that source water protection plans be developed for Ontario's watersheds. The goal is to safeguard human health by ensuring that current and future sources of drinking water in Ontario's lakes, rivers and groundwater are protected from potential contamination and depletion.

Protection of the Ottawa River watershed will be paramount as this is the Urban Area's municipal drinking water source.

To protect its municipal drinking water source, Council will support implementation of the Source Protection Plan for the Raisin-South Nation Source Protection Region, as approved by the Minister of Environment.

1. Intake protection zone(s) have been shown as an overlay on Schedule "C", Raisin-South Nation Source Protection Region – Vulnerable Areas - , City of Clarence-Rockland. Prior to permitting development that could cause a threat to its drinking water resources, Council may require the completion of a Source Water Impact Assessment and Mitigation Plan as part of a Complete Application.

#### **4.26.4 Surface Water Resources - Streams**

Surface water resources, such as streams, provide valuable water resources for wildlife and fish habitat. In areas where a watershed-based plan has not been prepared, the following policy shall apply:

1. An Environmental Impact Study may be required for new development proposed in or adjacent to streams or other waterbodies.

#### **4.26.5 Vegetative Buffers**

Vegetative buffers along stream banks are essential to maintaining and improving water quality. Shoreline vegetation acts as a filter, protecting streams from urban runoff from lawns and roads. Vegetation also stabilizes the stream banks and helps prevent erosion from storm runoff. Wildlife and fish also benefit from shoreline vegetation on land and in the water.

1. New stream bank development will be integrated, where possible, into the landscape and maintain and enhance existing stream bank vegetation to:
  - a) protect the riparian and littoral zones and associated habitat;
  - b) protect the quality of the water by preventing erosion, siltation and nutrient migration;
  - c) maintain shoreline character and appearance; and
  - d) minimize the visual impact of development.
2. It is the intent of this Plan to maximize the amount of natural vegetation along stream banks. As such, Council may implement controls on the removal of vegetation by establishing limits on clearing, changes to the grade, and the placement of impervious surfaces along stream banks. These regulations will be based on achieving the following targets:

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- a) for residential uses, a maximum cleared area of 25% of the stream bank frontage or up to 23 metres, whichever is the lesser; and
- b) requirements for vegetative buffers will be implemented through the Zoning By-law, site plan control and a development permit system, where authorized.

#### **4.27 Stormwater**

Stormwater can be a significant problem, especially in urban areas. Left unchecked, it can lead to increased risk of flooding hazards, increased erosion and pollution of waterbodies, subsequent loss of habitat opportunities, and possible impairment of drinking water resources.

The management of stormwater, which includes water resulting from a storm event or a thaw, is as much about land management as it is about water management. Activities on the land will directly or indirectly determine the manner and intensity with which stormwater affects waterbodies.

Urbanization increases impervious surface cover, such as roads, driveways and rooftops. These surfaces prevent infiltration of stormwater, which is forced to flow overland, creating significant erosion, pollution, or flooding problems. The purpose of managing stormwater is to control the quantity of stormwater runoff to reduce erosion and flooding, and to improve the quality of runoff to waterbodies and groundwater. As such, it is a policy of this Plan that each development or redevelopment site is responsible for its stormwater and its management.

##### **4.27.1 Objectives**

Stormwater management in the City is needed to:

- a) ensure that the constraints and opportunities associated with urban drainage are properly recognized and are integrated into community plans and designs;
- b) reduce, to acceptable levels, the potential risk of health hazards, loss of life and property damage from flooding;
- c) reduce, to acceptable levels, the incidence of inconvenience caused by surface ponding and flooding;
- d) ensure that the quality of stormwater reaching outlet-receiving waterbodies meets provincially accepted criteria;
- e) ensure that any development or redevelopment minimizes the impact of change to the groundwater regime, increased pollution, increased erosion or increased sediment transport, especially during construction;
- f) support the development of green roofs to help reduce the quantity and improve the quality of water flowing into the environment; and
- g) maintain the natural stream channel geometry, insofar as it is feasible while achieving the above objectives.

##### **4.27.2 Subwatershed Plans**

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It is the intent of this Plan to ensure that proper stormwater management practices are undertaken to foster sustainability of the urban subwatersheds and provide opportunities for the enhancement of our watercourses. Such plans will identify measures for stormwater quantity and quality control at a subwatershed scale in order to provide a coordinated strategy for stormwater management for all development within individual subwatersheds.

Priority for subwatershed plan development will be based on existing stormwater problems, sensitivity of the receiving waterbody, and/or development pressure.

Subwatershed plans will be developed as funding permits.

All subwatershed plans will incorporate the primary objective of no net increase in peak flow rates, unless a more stringent criterion has been identified. Subwatershed plans will also assess means of stormwater quality control to ensure the protection of urban subwatersheds and provide opportunities to improve the quality of receiving waterbodies.

Existing watercourses will be left in their natural state whenever possible.

#### **4.27.3 Site-Specific Policies**

The City will apply Best Management Practices for stormwater management, as well as the technical and procedural guidance provided in the current version of the Ministry of the Environment's "Stormwater Management Planning and Design Manual."

These documents will provide guidance for stormwater management measures applicable to the implementation of stormwater quantity and quality control measures for new development, redevelopment and retrofit situations, including public infrastructure projects.

For all new developments or redevelopments, an overland flow route must be clearly defined to provide continuous overland drainage of major system flows to the nearest major watercourse. The overland flow route (major system) shall be entirely contained within the road right-of-way or easements.

Applications for draft plan approval of subdivisions and site plan approvals in areas where a subwatershed plan has been completed will demonstrate, through a Stormwater Management Report, how the proposed development will provide stormwater management in accordance with the subwatershed plan.

Applications for draft plan approval of subdivisions and site plan approvals in areas where a subwatershed plan has not been finalized will include a Stormwater Management Report containing site-specific details as required by the City.

A Stormwater Management Report shall contain the following:

1. The overall drainage plan for the site, indicating upstream drainage areas conveyed across the site and the ultimate outlet (major overland flow route) from the site to the municipal drainage system.
2. A plan of proposed on-site stormwater quantity control measures that will satisfy downstream capacity issues. Post-development peak flow rates from the site will be limited to pre-development peak flow rates, unless detailed analysis shows that such storage is not required.

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3. A plan for erosion control.
4. A description of the measures proposed to control stormwater quality on site. In particular, special measures must be proposed where a site is intended for industrial development.
5. A general grading plan, illustrating conformance with the City's overall stormwater management objectives.

For areas where a subwatershed plan has not advanced in sufficient detail to define downstream stormwater management facilities or where a development will result in unacceptable peak flow increases downstream, on-site stormwater management (storage) facilities for peak flow control will be required.

For small sites where it is impractical to implement on-site stormwater management measures (due to size or local site conditions), Council may collect cash-in-lieu of on-site stormwater management facilities where a specific study and *Development Charges By-law* has been completed. Monies will be applied towards a larger stormwater facility.

Developers of plans of subdivisions are required to construct, maintain and monitor the operation of all on-site quality ponds at their expense for a minimum period of two years after completion of housing. On-site stormwater management facilities will be designed in a manner that is compatible with the surrounding environment. Where appropriate, such facilities should be connected to recreational trails.

Maintenance will consist of annual monitoring of sediment accumulation in the pond forebay and quarterly inspections for trash removal, as well as sediment removal and lawn mowing as required.

Stormwater management facilities for subdivisions will be on lands transferred at no cost to the City, in addition to any lands required to be dedicated for park purposes under the *Planning Act*.

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The land use pattern within the Urban Area is defined by the establishment of a number of land use designations. The specific policies for development in each of those land use designations are included in this section. All other relevant policies of this Official Plan will also apply to all development within the limits of the Urban Area.

#### **5.1 Commercial Core Area**

The Commercial Core Area of the Urban Area has evolved as mixed use area that provides a variety of functions, including shopping and services, community facilities, gathering places, and housing. It is intended that Council will continue to foster the Commercial Core Area as a multi-functional area so that it will serve as a vibrant focal point for the Municipality. Given the high visibility of the Commercial Core Area, special attention to sound urban design principles is essential. Siting buildings to create a sense of street enclosure, locating parking lots to the rear of buildings, screening service entrances and garbage storage, and effective landscaping can aesthetically enhance the development. Emphasis will also be placed on creating a safe and attractive pedestrian environment, as well as convenient access to public transit and greenspace.

##### **5.1.1 Permitted Uses**

The uses permitted in the Commercial Core Area will include the full range of commercial activities, such as retail stores, personal and business services, offices, entertainment and recreation, eating establishments, and tourist facilities. In addition to the above, a full range of institutional and community facilities, medium density residential uses in mixed use buildings, and high density residential uses will also be permitted. Adult Entertainment parlours and Adult Video stores will not be permitted in the Commercial Core Area.

##### **5.1.2 Policies**

1. All non-residential uses, including mixed use commercial/residential buildings, shall have their main access to the building from the following streets: Laurier, Edwards, Giroux, St. Joseph, Gareau or Pouliotte. Commercial access and traffic on local streets will be discouraged, since they are access points into residential areas. Access to residential components of mixed uses should be provided from side streets when a mixed use development is located on a corner lot.
2. Businesses within the Commercial Core Area may be exempted from off-street parking requirements, on condition that cash-in-lieu be paid to the Municipality in order to establish a central public parking lot. Council may waive the cash-in-lieu requirement to promote preservation of the architectural aspects of a building or promote restoration of an older building. Within the Commercial Core Area, commercial buildings may be built up to the property line, subject to requirements of the Building Code and the provisions in the Zoning By-Law. Committee of Adjustment Applications to reduce the parking requirements will not be accepted.
3. Development applications within the Commercial Core Area will be reviewed with particular attention to details that affect the appearance of the street. Items that will be reviewed include such matters as street lighting, street furniture, signage, landscaping, architectural features, and access.
4. Residential uses in mixed use buildings will be permitted if they meet the following criteria:



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- a) Adequate parking for residential and commercial uses shall be provided and meet the requirements of the Zoning By-law.
  - b) Parking for residential uses will be distinctly identified from the parking for the commercial use, and no discounting for shared parking will be permitted.
  - c) A private amenity area will be provided for the residential use in accordance with the provisions of the Zoning By-law.
  - d) No existing ground floor commercial use may be converted to residential; however, a new residential use may be added to the rear of a commercial use by an amendment to the Zoning By-law.
5. The Commercial Core Area has largely been built out and development activity will mostly comprise enlargements, conversions from one use to another and redevelopment. In evaluating applications for rezoning, minor variance or site plan approval in the Commercial Core Area, Council will have regard for the following matters:
- a) Appropriate buffering to ensure compatibility with neighbouring uses.
  - b) Adequacy of landscaping or other site improvement features.
  - c) Parking can be adequately provided or cash-in-lieu of parking will be evaluated.
  - d) Arrangements for convenient and safe pedestrian and cycling access.
  - e) Traffic improvements, such as turning lanes, where required for new development, will be provided by the proponent.
  - f) Sewer and water capacities are adequate for the site.
  - g) Appropriate location for loading and unloading.
  - h) General harmony of buildings in terms of scale and character with the built form in the Commercial Core Area.
6. In order to minimize the disruption of traffic flow within the Core Area and promote better development, small lot rezoning will be discouraged and land assembly for consolidated development will be promoted.
7. The various uses will be identified in appropriate zone categories in the implementing Zoning By-law.
8. Commercial Core Area uses shall be subject to Site Plan Control.
9. Reducing, eliminating or consolidating access points to Laurier Street to provide a human-scaled environment, wide uninterrupted sidewalks, as well as to better foster the movement of traffic.
10. Automotive commercial uses will not be permitted.
11. The visual impact of outdoor storage or parking on adjacent uses and from the street will

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be minimized through appropriate means.

12. Notwithstanding the permitted uses stated in Section 5.1.1, the property known municipally as 2337 Laurier Street may be developed as a medium density residential apartment building. Policies associated with commercial development do not apply.

#### **5.2 Service Commercial**

The area designated Service Commercial is intended to serve the needs of the residents of Rockland and the surrounding area. The uses within this area require relatively large parcels of land, large areas of surface parking and access by major roads. To prevent or reduce conflicts the Service Commercial function needs to be located away from residential areas. Where it abuts a residential area, adequate buffers need to be provided and locational criteria described in this Plan need to be satisfied to ensure compatibility.

##### **5.2.1 Permitted Uses**

Permitted uses shall include such uses as: a shopping centre subject to Section 5.2.2, convenience commercial, eating establishments, financial institution, office, motel, veterinarian, warehouse retail, warehouse, wholesaler, manufacturing, assembly plant, building material sales and storage, garden centre, agricultural equipment sales, indoor recreation, public and private parking lot, transit terminal, print shop, dry cleaning plant, and other similar uses. Automotive commercial uses including but not limited to gasoline retail facilities, gas bar, convenience stores, automobile service stations, automotive parts dealers, automobile sales and service centres and other similar uses will be permitted subject to the provisions of Section 5.2.2.

In addition to the list of permitted uses, the property described as 632-634-636 Laurier Street, may also permit the following residential uses: triplex dwelling, quadruplex dwelling, row house dwelling, converted dwelling, apartment dwelling and one or more units situated in a part of a non-residential building.

In addition to the list of permitted uses, the property described as Part of Lot 29, Concession 1 (O.S.) and described as Part 1 of Plan 50R-7586, may also permit a retirement home.

##### **5.2.2 Policies**

1. A Retail Market Study will be required for any proposed shopping centre development within the Service Commercial designation, to prove to the satisfaction of Council that the proposed shopping centre will not have a negative impact on the viability of the Commercial Core Area.
2. Where a permitted service commercial use, including automotive commercial uses abut an existing residential use or lands designated Residential, adequate buffers, screens and landscaping shall be used to mitigate any potential impacts due to noise, lighting, fumes, and any other nuisances. Additional studies may be required to determine appropriate mitigation measures for potential contaminants, such as oil, gas and chemical products.
3. A Traffic Impact Study may be required to identify any necessary improvements to upgrade the transportation network to ensure that traffic-carrying capacity of the road is not significantly affected.

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4. Access to Arterial Roads is discouraged where alternate access is available. In general, entrances shall be kept to a minimum and at locations with the least impact on traffic flow. The use of joint entrances will be encouraged.
5. Pedestrian walkways will be included, with linkages to transit stops and other modes of active transportation, including sidewalks and trails.
6. Sewer and water services must be adequate for the site.
7. The visual impact of outdoor storage or parking on adjacent uses and from the street will be minimized through appropriate means.
8. Service commercial uses and automotive commercial uses shall be subject to Site Plan Control.

#### **5.3 Business Park**

The Business Park designation is intended to attract uses such as light industrial, offices and corporate headquarters. These uses generally prefer visibility from highways and they usually avoid being located near major retail and traditional industrial uses. Uses within business parks are characterized by free standing buildings on individual lots in a planned subdivision setting. Some commercial uses that serve the business park would be desirable as long as they are minor in scale and accessory to the main business park use. Proximity to recreation facilities and open space would also be desirable to serve the employees.

##### **5.3.1 Permitted Uses**

The permitted uses in the Business Park designation will include all forms of light industrial uses that are compatible with adjacent uses, which do not create a nuisance due to noise, odours, vibration, dust or smoke, including uses such as warehousing and wholesale establishments, manufacturing, processing, assembling and packaging plants, research facilities, print shops, business or professional offices, indoor recreational facilities and all automotive commercial uses permitted in the Service Commercial designation.

##### Private Hockey Academy

Notwithstanding the previous paragraph, the property described as Part of Lots 21, 22 and 23, Concession 1 (O.S.), the permitted uses for this property consist of all the uses indicated in the previous paragraph in addition to the following community and commercial uses: a community centre, a private hockey academy and a park.

Permitted accessory uses to the community centre: a personal and business services (i.e., a massage therapy clinic, a physiotherapy clinic, an administrative office), an eating establishment and a retail store.

A private hockey academy may include a cafeteria, administrative offices and dormitories.

##### **5.3.2 Policies**

1. The industrial areas will be encouraged to develop with the light industrial uses closest to the roads and residential areas and the heavy industries being located on interior lots well set back from the residential areas.

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2. Where industrial uses abut residential areas, appropriate buffering will be provided to ensure compatibility between the uses and lighting will be directed away from residential uses.
3. Direct access from County Road No. 17 may be permitted subject to approval of the United Counties of Prescott and Russell and the City of Clarence-Rockland.
4. All industrial uses will be required to comply with the standards of the Ministry of the Environment in terms of noise, odours, vibrations, emissions and waste handling.
5. Adequate off-street parking and loading spaces shall be provided for all industrial uses.
6. Truck traffic will be directed to designated truck routes.
7. A traffic impact study may be required to identify any necessary improvements to upgrade the transportation network to ensure that traffic-carrying capacity of the road is not significantly affected.
8. Sewer and water services must be adequate for the site.
9. Open storage areas will be set back an appropriate distance from main roads and residential areas.
10. The various uses will be identified in appropriate zone categories.
11. Business Park uses shall be subject to Site Plan Control.
12. Notwithstanding the provisions of Section 5.3 hereto to the contrary, the permitted uses with the "Business Park" designation, for a portion of the property legally described as Part of Lots 21 and 22, Concession 1 (O.S.), and more specifically Part 5 of Plan 50R-2938, shall include all of the permitted uses of the following designations: Business Park, Service Commercial, Community Facilities and Tourist Recreation Commercial. The following use will not be permitted under this designation: transit terminal.

#### **5.4 Community Facilities**

The designation Community Facilities, as shown on Schedule 'A', represents the existing concentration of social, recreational and educational facilities of a non-profit nature that are intended to serve the social, recreational and educational needs of the general public.

##### **5.4.1 Permitted Uses**

The permitted uses in the Community Facilities designation will include the full range of public and/or community non-profit uses, such as parks, schools, clubs, religious institutions, government offices, arenas or other indoor recreational facilities, community centres, museums, and other similar uses.

##### **5.4.2 Policies**

1. It is the policy of the Official Plan to encourage new public uses and/or community facilities to locate near the existing concentration of these uses, to promote the area as a central gathering place. The development of community facilities shall be coordinated

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with the development of the Commercial Core Area. Pedestrian and cycling connections between the Core Area and Community Facilities shall be improved wherever possible.

2. Adequate parking arrangements and, if required, loading areas shall be provided, in conformity with the requirements of the Zoning By-law. Common parking areas serving more than one use in an area designated Community Facilities may be accepted provided that:
  - a) Satisfactory agreements have been included to that effect; and
  - b) The requirements of the Zoning By-law are met.
3. The exterior spaces around and between buildings and structures should be planned to create interesting open spaces for pedestrians.
4. Where any lands designated Community Facilities are under private ownership, this Plan is not intended to indicate that these areas are free and open to the general public. On the other hand, this Plan does not require that the Municipality purchase these lands in order that they be retained for park and community purposes. In such cases, the Municipality will consider any requests for a change in designation by the property owner. Any change in designation will require an amendment to the Plan.
5. The Community Facility designation on Schedule 'A' applies to the central node. Public and community buildings exist elsewhere in Rockland, and these have a conformity status with respect to the Official Plan. They are also permitted, to some extent, in the Residential designations (Section 5.6), and in the Commercial Core Area (Section 5.1).
6. Community Facility uses shall be subject to Site Plan Control.

#### **5.5 Tourist Recreation Commercial**

Certain lands have a potential for recreation-oriented development or tourist development, especially along the river. These lands are indicated on Schedule "A".

##### **5.5.1 Permitted Uses**

The permitted uses in the Tourist Recreation Commercial designation will include hotel, motel, marina or local launching ramps, indoor or outdoor recreation, golf course, eating establishments, convenience stores as accessory to a main use and other similar uses. Seasonal outside storage of boats as part of a marina facility/operation will be permitted.

##### **5.5.2 Policies**

1. Council shall cooperate with the senior levels of government and organized groups to promote the tourist potential of a riverside development.
2. An outdoor recreation use adjacent to a residential use must be compatible with respect to noise, lighting, and any other nuisance aspects. Buffer zones can be used to increase the level of compatibility.
3. The public park, known as "du Moulin" or "Old Mill", at the north end of Edwards Street, is currently the only public access to the river. Any recreational or tourist development in

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that area must respect and, if possible, reinforce public access to the river.

4. Tourist Recreation Commercial uses shall be zoned in accordance with the nature of their activities, either as Commercial or Open Space.
5. Adequate parking and, if required, loading areas shall be provided for all permitted uses in accordance with the requirements of the Zoning By-law.
6. Tourist Recreation Commercial uses shall be subject to Site Plan Control.
7. Council may explore the viability of a new marina that would be accessible to pedestrians and cyclists alike and has central location for all residents of Rockland.
8. Council will review the study conducted by Plania to develop the banks, docks and sites along the Ottawa River to review issues and opportunities and implications to this designation.

#### **5.6 Residential**

##### **5.6.1 General**

The Residential designations are shown on Schedule 'A' as Low Density Residential and Medium Density Residential. Any major expansions beyond the boundaries shown on Schedule 'A' will require an amendment to the Official Plan and the United Counties of Prescott and Russell Official Plan.

The Official Plan encourages mixed development, offering a choice in the type of residential accommodation and the construction of all forms of tenure, such as single ownership, cooperatives, condominiums and rental. Some complementary non-residential uses are also permitted. The residential portion of Rockland is planned in neighbourhoods. In each neighbourhood, low density residential is the predominant use, but there could also be medium density residential components, local convenience commercial uses and neighbourhood parks.

The Official Plan contains special policies concerning certain types of residential uses, such as group homes and affordable housing.

Applications for development will be examined to determine municipal service requirements for both the lands affected by the development proposal and the oversizing of services to accommodate development on adjacent properties.

It is a policy of this Official Plan to have a range of housing types throughout Rockland. The purpose of this policy is to avoid uniformity of housing types in new development areas. When reviewing development applications that proceed by plans of subdivision, Council shall require a variety of housing types.

In order to promote energy conservation, new subdivisions should consider solar orientation of streets, lots and buildings. The renovation of existing homes should include improved insulation.

All major subdivisions shall include Medium Density Residential (at least 10% of the units). Schedule 'A' indicates, in a symbolic way, the approximate locations of medium density uses on undeveloped land. The exact location will be determined by rezoning of a parcel of land without

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the necessity of amending this Plan.

#### **5.6.2 Low Density Residential**

##### **5.6.2.1 Permitted Uses**

Permitted uses include:

1. Low Density development permits single detached dwellings, semi-detached dwellings, doubles and duplex dwellings to a maximum of 16 units per net hectare;
2. Small-scale commercial, park, school, place of worship and/or community facilities serving a local residential area;
3. Medium density residential, according to Section 5.6.3.

##### **5.6.2.2 Policies**

1. Small-scale commercial uses that are intended to serve the convenience needs of local residents are permitted in the Low Density Residential Area by rezoning. Such uses are intended to be isolated rather than forming a group or cluster that could potentially change the residential character of an area. These uses, which may include confectionary stores, laundromats, and other personal establishments, are limited to a maximum of 150 m<sup>2</sup> of floor space per location. Zoning applications for local commercial uses will be reviewed on the basis of general conformity with the following policies:
  - a) Access to and traffic generated by the site will not create adverse traffic problems on surrounding roads.
  - b) Such uses must be located on an appropriate collector road.
  - c) Lighting and signage are located so as not to create any adverse visual impact on the surrounding residences.
  - d) The use will provide landscaping and buffering in a manner that is in harmony with adjoining and nearby residential properties.
  - e) The proposed small-scale commercial use must form a good fit with the existing neighbourhood fabric.
2. Non-residential uses shall be subject to Site Plan Control and, wherever possible, will have access to a collector road.
3. Developers will be encouraged to provide some variety in lot sizes.
4. Within the built-up area of the Low Density Residential designation, Council may amend the zoning to permit medium density residential, without amending this Plan, if the following criteria are met:
  - a) the building is no more than five storeys in height to a maximum of 30 units per net hectare;

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- b) if the site has frontage or direct access to a “Collector” street, the number of units per site shall not exceed twelve, for any or all the permitted uses as listed on Section 5.6.3.1.1, and the proposal must conform to the normal requirements of the Zoning By-law without requiring an exception to reduce the zone provisions. An exception can, however, limit the number of units; or
- c) if the site does not have frontage or direct access to a “Collector” street, the number of units shall not exceed eight, for any or all the permitted uses as listed on Section 5.6.3.1.1, and the proposal must conform to the normal requirements of the Zoning By-law without requiring an exception to reduce the zone provisions. An exception can, however, limit the number of units.

#### **5.6.3 Medium Density Residential**

##### **5.6.3.1 Permitted Uses**

Permitted uses include:

- 1. Multiple unit residential uses such as townhouses and small apartment buildings no more than five storeys in height to a maximum of 30 units per net hectare.
- 2. The non-residential uses of Section 5.6.2.1.2.

##### **5.6.3.2 Policies**

- 1. Certain developments for which the location has already been determined are indicated on Schedule ‘A’ in a precise location. These proposals must still receive all other necessary approvals, including a site plan agreement and zoning amendment.
- 2. Within the built-up area of the Medium Density Residential designation, Council may amend the zoning to permit high density residential, without amending this Plan, if the following criteria are met:
  - a) the building is no more than five storeys in height to a maximum of 80 units per net hectare;
  - b) the site has frontage or direct access on a “Collector” street and the proposal must conform to the normal requirements of the Zoning By-law without requiring an exception to reduce the zone provisions. An exception can, however, limit the number of units; or
  - c) if the site does not have frontage or direct access to a “Collector” street, the number of units shall not exceed, twelve for any or all the permitted uses as listed on Section 5.6.3.1.1, and the proposal must conform to the normal requirements of the Zoning By-law without requiring an exception to reduce the zone provisions. An exception can, however, limit the number of units.
- 3. When Council examines a proposal for medium density, it must consider the following factors among others: compatibility, parking, vehicular and pedestrian movement, availability of municipal services, safety, noise, and the results of public participation. In general, row housing and other ground oriented housing is more acceptable on local streets than housing which is not ground oriented.



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4. Medium Density Residential uses will be subject to Site Plan Control.

#### **5.6.3.3 Medium Density Residential – exception 1**

1. Lot = 4 P Bell 1908, 592-596 St-Jacques Street  
Additional permitted uses:
  - Semi-detached dwellings
  - Duplex dwellings

#### **5.6.4 High Density Residential**

##### **5.6.4.1 Permitted Uses**

Permitted uses include:

1. medium density uses at a density of more than 30 units per net hectare.
2. the non-residential uses of Section 5.6.2.1.2.

##### **5.6.4.2 Policies**

1. Certain developments for which the location has already been determined are indicated on Schedule 'A' in a precise location. These proposals must still receive all other necessary approvals, including a site plan agreement and zoning amendment.
2. When Council examines a proposal for high density residential uses, it must consider the following factors among others: compatibility, parking, vehicular and pedestrian movement, availability of municipal services, safety, noise, and the results of public participation. In general, row housing and other ground oriented housing is more acceptable on local streets than housing that is not ground oriented.
3. High Density Residential uses will be subject to Site Plan Control.
4. Notwithstanding the density provisions above, a stand alone residential use within the Core Area shall achieve a minimum density of 80 units per net hectare.

##### **5.6.5 Phasing Policies**

In order to promote the efficient use of land and achieve the desired land use pattern, phasing policies are established to guide new development in designated growth areas. Emphasis will be given to intensification, redevelopment and infill opportunities and growth will meet the following phasing policies:

1. New development in Residential Areas will occur adjacent to existing built-up urban areas. Emphasis shall be placed on achieving a mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
2. Where expansion onto vacant undeveloped lands is proposed, the following phasing policies shall be considered at the time of application review:
  - a) The proposed development represents a contiguous expansion within the Residential Area designation.

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- b) The proposed development represents a logical utilization of existing municipal and social infrastructure.
  - c) The proposed development completes or rounds out existing neighbourhoods with respect to road connections, waterline looping, and public service facilities such as schools and recreation facilities.
  - d) The area is experiencing growth pressure as evidenced by adjoining development and the available supply of lots/units in existing registered and draft approved plans of subdivision/condominium.
- 3. Land supply requirements and intensification targets will be monitored and reviewed on a five-year basis.
  - 4. No Official Plan amendments for the expansion of areas designated Residential Area will be considered until a comprehensive review is undertaken.

#### **5.6.6 Intensification**

Residential intensification is an effective means of ensuring the efficient use of land and infrastructure in the City. Policies aimed at increased intensification are consistent with the desire to concentrate future development in fully serviced areas, as well as provincial directives on housing policy.

In order to ensure the development of a healthy, balanced and efficient City, the City will encourage new growth to occur through intensification. The City shall target that 15 percent of all new residential units created during the planning period shall be through intensification. Intensification and redevelopment of sites and buildings will be based on criteria established in the UCPR Official Plan.

##### **5.6.6.1 Policies**

Intensive forms of development can occur without dramatic change in the character and scale of existing neighbourhoods. Opportunities for intensification will be supported under the following circumstances:

- 1. On lands that are no longer viable for the purpose for which they were intended, such as older industrial areas.
- 2. Where the present use is maintained but the addition of residential uses can be accomplished in a complementary manner.
- 3. That are vacant and/or underutilized within previously developed areas.
- 4. Fully-serviced lots that could accommodate infill developments.

##### **5.6.6.2 Programs**

- 1. To support intensification, financial incentives for brownfield redevelopment will be investigated.

## **SECTION 5**

### **LAND USE POLICIES**

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2. In order to encourage housing intensification through the conversion of vacant commercial space, Council will actively participate in federal and provincial programs to facilitate such activity.
3. An inventory of vacant sites suitable for infilling and other forms of intensification shall be maintained.

#### **5.6.6.3 Monitoring**

Over the next five years, Council will review the amount of residential development that is occurring through intensification to determine whether or not the 15% intensification target is being reached. Council will review and, if necessary, adjust its policies and programs, including amending this Plan, to ensure that continued progress towards this target is made.

### **5.7 Wetlands**

#### **5.7.1 General**

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

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

Wetlands are valuable in their natural state for biological, social, hydrological and other special features. The highest level of protection and conservation is *Provincially Significant Wetlands (PSW)* and is required by Provincial policy. PSW boundaries are identified by the Ministry of Natural Resources (MNR) using the Ontario Wetland Evaluation System. This plan designates all identified PSW on Schedule 'A' using the 'Wetland' designation.

#### **5.7.2 Permitted Uses**

Subject to the other policies of this Plan, the following shall apply in determining uses permitted on land designated Wetland on Schedule 'A':

1. Agricultural uses existing legally on the date of adoption of this Plan shall be permitted to continue.
2. Permitted uses shall include conservation, wildlife management, fishing, passive outdoor recreation and educational activities.
3. Buildings and structures that do not require extensive site works may be permitted subject to the approval of the City in consultation with the Conservation Authority and/or Ministry of Natural Resources.

#### **5.7.3 Policies**

The following policies apply to land designated Wetland in Schedule 'A':

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### **LAND USE POLICIES**

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1. Based on mapping provided by the Ministry of Natural Resources, which is updated from time to time, the precise delineation of the PSW and therefore Wetland designation may be refined without amendment to this Plan. The City shall maintain up-to-date PSW information reflecting the current delineation provided by the MNR.
2. Development and/or site alterations shall not be permitted within the Wetland designation.
3. New utilities or public infrastructure such as roads, sewer or water lines shall be located outside of the Wetland designation. Where utilities or public infrastructure must be located within the Wetland, alternative methods and measures to minimize impacts on the Wetland shall be considered. Structures associated with such uses shall be located outside the Wetland designation.
4. Where land designated Wetlands is under private ownership, there is no implication that the land is open to the general public or that it will be acquired by any public agency.
5. PSWs shall be protected according to the Wetland policies of this Plan through the City Zoning By-Law.
6. Adjacent lands are defined as lands that are contiguous to a PSW where development and/or site alterations could possibly have negative impact on the Wetland. The extent of adjacent lands shall be 120 metres from the Wetland boundary. Development and/or site alterations may be permitted on adjacent lands, in accordance with their land use designation, if the ecological and hydrological function of the adjacent land has been evaluated (in accordance with Section 4.5 of this Plan) and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological and hydrological functions of the wetland, or that that the impacts can be adequately mitigated.

#### **5.8 Major Open Space**

##### **5.8.1 General**

A Major Open Space area has been designated in the Urban Area and is shown on Schedule 'A', this being the golf course. This is a significant feature in the Community and should be recognized. Other parks, open spaces, community and recreational facilities are permitted in various land use categories and policies for these uses are included in Section 4.16.

##### **5.8.2 Permitted Uses**

The uses permitted in the Major Open Space designation will be limited to a golf course. Accessory uses, such as pro shops, club house, offices and eating establishments are also permitted.

##### **5.8.3 Policies**

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1. Any proposal to redevelop lands designated Major Open Space to another use will require an amendment to the Official Plan.

## **SECTION 6**

### **DEVELOPMENT CONSTRAINTS**

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#### **6.1 General**

The Development Constraints, which are shown on Schedule 'A' as overlays, apply to lands that, by their physical characteristics or their location, present problems for development. The severity and the implications of the problems vary according to the constraint. It can be an inconvenience, a risk of property damage, or even a risk of loss of life, depending on the circumstances. Six categories of Development Constraints are identified in the Official Plan: Flood Plains, Unstable Slopes, Former Dumps, Organic Soils, Noise and Odours.

#### **6.2 Permitted Uses**

When a Land Use designation (i.e., Residential, Commercial on Schedule 'A') is affected by a Development Constraint, the permitted uses in the underlying designation are permitted subject to the policies of this Section and the other applicable policies of this Official Plan.

#### **6.3 Flood Plain**

##### **6.3.1 General**

1. The Flood Plain areas shown as a Development Constraint on Schedule 'A' include all areas known to be subject to 1 in 100 year flood events. These areas have been identified and mapped by the Ministry of Natural Resources.
2. It is recognized that flood plains and associated erosion hazards may exist that are not shown on Schedule 'A'. In reviewing development applications, the approval authority shall require that the proponent of a development demonstrate that there are no flood hazards and/or erosion hazards as part of the submission of the development application for formal review and processing. Where it is determined that flood hazards and/or erosion hazards exist, the policies in this Section shall apply, regardless of the fact that the flood hazard or erosion hazard may not be identified on Schedule 'A'.
3. Amendments to the Flood Plain Development Constraint shown on Schedule 'A' may be considered provided the proposed amendment is supported by plans and/or studies prepared by a qualified professional, which demonstrate that any site alteration(s) or works will not negatively impact adjacent lands or lands located up or downstream from the subject property. The Ministry of Natural Resources and/or South Nation Conservation shall be consulted prior to the adoption and approval of Official Plan amendments concerning Flood Plains.
4. The Zoning By-law shall indicate the Flood Plain areas and it may also contain provisions with respect to flood proofing/wave proofing.
5. An amendment to the Official Plan may be considered by Council to designate an area that has historically existed within the flood plain, as a Special Policy Area. An amendment will be considered where site-specific policies have been approved by the Ministry of Natural Resources to address any hardships to the area residents that would result from strict adherence to provincial policies concerning development in flood plains.

##### **6.3.2 Permitted Uses**

1. Notwithstanding the underlying Land Use designation on Schedule 'A', development and site alteration shall be prohibited, except for the following circumstances:

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### **DEVELOPMENT CONSTRAINTS**

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- a) repairs and minor additions to buildings and accessory buildings, which do not affect flood flows where there is existing non-conforming development;
  - b) uses which, by their nature, must be located within the flood plain and will not affect the hydrology or hydraulics of the flood plain; and
  - c) works required for flood and/or erosion control and passive recreational and/or open space uses without buildings that do not affect the hydrology or hydraulics of the flood plain.
2. Development and site alteration permitted on lands affected by the Flood Plain constraint (in accordance with the provisions of Section 6.3.2.1), shall meet all the following requirements:
- a) the hazards can be safely addressed and the development and site alteration is carried out in accordance with the established standards and procedures;
  - b) new hazards are not created and existing hazards are not aggravated;
  - c) no adverse environmental impacts will result;
  - d) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and
  - e) the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

#### **6.4 Unstable Slopes**

1. A study by the Ministry of Natural Resources indicates that the slopes along the Ottawa River and Clarence Creek (east of Pigeon Street) have a potential for slope slippage. Any construction that is too near these slopes is, therefore, dangerous, and the acts of construction and/or site alterations can make the natural conditions worse. Development in these areas shall be built at a safe distance to avoid problems. Unstable Slopes are shown on Schedule 'A' as an overlay.
2. Development and site alteration in areas affected by Unstable Slopes, i.e., lands with a slope stability factor of safety of 1.5 or less, generally is prohibited. However, a site-specific Zoning By-law amendment may be granted if a slope stability study supports the proposed development. Site-specific zoning amendments are not required where the Building By-law addresses the requirements for development in areas affected by Unstable Slopes, as shown on Schedule 'A'. Site-specific Zoning By-law amendments to permit construction of a building or structure may be passed only if all of the following conditions are met:
  - a) appropriate development setbacks as provided in a joint report prepared by the Ministry of Natural Resources and the Ministry of Northern Development and Mines are considered;

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### DEVELOPMENT CONSTRAINTS

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- b) sufficient soils and engineering information is made available to indicate that, although the site is identified as having Unstable Slopes, it is, in fact, suitable or can be made suitable for development using accepted scientific and engineering practices;
  - c) that any proposed alterations to the site will not result in increased hazards or cause adverse environmental effects on or off site; and
  - d) the designation on Schedule 'A' permits the proposed development.
3. The Zoning By-law shall indicate a setback, a separate zone, or both, corresponding to the Unstable Slope constraint. A "holding zone", as defined by the *Planning Act*, can be used. The Zoning By-law shall prohibit new buildings, structures, and major uses (e.g. swimming pools, industrial storage) between them and the slope.
  4. The recommended setback distance is an interim measure and it can be reduced if more detailed studies are done. The construction of remedial works can also change the soil conditions. Therefore, the Municipality can amend the Zoning By-law to increase or decrease the setback distance, provided that the request for change is supported by the recommendation of a soils engineer. Council shall consult the Ministry of Natural Resources or its designate before making a decision on such a request. It is not necessary to amend the Official Plan if the Ministry accepts the engineer's recommendation.

#### 6.5 Former Dumps

1. Several Former Dumps exist in Rockland, one of which is the property of the Municipality. These sites are shown in the United Counties of Prescott and Russell Official Plan.
2. Development on lands identified as Former Dump may proceed in accordance with the policies of the underlying land use designation subject to an Environmental Site Assessment and in accordance with Ministry of the Environment Guideline D-4 "Land Use on or near Landfills and Dumps."
3. In reviewing development applications on lands within 500 metres of a site identified as a Former Dump, a Phase 1 Environmental Site Assessment (ESA) shall be required by the approval authority in order to ensure that there is no evidence of potential safety hazards that may be caused by landfill generated gases, ground and surface water, contamination of leachate, odour or litter, potential fires, surface runoff and vectors and vermin. Particular attention shall be given to the production and migration of methane gases. The Phase 1 ESA shall document the previous uses of the property and provide an assessment of the site to identify actual or potential hazards. The Phase 1 ESA shall be undertaken using established principles and procedures and be prepared by a qualified engineer.
4. Where the Phase 1 ESA confirms environmental problems, the proponent will be required to undertake additional studies which shall demonstrate that the site is appropriate for development or can be rehabilitated in order to mitigate known or suspected hazards and to establish procedures for site rehabilitation prior to the final approval of the proposed development. The provisions of Section 4.2 shall apply.



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### **DEVELOPMENT CONSTRAINTS**

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#### **6.6 Organic Soils**

1. The organic soils (shown in the United Counties of Prescott and Russell Official Plan) that exist in the Municipality present problems for conventional construction techniques. The solution is to use special construction techniques that are adapted to this type of soil or to extend the foundations down below the organic soil layer. The organic soil areas are not indicated on Schedule 'A' because they are all within the Flood Plain areas.
2. Flood proofing in areas of organic soils by land filling or the construction of flood works can result in stability problems. As such, in addition to the studies required in Section 6.4, a geotechnical study will be required before proceeding with flood proofing operations.
3. Development, in accordance with the permitted uses of Section 6.3.2, may be permitted without an amendment to the Official Plan provided that the proposed development is supported by a geotechnical study that demonstrates that the site is suitable for development.

#### **6.7 Abandoned Pits and Quarries**

1. Abandoned Pits and Quarries are shown in the United Counties of Prescott and Russell Official Plan.
2. Development on, abutting or adjacent to lands affected by former mineral resource operations may proceed in accordance with the policies of the underlying land use designation only if rehabilitation measures to address and mitigate known suspected hazards are under way or have been completed.
3. All development applications for sites identified as an abandoned pit or quarry will require a study that provides sufficient information to determine any potential safety hazards, to demonstrate that the site can be rehabilitated to mitigate the known or suspected hazard and to establish procedures for site rehabilitation and mitigation of the safety hazard.

## **SECTION 7 ROADS**

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### **7.1 Introduction**

The Plan for the Road Network is shown on Schedule 'B'. The roads are classified according to the function they perform. Rights-of-way widths and standards are established for each class of road. Road improvements, such as widening, reconstruction, realignment, turning lanes, intersection improvements and other traffic control devices, should be made according to a schedule of priorities established by the City of Clarence-Rockland and the United Counties of Prescott and Russell. The City's priorities for road improvements will be justified by safety and traffic volumes. The schedule of road works of the two jurisdictions, the United Counties of Prescott and Russell and the City of Clarence-Rockland, shall be coordinated.

All new streets must conform to the policies and standards of the Official Plan. Typically, this will be accomplished through the subdivision approvals process.

Council shall explore initiatives that introduce roundabouts in certain intersections within Rockland. A traffic study must first be performed by a qualified traffic engineer prior to the initiation of such a project.

### **7.2 Arterial Roads**

#### **7.2.1 General**

Arterial roads are intended to carry high volumes of traffic at relatively high speeds and to connect major traffic generators. The only designated arterial is County Road No. 17. All development adjacent to this Arterial Road, including entrance permits, signage, building form and location and land use shall require approval from the United Counties of Prescott and Russell. Intersections with other roads should be adequately spaced and limited in number so that they do not become a safety hazard and do not seriously interrupt the flow of traffic. Adequate lighting should be provided at all intersections.

#### **7.2.2 Policies**

1. Lot creation for residential purposes with direct access to an Arterial Road is not permitted.
2. Residential subdivisions fronting on an Arterial Road may be permitted provided that access is obtained through a local public road maintained year-round. The review process shall ensure that adequate measures are included in the subdivision design to mitigate any potential negative impacts related to the proximity of the Arterial Road to the residential development.
3. Commercial and/or industrial development with frontage on the Arterial Road may be permitted subject to the approval of the design and location of the lot access by the Prescott and Russell Public Works Department and subject to other relevant policies of this Official Plan. Typically, access will be granted via an internal road system.
4. Development on lots of record existing as of the day of adoption of this Official Plan may be permitted in accordance with the applicable land use designation policies and the Zoning By-law regulations, and provided that new accesses are kept to a strict minimum by enforcing, where possible, a minimum 200 metre separation distance from existing accesses on the same side of the road. Alternatively, safety issues may be addressed

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through engineered solutions, such as turning lanes, acceleration lanes or deceleration lanes.

5. The minimum 200 metre separation distance required in policy 4 above may be reduced by the United Counties of Prescott and Russell Public Works Department without amendment to this Official Plan where sufficient frontage exists that would normally permit the maintenance of the separation distance but where topographical or safety considerations would dictate that a lesser separation distance may be reasonable.
6. A minimum development setback of 9 metres from the property line shall be required.
7. The following roads and proposed rights-of-way are designated as Arterial Roads for the purpose of the Official Plan:

| Road               | Proposed Right-of-way |
|--------------------|-----------------------|
| County Road No. 17 | 50 m                  |
| East-West By-Pass  | 30 m                  |

8. The East-West By-Pass shown on Schedule B is for information purposes only. A Class EA will be required to define its ultimate alignment.

### 7.3 Collector Roads

#### 7.3.1 General

The City of Clarence-Rockland distinguishes between Major and Minor Collector Roads.

Major Collector Roads are intended to distribute traffic from the interior of residential communities or areas of industrial and commercial development to the Arterial Road Network. A secondary function of Major Collectors would be the servicing of abutting properties, although, in some cases, it may be desirable to restrict access onto them. This access should be limited to commercial properties and medium density residential development (i.e., apartment buildings).

Minor Collector Roads are intended to distribute traffic from the interior of residential neighbourhoods to a Major Collector Road or Arterial Road. An equal function is to serve abutting properties.

Major and Minor Collector Roads have been indicated on Schedule 'B'.

#### 7.3.2 Policies - Major Collector Roads

The City of Clarence-Rockland will consider the following principles when dealing with proposed development abutting and/or affected by a Major Collector Road and in regard to the development of new Major Collector Roads:

1. Junctions of local streets with Major Collectors should be adequately spaced and,

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wherever possible, in the form of a four-way intersection.

2. Street lighting, sidewalks on either side and a bicycle path on one side shall be provided.
3. Wherever possible, new residential lots should not front onto a Major Collector.
4. The following streets are designated as Major Collector Roads for the purposes of the Official Plan:

| Street Name       | From - To                                    |
|-------------------|----------------------------------------------|
| Laurier Street    | Poupart Road (west) to County Road No. 17    |
| Laporte Street    | Laurier Street to County Road No. 17         |
| Boul. Dr. Corbeil | Caron Street to St-Jean Street (County Road) |

5. The right-of-way width for a Major Collector Road shall be 26 metres. An exception to this proposed width shall be made within the boundaries of the Commercial Core Area where the right-of-way width will be 20 metres.
6. Minor adjustments to the alignment of any “proposed” Major Collector Road may proceed without an amendment to this Plan provided that it reflects their general location and intent, as shown on Schedule ‘B’.
7. The City will begin discussions with the UCPR to have St-Jean Street – County Road (as located within the Urban Area) transferred to the City.
8. Following completion of the multi-jurisdictional Class Environmental Assessment (EA) for improvements to Ottawa Road (OR) 174 from the Highway 417/OR174 Interchange (the “Split”) to Canaan Road in the City of Ottawa, and improvements to Prescott Russell County Road (17) from Canaan Road to County Road 8 (Landry Road) in the UCPR, the City will undertake a detailed evaluation of the existing Laurier Street (east) / County Road 17 intersection to assess current deficiencies and develop a recommended alternative to address the transportation needs. One alternative to be considered is a connection east of Yves Street which would align with a future intersection along County Road 17. In order to protect the right-of-way and to avoid costly expropriation, this alignment will be shown on Schedule “B” of the Plan.

### 7.3.3 Policies - Minor Collector Roads

1. The City of Clarence-Rockland will take into consideration the following principles when dealing with proposed development abutting and/or affected by a Minor Collector Road and in regard to the establishment of new Minor Collector Roads.
2. Street lighting and sidewalks and bicycle paths shall be provided on one side of the Minor Collector Road.
3. Traffic on Minor Collector Roads should not be impeded by unnecessary stop signs unless warranted by transportation design criteria.

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4. The following streets are designated as Minor Collector Roads for the purposes of the Official Plan:

| Street Name                     | From - To                                                           |
|---------------------------------|---------------------------------------------------------------------|
| Edwards Street                  | Laurier Street to Catherine Street                                  |
| St-Jean Street                  | Laurier Street to Poupart Road                                      |
| Caron Street                    | David Road to Highway No. 17                                        |
| Heritage Drive                  | Laurier Street to Patricia                                          |
| Poupart Road<br>Sterling Avenue | Laurier Street to St-Jean Street<br>Jasper Cr. to Boul. Dr. Corbeil |

5. The right-of-way width for a Minor Collector Road shall be 26 metres. An exception to this width shall be made within the boundaries of the Commercial Core Area where the right-of-way width shall be 20 metres.

### 7.4 Local Roads

#### 7.4.1 General

The primary function of Local Roads is to provide direct access to lots. Generally, the volume of traffic will be low and the traffic on the street will have an origin or a destination on the route.

#### 7.4.2 Policies

1. Through traffic should be discouraged. Local roads are under the jurisdiction of the Municipality and the right-of-way shall be a minimum of 18 metres.
2. Rights-of-way that do not meet the minimum 18 metres standard will be widened, but only if required for traffic flow. In this regard, where a widening would create an excessive reduction in the sizes of the lots fronting on the road, the Municipality may consider widening only the intersections.
3. The following streets do not have a uniform 18 metre right-of-way and, consequently, are proposed for widening: Albert, Alma, Catherine, Chapman, David, Gareau, Henrie, Hudon, Lalonde, Lawrence, McCall, Notre-Dame, Charette, Pouliotte, Powers, St-Jacques, St-Jean, St-Joseph, St-Louis, Victor, Victoria, Wallace, and Woods.
4. Alternative development standards may be developed that would allow for more flexible requirements for road widths.

### 7.5 Reserves for Future Roads

At regular intervals along all roads in undeveloped areas, the City of Clarence-Rockland shall establish and protect reserves for future roads having a proposed right-of-way a minimum of 18 metres (or appropriate for the type of road envisioned) for access to interior parcels of land and for the future construction of roads in relation to the development of these parcels. Such reserves should be located at intervals of at least 60 metres but not exceeding 250 metres. The protection of these reserves or their dedication to the Municipality may constitute a condition for

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the approval of a severance, a subdivision, or any other type of development. Existing reserves shall be protected unless they are not required to meet the foregoing standards.

#### **7.6 New Public Roads**

Prior to the opening a new public road, the City of Clarence-Rockland will require:

1. An engineer's report with regard to street construction and to the required services (i.e., municipal water and sewer, drainage, street lighting and signs, curbs, cable and any other appropriate services).
2. The signing of an agreement with regard to construction of the road and installation of the services. A new street is not a public street unless the owner has transferred the property to the City of Clarence-Rockland and that the City of Clarence-Rockland has assumed and dedicated it as being a public highway by By-law.

#### **7.7 Private Roads**

Where a private road exists within Rockland, there is no legal obligation on the part of the Municipality to maintain, repair or otherwise service any development located on that private property road or right-of-way. If a private road is reconstructed by the landowners, at their own expense, to the standards of the Municipality and the road allowance on which it is located is deeded to the Municipality, Council may, subject to an amendment to the Official Plan, assume the road by By-law if it can be accessed by an existing public road which is currently maintained year-round. Prior to undertaking any such work, the landowners will obtain the approval of Council. The work will be supervised by the Municipality and shall be to the standards determined by the Municipality.

No new private roads may be created for new development except for private roads approved by an application under the *Condominium Act* or a development proposed under a "Common elements agreement" that has been approved by Council.

Development on Private Roads is permitted on existing lots of record, provided that such lots meet the relevant requirements of this Official Plan and provided that they are appropriately zoned in the implementing Zoning By-law.

#### **7.8 Access to Public Road**

All new development must have frontage on a public road that is of an adequate width and standard of construction and is maintained year-round by the City of Clarence-Rockland or other Public Authority.

All new development will be carefully located so that no traffic hazard is created by the new use.

The policies and guidelines of the United Counties of Prescott and Russell will apply to any new development abutting a County Road.

#### **7.9 0.30 Metre Reserve**

The Municipality may require the transfer of one or more 0.30 metre reserves for the purpose of locating and limiting the number of entrances to a property or to restrict access to a public

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highway from a particular area of a property when dealing with a plan of subdivision, a plan of condominium, a site plan or severance.

#### **7.10 Road Widening**

It is the intention of Council that all roads under the jurisdiction of the Municipality eventually be widened to their proposed right-of-way widths using such mechanisms as subdivision approvals, consent approvals and Site Plan Control approvals.

#### **7.11 Pedestrian Policies**

One of the objectives of this Plan is to establish a pedestrian-friendly environment. Overall, this Plan shall encourage people to walk for health reasons and to reduce their dependence on the automobile. This Plan stresses the need for a clearly defined network of sidewalks, pathways and cycle routes that are linked to established public and commercial areas. The following policies aim at achieving this objective:

1. Where Council considers it appropriate, new development or redevelopment will be expected to provide pedestrian walkways and sidewalks constructed to an appropriate standard. The location, size and nature of the development will determine whether sidewalks are needed on both sides or one side of the street. In some cases, sidewalks may not be required.
2. When undertaking public works, and where appropriate, the City will include the provision of facilities that address the needs of pedestrians.
3. To encourage pedestrian travel, streetscapes should be safe, convenient and attractive for pedestrians. This may include providing sidewalks, locating commercial uses at street level, encouraging building design that provides shelter and providing appropriate lighting, street furniture and landscaping.
4. Council shall establish a pedestrian walkway plan for the urban area that outlines areas where walkways exist and where they should be created within an overall network. Such a plan shall encourage pedestrian interconnections between home, schools, recreational areas, and shopping areas. The City shall maintain and enhance the existing sidewalk network in order to achieve this policy.

#### **7.12 Cycling Policies**

Cycling also reduces the dependence on the automobile. This Plan shall encourage people to ride bicycles. The following policies aim at achieving this objective:

1. Council shall establish a cycling plan for the urban area that identifies cycling routes. Such a plan shall encourage the interconnections between bike routes and open space areas. Such a plan shall be designed to improve the viability of cycling as an alternative to car use.
2. When undertaking public works, and where appropriate, the City will include the provision of bike lanes and bike racks to address the needs of cyclists.
3. Where Council considers it appropriate, new development or redevelopment will be

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expected to provide bike racks.



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#### **7.13 Multi-Use Pathways**

The City shall maintain and expand its recreational trails and bicycle route identified on Schedule 'B'. The following policies aim at achieving this objective:

1. All development applications, including, but not limited to, plans of subdivision, severances, plans of condominium, Official Plan Amendments, Zoning By-law Amendments and Site Plans shall be reviewed to ensure that they include consideration for recreational and bicycle pathway facilities.
2. A recreational trail and bicycle route signage program for existing roadways will be developed in accordance with recognized standards and best practices. Ongoing road maintenance and new road construction and associated infrastructure shall have consideration for the recreational vehicle and bicycle in the design and placement of intersection treatments, sewer grates, manhole covers and signage. All facilities operated by the City will incorporate appropriate bicycle facilities consistent with their location in order to lead by example in promoting the usage of cycling in the City.
3. Opportunities to expand the multi-use pathways along the Ottawa River and linking with other natural areas and open space areas will be considered as part of the development review process.

#### **7.14 Active Transportation, Pedestrian and Bicycle Network**

Protecting and expanding the existing pedestrian and bicycle network in the City is essential to creating quality of place. Trails promote healthy lifestyles and provide an alternative transportation network.

##### **7.14.1 Policies**

1. The existing pedestrian and bicycle network will be maintained and expanded through the creation of additional pedestrian walkways, trails and bikeways with adequate signage throughout the City.
2. Development proposals will be reviewed to ensure that there is adequate pedestrian access in new developments. The City may acquire lands to provide pedestrian facilities as a condition of approval. Wherever possible, the provision of adequate bicycle facilities will be encouraged.
3. Bicycle facilities for all new road links and road widening projects will be considered based on an assessment of safety, potential usage, cost, and linkages to major employment, educational, or recreational centres.
4. The maximum level of separation of pedestrians and bicyclists from motor vehicle traffic will be achieved through good road design practices.
5. Sidewalks facilitate active living and are an essential component of good neighbourhood design, providing a safe pedestrian environment and access to other transportation linkages, such as trails. Curbs and sidewalks in neighbourhoods also encourage walking and provide safety for children. It is policy of this Plan to provide the following on new and reconstructed roads, when feasible:

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- a) Sidewalks on at least one side of urban Arterial Roads and Collector Roads adjacent to developed lands.
- b) Pedestrian connections between neighbourhoods.
- c) Pedestrian linkages to major attractions/generators.
- d) Sidewalks are to be built and maintained to a standard that facilitates the mobility of persons with disabilities.
- e) Barrier-free design of pedestrian facilities will be required through site plans.

### **7.14.2 Programs**

- 1. The existing bicycle and pedestrian network will be expanded, with special emphasis on major generators, such as community centres and educational institutions, as well as enhanced linkages between community facilities, neighbourhoods and schools.
- 2. Pedestrian and bicycle safety programs within the City will be supported and coordinated.
- 3. Public awareness of the convenience, health and economic benefits of commuter cycling and walking will be promoted.

### **7.15 Accessibility**

Accessibility is a key consideration in the planning and development of our Communities, encompassing our streets, parks, libraries, social housing, and other functions of daily living. It is policy of this Plan to support the continued development of integrated, accessible services, programs and facilities that fully respect the dignity and rights of persons with disabilities.

### **7.16 Parking**

Parking is an integral component of the road transportation system. Therefore, it is the policy of this Plan to ensure that the location and design of parking facilities encourage the efficient and safe functioning of the transportation system.

The City shall have regard to the following factors when considering the approval of individual parking lots and the parking component of a larger development:

- 1. Access and exit to parking areas shall be located so that:
  - a) visibility of other vehicles is not hindered by inadequate sight triangles or buildings set too close to public streets or the internal road system;
  - b) visibility is maintained between vehicles entering/exiting the site and pedestrians along the property frontage in order to minimize conflict between the two modes of travel;

## SECTION 7 ROADS

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- c) there is minimal disruption to the function of the adjacent road by providing turning lanes where required;
  - d) where practical, adjoining land uses on arterial, major collector and collector roads shall share access points in order to minimize traffic hazards;
  - e) where practical, the City will require internal links between adjacent parking lots.
2. Where possible, parking facilities shall be sited on a property such that large expanses fronting on public streets are avoided.
  3. Parking for persons with disabilities and expecting mothers is provided within oversized parking stalls with ramped sidewalks nearby and is well located in respect to convenience for the user, proximity to the building access points or public sidewalks, and is protected, where possible, from adverse climatic elements.
  4. Illumination of all areas to increase the safe, secure use of parking facilities.
  5. Light spillover or glare from any lighting source onto residential uses and public streets shall be minimized, but not to the detriment of safety concerns.
  6. For mixed use development containing residential units, parking areas shall be dedicated for the exclusive use of residents and separated by design or distance from parking areas for other uses except where parking facilities can be shared with these other uses so as to provide adequate, safe, secure and convenient parking for residential use.
  7. Parking areas shall be designed to incorporate proper stormwater management, and use permeable surfaces, where feasible (i.e., paving stones, porous asphalt).
  8. Pedestrian circulation routes through parking areas shall respect natural pedestrian travel routes, minimize hazards and inconvenience and maximize pedestrian security.
  9. The design and layout of parking areas shall ensure the safe and efficient operation of the facility.
  10. Parking facilities shall be designed, located and operated in such a manner that maximizes the security of motor vehicles and cycles from theft and vandalism and their users from assault or personal injury. In the case of cycle parking, the design and operation shall minimize the risk of physical damage to the cycle from the parking facilities or from other cycles sharing the facility.

The City shall require the provision of on-site loading facilities for development that may regularly receive or dispatch goods. The loading spaces shall be located to minimize the effects of noise and fumes on adjacent uses and shall not interfere with customer/employee parking or pedestrian movement.

It is Council's desire that effective management and enforcement of traffic and parking regulations will optimize the operational efficiency of our infrastructure and ensure a continued emphasis on the traffic control system in place are adequate throughout the City.

## **SECTION 8**

### **SPECIAL STUDY AREA**

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Special Study Areas are designated on Schedule 'A' and are subject to the policies of this Section. Special requirements, including the preparation of Secondary Plans or Development Plans, will apply to those areas where complex issues exist and coordinated planning solutions are required prior to development proceeding. It is intended that, after planning issues have been resolved, development can proceed for the land use designations that have been identified within the study area, subject to the applicable policies of the Official Plan and, if required, of the Secondary Plan.

#### **8.1 Special Study Area 1**

Special Study Area 1 comprises all the lands situated between County Road No. 17 to the north, Part of Lots 33 and 34, Concession 1 (O.S.) to the west, the proposed major collector road to the south, and a portion of Part of Lot 32, Concession 1 (O.S.) to the east, as shown on Schedule 'A'.

The lands within the Special Study Area 1 are presently used primarily for agricultural uses, with the exception of a number of dwellings along de la Baie Road, on the south side of County Road No. 17.

The future development of lands within the Special Study Area 1 could offer a full range of residential uses, commercial, institutional and recreational activities. The completion of a Development Plan will be required prior to any development being approved in the Special Study Area 1.

##### **8.1.1 Development Plan**

1. A Development Plan shall be prepared in accordance with the following guidelines:
  - a) Council shall adopt an amendment to this Official Plan prior to any development.
  - b) In order to ensure the proper consideration of issues and problems, public participation and consultation with appropriate agencies shall be a mandatory component of the preparation of the Development Plan. When adopted, the Amendment to this Official Plan shall be subject to the approval of the United Counties of Prescott and Russell.
  - c) Until such time as the Development Plan is prepared for the Special Study Area 1, the permitted uses shall be limited to the existing uses. Notwithstanding the above, Council may permit redevelopment of existing legal uses, limited to repairs and minor additions to buildings or structures, which would not prejudice the future development of Special Study Area 1.
  - d) The Amendment to this Official Plan shall be implemented by Zoning By-Laws, development and site plans, subdivision plans and agreements, land acquisition, or other means as required.
  - e) The Development Plan must consider and include policies for, amongst other things:
    - i) transportation, traffic and parking;

## **SECTION 8**

### **SPECIAL STUDY AREA**

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- ii) housing types, densities and mix;
- iii) population size and distribution;
  
- iv) community facilities and services, such as schools, parks, recreation and institutional uses;
  
- v) commercial types and business office uses, size and locations;
  
- vi) municipal services and utilities;
  
- vii) visual amenity, landscaping and conservation criteria or standards; and
  
- viii) means of implementation and staging.

## **SECTION 9**

### **COMMUNITY IMPROVEMENTS**

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#### **9.1 Goal**

It is the goal of Council to upgrade, maintain and rehabilitate the physical environment, in order to ensure the continued social and economic viability of its existing Residential neighbourhoods, Commercial Core Area, Business Park, Service Commercial and Community Facilities.

#### **9.2 Objectives**

It is the intention of Council to implement a program of continuous community improvements (as defined in the *Planning Act*) that will fulfill the following objectives:

1. Foster improvements in Residential neighbourhoods by:
  - a) striving for an equitable distribution of social amenities among residential neighbourhoods in facilities that are well maintained, well located and easily accessible;
  - b) establishing and maintaining the physical infrastructure necessary, and appropriate for, the various residential neighbourhoods; and
  - c) ensuring the maintenance of the existing housing stock, and encouraging the rehabilitation, renovation and repair of older dwellings.
2. Foster improvements in the Commercial Core Area by:
  - a) maintaining a vibrant, attractive downtown by providing the necessary physical conditions to create a pleasant shopping environment;
  - b) providing and maintaining incentives to support the Commercial Core Area, to foster a healthy local economy for area businesses;
  - c) providing and maintaining downtown streets, sidewalks, lighting, benches and parking areas to ensure that the Commercial Core Area is accessible to both motorist and pedestrian;
  - d) encouraging high standards of site development; and
  - e) encouraging mixed use residential/commercial uses.
3. Foster improvements in the Service Commercial and Business Park by:
  - a) developing and maintaining the Service Commercial area and Business Park to facilitate the successful operation of the commercial uses that they accommodate;
  - b) ensuring that proposed improvements to local industries throughout Rockland generally enhance the areas in which they are located and area compatible with adjacent land uses;

## **SECTION 9**

### **COMMUNITY IMPROVEMENTS**

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- c) ensuring that sewer mains, gas mains, watermains, roads, curbs, sidewalks and street lighting are adequate and are appropriately located to service the commercial uses; and
  - d) ensuring that development occurs in an efficient sequential manner.
4. Foster improvements along the Ottawa River by:
- a) identifying, supporting and encouraging the development of the tourism and recreational potential of the waterfront;
  - b) maintaining public access to the Ottawa River and encouraging a healthy mix of tourist, recreational and open space uses; and
  - c) ensuring that watermains, sewer mains, roads and sidewalks are adequately designed, sized and located to service waterfront developments.
5. Foster improvements, generally, so as to:
- a) encourage the participation of the private sector in community improvement initiatives involving local merchants and business people and their associations, residents and civic leaders;
  - b) ensure that the undertaking of specific community improvement projects does not unduly burden their financial capability;
  - c) generally ensure high standards of site development throughout Rockland; and
  - d) ensure that, when undertaking community improvement projects, compatibility of neighbouring land uses are accorded due regard.

#### **9.3 Policy Area Designation**

All of the land within Rockland shall henceforth be known as the Community Improvement Policy Area of Rockland.

#### **9.4 Basis of Designation**

The area so designated was identified on the basis of the criteria listed in Section 9.6 below. An Inventory and Analysis Report includes the background information for the policy area designation.

#### **9.5 Comprehensive Improvements**

Council will undertake comprehensive and complementary improvement programs within the policy area, as financial resources permit.

## **SECTION 9 COMMUNITY IMPROVEMENTS**

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### **9.6 Criteria**

The Community Improvement Policy Area was designated on the basis of an evaluation of available municipal services and facilities using the criteria that follow. The designated area requires improvements in some or all of the following:

- a) the availability and/or adequacy of municipal services, including sanitary sewers, storm drainage, watermains, natural gas, roads, curbs and sidewalks;
- b) the availability of parks, recreation and neighbourhood facilities within individual neighbourhoods;
- c) compatibility of neighbouring land uses;
- d) the availability and/or adequacy of on-street and off-street parking and loading, particularly in the Commercial Core Area;
- e) physical amenities, including buffering between incompatible land uses, particularly between industrial and residential uses, and streetscaping and architectural treatment in the Commercial Core Area;
- f) pedestrian access between the parking and commercial functions in the Commercial Core Area; and
- g) building conditions.

### **9.7 Priority Areas**

Council may establish community improvement project areas as local municipal resources allow and as government funding becomes available. Council recognizes that improvements will be undertaken gradually and that it will be necessary to select project areas on a priority basis. The following considerations shall be taken into account in determining high priority areas for community improvements:

- a) Priority will be given to areas where deficiencies in the provision of such services meet the provisions in Section 9.6 herein are the most critical. Community improvement works may also be undertaken in areas of lower priority.
- b) Areas within Rockland that are deemed to be rich in historical or architectural features, such as may be established under Section 4.3 of this Official Plan, shall be considered a high priority area for community improvement, if other criteria for selection are satisfied.

### **9.8 Implementation Options for Community Improvements**

In order to achieve the objectives for Community Improvement, Council intends to use a variety of implementation methods and to choose the appropriate technique(s) for each objective. Such methods may include (but are not limited to) the following:

- a) preparation and adoption of community improvement plans;
- b) designation of community improvement project areas by By-law;



## **SECTION 9**

### **COMMUNITY IMPROVEMENTS**

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- c) application to the appropriate government agency for funds to support the Municipality's program;
- d) Municipal acquisition of land within the community improvement project area(s);
- e) clearing, grading or preparing the land for community improvement;
- f) enforcing By-laws dealing with property maintenance and enforcing the Municipality's policies for property maintenance and safe occupancy;
- g) encourage and support the foundation of a "Business Improvement Area" by enlisting the support of businesses in the downtown core;
- h) encouraging rehabilitation at the private level by providing residents with information on relevant government subsidies and programs;
- i) establishing an appropriate land use Zoning By-law;
- j) providing the framework for more flexible land use decisions by establishing mixed use zones in the implementing By-law, as deemed appropriate; and
- k) encouraging redevelopment through rehabilitation of existing facilities, where desirable, and by implementing the Heritage policies of this Official Plan.

## **SECTION 10 IMPLEMENTATION**

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### **10.1 Introduction**

The Official Plan of the Urban Area of the City of Clarence-Rockland is a policy document adopted under the provisions of the *Planning Act*. It is consistent with the Provincial Policy Statement (2005) issued under Section 3 of the *Planning Act* and has regard to provincial interests listed in Section 2 of the *Planning Act*. In some instances, the policies of this Plan are more limiting or restrictive than the Provincial Policy Statement (2005).

Implementation of the Official Plan is carried out through the following measures, among others:

- a) by the enactment and administration of implementing By-laws pursuant to the *Planning Act*, including a Zoning By-law, Site Plan Control By-law, Property Maintenance and Occupancy By-law;
- b) by the enactment and administration of By-laws pursuant to the *Municipal Act* or other *Provincial Acts*;
- c) by the construction of public works;
- d) by the acquisition of land;
- e) by amendments to the Official Plan and to implementing By-laws;
- f) by the adoption of a Community Improvement Plan; and
- g) by cooperating with other levels of government, community organizations and the private sector.

### **10.2 Zoning By-law**

#### **10.2.1 Implementation Tool**

The principal implementation tool of this Official Plan shall be the Zoning By-law. The existing Zoning By-law, that portion which applies to the Urban Area, will be amended as required to conform to the policies of this Official Plan. As set out in the *Planning Act*, this By-law may regulate the use of land, the erection or use of buildings, provisions for parking and loading spaces, among other things.

#### **10.2.2 Specific Project**

Since zoning constitutes the Municipality's most important means of control over land use and development, Council adoption of any zoning amendment required for a specific project should generally occur only when all other conditions or requirements deemed essential by the Municipality have been fulfilled. All applications for a change in the Zoning By-law shall require a pre-consultation with the City of Clarence-Rockland.

Council has the authority to require that a person or public body applying for a Zoning By-law amendment provide any other information and/or material that Council may consider necessary in making a decision.

## **SECTION 10 IMPLEMENTATION**

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### **10.3 Subdivision of Land**

Council will use the subdivision and consent approval processes to ensure control over the subdivision of land. All plans of subdivision and consent applications must conform to the requirements of this Official Plan, and shall require a pre-consultation with the City of Clarence-Rockland prior to an application.

As part of the approval process, certain requirements may be imposed as a condition to the approval of a plan of subdivision or a consent and the owner may be required to enter into an agreement with the Municipality before final approval.

### **10.4 Maintenance and Occupancy By-law**

The Municipality already has a By-law to prescribe standards for the maintenance and occupancy of property. The Maintenance and Occupancy By-laws have regard to the following aspects in establishing its requirements:

- a) the physical condition of lands, yards, roads and parking areas, including the accumulation of debris and rubbish, weeds and discarded vehicles;
- b) the adequacy of sanitation, including sewerage and drainage; and
- c) the physical condition of, or the availability of, sidewalks, pathways, lighting fixtures, signs, garbage disposal containers and other such facilities.

The Maintenance and Occupancy By-law should also prescribe standards for the physical condition of buildings and structures, including any accessory buildings.

The adoption of a Maintenance and Occupancy By-law gives the Municipality the authority to require substandard properties to be repaired and maintained to comply with the standards, prohibit the use of substandard property, and require the demolition and clearing of such property where the owner does not intend to repair and maintain it.

When a Municipality adopts a Maintenance and Occupancy By-law, it is necessary to appoint a Property Standards Officer who is responsible for administering and enforcing the By-law. The Municipality is also required to appoint a Property Standards Committee, in accordance with the *Planning Act*.

The measures to be used generally in achieving a property maintenance program should include an education and public relations program to show people the benefits of continued property maintenance, together with information showing what improvements can be made without increasing assessment. Complementary to the enforcement of minimum standards on private properties, the Municipality should undertake to keep in a fit and well-maintained condition all Municipally-owned properties and structures.

### **10.5 Other By-laws**

By-laws passed by Council under the authority of the *Municipal Act* or any other *Act* may implement the policies of this Official Plan. For instance, By-laws dealing with the regulation of derelict motor vehicles, wrecking yards, trailers or signs may be passed by Council, where considered appropriate. Any such By-law must conform to this Official Plan.

## **SECTION 10 IMPLEMENTATION**

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After approval of the Official Plan, amendments shall be made to any By-law deemed to implement the Official Plan that does not conform to the Official Plan and all amendments to implementing By-laws subsequently passed shall also conform.

### **10.6 Construction of Public Works**

Certain policies of this Official Plan will be implemented through the construction of public works. In accordance with the *Planning Act*, no public work shall be undertaken that does not conform to the intent and purpose of the Official Plan.

### **10.7 Land Acquisition**

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

In some cases, a lease or an option to purchase may be preferable to an outright purchase of land.

### **10.8 Amendments to the Official Plan**

Amendments may be made to the Official Plan when such changes are warranted. The provisions of the *Planning Act* with respect to Official Plans apply similarly to amendments, including the approval of the United Counties of Prescott and Russell or the Ontario Municipal Board, as the case may be. Applications for an Official Plan Amendment shall require a pre-consultation with the City of Clarence-Rockland. All applications must be deemed complete by planning staff. When amendments are made to the Official Plan, appropriate amendments will also be made to the implementing By-laws so that any such By-law is in conformity with the Official Plan.

### **10.9 Committee of Adjustment**

When a Zoning By-law is in effect, the Committee of Adjustment may rule on applications of minor variances from the provisions of the Zoning By-law. In granting a variance, the Committee will be satisfied that such variance is minor, is desirable for the appropriate development or use of the land, building or structure and that the intent and purpose of the Official Plan and Zoning By-law are maintained.

In addition, the Committee of Adjustment has the power to permit an extension or enlargement of a building or structure that is a legal non-conforming use. The Committee will have regard to the policies of Section 4.15 of this Official Plan in reviewing such applications.

The City of Clarence-Rockland has been given the power to grant consents to sever land within the Urban Area. The Committee of Adjustment shall follow the policies governing consents, as well as any other relevant policies in this Official Plan.

### **10.10 Interim Control By-law**

According to the *Planning Act*, Council may, when a planning study is under way, adopt a By-law to exercise interim land use control for a limited period of time. Thus, the study can be completed to determine the definitive use of the land without non-compatible uses being established in the interval.

## **SECTION 10 IMPLEMENTATION**

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### **10.11 Cash-in-Lieu of Parking**

Under the *Planning Act*, the Municipality may sign an agreement with a property owner to permit payment, to a common fund for cash-in-lieu of providing parking spaces on the property. The money thus accumulated must be used to improve off-street parking problems.

The Municipality intends to exercise this authority when dealing with development applications in the Commercial Core Area.

### **10.12 Site Plan Control By-law**

Site plans are detailed plans of a site indicating the location of buildings and structures, access, parking, landscaping, and so on. This is a control on the form and quality of the development, which does not abrogate the development rights of the owner according to the Zoning By-law. The general objective of the Municipality in proposing Site Plan Control is to assure that the impact of major developments is positive rather than negative, through a flexible control over the location and nature of things that are difficult to define in a Zoning By-law, such as: landscaping and buffering, grading, drainage, lighting and vehicular and pedestrian access. Minor developments, such as single family dwellings, generally do not require this type of control. This control is most suitable for industrial, commercial and medium density residential developments or for development where special site conditions exist as described in Section 4.22. In addition, the Site Plan Control mechanism provides for development agreements dealing with the Site Plan, maintenance of facilities and other related matters.

The whole of the Urban Area is designated as a Site Plan Control Area.

As a condition of a Site Plan Control By-law, the Municipality may require road widening for those roads outlined in Section 7 to a maximum width as proposed in those policies.

Prior to the submission of an application for Site Plan Control, the applicant shall arrange a pre-consultation meeting. For the purposes of the Site Plan Control By-law, the Municipality proposes to require drawings showing plan, elevation and cross-section views for all multiple residential dwellings, including mixed-use buildings. Further, the Municipality may require applicants to provide details regarding: matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings and their sustainable design; the sustainable design elements on any adjoining highway under a Municipality's jurisdiction, including, without limitation, trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and facilities designed to have regard for accessibility for persons with disabilities.

### **10.13 Road Widening**

Road widenings are an important aspect of the implementation of the Official Plan and can be achieved through a variety of methods. Section 7 of this Official Plan should be referred to for further details.

## **SECTION 10 IMPLEMENTATION**

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### **10.14 Public Notification**

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

### **10.15 Alternative Public Notice Procedures**

The *Planning Act* allows Council to set out in the Official Plan provisions for informing and obtaining the views of the public in respect to amendments to the Official Plan, to Community Improvement Plans and amendments thereto, and Zoning By-laws and amendments thereto prior to their adoption. This alternative procedure will provide notice to individuals, organizations and agencies and provides the opportunity for them to express their views to Council. It is the intention of Council to consider alternative notice procedures, but an Official Plan amendment to that effect shall be required.

### **10.16 Procedural Guidelines**

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

### **10.17 Urban Design**

Promoting quality design in private and public development is essential to improve the quality of place – quality of life. In order to attract economic development opportunities and skilled labour, the City must foster environments that emphasize human scale, accessibility, safety, attractiveness, innovation, and integration with both existing built form and the natural environment.

Good design principles are encouraged in order to improve the aesthetic quality of our urban spaces. Community Improvement Plans may also assist in improving the quality of place – quality of life.

#### **10.17.1 Objectives**

The objectives of the urban design guidelines are to:

- a) encourage a high level of design quality for all types of development and redevelopment;
- b) promote a built environment that is safe, energy efficient, aesthetically pleasing and productive;
- c) encourage a sustainable mix of uses; and
- d) promote attractive corridors that provide access to the downtown.

## **SECTION 10 IMPLEMENTATION**

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### **10.17.2 Policies**

1. Buildings, structures and other design elements that complement existing built form and character are encouraged.
2. Area streetscapes are to be improved over time through appropriate upgrades, such as landscaping, lighting, sidewalks, paving, and public art.
3. Landscaping will be required in:
  - a) the design of all new developments; and,
  - b) existing underdeveloped locations as an effective environmental upgrading technique.

### **10.18 Crime Prevention Through Environmental Design (CPTED)**

It is Council's intention to promote proper design and effective use of the built environment as a way to reduce crime and improve the quality of life. The following policy applies:

- a) all new development shall be subject to CPTED review and assessment with an emphasis on the physical environment, productive use of space, and reducing opportunities for crime.

### **10.19 Development Application Review**

The *Planning Act* gives Municipalities the ability to request, in addition to the minimum prescribed requirements, information and material for certain types of land use planning applications to make an informed decision, provided that the Official Plan contains provisions relating to the additional information and material. The *Planning Act* also gives Municipalities the ability to refuse to accept an application if it does not include the minimum prescribed requirements, any additional requirements contained in the Official Plan, and any required fee.

Prior to submitting any development application, the Municipality requires applicants to pre-consult with Municipal staff prior to submitting an application. Pre-consultation will provide important information, including the identification of required studies and/or reports in support of an application.

The Municipality shall request additional information that it needs when considering development proposals or *Planning Act* applications. Such information may be required as part of a complete application, or may be required prior to Council's decision on a proposed development. The following technical reports and/or plans may be required to assist in the review process of a development application. The applicant may be required to submit any of the following studies or reports:

- a) Servicing capacity/feasibility/options report
- b) Hydrogeological study and terrain analysis report
- c) Drainage and/or stormwater management report
- d) An Environmental Impact Statement
- e) Traffic impact study
- f) Confirmation on sufficient reserve sewage system capacity and reserve water system capacity

## **SECTION 10 IMPLEMENTATION**

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- g) Planning rationale
- h) Noise/dust/vibration and/or odour study
- i) An influence area study for development in proximity to a waste management facility or industrial use
- j) Vegetation inventory, enhancement plan and/or Tree Preservation Plan
- k) Mine hazard rehabilitation assessment
- l) Phase 1 Environmental Study and any further investigation, as required
- m) Source water protection study
- n) Landscape plan
- o) MDS I or II calculation
- p) An archaeological assessment
- q) Minimum separation distance calculation for an industrial use or a wastewater management facility
- r) Geotechnical study
- s) Floodplain assessment
- t) Heritage assessment
- u) Slope stability study
- v) Market study
- w) Concept Plan showing planned land use
- x) Any other study and/or report as identified by the Municipality.

### **10.20 Review Procedure**

It is the intention of Council that a comprehensive review of the Official Plan takes place at least every five years. If any of the assumptions on which this Official Plan is based were to change substantially, a partial or complete review of the Official Plan may be undertaken at that time in order to determine whether the policies are still appropriate. In accordance with the *Planning Act*, as part of this review, Council will hold a special public meeting to discuss the need for revisions to the Official Plan. If changes are warranted, appropriate amendments will be made following the review.



## **SECTION 11 INTERPRETATION**

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### **11.1 Boundaries of Land Use Areas**

It is intended that the boundaries of any land use areas shown on Schedule 'A' be considered as approximate only, except where bounded by such features as existing roads, rivers or other natural features. It will not be necessary to make amendments to the Official Plan for minor variations in the approximate boundaries provided that the intent of the Official Plan is preserved. In this regard, it is the intention of this Official Plan that there be more flexibility in the symbolic designations than in those designations that follow lot lines or elevations.

### **11.2 Figures and Quantities**

It is intended that all figures and quantities contained in this Official Plan be considered as approximate. Amendments will not be required for any minor variation from these figures.

### **11.3 Buildings, Structures, etc.**

It is intended that buildings, structures, etc. that are normally incidental, accessory and essential to a permitted use will also be allowed even though not specifically stated in the land use policies.

### **11.4 Significant Changes**

Any significant changes from the policies contained herein will require an amendment to the Official Plan and implementing By-laws. If a change is major, particularly if it calls for reconsideration of the very basis of the Official Plan, then the Official Plan should be reviewed in whole.

### **11.5 Amendments to the Official Plan**

Amendments to the Official Plan will not be necessary for changes that are of an administrative or technical nature, such as corrections of typographic errors, spelling, grammar or numbering, changing references to legislation, or for office consolidations of the Official Plan.

### **11.6 Consultation with or Approval from the Province**

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

## **SECTION 12 ADMINISTRATION**

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### **12.1 The Municipal Council**

The Municipal Council shall administer the Official Plan. In this regard, Council shall recommend the implementation of any feature of the Official Plan. It will also review the Official Plan, recommend amendments as required, and carry out other duties related to planning and development.

### **12.2 The *Planning Act* - Delegation of Powers**

The *Planning Act* authorizes the delegation of certain powers from Council to an employee or a Committee of Council. The Council can also name a Planning Advisory Committee to assist it in planning the development.

### **12.3 The *Planning Act* - Obligation**

The *Planning Act* has confirmed an obligation on the part of the Municipality to inform the public concerning proposed amendments and it has also confirmed the public's right to expression concerning amendments.

### **12.4 Advice**

Council may request the advice of consultants or of representatives of the various Government Ministries to assist it in its considerations.

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